

## **Appendix 10-D**

### **Initially Prepared Plan Public Comments**

---

Opportunities for public comment are provided through the regional water planning process. The members of the public are invited to provide comments at regularly scheduled meetings of the ETRWPG. Comments may be received in person, as well as by letter, email, or telephone. During the official comment period during the summer of 2020, comments regarding the 2021 Initially Prepared Plan were received from entities and/or individuals. This appendix includes copies of all written comments and a transcript of oral comments. Appendix 10-E of the 2021 Plan includes responses to all comments received during the 2021 Initially Prepared Plan comment period.



*This page intentionally left blank*



## Texas Water Development Board

P.O. Box 13231, 1700 N. Congress Ave.  
Austin, TX 78711-3231, [www.twdb.texas.gov](http://www.twdb.texas.gov)  
Phone (512) 463-7847, Fax (512) 475-2053

Mr. Kelley Holcomb, Chair  
c/o Angelina & Neches River Authority  
2901 N. John Reddit Dr.  
Lufkin, Texas 75904

Mr. Jim Jeffers  
City of Nacogdoches  
P.O. Box 635030  
Nacogdoches, Texas 75963

Re: Texas Water Development Board Comments for the East Texas (Region I) Regional  
Water Planning Group Initially Prepared Plan, Contract No. 1548301837

Dear Mr. Holcomb and Mr. Jeffers:

Texas Water Development Board (TWDB) staff have completed their review of the Initially Prepared Plan (IPP) submitted by March 3, 2020 on behalf of the East Texas Regional Water Planning Group (RWPG). The attached comments follow this format:

- **Level 1:** Comments, questions, and data revisions that must be satisfactorily addressed in order to meet statutory, agency rule, and/or contract requirements; and,
- **Level 2:** Comments and suggestions for consideration that may improve the readability and overall understanding of the regional water plan.

Please note that rule references are based on recent revisions to 31 Texas Administrative Code (TAC) Chapter 357, adopted by the TWDB Board on June 4, 2020. 31 TAC § 357.50(f) requires the RWPG to consider timely agency and public comment. Section 357.50(g) requires the final adopted plan include summaries of all timely written and oral comments received, along with a response explaining any resulting revisions or why changes are not warranted. Copies of TWDB's Level 1 and 2 written comments and the region's responses must be included in the final, adopted regional water plan (*Contract Exhibit C, Section 13.1.2*).

Standard to all planning groups is the need to include certain content in the final regional water plans that was not yet available at the time that IPPs were prepared and submitted. In your final regional water plan, please be sure to also incorporate the following:

- a) Completed results from the RWPG's infrastructure financing survey for sponsors of recommended projects with capital costs, including an electronic version of the survey spreadsheet [31 TAC § 357.44];

| Our Mission   | Board Members   |
|---|---|
| To provide leadership, information, education, and support for planning, financial assistance, and outreach for the conservation and responsible development of water for Texas | Peter M. Lake, Chairman   Kathleen Jackson, Board Member   Brooke T. Paup, Board Member<br>Jeff Walker, Executive Administrator |



Mr. Kelley Holcomb

Mr. Jim Jeffers

Page 2

- b) Completed results from the implementation survey, including an electronic version of the survey spreadsheet [31 TAC § 357.45(a)];
- c) Documentation that comments received on the IPP were considered in the development of the final plan [31 TAC § 357.50(f)]; and
- d) Evidence, such as a certification in the form of a cover letter, that the final, adopted regional water plan is complete and adopted by the RWPG [31 TAC § 357.50(h)(1)].

Please ensure that the final plan includes updated State Water Planning Database (DB22) reports, and that the numerical values presented in the tables throughout the final, adopted regional water plan are consistent with the data provided in DB22. For the purpose of development of the 2022 State Water Plan, water management strategy and other data entered by the RWPG in DB22 shall take precedence over any conflicting data presented in the final regional water plan [Contract Exhibit C, Sections 13.1.3 and 13.2.2].

Additionally, subsequent review of DB22 data is being performed. If issues arise during our ongoing data review, they will be communicated promptly to the planning group to resolve. Please anticipate the need to respond to additional comments regarding data integrity, including any source overallocations, prior to the adoption of the final regional water plans.

The provision of certain content in an electronic-only form is permissible as follows: Internet links are permissible as a method for including model conservation and drought contingency plans within the final regional water plan; hydrologic modeling files may be submitted as electronic appendices, however all other regional water plan appendices should also be incorporated in hard copy format within each plan [31 TAC § 357.50(g)(2)(C), Contract Exhibit C, Section 13.1.2 and 13.2.1].

The following items must accompany, the submission of the final, adopted regional water plan:

1. The prioritized list of all recommended projects in the regional water plan, including an electronic version of the prioritization spreadsheet [31 TAC § 357.46]; and,
2. All hydrologic modeling files and GIS files, including any remaining files that may not have been provided at the time of the submission of the IPP but that were used in developing the final plan [31 TAC § 357.50(g)(2)(C), Contract Exhibit C, Section 13.1.2, and 13.2.1].

The following general requirements that apply to recommended water management strategies must be adhered to in all final regional water plans including:

1. Regional water plans must not include any recommended strategies or project costs that are associated with simply maintaining existing water supplies or replacing existing infrastructure. Plans may include only infrastructure costs that are associated with volumetric increases of treated water supplies delivered to water user groups or that result in more efficient use of existing supplies [31 TAC § 357.10(39), § 357.34(e)(3)(A), Contract Exhibit C, Sections 5.5.2 and 5.5.3]; and,





Mr. Kelley Holcomb  
Mr. Jim Jeffers  
Page 3

2. Regional water plans must not include the costs of any retail distribution lines or other infrastructure costs that are not directly associated with the development of additional supply volumes (e.g., via treatment) other than those line replacement costs related to projects that are for the primary purpose of achieving conservation savings via water loss reduction [§ 357.34(e)(3)(A), *Contract Exhibit C, Section 5.5.3*].

**Please be advised that, within the attached document, your region has received a comment specifically requesting that the RWPG provide the basis for how the RWPG considers it feasible that certain water management strategies will actually be implemented by January 5, 2023 (see Level 1, Comment 1), especially for projects with long lead times. This comment is aimed at making sure RWPGs do not present projects in their plans to provide water during the 2020 decade that cannot reasonably be expected to be online, and provide water supply, by January 5, 2023. For project types whose drought yields rely on *previously stored water*, the 2020 supply volume should take into consideration reasonably expected accumulated storage that would already be available in the event of drought. The RWPG must adequately address this Level 1 comment in the final, adopted regional water plan, which might require making changes to your regional plan.**

**It is preferable that RWPGs adopt a realistic plan that acknowledges the likelihood of unmet needs in a near-term drought, rather than to present a plan that overlooks reasonably foreseeable, near-term shortages due to the inclusion of unrealistic project timelines. If a '2020' decade project cannot reasonably be expected to come online by January 2023, for example if a reservoir has not started the permitting process, it should be moved to the 2030 decade. Any potential supply gaps (unmet needs) created by moving out projects to the 2030 decade may be shown as simply 'unmet' in the 2020 decade or be shown as met by a 'demand management' strategy. Doing so will appropriately reflect the fact that some entities would likely face an actual shortage if a drought of record were to occur in the very near future despite projects (that may be included in the plan but associated with a later decade) that will eventually address those same potential shortages in future years.**

**It is imperative that you provide the TWDB with information on how you intend to address this comment and all other comments well in advance of your adoption the regional water plan to ensure that the response is adequate for the Executive Administrator to recommend the plan to the TWDB Board for consideration in a timely and efficient manner. Your TWDB project manager will review and provide feedback to ensure all IPP comments and associated plan revisions have been addressed adequately. Failure to adequately address this comment (or any Level 1 comment) may result in the delay of the TWDB Board approval of your final regional water plan.**

**As a reminder, the deadline to submit the final, adopted regional water plan and associated material to the TWDB is **October 14, 2020**. Any remaining data revisions to DB22 must be**



Mr. Kelley Holcomb  
Mr. Jim Jeffers  
Page 4

communicated to Sabrina Anderson at [Sabrina.Anderson@twdb.texas.gov](mailto:Sabrina.Anderson@twdb.texas.gov) by **September 14, 2020**.

If you have any questions regarding these comments or would like to discuss your approach to addressing any of these comments, please do not hesitate to contact Lann Bookout at (512) 936-9439 or [Lann.Bookout@twdb.texas.gov](mailto:Lann.Bookout@twdb.texas.gov). TWDB staff will be available to assist you in any way possible to ensure successful completion of your final regional water plan.

Sincerely,

Jessica Pena Zuba

Digitally signed by Jessica Pena  
Zuba  
Date: 2020.06.15 19:15:28 -05'00'

Jessica Zuba  
Deputy Executive Administrator  
Water Supply and Infrastructure

Date: 6/15/2020

Attachment

c w/att.: Mr. Rex Hunt, Plummer



ATTACHMENT

**TWDB comments on the Initially Prepared 2021 East Texas (Region I)  
Regional Water Plan.**

**Level 1: Comments, questions, and data revisions that must be satisfactorily  
addressed in order to meet statutory, agency rule, and/or contract requirements.**

1. Chapter 5 and the State Water Planning Database (DB22). The plan includes the following recommended water management strategies (WMS) by WMS type, providing supply in 2020 (not including demand management): five *groundwater wells & other* and 15 *other surface water*. **Strategy supply with an online decade of 2020 must be constructed and delivering water by January 5, 2023.**
  - a) Please confirm that all strategies shown as providing supply in 2020 are expected to be providing water supply by January 5, 2023. [31 § TAC 357.10(21); Contract Exhibit C, Section 5.2]
  - b) Please provide the specific basis on which the planning group anticipates that it is feasible that the 15 *other surface water* WMSs will all actually be online and providing water supply by January 5, 2023. For example, provide information on actions taken by sponsors and anticipated future project milestones that demonstrate sufficient progress toward implementation. [31 § TAC 357.10(21); Contract Exhibit C, Section 5.2]
  - c) In the event that the resulting adjustment of the timing of WMSs in the plan results in an increase in near-term unmet water needs, please update the related portions of the plan and DB22 accordingly, and also indicate whether 'demand management' will be the WMS used in the event of drought to address such water supply shortfalls or if the plan will show these as simply 'unmet'. If municipal shortages are left 'unmet' and without a 'demand management' strategy to meet the shortage, please also ensure that adequate justification is included in accordance with 31 TAC § 357.50(j). [TWC § 16.051(a); 31 § TAC 357.50(j); 31 TAC § 357.34(i)(2); Contract Exhibit C, Section 5.2]
  - d) **Please be advised that, in accordance with Senate Bill 1511, 85th Texas Legislature, the planning group will be expected to rely on its next planning cycle budget to amend its 2021 Regional Water Plan during development of the 2026 Regional Water Plan, if recommended WMSs or projects become infeasible, for example, due to timing of projects coming online.** Infeasible WMSs include those WMSs where proposed sponsors have not taken an affirmative vote or other action to make expenditures necessary to construct or file applications for permits required in connection with implementation of the WMS on a schedule in order for the WMS to be completed by the time the WMS is needed to address drought in the plan. [TWC § 16.053(h)(10); 31 TAC § 357.12(b)]
2. Section 3.1.4, Table 3.4, page 3-11. Please clarify why the firm yield (available supply, 1,874 ac-ft/yr) is greater than the permitted diversion (1,460 ac-ft/yr) for





Lake Center and whether/how the plan relies upon the greater amount in the final, adopted regional water plan. [31 TAC § 357.32(c)(1)]

3. Section 3.1.6, page 3-16. Please confirm whether the estimates of local surface water supplies are firm supplies under drought of record conditions and document this information in the final, adopted regional water plan. [31 TAC § 357.32(a); *Contract Exhibit C, Section 3.2*]
4. Section 3.2.1, Table 3.7, page 3-19. Desired future conditions (DFC) in Angelina County for the Queen City and Sparta aquifers are listed as 16 ac-ft for the Queen City Aquifer and not relevant due to size (NRS) for the Sparta Aquifer. GAM Run 17-024 shows that the DFC for Queen City Aquifer is NRS while the DFC for Sparta Aquifer is 16 ac-ft. Please update Table 3.7 to match GAM Run 17-024 in the final, adopted regional water plan. [31 TAC § 357.32(d)]
5. Section 3.2.2, Table 3.9, pages 3-21 to 3-23. Table 3.9 lists zero groundwater availability for Panola/Queen City/Sabine, Rusk/Sparta/Neches, Sabine/Queen City/Neches, Sabine/Queen City/Sabine, San Augustine/Queen City/Neches, San Augustine/Queen City/Sabine, Shelby/Queen City/Sabine, and Smith/Sparta/Neches. These aquifers do not exist in these geographic areas. Please remove these from Table 3.9 in the final, adopted regional water plan. [31 TAC § 357.32(d)]
6. Section 3.2.2, Table 3.9, pages 3-21 through 3-23. Non-relevant aquifers for Polk, Sabine, and Tyler counties are missing. Please include the non-relevant aquifers in Table 3.9 for Polk/Yegua-Jackson/Neches, Sabine/Gulf Coast/Sabine, and Tyler/Yegua-Jackson/Neches in the final, adopted regional water plan. [31 TAC § 357.32(d)]
7. Appendix 3-B. The documentation provided in Appendix 3-B (i.e., Water Availability Technical Memorandum) does not appear to summarize the Water Availability Model (WAM) analysis for the City of Beaumont (WR 4415) as mentioned in the IPP (last two sentences on page 3-11 and first three words on page 3-12) and approved in the region's hydrologic variance request. Please include this information in Chapter 3 or Appendix 3-B of the final, adopted regional water plan, [31 TAC § 357.32(c)(2)]
8. Section 4.4.1, page 4-11. The plan states that it is assumed that Lake Columbia will be completed by 2020. Page 5B-82 and page 5B-A-121 indicate Lake Columbia completion by 2030. Strategy supply with an online decade of 2020 must be constructed and delivering water by January 5, 2023. Given the Lake Columbia permit status and development timeline of a major reservoir, please revise the online decade of this technically feasible project to a realistic WMSP online timeframe (i.e., 2030) consistently throughout the final, adopted regional water plan. In the event that the adjustment of the timing of a WMS in the plan results in an increase in near-term unmet water needs, please update the related portions of





ATTACHMENT

the plan and DB22 accordingly. *[TWC § 16.053(h)(10); Contract Exhibit C, Section 5.2]*

9. Chapter 5. Multiple WMS evaluations state that the implementation decade is 2020 and has a development timeline of 5 years (for example CENT-TOL (page 5-A-150), LNVA-WRR (page 5B-A-161)). Please reevaluate the 5 years reference and clarify that strategies presented as providing supply in 2020 will be constructed and delivering water by January 5, 2023. If necessary, please revise the initial supply decade to represent a more realistic timeframe in the final, adopted regional water plan. *[31 TAC § 357.10(21); Contract Exhibit C, Section 5.2]*
10. Chapter 5. The plan does not appear to include specific goals for gallons of water use per capita per day (GPCD) for municipal WUGs in the planning area for each decade. Please include specific goals by decade for each municipal WUG in the final, adopted regional water plan. This may be a specific GPCD, or ranges of GPCD; may be based on specific municipal WUGs, or groupings of municipal WUGs as determined appropriate by the RWPG. *[TWC § 16.053 (e)(11); 31 TAC § 357.34(i)(3)]*
11. Chapter 5. Please include documentation of why aquifer storage and recovery, seawater desalination, and brackish groundwater desalination were not selected as recommended WMSs in the final, adopted regional water plan. *[TWC 16.053(e)(5)(j); Contract Exhibit C, Section 5.2; 31 § TAC 357.34(g)]*
12. Chapter 5 and Appendix 5B. The plan does not clearly state if or how environmental flow needs were taken into account in calculation of yield for the following WMSs: Permit Amendment for Houston County Lake (Strategy ID: HCWC-PA), Neches Run of River Strategies (UNM-LP, UNM-TS, UNM-GW), Angelina Run of River (ANRA-ROR), and Beaumont West Regional Reservoir (LNVA-WRR). Please provide this information in the final, adopted regional water plan. *[31 TAC § 358.3(22); 31 TAC § 358.3(23); 31 TAC § 357.34(e)(3)(B)]*
13. Section 5A.4.2, page 5A-16. The plan presents a screening process for aquifer storage and recovery (ASR) and notes seven entities with significant identified needs, however the plan does not appear to provide a specific assessment of ASR for the entities identified. Please provide the results of the screening process presented in Figure 5A.1 in the final, adopted regional water plan. *[TWC § 16.053(e)(10); 31 TAC § 357.34(h)]*
14. Section 5B.3.1., page 5B-82 and Appendix 5B-A. The ANRA-Run of River (submitted application/new application) WMSs are shown as providing supply for various mining needs in the plan however, there does not appear to be technical evaluation presented for this strategy. Please provide a technical evaluation for this strategy in the final, adopted regional water plan. *[31 TAC §357.34(f)]*
15. Appendix 5A-A, page 5A-A-2 states that conservation will not be considered for steam electric power, livestock, or mining demands. Each of these water user group categories has identified needs and conservation must be considered for each need. Please document more clearly that conservation was considered, as required by



rule, for these specific needs in the final, adopted regional water plan. [31 TAC § 357.34(i)(2)]

16. Appendix 5B-A, page 5B-A-127. The evaluation for ANRA-WTP indicates a supply of zero acre-feet per year, however page 5B-86 indicates the ANRA-WTP WMS will supply up to 22,232 acre-feet per year. Please reconcile this information in the final, adopted regional water plan. [31 TAC § 357.34(d)]
17. Appendix 5B-A and 5B-B. The plan appears to combine the environmental factors (i.e. environmental water needs, wildlife habitat, cultural resources, and effect of upstream development on bays, estuaries, and arms of the Gulf of Mexico) into the term "Environmental Factors". It is not clear how the overall environmental factor score for quantifying impacts is determined. Please clarify what methodology, formula or other means, is used to calculate the overall environmental factor score in the final, adopted regional water plan. [31 TAC § 357.34(e)(3)(B)]
18. Appendix 5B-B. It is not clear where recreational impacts are considered in the WMS analysis Evaluation Matrix Rating Criteria. Please clarify whether this factor is analyzed for WMS impacts in the final, adopted regional water plan. [31 TAC § 357.34(e)(10)]
19. Section 6.1.1, page 6-2 describes ratings for "Major Impacts on Key Water Quality Parameters", however these ratings do not appear to match the ratings described in "Evaluation Matrix Rating Criteria" (Appendix 5B-B, page 5B-B-5). Please reconcile these ratings and definitions in the final, adopted regional water plan. [31 TAC § 357.34(e)(8)]
20. Section 6.1.2, page 6-2 describes ratings for "Threat to Agricultural Resources/Rural Areas", however these descriptions do not appear to match the ratings described in "Evaluation Matrix Rating Criteria" (Appendix 5B-B, page 5B-B-5). Please reconcile these ratings and definitions in the final, adopted regional water plan. [31 TAC § 357.34(e)(7)]
21. Section 6.3, page 6-5. The plan states that there are no unmet needs, municipal or non-municipal, included in the 2021 Plan, however data reported in DB22 shows unmet need of one acre-foot per year in Manufacturing, Jefferson County. Please reconcile this information in the final, adopted regional water plan. [31 TAC § 357.40(c)]
22. Section 7.3, page 7-17. The plan states that TWDB guidance requires existing major water infrastructure facilities to be collected confidentially and separately from the 2021 Plan and does not include a list of existing emergency interconnects. TWDB guidance states that location and detailed facility information should be kept separate from the plan. Please include, at a minimum, a description of the methodology used to collect the information, and the number of existing and potential interconnects including who is connected to who, in the final, adopted regional water plan. [31 TAC § 357.42(d); Contract Exhibit C, Section 7.3]





ATTACHMENT

23. Section 7.8.1, page 7-49, last sentence. The plan appears to state how the region addressed recommendations the Drought Preparedness Council provided for the 2016 RWP. Please indicate how the region addressed the Drought Preparedness Council's recommendations provided to planning groups on August 1, 2019 and noted in the 2nd bullet of Section 7.8.1. [31 TAC § 357.42(h)]
24. Chapter 7. The plan does not appear to include a discussion of whether drought contingency measures have been recently implemented (for example, since adoption of the last regional water plan) in response to drought conditions. Please include this information in the final, adopted regional water plan [Contract Scope of Work, Task 7, subtask 3]
25. Section 8.1, Page 8-1, page 8-2, and page 8-6. This section appears to include outdated information, including reference to a draft Texas Parks and Wildlife report, TWDB recommended stakeholder committee, and reference to action taken at the January 2015 Region I meeting. The TPWD ecologically significant stream segment information appears to be in final form on their website. Please confirm status of information referenced and update as appropriate in the final, adopted regional water plan. [31 TAC § 357.43(b)]
26. Section 10.3. The plan notes that all meetings were held in accordance with the Texas Open Meetings Act but does not discuss compliance with the Texas Public Information Act. Please address how the planning group complied with the Texas Public Information Act in the final adopted regional water plan. [31 TAC §357.21; 31 TAC §357.50(f)]
27. Section 11.1, page 11-1. The plan states that "this is the first year a plan will have water management strategy projects...", however WMS projects were included in the 2016 regional water plan. Please correct this statement in the final, adopted regional water plan [31 TAC § 357.45(a)]
28. Section 11.2.2, page 11-4. The plan appears to include the comparison of drought of record information from the 2016 regional water plan. Please update this information as necessary for the final, adopted regional water plan. [31 TAC § 357.45(c)(2)]
29. Chapter 11. Please provide a brief summary of how the 2016 Plan differs from the 2021 Plan with regards to recommended and alternative WMS projects in the final, adopted regional water plan. [31 TAC § 357.45(c)(4)]
30. Appendix 11-A. It appears that the implementation survey in the plan uses the template from the 2016 regional water plan. Please ensure that the template and data used for the implementation survey are based on the survey template and data that the TWDB provided in June 2019 for this current planning cycle. [31 TAC § 357.45(a)]
31. Chapter 11. The plan does not appear to indicate the progress of the planning group in encouraging cooperation between water user groups to achieve economies of





scale and otherwise incentivize strategies that benefit the entire region. Please include this information in the final, adopted regional water plan. *[TWC § 16.053(e)(12)]*

32. Appendix ES-A. The plan appears to be missing DB22 report #18, Recommended Water Management Strategies Requiring a New or Amended IBT Permit. Please include a copy of this report in the final, adopted regional water plan. *[Contract Scope of Work, Task 10, subtask 11]*
33. Appendix ES-A. The plan includes some DB22 reports that appear blank due to the region not having relevant data for these reports. Please provide a cover page or note on the DB22 report table of contents indicating the reason for these report contents being blank. *[Contract Exhibit C, Section 13.1.2]*

|   |
|---|
| <b>Level 2: Comments and suggestions for consideration that may improve the readability and overall understanding of the regional water plan.</b> |
|---|

1. Page 1-12, Section 1.3.1, fourth paragraph, second sentence. The text states the Gulf Coast Aquifer provides water to all or parts of 10 counties in the ETRWPA however data reports indicate that eight (8) counties within the ETRWPA receive supply from the Gulf Coast Aquifer. Please consider revising as appropriate in the final plan.
2. Section 1.3.1. Please consider adding a reference source for the average total pumping values presented for each aquifer in the region.
3. Page 1-17, last full paragraph, first sentence. The sentence states that the ETRWPA encompasses GMAs 11 and 14. Please consider updating the text to state that the ETRWPA includes portions of GMAs 11 and 14.
4. Page 3-1, third paragraph and page 3-5, Figure 3.4. The text on page 3-1 says "approximately 11% of the total freshwater supply is groundwater"; however, Figure 3.4 shows that approximately 12% of the freshwater supply is groundwater. Please consider revising the text or figure accordingly.
5. Page 3-5. The text says "slightly more than 549,000 ac-ft per year, however, it should say "slightly less than 549,000 ac-ft" based on the values presented in Table 3.1. Please consider revising the text in the final plan.
6. Page 3-18, Figure 3.5, and page 1-18, Figure 1.9, and Section 1.3.1, page 1-16. Deep East Texas Groundwater Conservation District (GCD) and Anderson County GCD are included in the Figure 3.5. Please exclude these GCDs from the figure as these GCDs no longer exist.
7. Page 3-19, 1st paragraph. Please consider correcting the reference "Error!Reference source not found" in the final plan.



ATTACHMENT

8. Page 3-24, Table 3.10. The first sentence states that Table 3.10 presents the total MAG volumes by aquifer for planning years 2020 through 2070, however Table 3.10 only includes the volumes for the year 2020. Please consider adjusting the text or table so they agree.
9. Page 3-24, Table 3.10. The first column is named "Region," but the cells below are filled with the word "Total." Please consider correcting the cells with the word "Total" to either "Northern" or "Southern" as best fits the region.
10. Chapter 3, page 3-9. Please consider revising the title for Section 3.1.4 to "Reservoir Water Availability".
11. In Appendix 3-B last sentence in first paragraph references Appendix 3-D. This appears to be a typo. Please correct the typographical error in the final plan.
12. In Appendix 3-B, the last sentence in the first paragraph references Appendix 3-D. This appears to be a typo. Please correct the typographical error in the final plan.
13. Chapter 5B, page 5B-54 includes conservation strategies for New London in the last two tables, yet the table on page 5B-55 states "none" for New London's recommended WMSS. Please reconcile the tables in the final water plan
14. Please consider reconciling the following statements which appear contradictory:
  - a) Appendix 5B-A-181 has the statement: "Based on current contracts and the available supplies from the Neches Basin WAM, the UNRMWA shows a small shortage during the planning period for Lake Palestine supplies. UNRMWA does not think the shortages to be real as the shortage is primarily associated with the reduced firm yield of Lake Palestine due to projected sediment accumulation in the lake. UNRMWA believes that the storage-area-elevation curves used in the Water Availability Models are severely under-predicting the storage volumes available in various parts of the lake. Therefore, UNRMWA believes that the lake yield is much larger than what is projected by the Water Availability Models."
  - b) Appendix 5B-A-178 has the statement: "The supply for this strategy represents City of Tyler's contract with Upper Neches River Municipal Water Authority for 67,200 ac-ft per year supplies from Lake Palestine. City of Tyler has transmission capacity to access half of the supplies and plans to develop this recommended strategy to access the other half. The reliability of this water supply is not considered high due to reduction in Lake Palestine yield due to sedimentation issues."
15. Section 5.B.3.16, page 5B-123. Please consider including a discussion of the basis for why the UNRMWA "believes" that the WAMs "underpredict the storage volumes available in various parts of the lake".



16. Appendix 5A-A, page 5A-A-2 states that 140 GPCD is the TWDB recommended goal for municipal users. Please correct this statement, which is a recommendation by the Texas Water Conservation Implementation Task Force, not a TWDB recommendation.
17. Alternating page numbers in Appendix 5B-A are "Appendix4-A" and "Appendix 5B-A". Please consider revising in the final plan.
18. Appendix 5B-A, page 5B-A-1, 2nd paragraph references the *Exhibit C, First Amended General Guidelines for Regional Water Planning Development – October 2012*. Please update this reference to the current version of Exhibit C under contract: *Exhibit C, Second Amended General Guidelines for Fifth Cycle of Regional Water Plan Development – April 2018*.
19. Appendix 5B-A, page 5B-A-7 states that the plan used the Texas Water Development Board Water Availability Models. Water Availability Models are maintained by the Texas Commission on Environmental Quality. Please consider correcting this information in the final plan.
20. Appendix 6-A. Please consider updating the Texas Administrative Code matrix to reflect updated rule references, based on amendments to 31 TAC Chapter 357 adopted by the TWDB Board on June 4, 2020.
21. Chapter 8, Section 8.1, Page 8-1, 4th paragraph contains a footnote reference that does not appear until page 8-15 and appears to be an incorrect reference to the footnoted material. Please consider revising in the final plan.
22. The GIS files submitted for WMS projects do not include the minimum required metadata. Please include at a minimum, metadata about the data's projection, with the final GIS data submitted. *[Contract Exhibit D, Section 2.4.1]*





Barry Mahler, Chairman  
Marty H. Graham, Vice Chairman  
Scott Buckles, Member  
José O. Dodier, Jr., Member



David Basinger, Member  
Tina Y. Buford, Member  
Carl Ray Polk, Jr., Member  
Rex Isom, Executive Director

**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
*Protecting and Enhancing Natural Resources for Tomorrow*

June 18, 2020

Mr. Rex Hunt, P.E.  
Region I Consultant

Dear Mr. Hunt;

For the past 2 years the Texas State Soil and Water Conservation Board (TSSWCB) has been participating in the Texas Water Development Board's (TWDB) Regional Water Planning meetings as directed by Senate Bill 1511, passed in the 2017 legislative session. We appreciate being included in the process and offer these constructive comments to the regional water plans and ultimately the State water plan. Attached you will find some specific comments to the Region I water plan as they pertain to the TSSWCB.

As you may know 82% of Texas' land area is privately-owned and are working lands, involved in agricultural, timber, and wildlife operations. These lands are important as they provide substantial economic, environmental, and recreational resources that benefit both the landowners and public. They also provide ecosystem services that we all rely on for everyday necessities, such as air and water quality, carbon sequestration, and wildlife habitat.

With that said, these working lands are where the vast majority of our rain falls and ultimately supply the water for all of our needs, such as municipal, industrial, wildlife, and agricultural to name a few. Texas' private working lands are a valuable resource for all Texans.

Over the years, the private landowners of these working lands have been good stewards of their property. In an indirect way they have been assisting the 16 TWDB's Regional Water Planning Groups in achieving their goals through voluntary incentive-based land conservation practices.

It has been proven over time if a raindrop is controlled where it hits the ground there can be a benefit to both water quality and water quantity. Private landowners have been providing benefits to our water resources by implementing Best Management P(BMP) that slow water runoff and provide for soil stabilization, which also slows the sedimentation of our reservoirs and allows for more water infiltration into our aquifers.

1497 Country View Lane • Temple, TX 76504-8806  
Phone: 254-773-2250 • Fax: 254-773-3311  
<http://www.tsswcb.texas.gov>



Some common BMPs include brush management, prescribed grazing, fencing, grade stabilization, irrigation land leveling, terrace, contour farming, cover crop, residue and tillage management, and riparian herbaceous cover.

The TSSWCB has been active with agricultural producers since 1939 as the lead agency for planning, implementing, and managing coordinated natural resource conservation programs for preventing and abating agricultural and sivicultural nonpoint sources of water pollution.

The TSSWCB also works to ensure that the State's network of over 2,000 flood control dams are protecting lives and property by providing operation, maintenance, and structural repair grants to local government sponsors.

The TSSWCB successfully delivers technical and financial assistance to private landowners of Texas through Texas' 216 local Soil and Water Conservation Districts (SWCD) which are led by 1,080 locally elected district directors who are active in agriculture. Through the TSSWCB Water Quality Management Plan Program (WQMP), farmers, ranchers, and silviculturalists receive technical and financial assistance to voluntarily conserve and protect our natural resources. Participants receive assistance with conservation practices, BMPs, that address water quality, water quantity, and soil erosion while promoting the productivity of agricultural lands. This efficient locally led conservation delivery system ensures that those most affected by conservation programs can make decisions on how and what programs will be implemented voluntarily on their private lands.

Over time, lands change ownership and many larger tracts are broken up into smaller parcels. Most new landowners did not grow up on working lands and therefore may not have a knowledge of land management techniques. The TSSWCB is writing new WQMPs for these new landowners who are implementing BMPs on their land. Education and implementation of proper land management and BMPs continues to be essential. Voluntary incentive-based programs are essential to continue to address soil and water conservation in Texas.

These BMPs implemented for soil and water conservation provide benefits not only to the landowner but ultimately to all Texans and our water supply.

Respectfully,



Barry Mahler  
Chairman



Rex Isom  
Executive Director

Attachment

1497 Country View Lane • Temple, TX 76504-8806  
Phone: 254-773-2250 • Fax: 254-773-3311  
<http://www.tsswcb.texas.gov>



Region I

- Page 1-2, Table 1.1 East Texas Regional Water Planning Group Members, Non-Voting Members
  - Include Texas State Soil and Water Conservation Board (TSSWCB), Rusty Ray

1497 Country View Lane • Temple, TX 76504-8806  
Phone: 254-773-2250 • Fax: 254-773-3311  
<http://www.tsswcb.texas.gov>





*This page intentionally left blank*

