

Appendix 10-E

Initially Prepared Plan Comments and ETRWPG Responses

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 responses to all comments received during the 2021 Initially Prepared Plan comment period.



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Comment	ETRWPG Response	Changes Made (if applicable)
<p>Comments Received: 6/15/2020 Jessica Pena Zuba (Texas Water Development Board) Level 1 Comments, Appendix 10-D</p>		
<p>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.</p> <p>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]</p> <p>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]</p> <p>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]</p> <p>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)]</p>	<p>RWPG Accepted Recommended Change. Twenty-two projects were changed from an online decade of 2020 to 2030</p>	<p>Changes were primarily made to Chapter 5B and Appendix 5B-A</p>
<p>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)]</p>	<p>RWPG Accepted Recommended Change.</p>	<p>Firm yield reduced to 1,460 ac-ft/yr.</p>
<p>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]</p>	<p>RWPG Accepted Recommended Change.</p>	<p>Clarifying language added to Section 3.1.6.</p>
<p>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)]</p>	<p>RWPG Accepted Recommended Change.</p>	<p>Table 3.7 updated.</p>
<p>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)]</p>	<p>RWPG Accepted Recommended Change.</p>	<p>Table 3.9 updated.</p>



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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)]	RWPG Accepted Recommended Change.	Table 3.9 updated.
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)]	RWPG Accepted Recommended Change.	City of Beaumont analysis added into Appendix 3-B.
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 the plan and DB22 accordingly. [TWC § 16.053(h)(10); Contract Exhibit C, Section 5.2]	RWPG Accepted Recommended Change.	Online decade shifted to 2030.
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]	RWPG Accepted Recommended Change.	Projects shifted to online decade of 2030.
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)]	RWPG Accepted Recommended Change.	Specific gpcd goals added into Appendix 5C-B.
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)]	RWPG Accepted Recommended Change.	Discussion added in 5A.4.2.
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)]	RWPG Accepted Recommended Change.	Environmental flows were considered. Language added to clarify.
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)]	RWPG Accepted Recommended Change.	Discussion added in 5A.4.2.
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)]	RWPG Accepted Recommended Change.	ANRA-Run of River evaluation added into Appendix 5B-A



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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)]	RWPG Accepted Recommended Change.	Clarifying language added into Appendix 5A-A
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)]	RWPG Accepted Recommended Change.	Clarifying language added into Appendix 5B-A
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)]	RWPG Accepted Recommended Change.	Clarifying language added into Appendix 5B-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)]	RWPG Accepted Recommended Change.	Clarifying language added into Appendix 5B-B.
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)]	RWPG Accepted Recommended Change.	Ratings revised to be consistent between Appendix 5B-A, 5B-B, and Chapter 6.
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)]	RWPG Accepted Recommended Change.	Ratings revised to be consistent between Appendix 5B-A, 5B-B, and Chapter 6.
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)]	RWPG Accepted Recommended Change.	Section 6.3 revised to discuss unmet needs.
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]	RWPG Accepted Recommended Change.	Section 7.3 revised to include interconnect information.
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)]	RWPG Accepted Recommended Change.	Clarifying text added in Chapter 7. Model drought contingency plan for manufacturing added to website.
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]	RWPG Accepted Recommended Change.	Information added to Section 7.2.1.



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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)]	RWPG Accepted Recommended Change.	Outdated information updated.
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)]	RWPG Accepted Recommended Change.	Discussion of compliance added.
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)]	RWPG Accepted Recommended Change.	Statement corrected.
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)]	RWPG Accepted Recommended Change.	Information updated.
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)]	RWPG Accepted Recommended Change.	Information updated.
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)]	RWPG Accepted Recommended Change.	Revised to use updated template.
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)]	RWPG Accepted Recommended Change.	Language added into Section 11.2.6.
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]	Report #18 was included in the IPP on PDF page 103 of Volume II.	-
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]	RWPG Accepted Recommended Change.	Note will be added on table of contents.
Comments Received: 6/15/2020 Jessica Pena Zuba (Texas Water Development Board) Level 2 Comments, Appendix 10-D		
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.	RWPG Accepted Recommended Change.	Text revised.
2. Section 1.3.1. Please consider adding a reference source for the average total pumping values presented for each aquifer in the region.	RWPG Accepted Recommended Change.	Reference added.
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.	RWPG Accepted Recommended Change.	Text revised.
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.	RWPG Accepted Recommended Change.	Text revised.



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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.	RWPG Accepted Recommended Change.	Text revised.
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.	RWPG Accepted Recommended Change.	Figure revised.
7. Page 3-19, 1st paragraph. Please consider correcting the reference "Error!Reference source not found" in the final plan.	No change necessary.	-
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.	RWPG Accepted Recommended Change.	Table revised.
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.	RWPG Accepted Recommended Change.	Table revised.
10. Chapter 3, page 3-9. Please consider revising the title for Section 3.1.4 to "Reservoir Water Availability".	RWPG Accepted Recommended Change.	Title revised.
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.	RWPG Accepted Recommended Change.	Text revised.
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.	RWPG Accepted Recommended Change.	Text revised.
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	RWPG Accepted Recommended Change.	5B-55 revised.
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."	RWPG Accepted Recommended Change.	Text revised.
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".	RWPG Accepted Recommended Change.	Clarifying statement added
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.	RWPG Accepted Recommended Change.	Text revised.
17. Alternating page numbers in Appendix 5B-A are "Appendix4-A" and "Appendix 5B- A". Please consider revising in the final plan.	RWPG Accepted Recommended Change.	Text revised.
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.	RWPG Accepted Recommended Change.	Text revised.



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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.	RWPG Accepted Recommended Change.	Text revised.
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.	RWPG Accepted Recommended Change.	Matrix updated in Appendix 6-A.
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.	No change. The "footnote" on Page 8-1 is actually a citation for a reference	-
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]	RWPG Accepted Recommended Change.	Metadata will be submitted.
Comments Received: 6/18/2020		
Barry Mahler and Rex Isom (Texas Soil and Water Conservation Board)		
1. Page 1-2, Table 1.1 East Texas Regional Water Planning Group Members, Non-Voting Members. Please include Texas State Soil and Water Conservation Board and Rusty Ray	RWPG Accepted Recommended Change.	Table 1.1 updated.

