

**LAVACA REGIONAL PLANNING GROUP  
RESPONSE TO RFA 580-21-RFA-0013**



**APPLICATION TO THE  
TEXAS WATER DEVELOPMENT BOARD REQUESTING  
GRANT FUNDING TO COMPLETE THE SIXTH CYCLE OF  
REGIONAL WATER PLANNING  
APRIL 2021**

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RESPONSE TO RFA 580-21-RFA-0013**

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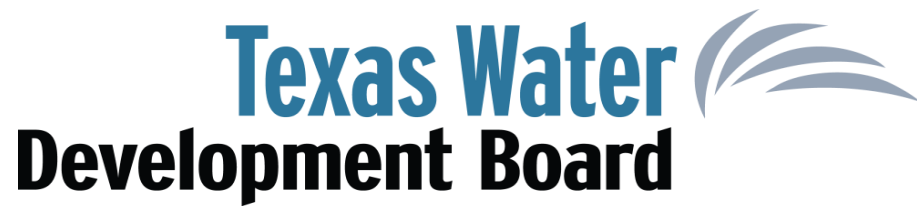
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**Texas Water Development Board Regional Water Planning  
Grant Application Checklist**

March 2021

All applications **must be complete** when submitted to the TWDB. A list of required items with check boxes has been provided in the following pages to assist you in completing the application. **Please check the boxes after you have included the respective items in the application and return the completed checklist with the application.**

### **I. GENERAL INFORMATION**

- 1. Legal name of applicant(s).
- 2. Regional Water Planning Group.
- 3. Authority of law under which the applicant was created.
- 4. Applicant's official representative, Name, Title, Mailing address, Phone number, Fax number, if available, E-mail Address, and Vendor ID Number.
- 5. DUNS Number. If you do not have a DUNS number, visit:  
<https://iupdate.dnb.com/iUpdate/viewiUpdateHome.htm>
- 6. Proposed planning cost estimate for the initial scope of work for the sixth cycle of regional water planning (use Table 1 in the Application Instructions Document for the cost allocated by region).
- 7. Amount of grant funds requested from the Texas Water Development Board associated with the initial scope of work for the sixth cycle of regional water planning.
- 8. Statement of why state funding assistance is needed (Not to exceed 1 page).

### **II. ADMINISTRATIVE DOCUMENTATION**

- 9. The date of the public meeting where the RWPG designated the Political Subdivision as the representative of the RWPG eligible to receive funding and authorized the Political Subdivision to apply for these grant funds on behalf of the RWPG (as required in 31 TAC §357.12(a)(4) and 31 TAC §355.90(b)(3)).
- 10. A copy of or website link to the RWPG's most recently adopted by-laws (as required in 31 TAC §355.91(a)).

### **III. PLANNING INFORMATION**

- 11. A detailed scope of work for proposed planning, including specific deliverables for each task. Include the *Scope of Work for the Sixth Cycle of Regional Water*

**Planning document prepared by TWDB located at:**

**[https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/rfadocs/Draft\\_Initial\\_SOW\\_SixthCycle\\_RWP.pdf](https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/rfadocs/Draft_Initial_SOW_SixthCycle_RWP.pdf)**

- 12. A task budget for the scope of work by task. Use the Draft Contractor Task Budget by Region table located online at:  
[https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/rfadocs/Draft\\_Task\\_Budget.pdf](https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/rfadocs/Draft_Task_Budget.pdf)
- 13. An expense budget for the scope of work by expense category. Use the template provided online at:  
[https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/rfadocs/Draft\\_RWP\\_Expense\\_Budget.pdf](https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/rfadocs/Draft_RWP_Expense_Budget.pdf)
- 14. A time schedule for completing detailed Scope of Work by task. Use the Sixth Cycle of Regional Water Planning Working Schedule provided online at:  
[https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/projectdocs/Working\\_Schedule\\_2026RWPs\\_Feb2021.pdf](https://www.twdb.texas.gov/waterplanning/rwp/planningdocu/2026/projectdocs/Working_Schedule_2026RWPs_Feb2021.pdf)

#### **IV. WRITTEN ASSURANCES**

**Written assurance of the following item:**

- 15. Proposed planning does not duplicate existing projects, or previous or ongoing planning.

**Please check the boxes after you have included the respective items in the application and return the completed checklist with the application.**

## **I. GENERAL INFORMATION**

1. Legal name of applicant(s).  
Lavaca-Navidad River Authority
2. Regional Water Planning Group:  
Lavaca Regional Water Planning Group
3. Authority of law under which the applicant was created.  
Lavaca-Navidad River Authority is a body politic and corporate created by the Texas Legislature and existing pursuant to article XVI, Section 59 of the Texas Constitution and a series of acts formerly compiled as Article 8280-131, Vernon's Annotated Texas Civil Statutes
4. Applicant's official representative, Name, Title, Mailing address, Phone number, Fax number, if available, E-mail Address, and Vendor ID Number.  
Patrick Brzozowski, P.E., General Manager  
Lavaca-Navidad River Authority  
P.O. Box 429  
Edna, Texas 77957-0429  
Phone No. 361.782.5229  
Fax No. 361.782.5310  
Email [pbrzozowski@lnra.org](mailto:pbrzozowski@lnra.org)  
Vendor ID No. 74-1600109
5. DUNS Number.  
02-763-3700
6. Proposed Planning Cost Estimate  
\$ 87,064
7. Total grant funds requested from the Texas Water Development Board.  
\$ 87,064
8. Statement of why state funding assistance is needed.  
The cities in the region would normally be the candidates for providing local matches for area needs, but the needs of the cities for water supply are met throughout the 50-year planning horizon from the available groundwater supplies and are substantially less than the demands of agriculture. Therefore, the burden of exploring the development of water supplies to meet future needs falls upon agricultural producers that are unable to develop the significant amounts of capital required for matching shares to fund a conventional matching grant application.  
  
In view of the above, the Lavaca Regional Water Planning Group is requesting that 100 percent of the technical work be funded for this study in the same way the technical work was funded in previous studies.

## **II. ADMINISTRATIVE DOCUMENTATION**

9. Date of public meeting where the RWPG designated the Political Subdivision as the representative of the RWPG eligible to receive funding and authorized the Political Subdivision to apply for these grant funds on behalf of the RWPG.  
October 19, 2020

- 10. A copy of or website link to the RWPG's most recently adopted by-laws.  
A copy of the RWPG By-laws are attached as **Appendix A**.

### **III. PLANNING INFORMATION**

- 11. A detailed scope of work for proposed planning.  
The major scope items proposed for this planning process are listed below. Please see **Appendix B** for a detailed description of these tasks.
- 12. A task budget for detailed scope of work by task.  
Please see **Appendix C**.
- 13. An expense budget for detailed scope of work by expense category.  
Please see **Appendix D**.
- 14. A time schedule for completing detailed Scope of Work by task.  
Please see **Appendix E**.

### **III. WRITTEN ASSURANCES**

Written assurance of the following item:

- 15. Proposed planning does not duplicate existing projects, or previous or ongoing planning.  
The proposed planning does not duplicate existing projects, or previous or ongoing planning.

## **APPENDIX A**

**Lavaca Regional Water Planning Group By-laws  
Revised 05 04 2012**



# **Lavaca Regional Water Planning Group Bylaws**

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## **ARTICLE 1. NAMES**

### **Section 1. Organization**

The official name of this organization shall be the “Lavaca Regional Water Planning Group” (hereinafter “Lavaca RWPG”).

### **Section 2. Regional Water Planning Area**

The official name of the regional water planning area designated as Region P 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 Lavaca Regional Water Planning Group.

## **ARTICLE II. ESTABLISHMENT AND PURPOSE**

The Lavaca RWPG was established by appointment of an initial coordinating body by the TWDB on February 19, 1998, and any subsequent additional appointments by the initial coordinating body. The purpose of the Lavaca RWPG 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 355, 357, and 358, in and for the Lavaca RWPG.

## **ARTICLE III. PRINCIPAL ADMINISTRATIVE OFFICE**

The principal administrative office of the Lavaca RWPG shall be the principal business offices of the Lavaca-Navidad River Authority. The administrative officer of the Lavaca RWPG for purposes of the Texas Open Records Act shall be the General Manager of the Lavaca-Navidad River Authority. The Chair of the Lavaca RWPG shall insure that the mailing address and physical address of the principal office and administrative officer are provided to all members of the Lavaca RWPG and the Executive Administrator of the TWDB.

## **ARTICLE IV. RESPONSIBILITIES**

The Lavaca RWPG shall have the responsibility 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. Foremost among those responsibilities shall be the development of a regional water plan for the Lavaca RWPG that identifies both short and long-term water supply needs and recommends water management strategies for addressing them.

## **ARTICLE V. VOTING MEMEBERSHIP**

### **Section 1. Composition**

The initial voting members of the Lavaca RWPG shall include the initial coordinating body appointed by the TWDB on February 19, 1998, plus the additional voting members appointed by the initial coordinating body to ensure adequate representation of the interests comprising the Lavaca RWPG stated in Texas Water Code §16.053(c), if present, and other interests determined by the Lavaca RWPG. Thereafter, the voting membership of the Lavaca RWPG shall include persons added or removed as provided under this Article and any 31 TAC §357.4(g)(4) member selected for voting membership under Article VI.

### **Section 2. Terms of Office**

Following the initial two-year term of membership ending on September 30, 2001, members may commit to serve additional terms. Members will notify the Chairman and Secretary of the Lavaca RWPG within thirty days prior to the expiration of their term if they do or do not plan to continue serving as a member.

### **Section 3. Conditions of Membership**

In order to be eligible for voting membership on the Lavaca RWPG, 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 thirty calendar 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 Executive Committee 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 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 of the voting members. If efforts to reach consensus fail, the Chair shall call for a vote on a nominee. An affirmative vote of two-thirds of the total voting membership of the Lavaca RWPG shall be required to appoint a nominee as a new voting 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 or affirmative vote of two-thirds of the voting membership.

At the initial meeting, the voting members may add additional voting and nonvoting group members by not less than two-thirds consensus vote. 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 Lavaca RWPG by generally utilizing the selection process set forth in this section. If such a new member is added, the existing voting members shall determine by consensus, but not less than agreement of two-thirds of the voting membership, the exact applicability of the membership term provisions and restrictions to the new member at the time of the new members 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 participate fully 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 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 Lavaca RWPG meetings and hearings. Records of attendance shall be kept by the Secretary at all Lavaca RWPG meetings and hearings and presented as part of the minutes. Voting members of the Lavaca RWPG that have recorded 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, may be subject to removal from membership under Section 7 of this Article. 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 supporting 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. Under Article VII, Designated Alternates, a member may designate an alternate to attend in his or her absence.

### **Section 6. Code of Conduct**

Members of the Lavaca RWPG shall ethically conduct the business of the Lavaca RWPG and shall avoid any form or appearance of a conflict of interest, real or apparent, by observing the following:

- (a) No member of the Lavaca RWPG 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 a 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;
    - ii) the member's family;
    - iii) the member'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.
  - (3) Participate in any deliberation, decision, or vote that would constitute a conflict of interest under federal, state, or local law.
- (b) Potential conflicts of interest shall be clearly stated by the voting member prior to any deliberation or action on an agenda item with which the voting member 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 therefor 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 the 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.

(b) **Process for Removing Voting Members.** Voting members may be removed at any time for any of the grounds for removal of voting members set forth in subsection (a) of this section. Any member with knowledge or suspicion that a voting member 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 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 a 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 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-thirds vote.

## **ARTICLE VI. NON-VOTING MEMBERSHIP**

### **Section 1. Mandatory Members**

(a) The voting members of the Lavaca RWPG shall add the non-voting members set forth in 31 TAC §357.4(g) (1) -(g)(3) 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 designating entity. However, if the voting members decide by consensus, but not less than agreement of two-thirds of the voting membership, that a particular designee is hindering the regional water planning efforts of the Lavaca RWPG, 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 Lavaca RWPG shall add at least one non-voting member as set forth in 31 TAC §357.4(g)(4). Any entity eligible for membership as a non-voting member shall under this section be contacted and requested to designate that entity's non-voting nominee.

Once selected, a 31 TAC §357.4(g)(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 agreement of two-thirds of the voting membership.

### **Section 2. Discretionary Members**

The voting members of the Lavaca RWPG may add or remove as a non-voting member an entity set forth in 31 TAC §357.4(h) by two-thirds 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 designating entity or until the entity is removed as a non-voting member. However, if the voting members determine by a two-thirds vote of the voting membership that a particular designee is hindering the regional water planning efforts of the Lavaca RWPG 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. DESIGNATED ALTERNATIVES**

Each member may designate an alternate to represent him/her when he/she is unable to attend a meeting or hearing. Alternates selection will be approved by the members by virtue of consensus. A member desiring to appoint an alternate will prove a general written bio to the Chair, showing the alternates connection with the interest group being presented.

Each member must notify the Chair in writing of the name and address of the member's designated alternate at least twenty-four hours prior to the meeting or hearing at which the designated alternate will appear on behalf of the member. If the member fails to provide such notice, the Chair may forbid the participation of the designated alternate at the meeting or hearing. The Chair shall not recognize the designation of more than one alternate per member at any given time. The Chair shall not recognize more than two alternate designations of any kind per member per calendar year unless the RWPG expressly decides to waive this provision.

The designated alternate shall enjoy the same voting privileges, or lack thereof, and shall be bound by the same duties, terms, and conditions as the member they represent, except as otherwise provided in these bylaws. However, a designated alternate for a voting member who serves as an officer shall not be allowed to serve in the capacity as an officer in the member's absence.

The Chair shall provide each member with a current list of all members and their designated alternates.

## **ARTICLE VIII. OFFICERS**

### **Section 1. Officers, Restrictions, and Terms of Office**

Voting members of the Lavaca RWPG shall select from the voting membership a Chair, Vice Chair, and 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. Elections shall be held annually, with no restrictions on the number of consecutive terms an individual may serve as an officer other than those that apply because of his or her status as a voting member under these bylaws.

### **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 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 provided to all members of the Lavaca RWPG by the current Secretary at least five 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 of the voting members present.

### **Section 3. Removal of Officers**

Any 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 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 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 at the next meeting of the Lavaca RWPG. 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 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 Lavaca RWPG. The Chair will preside at all meetings of the Lavaca RWPG and perform all duties provided by these bylaws. If the Chair is unable to carry out his/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/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/her duties, the Vice Chair shall serve as Chair until the Lavaca RWPG 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 Lavaca RWPG meetings. The minutes and attendance shall be kept as part of the Lavaca RWPG official records. The

Secretary shall ensure 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 the 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.

(d) All officers shall retain voting status in the Group.

### **Section 6. Executive Committee**

The Executive Committee shall be composed of seven Lavaca RWPG members, including the Chair, Vice Chair, Secretary, and four members-at-large. The four 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 Lavaca RWPG 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.

### **Section 7. Absence of Officers**

When an officer is absent or otherwise unable to serve, the next highest-ranking officer shall serve for the officer. If no lower ranking officer exists or can serve, then a member designated by the Chair or acting Chair shall serve for the officer. A designated alternate of a member serving as an officer (which includes Executive Committee members) shall not serve in the member's capacity as an officer in lieu of members.

## **ARTICLE IX. MEETINGS**

### **Section 1. Open Meetings and Notice**

All meetings of the Lavaca RWPG, 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 Lavaca RWPG shall be deliberated and undertaken in open meeting, 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. Materials presented or discussed shall be made available for public inspection prior to and following any meeting of Lavaca RWPG.

### **Section 2. Regular Meetings**

The Secretary shall ensure that an advance notice and an agenda for regular meetings will be provided to the full membership of the Lavaca RWPG 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 meeting, as deemed appropriate by the Chair. An agenda item of each meeting shall be to determine the next meeting date.

### **Section 3. Called (Special) Meetings**

The Chair or one-third of the voting members of the Lavaca RWPG may call special meetings of the Lavaca RWPG. The Secretary shall ensure that advance notice and an agenda for the called meeting is provided to the full membership of the Lavaca RWPG 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 meeting, as deemed appropriate by the Chair.

#### **Section 4. Agenda**

The Secretary of the Lavaca RWPG shall ensure 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 Lavaca RWPG. Consideration for approval of the previous meeting's minutes and receiving public comment, as applicable, shall always be among the first items on the agenda. Copies of the agenda and supporting information shall be made available for public inspection prior to and following any meeting of the Lavaca RWPG.

#### **Section 5. Quorum**

A quorum of the Lavaca RWPG shall be a simple majority of the voting members excluding vacancies. At least a quorum shall be necessary to conduct any business of the Lavaca RWPG.

#### **Section 6. Applicability of Robert's Rules of Order**

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

#### **Section 7. Public Hearings/Meetings Required By Law**

The Lavaca RWPG 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.

#### **Section 8. Minutes**

(a) The Secretary shall ensure that minutes of all meetings of the Lavaca RWPG are prepared. The minutes shall:

- (1) 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;
- (2) state the subject of each deliberation;
- (3) indicate each vote, order, decision, or other action taken;
- (4) represent an accurate summary of the meeting's record; and state any other information required by these bylaws to be included in the minutes.

(b) The Secretary shall ensure that true copies of the minutes are provided to the full membership as soon as possible following the meeting, but no later than five calendar days prior to the next regular meeting of the Lavaca RWPG.

## **ARTICLE X. MAKING DECISIONS**

### **Section 1. Applicability; No Written Proxies**

(a) Unless the method for making a particular decision is set forth in these bylaws, the Lavaca RWPG, 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 Lavaca RWPG, 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.

### **Section 2. Decision-Making Process**

(a) Use of Consensus. The Lavaca RWPG shall attempt to make decisions using a consensus decision-making process. Consensus is an agreement built by identifying and exploring all members' interests 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 a motion to put the issue to a vote to be conclusively decided by a majority of the voting members.

### **Section 3. Final Adoption of Regional Water Plan; Amendments**

The voting members of the Lavaca RWPG shall finally adopt the regional water plan for the Lavaca RWPG, and any amendments thereto by consensus, but not less than agreement of two-thirds of the voting membership.

## **ARTICLE XI. BOOKS AND RECORDS**

### **Section 1. Required Documents And Retainment**

Records of the Lavaca RWPG, 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 Lavaca RWPG; minutes; agendas; notices; contracts, subcontracts, 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 models; executive summaries; other work products; and any other pertinent information of a public nature shall be kept at the principal office of the Lavaca RWPG for a period of at least five years.

### **Section 2. Inspection And Copying**

Records of the Lavaca RWPG 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 as those used by the political subdivision housing the principal office of the Lavaca RWPG 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 Natural Resource Conservation Commission or their successor agencies. At least one copy of the approved regional water plan shall be placed in the county clerk's office for each county and in at least one public library of each county having land within the Lavaca RWPG, in accordance with state law.

## **ARTICLE XII. COMMITTEES**

### **Section 1. Establishment**

The Lavaca RWPG may by motion establish committees and subgroups to assist and advise the Lavaca RWPG in the development of the regional water management plan. The committee or subgroup may be formed to address specific issues assigned by the Lavaca RWPG 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 of the voting membership. The terms of office for all members of committees and subgroups shall be one year or the expiration of their term of office, or upon mutual agreement of the committee member, the committee, and the Chair.

### **Section 3. Officers**

At the first Committee meeting following the first Group meeting each year, the Chair, Vice-chair, and Secretary of a committee or subgroup established by the Lavaca RWPG 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 Lavaca RWPG 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 Lavaca RWPG 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 Lavaca RWPG 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 XIII. COMPENSATION**

Members of the Lavaca RWPG 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 Lavaca RWPG to apply to TWDB for funding. The political subdivision contracting with the TWDB for the Lavaca RWPG 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 XIV. COST ALLOCATION**

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

### **ARTICLE XV. CONTRACTUAL SERVICES**

The voting members of the Lavaca RWPG shall make all decisions related to final approval of persons or entities selected by an eligible applicant to provide contractual services for the Lavaca RWPG, including all services related to preparation, development, or revisions of the regional water plan for the Lavaca RWPG. 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 XVI. ADOPTING AND AMENDING THE BYLAWS**

These bylaws shall have full force and effect upon approval and adoption by the voting members of the Lavaca RWPG, acting on behalf of the interests comprising the Lavaca RWPG, and upon submission to the TWDB in compliance with 31 TAC §357.4. The voting members shall adopt these bylaws and any amendments thereto by consensus, but not less than agreement of two-thirds of the voting membership.

### **ARTICLE XVII. RESOLUTION ADOPTING BYLAWS**

WHEREAS, no bylaws have been adopted governing the conduct of the internal affairs of the Lavaca RWPG; 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 Lavaca RWPG; it is, therefore,

RESOLVED, that the members of the Lavaca RWPG this 14<sup>th</sup> day of May, 2012, approve and adopt the bylaws presented to this meeting of members as the bylaws of the Lavaca RWPG; and it is

FURTHER RESOLVED, that the bylaws be authenticated as such by the Secretary of the Lavaca RWPG 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 Lavaca RWPG for inspection by members or the public at all reasonable times during business hours.

May 14, 2012

Patrick Brzozowski, Secretary

**APPENDIX B**  
**Lavaca Regional Water Planning Group**  
**Sixth Cycle of Regional Water Planning**  
**DRAFT SCOPE OF WORK**

***Sixth Cycle of Regional Water Planning***  
**Draft Initial Scope of Work<sup>1</sup>**

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<sup>1</sup> Requirements for each task are further explained in the *General Guidelines for Development of the 2026 Regional Water Plans*. Scope of Work to be amended to incorporate remaining planning tasks necessary to complete the 2026 Regional Water Plans at a later date.



## **Task 1- Planning Area Description**

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The objective of this task is to prepare a standalone chapter (in accordance with 31 Texas Administrative Code (TAC) §357.22(b)) to be included in the 2026 Regional Water Plan (RWP) that describes the Regional Water Planning Area (RWPA).

In addition to generally meeting all applicable rules and statute requirements governing regional and state water planning under 31 TAC Chapters 357 and 358, this portion of work must, in particular, include all work necessary to meet all the requirements of 31 TAC §357.30.

### **This Task includes, but is not limited to, performing all work in accordance with Texas Water Development Board (TWDB) rules and guidance required to:**

- 1) Designate major water providers (MWP) in the RWPA for planning purposes.
- 2) Identify wholesale water providers in the RWPA for planning purposes.
- 3) Review and summarize relevant existing planning documents in the region including those that have been developed since adoption of the previous RWP. Documents to be summarized include those referenced under 31 TAC §357.22.
- 4) Prepare a chapter that describes the RWPA including the following:
  - a. social and economic aspects of a region such as information on current population, economic activity and economic sectors heavily dependent on water resources;
  - b. current water use and major water demand centers;
  - c. current groundwater, surface water, and reuse supplies including major springs that are important for water supply or protection of natural resources;
  - d. Major Water Providers;
  - e. agricultural and natural resources;
  - f. identified water quality problems;
  - g. identified threats to agricultural and natural resources due to water quantity problems or water quality problems related to water supply;
  - h. summary of existing local and regional water plans;
  - i. the identified historic drought(s) of record within the planning area;
  - j. current preparations for drought within the RWPA;
  - k. information compiled by the Board from water loss audits performed by Retail Public Utilities pursuant to 31 TAC §358.6 (relating to Water Loss Audits); and
  - l. an identification of each threat to agricultural and natural resources and a discussion of how that threat will be addressed or affected by the WMSs evaluated in the plan.
- 5) Disseminate the chapter document and related information to Regional Water Planning Group (RWPG) members for review.
- 6) Modify the chapter document based on RWPG, public, and/or agency comments.
- 7) Submit the chapter document to the TWDB for review and approval; and
- 8) Make all efforts required to obtain final approval of the RWP chapter by the TWDB.

**Deliverables:** A completed Chapter 1 describing the RWPA must be included in the 2026 Initially Prepared Plan (IPP) and 2026 Final RWP.

## **Task 2A - Non-Municipal Water Demand Projections**

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The objective of this task is to prepare a chapter (in accordance with 31 TAC §357.22(b)) to be combined with Task 2B and included in the 2026 RWP that describes the projected population and water demands in the RWPA.

In addition to generally meeting all applicable rules and statute requirements governing regional and state water planning under 31 TAC Chapters 357 and 358, this portion of work must, in particular, include all work necessary to meet all the requirements of 31 TAC §357.31.

TWDB staff will develop draft non-municipal water demand projections for 2030-2080 for all water demand categories unrelated to population (e.g. mining, manufacturing, irrigation, steam-electric power, and livestock) based on the most recent TWDB historical water use estimates. The same methodologies used for the 2022 State Water Plan (SWP) will be applied to the 2027 SWP projections, except for mining demands. The draft mining demand projections will be prepared based on an updated methodology to be developed by the Bureau of Economic Geology through a contracted mining water use study funded by the United States Geological Survey.

TWDB staff will provide draft water demand projections for all associated non-municipal Water User Groups (WUGs) to RWPGs for their review and input.

Each RWPG will review the draft projections and may provide input to the TWDB or request specific changes to the draft projections from TWDB along with justifications and supporting data as specified in the guidance document *General Guidelines for Development of the 2026 Regional Water Plans*. The emphasis of this effort will be on identifying appropriate revisions based on relevant changed conditions that have occurred since the development of the projections used in the 2022 SWP.

If adequate justification is provided by the RWPG to the TWDB, draft water demand projections may be adjusted by the TWDB in consultation with the Texas Department of Agriculture (TDA), Texas Commission on Environmental Quality (TCEQ), and Texas Parks and Wildlife Department (TPWD). Once RWPG input and requested changes are considered, final water demand projections will be adopted by the TWDB's governing Board (Board). The adopted projections will then be provided to each RWPG. RWPGs must use the Board-adopted projections when preparing their RWPs.

TWDB will directly populate DB27 with all WUG-level projections and make related changes to DB27 based on Board-adopted projections.

**This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:**

- 1) Receive and make publicly available the draft non-municipal water demand projections provided by the TWDB.
- 2) Evaluate draft non-municipal water demand projections provided by the TWDB.
- 3) Review comments received from local entities and the public for compliance with TWDB requirements.
- 4) Prepare detailed feedback on draft non-municipal water demand projections, as necessary, including justification and documentation supporting requested changes from the RWPG and/or local entities with a focus on relevant changed conditions that have occurred since the development of the projections used in the 2022 SWP.
- 5) Submit numerical requests for revisions of draft non-municipal water demand projections in an electronic tabular template provided by the TWDB along with required documentation and justification of requested revisions from the RWPG, based on, for example, requests received

from local entities, in accordance with the contract guidance document *General Guidelines for Development of the 2026 Regional Water Plans*.

- 6) Communicate and/or meet with TWDB staff and/or local entities requesting revisions, as necessary.
- 7) Assist the TWDB, as necessary, in resolving final allocations of water demands to WUGs to conform with any control totals defined by the TWDB, for example, by county and/or region.
- 8) Prepare non-municipal water demand projection summaries for WUGs using final, Board-adopted projections to be provided by the TWDB, as necessary. Any RWPG-created data tables should match the appropriate final data as reported by DB27.
- 9) Modify any associated non-municipal water demand projections for MWP, as necessary based on final, Board-adopted WUG water demand projections.
- 10) Review the TWDB *Water Demand* report(s) from DB27 and incorporate this planning database report(s), unmodified, into any Technical Memoranda, IPP, and adopted RWP.
- 11) Update WWP contractual obligations to supply water to other entities and report this information along with projected demands, including within DB27 and within any planning memorandums or reports, as appropriate.
- 12) Review aggregated water demand projections for MWP provided by the TWDB. This will include retail demand data if the MWP is a WUG, and contract demand data based on data entered by the RWPG into DB27 if the MWP is a WWP.
- 13) Summarize and present projected water demands for MWP by category of use for each planning decade and incorporate this table into any Technical Memoranda, IPP, and adopted RWP.
- 14) Disseminate the chapter document and related information to RWPG members for review.
- 15) Modify the chapter document based on RWPG, public, and/or agency comments.
- 16) Submit the chapter document to the TWDB for review and approval; and
- 17) Make all efforts required to obtain final approval of the RWP chapter by the TWDB.

**Deliverables:** A completed Chapter 2 (including work from both Tasks 2A and 2B) presenting the projected population and water demands must be included in the 2026 IPP and 2026 Final RWP.

### **Task 2B - Population and Municipal Water Demand Projections**

The objective of this task is to prepare a chapter (in accordance with 31 TAC §357.22(b)) to be combined with Task 2A and included in the 2026 RWP that describes the projected population and water demands in the RWPA.

In addition to generally meeting all applicable rules and statute requirements governing regional and state water planning under 31 TAC Chapters 357 and 358, this portion of work must, in particular, include all work necessary to meet all the requirements of 31 TAC §357.31.

TWDB staff will prepare a new municipal WUG entity list including Collective Reporting Units (CRU) for each RWPG based on the WUG criteria under 31 TAC §357.10(43) with associated historical population and water use estimates and Gallons Per Capita Daily (GPCD) and provide them to RWPGs for their review and input.

RWPGs will then review the draft WUG list and historical population and water use and provide input to the TWDB or request specific changes to the WUG list including water systems included in CRU list and changes/corrections to historical population, water use estimates, or GPCDs.

Once the WUG list is finalized TWDB staff will develop draft population and associated municipal water demand projections for 2030-2080 for all municipal WUGs using data based on the 2020 decennial Census, updated county-level population projections from the Texas Demographic Center, and historical population and water use estimates and growth.

TWDB staff will provide draft population projections and associated water demand projections for all WUGs based on utility service boundaries to RWPGs for their review and input. If adequate justification is provided by the RWPGs to the TWDB, draft population and/or municipal water demand projections may be adjusted by the TWDB in consultation with TDA, TCEQ, and TPWD. Once RWPG input and requested changes are considered, final population and associated water demand projections will be adopted by the Board. The adopted projections, based on utility service areas, will be provided to RWPGs. RWPGs must use the Board-adopted projections when preparing their RWPs.

TWDB will directly populate DB27 with all WUG-level projections and make related changes to DB27 if revisions are made.

**This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:**

- 1) Receive and review a draft WUG entity list and detailed system list within each CRU provided by the TWDB and submit identified corrections to WUG-water systems relations or WUG names to the TWDB. Once finalized, the WUG entity list will be populated into DB27.
- 2) Receive and review historical population and water use estimates and GPCDs provided by the TWDB and submit identified corrections to the TWDB.
- 3) Receive and make publicly available the draft population and associated water demand projections provided by the TWDB that are based on utility service areas.
- 4) Evaluate draft population, GPCDs, Plumbing Code Savings (PC Savings) and associated water demand projections provided by the TWDB.
- 5) Review and summarize comments received from local entities and the public for compliance with TWDB requirements.
- 6) Provide detailed revision requests to the TWDB for population, GPCDs, PC Savings and associated water demand projections, as necessary, including justification and documentation supporting suggested changes with a focus on relevant changed conditions that have occurred since the development of the projections used in the 2022 SWP.
- 7) Submit numerical requests for revisions of draft population, GPCDs, PC Savings and water demand projections in an electronic tabular template provided by the TWDB along with required documentation and justification of requested revisions from the RWPG, based on, for example, requests received from local entities, in accordance with the contract guidance document *General Guidelines for Development of the 2026 Regional Water Plans*.
- 8) Communicate and/or meet with TWDB staff and/or local entities requesting revisions, as necessary.
- 9) Assist the TWDB, as necessary, in resolving final allocations of population and water demands to WUGs to conform with any control totals defined by the TWDB, for example, by county and/or region.
- 10) Prepare population and municipal water demand projection summaries for WUGs using final, Board-adopted projections to be provided by the TWDB, as necessary. Any RWPG-created data tables must match the appropriate final data as reported by DB27.
- 11) Modify any associated population and water demand projections for MWPs, as necessary based on final, Board-adopted WUG population and water demand projections.

- 12) Review the TWDB *Population and Water Demand* reports from DB27 and incorporate these planning database reports, unmodified, into any Technical Memoranda, IPP, and adopted RWP.
- 13) Update WWP contractual obligations to supply water to other entities and report this information along with projected demands including within DB27 and within any planning memorandums or reports, as appropriate.
- 14) Review aggregated water demand projections for MWPs provided by the TWDB. This will include retail demand data if the MWP is a WUG, and contract demand data based on data entered by the RWPG into DB27 if the MWP is a WWP.
- 15) Summarize and present projected water demands for MWPs by category of use for each planning decade and incorporate this table into any Technical Memoranda, IPP, and adopted RWP.
- 16) Disseminate the chapter document and related information to RWPG members for review.
- 17) Modify the chapter document based on RWPG, public, and/or agency comments.
- 18) Submit the chapter document to the TWDB for review and approval; and
- 19) Make all efforts required to obtain final approval of the RWP chapter by the TWDB.

**Deliverables:** A completed Chapter 2 (including work from both Tasks 2A and 2B) presenting the projected population and water demands must be included in the 2026 IPP and 2026 Final RWP.

### **Task 8 - Recommendations Regarding Unique Stream Segments and/or Reservoir Sites and Legislative & Regional Policy Issues**

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The objective of this task is to prepare a chapter (in accordance with 31 TAC §357.22(b)) that presents the RWPG's unique stream segment, unique reservoir site, legislative, administrative, and regulatory recommendations.

In addition to generally meeting all applicable rule and statute requirements governing regional and state water planning under 31 TAC Chapters 357 and 358, this portion of work must, in particular, include all work necessary to meet all the requirements of 31 TAC §357.43 and §358.2.

#### **This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:**

- 1) Receive and consider TWDB feedback on the implementation of the RWPG's legislative, administrative, and regulatory recommendations, as applicable to the TWDB, in the previous RWP.
- 2) Receive and consider recommendations from the Interregional Planning Council to the RWPGs.
- 3) Consider relevant plans referenced under 31 TAC §357.22 in developing this chapter.
- 4) Consider and discuss potential recommendations for designation of ecologically unique stream segments within the RWPA, based on the criteria in 31 TAC §358.2.
- 5) If applicable, prepare a recommendation package following the requirements in 31 TAC §357.43(b) recommending which stream segments in the region, if any, should be recommended for designation as ecologically unique stream segments. Evaluate and incorporate comments from the RWPG. Upon approval by the RWPG, submit the recommendation package to the TPWD for comments.
- 6) Include the recommendation package and TPWD's written evaluation on the unique stream segment(s) recommendation in the final adopted RWP. An updated TPWD evaluation must be included in each RWP, even for those stream segments that have been recommended in previous plans but not designated by the Legislature.

- 7) For each recommended or previously designated unique stream segment, include a quantitative analysis of the impact of the RWP on the stream segments based upon the assessment criteria in 31 TAC §357.43(b)(2).
- 8) Consider and discuss potential recommendations for designation of unique reservoir sites within the RWPA.
- 9) For each recommended unique reservoir site, include a description of the site, reasons for the unique designation, and expected beneficiaries of water supplies developed at a given site in accordance with 31 TAC §357.43(c).
- 10) Consider and discuss potential regional policy issues; identify recommendations for legislative, administrative, and regulatory rule changes; including recommendations to improve the state and regional planning process.
- 11) Disseminate the chapter document and related information to RWPG members for review.
- 12) Modify the chapter document based on RWPG, public, and or agency comments.
- 13) Submit the chapter document to the TWDB for review and approval; and
- 14) Make all efforts required to obtain final approval of the regional water plan chapter by the TWDB.

**Deliverables:** A completed Chapter 8 presenting RWPG unique stream segment, unique reservoir site, legislative, administrative, and regulatory recommendations must be included in the 2026 IPP and 2026 Final RWP.

### **Task 10 - Public Participation and Plan Adoption**

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The objective of this task is to prepare a chapter (in accordance with 31 TAC §357.22(b)) to address public participation, public meetings, eligible administrative and technical support activities, and other requirements and activities eligible for reimbursement, complete and submit a Technical Memorandum, IPP, and final RWP, and obtain TWDB approval of the RWP.

In addition to generally meeting all applicable statute requirements governing regional and state water planning this portion of work must, in particular, include all technical and administrative support activities necessary to meet all the requirements of 31 TAC Chapters 355, 357, and 358 that are not already addressed under the scope of work associated with other contract tasks but that are necessary and or required to complete and deliver a Technical Memorandum, IPP, and final, adopted RWP to TWDB and obtain approval of the adopted RWP by TWDB.

**This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:**

#### **A) Plan Development Activities**

- 1) Organize, support, facilitate, and document all meetings/hearings associated with activities necessary and eligible to complete and submit a Technical Memorandum, IPP, and final RWP to the TWDB, including but not limited to: regular RWPG meetings, committee meetings, or subcommittee meetings; pre-planning meeting; meetings associated with revision of draft projections; public meeting for the consideration of the process for identifying potentially feasible water management strategies and the presentation of the analysis of infeasible water management strategies; consideration of a substitution of alternative water management strategies; public hearing on the IPP; adoption of the final RWP, and consideration of RWP amendments, alternative WMS substitutions, or Board-directed revisions.
- 2) Consider the identification of WMS that provide opportunities for coordination and collaboration with other regions or issues which could lead to potential conflict with other

RWPGs in both the preplanning meeting required under 31 TAC §357.12(a)(1) and meeting to consider the process for identifying potentially feasible water management strategies required under 31 TAC §357.12(b).

- 3) Collect and evaluate information, including any information gathering surveys from water suppliers or WUGs, (e.g., on existing infrastructure; existing water supplies; potentially feasible WMSs) and/or maintenance of contact lists for regional planning information in the region.
- 4) Conduct intraregional and interregional coordination and communication, and or facilitation required within the RWPA and with other RWPGs to develop a RWP including with water suppliers or other relevant entities such as groundwater conservation districts, WUGs, and or WWPs. This includes gathering and documenting information on potential interregional opportunities or issues.
- 5) Incorporate all required TWDB State Water Planning Database (DB27) reports into the Technical Memorandum, IPP and Final RWP. Note that all DB27 reports are required to be grouped together in one appendix to the RWP and that the RWP Executive Summary must reference the location of the DB27 reports.
- 6) Develop and include an Executive Summary in both IPP and final RWP, not to exceed 30 pages.
- 7) Make modifications to the RWP documents based on RWPG, public, and/or agency comments.
- 8) Prepare an RWP chapter summarizing Task 10 activities including review by the RWPG and modification of document as necessary.
- 9) Prepare and transmit correspondence, for example, directly related to public comments on RWP documents.
- 10) Develop draft and final responses for RWPG approval to public questions or comments as well as approval of the final responses to comments on RWP documents.
- 11) Produce, distribute, and submit all draft and final RWP-related planning documents for RWPG, public and agency review, including in hard-copy format when required.
- 12) Assemble, compile, and produce of the completed IPP and final RWP documents that meet all requirements of statute, 31 TAC Chapters 355, 357 and 358, Regional Water Planning contract and associated contract guidance documents.
- 13) Submit the RWP documents in required formats to the TWDB for review and approval; and all effort required to obtain final approval of the RWP by the TWDB.

#### **B) Technical Support and Administrative Activities**

- 1) Support and accommodate periodic presentations by the TWDB for the purpose of orientation, training, and retraining as determined and provided by the TWDB during regular RWPG meetings.
- 2) Consider recommendations in the Best Management Practices Guide(s) for Regional Water Planning Group Political Subdivisions, as prepared and updated by the TWDB.
- 3) Attendance and participation of technical consultants in TWDB-provided DB27 trainings, including individualized trainings and review of technical and data-related contract guidance documents in the TWDB Regional Water Planning contract.
- 4) Develop agendas, presentations, and handout materials for the public meetings and hearings to provide to RWPG members and the public.
- 5) Attendance and participation of technical consultants at RWPG, committee, subcommittee, and other meetings and hearings necessary for RWP development including preparation and follow-up activities.

- 6) Develop technical and other presentations and handout materials for RWPG meetings and hearings to provide technical and explanatory data to the RWPG and its subcommittees, including follow-up activities.
- 7) Perform administrative and technical support including coordination of and participation in RWPG activities, and documentation of any RWPG meetings, hearings, workshops, workgroups, subgroup and/or subcommittee activities.
- 8) Provide status reports to TWDB for work performed under this Contract.
- 9) Meet all public notice requirements in accordance with the Texas Open Meetings Act, statute, 31 TAC §357.21, and any other applicable public notice requirements.

**C) Other Activities**

- 1) Develop and maintain a RWPG website or RWPG-dedicated webpage on the RWPG administrator's website for posting planning group meeting notices, agendas, materials, and plan information.
- 2) Perform maintenance of the RWPG website; reimbursement limited to non-labor, direct costs.
- 3) Document meetings and hearings to include recorded minutes and or audio recordings as required by the RWPG bylaws and archiving and provision of minutes to public.
- 4) Promote consensus decisions through conflict resolution efforts including monitoring and facilitation required to resolve issues between and among RWPG members and stakeholders in the event that issues arise during the process of developing the RWP, including mediation between RWPG members, if necessary.
- 5) Perform RWPG membership solicitation activities.
- 6) Solicit, review, and disseminate public input, as necessary.
- 7) Perform any additional efforts required, but not otherwise addressed in other SOW tasks that may be required to complete an RWP in accordance with all statute and rule requirements.

**Deliverables:**

- A draft Chapter 10 summarizing public participation activities to date included in the 2026 IPP.
- A completed Chapter 10 summarizing public participation activities and appendices with public and agency comments and RWPG responses to comments in the 2026 Final RWP.
- A complete 2026 IPP and Final RWP.



**APPENDIX C**  
**Lavaca Regional Water Planning Group**  
**Sixth Cycle of Regional Water Planning**  
**TASK BUDGET**

## Project Task Budget by Scope Item

TASK	TASK DESCRIPTION	BUDGET
1	Planning Area Description	\$ 6,866
2A	Non-Municipal Water Demand Projections	\$ 9,344
2B	Population and Municipal Water Demand Projections	\$ 10,923
8	Recommendations Regarding Unique Stream Segments and/or Reservoir Sites and Legislative & Regional Policy Issues	\$ 7,416
10*	Public Participation and Plan Adoption	\$ 52,515
<b>Total Funds</b>		<b>\$ 87,064</b>

\* This task was partially funded in the initial sixth cycle contracts

**APPENDIX D**  
**Lavaca Regional Water Planning Group**  
**Sixth Cycle of Regional Water Planning**  
**EXPENSE BUDGET**

**CONTRACTOR (LAVACA-NAVIDAD RIVER AUTHORITY) EXPENSE BUDGET**

<b>CATEGORY</b>	<b>AMOUNT</b>
Other Expenses <sup>1</sup>	\$0
Subcontract Services	\$87,064
Voting Planning Member Travel <sup>2</sup>	\$0
Political Subdivision Travel <sup>3</sup>	\$0
<b>Total Study Cost <sup>4, A</sup></b>	<b>\$87,064</b>

<sup>1</sup> Eligible Other Expenses as described in 31 TAC §355.92(b) include the following administrative costs that may be billed under Task 10 associated with the RWPG's Political Subdivision if the RWPG or its chairperson certifies, during a public meeting, that the expenses are eligible for reimbursement and are correct and necessary:

- a. Direct costs, excluding personnel costs, for placing public notices for the legally required public meetings, maintaining a website, and of providing copies of information for the public and for members of the RWPG as needed for the efficient performance of planning work such as:
  1. expendable supplies consumed in direct support of the planning process;
  2. direct communication charges;
  3. limited direct costs/fees of maintaining RWPG website domain, website hosting, and/or website – not to exceed \$250.00 per calendar year;
  4. direct non-labor costs of storing or posting of audio-visual files (e.g., meeting recordings) – this is not limited by cap stated in item a.3 above;
  5. direct non-labor costs and fees associated with the initial development of a website – this is not limited by cap stated in item a.3 above, but must be reasonable by professional standards and not detract from plan development;
  6. reproduction of materials directly associated with notification or planning activities (currently 10¢ per copy or the actual non-labor direct costs as documented by the Contractor);
  7. other direct costs of public meetings, all of which must be directly related to planning (e.g., newspaper and other public notice posting costs, and facility rentals); and
  8. direct postage (e.g., postage for mailed notification of funding applications or meetings).
- b. Costs associated with providing translators and accommodations for persons with disabilities for public meetings when required by law or deemed necessary by the RWPGs and certified by the chairperson.
- c. Food, drink, or lodging (excluding tips and alcoholic beverages) for Political Subdivision staff designated to be the representative for the RWPG and travel to support participation in legislatively required or Board requested meetings, as specifically authorized by the RWPG and TWDB Executive Administrator;
- d. Limited labor, reproduction, or distribution of newsletters – not to exceed 3% of the Task 10 budget for the full period of the contract nor a total of \$5,000;
- e. The RWPG Political Subdivision's personnel costs for the staff hours that are directly spent providing, preparing for, and posting public notice for RWPG meetings and hearings, including time and direct expenses for their support of and attendance at such RWPG meetings and hearings. This may not exceed: \$5,000 per regular RWPG meeting nor a total of 10% of the total study cost budget for the full period of the contract or a total of \$60,000, whichever is lower. <sup>B</sup>

<sup>2</sup> Voting Planning Member Travel Expenses are limited to the maximum amounts authorized for state employees by the General Appropriations Act, Tex. Leg. Regular Session, 2019, Article IX, Part 5, as amended or superseded. These expenses are defined as:

- a. eligible mileage expenses incurred by RWPG members, or their designee, to attend RWPG meetings that cannot be reimbursed by any other entity, political subdivision, etc. as certified by the voting member, or their designee, and
- b. food, drink, lodging, or airfare of designated RWPG member travel to support participation in legislatively-required or Board-requested meetings, as specifically authorized by the RWPG and TWDB Executive Administrator.

<sup>A</sup> It is anticipated that the total study cost may be increased through a future contract amendment that incorporates a full scope of work and budget, subject to additional appropriations made available from the Texas Legislature.

<sup>B</sup> The allowance of personnel costs are subject to the adoption of proposed rules as published in the Texas Register on February, 26, 2021.

<sup>3</sup> Political Subdivision Travel Expenses is defined as eligible mileage expenses incurred by political subdivisions for work associated with regional water plan development. Travel must be specifically authorized by the RWPG and TWDB Executive Administrator. The reimbursed amount is limited to the maximum amounts authorized for state employees by the General Appropriations Act, Tex. Leg. Regular Session, 2019, Article IX, Part 5, as amended or superseded.

<sup>4</sup> Ineligible Expenses include funding any of the activities specified in 31 TAC 355.92(a), as well as the following items as applicable to RWPG members and Political Subdivisions:

- a. Compensation for the time or expenses of RWPGs members' service on or for the RWPG;
- b. Costs of administering the RWPGs, other than those eligible and authorized under Eligible Expenses;
- c. Costs for training;
- d. Costs of administering the regional water planning grant and associated contracts;
- e. Costs associated with development of an application for a regional water planning grant or reviewing materials developed due to this grant;
- f. Food, drink, or lodging for RWPG members (including tips and alcoholic beverages), unless eligible and authorized under item <sup>2</sup>b above;
- g. Purchase, rental, or depreciation of equipment (e.g., computers, copiers, fax machines);
- h. General purchases of office supplies not documented as consumed directly for the planning process; and
- i. Costs associated with social events or tours.

**APPENDIX E**  
**Lavaca Regional Water Planning Group**  
**TIME SCHEDULE**

**LAVACA REGIONAL WATER PLANNING GROUP  
TIME SCHEDULE FOR COMPLETING THE  
SIXTH CYCLE OF THE REGIONAL WATER PLAN**

Proposed Region P Task Timeline		2021				2022				2023				2024				2025			
		1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q
Task 1	Planning Area Description																				
Task 2A	Non-Municipal Water Demand Projections																				
Task 2B	Population and Municipal Water Demand Projections																				
Task 8	Recommendations Regarding Unique Stream Segments and/or Reservoir Sites and Legislative & Regional Policy Issues																				
Task 10 <sup>1, 2, 3</sup>	Public Participation & Plan Adoption																				

1 Sixth Cycle Initially Prepared Regional Water Plan due to TWDB: March 3, 2025

2 Sixth Cycle Adopted Regional Water Plan due to TWDB: October 20, 2025

3 This task was partially funded in the initial sixth cycle contracts.