

TO: Board Members

THROUGH: Jeff Walker, Executive Administrator
Jessica Zuba, Deputy Executive Administrator, WSI
John Dupnik, Deputy Executive Administrator, WSC

FROM: James Bronikowski, Manager, Regional Flood Planning

DATE: November 21, 2019

SUBJECT: Proposed Flood Planning Region boundaries to implement new flood planning requirements of Senate Bill 8.

ACTION REQUESTED

Consider authorizing publication of proposed Flood Planning Region boundaries to implement new flood planning requirements of Senate Bill 8.

BACKGROUND

Senate Bill 8 of the 86th Legislature, Regular Session establishes the framework for the Texas Water Development Board (TWDB) to institute flood planning across the state. Texas Water Code §16.061 requires the TWDB to prepare and adopt a comprehensive state flood plan not later than September 1, 2024, and every five years after. Further, Texas Water Code §16.062 requires the TWDB to designate flood planning regions, designate representatives from each flood planning region to serve as the initial regional flood planning group, provide technical and financial support for the regional flood planning groups, and adopt guidance principles for regional and state flood planning. In addition, Senate Bill 500 provides funding for both regional flood planning activities as well as flood science initiatives, including base level engineering, that will support development of the regional and state flood plans.

As a first step in the rulemaking process, TWDB staff went on a “listening tour” comprising workshops in 14 cities across Texas and two webinars to receive public input on how the TWDB should undertake its new responsibilities to best serve the needs of communities. In addition to the workshops and webinars, written public comments were accepted via email throughout the month of August. The input received during the public comment period was thoughtful and constructive, and continues to serve as a helpful resource for staff.

Our Mission : **Board Members**

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

KEY ISSUES

The Executive Administrator (EA) proposes Flood Planning Region boundaries (see Attachment) to implement regional and state flood planning. It is anticipated that the proposed regional and state flood planning rules, Texas Administrative Code (TAC) Chapters 361 and 362 including 31 TAC §361.11 *Designations and Governance of Flood Planning Regions*, will be published, concurrently in the Texas Register with the same comment period.

In designating flood planning regions, Texas Water Code § 16.062 (b) allows the TWDB to divide river basins to avoid having an impracticably large area for efficient planning. In considering potential region boundaries, the EA determined that there were not sufficiently obvious or beneficial demarcations for subdividing river basins and that the benefits of dividing basins were outweighed by the drawbacks of the potential for discord between upstream and downstream stakeholders regarding negative effects on neighboring areas. Therefore, these proposed boundaries, while they do combine some basins, do not split any of the river basins.

In developing these proposed flood planning regions, coastal basins were combined with adjacent major river basins based on the potential to be influenced by interbasin flooding, ongoing coastal management efforts, and the stream contribution to bays. Smaller river basins were combined with larger basins based on similar types of flooding, relatively small populations, and practical administrative constraints limiting the number of regions that can be adequately supported.

The above methodology resulted in the following 11 Flood Planning Regions:

- Brazos-San Bernard
- Canadian-Red
- Colorado-Lavaca
- Guadalupe
- Neches
- Nueces
- Rio Grande
- Sabine
- San Antonio
- San Jacinto
- Trinity

RECOMMENDATION

Authorize the publication of proposed Flood Planning Region boundaries in the Texas Register for public comment.

Attachment: Texas Register Posting

Texas Register Posting

Invitation for Public Comment on proposed Flood Planning Region Boundaries

To: Persons interested in Regional Flood Planning

The Texas Water Development Board (Board) invites public comment on its proposed flood planning region boundaries that would create 11 flood planning regions in Texas. Board designation of flood planning regions is required under Senate Bill 8, 86th Texas Legislature, which established a new regional and state flood planning process for the state.

The Board invites the public to review these proposed boundaries and provide specific comments regarding any suggestions for changes to the boundaries. In keeping with the bottom-up approach of Senate Bill 8 flood planning, the Board encourages interested parties to work together, to the extent practical, to present a consensus recommendation for any suggested flood planning region boundary changes. Please note that proposed rules related to the implementation of regional and state flood planning under Senate Bill 8 are also being posted and available for public comment through the Texas Register.

The associated draft documents related to both this flood region boundary proposal and the proposed regional and state flood planning rules may be obtained:

- on the Internet at www.twdb.texas.gov
- by contacting Reem Zoun at 512-463-7847
- writing to Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231

Please submit any comments regarding proposed changes and the reasoning for such changes. These comments may be proved via email to public-comment@twdb.texas.gov or to Reem Zoun at the above address or by fax at 512-936-0889 by January 31, 2020.

Basis for the proposed flood planning region boundaries

In delineating the flood planning region boundaries, the Board started with the statutory language included in Senate Bill 8 which requires the flood planning regions to correspond with river basins. Texas' 15 major river and 8 coastal basins have been previously delineated by the Board. The dividing lines of these basins follow watershed boundaries as defined by the United States Geological Survey.

In designating flood planning regions, Texas Water Code § 16.062 (b) allows the Board to divide river basins to avoid having an impracticably large area for efficient planning in a flood planning region.

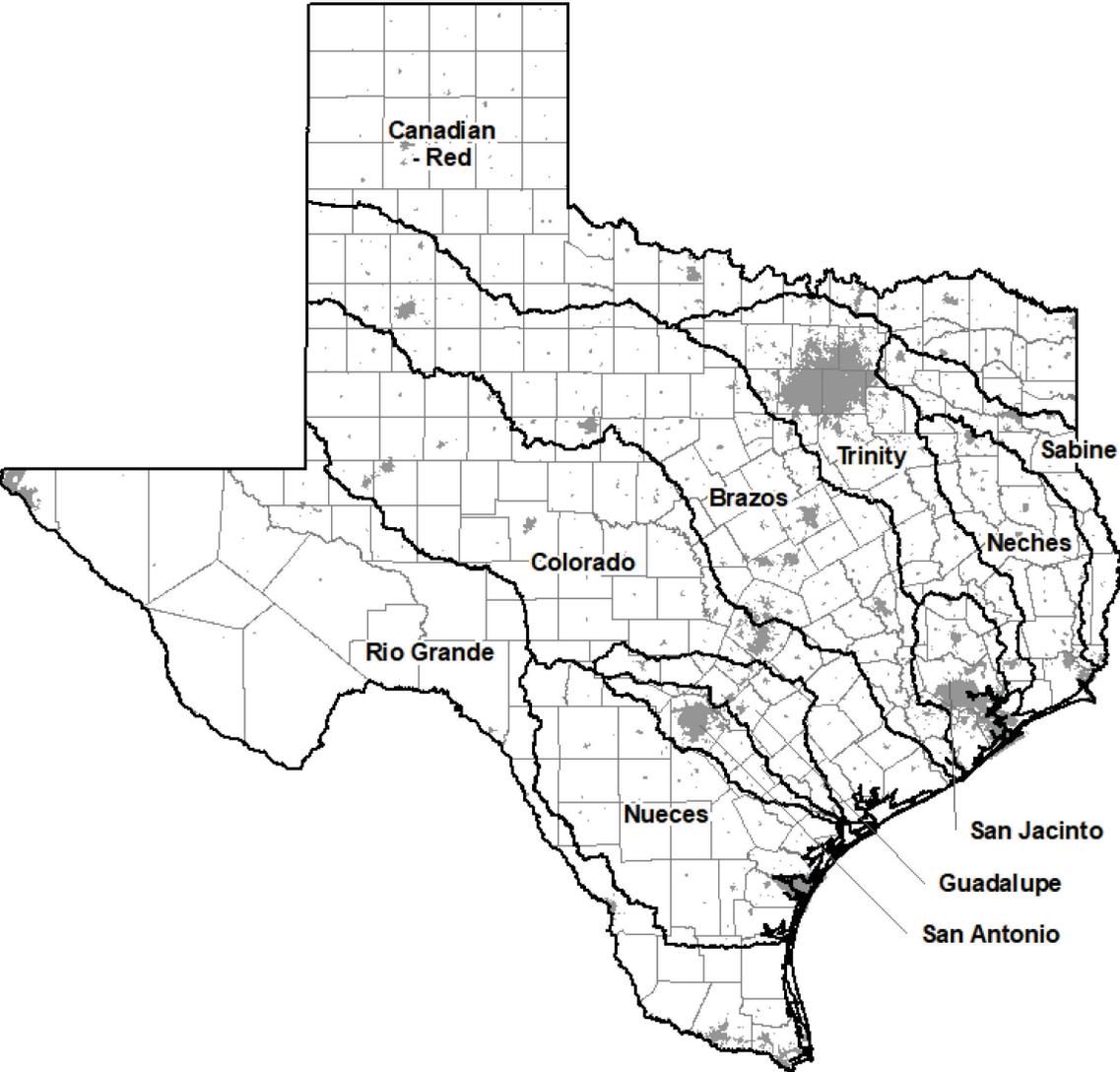
In developing these proposed flood planning regions, coastal basins were combined with adjacent major river basins based on the potential to be influenced by interbasin flooding, ongoing coastal management efforts, and the stream contribution to bays. Smaller river basins were combined with larger basins based on similar types of flooding, relatively small populations, and practical administrative constraints limiting the number of regions that can be adequately supported by the State.

County boundaries were not considered a factor in delineating flood planning region boundaries due to their incongruity with natural watershed boundaries.

In considering potential flood planning region boundaries, the Executive Administrator determined that there were not sufficiently obvious or beneficial demarcations for subdividing river basins and that the benefits of dividing river basins were outweighed by the drawbacks of the potential for discord between upstream and downstream stakeholders regarding negative effects on neighboring areas. Therefore, these proposed boundaries (below), while they do combine some basins, do not split any of the river basins.

As currently proposed, the rules for implementing the regional flood planning process allow regional flood planning groups to designate subgroups or subcommittees to address issues associated with a geographic area smaller than the full flood planning region. Such subgroups must include at least one voting member that represents each of the statutorily required interest categories. The proposed rule also requires that such subgroups or subcommittees bring any information or recommendations to the full regional flood planning group for consideration.

Proposed Flood Planning Region Boundaries



- Planning Boundaries
- Urban Areas
- County Boundaries