

Public Meeting Notice

Region 9 – Upper Colorado Regional Flood Planning Group

December 21, 2022

1:30 PM CST

Notice is hereby given of a regular meeting of the Region 9 – Upper Colorado Regional Flood Planning Group to be held December 21, 2022 at 1:30 PM at the City Hall Annex– Board Room – 1st Floor, 301 W. Beauregard Ave., San Angelo, Texas, for the purpose of considering the following agenda items.

Phone participation is available for public and non-voting representatives by the conference call information:

Call In: (325) 326-0870

Passcode / ID: 453 455 705#

The Meeting Agenda and the Agenda Packet are posted online at

<https://www.cosatx.us/departments-services/water-utilities/region-9-upper-colorado-flood-planning-region>

A recording of the meeting will be available to the public in accordance with the Open Meetings Act upon written request.

Members of the public may also submit Public Comment on agenda items by sending their written comments via email to astrube@crmwd.org or rfgp9.lance@gmail.com by noon December 21, 2022. The subject line must be in the following format: "Public Comment, [item number] – December 21, 2022." All emails must include your name and address. Please note all Public Comment emails relevant to posted agenda items received by the deadline will be published as part of the agenda packet prior to the meeting and are therefore public record.

Agenda:

1. Call to Order
2. Welcome
3. Public comments – limit 3 minutes per person
4. Approval of minutes from the previous meeting
5. Texas Water Development Board (TWDB) Update
6. Sponsoring agency update from City of San Angelo
7. Consider authorizing the Planning Group Sponsor (City of San Angelo) to execute an amendment to the Regional Flood Planning Grant contract (Budget Memo) with TWDB and the subcontract with the technical consultant
8. Technical Consultant Presentation by HDR Engineering, Inc. for discussion, recommendation, and/or approval on the following items:
 - a. Public comments received on Draft Region 9 Upper Colorado Flood Plan and proposed responses
 - b. TWDB comments received on Draft Region 9 Upper Colorado Flood Plan and proposed responses
 - c. Consider approval of the responses to public and TWDB comments received
 - d. Update on the Final Region 9 Upper Colorado Flood Plan
 - e. Consider approval of revisions and authorize the City of San Angelo to submit the Final Region 9 Upper Colorado Flood Plan to TWDB by January 10, 2023
 - f. Update on Task 12
9. Discussion and direction regarding Environmental interest category representative
10. Public comments – limit 3 minutes per person
11. Consider date and agenda items for next meeting
12. Adjourn

Additional information may be obtained from:

Allison Strube

astrube@crmwd.org

400 E. 24th Street

Big Spring, Texas 79721

Public Meeting Notice

Region 9 – Upper Colorado Regional Flood Planning Group

September 14, 2022

6:005 PM CST

Meeting held in person at Tom Green County Stephens Central Library – Suzanne & Joel Sugg Community Room – 3rd Floor, 33 W. Beaugard Ave., San Angelo, Texas. Additionally, participation was available via conference call at (325) 326-0870.

Roll Call:

<u>Voting Member</u>	<u>Interest Category</u>	<u>Present (x) / Absent () / Alternate Present (*)</u>
Kenneth Dierschke	<i>Agricultural interests</i>	X
Rick Bacon	<i>Counties</i>	X
Henryk Alexander Olstowski	<i>Electric generating utilities</i>	X
Shannon McMillan	<i>Environmental interests</i>	X
Vacant	<i>Flood districts</i>	
Morse Haynes	<i>Industries</i>	
Lance Overstreet	<i>Municipalities</i>	
David H. Loyd Jr.	<i>Public</i>	X
Scott McWilliams	<i>River authorities</i>	X
Chuck Brown	<i>Small business</i>	X
Cole D. Walker	<i>Water districts</i>	
Allison Strube	<i>Water utilities</i>	X

<u>Non-voting Member</u>	<u>Agency</u>	<u>Present(x)/Absent() / Alternate Present (*)</u>
John McEachern	Texas Parks and Wildlife Department	X
Tim Frere	Texas Division of Emergency Management	
Lauren Mayse	Texas Department of Agriculture	
Ben Wilde	Texas State Soil and Water Conservation Board	X - Virtual
Jet Hays	General Land Office	
Tressa Olsen	Texas Water Development Board (TWDB)	X
Winona Henry	Texas Commission on Environmental Quality	
Anna Yakimovicz	Region 10 Liaison	

Others Present:

Paula Jo Lemonds – HDR (Consultant): In-Person
Emily Daniel – HDR (Consultant): In-Person
Aiza Sanchez – HDR (Consultant): In-Person
David Ipina – HDR (Consultant): Virtual
Scott Rushing – HALFF (Consultant): Virtual
Wade Barns – Freese & Nichols (Consultant): In-person
Shane Kelton – City of San Angelo: In-Person
Zeferino Mendoza – City of San Angelo: In-Person

Quorum:

Quorum: **Yes**

Number of voting members or alternates representing voting members present: 8

Number required for quorum per current voting positions of 12: 7

Meeting agendas, packets, information and recordings are available at the link

<https://www.cosatx.us/departments-services/water-utilities/region-9-upper-colorado-flood-planning-region>

- **AGENDA ITEM NO. 1: Call to Order**
Chair Strube called the meeting to order at 6:05 PM CST. A roll call of the planning group members was taken to record attendance, and a quorum was established prior to proceeding with the agenda.
- **AGENDA ITEM NO. 2: Welcome, Meeting Facilitation Information and Instructions**
- **AGENDA ITEM NO. 3: Public Comments**
No Public Comments were made during this item.
- **AGENDA ITEM NO. 4: Approval of minutes from previous meeting.**
Motion by Commissioner Rick Bacon and seconded by Shannon McMillan. Motion passed unanimously.
- **AGENDA ITEM NO. 5: TWDB Update**
Tressa Olsen with TWDB updated the group that the group should be expecting TWDB comments on the draft plan in late October. There would also a newsletter recently sent out and stakeholder survey is forthcoming that she wanted to advise the group of.
- **AGENDA ITEM NO. 6: Sponsor agency update from the City of San Angelo Provided by chair Allison Strube**
Chair Strube discussed her transition to a new position with Colorado River Municipal Water District. City of San Angelo will maintain their status as the political subdivision and are equipped to continue with contract requirements.
- **AGENDA ITEM NO. 7: 7.Technical Consultant Update; (a) Presentation of the Draft Regional Flood Plan; (b) Accept Public Comments on the Draft Regional Flood Plan; (c) Review any previously submitted public comments; (d) Additional Funding: Review recommendations for utilizing the additional allocated funds for data collection and prioritizing FMEs and FMSs for**

evaluation and conversion to FMPs for inclusion in the Amended Upper Colorado Regional Flood Plan.

Paula Jo Lemonds provided an update and presented the presentation provided in the background material to the agenda. Paula Jo Lemonds presented schedule and next steps for the process. Finally, Paula Jo Lemonds presented on FMEs for future evaluation. Wade Barnes assisted with additional information throughout the presentation. A motion was made by Commissioner Rick Bacon and seconded by Scott McWilliams to approve the use of additional allocated funds to complete the evaluation of selected FMEs for potential inclusion as FMPs in the Amended Upper Colorado Flood Plan. Motion passed unanimously.

- **AGENDA ITEM NO. 8: Discussion and direction regarding Water Utilities interest category representative**

Chair Strube brought the topic back up on her position change to a new employer, Colorado River Municipal Water District. A motion was made by Scott McWilliams and seconded by Commissioner Rick Bacon to allow Chair Strube to maintain her representation as Water Utilities and remain the Chairperson of Region 9. Chair Strube made a public comment that it would ultimately be her interest to move to serving the Water Districts category, but will work through that process. Motion passed unanimously.

- **AGENDA ITEM NO. 9: Public Comments**

Chair Strube brought up that Lance Overstreet was still interested in serving on Region 9; however, if the group continued to meet on Wednesday then he would likely have to resign due to other commitments.

- **AGENDA ITEM NO. 10: Consider Date and Agenda Items for Next Meeting**

Meeting was attentively set for November or December depending on public comments received. Chair Strube stated she would send a poll for future meetings on what dates worked best for the group.

- **AGENDA ITEM NO. 11: Adjourn**

Motion by Chuck Brown and seconded by Commissioner Rick Bacon. Motion passed unanimously. Meeting was adjourned at 6:45 PM CST.

Approved by the Region 9 Upper Colorado RFPG at a meeting held on December 21, 2022.

Lance Overstreet, SECRETARY

Allison Strube, CHAIR

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Andy Vecellio, Assistant Director, Water Utilities, 325-657-4218

Meeting Date: December 13, 2022

Item type: Consent Item

Caption:

Consider amending WU-05-21 Professional Engineering Services - Upper Colorado Regional Flood Planning Technical Consultant with HDR Engineering, Inc. increasing the contract amount by \$104,000, funded by Texas Water Development Board Grant, bringing the new contract total to \$1,575,200 and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Staff Recommendation:

Approve

Summary/History:

Section 16.061 of the Texas Water Code (TWC) requires the Texas Water Development Board (TWDB) to develop and adopt a comprehensive state flood plan every five years that incorporates the 15 regional flood plans developed by the regional flood planning groups (RFPGs) under TWC 16.062. San Angelo is located in Region 9 - Upper Colorado.

The RFPGs are beginning their first cycle (2020-2023) of the regional flood planning process that was created in 2019 by Senate Bill 8 (SB8), 86th Texas Legislature. The 2023 Regional Flood Plans that are due to TWDB on January 10, 2023 will be the basis for the 2024 State Flood Plan.

On April 9, 2020, the TWDB designated the Flood Planning Region boundaries that created 15 Flood Planning Regions in Texas required to implement the flood planning requirements of SB8. On May 21, 2020, the TWDB adopted new 31 Texas Administrative Code (TAC) Chapters 361 and 362 relating to Regional and State Flood Planning to implement the flood planning requirements of SB8. The Region 9 - Upper Colorado representatives are the following individuals:

Kenneth Dierschke, Agricultural Interests
Rick Bacon* (At-Large), Counties
Henryk Olstowski, Electric Generating Utilities
Shannon McMillan* (At-Large), Environmental Interests
Vacant, Flood Districts
Morse Haynes, Industries
Lance Overstreet* (Secretary), Municipalities
David Loyd Jr., Public
Scott McWilliams, River Authorities
Chuck Brown* (Vice-Chairman), Small Businesses

Cole Walker, Water Districts
Allison Strube* (Chairwoman), Water Utilities
*Executive Committee Members

On December 15, 2020, the City Council authorized the City of San Angelo to serve as the political subdivision and on May 4, 2021, the City Council voted to enter into a contract with HDR Engineering, Inc. to serve as the technical consultant for Region 9 Flood Planning. On April 5, 2022, the City Council approved a Contract Amendment with HDR Engineering, Inc., increasing the contract amount by \$600,000 from \$856,738.00 to \$1,456,738.00 based upon additional regional flood planning funding that was allocated to Region 9 by the TWDB.

This Contract Amendment (Contract Amendment No. 2) increases the subcontractor fee by \$104,000, from \$1,456,738.00 to \$1,560,738.00, with TWDB grant funds being redirected from Other Expenses and Contractor Salaries and Wages to Subcontractor Services. Other Expenses and Contractor Salaries and Wages, which are for the direct costs of the Contractor (City of San Angelo) associated with the project, have not been incurred to date as City of San Angelo Staff expenses have been minimal and not accessed to the project. No expenses for City of San Angelo Staff is anticipated through the end of the project. The budget maintains a Voting Planning Member Travel allocation of \$14,462.00 for travel expenses for any voting member that may be required to travel to a meeting associated with the project.

Funding Source(s):

Financial Impact:

The City of San Angelo has not allocated any City dollars toward this project and this does not fiscally impact the City. All funding for this project has been allocated by the Texas Water Development Board. The following outlines how the project is funded.

The 86th Texas Legislature appropriated \$20,592,809 in planning grant funding. Of that amount, Region 9 - Upper Colorado was allocated \$946,200. \$856,783 was then sub-contracted with HDR Engineering. Some funds were reserved for any expenses which the political subdivision could incur.

The funding allocations included a base funding amount for each region to cover basic public participation and flood planning document development, with additional variable funding, allocated by region, based on relative: estimated 2020 population; total stream miles with the region; the number of counties that fall within each region; the number of counties in the General Land Office coastal management zone within the region; the length of gulf coastline of each region; and, historic National Flood Insurance Program claims.

An additional \$10 million in regional flood planning funding became available on September 1, 2021, for use in Fiscal Year (FY) 2022. TWDB ultimately approved \$629,000 of these additional funds to go towards Region 9. Similar to the original sub-contract execution, \$29,000 was reserved for expenses the political subdivision may incur, while the remaining \$600,000 is being requested in the agenda item to be contracted with HDR Engineering, technical consultant, to cover the additional scope of work items.

As the City of San Angelo has not incurred any expenses from their participation in the Region 9 flood planning project, the Other Expenses and Contractor Salaries and Wages are being allocated to the

Subcontractor completing the study.

The Contract Amendments does not modify the existing contract requirements, schedule, and expectation that RFPGs will deliver their first regional flood plans by the January 10, 2023, deadline.

The primary emphasis of the additional funding is to support the RFPGs’ technical work necessary to: perform identified flood management evaluations (FMEs) to evaluate flood risks in areas with currently limited flood risk data; perform identified FMEs to evaluate flood risk reduction solutions, including feasibility studies and preliminary engineering to identify and recommend flood management projects (FMPs); use this information to evaluate additional FMPs for inclusion in the regional flood plan; and perform related tasks necessary to incorporate/amend the work under 1-3 above into the regional plans. Extending the contract length is needed due to insufficient time in identifying areas requiring flood risk evaluation and carrying out the necessary technical evaluations required to identify and recommend FMPs. The cumulative time required to carry out these steps is well beyond the January 2023 timeframe, particularly for rural and other areas with limited information. Attached to the agenda item are the two tables to show how the additional funding is allocated.

Other Information/Recommendation:

The Region 9 Upper Colorado Regional Flood Planning Group will discuss this amendment at their meeting on December 13, 2022 to authorize the political subdivision (City of San Angelo) to negotiate and execute with the technical consultant (HDR Engineering).

Attachments:

- | | | |
|----|---|---|
| 1. | Contract Amendment 2_2101792494_Region 9_City of San Angelo | Contract Amendment 2_2101792494_Region 9_City of San Angelo.pdf |
| 2. | Region 9 2023 Plan_Contract Amendment No. 2 Subcontractor table | Region 9 2023 Plan_Contract Amendment No. 2 Subcontractor table.pdf |
| 3. | 2020-12-15_(5f)_Resolution__2020-110_Region_9_Upper_Colorado | 2020-12-15_(5f)_Resolution__2020-110_Region_9_Upper_Colorado.pdf |

Presentation:

Andy Vecellio

Approvals/Reviews:

Andy Vecellio	Created/Initiated
Pete Madrid Jr.	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Julia Antilley	New

RESOLUTION 2020-110**A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL AUTHORIZING THE CITY OF SAN ANGELO TO SERVE AS THE POLITICAL SUBDIVISION SPONSOR FOR THE REGION 9 - UPPER COLORADO REGIONAL FLOOD PLANNING GROUP AND ALLOW FOR THE SUBMISSION OF A REQUEST FOR APPLICATION FOR REGIONAL FLOOD PLANNING GRANTS TO THE TEXAS WATER DEVELOPMENT BOARD**

WHEREAS, Section 16.061 of the Texas Water Code (“TWC”) requires the Water Development Board (“TWDB”) to develop and adopt a comprehensive state flood plan every five years that incorporates the 15 regional flood plans developed by the regional flood planning groups (“RFPs”) under TWC 16.062; and,

WHEREAS, the RFPs are beginning their first cycle (2020-2023) of the regional flood planning process that was created in 2019 by Senate Bill 8 (SB8), 86th Texas Legislature; and,

WHEREAS, the 2023 Regional Flood Plans that are due to TWDB on January 10, 2023 will be the basis for the 2024 State Flood Plan; and,

WHEREAS, on April 9, 2020, the TWDB designated the Flood Planning Region boundaries that created 15 Flood Planning Regions in Texas required to implement the flood planning requirements of SB8 in which San Angelo is in Region 9 – Upper Colorado; and,

WHEREAS, at the May 21, 2020 TWDB meeting, the TWDB solicited nominations for individuals to serve as initial Regional Flood Planning Group (RFPG) members to fill the 12 voting interest categories for each region; and,

WHEREAS, on October 1, 2020 the TWDB designated representative from each Flood Planning Region to serve as the RFPG and Allison Strube, Director of the Water Utility, was selected as a water utilities representative; and,

WHEREAS, the Region 9 – Upper Colorado meeting was held virtually on October 29, 2020 and the City of San Angelo was selected as the sponsor to act on the RFPs behalf to enter into a grant contract with the TWDB to receive funds for developing their regional flood plans and Allison Strube was selected as the Region 9 chair; and,

WHEREAS, on November 19, 2020 the TWDB approved the funding allocation breakdown by region, attached hereto as **EXHIBIT “A”**, which allows for the submission of Regional Flood Planning Grant applications leading to the possible award of contracts to develop regional flood plans as described in 31 TAC Chapter 361 and 362; and,

WHEREAS, activities to be performed under the Request for Applications (RFAs) will be based on statute, rule, a scope of work, and guidance documents developed by the TWDB and will address all necessary elements required for preparation of a 2023 Regional Flood Plan in accordance with statute, rule, and guidance requirements; and,

WHEREAS, each RFPG will submit an RFA to TWDB by January 21, 2021; and,

WHEREAS, after receiving applications for grant funding, the TWDB will execute contracts with the RFPG sponsor political subdivisions which will enable the RFPs to solicit and procure technical consultants to help them develop the first sets of regional flood plans; and,

WHEREAS, as the Sponsor for Region 9 – Upper Colorado, the City of San Angelo would be the entity authorized to submit a Request for Applications for Regional Flood Planning Grants to the Texas Water Development Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANGELO, TEXAS:

Section 1: THAT the City of San Angelo is hereby authorized to serve as the political subdivision sponsor for the Region 9 Upper Colorado Regional Flood Planning Group pursuant to 31 TAC 361 and 362.

Official Minute Record
December 15, 2020

Volume 2020
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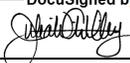
Section 2: THAT the Director of the Water Utility as the chairperson of the Region 9 – Upper Colorado group is hereby authorized to submit a Request for Applications for Regional Flood Planning Grants to the Texas Water Development Board.

Section 3: THAT the City Manager or designee is hereby authorized to negotiate and execute all documents related to the activities of the Region 9 – Upper Colorado group that does not require funding by the City of San Angelo.

ADOPTED this 15th Day of December, 2020.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

DocuSigned by:


Julia Antilley, City Clerk

DocuSigned by:


Brenda Gunter, Mayor

APPROVED AS TO FORM:

DocuSigned by:


Theresa James, City Attorney

Exhibit "A"**Table 1: Available funds allocated by region.**

Region number	RFPG name	Allocated funds
1	Canadian-Upper Red	\$1,008,200
2	Lower Red-Sulphur-Cypress	\$910,400
3	Trinity	\$2,520,200
4	Sabine	\$947,600
5	Neches	\$1,148,900
6	San Jacinto	\$2,446,000
7	Upper Brazos	\$961,500
8	Lower Brazos	\$1,485,500
9	Upper Colorado	\$946,200
10	Lower Colorado-Lavaca	\$1,373,700
11	Guadalupe	\$961,300
12	San Antonio	\$1,295,000
13	Nueces	\$1,143,700
14	Upper Rio Grande	\$1,081,800
15	Lower Rio Grande	\$1,270,000
Total		\$19,500,000

**Amendment No. 2
Sub-Contractor Budget Table**

TASK	TASK DESCRIPTION	AMD No. 2 BUDGET	REVISED BUDGET	AMOUNT CHANGED
1	Planning Area Description	\$47,310.00	\$47,310.00	\$0.00
2A	Existing Condition Flood Risk Analysis	\$94,620.00	\$94,620.00	\$0.00
2B	Future Condition Flood Risk Analysis	\$94,620.00	\$94,620.00	\$0.00
3A	Evaluation and Recommendations on Floodplain Management Practices	\$18,924.00	\$18,924.00	\$0.00
3B	Flood Mitigation and Floodplain Management Goals	\$9,462.00	\$9,462.00	\$0.00
4A	Flood Mitigation Needs Analysis	\$28,386.00	\$28,386.00	\$0.00
4B	Identification and Evaluation of Potential Flood Management Evaluations and Potentially Feasible Flood Management Strategies and Flood Mitigations Projects	\$141,930.00	\$141,930.00	\$0.00
4C	Prepare and Submit Technical Memorandum	\$18,924.00	\$18,924.00	\$0.00
5	Recommendation of Flood Management Evaluations and Flood Management Strategies and Associated Flood Mitigation Projects	\$189,240.00	\$189,240.00	\$0.00
6A	Impacts of Regional Flood Plan	\$37,848.00	\$40,500.00	\$2,652.00
6B	Contributions to and Impacts on Water Supply Development and the State Water Plan	\$9,462.00	\$9,462.00	\$0.00
7	Flood Response Information and Activities	\$9,462.00	\$9,462.00	\$0.00
8	Administrative, Regulatory, and Legislative Recommendations	\$9,462.00	\$9,462.00	\$0.00
9	Flood Infrastructure Financing Analysis	\$18,924.00	\$18,924.00	\$0.00
10	Public Participation and Plan Adoption	\$128,164.00	\$128,164.00	\$0.00
11	Outreach and Data Collection	\$84,683.00	\$84,683.00	\$0.00
12	Perform Identified FMEs	\$367,733.00	\$418,407.00	\$50,674.00
13	Preparation and Adoption of Amended RFP	\$147,584.00	\$198,258.00	\$50,674.00
TOTAL:		\$1,456,738.00	\$1,560,738.00	\$104,000.00

Contractor Services for Budget Memo

EXPENSE BUDGET CATEGORY	AMD No. 2 BUDGET	REVISED BUDGET	AMOUNT CHANGED
Other Expenses ¹	\$94,000.00	\$0.00	(\$94,000.00)
Contractor Salaries and Wages ²	\$10,000	\$0.00	(\$10,000.00)
Subcontract Services	\$1,456,738.00	\$1,560,738.00	\$104,000.00
Voting Planning Member Travel ³	\$14,462.00	\$14,462.00	\$0.00
TOTAL:		\$1,575,200.00	\$1,575,200.00

check: \$1,575,200.00

Additional Funds for Tasks 12 and 13 each \$ 50,674.00
 Addition of Funds to Task 6A \$ 2,652.00
 New total for Task 6A \$ 40,500.00

 Subtraction of funds from Task 12 \$365,081.00

 Check total: \$1,560,738.00

TWDB CONTRACT NO. 2101792494
APPROVED BUDGET MEMORANDUM NO 2
AMENDED EXHIBIT B
Task and Expense Budgets

TASK BUDGET

TASK	TASK DESCRIPTION	AMD No. 1 BUDGET	REVISED BUDGET	AMOUNT CHANGED
1	Planning Area Description	\$47,310.00	\$47,310.00	\$0.00
2A	Existing Condition Flood Risk Analysis	\$94,620.00	\$94,620.00	\$0.00
2B	Future Condition Flood Risk Analysis	\$94,620.00	\$94,620.00	\$0.00
3A	Evaluation and Recommendations on Floodplain Management Practices	\$18,924.00	\$18,924.00	\$0.00
3B	Flood Mitigation and Floodplain Management Goals	\$9,462.00	\$9,462.00	\$0.00
4A	Flood Mitigation Needs Analysis	\$28,386.00	\$28,386.00	\$0.00
4B	Identification and Evaluation of Potential Flood Management Evaluations and Potentially Feasible Flood Management Strategies and	\$141,930.00	\$141,930.00	\$0.00
4C	Prepare and Submit Technical	\$18,924.00	\$18,924.00	\$0.00
5	Recommendation of Flood Management Evaluations and Flood	\$189,240.00	\$189,240.00	\$0.00
6A	Impacts of Regional Flood Plan	\$37,848.00	\$40,500.00	\$2,652.00
6B	Contributions to and Impacts on Water Supply Development and the State	\$9,462.00	\$9,462.00	\$0.00
7	Flood Response Information and	\$9,462.00	\$9,462.00	\$0.00
8	Administrative, Regulatory, and Legislative Recommendations	\$9,462.00	\$9,462.00	\$0.00
9	Flood Infrastructure Financing Analysis	\$18,924.00	\$18,924.00	\$0.00
10	Public Participation and Plan Adoption	\$217,626.00	\$217,626.00	\$0.00
11	Outreach and Data Collection	\$94,350.00	\$94,350.00	\$0.00
12	Perform Identified FMEs	\$377,400.00	\$374,748.00	(\$2,652.00)
13	Preparation and Adoption of Amended	\$157,250.00	\$157,250.00	\$0.00

TOTAL: \$1,575,200.00 \$1,575,200.0 \$0.00

EXPENSE BUDGET

EXPENSE BUDGET CATEGORY	AMD No. 1 BUDGET	REVISED BUDGET	AMOUNT CHANGED
Other Expenses ¹	\$ 94,000.00	\$ 0.00	(\$94,000.00)
Contractor Salaries and Wages ²	\$10,000	\$ 0.00	(\$10,000.00)
Subcontract Services	\$ 1,456,738.00	\$1,560,738.00	\$104,000.00
Voting Planning Member Travel ³	\$ 14,462.00	\$ 14,462.00	\$ 0.00

TOTAL: \$ 1,575,200.00 \$ 1,575,200.00 1,575,200.00

¹Eligible Other Expenses as described in 31 TAC § 361.72(b) include the following administrative costs if the RFPG or its chairperson certifies, during a public meeting, that the expenses are eligible for reimbursement and are correct and necessary:

- a) Travel expenses as authorized by the General Appropriations Act are available only for attendance at a posted meeting of the RFPG, unless the travel is specifically authorized by the RFPG and EA;
- b) Costs associated with providing translators and accommodations for persons with disabilities for public meetings when required by law or deemed necessary by the RFPGs and certified by the chairperson;
- c) Direct costs, excluding personnel-related costs of the Planning Group Sponsor, for placing public notices for the legally required public meetings and of providing copies of information for the public and for members of the RFPGs as needed for the efficient performance of planning work such as:
 1. expendable supplies actually consumed in direct support of the planning process;
 2. direct communication charges;
 3. limited direct costs/fees of maintaining RFPG website domain, website hosting, and/or website;
 4. reproduction of materials directly associated with notification or planning activities (the actual non-labor direct costs as documented by the Contractor);
 5. direct postage (e.g., postage for mailed notification of funding applications or meetings); and
 6. other direct costs of public meetings, all of which must be directly related to planning (e.g., newspaper and other public notice posting costs).
- d) The cost of public notice postings including a website and for postage for mailing notices of public meetings; and
- e) The Planning Group Sponsor's personnel costs for the staff hours that are directly spent providing, preparing for, and posting public notice for RFPG meetings, including labor, fringe, overhead, and other expenses for their support of and attendance at such RFPG meetings, in accordance with, and as specifically limited by, the flood planning grant contract with the Board. This may not exceed: \$5,000 per regular RFPG meeting nor a total of \$60,000 over the first planning cycle.

²Contractor Salaries and Wages as described in 31 TAC § 361.72(b) include the following administrative costs if the RFPG or its chairperson certifies, during a public meeting, that the expenses are eligible for reimbursement and are correct and necessary: the Planning Group Sponsor's personnel costs for the staff hours that are directly spent providing, preparing for, and posting public notice for RFPG meetings, including labor, fringe, overhead, and other expenses for their support of and attendance at such RFPG meetings, in accordance with, and as specifically limited by, the flood planning grant contract with the Board. This may not exceed: \$5,000 per regular RFPG meeting nor a total of \$85,000 over the first planning cycle.

³Voting Planning Member Travel Expenses is defined as eligible mileage expenses incurred by regional flood planning members that cannot be reimbursed by any other entity, planning group sponsor, etc. as certified by the voting member. Travel expenses are available only for attendance at a posted meeting of the RFPG unless the travel is specifically authorized by the RFPG and EA. 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.

Ineligible Expenses as described in 31 TAC § 361.72(a) include, but are not limited to:

- a) Activities for which the Board determines existing information, data, or analyses are sufficient for the planning effort
- b) Activities directly related to the preparation of applications for state or federal permits or other approvals, activities associated with administrative or legal proceedings by regulatory agencies, and preparation of engineering plans and specifications;
- c) Compensation for the time or expenses of RFPGs members' service on or for the RFPG

- d) Costs of administering the RFPG, other than those explicitly allowed under 31 TAC § 361.72(b)
- e) Staff or overhead costs for time spent providing public notice and meetings, including time and expenses for attendance at such meetings;
- f) Costs for training;
- g) Costs of developing an application for funding or reviewing materials developed due to this grant;
- h) Costs of administering the regional flood planning grant and associated contracts;
- i) Analysis or other activities related to planning for disaster response or recovery activities; and
- j) Analyses of benefits and costs of FMSs beyond the scope of such analyses that is specifically allowed or required by regional flood planning guidance to be provided by the EA unless the RFPG demonstrates to the satisfaction of the EA that these analyses are needed to determine the selection of the FMS or FMP.
- k) Labor, reproduction, or distribution of newsletters;
- l) Food, drink, or lodging for Regional Flood Planning Group members (including tips and alcoholic beverages);
- m) Purchase, rental, or depreciation of equipment (e.g., computers, copiers, fax machines);
- n) General purchases of office supplies not documented as consumed directly for the planning process; and
- o) Costs associated with social events or tours.

APPROVED:	
<u>CONTRACT MANAGER</u>	<u>DEPUTY EXECUTIVE ADMINISTRATOR</u>
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Tressa Olsen	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Matt Nelson
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> DATE	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> DATE



Upper Colorado Regional Flood Plan

Agenda Item No. 8



December 21, 2022

8a. Public comments received on Draft Region 9 Upper Colorado Flood Plan and proposed responses

- Comments were accepted 30 days before and 30 days after Public Hearing
 - Public Hearing held on September 14, 2022
- Comments received
 - Texas Parks and Wildlife Department
 - US Army Corps of Engineers
 - Texas State Soil and Water Conservation Board

Addressing of Comments

Documentation in the Flood Plan

- Chapter 10 – Public Participation and Adoption of Plan
 - Addressing of comments summarized
 - Track changes version provided to UCRFPG for review

RFPG Comments Regarding Legislative Recommendations, Regulatory and Administrative Recommendations and State Flood Planning Recommendations		
Name	Flood Plan Recommendations	Comments
Jerry Cotter Table 8.1 Legislative		
	Non regulatory regional flood control or drainage districts should be established and funded for rapidly growing urban areas such as DFW, Houston, San Antonio, etc. Responsibility would be to provide consistency, technical resources, funding and reviews in support of FME's, FMS's. These organizations would also implement or support implementation of FMP's. These organizations would augment communities and counties that just don't have the resources and expertise to manage flooding.	Rapidly developing areas surrounding larger urban centers are at greater risk of having runoff patterns increasing because of development. These urban areas are comprised of many communities and unincorporated county areas. Many of the smaller communities are not funded or resourced to deal with the complexities of floodplain management and therefore there is a lack of or inconsistencies in floodplain management practices.
	Clarify the early 2000's state legislation that provide counties the authority to regulate floodplains to explicitly allow and encourage activities associated with floodplain management such as development of land use plans, regulatory authorities, e.g. permitting.	Although state legislation was passed in the early 2000's which gave counties the ability to regulate floodplains, interpretation of these regulations varies widely from county to county. The legislative bill lacks implementation guidance in the form of administrative rules. If development is occurring in unincorporated areas, this development can dynamically impact flood risk.
Jerry Cotter Table 8.2 Regulatory		
	Require the use of n-values and channel conditions which would likely result if the channel or project were not maintained. Exceptions would be golf courses or other areas where an organization exists which would maintain the channel in perpetuity. Disallow maintenance by marginal organizations such as home owners associations to justify acceptance of lower n-value as this is an unrealistic expectation.	When channels are constructed, most often channel bed, banks and overbanks are cleared; however; with many miles of these channels, it is often difficult for communities to maintain those beds, banks and overbanks at their design conditions. Generally, there is a
	No loss of valley storage to the 500-year level. Communities could allow redistribution of valley storage to allow interactions with natural areas but no loss of storage.	

From: Ben Wilde <bwilde@tsswcb.texas.gov>
Sent: Wednesday, September 14, 2022 11:27 AM
To: Strube, Allison <allison.strube@cosatx.us>; rfp9.lance@gmail.com
Subject: Comment on Region 9 Flood plan

This is Ben Wilde with the State Soil and Water Conservation Board. I wanted to make the dam. The dam is located in Coke county and protects the city of Bronte. Another dam in

The Coke County SWCD or Kickapoo WCID can provide more information on the dams.

I do not know if this is pertinent information for the plan but I wanted to make you aware

The attached table shows the total number of dams in each Flood Planning Region, and that Also, the number of high hazard dams that need upgrade/rehab statewide is 514.

The maintenance and repair of this existing flood control infrastructure is important to Emergency Action Plans for high hazard dams is important and needed.

Upgrading or rehabilitating high hazard dams to meet high hazard criteria is also important 100-year storm. And if there is federal money for a rehabilitation project, the locally requ

Thanks,
Ben

October 14, 2022

Region 9 Upper Colorado Regional Flood Planning Group
 Sponsored by the City of San Angelo
 301 W. Beaugard Avenue, San Angelo TX 76903

Re: 2023 Upper Colorado Regional Flood Plan

Dear Allison Strube,

Commissioners

Arch "Beaver" Apilo, III
Chairman
Lake Jackson

Dici Scott
Vice-Chairman
Wimberley

James E. Abell
Kilgore

Oliver J. Bell
Cleveland

Paul L. Foster
El Paso

Anna B. Gale
Laredo

Jeffery D. Hildebrand
Houston

Robert L. "Bobby" Patton, Jr.
Fort Worth

Troy B. "Blake" Rowling
Dallas

Lee M. Bass
Chairman Emerita
Fort Worth

T. Dan Friedman
Chairman Emerita
Houston

Carter P. Smith
Executive Director

In 2019 Senate Bills 7 and 8 established a regional and state flood planning process for Texas, aimed at better managing flood risk to reduce loss of life and property. As part of the process, Texas Parks and Wildlife Department (TPWD) was identified as a member of the regional flood planning groups (Texas Water Code Sec. 16.062). The mission of TPWD is to manage and conserve the natural and cultural resources of Texas and its ability to provide opportunities of hunting, fishing, and outdoor recreation for the use and enjoyment of present and future generations. TPWD values this opportunity to contribute to the flood planning process with the goal of enhancing flood risk management and achieving beneficial flood mitigation outcomes. Toward this effort TPWD members serve a dual role of supporting the voting membership in development of the plans and representing the natural resource interests of the state.

TPWD applauds the Upper Colorado Regional Flood Planning Group (RFPG) for their efforts in completing the inaugural regional flood plan (RFP) especially considering the abbreviated timeline. Through the exceptional efforts of the RFPG, this plan will be a meaningful tool for reducing flood impacts to society, especially in those disastrous events that cause loss of life and injury. Because this represents the initial region-wide plan, it has the potential to be precedent setting for subsequent iterations. As such, it is important this plan recognizes the role nature and nature-based solutions can play in flood risk management and promotes opportunities to protect, enhance and restore the flood mitigation benefits provided by natural landforms.

TPWD is supportive of the planning process outlined by the Texas Water Development Board (TWDB) because it aims to achieve an integrative flood risk management (FRM) approach that prioritizes risk reduction through implementation of floodplain management, land use regulations, policy, and a balanced use of grey and natural and nature-based (NNBS) flood mitigation measures that are formed by inclusive participation at all levels of society. TPWD believes this integrative approach when implemented holistically will achieve the maximum benefits for society and natural ecosystems while minimizing environmental impacts. Recent published works on FRM and NNBS (Bridges et al 2021, Glick et al 2020, World Wildlife Fund 2016, Sayers et al 2013) support TWDB

4200 SMITH SCHOOL ROAD
AUSTIN, TEXAS 78744-3291
912.389-4800
www.tpwd.texas.gov

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.

8b. TWDB comments received on Draft Region 9 Upper Colorado Flood Plan and proposed responses

Comments received on October 18, 2022

Documentation in the Flood Plan

- Chapter 10 – Public Participation and Adoption of Plan
 - Addressing of comments summarized
 - Track changes version provided to UCRFPG for review



October 17, 2022

Mr. Shane Kelton
City of San Angelo
301 W Beauregard Ave
San Angelo, TX 76903

RE: Texas Water Development Board Comments on Region 09 Upper Colorado RFPG's Draft Regional Flood Plan Contract No. 2101792494

Dear Mr. Kelton,

Texas Water Development Board (TWDB) staff has performed a review of the draft regional flood plan submitted by August 1, 2022 on behalf of the Region 09 Upper Colorado Regional Flood Planning Group (RFPG). The attached comments will follow this format:

- **LEVEL 1:** Comments and questions that must be satisfactorily addressed to meet specific statute, rule, or contract requirements; and,
- **LEVEL 2:** Comments and suggestions for consideration that may improve the readability and/or overall understanding of the regional flood plan

Please note that while Level 2 comments are provided for the planning group's consideration, Level 1 comments must be addressed prior to the submission of final Regional Flood Plans by the January 10, 2023 deadline.

It is expected that the data contained in all written report sections, tables, excel spreadsheets, and the geodatabase will be consistent throughout. In cases where there are any discrepancies in data, the geodatabase dataset will supersede other data and the TWDB will utilize the geodatabase dataset when developing the state flood plan.

TWDB review of the draft regional flood plans is comprised of many spot checks of data across several deliverables and is not an all-encompassing data review. Please note that TWDB's review does not imply accuracy of the draft regional flood plan. Each RFPG is responsible for ensuring the completeness and accuracy of the plan and all associated data.

To facilitate efficient and timely completion, and Board approval, of your final regional flood plan, please provide your TWDB Regional Flood Planner with a draft of your response to these comments (e.g., informally via email) on the draft RFP as soon as possible. This will allow TWDB staff to provide preliminary feedback on proposed RFPG responses to assist you in meeting your RFPG's timeline for approval and submission to TWDB of the final plan by the deadline. This will also help to minimize the need for subsequent follow-up following final regional flood plan submission to TWDB.

8c. Consider approval of the responses to public and TWDB comments received

Example comment responses:

Table ES-5. FMS Types and General Description

Flood Management Strategy (FMS) Type	General Description	Number of FMSs Identified
Education and Outreach	Develop a coordinated education, outreach, and training program to train staff and to inform and educate the public about the dangers of flooding and how to prevent flood damages to property <u>as well as the ecological and societal benefits of flooding.</u>	31

2.1.4 Best Available Data Determination

To assist RFPs with the flood hazard analysis, the TWDB prepared a statewide, geographic information system (GIS) dataset that is comprised of the most recent flood hazard data in Texas, referred to as the “flood risk quilt.” The floodplain quilt is comprised of data from several sources, including First American Flood Data Services (FAFDS) flood zone determinations, the Federal Emergency Management Agency’s (FEMA) National Flood Hazard Layer (NFHL) information developed from detailed and approximate flood studies, and FEMA Base Level Engineering (BLE) data.

Due in part to the availability of Cursor Floodplain Data Fathom flood risk boundaries for the entire basin, the 1 percent and 0.2 percent annual chance flood risk boundaries were defined for all waterways with contributing drainage areas larger than 1 square mile for the entire basin. Where multiple data sets were available, the most accurate risk boundaries were applied.

The TWDB provided the initial “flood risk quilt,” which consists of multiple layers of data

FMS or FMP in the region should consider potential impacts as it relates to the ecological flows established under the directive of SB3. Five of the proposed FMSs or FMPs involved detention or retention; therefore, there would be minimal or no impact to base or environmental flows.

FMS or FMP in the region should also consider potential impacts to Species of Greatest Conservation Need (SGCN) and priority habitats as they relate to ecological flows using information from the Texas Conservation Action Plan (TCAP). TCAP is a guiding document for conservation in the state of Texas, with the goals of realizing conservation benefits, preventing species listings, and preserving our natural heritage for future generations. SGCN include numerous aquatic species such as fish, freshwater mussels, and salamanders. The TCAP handbook (Texas Parks and Wildlife Department, 2012) includes six types of priority habitats, three of which are aquatic: water resources; riparian

5-22

Draft 2023 Upper Colorado Regional Flood Plan
Recommendation of Flood Management Evaluations and Flood Management Strategies and Associated Flood Mitigation Projects



and floodplains; and caves and karst. Issues affecting these environments include environmental flows, impoundments and dam operations, and water quality issues (including stormwater runoff).

Impacts to SGCN and priority habitats can be minimized by considering sediment transport, passage of aquatic organisms, and non-impoundment of water when evaluating FMS or FMP that involve designing future stream crossings. When possible, the following guidelines taken from the U.S. Forest Service’s stream simulation approach for designing road-stream crossing structures should be observed:

1. Bridges will span the creek or culverted crossings will be designed with the culvert(s) in the active channel area lower than those in the floodplain benches so that the flow in the channel will not overly spread out.

8d. Update on Final Region 9 Upper Colorado Flood Plan

- UCRFP satisfies the 39 TWDB flood planning guidance principles
- UCRFP documents Plan Adoption, Public Hearing, and Responses to Public Comments on Draft Plan

RFP Chapter	General Content
1	Planning Area Description
2	Existing Condition Flood Risk Analyses Future Condition Flood Risk Analyses
3	Evaluation and Recommendations on Floodplain Management Practices Flood Mitigation and Floodplain Management Goals
4	Flood Mitigation Needs Analysis
5	Identification of Potential FMEs and Potentially Feasible FMSs and FMPs Evaluation and Recommendation of FMEs and FMSs and Associated FMPs
6	Impacts of Regional Flood Plan Contributions to and Impacts on Water Supply Development and the State Water Plan
7	Flood Response Information and Activities
8	Administrative, Regulatory, and Legislative Recommendations
9	Flood Infrastructure Financing Analysis
10	Public Participation and Plan Adoption

8e. Suggested Actions

- Consider adoption of Upper Colorado Regional Flood Plan.
- “Direct consultant team to submit Upper Colorado Regional Flood Plan to TWDB staff on or before deadline of January 10, 2023.”

8f. Update on Task 12 – Perform Additional FMEs

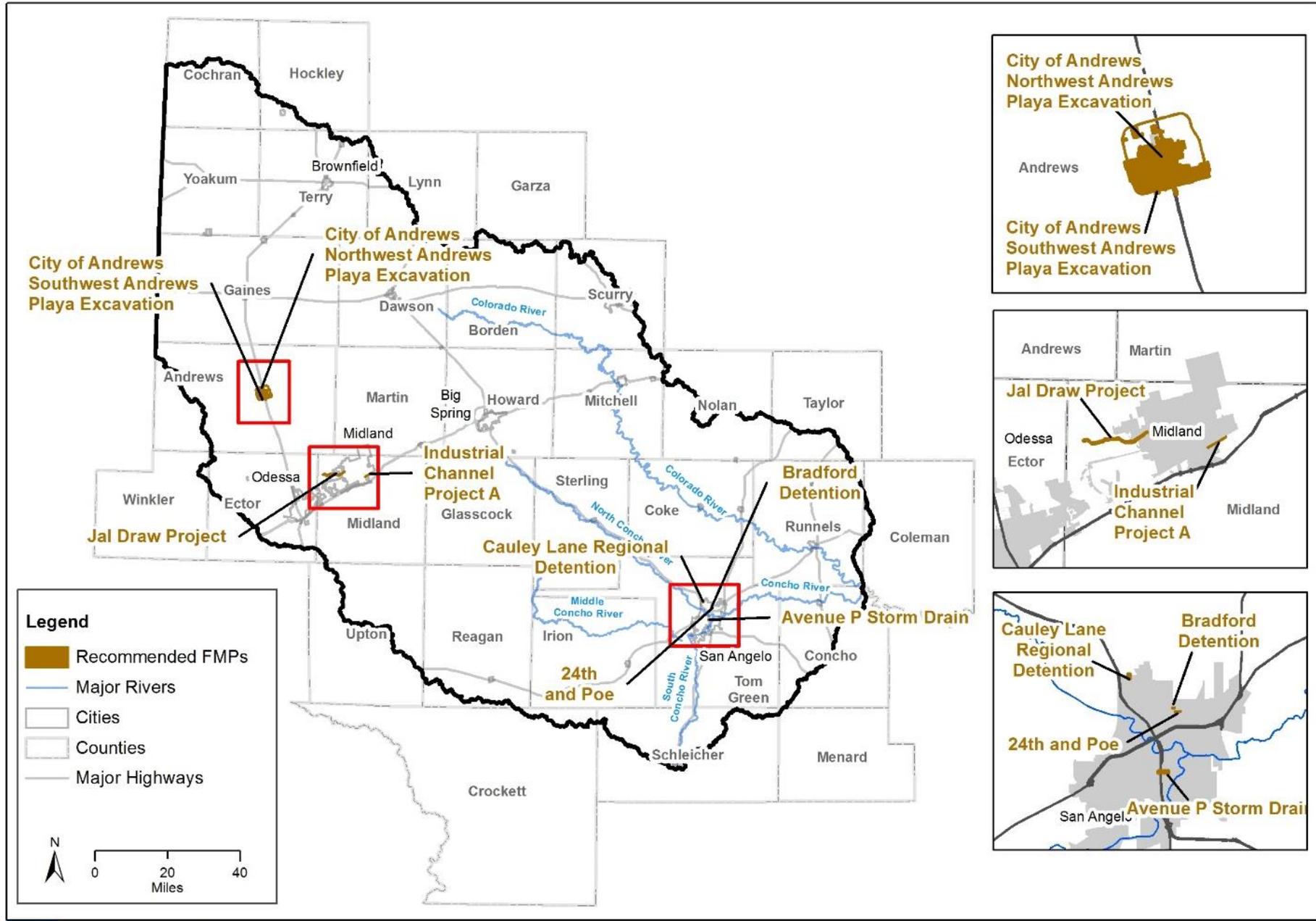
UCRFPG utilizing the additional TWDB-allocated funds for data collection and FMEs for evaluation and conversion to FMPs for inclusion in Amended Upper Colorado Regional Flood Plan.

FMEs

FMEs to be evaluated and potentially included as FMPs in Amended Plan

FME ID	FME Name	Description	County	Sponsor
091000010	City of Loraine Kindred St Detention Project	Identify scope of detention project on Kindred Street. Offsite detention and property buyout required in order to handle runoff from culvert project identification on Kinder Street. Implement the most cost-effective solution to reduce or eliminate flooding	Mitchell	City of Loraine
091000116	Butler Farms Bridge	Provide access to Butler Farms subdivision through construction of a bridge structure on Foster Road as well as construction of a secondary access to the subdivision	Tom Green	City of San Angelo
091000117	Southwest Blvd Channel Widening	Widen channel from just upstream of Loop 306 to just downstream of Southwest Blvd. Install storm drain line in Southwest Blvd.	Tom Green	City of San Angelo
091000124	MI4F Playa Detention	The project consists of elevating the outlet elevation from approximately 2843 to 2847 by constructing a berm embankment approximately 600 feet in length. The project also includes one (1) 6' x 4' RCBC outlet pipe. The outlet will extend approximately 2,*	Midland	City of Midland
091000125	North Fork Red Arroyo Detention	8 ac and 12 ac regional detention basins	Tom Green	City of San Angelo
091000126	Pecan and 3rd Street	2.1 ac regional detention. intersection and downstream channel improvements	Tom Green	City of San Angelo
n/a	Several	2D Hydraulic Model to advance 2 to 3 FMEs to FMPs (Draft model begun.)	Tom Green	City of San Angelo

Current FMPs



REGION 9 : Extent of Potential Flood Mitigation Projects

Flood Plan Development Schedule

Timeframe	TWDB Flood Plan Scope of Work Tasks/Actions
✓ July	Draft Flood Plan Refinements
✓ August 1, 2022	Draft Flood Plan Submitted to TWDB
✓ September 14, 2022	Public Comment Meeting
January 10, 2023	Final Flood Plan Submitted to TWDB
July 14, 2023	Amended Flood Plan Submitted to TWDB

Questions



Definitions

- **Flood Management Evaluation (FME):** a proposed flood study of a specific, flood-prone area that is needed in order to assess flood risk and/or determine whether there are potentially feasible FMSs or FMPs.
- **Flood Mitigation Project (FMP):** a proposed project, either structural or non-structural, that has non-zero capital costs or other non-recurring cost and, when implemented, will reduce flood risk or mitigate flood hazards to life or property.
- **Flood Management Strategy (FMS):** a proposed plan to reduce flood risk or mitigate flood hazards to life or property.