

Agenda Item 5g. Consider Approval of an Amendment Package to TWDB for Determination of Minor Amendment Status. Authorize Posting of Public Notice and Holding a Public Hearing Should the Amendment Status be Deemed Major

Amendments to the previous regional water plans are required if the RWPG identifies any strategies or projects as infeasible, based on the RWPG results of assessing the feasibility of recommended water management strategies and projects in the previous regional water plan, in accordance with 31 Texas Administrative Code (TAC) § 357.12(b) and Texas Water Code §16.053(h)(10). The RWPG must formally consider an amendment request within 180 days of its submittal. The RWPG may, at its discretion, accept or reject the proposed amendment request. If the RWPG takes action to proceed with an amendment, the RWPG must follow the existing amendment process in 31 TAC §357.51, in accordance with whether the amendment is a substitution of an alternative strategy, minor amendment, or major amendment. Any amendment proposed must meet rules and guidelines for development of a regional water plan.

During the October 19, 2023 Region F RWPG Meeting, the consultant team discussed the methodology used to evaluate the infeasibility of water management strategies and projects from the 2021 Region F Water Plan and the results of this analysis. Four strategies in the 2021 Plan were found to be infeasible and will require an amendment to the 2021 Region F Plan. These strategies and proposed amendments to the 2021 Region F Plan for RWPG consideration are described below:

- 1. City of Bronte: Develop Other Aquifer Supplies in Southwest Coke County**
Based on discussions with City of Bronte, the City is moving forward with studies on groundwater supplies from Nolan County instead of Coke County. This was identified in the 2021 Plan as an alternative water management strategy. Region F consultant proposes to amend the 2021 plan with a substitution of an alternative water management strategy as the recommended strategy for Bronte. This will create unmet needs in 2020 for Bronte and Robert Lee.
- 2. City of Junction: Develop Additional Edwards-Trinity Plateau Aquifer Supplies**
Based on discussions with the City of Junction, Junction has not yet taken affirmative action to implement this project but does plan to do so in the future. The Region F consultant proposes to amend the 2021 Region F plan to move the online decade for this strategy from 2020 to 2030. This will create an unmet municipal need of about 200 acre-feet in 2020. The amendment will include justification in accordance with 31 TAC 357.50 (j).
- 3. City of Balmorhea: Develop Edwards-Trinity-Plateau Aquifer Supplies**
Based on discussions with City of Balmorhea, no affirmative action to implement this project has been taken yet. However, the City does understand the need to secure new water supplies in the future. The Region F consultant proposes to amend the 2021 Region F plan to move the online decade for this strategy from 2020 to 2030. This will create an unmet municipal need of about 100 acre-feet in

2020. The amendment will include justification in accordance with 31 TAC 357.50 (j).

4. Mitchell County Steam Electric Power (SEP): Direct Non-Potable Sales from Colorado City

This project was for demands for a new FGE facility in Mitchell County. This strategy would provide non-potable reuse supplies from Colorado City to Mitchell County SEP (FGE). However, the FGE facility has never been built and the demands have not yet materialized. Because of this, no affirmative action has been taken to implement the project from the 2021 Region F Plan. *The Region F consultant proposes to amend the 2021 plan to remove the strategy from the plan.* This will increase an existing unmet need in Mitchell County for Steam Electric Power by 500 acre-feet. It should be noted that this need may or may not ever come to fruition. If the FGE facility was developed, this strategy could be reconsidered as a feasible alternative for a portion of the water supply needed.

Since the 2021 Region F Water Plan has infeasible water management strategies and projects, the RWPG must take action to proceed with minor amendment determination or major amendment.

This agenda item involves the RWPG taking action to consider approval of an amendment package to TWDB for determination of minor amendment status. Additionally, it authorizes posting of a public notice and holding a public hearing should the amendment status be deemed major.

With RWPG approval, the consultant team will compile an amendment package in accordance with TWDB rules and guidance and submit to the TWDB Executive Administrator for review.