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CHAPTER 10.0 : PUBLIC PARTICIPATION, FACILITATION AND PLAN IMPLEMENTATION ISSUES

10.1 PUBLIC PARTICIPATION

Public participation is the basis of the regional water planning process initiated by Senate Bill 2 in 1997. Under Texas Water Development Board (TWDB) rules laid out in 31 TAC §357, Regional Water Planning Groups (RWPGs) must include a broad cross-section of stakeholder groups representing communities throughout the region. Voting members of the Rio Grande Regional Water Planning Group (Rio Grande RWPG) as of May 1, 2010, are listed in Table 10.1. The group now includes a member representing the category of river authority as a result of state legislation enacted in 2003.

The Rio Grande RWPG amended its bylaws in July 2003 to allow members to serve consecutive five-year terms.

TWDB rules require RWPGs to have at least one meeting prior to preparation of the regional water plan, provide ongoing opportunities for public participation during the planning process, and hold at least one public hearing prior to adoption of the "initially prepared" regional water plan. The RWPGs are also required to comply with TWDB rules specifying how and to whom notice of public meetings and public hearings is to be provided.

As in the first cycle of regional water planning, the Rio Grande RWPG has gone well beyond minimum requirements set by the state for public participation, providing multiple opportunities for public input and for direct participation in the planning process and development of the draft plan. The group also intensified efforts in the second round of planning to ensure public involvement and participation in the process.

The Rio Grande RWPG held regular meetings throughout the planning process, generally on a monthly basis. Each meeting provided opportunity for public comment. As planning progressed, the opportunity for comment was moved from the end of the agenda to the beginning in order to better accommodate the needs of the public.

A variety of mechanisms have been used to publicize Rio Grande RWPG meetings. Media advisories are distributed via fax and e-mail to community newspapers in advance of meetings; advisories also are sent to daily newspapers and radio and television stations one to two days prior to meetings.

In addition, notices of meetings, agendas, and minutes are posted to the Rio Grande RWPG's website: www.RioGrandeWaterPlan.org. The website was developed in late 2003 as a resource for the public on issues of concern to regional water planning and information on the planning process.

A simple, easy-to-read trifold brochure about the region and the regional planning process was developed in August 2004, revised in 2010, and has been distributed at a

variety of forums and through direct mail. The brochure also directs readers to the website for additional, in-depth information.

Three newsletters were published and distributed in the second round of regional water planning. The November 2002 newsletter discussed the process for the second round of regional water planning. The June 2003 newsletter focused on the plan amendment to add desalination as a water management strategy and provided details on opportunities for public review of and comment on the proposed changes. The July 2005 newsletter summarized the Initially Prepared Plan, highlighting major issues and water management strategies and cost-efficiencies. It also provided information on the public hearing to consider the plan and listed the locations, including the website, where the public could review the plan (those locations are provided in Table 10.2). The August 2005 newsletter provided a Spanish translation of the summary. These last newsletters were made available at public meetings on the Initially Prepared Plan. All four newsletters are posted on the website.

Electronic versions of the summary newsletters were made available to all regional media as a way of promoting interest in the plan. Names on the mailing list for the newsletters were compiled from previous regional water planning efforts.

Table 10.1: Voting Members of the RGRWPG

INTEREST	NAME	RESIDENT COUNTY
Public	Mary Lou Campbell* Secretary, Mercedes	Hidalgo
Counties	John Wood County Commissioner, Brownsville	Cameron
Municipalities	Roberto Gonzalez* Water Works, Eagle Pass	Maverick
	John Bruciak, General Manager Brownsville PUB, Brownsville	Cameron
	Tomas Rodriguez City of Laredo	Webb
Industries	Donald K. McGhee HydroSystems, Inc., Harlingen	Cameron
Agriculture	Robert E. Fulbright* Hinnant & Fulbright, Hebbronville	Jim Hogg
	Ray Prewett Texas Citrus Mutual, Mission	Hidalgo
Environmental	Sonia Najera The Nature Conservancy	Cameron
Small Business	Vacant	
	Carlos Garza AEC Engineering, LLC., Edinburg	Hidalgo
Electric Generating Utilities	Ella de la Rosa Magic Valley Electric Cooperative	Hidalgo

River Authorities	James Darling Rio Grande Regional Water Authority	Hidalgo
Water Districts	Sonny Hinojosa HCID No. 2, San Juan	Hidalgo
	Sonia Lambert CCID No. 2, San Benito	Cameron
Water Utilities	Charles Browning North Alamo Water Supply Corp., Edinburg	Hidalgo
Other	Glenn Jarvis, Chair* Attorney, McAllen	Hidalgo
	Gary Whittington Unifirst Linen Service, Harlingen	Cameron

*Executive Committee
Planning Group members as of February 2010.

The Executive Summary of the plan is being translated into Spanish, and will be posted on the website.

The Rio Grande RWPG and its consultant team also actively solicited comment from local entities on the basic data used to develop the plan:

- A water infrastructure financing survey and supplemental survey was mailed to each water user group (WUG) in July 2010 with follow up phone calls with each entity. The infrastructure survey was completed to determine the capability to pay for water management strategies listed in the plan. The supplemental survey was to collect input from the WUGs related to water supply issues and their strategies to solve long-term water shortages.
- Draft population and water demand projections were faxed to officials representing each city and county in the region September 2009. The faxing list included every WUG in the region. Comments were received from several of the WUGs.
- Survey Information regarding the water supply issues was mailed out to each WUG in February 2010, and follow up phone calls were made to help with participation. Very few WUGs replied before submitting of the IPP.

Members of the consultant team also made several presentations to a variety of groups with an interest in water planning, including water utility associations, citrus growers, and irrigation district boards of directors.

The Rio Grande RWPG provided extensive notice of and opportunity for public comment on the Initially Prepared Plan. As required by TWDB rule, copies of the draft plan were placed in at least one public library in each county within the regional planning area as well as in the office of the county clerk in each county within the regional planning area. Copies also were placed at the offices of councils of governments in the region, including the Lower Rio Grande Valley Development Council and the South Texas Development Council. (See Table 10.2)

A public hearing on the Initially Prepared Plan was held in Weslaco on April 21, 2010 at the Weslaco City Hall. Formal notices of the public hearing were placed in newspapers of general circulation in each county of the regional planning group. A handful of residents attended the public hearing, mostly employees of local water districts. No one from the general public chose to testify.

Although the TWDB rules stipulate only one public hearing on the draft plan, the regional planning group elected to host an additional public meeting in Laredo on April 28, 2010, at the public library. About a dozen people attended this hearing, including several employees of the Laredo Utilities Department, and the Mayor of Laredo Raul Salinas. The mayor spoke about his concern that groundwater from areas north of Laredo would be depleted. Jay Johnson Castro, the executive director of the Rio Grande International Study Center also asked several questions related to the IPP.

The extended comment period enabled further presentations at public meetings throughout the region. Instead of scheduling stand-alone meetings, the planning group was able to piggyback on opportunities provided by other policy groups. These included:

- Lower Rio Grande Development Council Board of Directors, Harlingen – July 28, 2005
- Laredo City Council, Laredo – Aug. 1, 2005
- Eagle Pass City Council, Eagle Pass – Aug. 2, 2005
- South Texas Development Council Board of Directors, Zapata – Sept. 8, 2005
- Citrus Water and Wastewater Association – April 13, 2010

All public outreach on the Initially Prepared Plan included information on procedures and deadlines for submitting comments.

Table 10.2: Opportunities for Public Review of the Draft Rio Grande Regional Water Plan

COUNTY	LOCATION
Cameron	Cameron County Clerk's Office, 964 E. Harrison, Brownsville, TX 78520
	Brownsville Public Library, 2600 Central Blvd., Brownsville, TX 78520
Hidalgo	Hidalgo County Clerk's Office, 100 N. Closner, Edinburg, TX 78539
	McAllen Memorial Library 601 N. Main, McAllen, TX 78501
Jim Hogg	Jim Hogg County Clerk's Office, 102 E. Tilley, Hebbronville, TX 78361
	Jim Hogg County Library, 210 S. Smith, Hebbronville, TX 78361
Maverick	Maverick County Clerk's Office, 500 Quarry St. Suite 2, Eagle Pass, TX 78852
	Eagle Pass Public Library, 589 Main St., Eagle Pass, TX 78852
Starr	Starr County Clerk's Office, 401 N. Britton Ave., Room 201, Rio Grande City, TX 78582
	Starr County Library, 591 E. Canales, Rio Grande City, TX 78582
Webb	Webb County Clerk's Office, 1110 Victoria St., Suite 201, Laredo, TX 78040
	Laredo Public Library, 1120 E. Calton St., Laredo, TX 78041
Willacy	Willacy County Clerk's Office, 576 W. Main St., Raymondville, TX 78580
	Reber Memorial Library, 193 N. 4th, Raymondville, TX 78580
Zapata	Zapata County Clerk's Office, 200 E. 7th Ave., Suite 138, Zapata, TX 78076
	Zapata County Library, 901 Kennedy St., Zapata, TX 78076

10.2 FACILITATION OF THE REGIONAL WATER PLANNING PROCESS

Facilitation of the regional water planning process for the Rio Grande Region has been provided by the staff of the Lower Rio Grande Valley Development Council (LRGVDC), with assistance from the consultant team. In addition to performing administrative duties relating to the management of State funds, the LRGVDC also made all arrangements for meetings of the Rio Grande RWPG, which included posting required meeting notices, preparing meeting agendas, and distributing agenda back-up materials to members of the RWPG. The LRGVDC also tape recorded all Rio Grande RWPG meetings and prepared the official meeting minutes. For non-voting Spanish-speaking members of the Rio Grande RWPG, an interpreter was available at all RWPG meetings, upon request.

The consultant team also assisted in facilitating the planning process by providing presentations of technical information at RWPG meetings and assisting in identifying key water planning and policy issues.

10.3 PLAN IMPLEMENTATION ISSUES

There are a number of key issues that will affect whether this plan is successful in achieving its primary purpose – to provide recommendations regarding strategies for meeting the near and long-term water needs of the Rio Grande Region. Many of these issues are identified and discussed in previous chapters, particularly in association with recommended water management strategies and policy issues. Generally, the key issues relating to the implementation of this plan can be grouped into three categories:

- Issues and water management strategies that require additional in-depth evaluation;
- Local buy-in and action to implement local water supply strategies; and,

- Funding for the implementation of plan recommendations.

Each of these areas of concern is briefly discussed below. No interregional conflicts have been identified in the planning process or contained in the plan.

10.3.1 Additional Planning Studies

The recommendations presented in this regional water plan are based on a reconnaissance-level evaluation of projected water demands, water supply, needs, and various strategies for meeting future needs. It is important to note that additional, more detailed feasibility-level planning will be necessary prior to implementation of the many of the recommended strategies. Also, in many cases, feasibility-level planning will need to be followed by engineering design and permitting activities. For the most part the additional planning and project development activities required for strategy implementation will be the responsibility of local water suppliers (e.g., cities, water supply corporations, and irrigation districts). However, state and/or federal technical and financial assistance would greatly facilitate timely project development and implementation.

There are a number of specific issues and water management strategies that require additional investigation and which should be considered as potential candidates for state funding prior to the first update of this regional water plan. These are:

- **Water Supply Planning for Rural Areas.** The Rio Grande RWPG recommends that future updates to the regional water plan include a thorough evaluation of water supply, projected water demands, needs, and strategies for the individual public water systems currently aggregated into the "County-Other" water user groups. This evaluation should include projected water supply needs associated with serving economically distressed areas (i.e., colonias) in the rural portions of each county.
- **Assessment of Individual Irrigation Districts.** The Rio Grande RWPG recommends that the irrigation districts be evaluated as individual water user groups to better assess their water management strategies in the future updates to the regional water plan.
- **Municipal Water Conservation Program Design.** Advanced or additional municipal water conservation measures are recommended to provide a significant contribution toward meeting projected municipal water demands. Funding is needed to support the development of a detailed program implementation plan that can serve to guide local water suppliers in the implementation of these programs. Particular attention needs to be given to developing approaches for cooperative, regional implementation of municipal water conservation programs.

- **Assessment of Non-Potable Water Reuse Opportunities.** As with conservation, non-potable reuse of reclaimed water is a key strategy recommended for meeting a portion of future municipal water needs and a portion of the projected supply needs for steam electric power generation. However, as discussed in Chapter 5 of this plan, estimates of the achievable municipal reuse potential in the Rio Grande Region are based on limited information and broad planning assumptions. For this strategy to achieve the recommended level of implementation, it is essential that a more comprehensive and thorough assessment be performed to identify feasible reuse applications. This assessment should examine each individual municipal water and wastewater utility system to characterize the quality of available wastewater effluent; identify potential users of reclaimed water within reasonable proximity to existing wastewater treatment facilities; evaluate the requirements of potential users (e.g., quantity and quality); and develop site-specific cost estimates for implementation of reuse projects.
- **Groundwater Development.** State efforts to improve data and assess groundwater availability in the Rio Grande Region should continue. Specifically, current efforts to gather additional data on the occurrence, quantity, and quality of recoverable groundwater from the Gulf Coast aquifer and to develop a new simulation model of the Gulf Coast aquifer in South Texas should be completed expeditiously. In addition, state funding should be made available for regional facility planning studies to develop regional groundwater supply projects as a substitute source of water supply for some DMI users currently using Rio Grande supplies (e.g., municipal suppliers in Willacy County). Also, the cities of Brownsville, Eagle Pass, and Laredo are encouraged to continue their local efforts to identify and develop cost-effective sources of groundwater supply.
- **Irrigation district rehabilitation.** An extensive discussion of issues associated with the implementation of irrigation conveyance and distribution efficiency improvements is provided in Chapter 5. A key issue is the need for additional, district-specific assessments to identify cost-effective improvements and to develop comprehensive rehabilitation plans. Continuing and expanded state and federal assistance, both technical and financial, is essential.
- **Use of Stormwater Runoff.** It is recommended that a study be conducted to determine the feasibility and impacts of capturing and using stormwater runoff as a supplemental water supply source in Cameron and Hidalgo counties. As described in Chapter 5, the study would investigate supply availability, potential uses, and other issues for five localized areas. The results would then be extrapolated to other areas of the two counties to develop a better estimate of the amount of stormwater that could be developed as supply source, as well as the costs of implementing the strategy on a sub-regional scale.
- **Re-channelization/Restoration of Portions of the Rio Grande.** As indicated both in Chapter 5 and Chapter 6, the Rio Grande RWPG supports the International Boundary and Water Commission's request for federal appropriations to

conduct a detailed assessment of the costs, benefits, and environmental impacts of improvements to the river channel above Amistad International Reservoir. Of particular interest is the quantification of the potential water supply benefits of such a project.

- **Surface Water Availability Models.** As indicated in Chapter 6, the Rio Grande RWPG recommends that state funding be provided for the development of a water availability model for the Rio Grande watershed. In addition, the Rio Grande RWPG supports additional state funding for continued refinement of the existing Reservoir Operations Model for the Amistad/Falcon Reservoir System. Of particular interest is the expansion of the existing model to include portions of the Rio Grande watershed in Mexico that contribute inflows to the reservoir system.
- **Development of the Laredo Low Water Weir.** The Rio Grande RWPG supports Webb County's efforts to obtain funding for a detailed feasibility and environmental impact study of the proposed low-water dam.
- **Reservoir Sedimentation.** The Rio Grande RWPG recommends that a study be conducted to evaluate the technical and economic feasibility and potential environmental impacts of alternatives for the control and/or removal of sediment from the Amistad/Falcon Reservoir System

10.3.2 Local Water Supply Planning and Implementation

This regional water plan is best viewed as providing a framework for local action to implement strategies for meeting future water needs. The role of the Rio Grande RWPG is purely advisory. The RWPG has no authority to compel other entities to implement the actions recommended in this plan, nor does it have the authority or resources to undertake implementation activities on its own initiative. Rather, implementation of strategies recommended for meeting future water needs is a primary responsibility of local water suppliers, which include cities, water supply corporations, other public water supply entities, and irrigation districts. With or without outside assistance, more detailed feasibility-level planning studies and engineering design is largely the responsibility of local water suppliers. Similarly, the costs of implementing water conservation and water supply strategies will be borne largely by the ratepayers served by local water suppliers. It is therefore essential that there be a strong commitment on the part of the governing bodies and management of local water suppliers to implement the strategies recommended in this plan.

Locally, there has been a great deal of progress with stakeholders working together. The RGRWPG highly recommends that this continue to aid in the implementation of water strategies throughout the region. The re-creation of the Rio Grande Regional Water Authority (RGRWA) which has statutory authority to investigate, plan, acquire, construct, maintain, or operate any property the authority considers necessary

or proper for the accomplishment of the purposes of the authority, including water treatment, wastewater treatment, water conveyance, and desalination of water” has been key. The RGRWA encompasses many of the same counties in the Rio Grande RWPG. It includes on its board representatives of each county, as well as the irrigation districts, water supply corporations, municipalities, and the general public.

Water rights conversion has been and continues to be an important issue between irrigation districts and municipalities as more irrigation land is lost to urbanization. There is no set formula for the transfer or conversion of water rights associated with this urbanization. A committee consisting of irrigation district managers and water utility managers is currently ongoing set some standards for conversion and taking into consideration each party’s needs. The RGRWPG recommends that this group continue to strive for solutions.

10.3.3 Funding for Plan Implementation

The availability of and access to funding for the implementation of recommended water management strategies is crucial. Most local water suppliers in the Rio Grande Region are governmental or quasi-governmental entities (e.g., water supply corporations) that have the authority to charge and collect taxes and/or fees for the services they provide. These entities also have the ability to borrow money for the acquisition of additional water supplies and for water-related infrastructure development and rehabilitation. For the most part, the direct costs for the services provided by these entities should be borne by the individual water users through taxes and/or fees for services. However, it should be recognized that there is also an appropriate role for the state and federal governments in the financing of water conservation, water supply development, and infrastructure projects. At present, there are a number of state and federal financial assistance programs for water-related infrastructure projects that are available to municipal water suppliers. However, there are few programs that provide financial assistance to irrigation districts for infrastructure improvements. Because agricultural water conservation is a central element of this regional water plan – and is essential to maintaining the viability of this sector of the regional economy – the Rio Grande RWPG recommends that new public funding sources be developed to assist irrigation districts with the implementation of conservation programs.