

Meeting Minutes

Region 13. Nueces Flood Planning Group Meeting

January 31st, 2022

Meeting held in Tilden, Texas

Agenda Item 1. Call to Order and Roll Call

LJ Francis called the meeting to order at 11:34.

Voting Members:

Debra Barrett	Agricultural	absent
Shanna Owens	Counties	present
Lauren Hatch Williams	Environmental	present
Larry Thomas	Flood Districts	absent
Jeff Pollack	Industries	absent
LJ Francis	Municipalities	present
Adnan Rajib	Public	absent
Sky Lewey	River Authorities	present
Larry Dovalina	Water Utilities	present
Andrew Rooke	Small Business	present
JR Ramirez	Water Utilities	present
David Baker	Electric Generating Utilities	present

Non-Voting Members:

Tressa Olsen	TWDB	Zoom
Ryke Moore	TWDB	Zoom
Jim Tolan	Texas Parks & Wildlife Department	Zoom
Brian Hurtuk	Texas Div. of Emergency Management	absent
Nelda Barrera	Texas Department of Agriculture	absent
Simone Sanders	General Land Office	absent
Kendria Ray	TX State Soil & Water Cons. Board	Zoom
Joel Anderson	TCEQ	absent
Patrick McGinn	Liaison to San Antonio RFPG & Rio Grande RFPG	absent
Dave Mauk	Liaison from the San Antonio RFPG	absent

Guests:

Sarah West	Freese & Nichols	present
Pat Broader	Medina County	present
James Bronikowski	TWDB	Zoom
Gian Villarreal		Zoom
Amanda Lia		Zoom
Sarah Garza	Port of Corpus Christi	Zoom
Jaynie Saenz		Zoom
Lisa McCraker Mann		Zoom
John O'Valle	TDEM	Zoom
Monica Jacobs		Zoom
Anna Aldridge		Zoom
Stacy Barna		Zoom
Travis Pruski	Nueces River Authority	present
Kristi Shaw	HDR	present
Bryan Martin	HDR	present

Agenda Item 2: Prayer

LJ Francis led the prayer.

Agenda Item 3: Public Comments

There were no public comments.

Agenda Item 4: Approval of minutes from the December 6th, 2021, Full RFPG Meeting.

Motion was made by Larry Dovalina and seconded by Shanna Owens. Motion passed.

Agenda Item 5: TWDB updates/presentation:

Tressa Olsen stated that the prior week TWDB notified Region 13 that the first submission of the tech memo was found to be administratively complete and that they may proceed to Task 5. The TWDB will start a review to provide comments to help planning groups as they put together their draft regional flood plans. TWDB is currently working through all the 15 contract amendments, and hope to have Region 13's contract execution soon. They are also planning to hold another chairs conference call in early March and should send out invitations for that soon.

Agenda Item 6: Discussion and possible action – Election of 2022 officers:

Chairman Francis stated that every year from 2021 because it started so late in 2020, we are required to elect officers. The officers are chairman, vice-chairman, secretary and two executive committee members. Currently our chairman is LJ Francis, Larry Dovalina is Vice-Chairman, Shanna Owens is Secretary and Debra Barrett and Sky Lewey are the Executive Committee members. Is there anyone serving right now that wants to change that?

Shanna Owens stated that she would be able to complete the current term but would then need to resign due to other commitments.

Travis Pruski stated that at the end of the current flood planning cycle, which would be about this same time next year, members would need to draw straws to determine the six-year terms from the two-year terms. We will then know whose terms expire and whose continue into the next cycle.

Chairman Francis asks if there was anyone serving that will not be able to continue service to the committee or if there was anyone that would like to serve in a leadership role?

Andrew Rooke made a motion to nominate the existing slate of officers for the next year. David Baker provided a second to the motion. The motion passed.

Agenda Item 7: Discussion and possible action – Update on Technical Memorandum Submittal

Kristi Shaw told the group that there was not much additional information to update due to Tressa Olsen's great job of providing information to the planning group through her letter the previous week. The technical memorandum has been deemed administratively complete and we are able to move forward to Task 5. This task is associated with evaluating the Flood Management Evaluation's (FME), Flood Mitigation Project's (FMP) and Flood Management Strategy's (FMS) and that will include recommendations moving forward to address high hazard areas. Tasks 6 – 9 are smaller but they are still important tasks that need to be rolled into the regional flood plan. These include how the impacts of the state flood plan impact the state water plan and socio economics and environmental aspects of implementation. Task 7 considers some of the flood response activities in the region. Task 8 requires the development of recommendations for the legislature and/or the entities within the region to help mitigate future flood risks manage future floods. Task 9 is funding and financing projects. Task 10 is meeting as a group and putting together a plan and conducting the steps for adoption. Tasks 11 – 13 are

associated with the amendment to the contract proposed by TWDB and we discussed this at length during our previous meeting.

Vice-Chairman Larry Dovalina stated that some of us are doing current plans on flood issues to be fixed in our areas. Does that get incorporated into the current plan or does the plan get amended at some point in time before the end of the planning cycle to include this information?

Bryan Martin said that there are two options to get that information into the current plan which is to be adopted in August of this year. HDR is currently working to establish a timeline for projects to meet and be included into the plan. Then there is the amendment that is associated with Task 12 for January 2023. Some of those projects may be included as part of the amendment.

Kristi Shaw stated that provides approximately a half a year, so the projects you have in development now can be part of the draft plan that's due in August or it can be part of the revised plan that is due July 20, 2023.

Lauren Williams asked what happens to projects that emerge after that date?

Bryan Martin stated that they will be included in the second planning cycle.

Lauren Williams asked if the plan can be updated on an ongoing fashion or do they to wait until the plan is finalized? Kristi Shaw stated that we are on a five-year cycle, and we are working on the 2023 plan right now, so it will be updated on a five-year basis. Tressa Olsen stated that the group would be adopting the 2023 plan and then this, the first cycle, is truncated. After the first cycle it will be every five years.

Shanna Owens asked if the projects can be updated after the hazard mitigation is conducted or if needed to add to or take away from different projects, could that be done without having to update the actual plan.

Kristi Shaw stated that from the perspective of the regional water plan, historically we have that five-year cycle. When submitting the final regional plan, it is included in the state plan the subsequent year. Then the process starts again for the development of the next five-year cycle. However, there is an amendment process with the regional water plans, and I would expect that might be something that would hold true on the flood planning side, so if there is time sensitive projects that is critical for funding or for implementation purposes, the flood planning group may be able to convene and make amendments to the regional plan that would later be included in the state funding plan.

Larry Dovalina stated that Cotulla's plans coming forward calls for a change of better provisions. Does the planning group somehow direct money into the project for it to qualify for state funding for these projects to go forward?

Kristi Shaw stated that the State will look at the current plan and any amendments that are associated. Then they will look at it in reference to its consistency with the plan. So even if all the details of a project are not fleshed out in the plan, the group needs to make sure that it's included in the regional flood plan so it can be identified as a project by the funding agency.

Larry Dovalina said that the precursor to getting funded is to be included in the plan.

Kristi Shaw answered that yes, it will be a precursor to getting the funding needed to implement the project.

Tressa Olson confirmed that Kristi Shaw was correct. We anticipate a similar process as water planning where you'll be able to approve amendments to the previous plan while the new plan is still in development.

Kristi Shaw stated that this was an item the group needed to discuss when we get to Task 8. Because the Board has created this amendment process already through Tasks 11 & 13, there is really two opportunities for this first plan to be able to include projects. The first date where projects are included into the draft plan that is due this summer for the early identified projects, and then Task 12 that is set aside to either defend the evaluations of existing projects or if there are new ones that are in the process of being developed now, there is chance for us to be able to include that before year 2023; which is kind of a unique signature. I think the board recognizes that because this is the inaugural plan there has been some timing challenges.

Chairman Francis stated that there seemed to be a trend where a developer will develop a piece of land and for whatever reason it is lacking in proper drainage. Then another developer goes and develops an area that is either adjacent to or connected to the first property. This area is outside the city limits and the county doesn't do a lot of regulating. How do we help the homeowner? Do these projects have to be adopted by say a government entity for some action to be taken? What do we say to people that have legitimate concerns with drainage issues and flooding?

Kristi Shaw replied that the project must have a sponsor, that is someone that has the authority to implement or someone that can vouch for the project being important for the area.

Chairman Francis then asked if there is a definition of a sponsor?

Tressa Olsen stated that she was not sure if funding is involved as well, but she would look it up.

JR Ramirez stated that he viewed this in two different parts, one is an entity that can take on capital projects to make some form of physical improvements, and then the regulatory side of it, where county government seems to get hamstrung with not a lot of regulatory controls.

Larry Dovalina added that counties do not have any jurisdiction over zoning and development in the county areas. Counties that are close to the border such as Webb County are governed by model subdivision rules. A Home Rule City like Corpus Christi has a six-mile ETJ outside of the city and if they have an agreement locally with the county, they can control whatever happens within the six-mile ETJ. Smaller cities like Cotulla only have a one-mile ETJ that with an agreement with the county the city can control everything with that one mile.

Shanna Owens stated that San Patricio County had a lot of new flood plain regulations because of an audit and there are other things that a county can do as far as building. They can require a 3rd party verification for plumbing and electrical for any kind of residences that are being built and acquire the certifications in accordance with whatever statute it is. The county can require these items, but they have ETJ considerations as well that are involved with cities and the developments that are within the ETJ. To make sure that both regulations are being followed the county does the floodplain development for some of our smaller jurisdictions because they do not have the capabilities or the knowledge to be able to that.

Travis Pruski stated that a sponsor is someone who owns the project, including directly financing and implementing it. It could be more than one entity if the project relies on a variety of sources for funding.

Agenda # 8 – Discussion and possible action – Path Forward on Stakeholder Outreach and data collection to confirm FME/FMS/FMPs to include in Plan.

Kristi Shaw reminded the committee that back in December they had discussed the amendment to the contract between the Nueces River Authority and the TWDB dealing with the Region 13 planning group efforts. Through that additional funding provided, the TWDB also added a Task 11 for data collection and stakeholder outreach. The Technical memorandum included a list of the FME, FMS and FMPs. In all, there were approximately 300 projects that had been identified or evaluation and studied. A great deal of that information was provided by stakeholders, and others through the flood infrastructure fund financing through the TWDB and FEMA sources. At this point, we want to make sure these are the projects that their sponsors are still interested in and update any that are missing. Where we have information on flood risk, we want to share that and be able to formulate a plan moving forward. Maybe an entity has identified a project in their area, so this task gives us the ability review additional information as part of the regional flood

plan and see what projects might fit within the plan. During the month of February, we will be reaching out to 70+ entities through contacts we developed through our stakeholder database list. We will also be conducting one on one phone interviews and reaching out with an advance form e-mail so that everyone gets the exact same thing. It will include a cover letter that introduces the flood planning process and explain the goals and objectives of the plan. It then provides some maps for the recipient to review so during our conversation we can focus on the information that we want to gather. We have two maps on a regional level that provides a place to gather some input and show some of the preliminary work that we've done as a flood planning group. We have a flood risk score that represents a compilation of information on a Hydrologic Unit Code (HUC) level, and it talks about vulnerabilities, the exposure, and the information on flood prone areas we have received from the public comment tool.

Bryan Martin said this regional map allows communities to see how they compare to the whole basin. We have another regional map that shows the exposure and how it associated the risks from the flood hazard to the exposure to vulnerability. This map details the current exposure across the entire basin. The next map shows the vulnerability over the entire basin.

Kristi Shaw asks the committee to review the cover letter and let respond with any additional information needed. The maps show the low water crossings, historical data and in the background the inundation of a 100- and 500-year flood. Part of this exercise is to get a better understanding of the needs within the region and the projects planned by others within. We can inquire as to the extent of their study area and how that plan aligns with the regional plan. We want to make sure that the regional plan is not different than what's being done on the local level. We have two other maps that are like the others, and we are doing them for each of the 30 counties, so when we have those focus conversations, we're looking at just the counties. We gather all the information that we're collecting from the stakeholder interviews, and we bring them to the three regional roadshows scheduled in March. We will discuss that information and have a regional discussion.

Jim Tolan asks, Kristi Shaw at the outreach a couple of months ago I remember you saying that the percentage of respondents you reached was low, what's the difference at this stakeholder meeting that's going to get you a place at the table with people to gather this information?

Kristi Shaw replied that since the initial survey was conducted, we have done some deep digging to try and get the correct email, addresses, phone numbers and the name of the current contacts. There has been a lot of staff changes and, in some cases, they no longer have a floodplain administrator. This time around we are going to have one person do the initial outreach and that one person is going to be the dedicated point of contact.

Jim Tolan stated that with 30 counties it might be better to concentrate on county judges and then city managers, where applicable. Also, the first paragraph is crucial. If it does not capture their interest, they might throw it away not realizing the importance.

Travis Pruski stated that at the last roadshow, about 80 to 90% of the county judges showed up, but only 20% of the cities attended.

Bryan Martin replied that the emergency management personnel are key to contact because they encounter all types of flood issues and know which areas to talk about.

Chairman Francis asks what the group was doing to reach the residents, is there a plan for reaching out to people on the ground level that are experiencing these challenges in their communities, or is the plan to start with the officials, county judges, city managers or stakeholder groups.

Kristi Shaw replied that the roadshows and all associated meetings are open to the public. She said that you are right about getting the word out to people, but it has been challenging.

Chairman Francis stated that, I think a lot of people don't even know there is a regional flood planning group and that it is there to help them. They are not aware that funding for development which is low-cost funding coming through the regional planning group and approval and goes up to the State level. I would like to see a plan where we are targeting actual people that live in these areas. Just because the meetings are open to the public doesn't mean that they know about it or why they should care.

Lauren Williams said that she had heard that some of the other RFPGs have a person dedicated to Community ensuring involvement.

Larry Dovalina said that there are developers buying property and looking at old maps, not wanting to do studies. They then sell the land to someone else who doesn't know about the flood possibilities.

Shanna Owens stated that San Patricio County has property that floods whether it is in or not in the flood plain because the county is so flat. The flood maps are not accurate. People need to do their own studies, especially the big industries. Counties need to require the study be done.

Kristi Shaw said that the purpose of the roadshows is to collect public input as well input from officials. Laura, Ron, and Blanton are on our team and they along with the Nueces River Authority help organize and publicize the original roadshows to introduce the flood planning process. To get better participation, maybe we ask the agencies and county judges how to

broadcast efficiently in their area. This is something we want to be able to talk about at the March meetings.

Lauren Williams stated she knew of someone that representing the Public Voting Members.

Chairman Francis stated that he would reach out to him and see if he is still interested in participating, and if not, we can get somebody on that. I think it is important to have someone that is reaching out and engaging the public. That is their goal and focus. Hopefully this will get the public to come to the meetings and tell their colleagues and we will have more engaging meetings. All that will go into the data that we have and will help our maps be more accurate and better. This is an opportunity to have a better product best suited for us.

Bryan Martin stated that our existing flood hazard is a combination of a lot of things, part of it is the public outreach on the interactive FIS Spark. There is always an opportunity for people to add more points. Another important component of the flood hazard is all the past historical damage data, if there was an injury, fatality, or property damage it was reported, and that information was pulled into our database.

Kristi Shaw stated that the data we are gathering we want to assimilate it in such a way that it becomes meaningful for the plan to advance projects forward. The challenge is that we are wanting to put together a regional plan, but we don't want to overstep the local voices and the conversations.

Shanna Owens stated that she felt that they would welcome the assistance. San Patricio County is less than 70,000 people and does not have the funds to go out and do these kind of things correctly. We are trying to develop a public outreach program to inform people that they need permits to build or move a mobile home on a piece of property or to dig a septic system. We are really targeting the permitting process.

Larry Dovalina stated that maybe we should target the permitting process and the entity that issues the permit sponsors the project.

Chairman Francis stated that a lot of governmental agencies aren't aware of some of the problems on the lower level in specific communities and when we reach them, they are happy to learn of what's going on. What's important is getting this information and evaluating which is the best fit for projects and moving forward.

Andy Rooke said that he was still concerned that the dichotomy between projects of building things versus controlling areas that have a problem.

Shanna Owens said that there are 70,000 people in her county, but they seem to be very forward thinking. I'm not sure all 30 counties have a complete understanding of the problems they have. A developer building a sub-division in the county may protect the area within the proposed development but not understand the impact downstream. There aren't any consistent rules across these different entities.

Travis Pruski told the committee that the Nueces River Authority board of directors has given staff permission to come up with a regional floodplain administrator plan because this is something we have noticed. We are currently developing a plan to present to the counties. We would basically be a hub for all the rules and regulations. We would try to provide consistency to each area we served. Outside of Nueces and San Patricio counties, very few have any type of flood plain administration, even at the city level. We are working on how we are going to fund it. The counties will be required to buy into it because we obviously don't have the funds to do this out of pocket. We think this type of program will assist in correcting the problems and then we will expand from there as we see the needs. We see a centralized point for this information being helpful in preventing problems such as those described.

Shanna Owens stated that we have some small jurisdictions in our county that don't even have a city hall, they work out of their homes. They are so small they don't have the infrastructure, but because they are incorporated, they must have a city council. They have individuals running the city but don't really have anything to maintain. They are giving out permits but there is no one to enforce that the permit was carried out properly. I have found that if you educate the people, they seem to be alright with the rules, it's just knowing that they existed.

Pat Broader of Medina County stated that once a year they send a report to the Texas Demographic Center that shows all the new residences that have been built within the county. To compile that report, we use on-site sewage permits and we get this information from Commissioner's Court. All new sub-divisions under 10 acres must be approved by commissioners' court. They know the # of sub-divisions going in and how many lots each sub-division is going to have. The bigger sub-divisions, 10 + acres must go through the Demographic Center.

Kristi Shaw stated that getting back to the public and the different levels of feedback, this conversation is so important because this is kind of the maiden voyage for the regional flood planning group. We have the ability and the TWDB is supporting the continuum of these cycles, so public outreach is part of the 5-year goal, and I feel that it can be a more focal point on how we develop the strategic public outreach campaign, so when we are putting together future flood plans, we have folks we can reach out to that have gathered information or at least a really nice roadmap.

Travis Pruski stated that the purpose of the roadshows is to gather information on the local level. We will be going back and showing them what we've found and asking for their assistance in completing anything missing. Hopefully we will have a good public turnout due to our contact list being bigger and better than it was a year ago.

Chairman Francis stated that he thought the group needed to be a little more out of the box in reaching people. He suggested Facebook. He stated that it cannot be just word of mouth.

Shanna Owens told the group that the problem with having it during the day is that people are at work, it's not convenient for them.

Kristi Shaw told the committee that the time we to be receiving comments is after we have the opportunity to talk with the county judges and floodplain administrators about projects. That would be more effective for the public to review and add comments on other issues they are aware of. The way the TWDB has formulated the scope is that the public comment happens after the draft plan is submitted in August. So, between August and January when the final plan is due is the time the agencies are reviewing and providing comments and feedback. That is the time for us to really focus on public outreach. We can then use that information and roll it into Task 12 of the plan.

Agenda #9 – Update from Planning Group Sponsor – Nueces River Authority regarding administrative matters of the Regional Flood Planning Group.

Travis Pruski told the committee that back in December the committee planned a meeting on May 30th, which is Memorial Day. He suggested moving that meeting to May 16th instead. Our next meeting is March 28th, May 16th, June 27th, July 18th (tentatively), and December 12th.

Chairman Francis asks if the committee got the expenditures squared away and turned in?

Travis Pruski replied that the draft amendment was turned in and we were awaiting TWDB approval. He continued by stating that there is no funding request from our last meeting to present, so there was no additional financial information at this time. By the March meeting hopefully the amendment will be approved by TWDB, and we can get the funding update at that time.

Travis Pruski then asks Tressa Olsen to provide an update at the next meeting regarding federal money that's coming through the infrastructure bill and if there's any money that's going to be available for projects. Tressa Olsen replied that if that comes through, she will provide an update.

Kristi Shaw provided an overview of the schedule stating that the group had Task 5-13 left as part of this project. We have the tentative meeting date in July in case we need it to adopt the draft plan and in October there will be preliminary work coming out of Task 12 including public outreach and communication we might want to talk about as a group. The March meeting will be busy as we will talk about the roadshows. We will also talk about an updated list of the FMEs, FMPs and FMSs that is associated in Task 5 and about coastal rise flood planning options. We will also be looking at some of the existing inundation mapping for 100- and 500-year floods. We will compare our future flood risk to some of the other flood planning groups. There are different resources out there, so for the next meeting we will bring to you some options with respect to that. We would like to form a subcommittee to talk about legislative flood mitigation recommendations and administration. There were a lot of good comments from here, so I hope that those who made the comments want to serve on that subcommittee. Larry Thomas will be talking about the work he's done in collaboration with the TWDB on the USGS. If any of you have topics you want to discuss, let Travis or myself know and we will work those into future meetings.

In May we've got a few things on the agenda, including a presentation on a project that the Nueces River Authority and CDM Smith have been doing for Duval County. We will also talk about flood response activities that are associated with Task 7.

Agenda #10 – Update from Patrick McGinn liaison to region 12 San Antonio RFPG and Region 15 Lower Rio Grande RFPG

Patrick McGinn was not able to make the meeting.

Agenda #11 – RFPG members comments.

Chairman Francis ask if HDR had received any request from other technical consultants in neighboring regions for data or other items. Have any consultants approached you or the river authority to asked about working together?

Kristi Shaw replied that they had been busy pulling together the information associated with region 13. We do have colleagues working on region 12 plan for our San Antonio office. Bandera County is in both Region 12 and 13 and they are making sure there is consistency there. I think that the coastal conversation is going to be a more regionally interactive conversation because we want to develop consistency along the coastline and how the future conditions are mapped.

Lauren Williams asked if there was an update of the Army Corps of Engineers project being conducted on the Nueces in San Patricio and Live Oak Counties?

Kristi Shaw replied that the project locations are included in the latest maps submitted as part of the Technical Memorandum. I do know what their timeline is. That information may not be available for this round, but it's certainly something for us to put on the list.

Chairman Francis: I have been talking to one of my colleagues at the Army Corp of Engineers – Galveston area. They are supposed to be receiving funding to be an ex-officio member of our board and be here just to discuss certain things going on in the region. I will follow up with him to see if they did get the funding. They are going to be an extra resource to our region. Travis and I joined the Silver Jackets, we signed up to do actual work and not lead this group.

Kristi Shaw told Chairman Francis that there was a slot on the May meeting if the Corp would like to do a presentation.

Chairman Francis replied that he would contact them. He also stated that he had a contact at the National Weather Service, and they would like to attend the meetings. If you would let me know what data, you are looking for, I can talk to them and let them know what specific data we need. The Silver Jacket end goal is to have an app that can be used for flooding so that you will know what to expect. It would be for Emergency Management use.

Shanna Owens stated that she heard that Texas A&M is developing something that citizens can use. It is a GIS based program where you can plug in your address and see what's going on. The project was funded about a year or so ago, but she was unaware of what the progress was.

Agenda #12: Meeting was adjourned at 1:36.