

**Region 10 Lower Colorado-Lavaca Flood Planning Group Meeting**  
**July 7, 2022**  
**9:30 AM**  
**Hybrid Meeting**

Roll call:

Voting Member	Interest Category	Present (x) / Absent ( ) Alternate Present (*)
Terry Been	Agricultural interests	X
Phillip Spenrath	Counties	X
Jason Ludwig	Electric generating utilities	X
Kirby Brown	Environmental interests	X
G. Nicholas "Nick" Textor	Flood districts	X
Brandon Klenzendorf	Industries	X
Matt Hollon	Municipalities	X
Frances Acuna	Public	X
Patrick Brzozowski	River authorities	* Scott Hartl X
Kelly Payne	River authorities	X
Ann Yakimovicz	Small business	X
Vacant	Water districts	
Hank Smith	Water utilities	X

Non-voting Member	Agency	Present (x) / Absent ( ) Alternate Present (*)
Charles "CW" Schneider	Texas Commission on Environmental Quality	X
Lauren Mayes	Texas Department of Agriculture	X
Hollie Hischer	Texas Division of Emergency Management	
Shonda Mace	Texas General Land Office	X
Beth Bendik	Texas Parks and Wildlife Department	X
Allen Nash	Texas State Soil and Water Conservation Board	X
Tressa Olsen	Texas Water Development Board	X
Mark Vogler	Region 8 – Lower Brazos Liaison	X
Chuck Brown	Region 9 – Upper Colorado Liaison	
Ronald G. Fieseler	Region 11 – Guadalupe Liaison	X
Cara Tackett	Region 12 – San Antonio Liaison	

**Quorum:**

Quorum: Yes

Number of voting members or alternates representing voting members present: 12

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

**Other Meeting Attendees: \*\***

\*\*Meeting attendee names were gathered from those who entered information for joining the Zoom meeting or signed in at the meeting location.

Tressa Olsen – TWDB  
 James Bronikowski - TWDB  
 Morgan White – Freese & Nichols  
 Cris Parker – HDR  
 Jennifer Bassett – LCRA  
 Lauren Graber - LCRA

Cindy Engelhardt – Halff Associates, Inc.  
 Mike Personett – Halff Associates, Inc  
 Jay Scanlon, Freese & Nichols  
 Karen Ford – WaterPR  
 Steve Dean  
 Nick Kincaid

Annette Keaveny – LCRA  
Marcin Tyszka – LCRA

Sanjay Negi  
Augusto Villalon

*All meeting materials are available for the public at:*  
[www.lowercoloradolavacaflood.org/meetings](http://www.lowercoloradolavacaflood.org/meetings)

**Agenda:**

**1) Call to Order**

Chair Spenrath called the meeting to order at 9:30 AM CDT. A roll call of the planning group members was taken to record attendance and a quorum was established prior to calling the meeting to order.

**2) Welcome**

Chair Spenrath welcomed members and other attendees to the meeting.

**3) Approval of minutes from the previous meeting**

The draft meeting minutes of June 9th were reviewed. Kelly Payne offered proposed corrections to the minutes submitted by Beth Bendik of the Texas Parks & Wildlife Dept. to incorporate her comments regarding minimizing impacts to streams for FMXs at road crossings.

Kirby Brown moved to approve the minutes as amended, seconded by Jason Ludwig. The motion passed by a vote of 12-0.

**4) Public comments– limit 3 minutes per person**

Chair Spenrath called for public comments.

No public comments were given.

**5) TWDB Update**

Tressa Olsen reported that a TWDB newsletter was sent out on June 29<sup>th</sup> and has a lot of good information including no negative impact requirements for FMEs and FMPs, some public comment requirements for the draft regional flood plans and an update to mileage reimbursement rates for RFPG travel starting July 1<sup>st</sup>. TWDB also sent an email outlining the requirements for the upcoming draft submissions. Please contact Tressa if you have any questions or concerns.

**6) Update from RFPG liaisons**

Ron Fieseler reported that Region 11 is meeting on July 27<sup>th</sup> to adopt the draft chapters for their plan.

Ann Yakimovicz reported that Region 9 met yesterday and is moving forward on completing their draft plan. They will hold four public meetings to cover their region starting on Sept 15<sup>th</sup>. They have 128 FMEs, eight FMPs and 139 FMSs. They do not have good flood mapping coverage in their region.

Kirby Brown reported that San Antonio Region 12 meeting will be held July 14<sup>th</sup>. They are wrapping up their FMXs and will be ready to move forward. Several public outreach meetings were held with only 3-5 members of the general public attending.

## **7) Update from the Planning Group Sponsor**

Lauren Graber gave an update on the following items:

- The process to fill the vacant water district position created by Kacey Paul's resignation has begun, including all the required notifications soliciting nominations. Lauren reminded the RFPG that they can nominate someone, and that the deadline is 5PM Friday, July 29<sup>th</sup>. The Executive Committee will meet on August 24<sup>th</sup> to discuss which candidate to recommend to the full group.
- Today, the RFPG will need to elect a new vice chair for the full planning group and replace Kacey on the technical committee.

## **8) Consider nominating and electing RFPG Vice Chair**

### **a. Nominations for Vice Chair by members**

### **b. Discussion and consider taking action to elect Vice Chair**

Chair Spenrath explained that due to Kacey Paul's resignation, we need to elect a new Vice Chair to finish out her unexpired term. Chair Spenrath described the process and rules to elect an officer and the duties of the vice chair, per the RFPG bylaws.

After discussion, Matt Hollon nominated and made a motion for Ann Yakimovicz to serve as Vice Chair of the RFPG, seconded by Kelly Payne. The motion passed by a vote of 12-0.

## **9) Discussion, nominations, and possible action to elect a member to serve on the Technical Committee**

Chair Spenrath explained that due to Kacey Paul's resignation, we need to elect a new member to serve on the Technical Committee. This committee meets frequently and reviews very detailed information on behalf of the RFPG.

After discussion, Matt Hollon nominated and made a motion for Kirby Brown to serve on the Technical Committee, seconded by Brandon Klenzendorf. The motion passed by a vote of 12-0.

## **10) Discussion and potential action to approve mileage expenses for reimbursement**

Lauren Graber presented the latest voting member mileage expenses for reimbursement. Kelly Payne moved to approve the mileage expenses, seconded by Ann Yakimovicz. The motion passed by a vote of 12-0.

## **11) Discussion and potential action regarding administrative expenses to be submitted to the Texas Water Development Board for reimbursement**

Lauren Graber presented the latest administrative expenses for reimbursement. Ann Yakimovicz moved to approve the administrative expenses, seconded by Kirby Brown. The motion passed by a vote of 12-0.

## **12) Update from the Technical Committee**

Kelly Payne reported that since the last RFPG meeting, the Technical Committee met on June 16<sup>th</sup> and June 30<sup>th</sup> and, along with our technical consultants, worked systematically through the one-page summaries offering suggestions to improve the summaries and understand the projects. While not perfect, the summaries are in a good place. The one-page summaries are our attempt to make the data that will be submitted to the TWDB in

tabular form more accessible and understandable for the public reviewing the Regional Flood Plan.

The Technical Committee will recommend that the RFPG consider approving the seven additional FMEs, one additional FMP and two additional FMSs, subject to non-substantive changes and refinements.

The Technical Committee will have another batch of FMXs to review on Monday, July 11<sup>th</sup> and will bring recommendations to the RFPG on July 18<sup>th</sup>. These FMXs will serve as the backbone to Chapter 5 of our Regional Flood Plan.

With the departure of Kacey as our Vice Chair, the Technical Committee elected Brandon Klenzendorf as the new Vice Chair at the June 30<sup>th</sup> meeting. Kelly welcomed Kirby Brown to the Technical Committee.

Lastly, there is an item on the agenda later today requesting an additional assignment for the Technical Committee to perform on behalf of the RFPG. This item will be discussed in more detail in Agenda Item 18.

### **13) Technical Consultant presentations and discussions related to regional flood planning**

#### **a) Look-ahead**

#### **b) Project status**

- i) Public and stakeholder engagement strategies update**
- ii) Updates on regional flood plan tasks 1-10**
- iii) Task 3 – Review and discuss Flood Mitigation and Floodplain Management Goals**
- iv) Task 5 – Review and discuss draft summaries for Flood Management Strategies, Flood Management Evaluations, and Flood Mitigation Projects**
- v) Task 6 – Review and discuss draft Administrative, Regulatory, and Legislative Recommendations**
- vi) Task 9 – Review and discuss draft Flood Infrastructure Financing Analysis**
- vii) Task 12 – Review and discuss performing draft Flood Management Evaluation for additional Flood Mitigation Projects**
- viii) Next Steps**

Mike Personett (Halff Associates, Inc.), Karen Ford (Water PR), and Jay Scanlon (FNI) provided updates, briefings, and discussion on the project status and look-ahead.

Planning group members asked questions and made comments during the presentation. The following items include highlights of the discussion during this agenda item.

The second draft iteration of the Regional Flood Plan will be provided for RFPG consideration on July 18<sup>th</sup> and RFP Draft iteration #3 will be submitted to the TWDB by August 1<sup>st</sup>. Substantive changes in any part of the document should be addressed on July 18<sup>th</sup>.

Paper copies of the Draft Regional Flood Plan will be available at locations throughout the region, potentially including public libraries or county courthouses. Final details will be announced soon.

Kirby complimented the team on the great work they have done on the Draft Regional Water Plan.

The TWDB will be sending out new guidance on printed Draft RFP copies soon.

Frances Acuna voiced concerns with the public having an easy ability to provide comments on the zoom call during the public meeting on September 15<sup>th</sup>. The format for the meeting was discussed, and Karen will assist any attendees with submitting comments.

Mike Personett discussed the process and limitations for making changes to the Draft Regional Flood Plan once submitted to TWDB. He encouraged individual members of the planning group to submit comments as early as possible. A portal will be created on the planning group website where the RFPG can accumulate all of the comments. Written comments at the open houses will be entered into the system and will be logged and tracked. These comments will then be assigned to the consultants to develop responses.

Beth Bendik commented that she appreciated the addition in 8.2.9 about green and nature-based projects being encouraged. Beth asked about conflicting aspects within the description of channel improvements and ecological uplift. Beth suggests adding another paragraph to include channel restorations in the plan.

Matt Hollon stressed the importance of the executive summary.

Cindy Engelhardt recommends getting all comments to the consultants by July 15<sup>th</sup> to be integrated into the draft plan. Other non-substantive revisions submitted after July 15<sup>th</sup> can be addressed in iteration #3 that goes to the TWDB on August 1<sup>st</sup>.

Kirby Brown commented that on item 8.1.8, the RFPG may want to include language to manage, protect, and restore sensitive stream corridors particularly in ag and rural areas. The General Land Office (GLO) is working on the coastal zone master plan and may want to reference in the draft Regional Flood Plan.

Kelly Payne mentioned that postings for the next meeting will have a short time to review. He encouraged members not to wait for the next draft but to continue reviewing the current draft for editorial comments.

Ann Yakimovicz mentioned that Chapter 3 had a tremendous amount of information in the maps to make it clearer to people that we do have flood risks all over the basin. Ann suggested maps to be displayed for the open houses.

Mike Personett agreed with Ann's recommendation to include map board displays at the open houses and also with Matt Hollon regarding the executive summary. Mike mentioned that the executive summary will be limited to 20 pages.

Mike suggested having a lessons-learned session with the RFPG.

Beth Bendik questioned the Devers Creek Regional Detention and Channel Improvements one-pager and mentioned that it is not clear what exactly they are proposing to do and whether it is off channel detention or on channel. From an ecological standpoint, the TPWD prefers off channel. For some of these one-pagers you just cannot get an idea of the ecological impacts because it is so brief.

Jay Scanlon stated a lot of these questions regarding the FMEs will be addressed during the studies the FMEs are proposing to perform.

Matt Hollon and Frances Acuna are proposing an FME to find the locations of communities with high social vulnerability and high flood risk to inform on areas for potential future study and project development.

Kirby Brown recommends softening the language of Chapter 8. We are recommending the legislature to look at this, and we need to give the legislature broad opportunities to openly discuss.

Draft Chapter 9 recommends the role of the state in providing financing be expanded.

Matt Hollon stated that state funding will not cover the plan costs and that additional funding is critical.

Jay Scanlon reviewed the criteria for performing FMEs for additional FMPs to be included in the plan for July 2023. Preliminary list contains 12 FMEs that might be doable, with the overall effort to be discussed on July 18<sup>th</sup>.

#### **14) Discussion and potential action on recommendations regarding Task 3 – Flood Mitigation and Floodplain Management Practices**

After discussion, Chair Spenrath moved to approve Chapter 3 – Flood Mitigation and Floodplain Management Practices, subject to non-substantive changes and refinements, seconded by Kelly Payne. A roll call vote was taken, and the motion passed by a vote of 12-0.

Matt Hollon suggested an amendment to Chapter 3, page 12, Amendment #2 eliminate impervious cover limitations and replace it with no adverse impact standards.

After discussion, Hank Smith and Matt Hollon recommended to copy municipalities bullet and change to RFPG recommends counties in their subdivision platting process. Text would read as:

RFPG recommends counties in Region 10 explicitly consider flood hazards, floodplain management, and stream corridor protection in their subdivision platting process.

After discussion, Matt Hollon made a motion to approve the two amendments to the recommended Chapter 3 – Flood Mitigation and Floodplain Management Practices, subject to non-substantive changes and refinements, seconded by Kelly Payne. A roll call vote was taken, and the motion passed by a vote of 12-0.

**15) Discussion and potential action on recommendations regarding Task 5 – FMEs, FMSs, and FMPs**

After discussion, Kelly Payne moved to recommend seven additional FMEs, one additional FMP and two additional FMSs that were recommended by the Technical Committee, subject to non-substantive changes and refinements, seconded by Matt Hollon. A roll call vote was taken, and the motion passed by a vote of 12-0.

**16) Discussion and potential action regarding Chapter 8 – Administrative, Regulatory and Legislative Recommendations**

Kelly Payne made the following comments on Chapter 8:

Reword Item 8.1.2 to read – “TWDB should investigate legal impediments and potential legislative or other remedies to the use of local government funds for the elevation and/or floodproofing of structures at-risk of severe flooding.”

Reword Item 8.1.7 to read – “Establish and fund a state program to assist counties and cities with assessing and prioritizing low water crossings. Funding should also be provided on a cost-sharing basis to implement structural and/or not-structural flood risk reduction measures at high-risk, low water crossings. Furthermore, the design of improvements to roadway crossings to reduce flood risk should fully consider potential environmental impact and consider measures to minimize impacts particularly to aquatic ecosystems and the plant and animal species that depend on those ecosystems.”

Reword Item 8.2.3 to read – Revise scoring criteria for funding associates with stormwater and flood-related projects that benefit agricultural and rural areas. (as amended by Kirby Brown during the meeting and accepted by Kelly)

Consider removing Item 8.2.8 from the list of recommendations.

Kirby Brown commented on item 8.1.8 and asked to include language to manage, protect, and restore stream corridors particularly in ag and rural areas.

Matt Hollon commented that 8.3.3 has a typo and probably should be included in the recommendation.

After discussion, Kelly Payne moved to approve Chapter 8 – Administrative, Regulatory and Legislative Recommendations, as amended, subject to non-substantive changes and refinements, seconded by Kirby Brown. A roll call vote was taken, and the motion passed by a vote of 12-0.

**17) Discussion and potential action on recommendations regarding Task 9 – Flood Infrastructure Financing Analysis**

After discussion, Kirby Brown moved to recommend Chapter 9 – Flood Infrastructure Financing Analysis, subject to non-substantive changes and refinements, seconded by Ann Yakimovicz. A roll call vote was taken, and the motion passed by a vote of 12-0.

**18) Discussion and potential action to direct the Technical Committee to make recommendations to the RFPG regarding Task 12 – Perform Identified Flood Management Evaluations, Identify, Evaluate, and Recommend Additional Flood Mitigation Projects**

After discussion, Kelly Payne made a motion for the Technical Committee to review the materials prepared by the consultants and make recommendations to the RFPG regarding Task 12, seconded by Matt Hollon. The motion passed by a vote of 12-0.

**19) Public comments – limit 3 minutes per person**

Chair Spenrath called for public comments.

No public comments were given.

Francis Acuna left the meeting during agenda item 19.

**20) Consider date and agenda items for next meeting**

After general discussion, Chair Phillip Spenrath concluded that the next meeting will be held on Monday, July 18, 2022 @ 9:30 AM CDT at which time we will adopt the Draft Regional Flood Plan and authorize the consultants to submit the draft plan to the Texas Water Development Board prior to the Aug 1<sup>st</sup> deadline.

The next Technical Committee Meeting will be held Monday, July 11<sup>th</sup> at 9:00AM CDT.

**21) Adjourn**

Kelly Payne made a motion to adjourn, seconded by Kirby Brown. The motion passed 11-0 and the meeting was adjourned at 12:01 PM CDT by Chair Phillip Spenrath.

*Approved by the Lower Colorado-Lavaca RFPG at a meeting held on July 18, 2022.*

  
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Kelly Payne, SECRETARY

  
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Phillip Spenrath, CHAIR