

Sabine Regional Flood Planning Group Meeting
Sabine River Authority Main Office, Orange TX
December 4, 2023
2:00 PM

NOTE: This meeting will be conducted in person and via Zoom

<https://zoom.us/j/6418597377?pwd=a2svTVhpbzJML1h3M3Y3SXVHaWV5QT09>

Location: Meeting will be held at the Sabine River Authority of Texas, Main Office, Hwy 87 N, Orange, TX 77632.

If you wish to provide written comments prior to or after the meeting, please email your comments to comments@sabine-rfpg.org and include "Region 4. Sabine River Flood Planning Group Meeting" in the subject line of the email.

This meeting is a public meeting under Chapter 551 of the Texas Government Code.

If you choose to participate in the meeting using the conference call number below, please be prepared to identify yourself. So, we can record your attendance. Telephone conference call phone number:

Phone Number:	+1 346 248 7799
Meeting Number:	641 859 7377
Access Code:	857302.

Additional information may be obtained from:

Mark Howard
RMPD Division Manager
Sabine River Authority of Texas
12777 Hwy 87 N.
Orange, Texas 77632
(409) 746-2192
mhoward@sratx.org.

Sabine RFPG meeting

Sabine River Authority, Orange, TX

December 4, 2023 – 2:00 PM

AGENDA

1. Call to Order.

Presenter: Travis Williams, Chair

2. Roll Call.

Presenter: Jeff Rogers, Secretary

3. Receive public comments (public comments limited to 3 minutes per speaker).

Presenter: Travis Williams, Chair

4. Discussion and Approval of minutes from the previous Region 4 Sabine RFPG meeting held on September 25, 2023.

Presenter: Travis Williams, Chair

5. Update from Chair.

Presenter: Travis Williams, Chair

6. Update from the Texas Water Development Board

Presenter: Katie Pietsch Koslan

7. Region 5. Neches RFPG Report.

Presenter: Doug Manning

8. Update from Technical Consultant, Freese and Nichols.

Presenter: Mat Leclair

9. Discussion and potential action on Budget Categories for RFP Second Round Cycle.

Presenter: Travis Williams, Chair

10. Consider date and agenda items for the next meeting.

Presenter: Travis Williams Chair

11. Adjourn.

Presenter: Travis Williams, Chair

AGENDA ITEM 1: CALL TO ORDER

PRESENTED BY: TRAVIS WILLIAMS, CHAIR

Chair Travis Williams will call the meeting to order.

Time: _____

RECOMMENDED ACTION

No action required.

AGENDA ITEM 2: ROLL CALL

PRESENTED BY: JEFF ROGERS, SECRETARY

SUPPORTING INFORMATION

<u>Voting Member</u>	<u>Interest Category</u>	<u>Present (V-Virtual, P-Physical)/ Absent () / Alternate Present (*)</u>
James (Bill) Bruce	<i>Agricultural interests</i>	
Johnny Trahan	<i>Counties</i>	
Francis X. Shannon	<i>Electric generating utilities</i>	
Clyde V. "Tad" McKee III	<i>Environmental interests</i>	
Doug Manning	<i>Flood districts</i>	
Nikki Davis	<i>Industries</i>	
Alton Bradley	<i>Municipalities</i>	
Michelle Falgout	<i>Public</i>	
Travis Williams	<i>River authorities</i>	
Jeff Rogers	<i>Small business</i>	
Roman D. Griffin	<i>Water districts</i>	
Ross Gordon	<i>Water utilities</i>	

<u>Non-voting Member</u>	<u>Agency</u>	<u>Present (V-Virtual, P-Physical)/ Absent () / Alternate Present (*)</u>
Vacant	General Land Office (GLO)	
Kathy Saucedo	Texas Commission on Environmental Quality (TCEQ)	
Manuel Martinez Alt. Kristin Lambrecht	Texas Department of Agriculture (TDA)	
Andrea Sanders	Texas Division of Emergency Management (TDEM)	
Robert (Bob) Baker	Texas Parks and Wildlife Department (TPWD)	
Trey Watson	Texas State Soil and Water Conservation Board (TSSWCB)	
Katie Koslan	Texas Water Development Board (TWDB)	

RECOMMENDED ACTION

Number of voting members or alternates present. _____

Seven voting members are required for a quorum.

Quorum is present, Yes, or No?

AGENDA ITEM 3: PUBLIC COMMENTS

PRESENTED BY: TRAVIS WILLIAMS, CHAIR

SUPPORTING INFORMATION

Receive public comments (public comments limited to 3 minutes per speaker)

RECOMMENDED ACTION

No action required.

AGENDA ITEM 4: DISCUSSION AND APPROVAL OF MINUTES

PRESENTED BY: TRAVIS WILLIAMS, CHAIR

SUPPORTING INFORMATION

Discussion and approval of minutes from the September 25, 2023, Region 4, Sabine RFPG meeting.

RECOMMENDED ACTION

Discuss and approve minutes from September 25, 2023.

MOTION:_____ SECOND:_____APPROVED: _____

PROJECT: Sabine Regional Flood Planning Group (RFPG)
NAME OF MEETING: Region 4 Sabine RFPG Meeting
RECORDED BY: Mat Leclair, PE, CFM
DATE: September 25, 2023; 2:00pm
LOCATION: Virtual and In-Person (SRA Office – Orange, TX)

The following reflects our understanding of the items discussed during the subject meeting. If you do not notify us within five working days, we will assume that you are in agreement with our understanding.

Voting Member	Interest Category	Present (x) / Absent () / Alternate Present (*)
James (Bill) Bruce	Agriculture Interests	
Johnny Trahan	Counties	X
Francis X. Shannon	Electric Generating Utilities	
Clyde V. McKee III	Environmental Interests	X
Doug Manning	Flood Districts	X
Nikki Davis	Industries	X
Alton Bradley	Municipalities	
Michelle Falgout	Public	X
Travis Williams	River Authorities	X
Jeff Rogers	Small Business	X
Roman D. Griffin	Water Districts	X
Ross Gordon	Water Utilities	X

Voting Members: 12

Voting Members Present: 9

Quorum: **Yes**

Non-Voting Member	Interest Category	Present (x) / Absent () / Alternate Present (*)
vacant	General Land Office	
Kathy Saucedo	Texas Commission on Environmental Quality	
Manuel Martinez	Texas Department of Agriculture	X
Andrea Sanders	Texas Division of Emergency Management	
Robert (Bob) Baker	Texas Parks and Wildlife	
Trey Watson	Texas State Soil and Water Conservation Board	
Katie Koslan	Texas Water Development Board	*

Other Meeting Attendees:

Mat Leclair (FNI)

Mark Howard (SRA)

Anita Machiavello (TWDB)

Ian Blair (TWDB)

Agenda Item 1: Call to Order

- Travis Williams called the meeting to order at 2:04 pm.

Agenda Item 2: Roll Call

- Jeff Rogers confirmed quorum with 9 out of 12 voting members.

Agenda Item 3: Receive public comments (public comments limited to 3 minutes per speaker)

- No comments were presented.

Agenda Item 4: Discussion and Approval of minutes from the previous Region 4 Sabine RFPG meeting on August 21st, 2023.

- **Michelle Falgout motions to adopt the minutes as presented and Roman Griffin seconds the motion. Motion passes.**

Agenda Item 5: Updates from Chair

- Travis notes today is for designating the sponsor and for approving the sponsor to apply for the next RFP cycle
- Later in 2024 will be selecting the consultant
- Have about \$96,000 remaining for invoicing. FNI has invoiced for effort through August 2023.

Agenda Item 6: Updates from Texas Water Development Board

- Ian Jewel notes that TWDB is continuing to review the amended plans and it is expecting comments will be coming out late October (at the earliest) to early November.

Agenda Item 7: Updates from Region 5, Neches RFPG Report.

- Doug Manning attended the last meeting and no action items discussed at the previous meeting. LNVA was selected as the sponsor.

Agenda Item 8: Update from Technical Consultant, Freese and Nichols

- Mat Leclair noted that FNI was awaiting comments from TWDB on the amended plans.
- Noted that there was remaining budget anticipating effort to respond to TWDB comments.

Agenda Item 9: Discussion and potential action on selecting local sponsor for Region 4, Sabine.

- **Johnny Trahan nominates the Sabine River Authority to be the sponsor for Cycle 2. Seconded by Clyde (Tad) McKee. Motion passes.**

Agenda Item 10: Discussion and potential action to authorize the Sabine RFPG sponsor to apply for grant funds and enter into contract with the TWDB on behalf of the Sabine RFPG for Cycle 2 Regional Flood Planning.

- **Motion by Doug Manning to authorize Sabine River Authority to enter into agreements with TWDB for the Regional Flood Planning Cycle 2. Motion seconded by Roman Griffin. Motion passes.**

Agenda Item 11: Consider date and agenda items for next meeting.

- Travis Williams proposes the next meeting to be held on **Monday, November 13th at 2:00pm.**
 - o Subsequent email correspondence has moved the meeting to **Monday, December 4th at 2:00pm.**

Agenda Item 12: Adjourn

- **Clyde (Tad) McKee motions to adjourn the meeting and Michelle Falgout seconds the motion. Travis Williams ended the meeting at 2:23 pm.**

AGENDA ITEM 5: UPDATE FROM CHAIR.

PRESENTED BY: TRAVIS WILLIAMS, CHAIR

SUPPORTING INFORMATION

- First cycle of the Flood Planning Process:
 - November 20, 2023 - the Amended Regional Flood Plan (RFP) Request For Information was due.
 - December 29, 2023 - Final reimbursable expense date.
 - February 29, 2024 - Payment request budget memorandum deadline.

- Second Cycle Flood Planning Process (2024-2028):
 - November 10, 2023 - Request for the Second Cycle Grant Applications was posted.
 - Sabine Region was allocated \$ 2,151,300.
 - February 22, 2024, Regional Flood Plan Grant Application due
 - May 2024 - Est. deadline for executing Second Cycle RFP Grant contracts.
 - Early 2024 Technical Consultant should be selected for 2nd round or RFP.
 - February 26, 2027 - Submission deadline for Draft Regional Flood Plan.
 - January 10, 2028 - Submission deadline for the Final, Adopted Regional Flood Plan.

FNI has billed \$1,420,382.22 of \$1,469,600 and has \$49,542.78 remaining in their contract.

RECOMMENDED ACTION

No action required.

Table 1: Available funds allocated by region.

Region number	RFPG name	Allocated funds
1	Canadian-Upper Red	\$2,305,100
2	Lower Red-Sulphur-Cypress	\$2,078,400
3	Trinity	\$2,857,800
4	Sabine	\$2,151,300
5	Neches	\$2,394,700
6	San Jacinto	\$3,770,000
7	Upper Brazos	\$2,345,100
8	Lower Brazos	\$2,520,600
9	Upper Colorado	\$2,324,000
10	Lower Colorado-Lavaca	\$2,612,500
11	Guadalupe	\$2,144,600
12	San Antonio	\$2,146,300
13	Nueces	\$2,653,900
14	Upper Rio Grande	\$2,591,800
15	Lower Rio Grande	\$3,103,900
	TOTAL	\$38,000,000

Region 4 (Sabine) Recommended Funding Allocations for the Second Cycle of Regional Flood Planning (2023 -2028)

TASK		Amount
1	Planning Area Description	\$107,565.00
2A	Existing Condition Flood Risk Analyses	\$150,591.00
2B	Future Condition Flood Risk Analyses	\$150,591.00
3A	Evaluation and Recommendations on Floodplain Management Practice	\$21,513.00
3B	Flood Mitigation Needs Analysis	\$43,026.00
3C	Flood Mitigation and Floodplain Management Goals	\$21,513.00
4A	Identification and Evaluation of Potential Flood Management Evaluations and Potentially Feasible Flood Management Strategies and Flood Mitigation Projects	\$215,130.00
4B	Prepare and Submit Technical Memorandum	\$43,026.00
4C	Performance of Identified Flood Management Evaluations	\$537,825.00
5A	Recommendation of flood management evaluations, flood mitigation projects and flood management strategies	\$215,130.00
5B	Recommend a list of flood management evaluations to be performed by TWDB	\$21,513.00
6A	Impacts of Regional Flood Plan	\$64,539.00
6B	Contributions to and Impacts on Water Supply Development and the State Water Plan	\$21,513.00
7	Flood Response Information and Activities	\$21,513.00
8	Administrative, Regulatory, and Legislative Recommendations	\$21,513.00
9	Flood Infrastructure Financing Analysis	\$43,026.00
10	Public Participation and Plan Adoption	\$430,260.00
11	Implementation and Comparison to Previous Regional Flood Plan	\$21,513.00
TOTAL		\$2,151,300.00

**AGENDA ITEM 6: UPDATE FROM THE TEXAS WATER
DEVELOPMENT BOARD.**

PRESENTED BY: KATIE KOSLAN, TWDB

SUPPORTING INFORMATION

RECOMMENDED ACTION

AGENDA ITEM 7: REGION 5, NECHES RFPG REPORT.

PRESENTED BY: DOUG MANNING

SUPPORTING INFORMATION

RECOMMENDED ACTION

No action required.

**AGENDA ITEM 8: UPDATE FROM TECHNICAL
CONSULTANT, FREESE AND NICHOLS.**

PRESENTED BY: MAT LECLAIR

SUPPORTING INFORMATION

RECOMMENDED ACTION

No action required.

AGENDA ITEM 9: DISCUSSION AND POTENTIAL ACTION ON ALLOCATING BUDGET CATEGORIES FOR THE SABINE RFPG SECOND ROUND (2024-2028).

PRESENTED BY: TRAVIS WILLIAMS

SUPPORTING INFORMATION

The Sabine RFPG needs to allocate budget amounts to categories shown on Attachment 1 on the following pages. This information is to be included in the Second Round Cycle RFPG Grant Application.

RECOMMENDED ACTION

Allocate funds to the following categories for the Second Round Cycle of the RFP as discussed.

CATEGORY	TOTAL AMOUNT
Contractor (Sponsor) Other Expenses	\$ 10,000
Contractor (Sponsor) Salaries and Wages	\$ 0
Subcontract Services	\$ 2,131,200
Voting Planning Member Travel	\$ 10,000
Total Study Cost	\$2,151,300

MOTION: _____ **SECOND:** _____ **APPROVED:** _____

ATTACHMENT 1: CONTRACTOR (RFPG PLANNING GROUP SPONSOR) EXPENSE BUDGET

CATEGORY	TOTAL AMOUNT
Contractor Other Expenses ¹	\$X
Contractor Salaries and Wages ²	\$X
Subcontract Services	\$X
Voting Planning Member Travel ³	\$X
Total Study Cost ⁴	\$XX,XXX

¹Eligible Other Expenses as described in 31 TAC § 361.72(b) include the following administrative costs if the RFPG or its chairperson approves 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, 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:
 - 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;
- 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 time and direct 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. This may not exceed: \$5,000 per regular RFPG meeting nor a total of \$80,000 over the associated planning cycle.
- f) The reasonable cost of purchase or rental of audio-visual equipment that is necessary to comply with Texas Government Code Chapter 551 related to Open Meetings; and
- g) The reasonable cost of rental space to hold RFPG meetings.

³ Voting 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.

⁴ Ineligible Expenses as described in 31 TAC § 361.72(a) include, but are not limited to:

- a) Activities for which the EA 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) Costs for training;
- f) Costs of developing an application for funding or reviewing materials developed due to this grant;
- g) Analysis or other activities related to planning for disaster response or recovery activities;
- h) 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.
- i) Labor, reproduction, or distribution of newsletters;
- j) Food, drink, or lodging for Regional Flood Planning Group members (including tips and alcoholic beverages);
- k) Purchase, rental, or depreciation of equipment (e.g., computers, copiers, fax machines);
- l) General purchases of office supplies not documented as consumed directly for the planning process; and
- m) Costs associated with social events or tours.

If a Grant is Awarded:

The TWDB standard contract for Regional Flood Planning Grants will be provided. The following is a non-exhaustive list of requirements in the Regional Flood Planning Grant contract:

- a) Planning Group Sponsors must coordinate existing flood planning for the purpose of providing information for the proposed planning and to avoid duplication of activities;
- b) all subcontracts for professional services must be awarded in accordance with the Professional Services Procurement Act, Tex. Gov't Code § 2254.001, *et seq.* and any other procurement requirements that apply to the Planning Group Sponsor;
- c) all subcontracts for work performed must be accepted in writing by the Texas Water Development Board before being contracted or assigned;
- d) all subcontracts must include a detailed task and expense budget for each item of work to be

performed;

- e) all subcontracts must include provisions that require the subcontractor to comply with Texas Water Development Board rules and the Planning Group Sponsor's Grant Agreement;
- f) all subcontractor charges must be paid by the applicant prior to submitting a voucher to the Texas Water Development Board;
- g) funding from the Texas Water Development Board will be on a 20-percent advance or cash reimbursable basis with a 5% retainage to be withheld by the Texas Water Development Board until conclusion of the planning contract;
- h) Planning Group Sponsors must submit payment requests including substantiating documentation and progress reports to the Texas Water Development Board for reimbursement of expenses;
- i) Planning Group Sponsors must submit two(2) double-sided copies of the draft regional flood plan to the Texas Water Development Board for review and comment, and two (2) electronic copies of the entire draft regional flood plan, one (1) in searchable Portable Document Format (PDF) and one (1) in Microsoft Word (MSWord) Format, as well as required electronic appendices;
- j) Planning Group Sponsors must submit two (2) electronic copies of the entire Final Regional Flood Plan, one (1) in searchable Portable Document Format (PDF) and one (1) in Microsoft Word (MSWord) Format; and one (1) electronic copy of all files on which the plan is based, as well as required electronic appendices;
- k) TWDB retains unlimited rights to technical or other data or models resulting directly from the planning, including associated with subcontracts; and
- l) applicants must provide TWDB with copies of all original electronic data, models, and programs resulting directly from the planning for the draft and the adopted regional flood plan.

If you have questions regarding preparation of an application, call the Texas Water Development Board's Contract and Purchasing Division at (512) 936-6079.

**AGENDA ITEM 10: CONSIDER DATE AND AGENDA
ITEMS FOR NEXT MEETING.**

PRESENTED BY: TRAVIS WILLIAMS, CHAIR

RECOMMENDED ACTION

No action required.

AGENDA ITEM 11: ADJOURNMENT

PRESENTED BY: TRAVIS WILLIAMS, CHAIR

SUPPORTING INFORMATION

There being no other business, Chair Williams will entertain a motion to adjourn the meeting.

TIME: _____

RECOMMENDED ACTION

MOTION: _____ SECOND: _____ APPROVED: _____