

Alamo, Austin, and Lone Star chapters of
the Sierra Club

Bexar Audubon Society

Bexar Green Party

Boerne Together

Bulverde Neighborhood Alliance

Cibolo Nature Center

Citizens Allied for Smart Expansion

Citizens for the Protection of Cibolo Creek

Comal County Conservation Alliance

Environment Texas

First Universalist Unitarian Church of
San Antonio

Friends of Canyon Lake

Friends of Dry Comal Creek

Friends of Government Canyon

Fuerza Unida

Green Party of Austin

Green Society of UTSA

Guadalupe River Road Alliance

Guardians of Lick Creek

Headwaters at Incarnate Word

Helotes Heritage Association

Hill Country Planning Association

Kendall County Well Owners Association

Kinney County Ground Zero

Leon Springs Business Association

Medina County Environmental Action

Native Plant Society of Texas – SA

Northwest Interstate Coalition of
Neighborhoods

Preserve Castroville

Preserve Lake Dunlop Association

San Antonio Audubon Society

San Antonio Conservation Society

San Geronimo Valley Alliance

San Marcos Greenbelt Alliance

San Marcos River Foundation

Save Barton Creek Association

Save Our Springs Alliance

Scenic Loop/Boerne Stage Alliance

Securing a Future Environment

SEED Coalition

Solar San Antonio

Sisters of the Divine Providence

Travis County Green Party

Water Aid – Texas State University

West Texas Springs Alliance

Wildlife Rescue & Rehabilitation

Wimberley Valley Watershed Association

August 29, 2019

Jeff Walker
Executive Administrator
Texas Water Development Board
1700 North Congress Avenue
Austin, TX 78701

Submitted electronically to: rulescomments@twdb.texas.gov

Dear Mr. Walker,

Thank you for the opportunity to submit these comments on behalf of the fifty-two member organizations of the Greater Edwards Aquifer Alliance. In that most of our service area is within the area recognized nationally as “flash flood alley”, we are delighted with this measure to adequately fund planning for and building flood control projects.

To achieve the full benefits in implementing the flood legislation passed during the 86th session of the Texas Legislature, we concur with comments submitted by the Lone Star Chapter of the Sierra Club and the National Wildlife Federation, which are included as attachments to this letter, and we offer the following recommendations.

We would like to see a mix of grant and loan funding. Over the past 15 years of working with small communities within our service area we have learned that many of these communities do not have the capacity to secure bond funding to repay even a no-interest loan for infrastructure improvements. Growth within our region is having a profound influence on small communities and predicates adequate planning for flooding, especially since this growth brings with it much higher percentages of impervious cover. Given the limits imposed by the State in assessing impact fees to equitably share the cost of new drainage infrastructure, grant funding must be available to these communities to ensure that growth is supported by planning on a watershed basis for flood mitigation infrastructure.

Comprehensive planning for flood control projects within the entire watershed and contiguous impacted watersheds is long overdue. As observed in the Interim Report of the House Natural Resources Committee, “Most flood planning is not occurring on a regional or watershed scale. At the watershed scale, the San Antonio River Authority is an example of watershed-scale planning. They’ve developed a sophisticated program to develop modeling, mapping, and mitigation efforts for flooding in that basin. ... Stakeholders showed a strong preference for watershed-scale planning for the future of flood planning in Texas, and provided input as to what this process might look like. They indicated it would be important to identify and prioritize projects, much like is done in the State Water Plan, assess upstream and downstream impacts, and develop consistent policies and guidelines to require communities following some and evaluate future changes that could occur in the watershed, such as development.”

A provision for public input incorporated into the process for prioritizing funding can contribute substantially to the success and usefulness of flood control projects as local residents are usually most familiar with the impacts of stormwater on their communities and are thus often able to provide valuable expertise.

Further, applications for funding should require that:

- (1) the eligible political subdivision has acted cooperatively with other political subdivisions to address flood control needs in the area in which the eligible political subdivisions are located;
- (2) all eligible political subdivisions substantially affected by the proposed flood project have participated in the process of developing the proposed flood project;
- (3) the eligible political subdivisions, separately or in cooperation, have held public meetings to accept comment on proposed flood projects from interested parties;
- (4) the technical requirements for the proposed flood project have been completed and compared against any other potential flood projects in the same area; and
- (5) an applicant for financial assistance for a flood project "must have entered into a Memorandum of Understanding (MOU), similar to a contract, with all other political subdivisions in the watershed."

Additionally, as proponents of water conservation and green infrastructure techniques, we support provisions to require applications for funding to include an analysis of whether the proposed flood project could use floodwater capture techniques for water supply purposes, including floodwater harvesting, detention or retention basins, aquifer storage and recovery, or other methods of capturing storm flow or unappropriated flood flow. We believe this approach will make the most of our water resources, with the caveat that that in-stream flows needed to maintain the health of riparian and estuarian ecosystems (especially those to the bays and estuaries) should be seriously reflected in these calculations.

We strongly recommend allocation of funding that may be used for all nonstructural flood measures, including buyouts of land and property in the floodplain where advisable and purchase of greenspace and conservation easements to maintain natural drainage and reduce flooding potential. Proposals for nonstructural mitigation strategies (green infrastructure) must be accorded the same consideration and opportunities for funding as structural flood control when prioritizing TWDB funded projects. In some instances, purchase of land and/or easements may be the most cost effective strategy for flood control. In appropriating funding, we urge you to recognize the role of privately held land in providing ecological services, such as mitigating flooding, and consider the purchase of conservation easements as a valid option. We believe that private landowners should be compensated for providing these services.

Realizing, however, that many jurisdictions, especially those that do not employ full time planning and engineering staff, are likely not familiar with benefits of employing non-structural methods for flood control, we would like to see opportunities to provide expertise from TWDB, land trusts, and others available, perhaps as part of a watershed planning process, to advise on possible use of green infrastructure in planning flood mitigation strategies.

In conclusion, we want to emphasize that establishing a new flood mitigation funding mechanism is only one part of what needs to be a truly comprehensive and effective approach to addressing flooding issues in Texas. That approach must include adequate funding to the Texas Water Development Board to enhance our scientific understanding of flooding and for the agency to carry out its other flood responsibilities, an enhanced flood planning process on a watershed basis, reasonable but effective regulation of development in floodplains, prohibitions on development in areas where appropriate, enhancing the authority of county government to require adequate drainage infrastructure - including the authority to assess impact fees, and

much greater attention to how nature-based solutions may provide cost-effective and successful ways of managing or preventing floods.

Thank you for the opportunity to submit these comments.

Sincerely,

Annalisa Peace
Executive Director

