

Regional Flood Planning Group New Member Overview

First Cycle of Regional Flood Planning

October 2020

Flood Planning Division

Regional Flood Planning

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1 Background on the regional flood planning process

In 2019, the Texas Legislature initiated the very first statewide flood planning efforts with the passage of Senate Bill 8. The bill established the framework for the Texas Water Development Board (TWDB) to institute regional, watershed-based flood planning. In addition, Senate Bill 500 provided funding for both regional flood planning activities and flood science initiatives, including base level engineering, that will support development of the regional and state flood plans.

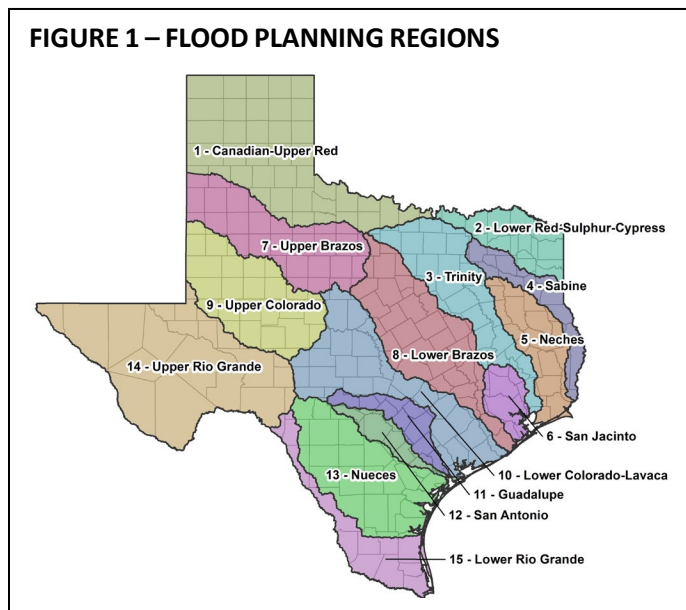
The approach to the regional flood planning process is similar to that of the successful regional water planning process. However, the need for flood planning is very different from that of water planning which seeks to plan for adequate water supplies during drought. The most significant differences between the two planning processes will be in regard to the planning regions' boundaries and the types of considerations and technical approaches used.

With extensive stakeholder input, the TWDB established the [15 flood planning regions](#) (FPRs) (Figure 1) based on the state's river basins. Each FPR has its own regional flood planning group (RFPG) which coordinates the flood planning process.

Each regional flood planning group must maintain at least one voting member from each of the following interest categories: the public, counties, municipalities, industry, agriculture, environment, small business, electric-generating utilities, river authorities, water districts, water utilities, and flood districts. Regional flood planning group members are expected to be capable of adequately representing their assigned interest category in the region for which they serve. However, if a FPR does not have an interest in a category, then the RFPG shall so advise the Executive Administrator of the TWDB and an individual member designation may not be required.

In addition, each RFPG will include seven non-voting members from the following state agencies: Texas Commission on Environmental Quality, General Land Office, Parks and Wildlife Department, Department of Agriculture, State Soil and Water Conservation Board, Texas Division of Emergency Management, and a dedicated TWDB staff member who will provide ongoing support to the group. The RFPG may add voting or non-voting positions to ensure adequate representation from interests in its unique region.

The overarching goal of each RFPG is to develop a regional flood plan that adequately provides for the protection of life and property without negatively affecting neighboring areas. RFPGs' first regional flood plans will be due to the TWDB on January 10, 2023, and every five years thereafter. The state flood plan will be based on the adopted regional plans and is due from the TWDB by September 1, 2024, and every five years thereafter.



At the beginning of the regional flood planning process:

- Each RFPG will adopt bylaws that will govern its methods of conducting business.
- RFPGs will designate a political subdivision, such as a municipality, county, river authority, water district, or council of governments, to serve as their planning group sponsor, administer the planning process, solicit and manage a contract for grant funds from the TWDB, and to procure and manage a contract with a technical consultant to develop the RFPs on behalf of the planning group.
- RFPGs will direct their technical consultant, consider public input and technical information, and meet regularly to make decisions required to develop their regional flood plan.

All planning group work must be performed, and all deadlines must be met in accordance with statute, agency rules, and the grant contracts with the TWDB. The RFPGs will conduct all business during open meetings in a transparent and participatory manner during the process of developing their RFPs. These public involvement opportunities will be important to each group's planning efforts.

2 Key roles and responsibilities

There are several entities that are involved in the regional flood planning process and each has their own role to play and responsibilities to carry out. These entities include the RFPG voting members, RFPG non-voting members, the RFPG's planning group sponsor, technical consultants, and the TWDB. Stakeholders, including the general public, also play a crucial, participatory role along the way.

2.1 Voting member role and responsibilities

The core functions of the regional flood planning process revolve around the RFPG voting members, the variety of expertise and representation they bring to the planning group and the decisions that they make in developing their plans. Each voting member is appointed to represent one of the 12 required interest group categories identified in Section 1. RFPGs may add voting positions in additional interest categories or additional representatives of the 12 required interest categories as necessary.

The opportunity for RFPG voting members to participate in the regional flood planning process comes with the following key responsibilities:

- Regularly attending their RFPG meetings.
- Actively participate in, and contribute supporting information to, the development of their regional flood plan.
- Represent their associated interest group as it exists throughout the entire region, considering all the region-wide stakeholders when making decisions.
- Understand and follow the flood planning framework, rules, guidelines, and process, as well as review the various materials that will be considered by the RFPG along the way.
- Become familiar with and follow the bylaws of their respective RFPG.
- Make difficult decisions and recommendations regarding flood management goals, evaluations, and strategies, and flood mitigation projects for their region.
- Complete the Office of Attorney General's [Open Meetings Act](#) and [Public Information Act](#) training (due to statutory requirements, RFPGs are subject to both of these acts).
- Participate in directing work the technical consultants perform on the RFPG's behalf in order to develop the regional flood plan.
- Cooperate with other RFGPs for data consistency and to avoid conflicts where possible, for example, when two planning groups share a watershed or flood management strategies.

- Solicit and consider stakeholder input in a transparent process.
- Ensure adoption of a regional flood plan that meets all requirements, including that no neighboring area may be negatively affected by an element of the regional flood plan.

RFPG members will not receive compensation from legislative appropriations for their time or expenses but, in certain cases, may be eligible to be reimbursed by the state for travel to RFPG meetings, in accordance with grant contract requirements. Members of a regional flood planning group are entitled to official immunity for acts performed in good faith within the scope of their official capacity.

2.2 Non-voting member role and responsibilities

RFPGs are statutorily required to include non-voting members, as ex officio representatives, from seven state agencies: TWDB, Texas Commission on Environmental Quality (TCEQ), General Land Office (GLO), Texas Parks and Wildlife Department (TPWD), Texas Department of Agriculture (TDA), Texas State Soil and Water Conservation Board (TSSWCB), and Texas Division of Emergency Management (TDEM).

Additionally, for flood planning regions that

- share a split river basin, or
- touch the Gulf Coast,

the RFPG must designate non-voting members to coordinate between the upstream and downstream regions and/or other coastal regions. These non-voting ‘liaison’ position requirements may be met by members already serving in existing voting positions in a dual role. RFPGs may at any time add additional non-voting positions in accordance with their approved bylaws.

Key responsibilities of non-voting members include the following:

- Attend meetings, represent, and act as a resource and/or liaison for their affiliated entity in the regional flood planning process.
- Provide input on their areas of expertise and familiarize themselves with planning issues.
- Support the voting membership in the development of the regional flood plan.

2.3 Planning group sponsor role and responsibilities

RFPGs must designate a political subdivision to act as their planning group sponsor to oversee the administration of the regional flood planning process on behalf of the group. Examples of political subdivisions include counties, river authorities, municipalities, and councils of government.

Key responsibilities of the RFPGs’ chosen planning group sponsor include the following:

- Apply for and receive financial assistance from the TWDB for the development of a regional flood plan or a plan revision.
- Execute and administer the regional flood planning grant contract with the TWDB, including invoicing and payment for eligible activities.
- Procure the technical consultant that will assist the RFPG with plan development.
- Execute and administer the subcontract(s) between the planning group sponsor and the technical consultant(s).
- Maintain RFPG member contact information.
- Organize the RFPG meeting locations, prepare and post public notices including agendas, organize meeting presentations, prepare handouts, meeting minutes, and new member solicitations.

- Ensure all regular, committee, and subcommittee meetings of the RFPG are posted and held in accordance with the Texas Open Meetings Act, the Texas Public Information Act, statute, and flood planning rules.
- Deliver the first regional flood plan on behalf of the RFPG no later than January 10, 2023, and every five years thereafter.

The RFPG shall ensure that the planning group sponsor it selects has the legal authority to procure professional services and enter into the contracts necessary for regional flood planning. The RFPG may, at its own discretion, choose a different planning group sponsor at any time.

Certain administrative costs, such as travel, public notice and copies as well as a certain, limited amount of personnel costs for political subdivision staff hours directly spent supporting the RFPG, will be eligible for reimbursement through the TWDB grant contract, subject to some limitations including state law. Additional information regarding acceptable uses of Regional Flood Planning Grant funds, can be found in [31 TAC Chapter 361, Subchapter F](#).

2.4 Technical consultant role and responsibilities

Technical consultants are procured by the sponsor political subdivision, and in accordance with their own and any related state procurement requirements, to assist the RFPG in the development of the regional flood plan. The RFPG is responsible for selecting the technical consultant and the procurement process is administered by the RFPG planning group sponsor who will enter into a contract with the consultant on behalf of the RFPG.

Key responsibilities of technical consultants include the following:

- Enter into subcontracts with the planning group sponsors on behalf of the RFPGs that mirror the associated portions of the primary TWDB contract.
- Perform the scope of work (SOW) tasks identified in the regional flood planning contracts and participate in managing their portion of the overall budget.
- Solicit, receive, and follow direction from the RFPG.
- Present their work at RFPG meetings for consideration and approval by the RFPGs.
- Provide documentation of, and invoices for, the work they perform to the RFPG's planning group sponsor.
- Develop the complete regional flood plans under direction of the RFPGs.
- Produce all final contract products to be submitted to the TWDB, in accordance with statute, rule, and contract requirements.
- Participate in RFPG meetings, committees, and sub-committees as requested by the RFPG.

2.5 Texas Water Development Board role and responsibilities

The TWDB is the state agency designated by the Texas Legislature to provide technical and financial assistance to the regional flood planning process. Each RFPG has an assigned project manager from the TWDB who serve as the liaisons between the agency and the planning groups and planning group sponsors, and indirectly, the consultants. These liaisons act as non-voting members of the planning group and TWDB staff play a significant role in supporting the RFPGs and planning process.

Key responsibilities of the TWDB liaisons include the following:

- Serve as non-voting members of their assigned RFPGs.

- Provide and clarify administrative and technical guidance to the RFPGs, planning group sponsors, and consultants in the development of the regional flood plans.
- Orient new RFPG members and facilitate communication.
- Administer the TWDB contract with the RFPG planning group sponsor.
- Help to ensure that the final regional flood plans meet statute, rule, and contract requirements.

The TWDB as an agency is also responsible for the following tasks directly related to regional flood planning:

- Provide technical and financial assistance to RFPGs in the development of the regional flood plans.
- Adopt rules and guidance that govern the development and adoption of regional flood plans.
- Designate representatives to serve as the initial RFPG voting members.
- Review and update state flood planning guidance principles at least every five years, in coordination with other state agencies.
- Review and approve regional flood plans that meet statute, rule, and contract requirements.
- Incorporate information from approved regional flood plans in the corresponding state flood plan.
- Develop and adopt a comprehensive state flood plan every five years.

3 How the planning process is funded

The regional flood planning process and development of the regional flood plans is funded through grants administered by the TWDB based on appropriations received from the Texas Legislature.

The planning group sponsor must apply for grant funding each regional flood planning cycle through a Request for Applications issued by the TWDB. After regional flood planning grant contract execution with the TWDB, the planning group sponsors will be responsible for procuring and executing a sub-contract with a technical consultant selected by the RFPG in accordance with the procurement requirements that apply to the sponsor and Texas Government Code Chapter 2254. Regional flood planning grant contracts and sub-contracts will contain detailed information regarding eligible and ineligible expenses for planning group sponsors, consultants, and RFPG members.

4 Regional flood planning considerations and plan contents

To develop their regional flood plan, RFPGs will collect information and perform analyses of their region through the lens of flood risk management and mitigation.

The key documents that form the legal framework hierarchy of Texas' regional flood planning include, statute, agency rules, and the contract and related guidance, in the following order:

1. Flood Planning Statutes - [Texas Water Code §16.061 and §16.062](#) (Senate Bill 8)
2. Flood Planning Rules - 31 Texas Administrative Code [Chapter 361](#) and [Chapter 362](#)
3. The TWDB grant contract including but not limited to boilerplate, Scope of Work, and guidance documents.

It is strongly recommended that members read Senate Bill 8 and the rules as they are the basis of the regional planning effort.

Development of the regional flood plans will require RFPGs to consider a wide variety of available, relevant information including historic flood records, infrastructure and transportation data, population projections, hydrologic and hydraulic modeling, floodplain management practices, and watershed

protection plans. Planning groups will perform flood risk analyses in their region, evaluate current floodplain management practices, establish flood-risk reduction goals, and identify, evaluate, and recommend ways to meet those goals. These recommendations will include flood management evaluations (FMEs), flood management strategies (FMSs), flood mitigation projects (FMPs) to address flood risk, and will include administrative, regulatory, and legislative recommendations to facilitate floodplain management and flood mitigation planning and implementation. RFPGs will also consider the impacts of their regional flood plan, as well as how it will be financed.

31 Texas Administrative Code [Chapter 361](#) and [Chapter 362](#) provide further information regarding considerations and activities that RFPGs must perform in developing the regional flood plans. The rules include deliverables, guidance principles, requirements regarding public notice and participation, general considerations, and regional flood plan content requirements. Provided below in Sections 4.1 through 4.3 is an overview of each of these items to help new members familiarize themselves with the framework of the regional flood planning process.

Prior to adoption of the final regional flood plan, RFPGs will submit a draft regional flood plan. Notice must be provided to the public and must allow for the public to submit comments on the draft plan. In addition, submission of both the draft and final regional flood plan requires various electronic deliverables, including the upload of relevant data and information. Upon receipt of a regional flood plan adopted by the RFPG, the TWDB will review the plan to ensure that it meets statute, rule, and contract requirements.

RFPGs are not regulatory entities and the information and policy recommendations presented in regional flood plans are not enforceable by the RFPGs. Regional flood plans are high-level plans aimed at addressing a variety of flood risks throughout the flood planning region. Many of the recommended FMEs, FMSs and FMPs that are included in the final plans will likely require sponsors to perform additional and more detailed evaluations prior to permitting and implementation.

4.1 Regional flood plan guidance principles

The TWDB's rules include 39 guidance principles that were developed in cooperation with the other six agencies participating on the planning groups and that will guide RFPG development of regional flood plans, see *Attachment A*. Each RFPG is required to include a statement in its draft and final regional flood plans explaining how the plan satisfies the requirements of each guidance principle, including that the plan will not negatively affect a neighboring area.

4.2 Regional flood plan requirements

The first cycle of regional flood planning consists of the following overarching tasks that are identified in the TWDB's regional flood planning rules. TWDB's Regional Flood Planning Grant contract scope of work and guidance documents will provide further details and specific recommendations for how to meet technical data and information requirements. These requirements are important because they will facilitate the TWDB incorporation of the 15 regional plans into the state flood plan.

Each five-year planning cycle, the RFPGs will be required to meet regularly to accomplish the following tasks:

- Description of the flood planning region (including the social and economic character; flood-prone areas and types of major flood risks; key historical flood events; existing local and regional flood plans; natural features and constructed major flood infrastructure in the region; and proposed or ongoing flood mitigation projects in the region).

- Performance of existing and future condition flood risk analysis for both the both 1.0% annual chance and 0.2% annual chance flood events, comprising:
 - flood hazard analyses that determines location, magnitude and frequency of flooding;
 - flood exposure analyses to identify who and what might be harmed within the region; and
 - vulnerability analyses to identify vulnerabilities of communities and critical facilities.
- Evaluation of existing floodplain management practices and recommendation of changes.
- Establishment of short-term and long-term flood mitigation and floodplain management goals.
- Analysis and identification of locations within the region that have the greatest flood mitigation and flood risk study needs.
- Identification, evaluation, and recommendation of potential flood management evaluations and potentially feasible flood management strategies and flood mitigation projects.
- Consideration of the impacts of implementation of the regional flood plan (including flood risk reduction and contributions to water supply development, and other impacts).
- Summarize existing flood response information and activities.
- Develop administrative, regulatory, and legislative recommendations.
- Flood infrastructure financing analysis detailing proposed financing for the region's recommended flood management evaluations, flood management strategies, and flood mitigation projects.

4.3 Public participation

This is a transparent process that will include many opportunities for public input throughout the planning cycle. Each RFPG and any committee or subcommittee of the group are subject to the Open Meetings Act and Public Information Act. In addition to meeting the public notice requirements of the Open Meetings Act, RFPGs must follow public notice requirements outlined in the TWDB's regional [flood planning rules](#) in the RFPG's adopted bylaws. Public notice requirements vary depending on the activity or action to be taken at the RFPG meeting.

Notable public input opportunities with specific notice requirements that every RFPG must adhere to include the following:

- Changes to RFPG membership.
- Pre-planning meetings to obtain input on development of the regional flood plan.
- Determining flood mitigation and floodplain management goals.
- Approving the process for identifying FMEs, FMSs, and FMPs.
- Submission of the draft regional flood plan, adoption of the final plan, and amendments to the plan.

In the adopted regional flood plan, RFPGs are required to include summaries of all public comment received, with an explanation of how the plan was revised or why changes were not warranted.

5 TWDB regional flood planning resources

Below are links to some resources relevant to the regional flood planning process that new RFPG voting and non-voting members need to become familiar with:

- [Regional Flood Planning Main Page](#)
- [Regional Flood Planning FAQs](#)
- [New RFPG Member Page](#)
- [RFPG Upcoming Meeting Schedule](#)
- [Model Bylaws for Regional Flood Planning Groups](#)
- [Useful Flood Planning Links and Resources](#)
- Flood Planning Statutes - [Texas Water Code §16.061 and §16.062](#)
- Flood Planning Rules - 31 Texas Administrative Code [§361](#) and [§362](#)

Please feel free to ask your region's TWDB [project manager](#) for assistance navigating any of the resources provided above.

6 Terminology primer

To assist new RFPG members to get started, below are a few of the key terms frequently used in the regional flood planning process. A more extensive definitions list can be found at the beginning of the regional flood planning rules ([31 TAC §361.10](#)).

- **1.0% annual chance flood event** - Flood event having a 1.0% chance of being equaled or exceeded in any given year, also referred to as the base flood or 100-year flood.
- **0.2% annual chance flood event** - Flood event having a 0.2% chance of being equaled or exceeded in any given year, also referred to as the 500-year flood.
- **Flood Mitigation** - The implementation of actions, including both structural and non-structural solutions, to reduce flood risk to protect against the loss of life and property.
- **Floodplain** - That area of land subject to periodic inundation by floodwaters.
- **Flood Management Evaluation (FME)** - A proposed flood study of a specific, flood-prone area that is needed in order to assess flood risk and/or determine whether there are potentially feasible FMSs or FMPs.
- **Flood Management Strategy (FMS)** - A proposed plan to reduce flood risk or mitigate flood hazards to life or property. A flood management strategy may or may not require associated Flood Mitigation Projects to be implemented.
- **Flood Mitigation Project (FMP)** - A proposed project, both structural and non-structural, that has a non-zero capital costs or other non-recurring cost and that when implemented will reduce flood risk, mitigate flood hazards to life or property.
- **Flood-prone** - Areas with known risk of flooding primarily during storm events either from existing inundation maps, studies, and/or historic knowledge of flood events. Flood-prone areas may include, but are not limited to, the floodplain, the floodway, the flood fringe, wetlands,

riparian buffers, or other areas adjacent to the main channel.

- **Flood Risk** - Generally describes the hazard from flood events to life and property, including the likelihood of a hazard occurring; the magnitude of the hazard; the number of people and properties exposed to the hazard; and the vulnerability of the people and properties exposed to the hazard.
- **HUC** - Hydrologic Unit Code level (e.g., HUC8) as delineated by the United States Geological Survey.
- **Neighboring area** - means any area, including but not limited to upstream and downstream areas, potentially affected by the proposed FMP.
- **Negative Effect** - An increase in flood-related risks to life and property, either upstream or downstream of the proposed project. The RFPG may adopt a standard that is more restrictive than the standard provided in TWDB guidance.
- **Residual Risk** - The remaining flood risk in an area after the completion of a FMS or FMP or set of FMSs or FMPs that reduce flood risk in that same area.

Attachment A

Regional and State Flood Plan Guidance Principles

The regional and state flood plans:

- (1) shall be a guide to state, regional, and local flood risk management policy.
- (2) shall be based on the best available science, data, models, and flood risk mapping.
- (3) shall focus on: identifying both current and future flood risks, including hazard, exposure, vulnerability and residual risks; selecting achievable flood mitigation goals, as determined by each RFPG for their region; and incorporating strategies and projects to reduce the identified risks accordingly.
- (4) shall, at a minimum, evaluate flood hazard exposure to life and property associated with a 0.2 percent annual chance flood event (the 500-year flood) and, in these efforts, shall not be limited to considering historic flood events.
- (5) shall, when possible and at a minimum, evaluate flood risk to life and property associated with a 1.0 percent annual chance flood event (the 100-year flood) and address, through recommended strategies and projects, the flood mitigation goals of the RFPG (per item 2 above) to address flood events associated with a 1.0 percent annual chance flood event (the 100-year flood); and, in these efforts, shall not be limited to consideration of historic flood events.
- (6) shall consider the extent to which current floodplain management, land use regulations, and economic development practices increase future flood risks to life and property and consider recommending adoption of floodplain management, land use regulations, and economic development practices to reduce future flood risk
- (7) shall consider future development within the planning region and its potential to impact the benefits of flood management strategies (and associated projects) recommended in the plan.
- (8) shall consider various types of flooding risks that pose a threat to life and property, including, but not limited to, riverine flooding, urban flooding, engineered structure failures, slow rise flooding, ponding, flash flooding, and coastal flooding, including relative sea level change and storm surge.
- (9) shall focus primarily on flood management strategies and projects with a contributing drainage area greater than or equal to 1.0 square mile except in instances of flooding of critical facilities or transportation routes or for other reasons, including levels of risk or project size, determined by the RFPG.
- (10) shall consider the potential upstream and downstream effects, including environmental, of potential flood management strategies (and associated projects) on neighboring areas. In recommending strategies, RFPGs shall ensure that no neighboring area is negatively affected by the regional flood plan.
- (11) shall include an assessment of existing, major flood mitigation infrastructure and will recommend both new strategies and projects that will further reduce risk, beyond what existing flood strategies and projects were designed to provide, and make recommendations regarding required expenditures to address deferred maintenance on or repairs to existing flood infrastructure.
- (12) shall include the estimate of costs and benefits at a level of detail sufficient for RFPGs and sponsors of flood mitigation projects to understand project benefits and, when applicable, compare the relative benefits and costs, including environmental and social benefits and costs, between feasible options.
- (13) shall provide for the orderly preparation for and response to flood conditions to protect against the loss of life and property and reduce injuries and other flood-related human suffering.

- (14) shall provide for an achievable reduction in flood risk at a reasonable cost to protect against the loss of life and property from flooding.
- (15) shall be supported by state agencies, including the TWDB, General Land Office, Texas Commission on Environmental Quality, Texas State Soil and Water Conservation Board, Texas Parks and Wildlife Department, and the Texas Department of Agriculture, working cooperatively to avoid duplication of effort and to make the best and most efficient use of state and federal resources.
- (16) shall include recommended strategies and projects that minimize residual flood risk and provide effective and economical management of flood risk to people, properties, and communities, and associated environmental benefits.
- (17) shall include strategies and projects that provide for a balance of structural and nonstructural flood mitigation measures, including projects that use nature-based features, that lead to long-term mitigation of flood risk.
- (18) shall contribute to water supply development where possible.
- (19) shall also follow all regional and state water planning guidance principles (31 TAC 358.3) in instances where recommended flood projects also include a water supply component.
- (20) shall be based on decision-making that is open to, understandable for, and accountable to the public with full dissemination of planning results except for those matters made confidential by law.
- (21) shall be based on established terms of participation that shall be equitable and shall not unduly hinder participation.
- (22) shall include flood management strategies and projects recommended by the RFPs that are based upon identification, analysis, and comparison of all flood management strategies the RFPs determine to be potentially feasible to meet flood mitigation and floodplain management goals.
- (23) shall consider land use and floodplain management policies and approaches that support short- and long-term flood mitigation and floodplain management goals.
- (24) shall consider natural systems and beneficial functions of floodplains, including flood peak attenuation and ecosystem services.
- (25) shall work to be consistent with the National Flood Insurance Program (NFIP) and shall not undermine participation in nor the incentives or benefits associated with the NFIP.
- (26) shall emphasize the fundamental importance of floodplain management policies that reduce flood risk.
- (27) shall encourage flood mitigation design approaches that work with, rather than against, natural patterns and conditions of floodplains.
- (28) shall not cause long-term impairment to the designated water quality as shown in the state water quality management plan as a result of a recommended flood management strategy or project.
- (29) shall be based on identifying common needs, issues, and challenges; achieving efficiencies; fostering cooperative planning with local, state, and federal partners; and resolving conflicts in a fair, equitable, and efficient manner.
- (30) shall include recommended strategies and projects that are described in sufficient detail to allow a state agency making a financial or regulatory decision to determine if a proposed action before the state agency is consistent with an approved regional flood plan.
- (31) shall include ongoing flood projects that are in the planning stage, have been permitted, or are under construction.
- (32) shall include legislative recommendations that are considered necessary and desirable to facilitate flood management planning and implementation to protect life and property.

(33) shall be based on coordination of flood management planning, strategies, and mitigation projects with local, regional, state, and federal agencies projects and goals.

(34) shall be in accordance with all existing water rights laws, including but not limited to, Texas statutes and rules, federal statutes and rules, interstate compacts, and international treaties.

(35) shall consider protection of vulnerable populations.

(36) shall consider benefits of flood management strategies to water quality, fish and wildlife, ecosystem function, and recreation, as appropriate.

(37) Shall minimize adverse environmental impacts and be in accordance with adopted environmental flow standards.

(38) Shall consider how long-term maintenance and operation of flood strategies will be conducted and funded.

(39) Shall consider multi-use opportunities such as green space, parks, water quality, or recreation, portions of which could be funded, constructed, and or maintained by additional, third-party project participants.