

MINUTES

MEETING OF THE RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG) (REGION "M")

11:00 A.M. THURSDAY, FEBRUARY 17, 2010

LRGVDC TRANSPORTATION CENTER BOARD ROOM
510 S. PLEASANTVIEW DR., WESLACO, TX
PRESIDING: GLENN JARVIS, CHAIRMAN

1. Call to Order and Roll Call

Chairman Glenn Jarvis called the meeting to order at 11:03 a.m. and announced that the meeting had been posted as required by statute and a quorum was present. The following voting members were in attendance:

Board Members

Glenn Jarvis, Chairman
Mary Lou Campbell, Secretary
Jorge Barrera for Roberto Gonzalez
John Bruciak
Sonia Najera
Charles W. Browning
Ella de la Rosa
Sonny Hinojosa
Sonia Lambert
Donald K. McGhee
Tomas Rodriguez
Gary Whittington

Category

Other
Public
Municipalities
Municipalities
Environmental
Water Utilities
Electric Generating Utility
Water Districts
Water Districts
Small Business
Municipalities
Industries

The following members were not in attendance:

Jim Darling, Vice Chairman	River Authorities
Robert E. Fulbright, Executive Committee	Agriculture
Ray Prewett	Agriculture
Carlos Garza	Small Business
Commissioner John Wood	Counties
vacant	Other
vacant	Counties

2. Consider Approval of January 14, 2010 Meeting Minutes

Mr. Don McGhee made a motion for approval of the minutes as presented. Mr. Tomas Rodriguez seconded the motion, and upon a vote the motion carried unanimously.

3. Hear Public Comment

The Chairman recognized Mr. Joe Torres, P.E. with BTi, who spoke on behalf of the City of Elsa. Mr. Torres informed the Group of a project planned for the City of Elsa and stated he

would submit the information to Mr. Jake White, NRS, for consideration of inclusion in the Regional Water Plan as a Water Management Strategy. Mr. White stated that he would summarize the information he receives from Mr. Torres and bring it before the Group at the next meeting for consideration.

4. Presentation RE: Unique Stream Segments

Chairman Jarvis recognized Mr. Dan Opdyke, Water Planning Coordinator with TPWD. Mr. Opdyke gave a presentation entitled "Regional Water Planning, Ecologically Unique Stream Segments" in which he informed the Group that the legislature may designate a river or stream segment as an Ecologically Unique Stream Segment (EUSS), which means that the State may not finance the actual construction of a reservoir in a river or stream segments so designated. Each Regional Water Planning Group is to identify such rivers and stream segments in its Regional Water Plan for protection under Texas Water Code §16.051. Mr. Opdyke's presentation provided details on EUSS biological function, hydrologic function, riparian conservation areas, high water quality/exceptional aquatic life/high aesthetic value and threatened or endangered species/unique communities.

5. Consider Approval RE: Letter of Support / No Objection for City of Pharr Application to the TWDB

Mr. Jones was recognized and informed the Group that a draft letter of support for the City of Pharr's efforts to prepare a comprehensive reclaimed water master plan which is consistent to the water supply planning efforts of the RGRWPG was in the Board folders for consideration. Mr. David Garza, City of Pharr Utilities Director, was then recognized and briefed the Group on this project. Upon conclusion of discussion ***Ms. Sonia Lambert made a motion for approval of the letter of support / no objection for the City of Pharr application for the TWDB. Mr. Tomas Rodriguez seconded the motion and upon a vote, the motion carried unanimously.***

6. Consider Recommendation RE: Voting Member Vacancies

A. County Category

No nominations have been received.

B. Discussion and Consider Reclassification of Current Voting Members in Small Business and Industry Categories to Alternate Categories

Mr. Jones notified the Board that a letter from Mr. Gary Whittington had been received announcing that he would retire from UniFirst Corporation on April 2, 2010 and expressing his desire to remain on the Board with the suggestion of changing his voting member category from "Industries" to "Other", filling the vacancy left by the death of Mr. James Matz. Another letter from Mr. Don McGhee was received expressing his desire to change from the "Small Business" category to the "Industries" category as Hydro Systems, Inc. has outgrown a small business classification. ***Mr. Tomas Rodriguez made a motion for approval of these membership category changes as recommended and to advertise for the "County" and "Small Business" category vacancies. Ms. Sonia Lambert seconded the motion, and upon a vote the motion carried unanimously.*** Mr. Jorge Barrera announced that Mr. Roberto Gonzalez would retire from Eagle Pass Water Works as of May 31, 2010 and expressed his desire to fill Mr. Gonzalez' seat on the Board; Mr.

Barrera has served as Mr. Gonzalez' alternate since April 2009. Chairman Jarvis requested a letter from Mr. Gonzalez announcing his resignation from the Board and a recommendation for Mr. Barrera to fill his seat as a voting member.

C. Authorize Advertisement for Voting member Vacancies

This item was covered under item 6.B.

7. Status Reports

A. Report on TWDB Contract Activities

1. Status of Deliverables and Expenditures under Current Contract

The Chairman recognized Mr. Jake White who stated that staff and the Group are finalizing the Initially Prepared Plan (IPP) in preparation for submission to the Texas Water Development Board (TWDB) by the end of the month. Staff continues to make modifications based on comments received during workshops and regular meetings and incorporate the comments into the IPP. Chairman Jarvis then asked Mr. White to present chapters 4, 8, 9 and 10 with the revisions made during the workshops.

Mr. White went over chapter 4, Identification, Evaluation and Selection of Water Management Strategies based on Needs and stated that this chapter contains the evaluation of water supply demand to determine the existence of a deficit or excess in the evaluation of Water Management Strategies (WMSs). Staff utilized the same general WMSs as in the previous plan and updated them based on changed conditions. In addition staff updated this chapter to include strategies that were evaluated but at this time are not recommended. Those strategies include the Hidalgo County Drainage District reuse project, the Laredo weir, reservoir storage and relocation, and the Dimmit County pipeline, all of which are evaluated but at this time, due to not having enough information, are not recommended as WMSs.

Mr. White stated that chapter 8 contains the same recommendations as in the previous plan with legislative recommendations to be received during the comments period. Chapter 9 contains the Infrastructure Financing Report which will be completed after submission of the IPP, and the purpose for chapter 10 is for logging and describing the public participation. Staff is required to officially respond to every public comment received.

Chairman Jarvis stated the Public Comments period will be from March through June and the final report is due September 1. Mr. Jones suggested the week of April 18 for Public Hearings. Mr. White recommended sending notices and information to all Water User Groups and political subdivisions to solicit comments as opposed to waiting for comments to be submitted.

2. Review and Discussion of Initially Prepared Plan (IPP)

This item was covered under 7.A.1.

3. Drought of Record and Future Water Planning

Chairman Jarvis stated there was no new information on this item

4. Follow-up on WIF Loan Program

Mr. White had no new information on this item at this time.

5. San Felipe Springs Project

Mr. White was recognized and recommended members read through the draft LBG Guyton report on San Felipe Springs provided in the board folders, and then went over the main points of the report. Mr. White suggested including this topic as a workshop item next month and invite the LBG Guyton team to give a presentation in the near future. Chairman Jarvis suggested providing Dr. Ron Green, Southwest Research Institute with this draft report for comment. In December 2009 Dr. Green gave a presentation to the Group on the "Use of Water Budget Analyses to Determine Desired Future Conditions". No action taken.

B. Discussion RE: Status of Joint Groundwater Area Planning in GMA's 4, 5, 7 13 & 16 Under HB 1763 (2005)

There was no new information to report.

C. Discussion of IBWC Water Accounting at Fort Quitman

The research is ongoing, but there was no new information to report at this time.

D. Reports RE: Other Water Planning Groups

1. Reports from Liaisons with Regions E, J, L, & N

Chairman Jarvis reported that the other Groups are also working on their IPPs and Public Hearings.

E. Report on Water Conservation Plans and Drought Management Plans Filed with Region

Chairman Jarvis brought the Group's attention to a complete list of plans that have been received since January 2009 and commented that the Group should have more involvement other than receiving the plans and documenting their receipt.

F. Report from By-laws Committee RE: By-laws Update

Ms. Sonia Lambert was recognized and reported on behalf of Committee Chair, Charles Browning that the By-laws Committee met and discussed Article V. Voting Membership, Section 5. Attendance. The committee recommends revising the third sentence, "Voting members of the RGRWPG that have recorded absences from three consecutive meetings and/or hearings, or at least one-half of the sum of all meetings and hearings in the preceding twelve months, shall be considered to have engaged in excessive absenteeism and shall be subject to removal from membership under Section 7 of this Article". The suggested revision is to add "...recorded *unexcused* absences...", the reason for this recommendation is that the next sentences allows for the Chair to excuse absences. Ms. Lambert informed the Group that the committee considered the addition of assigning a designee for the

Chair in case the Chair was unavailable to receive calls for excused absences. Chairman Jarvis was confident the Chair would be able to make such a designation without the necessity of including it in the by-laws and stated that a better way to handle absences would be for members to call the LRGVDC office for staff to record the member name and reason for the absence then contact the Chair with that information. Mr. Jones suggested absences could be mentioned at the beginning of meetings when a quorum was announced. Chairman Jarvis then requested staff to develop the process and create a report to include in the minutes for subsequent meetings.

Ms. Lambert then reported that the By-laws Committee reviewed Article VII. Officers and recommends striking the last sentence of Section 1, "Elections shall be held annually, however, no member can serve more than two consecutive one year terms in any same office" and the last sentence in Section 2, Selection, paragraph (b) "An officer cannot serve more than two (2) consecutive terms in the same office". Ms. Lambert recalled that the Group previously amended Article VII in this manner and recommended incorporating amendments into the body of the by-laws. Chairman Jarvis agreed and stated that a restatement of the by-laws is in order and requested a draft of the recommended revisions be prepared for consideration at the next meeting. No action taken at this time.

8. Consider Approval RE: Adoption of Initially Prepared Plan (IPP) Including Certification of Completeness and Submission to TWDB

Upon conclusion of thorough discussion ***Mr. Tomas Rodriguez made an affirmative motion to adopt the Initially Prepared Plan (IPP) to include all comments from the Group and authorize Chairman Glenn Jarvis to sign a certification of completeness and submit the IPP to Texas Water Development Board. Mr. Sonny Hinojosa seconded the motion, and upon a vote the motion carried unanimously.***

9. Consider Approval RE: Date of Public Hearing for Initially Prepared Plan (IPP)

Upon conclusion of discussion ***Ms. Sonia Lambert made a motion to schedule a business meeting and public hearing on April 21, 2010 in the Weslaco area (location tba); the business meeting to begin at 9:30 a.m. and the public hearing to begin at 10:00 a.m.; and a second public hearing at 11:00 a.m. on April 28, 2010 in Laredo (location tba). Mr. Tomas Rodriguez seconded the motion, and upon a vote the motion carried unanimously.***

10. Reports from Federal and State Agencies

A. TWDB

Ms. Connie Townsend stated that all TWDB topics had been covered under previous items.

B. IBWC

No IBWC representative was present and no report was provided; however, Mr. Jones reminded the Group of a reception that is scheduled to introduce newly appointed IBWC Commissioner Edward Drusina at the IBWC offices in Mercedes.

C. TCEQ

No representative from TCEQ was present and the Chairman noted that the report on reservoir levels was in the Board folders.

1. Status of Water Availability Model (WAM) for Mexico

D. TPWD

There was no new information to report.

11. Discussion and Possible Action RE: Meeting Schedule

It was the consensus of the Group to schedule the next meeting on March 31, 2010 with an IPP Workshop at 9:30 a.m. and the business meeting to start at 11:00 a.m.

12. Adjourn

There being no further business to come before the Group the meeting was adjourned at 1:00 p.m.

Glenn Jarvis, Chairman

Mary Lou Campbell, Secretary