

MINUTES

**RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG)
(REGION "M") MEETING - 10:30 A.M. – WEDNESDAY, SEPTEMBER 17, 2008
LRGVDC TRANSPORTATION CENTER BOARD ROOM
510 S. PLEASANTVIEW DR., WESLACO, TX
PRESIDING: JIM DARLING, VICE CHAIRMAN**

Vice Chairman Jim Darling called the meeting to order at 10:37 a.m. and announced that the meeting had been posted as required by statute, and then stated that a quorum was present. The following voting members were in attendance:

Board Members

Jim Darling, Vice Chairman
Mary Lou Campbell, Secretary
John Bruciak
Sonia Najera
Charles W. Browning
Sonny Hinojosa
Sonia Kaniger
James R. Matz
Tomas Rodriguez
Ray Prewett
Carlos Garza
Gary Whittington
Commissioner John Wood

Category

River Authorities
Public
Municipalities
Environmental
Water Utilities
Water Districts
Water Districts
Others
Municipalities
Agriculture
Small Business
Industries
Counties

The following members were not in attendance:

Glenn Jarvis, Chairman
Robert E. Fulbright, Executive Committee
Roberto Gonzalez, Executive Committee
Judge Jose Aranda
Joe Guerra
Donald K. McGee

Other
Agriculture
Municipalities
Counties
Electric Generating Utility
Small Business

Vice Chairman Darling welcomed newly elected member Mr. Carlos Garza representing Small Business. The Vice Chairman next made the unfortunate announcement of several tragedies affecting individuals affiliated with the Region M Group: USIBWC Commissioner Carlos Marin, Mexico's IBWC Commissioner Arturo Herrera, along with Jake Brisbin, Jr., the Rio Grande Council of Governments Executive Director, and their pilot were reported missing after their plane failed to return to El Paso as scheduled; Chairman Glenn Jarvis was in Houston tending to his son who had been severely injured during Hurricane Ike, and former Congressman Kika de la Garza and his wife had been hospitalized after an automobile accident. Ms. Mary Lou Campbell suggested the Group observe a moment of silence for the families suffering from these tragedies.

Vice Chairman Darling moved to item 2. – Consider Approval of the July 30, 2008 Meeting Minutes. ***Ms. Sonia Kaniger made a motion to approve the minutes as presented. Mr. Carlos Garza seconded the motion, and upon a vote the motion carried unanimously.***

Vice Chairman Darling then moved to item 3. – Hear Public Comment, there being none, the Vice Chairman moved to item 4. – Status Reports. Regarding item 4.A. – Discussion and Presentation of Monthly Water Accounting System for Rio Grande below Fort Quitman. Mr. Ken Jones announced that unfortunately Mr. William Finn from IBWC was unable to attend because he had been called to Presidio, TX to inspect the flood situation affecting that area. It was the consensus of the Group to contact Mr. Finn to reschedule his presentation.

Vice Chairman Darling then moved to item 4.B. - Report on TWDB Contract Activities. Regarding item 4.B.1. – Application Submission RE: Phase II of Third Round of Regional Water Planning and recognized Mr. Jones. Mr. Jones referred to a letter from Mr. David Carter, Agency Contract Administrator for TWDB that stated the TWDB approved negotiation and execution of a Regional Water Planning Contract in an amount not to exceed \$286,740, and that the contract must be negotiated and executed on or before November 21, 2008. Mr. Jones then referred to the Funding Breakdown NRS Consulting Engineers, Inc. created for the Group and turned the floor over to Mr. Bill Norris and Mr. Jake White, NRS Consulting Engineers, Inc. Mr. Norris stated that most of the requested base funding amounts were funded. Mr. White stated that the Funding Allocation Breakdown outlined the “base funds”, or funding for the bare minimum items needed to provide a good Water Plan; and “additional funds” that would go beyond the requirements of the TWDB. Mr. White stated the only base funding item that was not funded was item 3.5 regarding the terms of the 1944 Treaty compliance. Vice Chairman Darling stated that the Rio Grande Regional Water Authority(RGRWA) had funds available that might be considered for use to fund projects on the Scope of Work that were not funded by TWDB. Mr. Jones stated that Ms. Connie Townsend, TWDB had advised that there may be alternate funding through TWDB for items not funded in the new contract or there may be another State opportunity the Group could apply for to minimize local investment.

Mr. Tomas Rodriguez stated that he had not been elected to the Region M Group when the Dimmit County representatives gave their presentation on providing a secondary water source to the region; and Mr. Rodriguez informed the Group that for various reasons the City of Laredo decided not to work with the Dimmit County project. The City Manager of the City of Laredo was somewhat offended that the Region M Group included this project in its Scope of Work. Mr. Rodriguez stated that he cannot and will not vote in favor of any item regarding the Dimmit County alternate water source proposal. Mr. Rodriguez asked why Region M would fund a project for Region L, which is where Dimmit County is located. Mr. Norris stated that the only thing the Dimmit County project had to do with Region M was that it would take base flow out of the Rio Grande and the Group would need to determine any possible adverse affects that would have on Region M. This was not necessarily going to be done, and the Group does not know if it ever will be done. Mr. Rodriguez stated that the message the City of Laredo received from the Dimmit County representatives was that the Region M Group was on board with their project. Mr. Sonny Hinojosa stated that there was no objection by this Group to the Dimmit County proposal, it was given mainly for information purposes. The Dimmit County representatives did not get the Group’s support, nor did they receive any objection because the

Group has nothing to participate with, they merely gave a presentation. Mr. Rodriguez concurred the Dimmitt County representatives did give a presentation, and because the Group specified that project as a task (4.4.a.) on the Scope of Work to be funded, it implied the Group was in favor of the project. Mr. Norris stated that the Group was not funding the project and gave the example that if the City of Laredo had a project that impacted Region M; that would be a "Changed Condition" from what was originally proposed, so funds need to be available to evaluate what affect that project would have on the rest of the Region. Mr. Hinojosa clarified that this task was not necessarily to evaluate that one particular project, but to evaluate groundwater management in the whole region.

Vice Chairman Darling asked Ms. Townsend what was the rationale for the Group's additional projects not being funded. Ms. Townsend stated that projects fall under different categories, and some projects in Region M's Scope of Work were not funded because they did not make the cut off or they were not eligible due to a non-census cycle or not a changed condition. Ms. Townsend added that all of the tasks that were not funded in this round may be resubmitted for consideration during the next planning cycle which is also a census planning cycle.

Mr. Jones suggested that to help wade through the application process and reduce some of the confusion, a pre-application conference might be considered for each of the Regions between some of the policy members, consultants and staff with the Board before future applications are submitted to clarify any interpretations. Staff may be able to come back at the October meeting with such a recommendation.

Mr. Ray Prewitt asked about the status of the Group's request for each Region's scores. Ms. Townsend informed the Group that a decision was still pending from the TWDB.

Mr. Rodriguez asked if it was too late for the City of Laredo to write a letter to the Group requesting re-classification of item 4.4.a. as a "Study of the Carrizo Wilcox Aquifer" instead of "Dimmitt County Pipeline" since the Dimmitt County project would tap into the Carrizo Wilcox Aquifer. ***Vice Chairman Darling then stated he would entertain a motion that the Region M Group goes on record that the inclusion of the Dimmitt County Pipeline project in the Region M State approved budget does not include the endorsement of that project, but is only limited to the study of the effect of the project on Region M's reservoir system. Mr. Ray Prewitt so moved; Mr. James Matz seconded the motion, and upon a unanimous vote the motion carried.***

At the conclusion of discussion on the TWDB application the Vice Chairman requested each member rank the non-funded tasks from 1-10, 1 being the highest priority, and submit said ranking to staff for compilation. The compiled data will be available for consideration at the next meeting.

Vice Chairman Darling then moved to item 4.B.2. – Status of Expenditures under Current Contract and recognized Mr. White who detailed the expenditures.

Regarding item 4.C. – Discussion RE: Status of Joint Groundwater Area Planning in GMA – 16 Under HB 1763 (2005), Vice Chairman Darling stated that there was no new information to report on this item.

Regarding item 4.D. – Reports RE: Other Water Planning Groups, the Vice Chairman stated that there was no new information to report on this item.

Upon conclusion of the Status Reports, Vice Chairman Darling moved to item 5. – Reports from Federal and State Agencies.

Regarding item 5.A. – TWDB, Vice Chairman Darling recognized Ms. Townsend who stated that there is a small section that is being held as set aside funds for projects that may come up in the next two years such as plan amendments or a new water management strategy due to changed conditions.

Regarding item 5.B. – IBWC, and recognized Mr. Francisco Martinez who stated there was no new information to report at this time.

Regarding item 5.C. – TCEQ Watermaster, the Vice Chairman recognized Mr. Erasmo Yarrito. In addition to giving the reservoir levels and other statistical information, Mr. Yarrito reported that there have been rumors of Mexico building another reservoir, “El Penguiz” Reservoir, on the Rio Concho to alleviate flooding in Ojinada, however these rumors have not been officially substantiated.

Regarding item 8.D. – TPWD, Mr. Mark Lingo was unable to attend and no report was provided.

The Vice Chairman then moved to item 6 – Discussion and Possible Action RE: Meeting Schedule. It was the consensus of the Group to meet Wednesday, October 15, 2008 at 10:30 a.m.

Vice Chairman Darling then moved to item 10 – New or Old Business and recognized Mr. Charles Browning. Mr. Browning suggested creating a Groundwater Management Committee to work in conjunction with the RGRWA Groundwater Management Committee. At the conclusion of discussion it was the consensus of the Group for a Region M Groundwater Management Committee to be formed with Mr. Charles Browning as the chair and the following to be committee members: Mr. John Bruciak, Mr. Sonny Hinojosa, Mr. Tomas Rodriguez, and Ms. Sonia Kaniger.

The Vice Chairman next recognized Mr. Tomas Rodriguez. Mr. Rodriguez stated that Congressman Henry Cuellar helped facilitate a \$250,000 grant for the City of Laredo for a feasibility study on a Low Water Weir. Mr. Rodriguez would like to request a letter of support from the RGRWPG for this project. Ms. Sonia Najera requested specifications on the project; Mr. Rodriguez stated that he would be able to give a presentation to the next meeting, and it was the consensus of the Group for this item to be placed on the next agenda.

There being no further business to discuss the meeting was adjourned at 11:50 a.m.

Glenn Jarvis, Chairman

Mary Lou Campbell, Secretary