

MINUTES

**RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG)
(REGION "M") MEETING - 10:30 A.M. – WEDNESDAY, OCTOBER 15, 2008
LRGVDC TRANSPORTATION CENTER BOARD ROOM
510 S. PLEASANTVIEW DR., WESLACO, TX
PRESIDING: GLENN JARVIS, CHAIRMAN**

Chairman Glenn Jarvis called the meeting to order at 10:32 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

Glenn Jarvis, Chairman
Mary Lou Campbell, Secretary
Robert E. Fulbright, Executive Committee
John Bruciak
Sonia Najera
Charles W. Browning
Sonny Hinojosa
Sonia Kaniger
James R. Matz
Donald K. McGee
Tomas Rodriguez
Carlos Garza
Gary Whittington
Commissioner John Wood

Category

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

The following members were not in attendance:

Jim Darling, Chairman
Roberto Gonzalez, Executive Committee
Judge Jose Aranda
Joe Guerra
Ray Prewett

River Authorities
Municipalities
Counties
Electric Generating Utility
Agriculture

After calling the meeting to order Chairman Jarvis moved to item 2. – Consider Approval of the September 17, 2008 Meeting Minutes. ***Mr. James Matz made a motion to approve the minutes as presented. Mr. Tomas Rodriguez seconded the motion, and upon a vote the motion carried unanimously.***

Chairman Jarvis then moved to item 3. – Hear Public Comment, there being none, the Chairman moved to item 4. – Presentation RE: Rio Grande Low Water Weir and recognized Mr. Tomas Rodriguez. Mr. Rodriguez proceeded with a Presentation entitled “Rio Grande Low Water Weir, City of Laredo, Texas”. No action taken.

Upon conclusion of the presentation, Chairman Jarvis moved to item 5. – Consider Approval RE: Letter of Support for Rio Grande Low Water Weir. Chairman Jarvis stated that since this was a feasibility study, the only action the Group could take would be to support the study. Once it is completed the Group would consider inclusion into the Regional Water Plan. **Mr. Charles Browning made a motion for approval of the letter of support as presented. Mr. Bob Fulbright seconded the motion. Upon a vote Ms. Mary Lou Campbell voted no and the motion passed by majority.**

Upon conclusion of action on item 5, Chairman Jarvis moved to item 6.A. - Status Report on Contract Activities and addressed item 6.A.1. – Status of Expenditures under Current Contract. The Chairman asked for clarification that the Group currently has \$41,000 in local funds, \$174,000 in grant funds, and \$35,000 in grant expenditures. Mr. Norris added that several special projects will be completed in the next few months and much of the grant funds will be utilized. Chairman Jarvis asked if the grant funds would be lost if not used by the end of the year. Mr. Norris stated that the grant will expire in February 2009 and expressed confidence that those funds would not be lost.

The Chairman moved to item 6.A.2. – Results of Prioritization of Unfunded Projects in Recent TWDB Application and recognized Mr. Jake White, NRS Consulting Engineers. With the Group’s permission Mr. White suggested discussing progress on the first round of planning before discussing the priority list. Mr. White then distributed an Irrigation District Survey form that will be distributed in the near future. Mr. White explained that the purpose of this survey is to gain further understanding of water supply and water demand while developing an evaluation of urbanization to determine if irrigation districts should be classified as wholesale water providers or water user groups, which is the main point of the second task of the current round of planning. Mr. Carlos Garza asked if Irrigation Districts had a way of distinguishing how many acres are actually being irrigated versus how much land has the potential for irrigation. Ms. Sonia Kaniger stated that what has potential for irrigation is identified under the flat rate and each irrigation district would be able to identify the amount of irrigable acres it has available. Ms. Kaniger suggested including a definition of irrigable acres and flat acres or changing “irrigable” acres to “irrigated” acres on the survey. Upon conclusion of discussion on the survey Mr. White informed the Group that staff has been developing maps, which is one of the tasks in the Scope of Work. In an effort to define urbanization, one thing staff is doing is to overlay existing aerial maps with historical aerial maps. Working with TNRIS, staff will draw a boundary around each irrigation district in order to quantify urbanization within each district. Chairman Jarvis brought the Group’s attention to a study by Mr. Eric Leigh and Mr. Guy Fipps entitled “Rio Grande Basin Initiative, Irrigation Technology Center Texas AgriLife Extension Service” and asked Mr. White to comment on it. Mr. White stated that this study shows irrigation district outlines in relation to Senate and House districts and how they match up; it also discusses Class “A” water rights. The survey staff developed expands on this study somewhat, but it is not

a duplication of effort. At the conclusion of discussion Mr. Norris stated that the next step would be to receive all the completed surveys, conduct interviews, and develop a report that would be presented at the next meeting. The draft final report is due in to TWDB by December 31, 2008 and requires a Public Comments period prior to submittal. Mr. Jones suggested December 10, 2008 for the next meeting and to include a Public Comments period at that time; it was the consensus of the Group to do so.

Chairman Jarvis then opened discussion on the Results of Prioritization of Unfunded Projects and recognized Mr. Ken Jones. Mr. Jones stated that nine of the nineteen Group members submitted their priority recommendation for tasks not funded by TWDB, and items 3.5, 2.6 and 2.7 were ranked as the top three. Chairman Jarvis suggested item 3.9 regarding San Felipe Springs should be ranked second because what happens in that area will impact the water supply in the Rio Grande and the Group should be aware of such activities. Chairman Jarvis reminded the Group that this was brought to the RGRWA about a year ago because it could be more of an implementation activity than a planning activity. The Chairman stated that the San Felipe Spring is the biggest contributor to the Rio Grande besides the Goodenough Spring, and suspects the water source is shrinking due to groundwater development in that area. The Chairman stated that the Group needed to be aware if that was happening or not. From an implementation standpoint the RGRWA may want to look into it further to see if there is something legally that could be done to slow it down a little.

Mr. Sonny Hinojosa stated that the Region M Group was a planning entity and the RGRWA was an implementation entity and expressed concern about implementation funds being used for planning purposes. Chairman Jarvis stated that some of the tasks under discussion were hard to place specifically on the planning side and/or the implementation side as there was a little of both in each, but he assured the Group that Region M would not implement any projects. Ms. Kaniger asked if it would be appropriate to use some of the \$41,000 in general funds to fund some of the unfunded projects, and stated she agreed with Mr. Hinojosa that Region M is specifically a planning group and when the two are crossed implementation funds would be used for planning. Ms. Kaniger, who also sits on the RGRWA, stated she would make that recommendation to the RGRWA Board. Chairman Jarvis recommended against using general funds to fund projects as that money was needed for general expenses, and if those funds were exhausted the Group would have to solicit more funds from the cities and counties to replace them. At the conclusion of discussion **Mr. Tomas Rodriguez made a motion to approve reprioritizing item 3.9 to the second position. Ms. Sonia Kaniger seconded the motion, and upon a unanimous vote the motion carried.** The Chairman advised paying close attention to groundwater management issues. Mr. Jones stated that staff will bring this item before the RGRWA Board at its meeting next week, and suggested a meeting with Ms. Connie Townsend, TWDB, to determine if state or federal funds may be available to fund these items. It was the consensus of the Group to take this up again in December after the RGRWA considered it.

Chairman Jarvis then moved to item 6.A.3. – Consider Authorization for LRGVDC to Execute TWDB Contract for Phase II of Third Round of Regional Water Planning and recognized Mr. Jones. Mr. Jones explained that although it is understood that the LRGVDC is the administrative agent and will continue as such, Board approval is required by the TWDB to

authorize the LRGVDC to execute the contract when it is ready. The deadline to execute the contract is November 23, 2008. Chairman Jarvis added that with this authorization the Group would not need to meet in November, however, the Chairman requested the Executive Committee review the contract prior to execution. ***Ms. Sonia Kaniger made a motion to authorize the LRGVDC to execute the TWDB contract for Phase II of the Third Round of Regional Water Planning upon approval by the Executive Committee. Mr. Gary Whittington seconded the motion, and upon a unanimous vote the motion carried.***

Chairman Jarvis then moved to item 6.B. – Discussion RE: Status of Joint Groundwater Area Planning in GMA-16 Under HB 1763 (2005) and announced that no further information had been received on this item. The Chairman then moved to item 6.C. – Reports RE: Other Water Planning Groups and stated that there was no new information on the other Water Planning Groups, that all Groups were currently working on their TWDB applications.

Upon conclusion of the Status Reports, Chairman Jarvis moved to item 7. – Reports from Federal and State Agencies and recognized Ms. Connie Townsend. Ms. Townsend informed the Group that she sent new member packets to Mr. Carlos Garza and Mr. Tomas Rodriguez, and summarized a few grant programs that were available. Chairman Jarvis mentioned an email message regarding adding Jim Hogg County WCID and Union Water Supply Corporation as Water User Groups (WUGs), and commented that Ms. Townsend had advised of a process where it was necessary to write a letter to Mr. Kevin Ward about population and water supply provisions because adding WUG's would change them. Ms. Townsend stated it would be part of changed conditions.

Regarding item 7.A.1. – Consider Comments to TWDB RE: Pre-Application Conference for each Region between Policy Members, Consultants and Staff Prior to Submitting Future Applications, Chairman Jarvis recognized Mr. Jones. Mr. Jones stated that to ensure the Group has the opportunity to answer questions and/or explain projects to TWDB Staff a Pre-application Conference between TWDB staff, Regional Planning Groups and consultants would be beneficial for future application processes. Chairman Jarvis added that this is a standard process with TCEQ and an efficient way to sort out many issues. Ms. Townsend agreed this would be beneficial. It was the consensus of the Group to write a letter with this request. Mr. Jones will get the proper contacts from Ms. Townsend.

Regarding item 7.B. – IBWC, no IBWC representative was able to attend; however Mr. Jones announced that Mr. Al Riera was the new Acting Commissioner for IBWC. Mr. Jones noted that several Group members have suggested the Group write a resolution for the late Commissioner, Carlos Marin. It was to consensus of the Group to do so.

Regarding item 7.C. – TCEQ Watermaster, the Chairman recognized Mr. Herman Settemeyer and asked about the status of the water accounting. Mr. Settemeyer stated that due to the hurricanes, the flooding and the loss of Commissioner Marin, there was no new information to report at this time. Mr. Settemeyer announced that Mr. Erasmo Yarrito had been promoted to TCEQ's Deputy Watermaster and turned the floor over to Mr. Yarrito. Mr. Yarrito then gave a detailed report on the status of the Mexican and U.S. reservoir levels, the status of flows due to

storms and the Mexican water debt. Conservation levels have been met, which changes the five year debt cycles. Mr. Yarrito stated that Mr. Carlos Rubenstein would meet with Mexico to reset the cycle.

Regarding item 7.D. – TPWD, Mr. Mark Lingo was unable to attend and no report was provided.

The Chairman then moved to item 8 – Discussion and Possible Action RE: Meeting Schedule and recognized Mr. Jones. Mr. Jones stated that since there are several members of Region M who also sit on the Rio Grande Regional Water Authority it had been suggested that the two Boards meet on the same day to reduce travel time and expense. Mr. Jones brought the Group's attention to a chart, provided by Mr. Sonny Hinojosa, of regular meeting dates for the Lower Rio Grande Valley Water Districts and noted that the available days on the chart were the first Wednesday, the fourth Monday or the fourth Friday of each month. At the conclusion of discussion it was the consensus of the Group to meet on the first Wednesday of the month beginning January 2009; and the next meeting would be scheduled for Wednesday, December 10, 2008.

Chairman Jarvis then moved to item 9– New or Old Business, there being none the meeting was adjourned at 11:50 a.m.

Glenn Jarvis, Chairman

Mary Lou Campbell, Secretary