

MINUTES

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

10:30 A.M. WEDNESDAY, NOVEMBER 4, 2009

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 10:43 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
Jorge Barrera, alternate for Roberto Gonzalez
John Bruciak
Charles W. Browning
Sonny Hinojosa
Sonia Lambert
Donald K. McGhee
Tomas Rodriguez
Carlos Garza
Gary Whittington
Commissioner John Wood

Category

Other
Municipalities
Municipalities
Water Utilities
Water Districts
Water Districts
Small Business
Municipalities
Small Business
Industries
Counties

The following members were not in attendance:

Jim Darling, Vice Chairman
Mary Lou Campbell, Secretary
Robert E. Fulbright, Executive Committee
vacant
Sonia Najera
vacant
James R. Matz
Ray Prewett

River Authorities
Public
Agriculture
Counties
Environmental
Electric Generating Utility
Others
Agriculture

2. Consider Approval of October 7, 2009 Meeting Minutes

Mr. Sonny Hinojosa 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

There being no public comments Chairman Jarvis moved to the next item.

4. Public Meeting to Consider Proposed Revisions to Population and Water Demand Projections (Phase II of the Third Round of Regional Water Planning)

Chairman Jarvis recessed the regular meeting and opened the Public Meeting at 10:45 a.m. The Chairman stated that at the previous meeting the Group held a public meeting and made decisions regarding some aspects of population projections, and under the rules the Group is required to hold another public meeting with respect to the remaining population projections.

Mr. Jake White, NRS, was recognized and reviewed the purpose of the public meeting and the survey results. Using the data from the 2006 State Data Center the over all growth of the county was such that in order to fully utilize those numbers staff had to take population away from County/Other, which was a point of contention at the last meeting. The motion made at the last meeting was to keep the County/Other population the same, to use the population growth for the 23 cities identified in the 2006 State Data Center as exceeding the projected population growth, however the maximum cap for the population growth for the region was 3%. So instead of using the full growth percentage for each city, staff pared it back in order to meet the 3% growth without taking population from County/Other.

Mr. White stated that the NRS staff has been in frequent contact with TWDB regarding the population projections and, if approved by the Group, all the information is ready to submit to the TWDB.

Mr. Tomas Rodriguez stated he has had concerns since this item was first brought before the Group and does not see, in these economically challenged times, how some of the cities listed can have such a population increase. Upon conclusion of discussion the Chairman asked for comments from the audience. There being none the Public meeting was closed at 10:58 a.m.

5. Consider Action RE: Revisions to Population and Water Demand Projections (Phase II of the Third Round of Regional Water Planning)

Ms. Sonia Lambert made a motion to approve the revisions to the population water demand projections as recommended by NRS staff. Mr. Charles Browning seconded the motion. Chairman Jarvis called for a vote: Mr. Tomas Rodriguez voted against, the majority of the Group voted for, and the motion carried.

6. Status Reports

A. Report on TWDB Contract Activities

1. Status of Deliverables and Expenditures under Current Contract

Mr. Ken Jones was recognized and reported in regard to Expenditures, as of October 31, 2009 the balance of the Local Funds was \$37,514.87 and the balance of the \$174,398.00 TWDB Grant was \$42,553.11.

Mr. White was recognized and regarding the Deliverables, reported that with the population projections approved by the Group, staff can finalize the draft Chapter 2 report, which will be presented to the Group at the next meeting. For Chapters 3 and 4, staff is evaluating two new Water Management Strategies (WMS) for the Region: aquifer storage and recovery, and Resaca restoration for potential inclusion in the Regional Water Plan. Mr. White asked Mr. Rodriguez if the City of Laredo would like the proposed Laredo Weir to be evaluated as a WMS. Mr. Rodriguez replied that yes, the City would like the weir evaluated as a WMS.

2. Review and Discussion of Chapter 1 of Draft Initial Regional Water Plan
Chairman Jarvis stated that copies of Chapter 1 were distributed at the last meeting. Mr. White stated that this has been kept on the agenda as a continuation item in case there are any questions or comments. The Chairman commented that he had read through Chapter 1 and strongly recommends updating it in regard to terminology and new information that has become available in the past five years. Mr. White agreed and stated that certain portions had been updated and would like comments as soon as possible in order to have it finalized by the next meeting. Mr. White suggested posting the chapters to the RGRWPG website as they become available for review because they are too bulky to email or photo copy for distribution. It was the consensus of the Group to do so. Mr. White stated that the Initially Prepared Plan (IPP) shall be submitted to TWDB in March 2010 and stated a meeting in December would be beneficial to finalize Chapters 1 and 2 and review Chapters 3 and 4.

3. Drought of Record and Future Water Planning
Chairman Jarvis noted that this is a carry-over item and that any actual work on the Drought of Record will most likely have to wait until the next round of planning. Ms. Townsend gave a reminder that the Group was waiting to hear from Mr. Erasmo Yarrito, TCEQ Watermaster to find out if funding was available to update the WAM, which would determine the Drought of Record.

Mr. Herman Settemeyer stated there maybe funds available next year or in 2011 to update the WAM. TCEQ would have to contract with a consultant to do this work as there is no TCEQ staff available for this task. Chairman Jarvis asked Mr. Settemeyer for an idea of the approximate cost of developing a Scope of Work and a budget to update the WAM. Mr. Settemeyer stated he would take this question up with TCEQ staff upon his return to Austin.

4. Status on Classification of Irrigation Districts as WUGs/WWPs
Chairman Jarvis stated that the Group has reached a solution and now needed to put it in writing to include it in the report. Mr. White stated that the Group's ultimate decision was to include individual irrigation districts as Sub-WUGs to the County Wide Irrigation category. The Executive Summary now needs to be amended with "WUG shall still be County Irrigation with subsidiaries being individual irrigation districts". Mr. White added that staff will be certain the amendment terminology is correct in terms of how the administrative code allows staff to utilize, or break out the County Wide Irrigation. Upon conclusion of discussion, **Commissioner John Wood made a motion to approve this amendment to the final draft report on Irrigation Districts as WUGs/WWPs subject to determining the proper terminology as to what they are to be referred to in the Plan. Mr. John Bruciak seconded the motion, and upon a vote the motion carried unanimously.**

B. Discussion RE: Status of San Felipe Springs Work Task

Mr. White was recognized and stated staff has been working with LBG-Guyton Associates, the hydrologist for Region J, which is where the spring is located. LBG-Guyton has a plethora of historical information available for use on this project. There is not a firm due date, but staff is proposing to submit and finalize this report by January 15, 2010, which means, if agreeable to the Group, it could be presented for

consideration in February. Chairman Jarvis voiced concern of a possible conflict with the interests of Region J. Mr. White agreed there could possibly be, but stated that Region J was comfortable with this disclosure. It was the consensus of the Group to have the report available by January 15, 2010. No action.

C. Discussion RE: Status of Joint Groundwater Area Planning in GMA – 16 Under HB 1763 (2005)

Chairman Jarvis stated that the Group has seen several presentations on the status of joint groundwater planning and asked Ms. Townsend how many GMAs had submitted their Desired Future Conditions (DFCs). Ms. Townsend stated that sixteen DFCs had been submitted and referred to information in the binders provided by Mr. Bill Hutchison with maps of the different GMAs and noted that GMAs 16 and 13 have not yet produced a DFC. The Chairman noted that GMAs 16 and 13 had requested the Region M Group consider their numbers in the Regional Water Plan and asked Ms. Townsend if the TWDB was in the process of reviewing the DFCs that had been submitted. Ms. Townsend confirmed that the TWDB was reviewing the DFCs and noted two petitions had been filed so far, one petition was in GMA 9 with Region J as one of the petitioners. Chairman Jarvis observed that cases such as these are forming the methodology for how the TWDB will handle the DFCs and asked Ms. Townsend to expound on the petitions. Ms. Townsend stated that the petitions must be directed at the DFCs and the TWDB will determine if the dispute is reasonable. The procedures will not change as far as how the TWDB will deal with the DFCs, but this process provides entities the opportunity to disagree and explain their point of contention. The Chairman commented that it was not likely the Group will receive data from GMAs 16 and 13 in time for inclusion in the Regional Water Plan. Ms. Townsend stated the deadline for GMAs to submit their data passed several months ago. Chairman Jarvis stated that this item will stay on the agenda as a continuation item regardless.

Ms. Townsend suggested Mr. Bill Hutchison, TWDB, would be willing to provide an educational presentation on GMAs and has done so for several other Groups. Chairman Jarvis agreed that would be beneficial to the Group, especially as the San Felipe Springs Study develops and added that this agenda item should be expanded to refer to GMA 4, 5, 7, 13 and 16. Ms. Townsend offered to provide detailed color GMA maps that can remain in the binders as reference material. No action.

D. Discussion of IBWC Water Accounting at Fort Quitman

Mr. Herman Settemeyer, TCEQ, was recognized and referenced a memo in the binders concerning the Progress Report Regarding Fort Quitman Accounting Practice by Desiree Ledet, Intern for TCEQ. Mr. Settemeyer summarized the memo and encouraged the Group to contact Ms. Ledet should they have any information or leads on this subject. Mr. Settemeyer then gave the statistical report on the reservoir levels under item 7.A. No action.

E. Reports RE: Other Water Planning Groups

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

Chairman Jarvis noted that all other Water Planning Groups are addressing the same types of issues as the Region M Group.

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

No new plans have been received since the last meeting.

G. Status RE: RGRWPG Membership

1. Advertisements RE: Vacancies in County and Electric Generating Utility Categories
Mr. Ken Jones was recognized and stated that advertisement had been placed in newspapers in the eight counties the Region M Group serves and the deadline for submission of nominations was November 23, 2009 and would be considered by the Executive Committee which also services as the Nominating Committee. The earliest a recommendation could be made to the full Group would most likely be the January meeting.
2. Discussion RE: Member Attendance
Chairman Jarvis stated that from time to time the Group has experienced attendance issues, and after reviewing the by-laws discovered that there are provisions in the by-laws that are not necessarily consistent with current practices. The Chairman suggested the By-laws Committee revisit and update the current by-laws. Mr. Jones noted that the by-laws Committee members are: Mr. Charles Browning as Committee Chair, Ms. Mary Lou Campbell, Chairman Jarvis, Ms. Sonia Lambert and Ex-Officio Member, Ms. Connie Townsend.

7. Reports from Federal and State Agencies

A. TWDB

Ms. Townsend was recognized and brought the Group's attention to a memo from Ms. Carolyn Brittin, TWDB, regarding Proposed Subcontract Agreement between LRGVDC and NRS and went over a second memo from Ms. Brittin on Clarification regarding costs that should be included in the 2011 Regional Water Plans. Ms. Townsend also brought the Group's attention to a FAQ's sheet on TWDB's Water Infrastructure Fund (WIF) Loan Program. Chairman Jarvis stated that as a Regional Planning Group the members need to realize that any projects being planned by WUGs need to be included in the Regional Water Plan and contemplated how the Group could find out what projects WUGs had planned.

Ms. Townsend stated that the WUGs would be required to bring their projects to the Group. It was not intended for the Group to survey WUGs for their potential projects; the WUGs would have to participate in the process if they wish to pursue WIF funding. The burden of cost would be on the WUG with the project, the Group is not obligated to cost out these infrastructure projects for the region's WUGs.

Mr. Sonny Hinojosa asked how often there were opportunities to adopt a WMS. Ms. Townsend stated that since the WIF Loan Program started just this last year and Regional Water Plans have been in place since 2006 the Plan can be amended with new infrastructure related WMSs as they become available. Chairman Jarvis noted that this situation was previous encountered when desalination projects were developed and it cost \$40,000 to amend the Plan. The Group decided that in the future if a WUG requests amendments they would be responsible for any associated costs. Therefore as many WMSs as possible should be included in the plan to alleviate the need for costly

amendments.

Chairman Jarvis asked Mr. White to consider ways in which to notify WUGs to advise the Region M Group of planned infrastructure projects that would qualify for the WIF Loan Program and stated that this topic should be included on the next agenda. The Group needs to decide on what its role should be and to distribute information on the WIF Loan Program.

1. Discussion RE: Groundwater Management
This item was discussed earlier in the agenda.
2. Discussion RE: Consultant Training Session
Ms. Townsend was recognized and stated that the TWDB Water Use Group has been trying to coordinate locations and schedules to conduct training on upgrades to the TWDB data base. The training would benefit those who wish to retrieve data from the system; those who request hard copies of information are not required to access the data base. NRS staff has expressed interested in receiving this training.

B. IBWC

Rodolfo Montero gave a brief update on IBWC projects currently underway.

C. TCEQ

1. Status of Water Availability Model (WAM) for Mexico
This item was discussed earlier in the agenda.

D. TPWD

No representative was present and no report was available at this time.

8. Discussion and Possible Action RE: Meeting Schedule

It was the consensus of the Group to schedule the next meetings for Wednesday, December 16, 2009 at 10:30 a.m. and January 14, 2010 at 10:30 a.m.

10. New or Old Business

There being no further business to come before the Group, Chairman Jarvis adjourned the meeting at 12:45 p.m.

Glenn Jarvis, Chairman

Mary Lou Campbell, Secretary