

LOWER COLORADO REGIONAL WATER PLANNING GROUP
MINUTES OF THE FEBRUARY 25, 2004 REGULAR MEETING
BASTROP, TEXAS

These are the minutes approved by motion at the March 31, 2004 LCRWPG meeting.

Members Signing In:

Jim Barho, Environment
Terry Bray, alternate for Barbara Johnson
John Burke, Water Utilities
Ron Fieseler, Environment
Rick Gangluff, Electric Generating Utilities
Ronald Gertson, Small Business
Dale Henry, Other
Dennis Jones, Municipalities
Jobaid Kabir, River Authorities
Chris King, Counties
Teresa Lutes, Municipalities
Julia Marsden, Public
Bill Miller, alternate for Bill Stewart
Bill Neve, Counties
Bob Pickens, Other
Stanley Reinhard, Water Districts
Cole Rowland, Recreation
Haskell Simon, Agriculture
Harold Streicher, Small Business
James Sultemeier, Counties
Paul Tybor, Water Districts
Jennifer Walker, Environment
Del Waters, Recreation

David Bradsby, TPWD, Non-Voting Member
Joe McCarley, TDA, Non-Voting Member
David Meesey, TWDB, Non-Voting Member

Voting Members Absent:

Barbara Johnson, Industries
Billy Roeder, Counties
Bill Stewart, Agriculture

Consultants/Support

Dan Strub, City of Austin Water Conservation
Cynthia Braendle, Aqua Resources
Rebeka Lien, TC&B

Bill Couch, TC&B
Steve Coonan, APAI
Reem Zoun, TC&B

Visitors/Others:

Andrew Cover, City of Austin
Boris Fichot, LCRA
Veva McCaig, BS/EACD
Yujuin Yang, TWDB
Brian Smith, BSEACD

Nadira Kabir, LCRA
Joe P. Cooper, LPGCD
Bryan Cook, LCRA
Cindy Loeffler, TPWD
Timothy Riley, BSEACD

Quorum: Yes

Number of present voting members including designated alternates, representing absent voting members: 23.

Number required for quorum based on current voting membership of 24: 13.

FORMAL ACTIONS TAKEN:

- 1) Approved motion to accept moved to accept the slate of candidates for the Executive Committee.
- 2) Approved minutes as amended from December 10, 2003.
- 3) Approved motion that the group use the survey in the packet to provide input to the legislative committee.
- 4) Approved motion to give the Chair approval to testify before the Senate Select Committee on the groundwater marketing resolution.
- 5) Approved motion to authorize the LCRA to apply to the TWDB for supplemental funding.

ADDITIONAL DECISIONS MADE:

- 1) Jobaid Kabir, Teresa Lutes, Bob Pickens, Rick Gangluff, Jim Barho, Jennifer Walker, and Julia Marsden agreed to meet to work on choosing control points for the TWDB model.
- 2) Named Jennifer Walker, Teresa Lutes, Ronald Gertson, David Meeseey, Jobaid Kabir, Haskell Simon, Veva McCaig, and Laura Brock to serve on a working group to review the supplemental funding options.

ASSIGNMENTS FOR FUTURE ACTION:

- 1) Legislative surveys are due to John Burke by March 10.

MEETING MINUTES:

1) Call to Order – John Burke

2) Welcome and Introductions

3) Discuss and take action on annual Executive Committee election including officers

John Burke asked if there were any additional nominations. Bob Pickens said that there were not.

Jim Barho moved to accept the slate of candidates for the Executive Committee. Rick Gangluff seconded. The motion passed.

4) Attendance Report – Teresa Lutes

Teresa Lutes summarized the attendance report, noting that there were no members in violation of the attendance policies.

5) Consent Agenda

a. Approval of Minutes for the January 28th Meeting

Bill Neve moved to accept the minutes as amended. Jim Barho seconded. The motion passed.

b. Financial/Budget Report

Jobaid Kabir said that \$191,242.38 has been paid to the consultants so far, leaving a balance of \$582,327.62 on the contract. There is \$16,393.72 left in the fund for public participation.

6) Committee Reports

(a) Environmental Flows

Jennifer Walker encouraged members to sign up for the field trip on Matagorda Bay before the next meeting.

(b) Groundwater Management Plan Review

None.

(c) Legislative

Ronald Gertson said that the committee recommends that the group use the survey in the packet to identify policy issues for the legislative committee to address. A shorter version will be posted on the website for public input. Jobaid Kabir asked how the results would be processed. Ronald said he would do it by hand. Jobaid suggested having the consultant tabulate the data and write a report. John Burke said his staff could perform the tabulation.

Ronald Gertson moved that the group use the survey to provide input to the legislative committee. Rick Gangluff seconded. The motion passed.

Ronald Gertson said that the only issue that the committee could recommend approval for possible testimony before the Senate Select Committee is marketing groundwater. He moved to give the Chair approval to testify before the Senate Select Committee on the groundwater marketing resolution. Jim Barho seconded. The motion passed.

Ronald Gertson asked the group to return their surveys to John Burke within two weeks.

(d) Liaison Reports

Ron Fieseler said that Region L has had some concerns about how to address groundwater management plans. They will work with the TWDB on the 30-day response time for approving groundwater management plans to see if it could be extended. Greg Rothe of the San Antonio River Authority made a presentation on instream flows, and would like to present to Region K as well. Jennifer Walker said Dean Robbins would present to the Environmental Flows Committee. Ron also said that Region L liked the Region K resolution that was sent to the GLO. Stanley Reinhard said that Region F submitted a similar resolution.

(e) Nominating Committee

None.

(f) Public Information

Bill Couch said that the web page was up, and that they are working on the March newsletter.

7) Presentation and discussion of Barton Springs/Edwards Aquifer Conservation District groundwater management plan

Veva McCaig, Brian Smith, and Timothy Riley presented the management plan.

Haskell Simon asked what the sources were for the comparative analysis. Veva McCaig said that they compiled the rules and bylaws of other districts and looked at their management, permitting, enforcement, and drought planning rules. Haskell asked that the district share those results with the group when they are complete. Teresa Lutes asked if it the point of withdrawal affected the flows in the model. Brian Smith said that the pumping was spread among current wells in the model. Laura Brock asked what would happen to the springs in a drought of record. Brian said that in a drought of record, Barton Springs would go dry. Laura asked if that could lead to the springs discharging river water instead of water from the aquifer. Brian said that there could be some infiltration. Jennifer Walker asked how much water was being pumped during the drought of record in the 1950s. Brian said that there was approximately .66 cfs being pumped at that time. Jennifer asked what the current amount of permits were for the district. Brian said that total approved pumpage is approaching 11 cfs. Jennifer asked if the district might have to start denying permits at some point. Veva said that they would prefer to instead contemplate other permitting strategies. Laura Brock asked what the percentage of wells in the district that are exempt from permitting. Brian said it was approximately 15%. Veva said that they had changed the definition of exempt wells in order to regulate more of them, particularly during a drought. Ron asked if recharge strategies would be used to increase pumping or to delay the onset of drought. Brian said that they were looking into it, but pointed out that there is no recharge during a drought. Jim Barho asked if exempt wells were metered. Brian said very few were, and that most were tracked by other means. Veva said that meters are not required, but some are metered for other reasons.

8) Presentation and discussion of Hickory UWCD groundwater management plan

Stanley Reinhard presented the Hickory UWCD plan. John Burke asked if the EPA had offered alternatives to the district on the radiation standards. Stanley said they had not. Ron Fieseler asked how long until the San Angelo permit expires. Stanley said that they are permitted for different amounts in different periods. Ron asked if they were currently using groundwater. Stanley said they were not, and the radium standards could make it difficult for them to use it, as it would have to be diluted 10:1 with surface water. Haskell Simon asked how the district was funded. Stanley said they get a 3.7cent per \$100 valuation tax. Teresa Lutes asked how the district was planning on solving the imbalanced demands across the district. Stanley said that they planned to have water sharing on an as needed basis, taking into account population. David Meesey pointed out that the increased costs of the new radiation standards would raise treatment costs and therefore result in less water that is economically available. He said that it would be tempting to make a recommendation to the TCEQ and the federal government to make an exception to the radiation rule. Perhaps the legislative committee should consider recommending that if the standards are not changed, the State could increase funding to offset costs so that utilities that must convert their treatment processes could defray some of the cost. Stanley said that the EPA had admitted that they had not considered small rural utilities in the rule but kept insisting that there were loans available.

9) Presentation on areas currently and preliminarily identified with water supply shortages over the 50-year water planning period

Rebeka Lien and Bill Couch presented on the current list of water user groups with projected shortages.

Jobaid Kabir asked if all the WUGs were taken from the county other category. David Meesey said that they were in general, although some could be from Austin. Haskell Simon said that the additional supply “added as needed” sounds arbitrary. Rebeka Lien said that for many of the groundwater WUGs, until they submit their groundwater management plans, they do not know what their limits are, and so their supplies were set to meet the demand and will be adjusted as better information is available. David said that the figures come from the WUG’s reports to the TCEQ that show that they are currently producing the water. Haskell asked why there were 51 new municipal WUGs. David said that was because the TWDB redefined a WUG by lowering the population threshold from 1,000 people to 500.

David Meesey asked why some of the supplies had been reduced. Rebeka Lien said that the difference was large because contract renewals were not considered, as they are classified as management strategies. Haskell Simon asked if the projected surplus shown for Matagorda County could make it a target for other regions. Bill Couch said that it may be shown because the SAWS export is not counted. David Meesey said that Bill was right, and that this set of figures was not designed to address water sharing between regions. Haskell asked if the next draft could note the export. Bill said that it could be included in the footnotes. Jennifer Walker asked if WUGs with supply deficits must come up with management strategies. Bill said that the figures do not include contracts with Austin or the LCRA, nor do they include groundwater districts supplies. Terry Bray asked if the adopted plans would be available online. Bill said that they would be. Terry asked if it was assumed that all supply contracts would be renewed. Bill said they would look to Austin and the LCRA to supply information on contract renewals. Terry asked if the cost of renewing contracts is considered. Bill said that would be a factor. Teresa Lutes asked if the supply numbers will change based on the WAM and GAM runs. Bill said they would, and the numbers in the current draft are placeholders subject to change. Teresa said that Austin would like to review the supply numbers with TC&B. Bill said they would meet with both the LCRA and Austin to address the numbers. Jim Barho asked how much of Williamson County was considered for the projections. Bill said that only the area within Region K was considered. Jim asked if the 28,000 AF slated to be exported out of the region to Williamson County was included as part of the shown deficits. Bill said that all deficits shown were in Region K.

10) Presentation on streamflow

Yujuin Yang and Cindy Loeffler presented on streamflow modeling.

Jennifer Walker asked if they would develop flow data for all points in the model. Yujuin Yang said they would. Laura Brock asked if strategies that were already proposed would have impacts on the model. Yujuin said they would, and are being included in the model to the extent that they are known. David Meesey confirmed that all unbuilt or unpermitted projected projects will be considered in the model. Bill Couch asked how this model would

affect what the LCRA has done. Jobaid Kabir said that the LCRA's response model is used for system management. This model is more for permitting purposes, and does not conflict with the LCRA response model.

Nadira Kabir asked if Run 1 of the WAM should be used instead or in addition to Run 3 in the Colorado Basin. David Meesey said that the TCEQ does not support or keep current Run 1. Jobaid Kabir said that the WAM includes the water management plan, so the data is available. He would like to see both Run 1 and Run 3 included in the modeling. Jennifer Walker said that Run 1 uses return flows the Austin may not be making in the future. Nadira said that the use of return flows is a future management strategy according to TWDB guidelines. David said that the region has more flexibility for instream flows, so it can look at more options and model runs. Jobaid asked that they keep all runs so they have the best information possible. Yujuin Yang said that they couldn't customize the process for each basin.

Terry Bray asked if the naturalized flows were based on past flows, in the pre-dam era. He was told they were from historical flows, but only some were from the pre-dam era. Terry asked why the instream flow study was being conducted. David Meesey said that there is a legislative mandate to do it and make it available to all regions. Julia Marsden asked if the group should make the decision to use Run 1 at this meeting. David said that it could wait until the next meeting, and perhaps a committee could be appointed to work on choosing control points.

Jobaid Kabir, Teresa Lutes, Bob Pickens, Rick Gangluff, Jim Barho, Jennifer Walker, and Julia Marsden agreed to meet to work on choosing control points for the TWDB model.

Haskell Simon asked what the model results would be compared to. Jobaid Kabir said it would be used to establish baseline river flows so strategies' impacts on those flows can be assessed. Haskell asked if it would be comparing the strategies to the naturalized flows. David Bradsby said that there already is a premier instream flow study on the Lower Colorado. The biggest value of this study would be to assess impacts on other streams in the region that have not been studied.

Laura Brock asked how the control points were chosen. Joe Trungale said that they used points that already existed, points with long term gauge data, and interesting points in the basin. He stressed that the methodology is flexible enough to accommodate whichever points the group would like.

Jennifer Walker asked if the group were to use WAM results to compare strategies, if all the strategies were run together on the same run, how could their individual effects be evaluated. She asked if the runs could be done stepwise to isolate strategies. Cindy Loeffler confirmed that they could. Jennifer asked if the methodology could be used to satisfy Section 357. Cindy said that it could. David Bradsby said that they did not know if they would meet the requirements, as the TPWD is not responsible for those requirements, but they think it is an appropriate tool for looking at stream flows. David Meesey said that the TPWD proposal adds to the TWDB approach, and comes closer to satisfying Section 357. The group can voluntarily choose to use it, but the TWDB does not have prescriptive guidance on it.

11) Discuss task for TWDB for supplemental funding. Take action to authorize LCRA to apply for supplemental funding for water planning

David Meesey said that \$1.6 million was available for supplemental funding the entire state. Proposals will be judged based on eligibility and merit, and are due to TWDB by April 1. Strategies where there are changed conditions are eligible for funding. Regions where the available water supply has changed are eligible, as are regions where they may be experiencing a new drought of record. He asked the group to authorize the LCRA to apply on behalf of the region for supplemental funding. Bill Couch said the group previously applied for approximately \$120,000 for three tasks: a sustainability analysis, advanced municipal conservation, and a dry year reduced irrigation strategy. Bill said he was not sure that any of them would be eligible as they are not from changed conditions. WAMs, groundwater availability, instream flows, return flows, and some conjunctive use scenarios all could possibly be submitted. The advanced municipal conservation strategy is particularly unlikely to be funded, as the TWDB is already spending other funds on examining it. The group needs to submit a prioritized list. Bill recommended forming a working group to review the options and reach a consensus on

recommendations to present to the group for a vote. Jennifer Walker, Teresa Lutes, Ronald Gertson, David Meesey, Jobaid Kabir, Haskell Simon, Veva McCaig, and Laura Brock all volunteered for the working group.

Julia Marsden moved to authorize the LCRA to apply to the TWDB for supplemental funding. Ronald Gertson seconded. The motion passed.

12) Discuss and take action to adopt the legislative committee resolution on testimony from the Senate Interim Committee

Addressed under Legislative Committee Report.

13) Discuss and possible action on the process for identification of potentially feasible water management strategies that will be evaluated in preparation of the 2006 Lower Colorado Regional Water Plan

Bill Couch said that the primary purpose is to let the public know that there will be a process for identifying the strategies. Jennifer Walker asked if the group would have to choose or vote on the instream flow environmental needs. Bill said that he did not know, but the group certainly had better information than it did last planning cycle. David Meesey said that it should be clear to the public how strategies are selected. Jobaid Kabir said that the group was not there yet, and he would like to postpone it for one more meeting. Bill asked that members submit any written comments to him.

14) New/Other Business

Teresa Lutes said that the City of Austin, SAWS, and the LCRA were on the verge of approving a group study funded by the TWDB on the feasibility of a regional water treatment plant to supply water along the TX 130 corridor.

Ron Fieseler said that it had been several years since there was a joint meeting with Region L, and suggested that there be another one in the next 5-6 months. Jobaid Kabir suggested a 2-step process, having an initial meeting within the next 6 months, and then having a second meeting after the analysis is done. Ron said he would talk to Region L about setting up a meeting.

15) Calendar

10 AM, March 31, Bay City – Regular Meeting
April 14, McKinney Roughs – Regular Meeting
May 12, Burnet – Regular Meeting

16) Agenda for next meeting

Agenda items for next meeting include:

- (a) Comments on the TWDB streamflow assessment methodology
- (b) Choosing control points for the WAM study
- (c) Identify possibly feasible water management strategies
- (d) Supplemental funding request
- (e) Briefing on the status of the SAWS project
- (f) Presentation on the LCRA island project

17) Public Comments

None.

18) Adjourn

The group would like to thank Aqua Water Supply Corp. for providing lunch.

Meeting minutes prepared by Dan Strub for Teresa Lutes, Secretary, Lower Colorado Regional Water Planning Group (3/22/04). These minutes of the Lower Colorado Regional Water Planning Group February 25, 2004 meeting

were approved in a motion passed at the March 31, 2004 Lower Colorado Regional Water Planning Group meeting.

<u>Signature on File</u>	<u>3/31/2004</u>
TERESA LUTES, SECRETARY	DATE
Lower Colorado Regional Water Planning Group	