

LOWER COLORADO REGIONAL WATER PLANNING GROUP  
MINUTES OF THE MARCH 31, 2004 REGULAR MEETING  
BAY CITY, TEXAS

These are the minutes approved by motion at the May 12, 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  
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  
Billy Roeder, Counties  
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  
David Meesey, TWDB, Non-Voting Member

**Voting Members Absent:**

Dale Henry, Other  
Barbara Johnson, Industries  
Dennis Jones, Municipalities  
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

**Visitors/Others:**

Jackie Jansky, City of Wharton  
Lyn Dean, LCRA  
Veva McCaig, BS/EACD  
Karen Bondy, LCRA  
Mark Jordan, LCRA  
Marian Balke, LCRA  
George Deshotel, Matagorda County  
Greg Westmoreland, Matagorda County  
Sandy Dannhardt, STP

Nadira Kabir, LCRA  
Domingo Montalvo, Jr., Wharton TCRFC  
Bryan Cook, LCRA  
Cathy Darter, The Nature Company  
Calvin Ransleben  
John Dickerson, LCRA  
Cole Rowland, City of Lakeway  
Mike Reddill, Bay City Tribune  
Charles Martinez, Mayor, Bay City

**Quorum: Yes**

Number of present voting members including designated alternates, representing absent voting members: 21.

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

FORMAL ACTIONS TAKEN:

- 1) Approved minutes as amended from February 25, 2004.
- 2) Approved motion to approve the process for identification of potentially feasible water management strategies that will be evaluated in preparation of the 2006 Lower Colorado Regional Water Plan.
- 3) Approved motion to proceed with the application for supplemental funding as amended, and that the LCRA be authorized to apply for the funding.
- 4) Approved motion to amend the existing contract and substitute the proposed language for tasks 3 and 4.
- 5) Approved motion to add four diversion points for off channel reservoirs, plus one point for STP, and any points the committee added that are not included in the WAM.

ADDITIONAL DECISIONS MADE:

- 1) Haskell Simon volunteered to be the Region N liaison.

ASSIGNMENTS FOR FUTURE ACTION:

- 1) Ron Fieseler will propose having a joint meeting to Region L.

**MEETING MINUTES:**

1) Call to Order – John Burke

2) Welcome and Introductions

John Burke welcomed Bay City Mayor Charles Martinez, Joe Beal, LCRA board member John Dickerson, Domingo Montalvo of the Wharton City Council, Greg Brown, Judge Westmoreland, Cole Rowland, and County Commissioner George Deshotel.

3) Attendance Report – Teresa Lutes

Teresa Lutes summarized the attendance report, noting that there were no members in violation of the attendance policies. She noted that Julia Marsden was incorrectly listed as being absent from the previous meeting.

4) Consent Agenda

a. Approval of Minutes for the February 25th Meeting

Jim Barho moved to accept the minutes as amended. Haskell Simon seconded. The motion passed.

b. Financial/Budget Report

Jobaid Kabir said that \$207,673.85 has been paid to the consultants so far, leaving a balance of \$565,896.15 on the contract.

5) Committee Reports

(a) Environmental Flows

Jennifer Walker said that TPWD presented to the committee on instream and fresh water inflows. The committee members decided that it would be best to select the control points for the WAM model during today's meeting.

(b) Groundwater Management Plan Review

None.

(c) Legislative

Ronald Gertson said that they reviewed the results of the survey. Only 17 of 23 surveys were submitted. The committee will use the survey to select approximately half a dozen broad topics and will write briefs on each to bring back to the group for consensus. If consensus is reached, they will then work up the briefs into full policy statements that will again be submitted to the group for approval.

(d) Liaison Reports

Julia Marsden said that Region G elected a new liaison, Tom Clark who works for the City of Round Rock. Also, Region G often meets the same days that Region K meets and she suggested that the group write a letter to Region G to stagger the meetings so the liaisons can attend both meetings. David Meesey said that he could present the letter to Region G. Julia said that Stuart Henry and Bob Houston presented to Region G on return flows and reuse, and suggested that they be invited to present to our group. Next, a representative from a law firm representing Mesa Water in their groundwater sales made a presentation. Brazos River Authority has signed a memo of understanding that would allow Mesa to use the Brazos to move water from the Panhandle closer to San Antonio. Julia wondered about the implications of such a deal on the LCRA/SAWS deal. Finally, Julia said that the consultant for Region G has a new method of stream flow assessment. If their methodology is different from the one Region K is using, Julia wondered how would that impact the Region K plan. Haskell Simon asked that the group get an update on groundwater transfers from the TWDB. David Meesey said they could do so, but the TWDB does not know about all proposals, particularly those that are between private entities. Bob Pickens said that the sales of groundwater highlight a conflict between regional planning and water marketing.

Ron Fieseler said that Region L meets on May 6, at which point he will suggest having a joint meeting.

John Burke said that the group needs a liaison for Region N. Haskell Simon volunteered to be the liaison.

(e) Public Information

Bill Couch said that Jennifer Walker has drafted an article that will be disseminated to the group. Ronald Gertson said that he can write a small report on the legislative committee. Jobaid Kabir asked what the procedure is for placing an article in the newsletter. Bill said that articles would be passed to group members for approval before publishing. Julia Marsden said that the press releases are being issued more regularly now. Bill said that presentations are getting posted on the web site as well.

(f) Unique Stream Segments

Jim Barho said the committee met on March 24. He said the committee would like to suggest a recommendation for supplemental funding for future stream segment protections. Bill Couch said that in the last planning round, the group did not designate any steam segments, but instead requested that 10 locations be evaluated for more study. Jim said that since none of the segments are being considered as reservoir sites, designation would offer no protection. After the supplemental funding process, the committee would report back to the group its findings and then disband the committee. The ten segments would still be included in the plan for consideration for protection, but not designation. David Meesey said that they could be addressed in the plan without designation.

6) Briefing on LCRA/SAWS project

Karen Bondy presented on the LCRA/SAWS project. She reported that the SAWS board has approved funding for the first year of studies. The LCRA will conduct an accelerated fatal flaw evaluation of the project to prevent money and time being wasted. They have requested letters of qualification for the engineering and scientific studies, and proposals are due April 13. Texas A&M has begun studying low-water rice varieties.

The legislature has approved the interbasin transfer, the stakeholders have supported the plan, and SAWS has paid \$4 million for the first studies.

Ronald Gertson asked what the SAWS implementation date is. Karen Bondy said that the last projection had

SAWS using water from many new sources, and they were not broken down into water from specific strategies. Joe Beal said that the project will happen when it happens. The cost of other surface water supplies is rising close to the cost for this project, and SAWS will do whichever project is easiest and cheapest first. 15 to 20 years is a good guess. Joe did say that the SAWS board is still behind the project, and he thinks that it will be a model for other efforts statewide.

Karen Bondy said that SAWS is paying for the fatal flaw evaluation because it is their most reliable source for this much water, but with the expense they wanted assurances of the project's feasibility before too much money was spent. SAWS will reassess the feasibility in September before approving another \$8 million in funding for further studies. Ronald Gertson pointed out that many of the conservation measures included in the SAWS project are being done through other means, and the longer SAWS waits to implement the deal, the less the deal is needed to meet the irrigation shortfall. He asked whether SAWS would get credit for conservation savings accomplished outside of the SAWS deal. Jobaid Kabir said that agricultural conservation measures are great, and federal funding extends reliable water supplies further into the future. He also said that there is no provision for SAWS to either pay for or get credit for conservation efforts that are happening now outside of the SAWS project. Jennifer Walker asked how the current conservation efforts would extend the water supply further if all of the agricultural conservation projects are already done. Ronald said that that would be the topic of some future discussions. Bob Pickens asked what LCRA and SAWS were going to spend \$4 million this year. Jobaid said it would be spent on studies of environmental needs and conservation, groundwater studies, and the Texas A&M rice studies.

7) Presentation and discussion of LCRA's Matagorda Bay park and science center

Katherine Gonzalez and Betsy Terrell presented on the park and science center.

8) Presentation and discussion on the South Texas Project relative to water use

Rick Gangluff presented on the South Texas Project, the last diversion point on the Colorado River, and within the tidal reaches of the Gulf of Mexico. Jobaid Kabir asked what the maximum salinity is for the plant. Rick said that the plant was designed for brackish water, but it performs better with lower salinities. The reservoir has a blowdown system under which it can return water to the river to maintain water quality in the river.

9) Briefing on the History of Matagorda Bay

Haskell Simon presented on the Bay's history.

10) 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 strategies need to be completed in one year so they can be adopted in June 2005. He said that the group needs to take action on the recommendations in the handouts. On page 2, the group needs to pick one of the options at some point, but now the group just needs to approve the framework. Teresa Lutes asked if the group would determine what is potentially feasible as part of the process. Bill confirmed it would, with input from WUGs. Haskell Simon asked if there might be possible conflicts with original management strategies from the first plan. Bill said that there is potential for conflicts. Haskell asked how they would handle taking into account groundwater management plans. Bill said that the groundwater management plans must not conflict with the regional plan, although both will change over time. The group needs to make sure that groundwater management plans will comply with the regional plan as it takes shape. Then the groundwater plans can be integrated into the regional plan. However, since conditions change, it is important to remember that the group can amend the plan and that it is rewritten every five years. Julia Marsden asked how the new groundwater management plan fits into the group's planning schedule. Bill said that all the districts but the Coastal Bend and Coastal Plains groundwater districts plans already have been approved by the TWDB. Julia asked if the BSEACD plan has changed minimum acceptable spring flows, would it still be consistent with the regional plan. Bill said that the districts must preserve minimum spring flows. Veva McCaig said that when the BSEACD plan was drafted, the regional plan did not quantify minimum flows, instead just specifying that flows occur. The science is not currently sufficient to quantify what flows are required to support the endangered species. Although the plan was certified in 2003 by the TWDB, it could later be found not to comply with the regional plan.

Rick Gangluff moved to approve the process. Billy Roeder seconded. The motion passed.

11) Status update on the determination of areas currently and preliminarily identified with water supply shortages over the 50-year water planning period

Rebeka Lien said that she met with water suppliers to get complete numbers on water user group contracts. After all the information is collected, she will meet with the independent water user groups to get their projections. Finally she will look at the WAMs and GAMs to revise the numbers. Bill Couch said that the submission deadline is April 6, and the final draft will be presented at the next meeting. Ron Fieseler asked if the only input from the WUGs would be changes from the previous plan. Bill confirmed that they only need the changes and information on any new WUGs. Rebeka said that there is one change in population and demands, where some basins had too few people to justify their own demand numbers, so the people and demands were moved to another basin.

12) Discuss and take action on supplemental funding request for TWDB

Bill Couch said that there have been three committee meetings to identify where the group would seek supplemental funding. Last cycle, the group was awarded \$120,000, but the money has not been received yet. The group has funded \$893,570, and has been operating on a budget of \$773,570, of which approximately \$530,000 is left. These funds are already dedicated to tasks under the contract. There is an opportunity to pursue more funding. The committee has proposed requesting funding for four tasks, which were listed in a handout. The committee recommended pursuing \$165,000 additional funds to address WAMs and GAMs. The group can also administratively shift \$120,000 in funds already awarded to studying WAMs and GAMs. Haskell Simon said that water management strategies and new supply strategies may have to be curtailed due to limited availability identified by GAMs, but the group does not have GAM results yet. Bill said that the group does have some results, and that the TWDB will have those completed in time for the planning process. David Meeseey said that those GAMs are due now, and the TWDB will review them over the next few months. Haskell asked what TC&B would do with the GAMs. Bill said that they would be running the planning group's strategies through them to yield availability numbers.

Teresa Lutes asked if on #2, page 4, if the work was going to be performed over the next two year. Bill Couch said that it would be completed by January 2006 to meet the planning deadline. Teresa asked for clarification of page 6, subtasks B and C. Bill gave the following new language for subtask B: "Previously it had been expected that the TWDB alone would provide this service. Now it is expected that the TWDB and the consultant in conjunction with the LCRA and others will be conducting the WAM model run and evaluating the model results." Subtask C was amended to read the same, substituting GAM for WAM. Teresa requested replacing "in conjunction with" with "with assistance from." Bill said that the TWDB will perform the work. Teresa wanted to clarify that the funding would go to the consultant, not those who are providing assistance. Jobaid Kabir said that the funding would not be used by the LCRA, and it would just go to the consultant. Teresa pointed out that on page 6, item 3B, second paragraph, it says "...since the LCRA utilizes all the water in the basin..." Jobaid suggested removing "all."

Jobaid Kabir asked if task four was part of this proposal. Bill Couch said that it was not, but would be the subject of a later proposal. Teresa Lutes asked what the thinking was in specifying "the LCRA and the planning group will diligently pursue any viable solutions" on item 21 on page 14. Bill said that it was existing language from the contract. Teresa recommended using the same language used in #20, changing "and" to "on behalf of." Bill said that the language had already been in the application as approved.

Stan Reinhard moved to proceed with the application for supplemental funding as amended, and that the LCRA be authorized to apply for the funding. The motion was seconded and passed.

Bill Couch said the significant changes for the contract include subtasks 4f and 4j. Subtask 4j, the dry year reduced irrigation task it was proposed to remove the evaluation of the economic value of wildfowl habitat. Under subtask 4f, sustainability analysis was removed because they did not know how to quantify the impacts. The changes can be made administratively without changing the funding amount of the contract.

Julia Marsden moved to amend the existing contract and substitute the proposed language for tasks 3 and 4. James Sultemeier seconded. The motion passed.

13) Discuss and possible action to select Water Availability Model control points for stream flow analysis

Jennifer Walker said the group needs to select five or six the control points. Jobaid Kabir said that the group needs to understand what the control points are for, which is developing water supply strategies. He suggested using potential diversion points from the river. They would need more than five or six control points to cover the existing diversion points. David Meesey said the original recommendation was to pick three to five points, but they can accept more. David Bradsby asked if the group knows where the proposed off channel reservoirs would be located. Jobaid said only the general area is known. Bob Pickens asked if there is confusion about groundwater inflows into the river below Columbus. Nadira Kabir said the WAM will allow the groundwater effects to separated from the river flows. The model shows that the river is not losing water to groundwater in the three lower counties currently. Bob said that he has not seen any data to clarify whether it is a gaining or losing stream due to all of the confusion caused by the irrigation diversions. David Bradsby said that the model will use historical gauge data. Nadira said the gauge records will show if the groundwater withdrawals currently affect stream flows. However, a Region G model shows that proposed pumping there could draw down groundwater all the way to the Colorado.

Rick Gangluff recommended placing a control point at STP. Jobaid said that that would be very near the Bay City gauge. Rick said while that may be true, they have very different conditions. Jobaid suggested adding four diversion points for the off channel reservoirs, one for STP, and use the rest on the proposed map.

Teresa Lutes said that the control point near Austin was chosen because it is at a USGS gauge point, but the Austin diversion is not where the Austin diversion are. Nadira Kabir said that the Austin diversion is already in the WAM, as are several proposed downstream control points. Teresa asked if it could simplify the model to make the Austin diversion point to be the same as the Austin control point. Jobaid Kabir said that the control points were being added to account for future projects. David Meesey said there were more new points in the lower counties because the diversion points for new projects had not been determined yet, and more points give the model flexibility to account for the final locations. Jennifer Walker asked if a diversion was made at a place other than where a gauge was, how would the model account for the diversion. David said that it would correlate back to the closest gauge. Julia Marsden asked if the control points needed to be chosen at this meeting. David said they did.

Jobaid Kabir moved to add four diversion points for off channel reservoirs, plus one point for STP, and any points the committee added that are not included in the WAM. Bill Neve seconded. The motion passed.

14) Discuss and possible action on the methodology proposed by the TWDB regarding the State Water Plan use of the Water Availability Model for stream flow analysis

Not discussed.

15) Brief report on the Senate Select Committee on Water Policy public meeting held in Victoria on March 17 and on a proposed desalination project based offshore and utilizing wind power

Not given.

16) New/Other Business

Julia Marsden thanked Cole Rowland for his service with the group. She also expressed her sorrow for the loss of Mark Smith. Jobaid Kabir said that the LCRA will recognize Quentin Martin on April 21 at 8:30, and the planning group is invited. Mayor Martinez presented John Burke a blanket in thanks for all of his work. Teresa Lutes passed out a letter following up on questions about Austin's bed and banks permit application.

17) Calendar

April 14, McKinney Roughs – Regular Meeting

May 12, Burnet – Regular Meeting

18) Agenda for next meeting

Agenda items for next meeting include:

- (a) Groundwater exports with the General Land Office report
- (b) TPWD and TWCA presentations on environmental flows
- (c) Report on the Senate Select Committee on Water Policy public meeting held in Victoria on March 17

19) Public Comments

None

20) Adjourn

The group would like to thank The City of Bay City, Bowers Shrimp Farm, Silver Streak Fish Farm, and the LCRA for providing lunch.

Meeting minutes prepared by Dan Strub for Teresa Lutes, Secretary, Lower Colorado Regional Water Planning Group (5/4/04). These minutes of the Lower Colorado Regional Water Planning Group March 31, 2004 meeting were approved in a motion passed at the May 12, 2004 Lower Colorado Regional Water Planning Group meeting.

<u>Signature on File</u>	<u>5/12/2004</u>
TERESA LUTES, SECRETARY	DATE
Lower Colorado Regional Water Planning Group	