

LOWER COLORADO REGIONAL WATER PLANNING GROUP
MINUTES OF THE MAY 12, 2004 REGULAR MEETING
BURNET, TEXAS

These are the minutes approved by motion at the July 20, 2004 LCRWPG meeting.

Members Signing In:

Jim Barho, Environment
John Burke, Water Utilities
Ron Fieseler, Environment
Rick Gangluff, Electric Generating Utilities
Ronald Gertson, Small Business
Dale Henry, Other
Barbara Johnson, Industries
Dennis Jones, Municipalities
Jobaid Kabir, River Authorities
Teresa Lutes, Municipalities
Julia Marsden, Public
Bill Miller, Agriculture
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 Meesey, TWDB, Non-Voting Member

Voting Members Absent:

Chris King, Counties

Consultants/Support

Dan Strub, City of Austin Water Conservation
Cynthia Braendle, Aqua Resources
Monica Segura, Group Solutions

Bill Couch, TC&B
Rebeka Lien, TC&B

Visitors/Others:

Calvin Ransleben
Bryan Cook, LCRA
Sandy Dannhardt, STP
Randy Moss, TPWD
Colette Barron, TPWD
Ronny Hibler, Burnet County
William Gamblin, DBS&A

Angela Rodriguez, LCRA
Mark Jordan, LCRA
Scott Hubley
Cindy Loeffler, TPWD
Susan Kaderka, NWF
Chris Crows, media

Quorum: Yes

Number of present voting members including designated alternates, representing absent voting members: 22.

Number required for quorum based on current voting membership of 23: 12.

FORMAL ACTIONS TAKEN:

- 1) Approved minutes as amended from March 31, 2004.
- 2) Approved motion to put the shorter version of the policy topics survey on the web site.
- 3) Approved motion to adopt approach C for publishing the e-newsletter.
- 4) Designated Bill Miller as a member of the Region K Planning Group, representing agriculture from Llano County.

ADDITIONAL DECISIONS MADE:

- 1) Assigned the Groundwater Committee to formulate groundwater policy proposals.
- 2) Assigned Ronald Gertson, Haskell Simon, Rick Gangluff, and Jobaid Kabir to the agricultural and rural water policy topics subcommittee.
- 3) Assigned Rick Gangluff, Barbara Johnson, Teresa Lutes, and Jobaid Kabir to the surface water policy topic subcommittee.
- 4) Assigned the Environmental Flows Committee to formulate environmental flows proposals.
- 5) Assigned Julia Marsden and Teresa Lutes to the innovative strategies and other policies subcommittee.

ASSIGNMENTS FOR FUTURE ACTION:

- 1) Policy proposals are due by next meeting.

MEETING MINUTES:

1) Call to Order – John Burke

2) Welcome and Introductions

3) Attendance Report – Teresa Lutes

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

4) Consent Agenda

a. Approval of Minutes for the March 31st Meeting

Jim Barho moved to accept the minutes as amended. Ronald Gertson seconded. The motion passed.

b. Financial/Budget Report

Jobaid Kabir said that \$222,697.58 has been paid to the consultants so far, leaving a balance of \$550,872.42 on the contract. In addition, the LCRA submitted an application to the TWDB for supplemental funding according to the wishes of the group.

David Meesey said that \$1.6 million was available statewide for supplemental funding, and 14 regions requested a total of \$2.7 million. As of May 11, the item was going to be presented to the Board for approval. \$150,000 was proposed for Region K, out of \$165,000 requested. Most groups asked for more and got less than Region K. The supplemental funding will pay for two tasks – using water availability models for surface water availability and running new GAMs to evaluate refining the available groundwater numbers. The Board was set to meet and decide the funding on May 19. Haskell Simon asked if money was available for completing the Central Gulf Coast Aquifer GAM. David said it was not, but that it was paid from another fund.

5) Committee Reports

(a) Environmental Flows

Jennifer Walker said that the committee discussed the environmental needs portion of the adopted plan and decided to update the plan with a separate section to give a more holistic view of the region. She and Julia Marsden will work on a draft to present to the group.

(b) Groundwater Management Plan Review

None. Bill Couch said that the committee would need to meet in June.

(c) Legislative

Ronald Gertson presented the results of the surveys on policy topics. He requested approval from the group to post these responses. The committee was able to pare the responses down to 21 topics for the group to work on developing policy statements where consensus exists. He suggested establishing subcommittees for each topic category to write concise policy statements on. Ron Fieseler volunteered the Groundwater Committee to take the lead on the groundwater topics. Ronald volunteered to lead a subcommittee on agricultural and rural water topics, to be joined by Haskell Simon, Rick Gangluff, and Jobaid Kabir. Rick Gangluff volunteered to lead a subcommittee on surface water, to be joined by Barbara Johnson, Teresa Lutes, and Jobaid Kabir. Jennifer Walker volunteered the Environmental Flows Committee to work on environmental flows topics. Julia Marsden volunteered to lead a subcommittee on innovative strategies and other, to be joined by Teresa Lutes.

Haskell Simon asked if desalination was going to be covered. Ronald Gertson said that desalination was dropped because it did not receive enough interest. However, if a member feels strongly about an item, they can draft them and present them to the Legislative Committee.

Ronald Gertson moved to put the shorter version of the topics survey on the web site. Rick Gangluff seconded. The motion passed.

Ronald Gertson said the policy statements are due by next meeting.

(d) Liaison Reports

Ron Fieseler met with Region L, who said they were interested in a joint meeting and suggested either July 20 or 26. The meeting facility in San Marcos was available July 20. Suggested agenda items include the list of projects or activities that overlap the two regions. Ronald Gertson asked if the group would meet jointly with Region L and then conduct a separate meeting the same day. John Burke said that had been done in the past, but the meeting facility may need a check to reserve a room. Ron said he would find out if they needed a check. Ron said that Region L had a presentation on environmental flows, but that group did not like run 3 and preferred run 8. They also made a request to the TWDB to develop a statewide evaluation matrix to respond to large-scale export of groundwater. Ron said it would be a generic analytical tool for Regions to use to determine the impacts of large-scale water marketing proposals.

(e) Public Information

Julia Marsden said that there are several types of presentations available to group members for public meetings. The committee decided that they needed input from the group before publishing the e-newsletter to determine what it should cover. Her handout proposed four approaches that the e-newsletter could take. Barbara Johnson asked if the committee discussed the purpose of the e-newsletter, and whether it should be to educate, to gather support, or to serve as a simple journal of record. Julia said it would be both to educate and to gather support and involvement for the planning process. Jim Barho asked if the meeting minutes would be included. Julia said they were already posted on the site, but the newsletter could link to them. Of the options proposed for the newsletter, option C reduces the editing tasks the most, and editing is what takes the most time in producing the newsletter. Jennifer Walker said that nothing new would be created for the newsletter, but existing reports and information would be published. John Burke said he would like to see issues discussed and have the final language polished by the consultants. Ronald Gertson said he was favoring approach C, because whatever members write will have a slant. Jim said that approach C is the most flexible for providing information in the easiest manner.

Jim Barho moved to adopt approach C for publishing the e-newsletter. Ronald Gertson seconded.

Haskell Simon asked if the group could provide a letter to the editor area to allow public and stakeholder

input. Jobaid Kabir pointed out that any responses would have to be edited by all members of the group. Ronald Gertson suggested providing a link to send comments to, but not having them or any responses published. Jobaid said that links could be provided to other sites where different stakeholder's viewpoints, such as LCRA's, would be available. John Burke said that he thought comments should be welcomed for publication. Billy Roeder asked if agendas would be published. Julia said it would not be feasible since the newsletter would only be published twice a year. Upcoming events, deadlines, and the meeting calendar could be published. Julia asked if an article were strictly factual, if it were necessary to distribute it to the entire group or if it only needs to be reviewed by the chair. Jennifer Walker was concerned that if that were the case, some ideas might be overlooked. Ronald said that members could submit their ideas beforehand to ensure that they were covered. Jim suggested distributing it to all members, but not delaying publication to get everyone's approval. Billy asked if the Executive Committee would approve the newsletter. Julia said she was not sure if that was one of the listed responsibilities of the Executive Committee. She summarized that the group appeared to favor approach C, and that the group would like to have the newsletter distributed for comment but not hold up publication for comments. Jobaid asked if there could be a 2-day period for comments. It was agreed. Bill Couch asked that committee chairs be responsible to put their meetings on the calendar.

The motion passed.

Bill Couch passed an example of a card that will be printed for signing up for the newsletter distribution list.

- (f) Unique Stream Segments
None.

6) Candidate's presentation to the Board

Bill Miller said that he has been serving as Bill Stewart's alternate, and could represent agriculture, as he is a rancher from Llano County. Paul Fahrenthold was not present.

7) Discuss and take action to elect new voting member for Llano County representative

Dale Henry moved to designate Bill Miller as a member of the Region K Planning Group. Ronald Gertson seconded. The motion passed.

John Burke suggested that Harold Streicher could name Paul Fahrenthold as an alternate.

8) Status report of Matagorda Bay Freshwater Inflow Need Study and LCRA Water Management Plan

Mark Jordan presented on the LCRA Water Management Plan. Jobaid Kabir explained that the "other" water category covers interruptible water, which is primarily rice farmers and then other types of irrigation, such as pecan farmers and golf courses that take water after the rice farmers' needs are met. Julia Marsden asked what the categories are. Mark said they are irrigation, instream uses, freshwater inflows to Matagorda Bay, lake level maintenance, and then other. Teresa Lutes asked if the presentations were available as handouts. Mark said the LCRA Plan was not, but the Inflow Needs Study was. Teresa asked if the LCRA plan could be emailed to John Burke so it could be entered into the record. Mark said it could. Del Waters asked if the net yield would be equal if Lake Travis and Lake Buchanan were drawn down the same because the higher evaporation rate from Buchanan. Mark said he was not aware of any study that supported that. Jobaid said that Del was correct; there would be no significant impact on the firm yields, because the firm yield is calculated for the drought of record. In the event of a shorter drought, it makes sense to draw down Travis first because it has a more productive watershed than Buchanan. Del asked the status of the economic study examining the draw down of the lakes. Mark said the advisory group was scheduled to meet May 25. They have asked the Army Corps of Engineers to help with the study. The Corps said that they did not have enough information, and the 1994 study that was done was too limited to use. Rick Gangluff asked what the disposition of the firm yield for the STP was in the water management plan. Jobaid said that depends on the pending WAM.

Mark Jordan said the quarterly advisory group meeting for the Freshwater Inflow Needs Study would be at the LCRA boardroom on July 13, from 1:30 to 4 PM. On August 5, there would be a stakeholder workshop at

McKinney Roughs, and a workshop for comments on the draft would be held in the fall. The study is scheduled to be complete by December 31.

Mark Jordan presented on the Inflow Need Study.

- 9) Presentation and discussion of Texas Parks and Wildlife's participation in the LCRA Water Management Plan
Cindy Loeffler, Colette Barron, and Randy Moss presented on the LCRA plan. Mark Jordan pointed out that in times of shortage, bays and estuaries flows would not be the first to be cut back. Instead, the interruptible water supplies designated as other in the LCRA plan would be cut first. Jim Barho said that in the last water management plan, there was difficulty in determining the target inflow requirements. He asked if TPWD has data for the inflows from the drought of record. Colette said that there was agreement on the target number, but they are still working on determining the critical inflow requirements. Cindy said that the data on the drought of record is anecdotal, limited to reports of stress and harm to some species. The TPWD is mandated to look at optimal solutions, but do not know what would happen under a drought of record. They are trying to determine what the impacts to inflows would be under the LCRA/SAWS plan, particularly under drought conditions.

Jennifer Walker said that the Colorado River is the only river in Texas that has a critical flow level established, and asked if other river authorities have minimum water quality requirements for their flows. Cindy Loeffler said that after the critical inflow levels were calculated for Matagorda Bay, the TWDB set a "min Q" for salinity that determined the flows necessary to maintain salinity levels. Other river authorities and water rights have restrictions on permits. Lake Texana and Choke Canyon Reservoir have minimum inflow requirements, and Choke Canyon has a requirement to begin conservation measures below a certain trigger for inflows into Corpus Christi Bay. Jennifer asked when TPWD took issue with the critical inflow number into Matagorda Bay, did they prefer that the LCRA use a min Q salinity number. Cindy said that the TPWD recommendation was to consider min Q salinity, but the min Q salinity number was not much different from the target inflows number. Mark Jordan said that the concept of ratcheting down the environmental flow requirement when going into a drought is a way to balance competing needs for water. How minimum flows are calculated still needs to be determined. Cindy said that the ability to make adjustments to the required flows is important as they learn more. Julia Marsden asked how the mini-droughts in the plan would be created. Randy Moss said that 46 cfs is a level that describes subsistence critical flows, and is a level typical of fairly infrequent droughts, ones that happen every 20 to 25 years. The concern is that so many permits be granted so that this level of flows happens three or four times a decade.

10) Presentation and discussion of proposals to study commission on Environmental Flows

(a) Texas Water Conservation Association proposal for Environmental Flows

Greg Rothe presented on the Texas Water Conservation Association proposal on environmental flows.

(b) Texas Living Waters proposal for Environmental Flows

Susan Kaderka presented on the Texas Living Water proposal for environmental flows. Haskell Simon said that the proposal mentioned priority dates, and asked if they were proposing giving early or late priority dates. Susan said that the dates would be given just like on a new permit. Haskell asked if it would be the same as SB 1 junior rights provisions, and Susan confirmed it would. Haskell said that the proposal did not work through the regional planning groups because they lack scientific expertise, but he thought that is what the consultants were paid for. Susan replied that Region G did not propose any environmental flow impact studies because they did not have the funding. Barbara Johnson asked if Texas Living Waters would make a recommendation on an acceptable level of degradation. Susan said that it would be determined in the process of TPWD and TWDB making recommendations to TCEQ. River by river studies are valuable, but take a long time to do and are expensive. Information exists already on bays and estuaries and the TPWD already has a means to assess the environmental impact now, without having to wait for all of the river studies to be completed. Ronald Gertson asked if they were proposing implementation in this round of planning. Susan said it was not tied to the planning cycle. Ronald said that it is already too late to incorporate it in this round.

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

Bill Couch said that data has been provided by major WUGs and suppliers, and information was gathered from the TCEQ. Rebeka Lien said that those WUGs in gray on the handouts have incomplete data, and if members have data that is different than that on the handouts to let them know. The tables show how much water is available to each WUG and where it comes from. Jennifer Walker asked why some numbers drop to zero. Rebeka said that happens when a water supply contract expires. Jennifer asked what the timeframe is for working on management strategies. Bill said that they have a couple of months. Rick Gangluff asked if those who have technical input for the WAM should submit it to the TWDB. David Meesey said that the TWDB will not do the WAM runs, but instead approved money for others to perform them. They are working on getting the new WAM run approved, but until then run 3 is the most conservative and will produce the least amount of surface water available. Teresa Lutes said that the numbers in the tables are water availability numbers without return flows. The numbers will not change in the WAM on the basis of return flows. Jobaid Kabir said that the LCRA numbers from run 8 include return flows, and that is what they use to run their system. He said until the City of Austin finds a way to use all of its return flows, the LCRA can still use those flows as inputs to their system. Teresa pointed out that Austin's return flows were not used in the baseline hydrology last planning cycle. Instead, they were listed as a water management strategy. Haskell Simon asked why the Matagorda County numbers were about one fifth of the normal annual use. Rebeka said that was because the table reflects drought of record conditions. Bob Pickens asked what were the "other" aquifers and "local supply sources" listed in the tables. Bill Couch said that there was 10,000 AF of groundwater allocated to the counties as an artifact from earlier planning efforts. That may or may not exist. The local supply sources include things like stock tanks or private farm ponds.

12) Discuss and take action on Region K agenda for joint meeting with Region L

A meeting time and agenda items were set.

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

Haskell Simon reported that John Burke gave a good presentation at the meeting and presented the resolution that groundwater sales go through the regional planning group process. Haskell gave a presentation on groundwater districts, arguing to strengthen their powers rather than curtail them. Senator Armbrister introduced a presentation on an offshore wind powered desalination project. The project was not requesting government funding, just a guaranteed contract to buy the water produced at less than \$700/AF. The wind would also provide enough power to pump the water. Senator Armbrister asked Texas A&M and UT to judge the project's feasibility.

14) New/Other Business

None.

15) Calendar

July 14, 2004, Bastrop – public meeting [SINCE CANCELLED]

July 20, 2004, San Marcos Activity Center – Joint Meeting with Region L, followed by public meeting

16) Agenda for next meeting

Agenda items for next meeting include:

- (a) Lost Pines GCD presentation on Carrizo recharge and availability in Bastrop County
- (b) SAWS/LCRA diversion, including environmental concerns
- (c) Joint diversions between Region K and Region L
- (d) Briefing on LCRA/SAWS project

17) Public Comments

None

18) Adjourn

The group would like to thank Jim Barho for coffee and donuts, and the Burnet County Commissioner's Court for providing lunch.

Meeting minutes prepared by Dan Strub for Teresa Lutes, Secretary, Lower Colorado Regional Water Planning Group (7/8/04). These minutes of the Lower Colorado Regional Water Planning Group May 12, 2004 meeting were approved in a motion passed at the July 20, 2004 Lower Colorado Regional Water Planning Group meeting.

<u>Signature on File</u>	<u>7/20/2004</u>
TERESA LUTES, SECRETARY	DATE
Lower Colorado Regional Water Planning Group	