

LOWER COLORADO REGIONAL WATER PLANNING GROUP
MINUTES OF THE JULY 30, 2003 REGULAR MEETING
WHARTON, TEXAS

These are the minutes approved by motion at the September 10, 2003 LCRWPG meeting.

Members Signing In:

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 Neve, Counties
Bob Pickens, Other
Stanley Reinhard, Water Districts
Billy Roeder, Counties
Cole Rowland, Recreation
Haskell Simon, Agriculture
James Sultemeier, Counties
Paul Tybor, Water Districts
Jennifer Walker, Environment

David Bradsby, TPWD, Non-Voting Member
David Meesey, TWDB, Non-Voting Member

Voting Members Absent:

Jim Barho, Environment
Stovy Bowlin, Recreation
Gerard Hajovsky, Small Business
Chris King, Counties
Bill Stewart, Agriculture

Consultants/Support

Dan Strub, City of Austin Water Conservation
Cynthia Braendle

Bill Couch, TC&B
Connie Townsend, TC&B

Visitors/Others:

Ron Anderson, LCRA
Neil Hudgins, CPGCD/CBGCD
Ann Mesrobian, Lost Pines GCD
Alicia Reinmund, LCRA
Del Waters, Recreation

Calvin Ransleben, Gillespie County
Michele Gangnes, Neighbors for Neighbors\
David Cowan, LCRA
Ken Kramer, Sierra Club

Quorum: Yes

Number of present voting members including designated alternates, representing absent voting members: 19.
Number required for quorum based on current voting membership of 24: 13.

FORMAL ACTIONS TAKEN:

- 1) Approved minutes as amended from May 14, 2003.
- 2) Elected Jobaid Kabir as a member of the group, representing river authorities.
- 3) Approved motion that the group set up its own website, to be maintained by the public information committee and funded by \$15,000 in the public information budget.
- 4) Voted to accept the bylaw changes for Article VIII, Section 2, paragraph (b) as recommended by the Bylaw Committee, with the word "slate" changed to "list."
- 5) Bob Pickens, Barbara Johnson, Dale Henry, Stanley Reinhard, and James Sultemeier were randomly selected for the Nominating Committee.
- 6) Voted to accept the Bylaw Committee's recommended changes to Article VIII, Section 6.
- 7) Approved motion to recommend Dale Henry, Haskell Simon, Jobaid Kabir, John Burke, Ken Kramer, and Julia Marsden to the TWDB to serve on the Water Conservation Implementation Task Force.
- 8) Approved motion to nominate John Simmons and Ron Fieseler for the Legislative Task Force on Rock Crusher Quarries.

ADDITIONAL DECISIONS MADE:

- 1) None.

ASSIGNMENTS FOR FUTURE ACTION:

- 1) Group members representing the interests of the rice farmers will submit revised demand projections to the TWDB by August 20.

MEETING MINUTES:

1) Call to Order – John Burke

2) Welcome and Introductions

Cole Rowland introduced his alternate, Del Waters

3) Attendance Report – Teresa Lutes

Teresa Lutes said that one member, Stovy Bowlin, is not currently in compliance with the attendance policy. John Burke said that he would send a letter asking if Stovy wanted to remain a member of the group.

4) Consent Agenda

a. Approval of Minutes for the May 14th Meeting

Ronald Gertson moved to accept the minutes as amended. Paul Tybor seconded. The motion passed.

b. Financial/Budget Report

Teresa Lutes distributed the latest quarterly report. Jobaid Kabir said that of the \$893,000 grant, the group has spent \$102,000 and \$90,000 more is going to be paid by the TWDB shortly.

5) Committee Reports

a. Public Information

Bill Couch said that web page development is being considered for Region K, with its own domain name, where meetings, agendas, minutes and membership could be posted. An e-newsletter could be sent from a mailing list maintained on the site. The LCRA would host the site and there are several appropriate names available. The site could cost \$15,000 to \$20,000 over 2 years if the group goes "whole hog." About \$5,000 has been spent so far, and \$12,000 to \$15,000 more has been budgeted for it.

Julia Marsden asked how much the group would need to spend over the next few years for public information. Bill Couch said that website development money was budgeted separately. Julia asked if there is sufficient money for things like slides for member presentations. Bill said there is. Jennifer Walker asked what the web site money was for. Bill said that \$5,000 was already spent, and money was needed for photos for the site, establishing links

to the TWDB site, and hosting costs. The LCRA will host the site and provide a web master, while the group will provide the content. Jobaid said that the current site is difficult to find on the LCRA web site, but the new site will be easier to find. While the site is hosted by the LCRA, the domain name will not look like an LCRA domain name, but those going to the site will be automatically redirected to the LCRA hosted site. Jennifer asked if the site would have to match LCRA's look and feel. Jobaid said that it would not have to. Ron Fieseler asked who would write the newsletter. Bill said it would be written by the group. Haskell Simon asked if the Public Information Committee would support the website, or if another group would have to be formed to do it. Bill said that the Public Information Committee should be able to do it.

Haskell Simon said that he had not seen a press release for today's meeting. Bill Couch said that he had been sending out press releases for most meetings, but it slipped his mind this time. Verbena Jackson will be writing them in the future.

Julia Marsden said that the committee had been concerned with the lack of public awareness of the water planning process in the basin, and hoped that the website would be able to increase awareness.

6) Discussion and possible action on funding for Region K web page development from Region K Water Planning Group supplemental funding

Cole Rowland moved that the group set up its own website, to be maintained by the public information committee and funded by \$15,000 in the public information budget. Julia Marsden seconded. The motion passed.

Ron Gertson asked that all of the members email addresses not be posted on the web site. Bill Couch said that if a member did not want it posted to let him know. Teresa Lutes asked what the site name would be. John Burke said it would be regionk.org.

7) Candidate's presentation to the Board

There were no presentations.

8) Review applications for River Authority vacancy

There were two applicants, Jobaid Kabir and Roy Varley of Mills County. Mr. Varley has no river authority experience and does not work for a river authority.

9) Discuss and take action to elect voting member to represent River Authorities

The Executive Committee recommended Jobaid Kabir for the position. As such, it stood as a motion, and passed.

10) Discuss and take action on LCRA-SAWS water project response letter

John Burke reported that the LCRA and SAWS had responded to the group to let it know that they are not interested in running any more computer simulations at this point. Jobaid Kabir said that the group's suggestions could be addressed during the proposed six-year study period if approved by SAWS.

11) Discussion on TWDB water policy proposal and briefing on the July 15th regional water planning group meeting

David Meeseey presented on the July 15th meeting.

12) Presentation on the LCRA Clean Rivers program

Alicia Reinmund and David Cowan presented on the LCRA's Clean Rivers Program.

Ron Fieseler asked about the water quality sampling. David Cowan said that the samples were taken every two months, and found that fecal coliform and e coli were elevated after storm events. Billy Roeder asked if the impact of quantity of water on water quality was examined. David said it was not. Billy said that there were a number of ranchers in his region that were doing water quantity monitoring. Alicia Reinmund asked if she could get their names. Billy said that they were available from the county extension service. Haskell Simon pointed out that quantity and quality were not always inversely correlated, as a heavy rainfall can trigger high fecal counts.

Julia Marsden asked if it was possible to have a Region K group member to be on the Clean Rivers steering

committee. Alicia Reinmund said that Haskell Simon had done so in the past. Haskell said that he would volunteer to continue to do so. Alicia said that they also needed volunteers for the steering committees for the upper and middle basins. Dale Henry and Stanley Reinhard volunteered for the steering committee for the upper segment of the basin. James Sultemeier, Jennifer Walker, Teresa Lutes, and David Meesey said they would attend the meetings for the middle basin. Haskell Simon will continue to attend the meetings for the lower basin.

13) Presentation and discussion of Sierra Club municipal water demand projections and the use of conservation as a water management strategy

Ken Kramer presented the Sierra Club's comments on the municipal water demand projections. He stressed three points: they have concerns about the over-projection of demands in some municipal categories, there are some trends that will reduce per capita water consumption, and some of these trends will not fit under TWDB guidelines as water management strategies. An example of such a trend will be reduced water consumption by new, more efficient washing machines mandated by a new federal energy standard. Not factoring in these trends would lead to an overestimation of demand. The Sierra Club would like to have the group consider these factors and pass along these concerns to the TWDB.

Haskell Simon asked if the entities listed in the Sierra Club report were motivated by altruism or financial savings to save water. Ken Kramer said the motivation differs from example to example, although cost savings with the increasing cost of water will drive much of the future demand reduction. Jennifer Walker said that all of the examples were done without conservation incentives.

Ronald Gertson asked if any of these trends were taken into account by the City of Austin. Teresa Lutes said that they were, although it is difficult to calculate their impact. The current projections rely on historical data, including the impacts of the conservation program that started in the mid 1980's. Ronald said that if the projection already relies in part on conservation trends, they should be careful not to double count the savings. Teresa said that the TWDB has already included the savings from the change in the plumbing code. David Meesey said that the TWDB used to have more conservation assumptions embedded in the demand projections, but they were removed after public input. They were removed primarily because the savings could not be measured if they were embedded in the projections, and by removing them, it allows cities to be given credit for doing the conservation measures. The plumbing code savings were left in because they are not optional. Ken Kramer said he understands why the change was made, but there is still a gap between what is incorporated in the demand projections and what is likely to come out of the water management strategies. The TWDB does not allow some factors to be considered to be water conservation strategies, such as the high-efficiency washers. Julia Marsden asked if the TWDB was planning on incorporating washer savings into the projections since the standard is law. David said they would probably do so after the new standard is implemented.

Teresa Lutes asked if non-water management strategy factors reduce future per capita demands by about 25 percent. Ken Kramer said they do over a 50 year period. David Meesey asked for Ken to submit documentation to support that number. Ken said that some of the information is from strategies in place in other parts of the country, but some is from projections. Teresa said that many of the elements are part of advanced conservation efforts which are already being credited. She asked if the 25 percent reductions would be from non-water management strategy efforts that are automatic, not voluntary. Ken said they would be. He also said that there would be a psychological impact to encourage reductions by reducing expectations. Additionally, the State cannot impose price structures, but as the cost of water increases, loan costs will also increase.

Haskell Simon asked if the State, by providing the cost of the capital needs, would influence the price of water. Ken Kramer said that if the demand projections are high, it would result in greater demand for loans, driving up their cost. Haskell asked if Ken was suggesting raising the cost of the loans to decrease the demand. Ken said he was not. Bill Couch pointed out that the TWDB requires conservation plans as a condition of awarding a loan.

Julia Marsden asked if the Sierra Club was going to present this information to the new state task force this fall. Ken Kramer said they would like to, but the current process dictates that this come through the regional planning groups.

14) Discuss and take action to adopt water demands projections

Connie Townsend presented on the water demand projections.

Barbara Johnson asked why 1998 data was being used for the City of Austin. Connie Townsend said that the TWDB allows for another year's data to be substituted if the 2000 data is not representative. Teresa Lutes said that Austin imposed mandatory water conservation measures in 2000, which is a criteria for using another year's data under the TWDB rules. She passed out a packet on Austin's demand projections. In the TWDB's projections, the growth in demand slows after 2030, resulting in a 20 percent difference by 2050 from Austin's projections. This difference is based on TWDB's population projections. In December, the group voted to support Austin's revised population projections if Austin submitted supporting documentation to the TWDB. Austin submitted the information, but the TWDB did not accept the revision. The TWDB used a new methodology for the demand projections. In the previous planning cycle, they used lower population figures but a higher starting demand. This cycle, they used a lower population projection than Austin did, along with a lower starting demand than last cycle, and less conservation. Teresa said that she did not see the value of having the lower demand projection, and did not support it because it varies so much from Austin's in-house projections. Jennifer Walker asked why the TWDB did not accept Austin's population projection change request. Teresa said that she did not know, as she had not received any written response to their request. David Meesey said that the TWDB's narrow guidelines did not allow them to accept the request. The projections were not documented or justified, and they did not meet with the Board's guidelines. The TWDB's demand projections are based on their population projections, and no other population methodology was proposed. The difference is that the TWDB did not agree that there would be continuing growth at the same rate after 2030. Bill Couch said that Austin also faced a regional growth restraint, which limited population growth to the amount projected for the entire region. Teresa said that the motion in December said that Austin's increased population projection would not come at the expense of other entities in the region. Connie said that the Board's regional projections are pretty accurate, and they have made very few exceptions to the projections on that level. Teresa said that perhaps it could be re-examined for the next planning cycle. Ron Fieseler asked if Austin's projections were based on increasing its service area or from increased population density in its current area. Teresa said that Austin's planned service area is much larger than its current service area, and the Austin projections include the population increases in those areas.

Cole Rowland asked how the population projections compare with those for other large cities. David Meesey said that Dallas' projections were likely similar because it is already surrounded by other cities. He said that the Board might support the submission of alternate population scenarios for the next planning cycle. These would allow for examination of different population and conservation concerns, and could even provide demand ranges, but the Board cannot currently propose three demand ranges. John Burke said that there are several concerns about the demand projections for this cycle, and asked how they could be resolved. Jennifer Walker asked if the group needed to submit its concerns to the TWDB and get feedback on them before accepting a set of projections. Bill Couch said they could accept higher demand projections, and make the TWDB rule on them. David Meesey said that Austin's revised demand projections were based on their population projections, which have already been set. Connie Townsend said that the demand projections can then be increased by using the lower population projections with higher per capita consumption. John said he was concerned because a 15 percent difference in demand for Austin will dwarf all of the other demand changes.

Billy Roeder asked if the impact of increased impervious cover from Austin's growth had been calculated into the river flows. Jobaid Kabir said that that was a good point, but the planning scenario is for the drought of record, which would negate the difference in runoff. He then asked what information that the TWDB needed that Austin did not submit. David Meesey said that the information submitted did not meet the Board's criteria, in that Austin's methodology used a continuous high rate of growth throughout the planning period. Teresa Lutes said that there is a change in the TWDB's methodology in 2030 that Austin does not have. David said that the Board had the same problem for all of the hill country counties, which had been solved by pulling a small amount of population from Travis County. John Burke said that he would like to see Austin and the TWDB get together on the projections, as he is reluctant to pass a projection that is so at odds with Austin's own projections. He thinks that the group should submit a plan based on the groups' projections. Bill Couch asked if the group should submit the higher projections and leave it to the Board to accept or reject them. Jennifer Walker said that she did not

think that raising the per capita projections was the right way to approach the problem. Connie Townsend said that the problem is that the population projections have been approved, leaving few other choices.

John Burke asked which set of numbers submitted by the Lost Pines GCD should be used for the demand estimates. Connie Townsend said that the problem stems from when the mine shuts down in 2030, the water being pumped can no longer be classified as a mining demand. At that point, they become a major municipal water provider for Region L. John Burke said that the numbers should be zero AF in 2000 and 5,000 AF in 2010, 2020, and 2030. Julia Marsden asked that an asterisk be placed by the 2030 demand to show that the water will continue to be pumped, even though it will no longer be in the mining category. Jennifer Walker said that the demand should be more than 5,000 AF. Connie said that while the total pumping from the mine will be greater than 5,000 AF, that is the amount that will be pumped from Bastrop County.

Connie Townsend said that several cities had higher actual demand for 2000 than the TWDB projections, so they are getting a higher 2000 demand but maintain the same rate of per capita decrease over the course of the projection.

Rick Gangluff asked if the projections could have a footnote noting the demands resulting from the LRCA/SAWS deal and that that deal is not yet final. Connie Townsend said they could. She then asked if the group was ready to submit municipal demand projections. John Burke asked if they would submit demand projections for Austin from the City of Austin or from the TWDB. Connie said they would use the TWDB numbers. Teresa Lutes said that the TWDB's projections were 17 percent lower than they were for the last plan. John Burke said that this change is not consistent with what the group did for the last plan. Connie said one main difference was using real 2000 census numbers, rather than projection numbers. Jobaid Kabir said the differences were consistent with the planning process. Teresa said that the demand projections were close until 2030.

Connie Townsend said that the concerns presented by the Sierra Club could be addressed as conservation strategies. Jennifer Walker asked if they would then need to provide documentation for those strategies. Connie said they would. John Burke asked if the LCRA/SAWS deal would be listed in the plan as a demand or as a supply. Connie said it would not be, but it would be listed as a supply strategy going to Region L until the agreement is final.

Connie Townsend said that the City of Austin, the South Texas Nuclear Project, and the LCRA have all asked for changes for their steam electric demand projections. Austin said that the projections did not include demand for the Sandhill power plant. The South Texas Nuclear Project asked that their demand be capped at 102,000 AF in 2030. The LCRA agreed with the South Texas Nuclear Project revisions, and asked for revisions in Bastrop and Fayette counties. Jobaid Kabir said that the LCRA's demands for Bastrop County would stay at approximately 12,000 AF until 2060. He said he would submit total demand for Fayette County to Connie. Connie said that the TWDB has the component information for each county and needs to adjust LCRA's portion of the demand. Jobaid said the LCRA could supply its portion of the counties' demands. David Meeseey said that the demand projections supplied to the TWDB by a consultant are questionable, so they are more likely to approve any revisions the group submits. Bill Couch said that the group does not know all of the demands in each of the counties, and these need to come from either the TWDB or from group members for each of their counties. Julia Marsden asked if there was not a master list of power plants. Jobaid said that there are only plants owned by the LCRA, the City of Austin, the South Texas Nuclear Project, and by Bastrop Partners. Bastrop Partners' demand is limited to 5,000 AF under their LCRA contract. Connie asked if she could then assign them a demand that would increased to 5,000 AF in 2030, and was told she could.

Connie Townsend said that there were two errors on the handouts. The changes include allowing diversion losses and changing the percentage of Wharton County irrigation demand included in the Region from 67 percent to 58 percent. Barbara Johnson asked if the rice farmers agreed with the Wharton County reallocation. Ronald Gertson said they did. Bill Couch suggested that since there is a committee of rice farmers from three regions who have refined the methodology since these numbers were calculated, they should let the irrigators develop new demand numbers and submit them later either to the Executive Committee or to the group as a whole. John Burke said it is important to have accurate numbers, and agreed that they should give the rice farmers time to develop new

numbers. He also said that the group needs to know if these numbers are based on water developed under the SAWS plan. Ronald said that the SAWS plan is just a strategy, and the numbers will reflect what is happening without it.

John Burke said all revisions to the demand projections must be submitted to the TWDB by August 20. Julia Marsden asked that any revisions be distributed to the group in the next information packet.

15) By-law Committee report

Cole Rowland recommends that a nominating committee be formed to make the nominating process more open and inclusive. It is not a reflection on the current officers. The nominating committee would recruit candidates and propose a slate. Nominations would also be taken from the floor before a vote.

16) Discuss and take action on the By-law Committee's recommended changes to by-laws; Article VIII. Officers, Section 2. Selection, paragraph (b) Nominating Committee for Officers

Cole Rowland asked if the nominating committee would be selected by drawing straws. Barbara Johnson said it could be done by any random method. Billy Roeder asked if the committee should be representative of the group membership. Cole said that would not be necessary, as the committee would only canvas the membership for interest and present a slate of candidates. Ronald Gertson recommended that the slate of candidates only have one candidate per office. Julia Marsden said that the committee should not narrow the slate to one candidate per office, but will only recruit candidates. John Burke said that the word "slate" should be changed to "list."

The group voted to accept the bylaw changes for Article VIII, Section 2, paragraph (b) as recommended by the Bylaw Committee, with the word "slate" changed to "list."

Bob Pickens, Barbara Johnson, Dale Henry, Stanley Reinhard, and James Sultemeier were randomly selected for the Nominating Committee.

17) Discuss and take action on the By-law Committee's recommended changes to by-laws; Article VIII. Officers, Section 6. Executive Committee

Cole Rowland said the proposal expands the executive committee from five to six members and adds term limits. Ronald Gertson asked if only the at-large members were term limited. John Burke confirmed that they were.

The group voted to accept the Bylaw Committee's recommended changes to Article VIII, Section 6.

18) Discuss and take action on nominating one or more persons to represent one or more specific groups on the TWDB Water Conservation Implementation Task Force as per Senate Bill 1094

John Burke said that he would like to be on the list along with Dale Henry, Haskell Simon, and Jobaid Kabir. The group will recommend people to the TWDB, who make the decision who will serve. The group will have between 15 and 20 people from across the state. Jennifer Walker asked if the group's nominations were limited to group members, as Ken Kramer was interested in serving. John said he would not be opposed to nominating him, as many of the people are getting nominations from multiple groups. Julia Marsden said she was being nominated by the League of Women Voters. Barbara Johnson said that if the group nominates a representative of a single interest group, they may not look out for all of the region's interests. Jennifer Walker pointed out that the TWDB was looking for people with knowledge about conservation.

Ronald Gertson moved to recommend Dale Henry, Haskell Simon, Jobaid Kabir, John Burke, Ken Kramer, and Julia Marsden to the TWDB to serve on the Water Conservation Implementation Task Force. Jennifer Walker seconded. The motion passed.

19) Discuss and take action on nominating one or more persons to represent one or more specific groups on the Legislative Task Forces

Paul Tybor moved to nominate John Simmons and Ron Fieseler for the Legislative Task Force on Rock Crusher Quarries. Julia Marsden seconded. The motion passed.

20) New/Other Business

Jobaid Kabir asked that the group have a standing agenda item on Region L happenings.

Bob Pickens asked when there would be a presentation on the Gulf coast Aquifer GAM. David Meeseey said it might be within the next year.

21) Public Comments

Michelle Gangnes of Neighbors for Neighbors said they will be submitting a letter.

22) Adjourn

The group would like to thank the Coastal Bend GWCD and the Lower Colorado Valley Federation for providing lunch. It would also like to thank Ronald Gertson and his family for hosting the tour of their farm.

Near-Term Meeting Schedule

Next Meeting:

10 AM, September 10, McKinney Roughs – Regular Meeting

Meeting minutes prepared by Dan Strub for Teresa Lutes, Secretary, Lower Colorado Regional Water Planning Group (9/1/03). These minutes of the Lower Colorado Regional Water Planning Group July 30, 2003 meeting were approved in a motion passed at the September 10, 2003 Lower Colorado Regional Water Planning Group meeting.

<u>Signature on File</u>	<u>9/10/2003</u>
TERESA LUTES, SECRETARY	DATE
Lower Colorado Regional Water Planning Group	