

Minutes
Lower Colorado Regional Water Planning Group Public Meeting
April 13, 2016
LCRA Dalchau Service Center
3505 Montopolis Drive
Austin, Texas
10:00 a.m.

Members Signing In:

Jim Barho, Environmental
Jim Brasher, GMA 15
John Burke, Water Utilities
Ronald Gertson, Small Business
Lauri Gillam, Municipalities
Donna Klaeger, Counties
Teresa Lutes, Municipalities
Mike Reagor, Municipalities
Robert Ruggiero, Small Business
Charles Shell, GMA 8
Haskell Simon, Agriculture
James Sulzemeier, Counties

Byron Theodosios, Counties
Paul Tybor, GMA 7
David Van Dresar, Water Districts
Jennifer Walker, Environmental
David Wheelock, River Authorities
Lann Bookout, Non-voting, TWDB
David Villarreal, Non-voting, TDA
Paul Babb, GMA 9 Alternate
Peggy Travis, Electric Generating Utilities
Alternate
David Lindsay, Recreation Alternate

Voting Members Absent:

John Dupnik, GMA 10
Ron Fieseler, GMA 9, Alternate Attended
Karen Haschke, Public Interest
John Hoffman, Electric Generating
Utilities, Alternate Attended
Barbara Johnson, Industries

Doug Powell, Recreation, Alternate
Attended
Billy Roeder, Agriculture
Jim Totten, GMA 12

Consultants/Support/Visitors/Other:

Rev. Carmen Retzlaff, New Life
Lutheran in Dripping Springs
Leonard Leinfelder, Kingsland WSE
Brent Covert, Forestar Group
Charlie Flatten, Hill Country Alliance
Tommy Koch, C. Thomas Koch, Inc.
Dorothy Taylor, Central Texas Water
Coalition
Jordan Furnans, LRE Water LLC
Kevin Critendon, Austin Water
Cindy Smiley, Smiley Law Firm
Jim McMeans

Jason Ludwig, South Texas Nuclear Project
Linda Raschke, Counties Alternate
Reagan Burnham, No Colorado River Dam,
Inc.
Charles Shell, Central Texas GCD
Kevin Kluge, TWDB
Daniel Berglund, CBGCD
Vicky Kennedy, Travis County
Gary Bushell, Island on Lake Travis
Jaime Burke, AECOM Region K consultant
Jeff Fox, COA, Municipalities Alternate
Gary Gold, COA

Quorum:

Quorum: Yes

Number of voting members or alternates representing voting members present: 20

Number required for quorum per current voting membership of 25: 13

Formal Actions Taken:

None

Regular Meeting:

1. Call to Order – Chairman John Burke called the meeting to order.
2. Welcome and Introductions – Chairman John Burke welcomed all to the meeting.
3. Brief Presentation of Grant Application for 5th Cycle of Water Planning for Region K – Jamie Burke gave a brief presentation on the Grant Application for the 5th Cycle of Water Planning for Region K. The presentation included background on the planning process, a list of tasks outlined in the initial scope of work, planning tasks not yet funded and to be scoped, budgeted, and incorporated, and the process for submitting public comments.
4. Public Comments on Issues or Provisions to be Included in 5th Cycle of Water Planning for Region K – Limit 5 Minutes per Person—Public Comments may be submitted orally or in writing:

Donna Klaeger recommended all the comments be combined into one list so group members can use it as a checklist and recommended the group review Region F's economic development methodology. Donna Klaeger recommended the group study low inflows into the Highland Lakes and expressed an interest in lifting the prohibition of discharging treated wastewater into the Highland Lakes. Donna Klaeger expressed support for a request to study and to identify new water resources including determining the cost of increasing the level of Lake Buchanan or dredging the lake. Donna Klaeger recommended using water pricing as a water management strategy for all water management groups. Donna Klaeger read written comments submitted by Commissioner Joe Don Dockery from Burnet County.

David Lindsay expressed support for a need to incorporate a section in Chapter 1 regarding climate-related differences, drivers, and impacts that exist across the basin particularly across the Balcones Escarpment zone. David Lindsay recommended that the information related to extended drought-related climatology cycles that have been more severe than the Drought of Record should be included in Chapter 7 to provide insight and context about if our planning processes are adequately protective of our water resources.

Reagan Burnham summarized written comments that were submitted by the No Colorado River Dam, Inc. organization. Reagan Burnham expressed support for the group working with other groups to protect the health of the Colorado River. Mr. Burnham recommended the group continue to closely analyze the conceptual in-channel dam on the Colorado in the upper portion of the region. Mr. Burnham expressed his belief that Domestic and Livestock demand is understated in the Region K plan. Mr. Burnham recommended Domestic and Livestock demand be listed as a separate Water User Group in the plan. Mr. Burnham recommended the group revisit the assumption that 100% of firm demand can be delivered during drought conditions. Mr. Burnham recommended statistically validating the model

using past projections with documented actuals. Reagan Burnham applauded the contributions of all Region K members.

Jim McMeans stated that rainwater collection is the most promising and efficient water supply option for low density areas and where municipal supply is unavailable. Jim McMeans indicated that rainwater collection can limit the number wells tapping into decreasing groundwater supplies. Jim McMeans expressed his belief that rainwater is superior to well water, which can contain high concentration of minerals that can require high treatment costs. Mr. McMeans recommended that actions be taken to limit the amount of groundwater pumping. Mr. McMeans recommended creation of self-renewing rainwater initiative fund called the Rain Fund to assist developing reliable rainwater supplies for cities and counties. Jim McMeans recommended including an innovative water management strategy in future plans to allow the Rain Fund to assist citizens in developing rainwater collection systems.

Teresa Lutes made comments on exploring additional approaches to drought planning early in the 5th planning cycle. Teresa Lutes mentioned that the current drought, the potential for drought worse than the current drought, and climate uncertainties all bring new light to the plan development process. Ms. Lutes recommended the group consider incorporating extended hydrology for WAM modeling into the planning process including naturalized hydrology data for 2014 and beyond, incorporating consideration of climate uncertainty, and including discussion of these items early in the process. Teresa Lutes also expressed support for incorporating recommended strategies beyond baseline needs in the 5th cycle of planning, as in the last planning cycle, to provide flexibility in planning for uncertainty.

Jordan Furnans recommended that the group go through a competitive bidding process every five years to consider approving either the incumbent firm or contracting with a different firm that could provide new and possibility stronger ideas to the planning the process.

5. Adjourn – The meeting was adjourned.

Attachments: Public meeting registration cards and written comments

ATTACHMENTS

Public Comments on Provisions for 5th Cycle of Water Planning for Region K

David Lindsay; April 13, 2016

My name is David Lindsay, and I live in Spicewood, Texas. I am a retired engineer, and serve as an Alternate for Doug Powell on the Region K Planning Group.


My comments today are first to support the need for the incorporation of a section in Chapter 1 (included as item 6 in the proposed list) which adds a discussion of the climate-related differences, drivers and impacts across the Colorado River Basin within Region K, particularly the Balcones Escarpment where the Gulf Coastal Plains transition into the Texas Hill Country.

I also recommend that information pertaining to extended drought-related climatology cycles and historical extended drought cycles that have been more severe than the Drought of Record, should be incorporated in this planning cycle in Chapter 7. Much more scientific information from very respected sources has become available in the last few years, and this information could provide valuable insights and context to consider regarding the question of whether our current water planning processes are sufficiently responsive and protective.

I would hope that these items should be able to be addressed fairly easily with the support from LCRA's Bob Rose and the State Climatologist, Dr. John Nielsen-Gammon.

Thank you for your consideration.

David M. Lindsay
2509 Sailpoint Drive
Spicewood, Texas 78669
davelindsay02@gmail.com



April 11, 2016

Region K Planning Area Voting Members
c/o Stacey Pandey
Lower Colorado River Authority
PO Box 220
Austin, TX 78767

Re: PUBLIC INPUT ON THE SCOPE OF WORK FOR THE FIFTH REGIONAL WATER PLANNING CYCLE (2017-2021)

Chairman Burke and Region K Members:

Thank you for inviting me to present a proposal regarding the scope of activities to be considered during the fifth cycle of regional water planning.

BACKGROUND AND INTRODUCTION

Rainwater collection for domestic, potable water supply has come of age and is **the most promising and efficient innovative water supply option for low density areas** where municipal or private water supply systems are impractical or unavailable. With modern technology and proper design, rainwater collection systems can provide a reliable, pure drinking water supply that eliminates the need for a water well – that added straw into our already over-stressed aquifers.

Thousands of homes in the Texas Hill Country are served by rainwater collection systems. A thriving industry has sprung up in the past decade to design, install, supply, and service rainwater collection systems. I personally converted from a water well in 2009, built a rainwater system with adequate collection and storage capacity, and have gone through every drought since then with capacity to spare. I, like many others using rainwater, consider it far superior to well water which typically contains high concentrations of dissolved minerals that damage water lines and appliances and requires extensive treatment before being usable. Now we are learning that other contaminants in well water may include arsenic and migrating nitrogen from fertilizer. Rainwater collection systems have very low energy demands and approach almost zero loss due to leakage and evaporation.

We all recognize that groundwater contained in our aquifers is a shared resource and is an important source of water that must be used **sustainably** to be available for future generations. Groundwater feeds our Texas Hill Country springs, our creeks and rivers, and supports our wildlife, as well as serving the needs of a growing Texas population and our important farm and ranch operations.

We must take actions that help to preserve our groundwater supplies and reduce the number of straws that dip into the aquifer and further deplete that resource. Rainwater collection for domestic water supply is an innovative water management strategy that can help to achieve that goal.

PROPOSAL: A TEXAS RAINWATER INITIATIVE FUND – THE “RAIN” FUND

GOAL – Create a self-renewing fund to assist Texas counties and their citizens with developing rainwater collection systems that provide a reliable, pure domestic water supply and help to reduce use of groundwater.

METHOD – Initiate an innovative water management strategy that would provide funds for Texas counties to incentivize the installation of rainwater collection systems for domestic water supply.

- 1. Make available to each Texas Hill Country county a no-interest loan in the amount of \$3 million to \$5 million to establish a Rainwater Initiative Fund (the “RAIN” FUND).**
- 2. The Rain Fund loan would be administered by each county as a revolving loan program available to area citizens desiring to install a domestic rainwater collection system, either new or converting from well supply.**
- 3. Citizens would be offered, by each participating county, no-interest or low-interest loans up to \$20,000 toward the cost of the desired rainwater system with a repayment schedule not to exceed ten years.**
- 4. Repayment of the loan would be by county tax and administrative assessment paid with ad valorem tax.**
- 5. As loan payments are tendered back to the county, more rainwater incentive loans would be offered to citizens.**
- 6. Require that rainwater collection systems for domestic water supply be properly designed and installed by qualified professionals affiliated with the American Rainwater Catchment Systems Association (ARCSA) and/or the Texas Rainwater Catchment Association (TRCA).**
- 7. Within each county, establish an administrative oversight committee to direct and manage use of the RAIN FUND and provide annual reports to the Texas Water Development Board.**
- 8. At the end of 20 years of the RAIN FUND program, determine if counties should be allowed to continue the program or begin repayment of the TWDB loan as funds are repaid by loan recipients.**

References:

- 1. Hays County Rainwater Initiative Fund approved conceptually by the Hays County Commissioners Court in 2014, but unfunded due to loss of funding source.**
- 2. PEC’s Empower Loans to individual customers for up to \$20,000 for installation of solar electrical power generation systems that help reduce peak demand on the PEC grid.**

Please review this proposal and consider putting it into the 2017-2021 Regional Water Planning Cycle.

Respectfully Submitted, *James R. McMeans*

James R. McMeans
2000 Fischer Store Road
Wimberley, TX 78676
512-847-6578
jrmcmeans@msn.com





LOWER COLORADO REGIONAL WATER PLANNING GROUP

Public Meeting Registration Card

Name: JORDAN FURNANS Date: 4/13/16

Representing: LRE Water LLC

Address: 1000 Heritage Center Circle #141 City, St., Zip: Round Rock TX 78664

Phone Number: (512) 736 6485 email: JORDAN.FURNANS@LREWater.com

Do you wish to make a statement? Yes No

Are you an elected official? Yes No Describe: _____

Written Comments: Please make consultant selection process a competitive bid process every 5 years.

Multiple horizontal lines for additional written comments.



City of Goldthwaite

"Gateway to the Hill Country"

1218 Fisher St. - P. O. Box 450 - Goldthwaite, Texas 76844
325-648-3186 - FAX 325-648-2570 - city@centex.net

April 7, 2016

Lower Colorado Regional Water Planning Group
Attention: Stacy Pandey
Lower Colorado River Authority
PO Box 220
Austin, TX 78767-0220

Re: 2017-2021 Planning Cycle

Chairman Burke,

The purpose of this letter is to provide written comments by the City of Goldthwaite for the fifth Regional Water Planning Cycle (2017-2021). Recently, the Region K Members voted to remove from the Region K Water Plan a longstanding water strategy of the City of Goldthwaite ("Project"). The Project was part of the Region K Water Plan for a number of planning cycles and was an important factor in Goldthwaite's future water development plan. The progress leading up to this decision was biased, one-sided and completely inadequate. Opponents of the Project flooded the Planning Group with inaccurate information and unfounded concerns while project proponents were given no meaningful opportunity to address these concerns prior to the Planning Group's decision to remove the Project from the recommended strategy list. The Region K Board erred when it voted to remove Goldthwaite's request.

Region K is a planning group and not an official regulatory agency with any authority. Historically, the regional water plans were made up of ideas and strategies to develop water resources and were subsequently compiled into a summary of the proposed strategies. A regional water plan is nothing more than a plan. Water projects are reviewed, approved or denied by the Texas Commission on Environmental Quality, which is the state agency tasked with considering all concerns expressed and, if necessary, conducts a hearing where proponents and opponents evidence can be presented.

In the future the City recommends that Region K establish rules that make it clear that if a water user proposes a project, it is the Planning Groups responsibility to include the project in the plan subject to any concerns or issues raised by opponents of the project. The rules should clarify that Region K is not a regulatory agency and

The City of Goldthwaite is an Equal Opportunity provider and employer.

should not "decide" whether a project should be approved, but rather should evaluate and analyze those strategies put forward.

Region K's action and self designated role to filter and decide what constitutes an approved strategy or project is a gross abuse of their role and defeats the purpose of water planning. Participating in the water planning process, at least at Region K, may no longer be a worthwhile exercise. The State may be better served by focusing water planning and development at agencies like the Texas Water Development Board and the Texas Commission on Environmental Quality as opposed to a group of volunteers with limited knowledge subject to emotional and political desires.

Sincerely,



Mike McMahan
Mayor
City of Goldthwaite

CC: The Honorable Troy Fraser, Texas Senate
The Honorable J.D. Sheffield, Texas House of Representatives

NO COLORADO RIVER DAM



www.nocoloradoriverdam.com

7483 CR 126, San Saba, TX 76877

Visit No Colorado River Dam on FaceBook

NoColoradoRiverDam@gmail.com

April 13, 2016

Stacy Pandey
Lower Colorado River Authority
PO Box 220
Austin, TX 78767-0220

Dear Stacy:

No Colorado River Dam, Inc. is a not-for-profit Texas corporation with 501c3 status headquartered in San Saba County. Our mission is to prevent further damming of the Colorado River and restore certain segments of the River.

During the previous planning process, we had the opportunity to work with Region K regarding the proposed in-channel dam on the Colorado River.

We offer these comments in the hope they will help improve the 2017-2021 planning process.

First Step – Focus on the Health of the River

Because the Colorado River is the lifeblood of Region K, we suggest the Planning Group start with an intensely fresh focus on the health of the River and the controllable conditions in the River Basin that affect water quality and availability.

Second Step – Strengthen Collaborations

Acknowledge that there are many players in the water game and that collaboration and creativity are key factors in determining best solutions. Specifically, we suggest:

Strengthen Collaboration with Allies

Region K includes important organizations such as the Lower Colorado River Authority, the City of Austin, Texas Parks and Wildlife, Texas Rivers Institute at Texas State University, the General Land Office, etc. There are many ways these allies could become more engaged in working with the TWDB and Region K. For example, why not ask the Governor to convene a top-level conference to help regional water planners think beyond our typical boundaries? Why not engage private-sector entrepreneurs to help identify economically-viable innovations? Why not approach water supply, water quality and conservation with all the power and expertise available?

Strengthen Collaboration Among State Agencies and Universities

A variety of state agencies could play a bigger role in improving the health of the River. TCEQ issues permits and enforces regulations. The General Land Office helps veterans finance land purchases. The TWDB, TPWD and other agencies award grants to private and public sector entities. Why not, for example, ask these grantees to dedicate some resources to making the River and the Basin healthier?

Another possibility might be to ask veterans who participate in GLO financing programs to help attack our water problems with the same resolve and tenacity they had when they defended our country against foreign enemies. Why not ask TAMU, Texas Tech and Texas State to get more involved?

Why not do things we never thought about before?

Last year Region K spent a lot of time analyzing the pros and cons of the proposed in-channel dam. After significant study, Region K decided to remove the dam from the Water Plan. Although the dam was removed, proponents continue to suggest the dam is justified and the TCEQ continues to spend public resources processing the permit application. TAC 295.16 states that "an application shall contain information describing how it addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement." Why not clarify this rule so that TCEQ would have a defensible basis to cease processing an application which was specifically omitted from the Water Plan?

Strengthen Collaboration with Adjacent Planning Groups


Region K includes 14 counties which generally follow the path of the Colorado River. Immediately upstream is Region F. Region G is east and includes a small but important segment of the Colorado River.

We believe more collaboration might help identify ways to improve the vitality of the River in Regions F, G and K and beyond. We are particularly concerned about the health of the River near The Biological Field Station at the Timberlake Ranch (recently dedicated to Texas A&M) and Colorado Bend State Park.

Step Three-Details

Domestic and Livestock Demand

We believe the demand projected for this category is understated. As you know, D&L uses are always senior to any kind of appropriated water right. This fact alone would seem to justify a separate category for this class of users. In conversations with various consultants, TWDB and TCEQ staffers, we were told D&L demand is determined by various indirect methods (such as data from the Department of Agriculture about number of cows, etc.) Why not identify the number of D&L users, apply a reasonable projection of demand and list it as a separate WUG in the projections? Currently, these estimates are buried somewhere in Livestock and/or County-other. Why not be clear about these needs?



Assumptions in Water Model Regarding Future Needs

As we all know, the basic assumptions underlying any projection ultimately determine its accuracy. As we understand it, the modeling scenario currently used assumes all permit holders divert 100% of their authorized demand (in priority order) with no return flows to the river under drought-of-record conditions. These assumptions seem unreasonable because under drought-of-record conditions it seems impossible that 100% of authorized demand would be available to all permit holders. Those of us who live on the Colorado realize that the river can't deliver 100% of demand under what has become "new normal" conditions.

In the case we are most familiar with (the City of Goldthwaite), it appears the actual numbers are inconsistent with the projections in the model. Why not statistically validate the model using past projections with documented actuals? If we can get the assumptions and the models right, we'll be able to make wiser decisions.

As always, we appreciate the opportunity to participate in this planning process. We recognize many Region K members volunteer their time and pay their own expenses. We applaud the contributions of all the members of Region K.

Kindest regards,

Reagan Burnham
President

Ann McElroy
Secretary/Treasurer



Burke, Jaime

From: John Burke <johnburke41@gmail.com>
Sent: Monday, April 11, 2016 1:59 PM
To: Burke, Jaime; David Wheelock; Teresa Lutes; Jeff Fox; Jim Barho
Subject: Fwd: Submissions for the 2021 Region K Planning Cycle

FYI

----- Forwarded message -----

From: **Joe Don Dockery** <commissionerpct4@burnetcountytexas.org>
Date: Mon, Apr 11, 2016 at 11:56 AM
Subject: Submissions for the 2021 Region K Planning Cycle
To: johneburke@regionk.org
Cc: Donna Klaeger <dklaeger@gmail.com>, Jo Karr Tedder <jokarrtedder.ctwc@gmail.com>, Jo Karr Tedder <jostevet@hotmail.com>, Dorothy Taylor <dorothy.taylor.ctwc@gmail.com>

Mr. Burke:

Please accept this email as my submission for input and inclusion regarding the Region K 2021 Planning Cycle:

- 1) Advocate to lift the discharge ban for the Highland Lakes. The currently available wastewater treatments can equal or surpass the water quality levels of naturally occurring water sources and should be included in returns to the water storage facilities.
- 2) Request TCEQ to expand the permitted uses of "purple pipe" (treated effluent) water by municipalities to relieve the pressure on our existing raw water sources.
- 3) Promote dredging of the Highland Lakes by LCRA to increase the capacity of the lakes. By TWDB's estimation, the Highland Lakes have lost 155,000 to 175,000 acre/feet of permitted storage to siltation since their construction. Keeping in mind this lost storage is already permitted. It simply needs to be reclaimed.
- 4) Implore LCRA to increase the "full" lake level of Lake Buchanan from 1018 msl to 1020 msl. This additional storage capacity would equate to approximately 45,000 acre/feet of increased raw water, or 5,000 acre/feet more than the LCRA Lane City reservoir currently under construction. With the addition of lifts at each individual gate on Buchanan Dam and the installation of the Hydromet warning system, this can be a reality in the very near future.

5) Ask LCRA to reexamine the impacts of the Non-point Source Pollution Ordinance on inflows to the water storage system. The Highland Lakes Watershed Ordinance is too aggressive in its capture of runoff from impervious cover construction, therefore withholding inflows. The requirements are also an impediment to new commercial growth in the Highland Lakes area from an added cost of construction aspect.

6) Until significant additional raw water capacity is added to the system, LCRA should recalculate and lower the firm yield from the Highland Lakes.

Respectfully submitted,

Joe Don Dockery

Burnet County Commissioner

Precinct 4 - including a portion of Lake LBJ, Lake Marble Falls, and 18 miles of Lake Travis

Cell 512-715-2911

Commissionerpct4@burnetcountytexas.org

Region K Water Planning Group Public Meeting, April 13, 2016

Comments Submitted by: Donna Klaeger, Region K Advisory Board Member representing Counties

Please confirm my assumption that recommendations for future planning in Chapter 8, will be presented and reviewed in each appropriate chapter.

Appreciate the Region K IPP Comments review that was prepared and would like confirmation that they will be considered in 2021 Region K water planning and again assume they will be presented and reviewed in each appropriate chapter.

I recommend that all comments in the IPP list and Chapter 8 be combined into one list and organized by Chapter and Time order to give the Region K Board members a Review checklist.

Chapter 1: Does not provide a BASIN WIDE economic review. I recommend that we replace this chapter with a complete review of the Colorado River Basin economic status. (refer to Region F complete economic review by county of it's region as an example)

Chapter 8: As noted in this Chapter, I request that the Region K Board discuss a request to study to understand the hydrology for low inflows and a study to provide a current firm yield from the Highland Lakes, so that we are dealing with verified yields in this plan.

Suggestions for review of potential new water sources:

- **Lifting prohibition of treated wastewater discharges into the Highland Lakes watersheds (by amending Chapter 311, Subchapters A, B, and F, of the TCEQ's rules).**
- **Request a study to identify new water sources and costs of increasing the level of Lake Buchanan and dredging the Lake**

Water Management Strategy recommendations:

- **Include water pricing as a water management Strategy for all water groups**
- **Apply quantifiable targets and metrics for water conservation to all water group users, not just municipalities**