

**Lower Colorado Regional Water Planning Group
Legislation and Policy Committee Meeting
AECOM, Treaty Oak Conference Room
August 29, 2019**

1. Lauri Gillam called meeting to order at 10:03 a.m.
2. Attendees (9)
Committee Members:
Lauri Gillam – Region K, Small Municipalities Rep, Legislation Policy Committee Chair
David Van Dresar – Region K, Water Districts Rep
Jim Brasher – Region K, GMA 15
Teresa Lutes – Region K, Municipalities Rep
Christianne Castleberry – Region K, Water Utilities Rep (Alternate)
Earl Foster – Region K, Small Municipalities Rep (Alternate)

Additional Attendees:
Jaime Burke – AECOM
Alicia Smiley – AECOM
Rebecca Batchelder – LCRA
3. Public Comments
 - a. None.
4. Purpose of Committee
 - a. Consultant facilitates committee’s efforts to:
 - i. Identify, define, and screen policy issues;
 - ii. Evaluate issues and policy options; and
 - iii. Develop recommendations for consideration by the LCRWPG.
 - b. Due to the Texas Open Records Act, all policy recommendations will be passed through the consultant for distribution to committee.
5. Review 2016 Policy Recommendations
 - a. Committee agreed all 2016 policy recommendations are relevant to current 2021 planning cycle, though updates are necessary. Updates to policy recommendations will include actions taken since last cycle.
 - b. Management of Surface Water Resources: Inter-Basin Transfers and Model Linking
 - i. Updates required; In recent state legislative session, HB 4570 examined studying groundwater and surface water interaction (not passed); GMA 12 model has been updated.
 - c. Environmental – Instream Flows and Freshwater Inflows to Bays and Estuaries
 - i. Updates required; check dates, data update, and timing.

- d. Environmental – Sustainable Growth, Including Impacts of Growth
 - i. Minor updates required; David Van Dresar noted that groundwater cannot be sustainable, but rather “manages depletion.”
- e. Groundwater
 - i. Updates required; check dates, move funding section to the top, and add peaking factor discussion to Temporary Aquifer Over-Drafting.
 - ii. Brackish Groundwater
 - 1. Discussion of a possible new policy recommendation regarding brackish groundwater. Combined with TWDB studies, the most recent state legislative session addressed House Bill 722 on brackish water and House Bill 721 on aquifer storage and recovery, bringing the use of brackish water to the table for discussion.
- f. Potential Impacts to Agricultural and Rural Water Supplies
 - i. Minor updates required.
- g. Agricultural Water Conservation
 - i. Minor updates required; delete references to LCRA-SAWS Water Project, as it is outdated.
- h. Municipal/Industrial Conservation
 - i. Updates required, particularly to background; incorporate new TWDB study; many actions taken since 2016 RWP cycle, especially in sections regarding Consistent GPCD Methodology (Water Loss Audits/Water Use Surveys), Dedicated Conservation Funding (SWIFT), and Conservation Coordinators.
- i. Reuse
 - i. Minor updates required.
- j. Brush Control
 - i. Updates required; David Van Dresar can provide information from the Texas Groundwater Protection Committee (TGPC)
- k. Inflows to Highland Lakes
 - i. Updates required; new LCRA surveys show reduction of sedimentation severity.
- l. Coordination of Planning Cycles for Determination of Desired Future Conditions by GCDs and Generation of the Regional Water Plan by RWPGs
 - i. Minor updates required; Legislation shifted the RWPG/DFC five-year cycles, but updated MAG estimates do not align with RWPG cycles; update will acknowledge the change but recognize that it doesn’t allow for coordination.
- m. Recommended Improvements to the Regional Planning Process
 - i. Updates required, including references to Texas House Bill 807.
 - ii. Texas Open Meetings Act Regional Water Planning Group Exceptions
 - 1. There was a request to re-examine the group’s ability to convene in committees under the Texas Open Meetings Act. In the 2021 cycle, it has been difficult to ensure attendance, as committee members are not allowed to call into meetings. The requirement to have meetings in-person has kept certain planning group members, particularly those

from outlying areas, from actively participating in the regional planning process. The new policy recommendation could include an exception in the Texas Open Meetings Act for RWPGs (allowing remote participation by conference call) to eliminate location bias and facilitate planning coordination.

- n. Radionuclides in the Hickory and Marble Falls Aquifers
 - i. Minor updates required; review updates of regulatory dates and state funding.

6. Potential New Policy Recommendations

- a. Brackish Groundwater
 - i. See discussion in 5.e.ii. New policy discussion to be included under Groundwater.
- b. Texas Open Meetings Act Regional Water Planning Group Exceptions
 - i. See discussion in 5.m.ii. New policy discussion to be included under Recommended Improvements to the Regional Planning Process.
- c. Sedimentation
 - i. David Lindsay requested a preliminary review of new recommendation. More information and policy recommendation suggestions will be provided to committee regarding sedimentation. Recent flooding has increased levels of sedimentation in the Highland Lakes, but new LCRA lake surveys show the rate of sedimentation may not be as great as originally modeled. Possible coordination with new TWDB flood planning groups may be a viable option.
- d. Droughts Worse than a Drought of Record & Produced Water from Oil Field Operations
 - i. Teresa Lutes requested a preliminary review of potential new recommendations. More information will be provided to committee regarding how to approach planning in preparation for a drought worse than a drought of record.

7. Distribution of Policy Recommendations to Committee for Crafting/Editing for 2021 Plan

- a. Management of Surface Water Resources: Inter-Basin Transfers and Model Linking: *LCRA.*
- b. Environmental – Instream Flows and Freshwater Inflows to Bays and Estuaries: *Check with Jennifer Walker.*
- c. Environmental – Sustainable Growth, Including Impacts of Growth: *Check with Jennifer Walker.*
- d. Groundwater: *David Van Dresar, Jim Brasher.*
 - i. Include new policy recommendations on Brackish Groundwater.
- e. Potential Impacts to Agricultural and Rural Water Supplies: *Check with Daniel Berglund, Jim Brasher.*
- f. Agricultural Water Conservation: *Check with Daniel Berglund, Jim Brasher, LCRA.*
- g. Municipal/Industrial Conservation: *Teresa Lutes, check with Jennifer Walker, LCRA, Lauri Gillam.*

- h. Reuse: *Teresa Lutes*.
 - i. Brush Control: *David Lindsay, David Van Dresar*.
 - j. Inflows to Highland Lakes: *David Lindsay*.
 - k. Coordination of Planning Cycles for Determination of Desired Future Conditions by GCDs and Generation of the Regional Water Plan by RWPGs: *David Van Dresar, Jim Brasher, Lauri Gillam*.
 - l. Recommended Improvements to the Regional Planning Process: *Lauri Gillam*.
 - i. Include new policy recommendations on Texas Open Meetings Act Regional Water Planning Group Exceptions.
 - m. Radionuclides in the Hickory and Marble Falls Aquifers: *Check with Region F*.
 - n. Preliminary Review of New Policy Recommendations:
 - i. Sedimentation: *David Lindsay*.
 - ii. Droughts Worse than a Drought of Record: *Teresa Lutes*.
8. New / Other Business
- a. The next RWPG meeting will be October 9, 2019 at 10:00 a.m. at the LCRA Dalchau Service Center.
9. Schedule Next Meeting
- a. The next Legislation and Policy Committee meeting will be October 9, 2019 at 9:00 a.m. at the LCRA Dalchau Service Center.
 - b. Another committee meeting is expected to be scheduled before the November RWPG meeting.
10. Public Comments
- a. None.
11. Lauri Gillam adjourned at 12:16 p.m.