

MEETING MINUTES

Lower Colorado Regional Water Planning Group Meeting

LCRA Dalchau Service Center, 3505 Montopolis Drive, Austin, TX

January 11, 2023, 10:00 a.m.

Members Signed in:

Daniel Berglund, Small Business	Teresa Lutes, Municipalities
Jim Brasher, GMA 15	Monica Masters, River Authorities
Kendall Bell-Enders, Alternate for Tim Loftus, GMA 10	Ann McElroy, Environmental
Christianne Castleberry, Water Utilities	Carol Olewin, Public
Ron Fieseler, GMA 9	Mike Reagor, Municipalities
Lauri Gillam, Municipalities	Mitchell Sodek, GMA 8
David Lindsay, Recreation	Jody Fauley, Counties
Barbara Johnson, Industries	Paul Tybor, GMA 7
Jason Ludwig, Electric Gen. Utilities	Emil Uecker, Counties
Jim Luther, Counties	Jennifer Walker, Environmental

Voting Members Absent:

Charles Olfers, Agriculture	Jim Totten, GMA 12
Tim Loftus, GMA 10 (Alternate Attending)	David Van Dresar, Water Districts
Robert Ruggiero, Small Business	
Paul Sliva, Agriculture	

Support/Consultants/Visitors:

Neil Deeds, INTERA	Sara Eatman, Austin Water
Van Kelly, INTERA	Sarah Hoes, Austin Water
Annette Keaveny, LCRA	Pamela Rhyner, INTERA
Lann Bookout, TWDB	Gary Montgomery, Bertram
Carol Faulkenberry, TDA	Alicia Reinmund-Martinez, ICF-Blanton
Sue Thornton, CTWC and Alternate for Recreation	Carol Eckelcamp, Alternate for Public Interest
Blake Neffendorf, City of Buda	Laurence Brown, TSSWCB
Paul Babb, GMA 9	Dianne Wassenich, Region L liaison
David Wheelock	Curtis Steger, City of Liberty Hill

Shrader Davis, CTGCD
Cindy Smiley, Smiley Law Firm
Charlie Flatten, HTGCD

Jay Holmes, City of Liberty Hill
Earl Wood, HCMUD

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

Number of voting members required for 2/3 vote: 17

Formal Actions Taken:

1. The minutes from the October 26, 2022 planning group meeting were approved as presented.
2. The Nominating Committee's proposed slate of nominations for the Executive Committee positions for 2023 was presented and the planning group voted to approve the recommended Executive Committee:
 - i. Chair: David Van Dresar, Groundwater Districts, Fayette County
 - ii. Vice-Chair: Monica Masters, River Authorities, Travis County
 - iii. Secretary: Teresa Lutes, Municipalities, City of AustinMembers at-large:
 - iv. Mike Reagor, Small Municipalities, Llano County
 - v. Christianne Castleberry, Water Utilities, Travis County
 - vi. Jim Brasher, GMA 9, Colorado County
3. San Saba County Judge Jody Fauley was elected as the new voting member representing the Counties interest category.
4. A Waiver of Consistency requested by Liberty Hill for water management strategies that were not included in the 2021 Regional Water Plan was declined by the planning group.

Regular Meeting:

1. Monica Masters called the meeting to order at 10:04 am.
2. Vice Chair Masters welcomed all to the meeting and asked the planning group members to introduce themselves.
3. No public comments were made.
4. Planning Group Membership
 - a. Secretary Teresa Lutes conducted a roll call for attendance.
 - b. Ms. Lutes called the group's attention to the attendance report included in packets for review and requested corrections if needed.

5. Consider approval of Minutes
 - a. Vice Chair Masters asked that the planning group review and consider approval of the October 25, 2022 meeting minutes. A motion to approve the minutes as presented was made by Daniel Berglund, seconded by Ron Fieseler, and was approved with none opposed.
6. Report on Nominating Committee Recommendations – Ann McElroy, Chair of Nominating Committee
 - a. Ann McElroy presented the slate of executive committee members recommended by the Nominating Committee. The proposed slate of nominations for the Executive Committee positions for 2023:
 - i. Chair: David Van Dresar, Groundwater Districts, Fayette County
 - ii. Vice-Chair: Monica Masters, River Authorities, Travis County
 - iii. Secretary: Teresa Lutes, Municipalities, City of Austin
 - Members at-large:
 - iv. Mike Reagor, Small Municipalities, Llano County
 - v. Christianne Castleberry, Water Utilities, Travis County
 - vi. Jim Brasher, GMA 9, Colorado County

A motion to approve the recommended Executive Committee and Officers for 2023 was made by Ron Fieseler, seconded by Laurie Gillam, and passed unopposed.

7. Committee Reports

- a. Lauri Gillam, Chair of the Population and Demand Committee, reported on their meeting, November 2, 2022. She noted the progress made by the committee and consultant so far included preliminary review of the non-municipal demands.

Neil Deeds, INTERA, gave an update that Stacy Pandey, LCRA, and Daniel Berglund are coordinating to develop potential revisions to present for the irrigation demand estimates. The committee will be meeting on February 6th to review and to continue discussing mining demands.

David Lindsay asked about new LCRA contracts; Monica Masters responded that Leander and Cedar Park have recently increased their contracts, but that their demands should be captured in the Region K demand projections. The majority of Leander is in Travis Co., and their LCRA contracts predate House Bill 1437 requirements.

Mike Reagor spoke about a proposed pumped storage power generation facility, which would require 4,500 AF of water from the Llano River to be pumped into a reservoir. The water would then be released to generate hydropower.

8. Voting Member representing Counties interest category

- a. Vice Chair Masters asked the planning group to review the nomination and recommendation from Executive Committee of Jody Fauley for the Counties interest category voting position. Vice Chair Masters asked for additional nominations from the floor; none were received. The planning group voted to close the nominations. Daniel Berglund made a motion to approve the nomination of Jody Fauley,

Christianne Castleberry and Jennifer Walker both seconded. Vice Chair Masters invited Judge Fauley to introduce himself. Judge Fauley is the newly elected judge for San Saba County. The Judge noted that, for the northern part of the region, water is a significant concern and he's excited to be involved. The motion passed with none opposed.

9. Vice Chair Masters introduced a request for a Waiver of Consistency for proposed Liberty Hill projects. Lann Bookout, TWDB, discussed waivers and amendments to the Regional Water Plan as the mechanisms for integrating projects into the Regional Water Planning that are introduced mid-planning cycle. Waivers require less effort and cost than an amendment, but must be approved by all of the regions that are affected, including the region that is the source of the supply when that differs from the region that plans for the WUG.

Mitchell Sodek asked if Liberty Hill is asking to amend the plan; Lann said no. Mr. Sodek asked if the project is included in Region G, Lann said he wasn't sure but didn't think so.

Curtis Steger, of Steger Bizzell Engineers and representing Liberty Hill, provided handouts and referred to the Project Information Form (PIF) and the email included in packet which describe three projects, one of which is to use Gandy Pond, in Region K, as a raw water supply for Liberty Hill, in Region G. He noted that Lann Bookout's email mentioned that Gandy Pond may not be hydraulically connected to the Colorado River watershed and therefore may not impact Region K water availability. Mr. Steger presented a map and noted that the reservoir is off-channel and hasn't been accounted for as a source in either Regions G or K.

Mitchell Sodek asked what volume of yield was proposed; Mr. Steger said that phase 1 is for 2,000 AF/Year and phase 2 is currently estimated at 6,000 AF/year. Mr. Sodek explained that Gandy Pond is an old quarry that has been spring fed, about 100 ft deep. Dave Lindsay asked what the ultimate pipe size is; Mr. Steger estimated that the pipe would be 24 inches in diameter.

Mr. Lindsay made a comment that the planning group should carefully consider inter-basin transfers (IBTs), based on the position of Gandy Pond in the Colorado River basin and the City of Liberty Hill, which is largely in the Brazos River Basin. Mitchell Sodek noted that, if the source is considered groundwater, the supply would not be considered an IBT, which applies to surface water. Ron Fieseler asked if there was more information about the springs that feed the pond; Mr. Sodek noted that the quarry pit has encountered the Ellenberger Aquifer and has been permitted by the groundwater conservation district (GCD); he said that the landowner has also diverted a nearby spring so that it now flows into the quarry pit.

Monica Masters asked if Liberty Hill has started to work with TCEQ on permitting, Mr. Steger said no, that they're currently working on funding with TWDB. Mr. Sodek noted that Bertram has considered this as a source, and their project is in the regional water plan for Bertram. Mr. Sodek also noted that he believes the springs have been measured, and they produce significantly less than 2,000 AF/year. Jennifer Walker noted that if water is being removed, that would impact the Ellenberger Aquifer. Mr. Sodek said that there is an active user on the quarry pit – the quarry – and the water is not actively being used for another purpose. The demands associated with the project for Bertram and quarry demands are being captured by the Ellenberger Aquifer modeled available groundwater (MAG) estimates. Mike Reagor asked Mr. Steger how much water they thought was available; Mr. Steger said he'd defer to their hydrogeologist. Mr. Sodek noted that Region K needs to know whether to account for the water as surface water or groundwater.

Gary Montgomery, the City Engineer with the City of Bertram was introduced. Mr. Montgomery stated that late yesterday the City sent out a letter to document their concern

about this project, which they provided at the meeting and shared with TWDB. The project is not in the State Water Plan for Liberty Hill, but it is for Bertram, which he believes accounts for all of the groundwater produced on the site. Mr. Montgomery pointed out that Bertram has two wells nearby and plans for a third which are less than 150 feet deep, therefore impacted by drawdown and they would like to know how those wells and the quarry will be impacted. Mr. Montgomery said that there hasn't been testing in the pit to see if there is any impact to adjacent wells, and that Bertram isn't pulling their full amount yet, but they have more planned.

Mitchell Sodek suggested that this project shouldn't be dealt with through a waiver but should require an amendment.

Jennifer Walker said that it seems like the scenario that Lann described in his email, the course of action if the pond were hydraulically disconnected from the Colorado River, may not be appropriate.

Ron Fieseler said that the information provided was unclear; if the quarry is 100 ft deep and 50 acres, that is too big to be considered a pond. Mr. Fieseler also noted that if the quarry is being filled from the aquifer it is sourced from groundwater, and if a spring has been diverted to the quarry, running over the land into the quarry, that water would need to be considered as surface waters of the state.

Ms. Walker asked for clarification as to whether Mr. Sodek didn't think the mechanism of a waiver as appropriate or if he's not supportive of the project; Mr. Sodek said he thinks it needs to be evaluated through an amendment. Ms. Walker asked Mr. Bookout about the process; Mr. Bookout explained that if the planning group takes action to decline the request for a consistency waiver, that action would direct the applicant to either request another waiver and provide additional information, or take another path.

Ron Fieseler made a motion to decline to provide a Waiver of Consistency to Liberty Hill, Dave Lindsay seconded, and the motion passed unopposed.

10. Texas Water Development Board (TWDB) Report

- a. Lann Bookout, TWDB, provided a schedule update. Mr. Bookout said that TWDB is monitoring bills in the Legislative session and processing applications for funding under State Water Implementation Fund for Texas (SWIFT) and the State Revolving Fund (SRF). He wanted to remind the planning group that the timeline will require the planning group to either adopt the draft non-municipal projections or provide request for revisions at the next meeting for submittal to TWDB in July. Mr. Bookout reminded the RWPG of the new requirement this cycle to review the previous plan for infeasible projects; specifically, the status of the recommended strategies from the last plan that have an online decade of 2020. Mr. Bookout stated that projects for 2020 have to be online by January 5, 2023, delivering water, and will have to be amended in the previous plan if that is not the case. Barbara Johnson asked about funding for this work to be performed by the consultants. Mr. Bookout said that it is included in the funding for this planning cycle, although there isn't a discrete task with funding associated.

11. Consultant Report – Neil Deeds, INTERA

- a. Mr. Deeds presented a summary of current population projections; the population projections are developed with a cohort component method which uses a base population, birth and death rates, and migration rates. A migration scenario that assumes 0.5 of historical migration is the basis of TWDB's draft projections, but the

1.0 migration rate has also been provided by TWDB for comparison. Mr. Deeds described Region K's review from the 2021 RWP process, noting that five of fourteen counties requested a change in population. Mr. Deeds said that the Population and Demand Committee hoped to have feedback at the next planning group meeting. Ron Fieseler asked about the process for providing documentation in support of revisions, and asked if development information could be useful. Neil said that would be useful and noted that they're looking to the RWPG for feedback on all of the projections and working on review and revisions as needed.

- b. The consulting team noted their ongoing coordination with the Population and Demand Committee on non-municipal demands.
- c. Mr. Deeds presented the relevant upcoming deadlines for review of TWDB's draft projections.

12. Interregional Coordination Activities

- a. Ron Fieseler provided an update that Region L hasn't met recently but he's planning to go to their upcoming meeting.
- b. Vice Chair Masters and others noted that the Region G liaison, Terry Bray (not present), should be informed of the discussion on the Liberty Hill decision so he can coordinate with that region. Sara Eatman offered to share an overview and coordinate to write a letter from the RWPG.

13. Vice Chair Masters called the group's attention to the financial report provided in the packet and requested review.

14. Vice Chair Masters gave former Vice Chair David Wheelock a plaque for his years of service. Mr. Wheelock shared his appreciation for the members of the planning group and their efforts over the years.

15. Upcoming meetings

- a. Vice Chair Masters asked the planning group about preferred location and date of next RWPG meeting. Ron Fieseler spoke in support of moving the meetings around the Region and including a field trip, referencing previous meetings that have been held in the upper and lower basins. City of Burnet offered their facilities for the next meeting; LCRA said they would coordinate.
- b. Other committee meetings
 - vii. Population and Demand Committee meeting was scheduled for Feb 6th at INTERA's offices.

16. Future agenda items:

- a. The planning group discussed having a report from the Region G liaison regarding Liberty Hill.
- b. Dave Lindsay asked about LCRA's report on inflow studies and noted that 2022 inflows were lower than in 2011, which may indicate something has changed in the watershed. Monica Masters shared that Texas A&M has studied two basins in their

watershed, and they have extended the contract to look at the lower basin. Vice Chair Masters said that the presentations aren't online yet, but the A&M team has presented their paper at a conference and waiting for the technical review of research before it is provided publicly.

17. No public comments were made.

18. Adjourn 11:17 AM