

MINUTES OF MEETING

BRAZOS G REGIONAL WATER PLANNING GROUP

April 14, 2004

In accordance with notice sent to each member of the Brazos G Regional Water Planning Group and posted in accordance with the Texas Open Meetings Act (copy attached as **Exhibit A**), a meeting of the Brazos G Regional Water Planning Group convened at 10:00 a.m., Wednesday, April 14, 2004, in the central office of the Brazos River Authority, 4600 Cobbs Drive, Waco, Texas. Attendance was as follows:

VOTING MEMBERS PRESENT

Mike Morrison, Vice Chair
Phil Ford, Secretary/Treasurer
Truman Blum
Mark Bryson
Jon Burrows
Tom Clark
Scott Diermann
Tim Fambrough
Charles Ferguson, alternate for
Wiley Stem
Horace Grace
A.V. Jones
Terry Kelley
Scott Mack
Stephen Stark
Chaunce Thompson
Kent Watson

VOTING MEMBERS ABSENT

Tony Jones, Chairman
Wiley Stem

NON-VOTING MEMBERS PRESENT

Terry Lopas
Mike McGuire
David Meesey
Melissa Mullins
Paul Zweiacker

NON-VOTING MEMBERS ABSENT

James Clarno
John Grant
Amador Hernandez
Julia Marsden
Susan Morgan

OTHERS PARTICIPATING

Teresa Clark, Brazos River Authority
David Dunn, HDR Engineering
Kimberly Goolsby, Brazos River Authority
Grady Reed, HDR Engineering
Lisa Tschirhart, Brazos River Authority
David Wheelock, Brazos River Authority

PUBLIC PRESENT

See attached sign-in sheet (**Exhibit B**)

Invocation – At the request of Vice Chair Morrison, Mr. Kelley gave the invocation.

Notice of Meeting –

Vice Chair Morrison noted that each member of the Brazos G Regional Water Planning Group received notice of this meeting pursuant to the bylaws (copy of agenda attached as **Exhibit C**). He indicated that the public meeting notice was properly posted as required by the law and confirmations of timely posting were received.

Attendance and Announcements –

Vice Chair Morrison said that Mr. Jones would not be able to attend this meeting and did not designate an alternate, and that Wiley Stem had designated Mr. Charles Ferguson as his alternate.

Vice Chair Morrison noted the presence of a quorum.

Vice Chair Morrison noted the availability of a hard copy of the meeting materials for public review. He said that the public can also view and download the meeting materials from the Brazos G website at www.brazosgwater.org.

Consider Approval of Draft Minutes of March 23, 2004, meeting –

Vice Chair Morrison noted that draft minutes of the March 23, 2004, were not available; therefore, they would be considered at the next regular meeting.

Present Independent Financial Report and Consider Approval –

Vice Chair Morrison called on Mr. Stephen Stark, Chair of the Finance and Cost Committee to present this report to the Group.

Mr. Stark noted that there were no or unusual expenditures for the period of January 1 through February 29, 2004. A copy of the Independent Financial Report is attached as **Exhibit D**.

It was then moved by Mayor Blum and seconded by Mr. Ford that the report be approved as presented.

The **MOTION CARRIED** with no dissenting votes.

Public Input – Public Questions and Comments on Agenda Items or Water Planning Issues (limited to 5 minutes each) –

Vice Chair Morrison noted that there were two requests to speak, one from Lloyd Behm to speak in connection with the discussion regarding the addition of a voting member representing Groundwater Conservation Districts and Susan Kaderka to speak in response to the recommendation of the Streamflow Assessment Workgroup.

Vice Chair Morrison asked if there were any other requests to speak and there were none.

Status Report on Solicitation of New Voting Members –

Vice Chair Morrison called on Ms. Clark to give this report. A copy of Ms. Clark's presentation is attached as **Exhibit E**.

Discuss the Addition of a New Voting Member Representing Groundwater Conservation Districts –

Vice Chair Morrison said the Group agreed at the February 11, 2004, meeting to revisit the idea of adding a voting member category representing Groundwater Conservation Districts.

Vice Chair Morrison reminded the Group that the discussion should be limited to whether or not the Group adds an additional member or not. He said that according to the bylaws, if the decision of the Group is to change the composition of the Group, then the Group must go through the normal solicitation process for the selection of the new member.

It was then moved by Judge Fambrough that the non-voting membership status for the Groundwater Conservation Districts membership be changed to a voting membership.

Ms. Tschirhart said that the bylaws would not allow that. If interests are going to be added, the Group must decide term limitations for voting/non-voting and to add a new interest, the Group must solicit nominations.

It was then moved by Judge Fambrough and seconded by Mr. Thompson to add a voting Groundwater Conservation District voting member.

Vice Chair Morrison called on Mr. Behm, General Manager of the Bluebonnet Groundwater Conservation District for his comments on this item. He

encouraged the Group on behalf of the groundwater districts to add a groundwater district voting member.

The **MOTION CARRIED** with one dissenting vote (Kent Watson).

It was then moved by Judge Fambrough and seconded by Mr. Kelley that the position of non-voting groundwater district member be eliminated when the voting member is confirmed.

The **MOTION CARRIED** with no dissenting votes.

It was then moved by Judge Burrows and seconded by Judge Fambrough that the new voting groundwater district member term be for five years beginning November 2004.

The **MOTION CARRIED** with no dissenting votes.

**Presentation on New Lake Alan Henry Water Supply District;
Possible Amendment to the Region G Plan –**

Vice Chair Morrison called on Mr. Odie Hood, Chair of the Lake Alan Henry WSD to present this matter to the Group. A copy of Mr. Hood's presentation is attached as **Exhibit F**.

It was then moved by Mayor Blum and seconded by Mr. Stark that the Group ask that the plan be amended to reflect this request and that it be funded by the requesting party by self-funding or from the Texas Water Development Board.

Dr. Mack requested that the motion be amended to make policy that if an entity wants the plan amended, at whatever stage in the cycle, they are responsible for the funds to do the amendment, and then the Group can consider the situation at that time and determine whether to approve or disapprove.

Mr. Kretschmar with HDR asked the Group to keep in mind that the entity will be going to a lender of last resort. In effect, this process prevents them from implementing, which places the planning process in a highly regulatory role that is unique to a case like this where there is no other lender available to them.

The **MOTION CARRIED** with no dissenting votes.

It was then moved by Dr. Mack and seconded by Mayor Blum, with respect to any entity entertaining the idea of amending the existing water plan should expect to incur the cost of doing so whether in cycle or out of cycle.

The **MOTION CARRIED** with no dissenting votes.

Report from Texas Parks and Wildlife Department Staff -

Vice Chair Morrison called on Ms. Melissa Mullins of the Texas Parks and Wildlife Department to give this presentation.

Ms. Mullins in the interest of time waived her opportunity to speak.

Report from Texas Water Development Board Staff –

Vice Chair Morrison called on Mr. David Meesey of the Texas Water Development Board to present this report.

Mr. Meesey reported that there was a Chair conference call and most of the items on that agenda will be addressed during this meeting, including the Water Conservation Task Force and information about the streamflow.

Presentation by HDR on Regional Water Planning Process –

Vice Chair Morrison called on Mr. David Dunn of HDR to give this Regional Water Planning Process presentation to the Group. A copy of Mr. Dunn's presentation is attached as **Exhibit G**.

Report from Water Policy Workgroup –

Vice Chair Morrison called on Dr. Mack, Chair of the Water Policy Workgroup, to give a brief report regarding their meeting held earlier that morning. Dr. Mack noted that there were a limited number of policies to be discussed but the workgroup only reviewed one policy. He noted that a meeting of the workgroup is scheduled for a later date, when time is not limited, to discuss the remaining policies.

Recess –

Vice Chair Morrison recessed the meeting at 12:00 p.m. for lunch. The meeting reconvened at 12:45 p.m.

Update from HDR on Water Availability and Needs Projections –

Vice Chair Morrison called on Mr. David Dunn and Mr. Grady Reed of HDR to give the Group an update on water availability and needs projections. A copy of Mr. Dunn's presentation is attached as **Exhibit H**.

It was requested by Vice Chair Morrison that HDR use the safe yield rather than firm yield. He suggested that rather than it being reservoir specific, that HDR look at a logic demarcation in geography because of the differences in conditions

that need to be taken into account. Mr. Dunn said that particular issue was not discussed during the Water Availability Workgroup meetings. He said the Texas Water Development Board does allow use of safe yield in instances where the local entity makes that request. He said they would do that for the City of Abilene and if the Group can direct HDR to look at that for a specific geographic area, that should not be a problem, but there would have to be specific action.

Mr. Meesey noted that there would have to be action by the Group because anything that varies from the normal rules and operation requires the Group's approval.

In response to Vice Chair Morrison's question, Mr. Dunn said that they wanted a general consensus that the data provided is reasonable for them to move forward in the planning process so they can begin developing plans on a county basis to meet the needs that have been identified. They would like to consider the information as working drafts that will allow them to move forward in the planning process with the realization that some of the numbers may be amended as they receive more information. They would also like to know if there are any other changes that the Group would like made such as whether to use safe yield versus firm yield for a certain portion of the region.

It was then moved by Mr. Grace and seconded by Judge Fambrough that the Group direct the consultant to move forward on the basis that they had presented.

The **MOTION CARRIED** with no dissenting votes.

Discussion pursued regarding safe yield versus firm yield.

It was then moved by Mr. Thompson and seconded by Judge Fambrough that the Group direct the consultant to look at the safe yield in the far western section of the region.

Mr. Dunn said that would primarily be the reservoirs above Possum Kingdom Reservoir.

Mr. Meesey noted that the Group should be aware that using safe yield will show an additional shortage.

Mr. Thompson withdrew his motion with the approval of Judge Fambrough.

Vice Chair Morrison noted that HDR would make the runs for safe yield and present them at the next regularly scheduled meeting of the Group.

Report and Possible Recommendation from the Streamflow Assessment Workgroup –

Vice Chair Morrison reported that the Streamflow Assessment Workgroup met April 13. The Group had a very productive meeting with discussion/debate on the various aspects of how to assess impacts on instream flow. Mr. Dunn restated the recommendation that had been presented by the Texas Water Development Board, the National Wildlife Federation and Texas Parks and Wildlife and had some alternative suggestions about how to approach this matter that primarily centered around what is the baseline for calculating impact on instream flow. There was discussion that perhaps instead of using what currently exists as the starting point, there needs to be consideration on if a water right is permitted but not being fully used and if we are anticipating that it be fully used, then the fact that water is no longer available to the river is an impact and should be taken into consideration.

Vice Chair Morrison requested that Mr. Dunn recap the original recommendation and provide the modified recommendation to the Group with regard to how the workgroup recommends handling the instream flow assessment.

Mr. Dunn said the recommendation presented to the Group on March 23 was to present flows at certain locations in the basin under two conditions; One is essentially Run 3 or a water supply assessment run that we have made, which is full utilization of water rights and adding some assumed return flows which cannot be used for determining water availability but can be used for projecting what the flows will look like in the rivers at the end of the planning cycle and would be without plan flows. The second set of flows that would be compared will be the same model with all of the water management strategies included. Therefore, there would be a baseline considering full utilization of water rights, plus the best estimate of what projected return flows would be, which would be the baseline condition, then compare that with the plan by taking the baseline condition and adding in the water management strategies. HDR had recommended that we not compare those two flow sets against any environmental benchmark flows. Texas Parks and Wildlife recommended a set of environmental benchmark flows commonly referred to as the Lyons Method Flows. HDR recommended to the Group that we not include those as a benchmark comparison. The Workgroup has recommended that discussion be tabled until we determine what those comparisons would be and then make a determination as to what the appropriate benchmark, if any, is to compare those resulting flows.

Vice Chair Morrison made one clarification regarding the Workgroup's recommendation. He said that the Workgroup's recommendation was to use HDR's recommended streamflow assessment and that the benchmark be determined at a later date.

Vice Chair Morrison offered the floor to Ms. Kaderka of the National Wildlife Federation to make her comments.

Ms. Kaderka commended the Workgroup and made comments about baselines and the purpose of the planning process.

It was then moved by Mr. Morrison and seconded by Mr. Bryson that the Group adopt the HDR recommended methodology for calculating impacts on streamflow with the addition of environmental benchmarks to be determined at a later date.

The **MOTION CARRIED** with no dissenting votes.

Recess –

Vice Chair Morrison recessed the meeting at 2:05 p.m. The meeting reconvened at 2:15 p.m.

Featured Educational Briefing – “Best Management Practices (BMP’s)” –

Vice Chair Morrison called on Mr. Wheelock to present this briefing to the Group. A copy of Mr. Wheelock’s presentation and handout are attached as **Exhibits I and J**.

Vice Chair Morrison noted the Group has the option of making comments as a Group or individually.

Mr. Bryson said that if the Brazos River Authority makes comments, the Group would like to see those comments. Mr. Wheelock said that the Brazos River Authority had not discussed whether they would comment, but if they do, the Group could see those comments. Mr. Bryson said that it might be good to package comments for the area to see what the input is.

Discuss Request from the Far West Texas Water Planning Group

Vice Chair Morrison noted that a request was presented at the previous meeting. The Group agreed to consider to whatever extent appropriate at this meeting. This revolves around a proposal from the General Land Office to work in partnership with a group known as Rio Nuevo for utilizing groundwater in that area of the state. There has been a request that the Regional Water Planning Group support the Far West Texas Water Planning Group in their effort and expression of concern.

Vice Chair Morrison asked the Group if there is action that the Group wishes to take.

It was then moved by Mr. Kelley and seconded by Mr. Grace that this matter be deferred to the Water Policy Workgroup.

The **MOTION CARRIED** with no dissenting votes.

Confirmation of Next Meeting Date -

Vice Chair Morrison noted that the next regularly scheduled meeting will be held Wednesday, June 9, 2004.

New Business to be Considered at Next Meeting -

Vice Chair Morrison expressed appreciation to the staff of the Brazos River Authority for all of the time and effort that is put into preparing for Brazos G meetings.

Adjournment – There being no further business before the Group, Chair Jones adjourned the meeting at 2:56 p.m.

PHILLIP J. FORD
Secretary/Treasurer

MICHAEL MORRISON
Vice Chair