

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION 'J'
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
March 19, 1998 at 2:00 p.m.
Real County Courtroom, Courthouse
Leakey, Texas**

MINUTES

The meeting was opened by Jonathan Letz at 2:00 P.M. as posted. All members were present except Judge Nevile Smart.

Mr. Jorge Arroyo with the Texas Water Development Board was introduced and took the floor. He covered the following:

16 Regions in State

\$20,000 scope of work need political subdivision

75% grant to match 25% from region

Technical advise and assistance from Debra Reyes-Austin

6 point of Water Plan

1. Identify how much H2O needed 50 years. Plan.
2. How much H2O do we have.
3. Do we have excess or shortage.
4. What are options available.

30 year plan (short term) management strategies "very specific"

50 year plan (long term)

5. Select options to take long term and short term
6. Identify reservoir sites, ecologically significant

The floor was opened and nominees to add additional voting members:

Daniel Burr/Del Rio/Public

John Wendele/Kerrville/Municipal

John Junker/Bandera/Tourism/Small Business

The vote was 9-2 in favor with Zach Davis and Herb Senne voting against.

A motion to adjourn was made by General Prather and seconded by Jim Brown. Meeting was adjourned at 3:27 P.M.

**REGIONAL WATER PLANNING GROUP MEETING
MARCH 19, 1998 AT 3:30 P.M.**

MINUTES

Called meeting to order, all members present except Nevile Smart.

By-Laws

Motion to accept as interim by-laws the model by-laws presented by Texas Water Development Board with exception of Article VII (deleted) and that we will discuss at next meeting. Motion by Daniel Burr, Second by Jerry Simpton. Carried unanimously.

Motion to name Chairman by Zach Davis, seconded by Jerry Simpton-Carried unanimously

Jonathan Letz Chairman

Motion to name Vice-Chairman by Jim Brown, seconded by Kenny Shackelford-Carried unanimously.

Jerry Simpton Vice-chairman

Motion to name Secretary Jim Brown, seconded by Kenny Shackelford-Carried unanimously

Cameron Cornett Secretary

Meeting adjourned with the next meeting being set for Thursday, April 9, 1998 at 2:00 P.O. in Del Rio.

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION "J"
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
April 9, 1998 at 2:00 p.m.
Del Rio National Bank
Del Rio, Texas**

MINUTES

PRESENT: See Attached.

ABSENT: Judge Neville Smart

GUESTS: See Attached.

J. Letz called the meeting to order at 2:22 p.m. Members were asked to sign a Roll Log in lieu of having a Roll Call. Any members who wished to do so were invited to identify themselves. J. Letz did introduce J. Wendele and J. Junker, who were absent from the last meeting. J. Letz announced that a quorum was present and the meeting was in compliance with the Open Meetings Act.

Item II on the Agenda, after reading of the March 19, 1998, minutes for the Initial Coordinating Body at 2:00 p.m., and the Regional Water Planning Group Meeting at 3:30 p.m., C. Cornett requested that the minutes be corrected to reflect the correct spelling of J. Junker's first name to John instead of Johjn in the 2:00 p.m. meeting minutes, the correction of his first name to Cameron instead of Carmen and K. Shackelford's last name to Shackelford instead of Shackelford in the 3:00 p.m. meeting minutes. H. Senne moved the minutes be approved contingent upon the correction of the three name spellings; seconded by O. Gonzalez. The motion carried unanimously.

J. Letz announced that he was going to address some items out of order on the agenda in an effort to get some of the administrative matters handled. Item IV on the Agenda, Miscellaneous Discussion Items, J. Letz announced that he was getting mail which he is not sure how to handle and requested discussion to give him guidance. Letz advised he had received a letter from the Fish and Wildlife Service, which provided a proposed list of the Devils River Minnow. Dick Luebke from the Texas Parks and Wildlife was present and addressed the members regarding the letter received by J. Letz. Mr. Luebke advised his understanding of recent developments of the Fish and Wildlife Service was that they have announced it is their intention to list the Devils River Minnow as a federally endangered species. The Parks and Wildlife Department are still aggressively pursuing a conservation agreement. They are working closely with the Fish and Wildlife Service in an effort to avoid the ultimate listing. His understanding is that the intention to pursue listing is a necessary prerequisite for listing should they actually decide to list. It doesn't mean they will decide to list. Mr. Luebke stressed he did not want to belittle the fact that they have declared their intention to list and indicated that they just didn't know at this time what

they were going to do. It was determined that no action was required at this time by the Committee. J. Letz indicated that his concern at this point was more what types of things did the Members want him to put on the agenda. Discussion ensued regarding all information any Members may receive in the future. J. Letz suggested that anytime any Member received information they wanted to present at a meeting they could contact him or C. Cornett and there would be no problem getting it on the agenda. Further discussion ensued regarding the section of the By-Laws which required three (3) members to agree on the agenda. J. Letz advised that the By-Laws could be addressed when discussed later in the meeting.

Item V on the Agenda, Administrative Office, J. Letz suggested Springhills Water Management District be designated as the official administrative office where papers are stored and items are kept for mailings, etc., since C. Cornett is the Secretary, the District is a public entity and his staff has graciously agreed to accept this responsibility for the Group. J. Brown so moved; seconded by J. Simpton. The motion carried unanimously.

Item VI on the Agenda, Entity to make Application for Grant Assistance, J. Letz asked J. Brown if he'd had the opportunity to talk to his Board regarding naming of Upper Guadalupe River Authority. J. Brown advised unofficially it has and is an agenda item for approval at the meeting the following Wednesday, April 15, 1998, if this committee so chooses. J. Letz advised that it was necessary to name an entity to be the main point of origin for the application and where the funds will be funneled through. It needs to be a politic entity in accordance with the Senate Bill 1 By-Laws. UGRA has agreed and J. Letz invited anyone else who would like to be considered to open for discussion. Since no one else volunteered J. Letz suggested UGRA be designated as the entity to make application for grant assistance. J. Simpton so moved pending UGRA's acceptance; seconded by H. Senne. The motion carried unanimously.

Item VIII on the Agenda, Authorized Signatures, J. Letz advised that currently he is the only one authorized to sign and the Group has to have a Certifying Official and a Liaison Officer to do the filings with the Secretary of State's office. J. Letz recommended that he and C. Cornett be appointed to both positions. J. Letz further advised that he had contacted the Registrar's Office and they had indicated there was no problem with having two or three but signatures are needed on the posting requirement's when it goes to Austin. K. Shackelford moved that Jonathan Letz and Cameron Cornett be named as both Certifying Official and Liaison Officer for posting requirements; seconded by J. Brown. The motion carried unanimously.

Item III on the Agenda, Modification to Interim By-Laws, D. Burr opened discussion regarding the current By-Laws. Mr. Burr suggested that due to the large forum perhaps it would be more advisable to ask the Chairman to appoint a small subcommittee to address the By-Laws and report their findings and recommendations to the Committee as a whole at the next meeting. J. Letz concurred but requested discussion on several items. Specifically Article VII, Designated Alternates, was opened for discussion. J. Letz discussed deleting both Designated Alternates and Discretionary Members which is similar. Letz suggested that a clear direction for this committee is to eliminate these two groups and advised the Committee that the current Membership will be the only actual Members on the Region "J" other than the obvious public members. J. Letz asked for any further discussion on this matter or any volunteers for the By-Laws subcommittee. C. Cornett nominated J. Mohar. J. Letz suggested that due to his extensive technical expertise, Mr.

Mohar would better accommodate the Scope of Work subcommittee to be discussed in Item VII on the agenda as well as J. Wendele and perhaps H. Senne or someone else to represent the Val Verde/Kinney County area with more scientific expertise. J. Letz expressed his concern that since there were two subcommittees needing to be appointed, he didn't want any one member getting too burdened. The By-Laws subcommittee was formed with D. Burr, J. Letz, R. Pace, O. Gonzales and J. Junker being appointed. Further discussion ensued regarding the By-Laws subcommittee. It was suggested that any Members having concerns about certain elements of the By-Laws should so note them and send them in to the subcommittee in an effort to expedite the subcommittee's work. This would also allow the subcommittee to include these concerns when they report back to the Region "J" Committee rather than having them brought up after the subcommittee has prepared its findings for the Committee. J. Letz requested that during the next week Members fax their concerns to him and he will ensure that copies are delivered to all members of the By-Laws subcommittee. Clarification was requested regarding how long Members had to get their concerns to the subcommittee and J. Letz suggested that Members had seven (7) days from the April 9 meeting date to submit their concerns, and the subcommittee would plan on meeting the week after that to begin their work. If any Member fails to submit concerns within the seven (7) days, the subcommittee will assume they have nothing to add.

Item VII on the Agenda, discussion ensued regarding the development of the Scope of Work Application. A request was made to have one of the Texas Water Development Board members who were present to address the Group and provide a broad-based approach as to what needs to be done to develop a scope of work and who may be approached for outside technical assistance. Jorge Arroyo of the TWDB responded by advising that the Committee was on the right track by designating a political entity. As far as specific milestones, one requirement is to have a public meeting with the required thirty (30) day notice, to allow the public the opportunity to provide specific input as to what they feel should be included in the preparation of the plan and allowing the Committee to better prepare the scope of work. Once the designated political entity files an application, someone may be hired but in order to use their funds the Committee will have to go through the Request for Qualifications process and select a firm based on qualifications. Further discussion ensued regarding what tasks will be eligible expenses for the \$20,000 grant. Mr. Arroyo advised that any task that is directly related to the preparation of the scope of work is eligible. If the application exceeds the \$20,000, then the TWDB will have to make some type of determination as to what they will pay for and what they will not. As far as a specific breakdown of what tasks are going to be involved there, the TWDB does not have the breakdown yet because it will be up to the Committee to determine what it is they need to do. The TWDB will provide specific technical assistance once any formal request from the Committee to that affect is received. They do not want to be in the position of telling the Committee what to do, which is why they are taking a back seat to this. A question was asked regarding the Committee's options of either going to TWDB for technical assistance or soliciting proposals from a knowledgeable and experienced firm in the free market. Mr. Arroyo advised that it was his opinion that is what most of the groups would be doing. He felt that they would select a public entity that would apply for the \$20,000, develop a scope of work and then hold a public meeting and decide what issues are of greatest concern to the group and need to be identified in the preparation of the scope of work. Then the consultant, with the qualifications set by the Group, will prepare the actual scope of work to be presented to the group before it is submitted to TWDB. Mr. Arroyo was asked if the Committee employs a firm to do the majority of the development of the scope of

work for a certain amount, which might be less than the \$20,000, then could the Committee have an additional task for the remainder of the funds to cover expenses of the operation of the Committee such as travel and things of that nature. Mr. Arroyo responded that those kind of Committee operating expenses would not be something that would be funded, but rather something the Group would use as an in-kind matching contribution. It was suggested that available options are either this Group gets together and does it or hires an outside professional consultant to work for the Group and does the preparation of the scope of work. Mr. Arroyo advised that the Group was free to do whatever it deems appropriate. Mr. Arroyo did state that he was not aware of any group that wanted to do it themselves. J. Brown expressed concern that if he is to be the one who files the grant and manages the grant; he wants to avoid audit exceptions. Mr. Arroyo advised Mr. Brown that once he had started the application process to feel free to call TWDB with any questions he might have and they will provide him with the best answers they can get.

J. Brown then asked the Chairman to open discussion regarding the pro's and con's of the Committee employing a professional firm that not only has experience in this type of work but, more specifically, that has knowledge and understanding who has done work with TWDB in dealing with their grants programs. Mr. Brown suggested that there are firms that can provide assistance in directing the Group in doing the scope of work and there are firms that can do the mechanics of the production of the plan once the Group has given them the basics. Discussion then ensued regarding provisions for division into subregions. Mr. Arroyo advised the Group would be better off making the decisions regarding subregions before preparing the scope of work. He advised the Group that the scope of work is just going to lay out the skeleton of what is going to be in the Regional Water Plan. He further advised if the Group is going to structure the work as separate subgroups, he would recommend that the consultant be advised of this from the start. Concern was expressed about splitting up into subgroups at this point and having several groups come in with separate plans to be incorporated into the Region "J" plan. After further discussion, Mr. Arroyo advised that all the questions being generated at this time, along with the complexity involved in developing a scope of work, points to the need to search out a qualified firm that would assist in preparing the scope of work. Mr. Arroyo further advised that in looking at the TransTexas process, many of the firms had people with expertise in running public meetings, people with engineering backgrounds and whatever other disciplines were necessary. Mr. Arroyo was asked if the firm that helps develop the scope of work would also assist in evaluating what the water issues are in the six (6) counties. Mr. Arroyo responded that was not necessarily true. The Group might decide to use the same firm but it might also decide to use a separate political entity altogether. According to Mr. Arroyo, the scope of work is only a part of the application for the larger portion of funds. After further discussion, it was determined that the Group would need to have the outside firm look at all options. The initial scope of work is for the Group to formulate a plan for the big plan so the Group would charge the firm with exploring all the water management strategies for this region as part of the scope of work. The firm would also be responsible for identifying various resources that the Group could call upon in the future such as public and technical resources from other consulting firms. It was further suggested that a generalized scope of service be developed prior to division into subgroups that will be given to the consultants coming into the second phase of this, so that when group A and group B come back together to merge their work into the Regional Plan, the Group will have something that fits together.

After continued discussion, there was unanimous agreement that the Group needs to hire a professional consultant. Discussion then ensued regarding how to hire this firm and when they will be paid. It was determined that a Request for Proposal should be issued. The RFP will state that this will be a third-party contract in which the firm contracts with this Group and this Group contracts with TWDB. TWDB funds back to this Group, who writes the checks to the consulting firm. Mr. Arroyo advised that, as an alternative, the consulting firm does not need to enter into a formal contract with this Group. This Group will need to enter into a contract with the consultant and the consultant will enter into a contract with TWDB. Mr. Arroyo further advised that their board meets once a month. In order for an application to be considered in May, this Group will have to have its political entity submit an application with TWDB by April 27th including public notice by the 21st of April of intent to file an application. That is TWDB's requirement that thirty days before filing and their Board considers the application, the Group must tell the public of their intentions. If the Group wants the Board to consider the application in June, then May 26th is the ultimate deadline for the \$20,000 and May 19th for the public notice. Mr. Arroyo also indicated that the Group would have to enter into a contract approved by TWDB before the funds would be allotted. A reasonable practice is to make it a contingent contract. According to Mr. Arroyo, he can almost assure the Group that the application is going to read \$20,000. This \$20,000 is just an interim step and is the 100% grant TWDB is providing. The overall funding is going to be a 75% grant so there will be some catching up in the second application. The application could read up to \$20,000. There are two grants, the initial being a 100% grant for up to \$20,000 and the second being a 75% grant with the amount to be determined based on what the scope of work identifies as a possible cost of the preparation of the plan and then the overall funding that the agency will provide is up to a 75% grant of the overall cost. One Member suggested that the second phase would probably cost between \$150,000 and \$200,000.

A question was brought up about the in-kind services and could they be accumulating at this time. Mr. Arroyo indicated that the Group might want to establish some sort of recordkeeping indicating whatever expenses Members are incurring. J. Brown suggested that a standardized form be submitted to the Executive Committee each month with an itemized list of all expenses. After approval from the Executive Committee, the form is forwarded to his office and he will log it in and start building up the database to track expenses to apply toward the Group's 25%. He also suggested the standardized form would create a much clearer audit trail as the Group claims it's 25%. The Group was reminded to keep records of things such as faxes, phone calls and everything else. Brown indicated the form would include everything they could possibly think of in the way of expenses that might be incurred.

Discussion continued regarding how the Group was going to hire a consultant to do a scope of work in eleven (11) days. It was determined that all that is required is a standard planning grant application form, which Mr. Brown has. Brown expressed concern about locating a qualified firm or getting a list of qualified firms who have dealt with TWDB. Mr. Arroyo advised that they can not provide a list, but they can refer the Group to the Planning Council of Consulting Engineers, who can provide a list. Mr. Arroyo could not tell the Group if hiring the consulting firm that employs John Ashworth, former TWDB employee, would be considered a conflict of interest because that is a legal question. Mr. Arroyo suggested that Mr. Ashworth contact TWDB's legal council and explain the case and get a ruling from them. It was agreed that the burden should fall on the firm to resolve any such issue rather than this Group. Several other

firms were discussed among Members. Deborah Reyes, TWDB, suggested that the Group send her a letter request a list of firms per the Open Records Act and they can provide a list of firms that have done business with TWDB. A suggestion was made to form a committee to work on preparing an RFP. An RFP Committee was formed consisting of J. Mohar, C. Cornett, J. Brown, H. Senne and J. Wendele. Due to the timing involved, J. Simpton moved that the Group authorize UGRA to go ahead and submit the application with consultation with the RFP Committee; seconded by Z. Davis. The motion carried unanimously. J. Brown advised that he would be submitting an application for the entire \$20,000 and would not present it the Group if all were in agreement.

Item IX on the Agenda, Informational Items, J. Letz asked for any comments. Mr. Arroyo advised that in order for their Board to consider the application, TWDB has to have model By-Laws adopted. According to Mr. Arroyo, because the water right holders have not been notified, the Group's By-Laws could be challenged. C. Cornett advised that there are 1271 permit holders on the Rio Grande. He has talked with Glen Jarvis out of Region M and an attempt is going to be made to put both Group's agenda items on one sheet of paper, get it over to the Regional Watermasters and try to meet their mail-out, which is on the 13th of each month. Cornett suggested that Region "J" set up meetings based on when they are doing their mail-outs, which is the 13th. Cornett further advised that the Medina Watershed only had about six (6) contacts and all had been notified. Mr. Arroyo advised that their Board is going to be presented with an item this coming month to amend the notice requirement for the water right holders. The amendment is going to allow this Group to ask the holders if they want to continue being notified and only those that respond in the affirmative will have to be notified. He recommended that this request be included in any mail-outs through the Watermasters. However, Mr. Arroyo stressed that until their Board's next meeting, this Group is still required to notify all 1271 permit holders. He also indicated that action taken by their Board would not be effective until July. Mr. Arroyo was asked if this Group needs to properly post and re-adopt the interim By-Laws approved at the last meeting before submitting an application that would be acceptable to TWDB. Mr. Arroyo referred to the 357 Rules, Page 38, which reads "The Board may not approve funding under Chapter 355 for a Regional Water Planning Area until a copy of the adopted by-laws of the Regional Water Planning Group does meet the requirement of Subsection K has been filed with the Executive Administrator." Mr. Arroyo indicated that the Group needed to send the By-Laws to their Executive Administrator and they would be required to check those By-Laws to assure that those six (6) items listed in the rules are included and to see if those By-Laws have been properly adopted. Then they will have to look at the notice requirement and if there is a problem, they will come back to the Group and tell them of the existing problem. Mr. Arroyo suggested that the Group assure that the Watermaster's mail-out includes a copy of the agenda for a meeting that includes adoption of the By-Laws.

Discussion ensued regarding Cindy Martinez's failure to return C. Cornett's phone calls. The problem is that this is a TWDB project and the Group is trying to work with TNRCC, which is a different bureaucracy. It was suggested that someone from TWDB contact TNRCC to help with the communication problems. As a result, the mail-out will be going through the Rio Grande Watermaster's office.

There was unanimous agreement that all committee's are to be considered advisory committee's as opposed to rule-making committee's to alleviate the need for compliance with the Open Meetings Act, posting of agenda's and minutes.

C. Cornett asked how the 1271 sheets of paper were going to get to Harlingen. Mr. Arroyo was on the phone with Cindy Martinez at this time and C. Cornett was asked to have Mr. Arroyo ask Ms. Martinez if the Group could send her one copy and ask her to run off the 1200+ copies. A question arose as to the ability to notify through the newspaper. Mr. Arroyo has taken that question back to the committee, however, their position is only the TWDB can consider that and the staff is not in a position to discuss it. According to Deborah Reyes, the rules state notification by mail, fax or e-mail notice. C. Cornett requested assistance from J. Letz in getting the agenda prepared and faxed by Friday, April 10th, as Ms. Martinez agreed they could have it included by Monday, April 13th.

A question arose regarding whether one Public Hearing or one Public Meeting prior to the scope of work was required. According to Ms. Reyes, TWDB, Public Hearing means to solicit comments. Another question arose regarding whether the Group wanted more than one Public Hearing. The initial scope of work will define that.

Ms. Reyes was asked about the appointment of Liaisons to adjacent Regions, when should that be done and what processes are other groups using to name their Liaisons. She has not heard how any of the other Regions are handling this. She feels it is up to this Group to decide how they are going to handle it. Ms. Reyes indicated that they could poll the other public managers, find out what they are doing and get that information back to this Group.

Item X on the Agenda, Set Next Meeting, J. Letz requested that Members provide any concerns regarding the by-laws to the By-Laws Committee within the next two to three days due to the escalation of the timeline. The next meeting was set for Tuesday, May 19, 1998, in Bandera at 2:00 p.m. J. Letz tasked C. Cornett to prepare a letter as an attachment to the next agenda asking if permit holders want to continue to be notified and fax it to be included in the mail-out on the 13th of April.

Members were asked to verify their phone numbers on the current Member list and provide an e-mail address if applicable. A copy of the most recent State Water Plan along with the plan that will go into effect in 2000 were handed out to assist this Group with it's plan. An inquiry was made regarding changing the name of the Group from Region "J" to something that is more representative of the Region. According to Mr. Arroyo, TWDB is planning a statewide meeting for all the Regional Water Planning Group Members sometime in May, which will give this Group the opportunity to address such questions with other Regions. Sections 3-222 and 3-227 of the book was brought up indicating maps of the two offices the Group will be dealing with and the good fundamental information provided therein.

Motion was made by K. Shackelford to adjourn the April 9, 1998, Regular Meeting of the Region "J" Regional Water Planning Group; seconded by H. Senne. The motion carried unanimously. The meeting adjourned at 4:00 p.m.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Member, Region "J"

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION 'J'
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
May 19, 1998 at 2:00 p.m.
Flying L
Bandera, Texas**

MINUTES

PRESENT: See Attached.

ABSENT: Z. Davis, O.J. Erlund, K. Shackelford, N. Smart

GUESTS: See Attached.

J. Letz called the meeting to order at 2:10 p.m. by waiving the Roll Call as same members were present for this meeting who answered Roll Call at the just adjourned ICB meeting. Letz announced that a quorum was present and the meeting was in compliance with the Open Meetings Act.

J. Letz announced that Item XI on the Agenda, Consider and Discuss Modifications to Interim By-Laws, would be tabled as the By-Laws Committee had not been able to come up with definitive recommendations due to time constraints and this would be added to the next meeting agenda. J. Letz invited guests to introduce themselves.

Item II on the Agenda, after reading of the corrected March 19, 1998, minutes for the ICB Meeting held at 2:00 p.m. and the RWPG meeting held at 3:30 p.m. in Leakey, Texas, no changes were identified. After reading of the April 9, 1998, minutes for the RWPG Meeting held at 2:00 p.m. in Del Rio, Texas, D. Luebke requested that the minutes be corrected to reflect the correct spelling of the Devils River Minnow from Double Dribber Minnow. H. Senne moved the minutes be accepted contingent upon the correction as requested; seconded by R. Pace. The motion carried unanimously.

J. Letz announced that Items III through X on the Agenda were reaffirmation's of the previous meeting and Item IX was addressed in the ICB Meeting held just previous to the current meeting and, therefore, could be deleted from the agenda.

Item III on the Agenda, J. Brown moved that the Interim By-Laws be adopted with the exception of Section VII; seconded by Herb Senne. The motion carried unanimously. D. Reyes, TWDB, informed the Group she will need a copy of the By-Laws along with a letter from C. Cornett indicating that these are the Group's By-Laws as adopted on this date. After her office receives these Interim By-Laws, the TWDB will acknowledge receipt of them and indicate that all the required sections are included and they do meet the TWDB's requirements. J. Letz asked D.

Reyes if the Model By-Laws were available on disk and, if so, requested those be sent to C. Cornett's office. D. Reyes indicated she would Email them in Word format.

Item IV on the Agenda, H. Senne moved that the following officer's be appointed for the Group:
Jonathan Letz, Chairman

Jerry Simpton, Vice-Chairman

Cameron Cornett, Secretary

Seconded by R. Pace; the motion carried unanimously.

Item V on the Agenda, H. Senne moved that Springhills Water Management District (SWMD) be designated as the Administrative Office for the Group; seconded by J. Brown. The motion carried unanimously.

Item VI on the Agenda, O. Gonzalez moved that the Upper Guadalupe River Authority (UGRA) be designation as the entity to make application for grant assistance; seconded by H. Senne. The motion carried unanimously with the exception of J. Brown, who abstained from the vote.

Item VII on the Agenda, J. Simpton moved that a Scope of Work committee consisting of J. Brown, J. Mohar, H. Senne, C. Cornett and J. Letz be appointed; seconded by O. Gonzalez. The motion carried unanimously.

Item VIII on the Agenda, J. Brown moved that a By-Laws committee consisting of D. Burr, O. Gonzalez, J. Junker, R. Pace and J. Letz be appointed; seconded by H. Senne. The motion carried unanimously.

Item X on the Agenda, J. Brown moved that C. Cornett's name be added to Jonathan Letz' as an authorized signature for Secretary of State posting requirements; seconded by O. Gonzalez. The motion carried unanimously.

Item VII on the Agenda, J. Brown addressed the Group regarding the status of the Scope of Work. Brown informed the Group that the RFQ, which had been approved by the TWDB on May 12, 1998, had been sent on Friday, May 15, 1998, to four (4) company's to include Carter and Burgess in Houston, TX; CH2M Hill Engineering in San Antonio, TX; Freese and Nichols in Fort Worth, TX; and to LBG-Guyton Associates in both Trumbull, CT and Austin, TX., requesting five (5) copies of the Statement of Interest and Qualifications be submitted back to Region 'J' in care of either C. Cornett or J. Brown no later than 4:00 p.m., June 5, 1998. J. Brown indicated that due to the time line involved, the RFQ had been sent out to the short list of candidates provided to him by the committee and he opened the floor for additional candidates to be solicited. J. Mohar informed the board that the four (4) companies who had been sent the RFQ's were chosen from a list of approximately 20 companies from the TWDB. Any company that committee members had no knowledge of or who had any negative comments made about them by any member of the committee was withdrawn from consideration. The committee then selected what it considered the four (4) best qualified of the remaining group.

J. Letz then requested that D. Reyes provide the Group with a list of what needed to be included in the Scope of Work. According to Reyes, in regards to the \$20,000 grant application, what happens is the Group will develop a Scope of Work to tell the TWDB how it's going to develop its Scope of Work which is due August 1, 1998. She stated that she could tell the Group what should be included in the application and what is showing up in other Region's applications. According to Reyes there should be a certain amount of literature review that is happening right now or that will be happening very soon, particularly prior to the Public Meeting where comments will be solicited. Whoever is going to be hosting the Public Meeting, whether it be the Group or its consultant, they should have some background knowledge of Senate Bill 1 and the studies that have been done in this region so that the Group is able to explain to a lay audience what has been done so far, what is being done now and what is about to be done in the future. Reyes informed the Group that, in addition to the items included in the checklist, which had been provided the committee, there should be a literature review and as a task, the Public Meeting should be coming up. Reyes indicated that the timing was somewhat confusing because the TWDB was holding their meeting on June 18, 1998, which is only one week prior to the Region 'J' Public Meeting scheduled for June 25, 1998, at which time Region 'J' probably would not have its funding yet. Reyes recommended the Group ignore the funding issue and proceed with what needs to be done between now and August 1st to successfully develop the Scope of Work.

J. Brown informed the Group of what the committee had included in their Scope of Work, which was broken into two (2) tasks. Task 1 being the Development of Key Water Issues and Task 2 being the Development of a Scope of Work. After J. Brown read the details of the two tasks, J. Letz asked if this satisfied those members representing Edwards, Kinney and Val Verde counties, since the committee was made up mainly by members from the eastern portion of the Region and few from their western counties. All agreed with what had been read.

D. Burr asked about the date of the Public Meeting and if the Group would need to meet sometime prior to the June 25th Public Meeting date to approve the firm it would select. J. Letz had D. Reyes hand out a calendar of events with the significant dates included showing the dilemma with the dates and the TWDB's notification requirements. The main problems arose because the Public Meeting had to be sent out in the Watermaster's mail-out on May 13th to reach the Amistad/Rio Grande water rights holders. According to Letz, the June 25th date was agreed upon between himself and C. Cornett in an effort to meet the TWDB's posting and notification requirements. Burr suggested that the Group only needed to post a legal agenda at least 72 hours prior to a meeting to approve the firm. J. Letz asked D. Reyes if the Group still had to notify the water rights holders of the meeting to be in compliance. Reyes indicated yes and suggested that the Group consider when the Watermaster's June mail-out will be conducted and include the agenda notice then. Reyes also indicated another option was for the Group to do its own mailing. J. Letz asked D. Reyes if the request the Group made to the water rights holders to notify the Group if they wished to receive future notices was in effect. Reyes stated it was not yet in effect. J. Mohar suggested that perhaps the Group could authorize the Scope of Work committee to make the selection of the consulting firm and confirm it at a later date. According to D. Reyes, meetings of the committee's or sub-groups have the same posting requirements as the Group. It was determined that the committee could not make the selection but could make the recommendation for selection to the Group. Discussion then ensued regarding the inclusion of surface water in the Scope of Work and it was determined to be a viable option. D. Reyes then

raised a question regarding hiring the Consultant on the same day as the hearing indicating that Task 1 of the Scope of Services requires extensive preparation work prior to the Public Meeting and asked if the Group thought the firm would do all of this work prior to being hired. It was determined that this was too much to ask the consultant to do prior to being officially selected. Discussion ensued as to when the Group could meet prior to the June 25th meeting to approve the selected firm. It was determined that to meet the Watermaster's mail-out the meeting would have to be held after June 19th. D. Reyes asked why the Group was solely looking at using the Watermaster's mail-out as opposed to doing it's own mail-out. She asked if it was due to lack of resources and asked what the TWDB could do to help with the problem. C. Cornett informed Reyes that the postage cost alone would be approximately \$500 just for the western end of the Region and this did not include paper, production time, etc., to accomplish the TWDB's notification requirements. D. Reyes again asked what the TWDB could do to facilitate the Group having a meeting sooner than the 19th. Reyes indicated she did not want this to be a roadblock to moving forward with hiring the consultant so they can be present at the Public Hearing. J. Letz suggested that the only solution he could see was if the TWDB would do the mail-out for the Group. Reyes indicated that she would present this option to her office as it was her understanding that the TWDB is here to provide assistance to the Group in as much as is needed to keep this process going and if that means having to go around the Watermaster's mailing, then this was a very viable option that she would go back and advocate for because she feels it is important that the consultant be present at the Public Meeting.

Discussion ensued as to how long it will take the committee to evaluate the proposals and make a recommendation. J. Mohar indicated it would only take a day or so. It was determined that the Group could meet on June 9th at 2:00 p.m. in Kerr County at the UGRA offices, assuming that the TWDB could assist with the mail-out. D. Reyes excused herself to make a call to the TWDB to try to get an answer regarding this matter and also to find out if the committee meetings had to be posted as well. A Scope of Work Committee meeting was set for June 9th at 10:00 a.m. in Kerrville at the UGRA offices. J. Letz indicated that a map to UGRA would be provided when the agendas were mailed out. J. Brown advised that the offices were directly behind the DPS office.

D. Burr suggested that other agenda items could be added to facilitate taking care of some of the other issues facing the Group. J. Letz suggested the By-Laws Committee also meet concurrent with the Scope of Work Committee at 10:00 a.m. on the 9th in Kerrville. D. Burr expressed concern that this would not give the Committee time to get the revisions typed for presentation to the Group prior to the 2:00 p.m. meeting. C. Cornett suggested that J. Brown and the UGRA staff might be able to provide computer assistance which would alleviate this problem immediately. J. Brown volunteered to have a member of his staff sit in the room during the Committee meeting and make the changes as they occur through the use of a lap top computer, then download the corrected information and print out the revised document.

J. Brown requested that another item be added to the June 9th Agenda to include adoption of the Time and Expense Sheet Records.

J. Letz then recognized the guests in attendance who were representing the Trinity Aquifer Regional Water Planning Group (TAWPG) and briefly explained that the Trinity is an important

aquifer in Regions 'J', 'K' and 'L' and the TAWPG is basically a group attempting to form a sub-group to have one study of the Trinity Aquifer as opposed to separate studies in each of the three Regions affected. Letz indicated that since the TAWPG has already met with the Groups in Regions 'K' and 'L', he felt it was important that Region 'J' keep informed as to what the sub-group is doing. Letz further indicated that one study probably makes a lot of sense, but, whether it should be done by the TAWPG sub-group as opposed to a separate sub-committee formed and appointed by the three separate Regions was ultimately going to be a decision made by the Groups in Regions 'J', 'K' and 'L'. Then J. Letz expressed concern regarding the funding of this study and how the Regions were going to get the funds credited back to them, whether in direct contributions or the "in-kind" contributions. Letz further stated that J. Mohar had pointed out to him that Edward, Kinney and Val Verde counties don't have a lot of concern about a study of the Trinity Aquifer and the other two Regions probably have similar counties who are not concerned with the Trinity Aquifer, which raises the question of what part of our total budget should be allocated toward the Trinity study. Also, if it is to be done by way of an interlocal agreement between these three Regions, who will be on this committee.

J. Letz turned the floor over to Arthur Nagel, with TAWPG, who addressed the group and indicated that his group had been before both Regions 'K' and 'L' and both these Regions had approved of them in concept but wanted to know how Region 'J' felt. He provided a short history of their group and requested that Region 'J' provide some kind of approval of the TAWPG. The floor was then turned over to Larry Burchell, with TAWPG from Blanco, who provided a hand-out which described the characteristics of the area of the TAWPG, the growth of the eight counties involved, and a brief overview of the TAWPG missions. Mr. Burchell requested that the Group approve the TAWPG as an entity, allow them to come back to the next meeting and make a formal presentation and finally, to present to the Group an interlocal agreement to approve this Region and let them get on with it. A question arose as to whether membership in this group met the same guidelines as were required of the Regions by TWDB. Mr. Burchell responded that the requirements established by the TWDB and their rules includes the exact same requirements for sub-groups as it does for the Regions. They would like to be covered by all eleven (11) areas of interest as in the Regions. J. Brown requested that this be an item for discussion and possible action on the agenda for the June 9th meeting as UGRA has a definitive and somewhat selfish concern about how the Guadalupe River and the Trinity Aquifer work together to supply the water to Kerr county.

J. Letz then explained why he introduced the TAWPG into this portion of the meeting and it is his opinion that how the Group handles this now will determine the direction in which the Group will go in the Scope of Work. Letz further stated that, in his opinion, which he voiced in Austin, that the TAWPG is getting ahead of itself. Letz feels that the Regions, whether it be the Regional Groups or sub-committees from these Regions, need to get together first and decide how this is going to be done. He also feels that the Region 'J' Group is probably going to want people from this board to be on the sub-region group and how all that will work has the potential to waste a great deal of time unless the three Regions can have a meeting and decide if they want to do this. Mr. Burchell informed Mr. Letz that Region 'K' had already approved their group in concept and Region 'L' had approved them in concept with the contingency that they talk with the other Regions with the consideration that they wouldn't do it beyond the other Region's consideration. He further stated that their membership proposals are certainly open to approval by the Region's

involved. Mr. Burchell also stated that they have started on a Scope of Work and they have put together some funding to do the studies. Mr. Letz stated that he had heard here and previously that the TAWPG had talked to UTSA about a specific study. To him that is premature when the Region doesn't even have any funding for any study or even know what our consultant is going to recommend that we do study. Letz stated that he basically agrees with the concept but feels it has to be done under the specific guidelines of the TWDB. J. Brown stated that he would like to go on the record as saying that UGRA takes the opposite position and feels that all the sub-regional issues should be put out on the table at one time and dealt with. He does not feel that the TAWPG is ahead of its time.

G. Prather stated that he felt the western counties had made pretty good progress in forming its own Aquifer Planning Group for the Edwards-Trinity as well and was quite surprised when the TWDB added four other counties to what they felt was already a pretty good region by itself. They thought they were a good planning group just like UGRA thinks the TAWPG is a good planning group. Prather suggested it is certainly something the members need to discuss and decide how the Group is going to approach this before any commitment is made.

C. Cornett requested that, before the next meeting, the TAWPG provide the Group with something a little bit more substantial to read because they are asking the Group to approve something when it really is not clear where they are headed. Cornett suggested they provide their goals, copies of their by-laws or anything like that to better clarify their position. Mr. Burchell responded that was not a problem and that their by-laws are already drafted but before they can do anything with by-laws they have to go through the same process the Group is having to go through by getting some kind of official approval to proceed. J. Letz stated that the by-laws usually dictate what the three Regions decide and how they are going to work together. He doesn't understand how TAWPG can really work a lot on by-laws until the Regions figure out if they can work together.

Guest Bill West stated that was the purpose of the interlocal agreement between the three (3) "parent planning areas" who have to agree on the interlocal agreement that says, we the three want this to happen and here's the way we want it to happen. The interlocal agreement per the TWDB rules is that vehicle by which parent planning areas have control of the process. Also, from standpoint of cost, the TAWPG has found some dollars to bring in as seed money to minimize the impact on the three planning areas in terms of cost. TAWPG is supposed to have, by June 3, 1998, an interlocal agreement draft to get to the three planning areas, which is several days before the June 9th meeting and they will get a packet to us shortly.

D. Burr stated that even the concept of trying to come to a unified agreement on all the details is scary. It would be nice if it could be done but he is a little fearful of even getting into it. Secondly, the delineation of these regions around the common interests as they've outlined here by the TWDB is not a finished process. It didn't work. It points to the fact that the original concept of regional planning around commonality of interests is in jeopardy. J. Letz indicated that he has no problem with the TAWPG as an entity, he just wants to make sure that the Regions are involved in the process early enough on. G. Prather stated that he did not have enough information at this point to make a decision. H. Senne indicated that he agreed with the

concept of the TAWPG entity coming to together so that it could study and better manage the Trinity Aquifer. Rather than trying to do it in three pieces, do it in one.

J. Mohar agreed with H. Senne in that the concept is excellent and it can be studied as a group, however, he doesn't feel we need another group. He feels we have enough groups already and basically the three groups that encompass the Trinity Aquifer need to get together and get them to figure out what they are going to do with this and not another group by itself running away from the other three Regions. J. Letz stated that the interlocal agreement will be the key to this working and suggested tabling it until the June 9th meeting at which time it can be gone into in more depth and at that time, if the Group so chooses, a committee can be formed to meet with the other Regions and try to come up with an interlocal agreement. J. Letz thanked the TAWPG guests for addressing the Group.

Item XIII on the Agenda, Letter for Agenda Notification, J. Letz explained to the Group that the Public Notice Meeting had to be set to meet TWDB notification requirements. D. Reyes explained that there is a requirement in the TWDB rules that a Public Meeting soliciting input from the public as to what should be in the regional water plan must be held prior to adoption of SB1, which is due August 1, 1998, and what's going to be in the regional water plan is basically what's going to be in the Scope of Work. J. Letz announced that the meeting would be held in Edwards County at the American Legion Park Building as that was the next county due to hold a meeting in the Region. H. Senne made a motion to approve the scheduling of the Public Meeting on Thursday, June 25, 1998, at 2:00 p.m. in Rockspings, Edwards County, Texas; seconded by R. Pace. The motion carried unanimously.

Item XIV, Renaming Region 'J', extensive discussion ensued regarding renaming the Group with a name more representative of the geographical area as opposed to an alphabetical letter designation. It was agreed that most of the water in all counties of Region 'J' come from the Edwards Plateau at some point. D. Burr suggested the Edwards Plateau Water Planning Group. Several members objected to the word Edwards. A motion was made by J. Brown to rename the Group the Plateau Regional Water Planning Group or PRWPG; seconded by D. Burr. The motion failed. J. Mohar suggested the shorter name of Plateau Water Planning Group or PWPG. D. Burr made a motion to rename the Region 'J' Regional Water Planning Group as the Plateau Water Planning Group; seconded by O. Gonzalez. The motion carried with G. Prather voting against stating he liked Region 'J'.

Item XV, Informational Items from Board Members, J. Brown asked that the expense reports be put on the next agenda. C. Cornett asked that members submit requests for items for the next agenda to his office. Discussion ensued regarding what can be charged for various items such as staff compensation and overhead. C. Cornett asked if the Group needs to standardize some of the costs such as \$2.00 for 1st fax pages and \$1.00 for subsequent fax pages. J. Brown indicated he would get these answers before the next meeting. J. Mohar asked what constituted time that could be charged. J. Brown indicated it was his understanding that travel, committee meetings, regional meetings, and production time such as that put in by C. Cornett and his staff. J. Mohar suggested that the charge for meeting rooms such as was used at the Flying L could also be charged. J. Brown indicated he would make it a point to get with D. Reyes and resolve these issues before the next meeting. D. Burr asked if Brown envisioned that each month an expense,

however minor, would be submitted and the cost would be reimbursed, or was this a log the members would keep for themselves and at some point in the future consolidate all the expenses. Brown indicated they needed to be turned in monthly. Burr asked if the expense sheet was an application for reimbursement. J. Letz explained that this was an "in-kind" expense which would go against the 25% maximum the Region had to come up with. Burr then asked if the expenses currently being incurred would ever be reimbursed. C. Cornett asked Burr if he was talking about "personal reimbursement" and Cornett stated that he had read an article quoting Tommy Knowles that indicated that the Members had all volunteered. Burr then asked if, based on that information, all the expenses were simply being absorbed by the Members. C. Cornett replied yes, the expenses were to be absorbed by the Members and applied to our "in-kind" services. Discussion ensued about getting the individual cities to put some money (actual or in-kind) into this Group to help the cities pay for this study.

C. Cornett asked J. Brown to ask D. Reyes how to bill for Email costs.

J. Letz stated that another item concerns one member who has not made any of the Region 'J' meetings to this date, N. Smart, of Edwards County. According to Letz, his having missed three (3) meetings constitutes reason for removal under the By-Laws if the Group so chooses. Letz stated that he feels it is very important that a representative from each county try to attend these meetings and he agreed to talk to Smart.

Item XVI on the Agenda, the next meeting was set for June 9, 1998, at UGRA in Kerrville, Kerr County, Texas, at 2:00 p.m. D. Reyes reported that she received an answer from her office regarding the Amistad mail-out and basically the TWDB said to split the responsibility with C. Cornett's office to do the mail-out. Reyes indicated that the fear from her office is that there are other Regions with the same issue and the TWDB would be setting a precedent for sending out their notices as well. J. Letz indicated that it appears to be the expense that is preventing this Group from agreeing to do its own mail-out not to mention that \$500 is a lot of money and we are talking about County budgets and it is the principal of the issue as well. Reyes reminded the Group that the money can be used to off-set the local match. Discussion ensued as to how the legislation and the TWDB had shifted the burden from themselves to local county governments. J. Letz asked if the Group wanted to go ahead with the June 9th meeting even though, technically, it would be a violation of the TWDB's notification requirements but also knowing that the TWDB realizes they have made an error in their rules and are amending them on the 18th of June to be effective in July. G. Prather suggested telling the TWDB that because of their rules the Group could not meet their milestones. D. Reyes responded that then the Group would be affecting their Grant funding. Prather responded that the Application for Funds would stand regardless of whether the Group makes a decision concerning that date. Reyes stated that if the Group doesn't take the necessary steps to go forward by hiring the consultant and doing the Scope of Work, it will have a negative effect on the Grant Application. D. Burr indicated that these feelings were a consensus of the Group and he hoped that Reyes took these comments back to her office. Reyes did confirm that the Watermaster mail-out will go out June 12th according to Jorge Arroyo who had called Cindy Martinez and confirmed the date. J. Letz stated that with this information, it was up to the Group as to whether they wanted to try to have a meeting between June 16th and the June 25th Public Meeting. G. Prather suggested that the meeting should stand as set on June 25th indicating that C. Cornett's office was already swamped with work as it is. C.

Cornett suggested staying with the June 9th meeting date. J. Mohar suggested that we have the meeting on the 9th and come back before the June 25th Public Meeting and reaffirm the action taken at the June 9th meeting. J. Letz stated that if the Group does that, the agenda for the second meeting would still need to be included in the June 12th Watermaster mail-out. C. Cornett indicated that would not be a problem. Letz asked Cornett to put out an additional agenda with new items for the June 25th meeting to be posted as required and included in the June 12th Watermaster mail-out. J. Brown expressed concern about being in violation of the Texas Open Meetings Act more than being in violation of the TWDB's rules. D. Reyes responded the TWDB would go back and look at any violations to their rules when they consider the funding for the grant application. J. Brown suggested that when the TWDB meets on June 18th they consider "grandfathering" everything to alleviate all the problems the Group has run into. D. Burr stated that the Group is posting its agendas and is not conspiring in Executive Session, so the worst that could happen is that somebody could take the Group to court and have a particular agenda item voided. J. Letz announced that the next meeting would stand as set on June 9th.

A question was asked if the Group was going to send anyone to the June 16th TWDB meeting concerning the grant application. Letz stated that he could not attend on that date but certainly if any Members wanted to go they should.

Motion was made by R. Pace to adjourn the May 19, 1998, Regular Meeting of the Region 'J' Regional Water Planning Group; seconded by H. Senne. The motion carried unanimously. The meeting adjourned at 4:14 p.m.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Member, Region 'J'

Plateau Water Planning Group
Called Meeting
Upper Guadalupe River Authority (UGRA)
Kerrville, Texas
June 9, 1998

MINUTES

PRESENT: J. Letz, J. Brown, D. Burr, C. Cornett, Z. Davis, O. Gonzalez, R. Luebke, J. Mohar, R. Pace, K. Shackelford, J. Simpton, J. Wendele

ABSENT: O. Erlund, J. Junker, G. Prather, H. Senne, N. Smart

GUESTS: See Attached.

J. Letz called the meeting to order at 2:05 p.m. and asked the members to introduce themselves for Roll Call. Letz announced that a quorum was present and the meeting was in compliance with the Opens Meetings Act.

Item II on the Agenda, Scope of Work Committee Recommendations:

J. Mohar reported the results of the Scope of Work Committee meeting held earlier in the day at 10:00 a.m. at UGRA. Mohar reported that the committee had received three proposals back out of the original four requests, however, they were a hybrid of some of what was asked for and others. Carter & Burgess submitted a joint proposal with Camp Dresser & McKee and DHI, Inc. Freese and Nichols submitted a joint proposal with Alan Plummer Associates, Inc, CH2Mhill and Arcadis-Geraghty & Miller. The third proposal was from LBG-GUYTON alone. After reading and reviewing of all the proposals at the 10:00 a.m. committee meeting on this same date, the committee recommends yet another hybrid of its own. The committee would like to recommend that the Group approves LBG-GUYTON to do the Scope of Work from the standpoint of the Groundwater and Environmental aspects of the study and ask LBG-GUYTON to join with Freese and Nichols for the Engineering and Surface Water aspects of the study. In other words, ask LBG-GUYTON and Freese and Nichols to get together and see if they can work together and give the Group a joint study. The reason for going with LBG-GUYTON primarily was due to the strong background they have in groundwater, environment and the fact that they do have an individual on board who is extremely qualified in our area and is very knowledgeable in working with the TWDB for many years, as well as being very well known and admired in the professional community. However, LBG-GUYTON readily admits that they do not have the engineering capability

and they would be willing to work with someone else. The committee would suggest that they work with Freese & Nichols. The floor was opened for questions. D. Burr asked how many firms total would be involved if the committee's suggestion was adopted. Mohar responded they would suggest basically two firms, LBG-GUYTON and Freese & Nichols without the other firms associated with their original proposal. Burr then inquired as to who would sign the documents on behalf of this partnership and whether the Group would be dealing with one principal company or would be dealing with both of them separately. Mohar responded that the Group would be dealing with LBG-GUYTON as the principal and ask them to subcontract with Freese & Nichols. J. Brown indicated that LBG-GUYTON had proposed

that LBG be the prime contractor. Burr also inquired if the committee had evaluated the submittals in document form or were interviews conducted. Mohar responded that document review was the only method used.

COMMITTEE RECOMMENDATION: Employ LBG-GUYTON ASSOCIATES as the prime contractor to do the scope of work with LBG-GUYTON subcontracting with Freese and Nichols, Inc. to assist with the engineering aspects of the study.

Item III on the Agenda: Employment of Consultant.

D. Burr asked if LBG-GUYTON was prepared to begin work for the Group even though the grant application had not been submitted. J. Brown responded that whoever was hired would have to begin work immediately in order to meet the timelines involved and it is his understanding that LBG-GUYTON is prepared to go forward with the understanding that they will be compensated. Brown indicated he had asked D. Reyes to call the Legal Department at the TWDB and requested Reyes report her findings to the Group. Reyes indicated that the question put to her legal department was if the Group employed a consultant, could that consultant start spending part of the funding that the Group will get awarded in July? Reyes stated the answer was yes, the TWDB will add a special condition to the contract at the board to make sure the expenses incurred now are covered by the funding to be awarded in July. J. Mohar asked Reyes to clarify who exactly will be entering into the contract with LBG-GUYTON. Reyes responded the TWDB will be contracting with UGRA since they are the entity that has made an application with the TWDB for financial assistance. UGRA will contract with LBG-GUYTON. Brown added that LBG-GUYTON will look to UGRA for funding and UGRA will look to the TWDB for reimbursement. Reyes agreed with Brown.

As a member of the Scope of Work Committee, J. Brown recommended to the Group, through motion, that the Group employ LBG-GUYTON as the principal planning consultant for the Scope of Work and that LBG-GUYTON be encouraged to enter into a joint venture with Freese and Nichols, Inc., as a separate entity or subcontractor to this project; seconded by O. Gonzalez. Discussion ensued regarding setting a dollar amount on the employment. J. Brown amended his original motion to include adding that the cost shall not exceed \$20,000 total; amended motion seconded by O. Gonzalez. The motion carried unanimously.

J. Letz suggested addressing Item V on the Agenda regarding the Bylaws Committee Recommendations next as some of the suggested amendments will assist in some of the other Agenda items still left to be addressed; no objections.

ITEM V on the Agenda: Bylaws Committee Recommendations

J. Letz asked everyone to get their copy of the Bylaws that were included in the packet that Secretary, C. Cornett, mailed to all members prior to this meeting. Letz went through and identified all changes the Bylaws Committee was suggesting to the Group as follows:

Page 1: No Changes.

Page 2: No Changes.

Page 3: Delete all references to consensus throughout the document and use a straight two-thirds voting decision; Delete second sentence entirely. No other changes to Page 3.

Page 4: Article V, Section 5, next to last sentence shall read, "The Chair shall excuse an absence if it is made known to the Chair prior to the beginning of the meeting or hearing." The last sentence, "An excused absence will not be recorded as an absence." remains. Discussion ensued regarding reasons for absences and it is to be left up to the discretion of the Chair. No other changes to Page 4.

Page 5: Article V, Section 7, subsection (b), delete entire second sentence "Voting members may be removed...". Committee felt this is redundant. Last sentence shall read, "The voting members may remove the member by two-thirds of the voting membership." Reference to consensus is deleted. No other changes to Page 5 except to remind Secretary to remove all reference to consensus throughout Bylaws.

Page 6: Article VI, Section 1, subsection (a), last sentence, change the word "hindering" to read "disruptive to". No other changes to Page 6.

Letz further explained that subsection (a) was requiring the Group to add D. Reyes (TWDB), D. Luebke (Parks and Wildlife), and the liaisons to the Group as non-voting members. Subsection (b) is a requirement that the Group add another non-voting member who must be an individual outside this Region who has over 1,000-acre feet of diversion rights downstream, which, in our case, the obvious representative would be coming out of the Rio Grande Valley.

Page 7: Delete Article VI, Section 1, subsections (c) and (d) and Section 2 in their entirety. No other changes to page 7.

Letz explained the committee's thoughts on this were that anyone is welcome to come to the meetings, participate and give input, but if you are going to be on the Board you are either a voting member or you are not or you are one of the four other designated non-voting members. Having all these different types and classes of members is very confusing and the committee did not see the need for them. Letz requested that the Secretary, C. Cornett, start adding a Public Comments item to every agenda to allow anyone who attends the meetings the opportunity to participate.

Page 8: Article VII, Section 2, subsection (a), first sentence, change "...these bylaws,..." to read "...the initial bylaws..."; Letz explained that if "these bylaws" was left in, every time the Bylaws were amended, the officers had to be redone. Subsection (b), first sentence to be changed to read, "Regular officers shall be selected at the first meeting of each calendar year." with remainder of original sentence to be deleted. No other changes to page 8.

Page 9: Article VII, Section 5, subsection (c), third sentence to be changed to read, "The Secretary shall insure that all notices are properly posted as provided in the bylaws, as required by law." with the remainder of original sentence to be deleted. Letz explained this was again redundant.

Page 10: Article VIII, Section 1, first sentence shall be changed to read, "All meetings of the PWPG, or subgroups, shall be posted and open to the public in the manner of a governmental body under the Texas Open Meetings Act and as set forth in TWDB rules." with reference to committees deleted; Section 2,

first sentence shall be changed to read, "At least one regular meeting of the PWPG shall be held bi-monthly (once every two months)."; second sentence, "At the first meeting after..." shall be deleted entirely; third sentence shall be changed to read, "The Secretary shall insure that an advance notice and an agenda for regular meetings will be provided to the full membership of the PWPG at least three calendar days in advance by first class U.S. Mail, facsimile, or electronic mail." instead of "ten" days advance notice; Letz explained that due to the frequency of the meetings, the committee does not feel that it is reasonable to ask the Secretary, C. Cornett, to get things out that far in advance, especially since so many things are having to be changed at the last minute. Section 3, second sentence shall be changed to read, "The Secretary shall insure that advance notice and an agenda for the called meeting is provided to the full membership of the PWPG at least three calendar days in advance by first class U.S. Mail, facsimile, or electronic mail." instead of "five" days advance notice. Same reasoning as in Section 2. No other changes to Page 10.

Page 11: Article VIII, Section 4, second sentence shall read, "Items shall be placed on the agenda by the request of the Chair or by the request of any voting members of the PWPG." instead of "at least three"; Section 5, last sentence "At least a quorum..." shall be deleted entirely; Section 6, last sentence "However, failure to follow..." shall be deleted entirely; Section 8, subsection (b) shall be changed to read, "The Secretary shall insure that true copies of the minutes are provided to the full membership as soon as possible following the meeting, but no later than three calendar days prior to the next regular meeting of the PWPG." instead of "ten" days prior. No other changes to page 11.

Page 12: Article IX, Section 1, subsection (b), delete last sentence, "Because it is important in achieving..." entirely; Section 2, subsection (a), first sentence shall be changed to read, "The PWPG shall make decisions using a two-thirds voting majority decision-making process." with remainder of Section 2 being deleted entirely. No other changes to Page 12.

Page 13: Article IX, Section 3, as written, deleted entirely and replaced with, "*Robert's Rules of Order* notwithstanding, any three voting members may demand that the issue or vote in dispute may be scheduled for reconsideration at the next PWPG meeting. The reconsideration vote on the item in dispute will be the final disposition of this matter." Letz explained that this is a required section, otherwise, it would have been deleted entirely. Basically what this is saying is that if any issue comes up for a vote and there is a dispute on it and three members feel strongly about it, that issue will be placed on the next meeting's agenda. D. Burr added that under *Robert's Rules of Order* the only people that can resurface a disputed agenda item are those that vote in the affirmative for the motion. The committee is recommending setting aside that clause to give minority members who are in opposition a chance to resurface the issue. In other words, the committee is loosening the rules. If this exception was not made, then the dissenting minority members would be thwarted and they would have no other redress. No other changes to Page 13.

Page 14: Delete first paragraph on Page 14 as last part of Section 3 previously deleted; Article IX, Section 4, shall be changed to read, "The voting members of the PWPG shall finally adopt the regional water plan for the PWPG, and any amendments thereto by two-thirds of the voting membership." deleting reference to consensus. No other changes to Page 14.

Page 15: Change title of Article XI to read SUBGROUPS instead of COMMITTEES and delete all references to committees throughout this Article so it just reads subgroups. The committee recommended

adding Article XII titled WORKGROUPS OR COMMITTEES immediately following the Article dealing with SUBGROUPS and subsequently renumbering the remaining articles. This Article XII shall read, "The PWPG Chair may appoint workgroups or committees, as needed, to serve in advisory capacities." Letz explained they felt the Group views committees as something different than was envisioned when the model document was written. They were referring to official subgroups like the Trinity subgroup may turn out to be or if this Group splits into two regions and those subgroups have to have the same representation or membership as the PWPG has to have. It is much easier to get things done in small groups sometimes so to separate the two the committee came up with the provision that the Chair can appoint a workgroup to serve in an advisory capacity only and by being strictly advisory, the committee does not feel that workgroup is subject to the Texas Open Meetings Act. D. Reyes did not agree and stated that there is apparently an Attorney General's opinion out that says something to the contrary and the example being used is if you take the State House of Representatives and you have a group that is called House Natural Resources group or committee, for example, that "group" is subject to the Open Meetings Act even though there is no quorum of the larger meeting House of Representatives, because that smaller group is discussing matters of policy relating to the larger group. Reyes did add that there is some discussion about if part of the workgroup includes members of the public then there is some leeway and it is considered differently. Letz disagreed stating that the way this Group envisions workgroups he and D. Burr do not feel it is in violation. Letz recommended leaving it in and letting the legal department come back if they had to. Burr agreed with Letz and added that it encumbers these small working groups or committees that are ad-hoc and they are only looking at one thing for one time to bind them to the full requirements of posting agendas and recording minutes is impractical. Letz further added that if the requirement is that the Chair has to appoint someone outside of this Group, then he would do that. D. Reyes stated that this issue has already come up at the TWDB and the Legal Department is going to be putting out written information about what types of workgroup, committees, subcommittees, etc., are required to comply with the Texas Open Meetings Act versus those that are not. Letz pointed out that according to these Model Bylaws as written by the TWDB both the subcommittee meetings that were held today were in violation because all interest groups were not represented at both meetings and that is what it clearly requires in the TWDB Model Bylaws. Reyes further explained that part of the rationale behind the Attorney General's opinion was that if you have all these workgroups who are discussing matters of policy that are then going to be voted on by this larger group then all the larger group is doing is rubber-stamping what the subcommittee has said, then the group has thwarted the public participation process, which is the whole purpose of Open Meetings.

Page 16: Article XII on COMPENSATION becomes Article XIII with no changes to article itself; Article XIII on COST ALLOCATION becomes Article XIV with no changes to article itself. Letz added that Cost Allocation will be an item on the July meeting agenda and indicated that it was discussed in the Bylaws Committee meeting earlier that day and that most political entities are currently going through their budget process and probably it will be recommended that each of the counties in this Group make some type of contribution. He further added that the two larger cities, Kerrville and Del Rio, would be asked to make contributions as well as other political entities such as UGRA and others that may be in this Region make a contribution. Letz recommended members take this back to the respective Commissioner's Courts or whatever entity is involved. A question arose as to how much money should be requested. Letz responded he was unsure and suggested the two larger cities and counties, Kerr and Val Verde, would be asked to contribute \$2,000 each and the smaller counties would be asked to contribute \$1,000 each. Letz added that we don't have a budget so we don't know if that is enough money or not but their committee feels any out-of-pocket expenditures such as postage, direct notice requirements in

newspapers, etc., should be reimbursed to the Group as a whole. Also, encourage carpooling as much as possible and only allow actual mileage reimbursement to the one person using their vehicle. No meals would be reimbursed. J. Mohar stated that he feels the estimates Letz has just suggested as to the participation by the various counties is far understated. Letz suggested the Group come back to this subject under informational items from the members at a later time in this meeting.

Article XIV on Contractual Services becomes Article XV. The second sentence shall be changed to read, "However, the voting members may delegate to the Executive Committee or the designated Workgroup the authority to make all administrative decisions concerning amendments to TWDB Research and Planning Fund grant contracts for services related to regional water planning, except those decisions concerning amendments related to scopes of work and budgets." Article XV on ADOPTING AND AMENDING THE BYLAWS becomes Article XVI with no changes to article itself.

Letz advised that the Group could either adopt these bylaws based on the amendment recommendations just presented by the committee or table it until a clean copy could be provided the members of the Group.

J. Brown moved that the Bylaws be adopted as amended; seconded by J. Simpton. The motion carried unanimously.

Letz agreed to get with Debbie at UGRA and make the amended changes. D. Reyes stated she needed the Secretary, C. Cornett, to get her the letter and the Resolution stating they have been amended. Cornett agreed. Letz stated he would get the revised amended bylaws to Cornett in time for the next meeting mail-out.

ITEM IV on the Agenda: Ad-Hoc Committee to Monitor Consultant

J. Letz opened the discussion by stating he feels it makes sense to have a small group work with the consultant rather than have them try to work with all of the Group's members. Letz requested discussion from the Group. J. Brown stated that he would like to see someone from the city of Del Rio, or at least Val Verde County, since Del Rio is aggressively moving out and looking at water and water supply be added to the committee. Letz added that it does not have to be someone from this Group who is added to this ad-hoc committee. D. Burr requested Brown explain why he felt this ad-hoc committee was even necessary. Brown stated that the current committee is composed of four people, with three of them from the eastern end of the region and H. Senne in the western end from Kinney County. Burr then further explained his question was in regards to having anyone monitor the consultant. Letz stated that the consultant needs to have someone or some group to contact to advise them. It's also cumbersome to have to call a meeting of the entire Group to make discuss every matter. Letz hopes to be able to appoint a workgroup to give direction and advice to the consultant. If a decision needs to be made, then the someone in the workgroup can call himself or the Secretary, C. Cornett, and call a meeting. J. Mohar stated that since the consultant will be contracted with UGRA, then UGRA as the entity controlling those purse strings should be the one controlling that contractor. Whoever signs that contract with the consultant has to be the group responsible for them. Letz suggested giving UGRA an advisory group of this Board. J. Brown expressed his appreciation for that consideration and again stressed he would like to see someone with interests in the western part of the county. D. Burr suggested that J. Simpton had a proposal about working with the consultant in a venture project capacity with the city of Del Rio in its

exploration of the aquifer issues. Simpton advised that the city of Del Rio is probably going to make a presentation at the Public Hearing on the 25th in Rocksprings. According to Simpton, the city talked to the Utility Commission last week to see if the city can co-op with this Region and get the city to put some of the money up to front the Region's portion for this aquifer study on the western side. Simpton said it is his understanding that this is what the city of Del Rio plans to present at our Public Hearing. D. Reyes cautioned the Group that one of the requirements of the rules is that you are out there collecting new data and not recollecting the same data that already exists. Based on discussion just held, Letz suggested Brown ask for volunteers to serve on an informal workgroup to assist UGRA.

D. Burr, C. Cornett, J. Mohar, H. Senne, J. Simpton agreed to assist J. Brown and UGRA with the consultant. No action required by Group as Brown is to work informally with these volunteers.

Item VI: Liaison to Adjoining Regions

D. Reyes advised the Group that liaisons from this Region must be appointed to Region's E, F, K, L and M per TWDB rules. A question was raised as to whether the liaisons were required to attend the other meetings in these other regions. Reyes responded that those appointed as liaisons to the other regions would become non-voting members of that region. She further stated that the purpose of the liaisons was because the Group needs to know what's going on in their regions because the regional plans are going to have to fit together. J. Letz suggested that, at a minimum, the liaison should get a copy of the agenda and the minutes for each meeting in the region they are going to be appointed to. Then if the liaison feels there is something that needs to be brought up to this Group, it is up to that liaison to do it. Discussion ensued regarding what specific areas encompassed each region. J. Letz asked for volunteers from the Group to serve in each of the required regions. Members volunteered to serve as liaisons as follows:

O. Gonzalez (Region E); D. Burr (Region F); J. Wendele (Region K); J. Letz (Region L) and Z. Davis (Region M).

Item VII.on the Agenda: Trinity Aquifer Water Planning Group (TAWPG)

Guest Pamela Hodges, Interim Chair of TAWPG, provided the Group with a proposed Interlocal Agreement between Regions J, K and L. The Group read through the Interlocal Agreement and Hodges answered several questions from members concerning representation. J. Letz stated that his preference regarding representation was that each of the three regions should have equal representation and each of the three regions should have a veto over whatever is decided. Letz feels that it has got to stay under the control of the regions. He agrees that if the cost is divided up three ways then the controlling membership on the committee should be divided up three ways. Letz then requested comments from the Members regarding the Group's feelings as to whether they should be proceeded with this, enter into negotiations or contract with either the Trinity Group and/or Regions K and L or do nothing at this time. D. Burr asked Hodges if it was the TAWPG's feelings that their interests will not be adequately served by the three Regions already appointed. Hodges responded that they feel the three Regions are so large and so diverse and that the Trinity Aquifer is understudied and undervalued. This will give the proper focus to that. Hodges stated that this sub-region is and has been legislated as a Priority Groundwater Management Area. They feel that placing it in three Regions has jeopardized the focus that it needs as a Priority Groundwater Management Area and the sub-region can provide that focus. D. Burr asked if the representatives of the eleven areas of interest come from the voting members of the boards that are

already in existence. Hodges replied the TWDB suggested the TAWPG pull its members from lists they compiled during the original process, which is what the TAWPG has done. They would use the TWDB's list and the list from the initial meeting that took place in Kerrville in February. Burr expressed concern about serving on two separate boards, for a Region and a sub-region. Hodges replied that he would not be on the TAWPG board because they have pulled their members from the counties that have already submitted names and they tried very hard not to overlap so it would not be burdensome. Letz stated he had a problem on the pool of names they are using. The Region J members spent a great deal of time and went to meetings to work out the membership and the names that were going to be submitted to the TWDB and a slate was submitted so there were very few individuals that had a wide support other than the ones that are here on this Group. Letz stated he felt the TAWPG really needed to open up their pool more. Letz suggested opening up the membership to more than just the two list's Hodges had mentioned. According to Hodges, they are mandated to do that. J. Brown expressed his concern also in that the PWPG is obviously going to have two sub-regional planning groups. The eastern members have less interest in what is going on in the western area of the Region. Brown questioned if those in the eastern end who are dependent on the Trinity will, by participating in this Group, give us what we need for our planning of the Trinity Aquifer portion of the Regional Plan. If it doesn't then the PWPG will have to form its own subgroup for that. His question of concern is whether or not the TAWPG address the issues that the PWPG has to have to address the groundwater problems in the eastern end of our region. C. Cornett stated that he had noticed that it's a non-voting advisory group and that they are going to work on a Scope of Work, which sounds like what the PWPG is doing. Brown agreed and wondered if the Group participated in this, could the Group bring that Scope of Work back and plug it in to what the PWPG needs to address the Trinity issues in our Regional Group. Cornett replied the TAWPG was going after funds and wondered if that was going to create direct competition when the PWPG goes after funds. J. Mohar added that the Group was going to have to ask the various political subdivisions to participate financially in this endeavor. Unless these political subdivisions, be it county, city or water districts, agrees to the membership of the TAWPG committee, then some of these groups are going to back out and that will directly affect the PWPG's funding. Hodges again reiterated that they had gone forward under the direction of the TWDB and the Interlocal Agreement before the members is subject to negotiation and if this is an issue then it is something that can be discussed. Letz suggested that all the eastern end members of this Group would need to be the members appointed to the Trinity sub-region group. Further discussion ensued regarding the best interests of the Trinity Aquifer study. Brown added that the three or four counties who are really dependent on the Trinity have got to take a hard look at it and see how that plays in each of the three Regions. Brown further stated that he had gone to several meetings when they first starting talking about forming the TAWPG and there is a lot of concern in northwester Comal County and the eastern and western parts of Kendall and Hayes Counties. There are a lot of big ranches out there and somebody could come in and buy those ranches up and put a well field in there and literally start selling that water to San Antonio and Austin and pump those fields dry. That is what initially started the conversation about everyone banding together and looking after the Trinity. If the Group is going to do a comprehensive regional analysis of the groundwater in the eastern part of our Region, it might be more economical if there were about eight splitting the bill instead of only about four. What is really of concern is the Region's participation in this and to be sure the Group has some input into the direction in which the TAWPG is going so that the end product is the element that we plug into our Regional Plan that satisfies the groundwater concerns out in the eastern part of the Region. D. Reyes added that the TWDB was meeting this same day with UTSA, Dr. Hammond and Marshall Jennings, sees the study of the Trinity as a very important issue that obviously affects three Regions. The Water Availability Section is trying to put together a proposal to study the Trinity and somehow coordinate with UTSA, SWTSU

and the TAWPG. She is not sure when a decision will be made or about what their participation will be in that study. Reyes added it might be that the TWDB may come back and say that it affects three Regions so it is something that the TWDB should devote their staff resources to help out these Regions. Reyes further stated that it has been identified as a very important project. Due to several members needing to leave, and the time involved in this discussion, Letz suggested addressing the remainder of the agenda items and then returning to the TAWPG to allow those members to participate in the remaining action items before leaving.

Item VIII on the Agenda: Expense Reports

J. Brown stated that the Secretary, C. Cornett, had made some suggestions that would simplify what was previously sent out, so he requested that this item be tabled and put on Agenda-specific for the next meeting. Brown requested the members continue to use the forms previously sent to them until new ones were received. Unanimous agreement to table this item.

Item XI on the Agenda: Informational Items from PWPG Members

J. Brown suggested that the Group assign someone representing each county to serve as the liaison to do the posting and such so that there is no assumption that someone else had taken care of it and it never got done. Letz stated that he had discussed this matter with the Secretary, C. Cornett, and Cornett had agreed to continue sending the agenda to all Group members via fax but there was a need to have one specific person in each county responsible for posting it in that county. **Posting responsibilities for each county are as follows: Bandera (C. Cornett); Edwards (Unknown); Kerr (J. Letz); Kinney (H. Senne); Real (K. Shackelford) and Val Verde (J. Simpton).**

Brown also asked if it had been determined that the San Antonio Express-News would be the official paper of general circulation for the Region and, therefore, all the printed notices would be in that paper. Letz responded it would as soon as confirmation could be received that the San Antonio Express-News was circulated in Edwards County. Reyes requested that someone get her an affidavit from the Express-News showing that it was a general circulation paper in all six counties in this Region. Letz agreed to obtain the affidavit and get a copy to Reyes at the TWDB.

Reyes also informed the Group that the TWDB rules require that while this Group is working on its Scope of Work, which is due August 1st, a letter needs to be issued to each of the other 15 Regional Water Planning Group in the state asking them if they have any interest in forming what is called a Geographic Informational Sub-Area. Letz requested Reyes get him a sample of that request letter.

Letz indicated he had spoken with Reyes about the Group's becoming overwhelmed by the bureaucracy. A lot of it has to do with this being one of the smallest Groups with one of the largest notification requirements in the state. This has created a tremendous burden on the Secretary, C. Cornett, and his staff. Letz added that he thought most of these things are behind the Group at this point and he would like to see the focus shifted back to the reason everyone agreed to do this, which was to talk about water, and he would hope this would be the main focus beginning with the July meeting.

Letz explained that because some of the members had failed to get the Notice of Application for Funds with the notice of the June 25th Public Hearing soliciting comments into the newspapers in their counties,

the meeting will still be held on the 25th and the Notice would be printed in the Express-News to reach all six counties. The Public Notice solicits comments as well and until that gets put in the Express-News and that 30-day notice has run, it will put the consideration of the grant application to the July meeting of the TWDB. It does not require any more meetings or notifications, but it does put a delay on the approval of the application. Letz informed the Group that in addition to the Public Hearing there would also be a PWPG meeting and requested anyone with agenda items to get them in ASAP. A question was asked concerning N. Smart's participation and Letz stated that Smart had informed C. Cornett's secretary that he could not be at today's meeting because he would be in court. Letz put in a call to him and he wasn't available at that time. Letz added that it needed to be cleared up as to whether he really wanted to be involved with this Group or not and he was sure that would be discussed at the meeting in Rocksprings on the 25th. If he does not want to actively participate, then the Group needs to ask Edwards County to appoint someone to represent his interest, which is County Government.

Item IX on the Agenda: Set Next Meet

Letz stated the next meeting had already been set for June 25th, at 2:00 p.m. at the American Legion Park Building in Rocksprings, Edwards County, Texas. He asked the Group if they wanted to go ahead and set the July meeting at this time. D. Reyes reminded the Group that the grant application identified July 20th as the date for presentation of the Scope of Work back to this Group. Reyes explained that by this date the consultant would have received public comments, gathered information and have something substantial to present back to this Group by this date or some date close to that. She also reminded the group that July 31st at 5:00 p.m. is the deadline for that Scope and accompanying grant application to be filed with the TWDB so you don't want the meeting to be much later than the July 20th date. **It was agreed that the next meeting after the June 25th meeting in Rocksprings, would be held at 2:00 p.m. on Tuesday, July 21st, in Kinney County. Z. Davis agreed to arrange for a location for this meeting and to advise the Secretary, C. Cornett, as soon as that location is known.**

Letz dismissed those members who needed to leave and called for a short break before resuming the TAWPG issue.

Letz re-opened the discussion on the Trinity Aquifer agenda item and asked for comments on where the Group needs to go with this concept at this point. J. Mohar expressed his continued concern of what can this sub-group do that this Region cannot do. For example, the PWPG has just agreed on a contractor for a Scope of Work and now the sub-group will also come up with a contractor for a Scope of Work, which means there will be two Scope of Works within the Region and he questions the reasoning behind this. Will it be beneficial to the Group or will there be two different opinions that won't mesh. He feels that Regions J, K and L can each do their own work and come up with a plan for their Region. Then it is the TWDB's responsibility to combine those into one functional plan for the Trinity Aquifer. Guest John Kight, Region L Liaison to the PWPG, stated that he supports the TAWPG but he is not associated with them because he feels it would be a conflict of interest. Kight suggested that this Group gather its concerns in this Priority Groundwater Area and present them to Region L. Kight assured the Group that Region L would incorporate that as part of the study. Kight said he didn't see it as being a duplication of effort. If this Group gets its concerns to them, they will incorporate it into their Scope of Services so that it is not duplicated. Hodges explained that is where the TAWPG comes in. They can gather the information from all three Regions and then deliver it to the three Regions in a more cohesive manner. She feels the TAWPG is a way to protect the Trinity from regional interests outside the Texas Hill

Country. J. Mohar indicated that the members of the PWPG have a responsibility to the people of this Region and to the interests which they represent. He feels reluctant to abrogate that responsibility to another group over which this Group has probably not enough control. Hodges responded that she didn't see control as an issue here. The members here will be part of their group. She sees it as the TAWPG gathering information from the same sources as the three Regions would be in many cases and according to the rules, the TAWPG would give the PWPG their information and the PWPG would assimilate it into whatever report. If the PWPG didn't agree on it, then its up to the PWPG to not veto it, but to eliminate some of the information not agreed with. Letz stated that it does seem critical that the same consultant and engineering firm represent the Trinity portion of all three Regions and asked if the TAWPG would be happy using LBG-GUYTON as the consultant. Hodges replied John Ashworth had volunteered to help in any way he could before the TAWPG was ever even put together. Letz then asked if it was possible for LBG-GUYTON to study the Trinity as a whole and then divide it up for the three Regions. Reyes again stated the TWDB is putting together a work plan to do the study of the Trinity Aquifer. It has not come out yet, however, the TWDB recognizes that the study of the Trinity Aquifer is extremely important and more importantly it leads to achieving some efficiencies because it affects all three Regions doing a study of the Trinity Aquifer why not have one group focus their resources to do the study so that this Group is not focusing its time and money to do the same work the TAWPG is already doing.

J. Letz announced that the Secretary, C. Cornett, had just informed him that there was no longer a quorum present at this meeting. Letz officially closed the meeting at 4:10 p.m.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Secretary, PWPG

Plateau Water Planning Group
Called Meeting
American Legion Park Building
Rocksprings, Texas
June 25, 1998

MINUTES

PRESENT: J. Letz, J. Brown, D. Burr, C. Cornett, Z. Davis, O. Erlund,

O. Gonzalez, J. Mohar, G. Prather, H. Senne, K. Shackelford,

N. Smart, J. Wendele.

Non-Voting: D. Reyes, R. Luebke

Consultants: J. Ashworth, LBG-GUYTON; J. Scanlon, Freese & Nichols

ABSENT: J. Junker, R. Pace, J. Simpton

GUESTS: See Attached.

J. Letz called the meeting to order at 3:22 p.m. and announced that the same members were present who had identified themselves at the Public Hearing held immediately prior to this meeting. Letz announced that a quorum was present and the meeting was in compliance with the Opens Meetings Act.

Item II on the Agenda: Public Comments.

J. Letz requested any public comments. None received.

Item III on the Agenda: Approval of Minutes.

J. Brown requested that the location of the meetings be placed in the heading of the minutes. Secretary, C. Cornett agreed. After reading of the minutes of the May 19, 1998, PWPG Called meeting in Bandera, Texas, H. Senne moved the minutes be accepted; seconded by J. Brown. After reading of the minutes of the June 9, 1998, Called meeting in Kerrville, Texas, D. Burr requested on page 4, the fourth from the last line in the paragraph addressing Page 13 be changed from "...to defeat the item." to "...for the motion." and last word, second from last sentence in this paragraph, the word "regress" be changed to "redress". No other changes. N. Smart moved to accept the minutes with the requested changes from the June 9th Called PWPG meeting as well as the minutes from the June 9th Scope of Work and Bylaws committee meetings; seconded by H. Senne.

Item IV on the Agenda: Scope of Work Committee Recommendations.

J. Letz explained that there were several agenda items on the agenda that had action taken on them at the June 9, 1998, called PWPG meeting in Kerrville. However, because that meeting did not meet did not

meet the notification requirements for the water rights holders downstream, these items needed to be reaffirmed and votes taken on them again. J. Brown moved the Group accept the Scope of Work Committee recommendations to employ the consultant LBG-GUYTON as the prime contractor to do the Scope of Work with LBG-GUYTON subcontracting with Freese & Nichols to assist with the engineering aspects of the study; seconded by C. Cornett. The motion carried unanimously.

Item V on the Agenda: Employment of Consultant

J. Brown moved that the PWPG employ LBG-GUYTON as the principal planning consultant for the Scope of Work and the further employment of Freese & Nichols as the co-consultant to work with LBG-GUYTON; seconded by O. Gonzalez. The motion carried unanimously.

Item VI on the Agenda: Ad-Hoc Committee to Monitor Consultant.

Discussion ensued as to whether a formal committee should be appointed to be available to the consultant. J. Ashworth indicated a smaller, informal group would be easier to work with if it were acceptable to the Group. D. Reyes, TWDB, reminded the Group that if a committee is formed consisting of PWPG members only, then the committee would be subject to the Open Meetings posting and minutes requirements. Ashworth asked if the Group was still considering an East and a West Sub-Region. Letz stated that rather than two Sub-Regions he sees it as an eastern study and a western study. Ashworth stated it will end up that way because most of the time is going to be spent on the areas that need the most help and where the problems are the greatest. Those are definitely going to be where the population centers are. Geography is pretty much going to dictate what's done and how much time is required to be spent there. Burr asked if the regions would best be delineated after the Scope of Work (SOW) is done. J. Mohar suggested that the SOW should identify the key areas. Letz asked what the Group felt was the best way to get other people, such as the Headwaters group, involved with this. Letz informed the Group that the Headwaters Underground Water Conservation District (HUWCD) is at the point where they want to be involved and he feels they should be involved. Letz indicated that the bylaws gave him the authority to appoint workgroups and that might be the way to have formal designations. Ashworth stated that he would like to opportunity to work very closely with both the underground water conservation districts, Headwaters and Springhills Water Management District (SWMD). J. Brown informed the Group that these districts were out there trying to write a groundwater certification plan that has to be a part of the PWPG's plan because it has to be a part of the State's plan. Brown suggested to the Group that it get input from both HUWCD and SWMD into our plan or there will be problems. They are either invited to come in or they will have to force their way in. Brown feels they must be included in this process. Letz asked if in the eastern area, where there are two aquifers, would it be better to have one workgroup or two to work with the consultants. Brown felt it needs to be kept as simple as possible. O. Gonzalez stated that she felt it would simplify matters for the consultant and everyone involved if the Group went with the entity that the Group had designated which was the Upper Guadalupe River Authority (UGRA) for the eastern area and add D. Burr to represent the western area of the region. Gonzalez felt that if too many people become involved, it might hinder the work of the consultant. Ashworth reminded the Group that this is the scoping process and it will be moving very fast. There will not be a lot of time for detailed meetings with groups to work things out. J. Brown deferred to J. Mohar's suggestion that during the scoping process it was not as important as to whether it was east or west, or Trinity or Edwards. Ashworth agreed.

Letz stated he was trying to make sure the consultant knew whom he could contact as point people in various parts of the region. Ashworth handed out suggested outlines for the scope and for the plan. He stated the Group had taken the first step by getting the public input today, the second step was getting the questionnaire's in and the third step is getting all the issues covered for the plan and perhaps a small workshop was necessary, with these workgroups, to prioritize these issues. He suggested taking the requirements of Senate Bill 1, which he has outlined, and also the issues that are being brought up here and determining which ones the Group wants to spend the most time on. Ashworth feels that at this point the Group really needs to get those prioritized issues out because they need to actually start writing out tasks probably within a week. Letz suggested two workgroups consisting of members of the Group as well as others not on the board to work and prioritize the issues. O. Erlund offered his help regarding regulatory authorities. Ashworth stated that there was probably not going to be a great deal of need for this at this time. The overall challenge is to get a SOW before the TWDB that they will accept and in turn provide money for the big plan. Ashworth reiterated that there is not much time to go out a gather a great deal of information. They have already begun a data search and a literature search because the first thing on the list is to identify what the data gaps are and where is there no information and what is that needs to be studied. There are people at the board who tend to think that there is enough information out there already. Surface water has to be looked at very quickly and the decision made as to whether there is additional data that needs to be gathered during this study. The main thing the TWDB is going to be looking at is whether or not there is duplication. Mainly what will be asked of the workgroups is what needs to be in the scope and the Group will probably need to trust the consultants when they say there is not enough information to make this kind of decision. J. Brown asked if on the Regional Management Plan Requirement, Task 2, Population of Water Demand, would they be using the State Water Plan out in the western area or is this something that will have to be looked at doing some demographics. Ashworth stated this is something that will definitely need to be looked at. Again it will be the Group's decision as to whether it thinks the populations are correct.

J. Letz appointed N. Smart or designee, H. Senne, D. Burr, Z. Davis, J. Simpton, O. Gonzalez and himself to an advisory workgroup to provide input for the western area. Letz appointed C. Cornett, J. Mohar, J. Wendele, O. Erlund and a representative from Headwaters along with himself to an advisory workgroup to represent the eastern area. J. Brown, as a representative of the PWPG and UGRA, will be working closely with the consultant also. No formal action was taken to form a committee.

Letz suggested to Ashworth that he plan one meeting with the eastern group and a second meeting with the western group and then come together with one meeting to prioritize the issues. D. Reyes informed the Group that she had received approval from her legal department for group's to hold workshop type activities that involve planning group members to prioritize issues as long as that was all that was done and no action is taken in these committees. Letz stated that there would be no action taken. These workgroups will be advisory only.

Item VII on the Agenda: Bylaws Committee Recommendations.

Z. Davis made a motion to adopt the **bylaws as amended** at the June 9, 1998, called PWPG meeting in Kerrville, Texas; seconded by H. Senne. The motion carried unanimously.

Item VIII on the Agenda: Appointment of Liaisons to Adjoining Regions.

J. Brown made a motion to appoint **O. Gonzalez (Region E), D. Burr (Region F), J. Wendele (Region K), J. Letz (Region L) and Z. Davis (Region M) as liaisons** for the PWPG; seconded by G. Prather. The motion carried unanimously.

Item IX on the Agenda: TAWPG.

J. Letz handed out a letter he wrote to the Chair of the South Central Texas RWPG (formerly Region L) and the Chair of the Lower Colorado RWPG. Letz informed the Group that he had a meeting with the TAWPG last week and informed them that the PWPG was not in favor of them forming a formal subregion but that it could be done through an interlocal agreement. Also that the PWPG and the other two regions should have control of any studies done. The TAWPG disagreed and stated they wanted a subregion. Letz also talked with Tommy Knowles and several members of the TWDB and they implied if the PWPG doesn't want a subregion, there does not have to be a subregion. The TWDB would like to see a joint study but they are not going to tell the Group how to get that done. Letz recommended that the Group does an interlocal agreement and that each of the Regions appoint advisory groups to the development of an interlocal agreement. Letz stated he talked with John Burke, Chair of the Lower Colorado RWPG, and Burke indicated they had held their public meeting the previous day but this was not an agenda item so they could not act, however, his Group supported the information in the letter Letz had sent them. Letz also spoke with Evelyn Bonavita, Chair of the South Central Texas RWPG, was informed that their Group was also meeting today and it was going to be discussed at their meeting. Letz stated that he got the impression that her Group will not make a decision at their meeting. The TWDB has recommended having another joint meeting between the three regions and a member of the TAWPG as well as representatives from the TWDB.

J. Brown informed the Group that he had spoken with Dr. Knowles and what the letter doesn't state is that if the Group goes into this interlocal agreement, then the Group funds 100% of the local match. The \$50,000 grant that has been made to the Trinity subgroup is proprietary. It is not available to the other three Groups. The donation of time by UTSA and SWTSU has been earmarked for the Trinity group not for the tri-regional Group. If we can't come to some kind of terms to work with the TAWPG then we will be funding 100% of the 25% of the maximum to do the Trinity study. If the TAWPG would back off and become more of a committee then we might be able to share with them the response. Brown stated that he did not want to go back to the taxpayers and say we had a chance to get \$100,000 fixed in to a \$400,000 study and we didn't join up with the group for various reasons, whether it be we didn't like the group or couldn't deal with them or whatever. Therefore, we have to raise the \$100,000 among our taxpayers. Brown said in his conversation with Dr. Knowles, he stated that it appears we are in a dispute. It appears that the TAWPG has proprietary control over the \$50,000 grant and proprietary control over the two state universities. Brown feels the latitude can be negotiated but he doesn't want the door closed on this issue until the Group has completely exhausted all effort to work it out. The TWDB is not going to touch this issue until the Group goes to them and says it has a dispute. Letz stated that he had talked with Jorge Arroyo and Deborah Reyes, both of the TWDB, and told them he does not have a problem with the TAWPG being a part of the interlocal agreement. He does think the agreement needs to give the three Regions control of the study. Letz said the TWDB had asked if Ashworth, Jennings and Hammond could all work together. Ashworth replied that all three of them have known each other for years, all have an equal interest in the area and they can work together on a technical basis without any problem at all. Brown pointed out that in 357.4, Subsection I, it allows RWPG's to form voluntary associations with other groups to coordinate inter-regional issues. Brown suggested that the PWPG form some sort of

association with the TAWPG. He feels that those members from the eastern end of the Region do not want to be a part of something where they do not have voting strength. Brown asked the Group not to formally close the door on this issue until we find out the \$100,000 is more than we want to pay for it. C. Cornett stated that we also need to find out if their Scope of Work is in line with the PWPG's Scope of Work. They may be planning to spend \$400,000 on something that this Group is not particularly interested in. Brown stated he felt we have to be a part of that scoping. Letz said the key thing right now is that the Trinity study is identified in all three scopes of work. Letz recommended that the Group go forward with the joint meeting between the Regions, the TAWPG, the three technical advisors and the TWDB. He prefers not to have to go to this meeting alone and requested one other member accompany him. Letz stated is somewhat uncomfortable going to these meetings and speaking for this entire Group all the time. Brown suggested either C. Cornett or J. Mohar accompany him. Mohar deferred to Cornett, who agreed.

Ashworth informed the Group that he had heard from three different TWDB members, including Reyes, that the culmination of this Trinity study is to be a model and this model is to be completed one year from now. The regional Groups are to use this model in allocating groundwater supplies. He has been working with the Trinity since the mid-80's and knows the complexity of that aquifer and the amount of data that it is going to take to make a model work that is usable. In his opinion, it will take more than a year to come up with a calibrated model that he feels this Group will be comfortable in using in its availability analysis. In the Group's negotiations with the TWDB it needs to be straightened out. Yes, this study needs to be done but it starts with some good data collection and that data collection may take a year or two to do before the model can even be started. The model may be three years down the road. Ashworth warned of being forced to use a model that's put together one year from now.

D. Burr stated that, finances aside, at the last PWPG meeting the TAWPG Chair was asked to sum up the reasons why they were advocating this move. She said that without the formation of this TAWPG they don't feel that the issues that concern us are going to be adequately addressed by the existing Regions. He doesn't find that a sufficiently compelling reason for the Group to complicate the planning and financing problems for this Region. He feels after this meeting adjourns, the consultant should walk off with clear guidance as to what the Group intends to do about the TAWPG. He opposes this realignment. He doesn't see a lot of benefit for his Region in it and feels it unnecessarily complicates things at the eleventh hour. He opposes the PWPG joining with the TAWPG or supporting it in any form, financially or otherwise, at this time. Reyes asked if everyone in the Group understands about the money and how it affects the Group's local match. For example, if this Group decides to study the Trinity on its own and that study costs \$200,000 then the 25% match this Region has to come up with would be \$50,000. With whatever Jennings and Hammond have to offer, this is some money that could offset what's coming out of the pockets of the taxpayers in this Region. She just wants to make sure that everyone understands that there is a portion of this process that is unfunded and here is an opportunity to get some funding from an outside source. Letz stated that he was reluctant to walk away from the money regardless of how he feels about the subgroup. Burr stated that the costs are trade-offs that may be non-financial such as added complexity, delays, and requirements for increased liaisons. He questioned whether individual members were really willing to support this extra burden with their time.

Burr moved that "the PWPG proceed no further with the proposal to involve itself with the TAWPG in the formation of a new subregion."; seconded by O. Gonzalez. Letz asked if that motion included not working with the other two Regions. Burr reiterated that his motion was that the PWPG not become

involved with the TAWPG in any way. **J. Mohar suggested an alteration and moved to amend Burr's motion to state "The PWPG will not cooperate with the TAWPG, but the PWPG will cooperate with the two adjacent Regions involved with the Trinity aquifer in a joint study beneficial to all three Regions."**; seconded by J. Wendele.

J. Brown suggested an additional alteration was needed and requested that the record reflect that he is opposed to the original motion as stated by Burr and the amendment to that motion as stated by Mohar. He represents a taxing entity and he is opposed to walking away from the possibility of somewhere between \$50,000 and \$100,000 of local match to a study that must be conducted. Brown feels the Trinity is the most neglected major aquifer in the state of Texas and it has to be looked at through the Priority Groundwater Management Area (PGMA). It can't just be looked at in Kerr and Bandera counties. It must be looked at throughout the entire Region. Brown suggested that the Group vote both motions down and suggested an alteration that would leave the door open by allowing the PWPG Chair to meet with the other two Chairs, the TAWPG and the TWDB and attempt to resolve the issue of whether or not the Group can get comfortable with the TAWPG. If not, then go back to the taxpayers and say we walked away from \$100,000 and inform them they are going to have to come up with the money to do the study. Brown stated he is not going to go back to his board and tell them this Group is just walking away from \$100,000. He appreciates his colleagues' positions but he is not prepared to close the door on the \$100,000. He would rather take some of that money and put out in the western end of the Region where there are very little studies available. Both groundwater and surface water are going to have to be looked at out there and this Group is going to have to pay for it. Brown is afraid that with both these motions, the Group is taking the Chair out of the loop and he is not going to be able to sit down and mediate something that will be of benefit to this entire Region. Hopefully by continuing talks, some if not all of the grant money can be salvaged and the time the two state universities are offering to contribute to this project can be used as in-kind services against the PWPG's 25% match.

J. Wendele suggested informally that he feels the three regional Groups can adequately study the Trinity aquifer without the TAWPG. If that means closing the door to the \$50,000, then he might have to wonder about the reason for it being offered. Maybe these same folks who are offering this money to have the Trinity studied will come to the three regional Groups and make the same offer. If this Group and the other regional Groups have to make the decision based upon some offer of money, then who is going to come in the next time and say we'll offer \$60,000 and you study it our way. J. Brown requested point of order and took exception to Wendele's closing statement. Brown stated that Wendele implied that whoever puts the \$50,000 up wants to control the study. That is not known. Wendele pointed out that is the whole problem. Reyes requested permission to briefly clarify the money issue and offered that the \$50,000 which Jennings and Hammond have is associated with the TAWPG. The TWDB has said it will participate in this study as well and provide resources to do it because the TWDB thinks it is a good idea. Plus there are these two other technical advisors who the TWDB can work with who are funding part of it. The TWDB is not saying it will foot the bill to do the entire Trinity aquifer study. What the TWDB has said is they will work on part of the study. Some Scope of Work is going to be developed and the TWDB is going to do a certain number of tasks, and Jennings and Hammond will do a certain number of tasks, and there may be some part that Ashworth does. The TWDB's offer at this point is to work with Jennings and Hammond to jointly develop a Scope of Work that fits all three Regions and develop a model that all three Regions would then use. If this Group is going to remove Jennings and Hammond, Reyes doesn't know what that does to the TWDB's offer. She would have to go back to her office and ask Dr. Knowles

if the TWDB will still offer to put its resources towards this effort now that they don't have somebody helping them with it or not.

Burr suggested that if it was a good idea (a Trinity aquifer study) then it seemed like it would stand on its own merit without the merger of this Group with the TAWPG. Reyes agreed but cautioned the Group to remember that there are only so many people who work at the TWDB and they have 16 Regions that they have to provide technical assistance to. There are limited resources available at the TWDB and they will not put their entire staff on this one study.

Burr reminded the Chair that there was a motion and amendment on the floor. Letz asked Mohar to repeat his amendment before the vote. Mohar stated his amendment as ***"The PWPG will not cooperate with the TAWPG, but the PWPG will cooperate with the two adjacent Regions involved with the Trinity aquifer in a joint study beneficial to all three Regions."***; second by J. Wendele stood. The Group passed the amendment with J. Brown opposing. Letz asked Burr to repeat his original motion before the vote. Burr stated his main motion was that ***"the PWPG proceed no further with the proposal to involve itself with the TAWPG in the formation of a new subregion."***; second by O. Gonzalez stood. Z. Davis asked for clarification on what the TAWPG is all about. Brown explained that the TAWPG went out and secured \$50,000 in funding and there's another \$25,000 to \$50,000 that SWTSU and UTSA are willing to contribute, which would be applied on a three to one match with the TWDB. So if they raise the \$100,000, the TWDB would be willing to put up \$300,000 to do the Trinity study because of the local match. Burr asked if the PWPG joined in the development of a subregion, how would the Scope of Work be affected? Letz stated that all the Group has to do is put the study of the Trinity in the Scope of Work and the Group does not have to go beyond that at this point. However, until the TWDB gets the Scopes of Work from the three Regions, they don't know that this is going to be in there. Letz stated he was against Burr's motion because he feels we need to continue talking with the TAWPG because he feels the Group needs the \$50,000 or \$100,000 that is available. He agrees against the formation of a subregion and would love to be able to tell them that at their next meeting. He does want to continue talking with the TAWPG because they hold money. Burr stated he thought that is what the amendment to his main motion allowed - continuing to explore with the other two Regions ways to study the Trinity. Letz said he feels that if both the motion and the amendment pass, as currently stated, then that prohibits him from talking to the TAWPG at all and the PWPG has lost the \$100,000 altogether. Z. Davis said he does not see the need for a motion to have no subregion. He could see a motion if the Group wants to form a subregion, but can't see it for not forming a subregion. After continued informal discussion Burr amended his original motion to state ***"The PWPG will continue talks with the TAWPG, however, the PWPG opposes the formation of a subregion."***; seconded by J. Brown. The motion passed with G. Prather opposing. Burr stated that, based on the wording of the two amended motions just passed, he withdrew his main motion.

Reyes requested that the prevailing motions be read. Letz stated the **first amended motion** that passed was ***"The PWPG will continue talks with the other two Regions to form a joint study of the Trinity"*** and the **second amended motion** that passed was ***"The PWPG will continue to talk with***

the TAWPG, however, the Group opposes the formation of a subregion.

C. Cornett asked Reyes how long the TWDB has been involved with the Trinity subgroup. Reyes replied it was her understanding that the TAWPG came about before the Regions even started being delineated

and she thinks it came up when they started realizing the Trinity aquifer was going to be cut into several Regions and they didn't want that to happen. They wanted all of the Trinity to be in one Region by itself. It culminated throughout the process and actually predates the PWPG. Cornett stated that he really has a problem with the TWDB, who is supposed to be leading the Group down this path, and asked Reyes if she didn't think the TWDB should have been helping to better facilitate the communication between the PWPG and the TAWPG all along. Reyes agreed. Cornett stated that there was apparently a breakdown and the PWPG should have known before they started making deals. Reyes stated that she understands the TWDB is not involved in the TAWPG's dealing either. Just like the PWPG has communications that she knows nothing about back in Austin, the TAWPG is moving along without their knowledge. She repeated that they came up before the PWPG. Burr reminded Reyes that the TAWPG did not make the final cut on February 19, 1998, like the PWPG yet they somehow reappeared about a month ago. Reyes agreed and stated that they continued to operate outside and the TWDB does not recognize the TAWPG as a Regional Water Planning Group in the same way they recognize the PWPG. Burr feels the TAWPG has no standing to do what they are trying to do. Z. Davis stated that he was under the impression they were recognized by the TWDB. Reyes said they have been seeking recognition from each of the three affected Regions. Letz stated that if the three Regions had recognized them as a subregion that would have given them the recognition they were seeking. J. Brown added that he asked the same questions Cornett had asked Reyes and the standard answer was that the PWPG was on its own and if the two can't get together then come to the TWDB and they will resolve the dispute. Cornett stated that he really finds it discomfoting to find out in little bits and pieces that the TWDB has been along for the ride with the TAWPG from the very beginning and its just now coming out. Brown stated that Dr. Knowles told him in his phone conversation the previous evening that "the TWDB is not going to get involved. This is a grassroots issue; you boys go duke it out in the Regions and if you can't come to an agreement, come to us and we'll help you resolve it." Letz stated that he thinks the TWDB was not as committal to the PWPG as they were to the Trinity group. The problem is where this Group took it as non-committal, the TAWPG took it as committal. It was originally very vague, there could have been a lot more accomplished if the TWDB would have explained up front to the Trinity people that the Regions are in the driver's seat. Letz feels that once the TWDB realized the subgroup was not going to float in the three Regions, they were kind of like "What do we do now?" and their basic response to the subgroup was "We don't support subregions, but sure, it's okay if the Regions want to do it." Letz stated the TAWPG took it upon themselves because they thought they would convince the PWPG and the other two Regions that they should be a subregion. But they were wrong and that's what is causing all the problems.

Item X on the Agenda: Non-Voting Members.

G. Prather moved to add **D. Reyes (TWDB), R. Luebke (Texas Parks & Wildlife), J. Sutton (Region F), Paul Tybor (Region K) and Con Mims (Region L) as non-voting members** to the Group; seconded by J. Brown. The motion carried unanimously. Reyes asked when the response was do back from the water rights holders, as that was another non-voting member. Letz replied it was 30 days from the watermaster's mailout on June 11th so the deadline is July 11th and the Group has had one response from someone who would like to be added as a non-voting member.

Item XI on the Agenda: Executive Committee Members.

H. Senne made a motion to add **G. Prather and J. Mohar as Members-At-Large on the Executive Committee**; seconded by J. Brown. The motion carried unanimously.

Item XII on the Agenda; Expense Reports.

J. Brown reported that he had brought a package for each of the members with 12 sets of expense reports, one for each month. Brown stated that he would be sending a memo out on Monday explaining how to work through the reports. C. Cornett asked if Brown had received the dollar amounts from the TWDB that could be charged for the various expenses. Reyes reported that the expenses charged would have to be the State rate and she will get the travel policies to Brown on Monday. No formal action taken.

Item XIII on the Agenda: Set Next Meeting.

The next called meeting will be on Tuesday, July 21, 1998, at 2:00 p.m. in the District Courtroom on the second floor of the Kinney County Courthouse, Bracketville, Texas.

Item XIV on the Agenda: Informational Items from PWPG Members.

Burr stated that the Group needs to develop a formula for the amount of allocation money to be asked from all the political subdivisions. Burr asked that this be placed on the next agenda. Reyes responded it had already been added along with the "terms of participation" for the political subdivisions. Reyes explained that if a City or County or anyone else comes to the Group and says they are not participating in this Regional Water Planning process at all, then the TWDB rules state that the Group does not have to plan for them. However, the Group needs to define what participation means so if someone comes to the Group and says we are not going to participate but we will give you \$500.

Item XV on the Agenda: Adjournment.

J. Brown made a motion to adjourn the June 25th Called meeting of the PWPG at 4:55 p.m.; seconded by O. Gonzalez. The motion carried unanimously.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Secretary, PWPG

Plateau Water Planning Group
Public Hearing
American Legion Park Building
Rocksprings, Texas
June 25, 1998

MINUTES

PRESENT: J. Letz, J. Brown, D. Burr, C. Cornett, Z. Davis, O. Erlund,

O. Gonzalez, J. Mohar, G. Prather, H. Senne, K. Shackelford,

N. Smart, J. Wendele.

Non-Voting: D. Reyes, R. Luebke

Consultants: J. Ashworth, LBG-GUYTON; J. Scanlon, Freese & Nichols

ABSENT: J. Junker, R. Pace, J. Simpton

GUESTS: See Attached.

J. Letz called the public hearing to order at 2:04 p.m. and asked the members to introduce themselves for Roll Call. Letz announced that a quorum was present and the meeting was in compliance with the Opens Meetings Act.

Item II on the Agenda, Public Comment on Scope of Work:

J. Letz explained the purpose of the Plateau Water Planning Group (PWPG) and introduced J. Ashworth with LBG-GUYTON as the Consultant hired to develop the Scope of Work (SOW) for the PWPG. Letz requested public comments and recommendations as to what should be included in the Scope of Work.

J. Ashworth explained that the consultant's role is to assist the PWPG in the decisions to be made in the effort to get the SOW enacted. He stressed that all decisions will come through the PWPG.

J. Brown addressed the Group stating that Ashworth has requested a water issues survey, which he brought with him, along with return envelopes. Ashworth requested that the surveys be handed out at this time. Letz requested that any guests who wished to address the Group raise their hand and wait to be recognized. Guests were also requested to provide their name and any interest they represented. Letz invited anyone with comments to identify themselves at this time.

Letz recognized guest Jim Tom, Leakey (Real County), Texas. Mr. Tom addressed the Group with his concerns regarding what he feels are critical water issues. Tom stated that he had attended the meeting in Uvalde County and felt the PWPG is in much better shape than the group which met in Uvalde County as the people there were not very well informed. He hopes to see the PWPG get down to the business of developing a well-thought-out plan that will greatly benefit the people of this region. He is pleased that

Bandera, Real and Kerr counties were included in this Group and hopes that will result in these areas having a bigger voice in what goes on. He urged the Group to formulate a plan and follow it all the way through to completion. He feels that with everything going on at the federal and state level with water quality that some people already have an idea as to what they want to do and seem to be steering it in that one direction. He hopes that the Group will listen to the ideas presented at today's meeting and work those into the plan as well. He stressed that he wants to see this Group maintain its independence and not become a "copyright" of San Antonio, Houston or Dallas. Mr. Tom then presented some specific ideas he would like to see the Group consider when developing the plan. These include:

Rangeland and Brush Control. He stated that there are already brush control programs that have been proven to be effective, especially cedar and mesquite clearing, and these programs have been approved by the State.

Recharge Dams. He hates to see what little rain we do get all run downstream.

Rainwater Catchment System. He stated that this has been used with the rangeland. Some farmers have even built inverted barns to catch rainwater.

Education of Residential Areas. He would like to see large residential areas such as San Antonio be encouraged to conserve water and also educated on effective ways to do it. He feels residential areas should have their own rain catchment system. He also wants redirection and reuse of grey water for irrigation of plants and lawns as well as having drainfields rather than just sending it down the river.

Hazardous Waste. His main interest is the Fio River and the amount of hazardous waste traffic travelling through this area. He wants to prevent contamination of the water in this region and preserve the natural resources.

Prevent Water Movement Out of Region. He requested the Group continue keeping the public involved and informed He does not want to see the water transferred to another basin. He would like to see this implemented statewide and does not believe in interbasin transfers.

J. Brown asked K. Schackelford if they have been invited to participate in the Hill Country Initiative which gets into vegetation control. Shackelford indicated that Real County had been asked several years ago. Brown explained there is a new initiative out involving Kerr, Bandera and Medina counties and suggested that Real County look into it. Brown also stated that the Group could not use the term "detention dams" anymore because that refers to retaining water on state streams, which is TNRCC water. Brown said they now call them "sedimentation dams" to slow the water down and allow the sediment to fall out.

Letz requested that due to the large number of guests present, that comments be limited to approximately ten minutes.

Beth Eby, City Manager of Del Rio, addressed the Group and stated that she didn't have any specific comments about the SOW but wanted the Group to know that the City of Del Rio is going to retain the same consultant as the Group to do studies for them. She wanted to inform the Group that they would be talking with some of the same people as the Group and anything they can do to participate in the process

they would be glad to do. Letz stated that, because of the nature of the funding, any portions that the Group can add to its plan, which the City of Del Rio can pay for, and the Group be able to use as matching funds, will be beneficial. G. Prather added that from the scoping point of view we need to make sure that we are going to do a study that is going to encompass this entire area and that no one is going to be shorted. This is one of the reasons the Group is getting these public comments today. There are a lot of very detailed requirements included in Senate Bill 1 that must be included. We have to be sure that this plan is going to provide some sort of forethought in how we as citizens within this region are going to supply ourselves with water for our human needs, environmental needs or whatever our needs are over a 30 year period and then a 50 year period. There is also a requirement to show how we will have water available for various drought type periods. Prather feels that it is imperative that the consultants along with the Regional Planning Groups go into the cities and find out what is needed to satisfy the needs 30 or 50 years in the future. He stated that while the Group may be able to identify every need out there, that does not mean solutions to those needs will be found. It is very important that the Group goes out to the cities and starts looking for those solutions, including financial solutions. J. Brown asked D. Reyes, TWDB, if it is correct that whatever Del Rio's (or any city's) plans are and whatever their needs are, these have to be identified and recognized in the PWPG's plan in order for the cities to go to the TWDB and secure funding to implement their own plans. Reyes responded that was correct. Brown stressed that it was very important that the Group work closely with all the cities, private water entities and anyone out there because if they are eligible to go to the TWDB for funding their plans must be included in the Group's plan. Prather asked Ms. Eby when the City of Del Rio would start putting their budget together and she responded they would begin the following Monday. Prather further stated that he felt it was critical for the members of the PWPG to realize that budgets are now being planned for the cities and counties and we need to let them know how much we want them to put into their budgets to help fund the PWPG. Letz stated that this was discussed at the last PWPG meeting and it was thrown out that the smaller cities and counties would be asked to contribute \$1,000 each and the two larger counties of Kerr and Val Verde would be asked to contribute \$2,000 each. He has since rethought those figures and has asked for \$5,000 each from the City of Kerrville and Kerr County. He would also like to ask the City of Del Rio and Val Verde County for \$5,000 each. In addition, he would like to ask Bandera and UGRA to contribute \$2,000 each and Edwards, Kinney and Real counties \$1,000 each. He feels that since the population centers are located primarily in Kerr and Val Verde counties, these areas need to provide more of the funding. Using his figures, that would give the Group approximately \$25,000 to \$30,000 in funding. Prather asked Letz if he was suggesting to the City of Del Rio an amount for them to include in their budget. Letz responded that was correct. He added that the money did not have to all come up front. The Group could submit a voucher on a quarterly basis and pro-rate it out.

D. Burr asked J. Ashworth if he had understood him to say the SOW he will be preparing for the Group will be sufficient so that the municipalities could use that document for long range strategic water planning and that supplement studies would probably not be necessary. Ashworth stated that he did not mean to imply that. He explained that it was very difficult to say at this time because some studies would have to be extremely detailed and it may be beyond the budget of this Group. However, this plan will identify what needs to be studied at the very minimum and his firm will cover as much of the planning of those needs as they are able to do. There is a 2-year deadline on this and the regional management plan has to be submitted by the fall of the year 2000. That may not be a sufficient amount of time to satisfy everyone's needs totally. But it is plenty of time for them to identify everything that needs to be done and start setting up contingencies. One thing that this plan in the year 2000 is going to come up with is a document that basically gets the ball rolling. That does not mean that in the fall of 2000 we will have

solved all of our problems. The TWDB and the state legislature have this system set up as an on-going process. In the fall of 2000, this process does not come to an end. That's just the first plan that goes to the TWDB. Every 5 years another plan comes through and that continues on until the legislature decides to change the whole process. It is inconceivable to think that all the problems out there will be solved in the next 2 years.

Burr then asked Ashworth if the Group should approve the expanded studies by cities that want to pay for them and what the mechanisms were for the reimbursements. For example, would the cities be entering into a subcontract with his firm or with the Group. Ashworth replied that he felt that was what the City of Del Rio was wondering. How much funding might be coming their way out of this project or would they have to provide the entire funding by themselves. They may need a little more direction from this regional plan and hopefully we can get to that point soon enough to allow them to have some direction to go. Burr added that he imagined that the Group was going to have to make some decision soon because they have to give Ashworth the direction to go. The decision has to be made very soon on whether or not to allow the cities that want to pay for this additional work to ride piggyback on the master plan for the Region. Ashworth added that is what the scoping process is all about. Part of the SOW is a schedule and a budget - where is the money coming from, where is it going to be spent and how.

Letz informed the Group that he had a letter from J. Simpton, a member of the Group, who could not be present for this meeting, which basically outlined three areas that he feels need to be studied. These include getting the cities and counties to participate in the cost of the studies; a comprehensive study of the Edwards-Trinity Aquifer; concerns regarding the Kinney-Val Verde area with a comprehensive study of water needs for the City of Del Rio and a water plan for the next 50 years; and water studies for the cities of Brackettville and Rocksprings.

Letz asked for additional public comments from anyone. Ashworth asked to address the Group and the guests in an effort to encourage more comments from the public. Part of what this public meeting is about is not just to express concerns but also to allow this Group to know what the public thinks is most important. This Group is going to have to look at all the issues and prioritize them. Therefore, the questionnaire that was handed out was purposely made fairly short and does not require a name or affiliation. Ashworth encouraged everyone to fill the survey out and send it to the Group. It will be very helpful and the answers will help guide this Group as to how to make the decisions on what issues to address. Ashworth specifically mentioned questions 7 and 8 on page 1 of the survey. More than a yes or no answer is needed on questions of this type. These are some pretty tough questions and the term mandatory means somebody is going to go out there and police the action. Is the public ready for this to happen? Is it to the point where the public feels that certain things need to be mandatory and we need to have somebody police that policy? Or does the public feel that is something they are not interested in. This Group needs to know that. Ashworth indicated that he was seeing some heads shake in the audience and encouraged people to speak up and let the Group hear their concerns.

Guest Marcella Anderson, Rocksprings in Edwards County, expressed her concern about the large numbers of subdivisions being developed in the Region and the large numbers of people moving into the counties and drilling wells and using all the water they want. She feels that subdivision rules should require central water and septic systems to control the amount of water being used. Ashworth asked if this were going to be enacted who does she feel should best do this. Is this something she feels the county is the proper entity to handle or should it be someone like the Underground Water Conservation District

or should the State have more control. Ms. Anderson responded that she wasn't sure who was the best one suited to handle the control but she feels Texas is facing a real crisis for water and people must make a conscientious effort to conserve water now.

Jeff Yeaman, City of Rockspings, expressed his concerns regarding water issues in Edwards County. He stated that TNRCC does have regulations and the private wells drilled should have to have the same rules as the city does. He stated that there are too many regulations as it is and he would like to see fewer or no regulations imposed, but if the city has to be regulated then all the wells should have to be regulated. He also expressed concern with where the money will come from to fund this study. Edwards County is already strapped for money as it is.

James Long, of Del Rio, agreed with guest, Jeff Yeaman, and asked at what time will they have to come to the Group and get permission before they can go to the TWDB to get approval for grant money. He expressed concern with the number of subdivisions and stated that it is only a matter of time before someone gets down into the aquifer and pollutes it. Letz responded that he did not feel that this Group would have any impact on their grant and they should deal with the TWDB directly. Reyes asked Long if he was specifically talking about the Economically Distressed Areas program. Long responded he was. Reyes stated this is a separate issue with a separate source of funds that are available through the TWDB and they would not have to come before this Group for approval to seek that grant.

Ashworth stated there was a lot of concern about these issues and assured the Group that colonial issues would be addressed.

Letz asked if there were any additional public comments. No one else responded. Letz then recognized K. Shackelford to address the Group. Shackelford asked Ashworth if question #11 on the survey was talking about irrigation wells or private wells being used for general purpose. Ashworth provided some examples. Probably one of the greatest losses to our aquifer is through contamination. We think about depleting our aquifers. Running out of good, drinkable water because we pumped it all out, but if it is contaminated that is basically the same thing. Question #11 is talking about basically any well. The State does have well construction regulations. Any new well that is drilled has specific requirements that a licensed driller has to follow and those are intended to protect usable, quality water. Even livestock wells potentially could be point sources of contamination. In a subdivision where there are a lot of wells or where the wells next to the river are shallow and any contaminant in the well will go right into the river are just some of the issues to be addressed. J. Brown stated that in Kerr County they have lost a lot of good middle Trinity wells because of contamination. Ashworth added that the issue is not whether we want to regulate wells but are wells a problem to the regional water supply. If it is, then what do you want to do about it.

O. Erlund stated that his company has 4,000 customers in 7 counties and he is concerned with the regulation and control of subdivision wells when you have a private well owner right next to the subdivision who has no regard whatsoever for anyone else and will sit there and pump water into a lake. The issue is going to have to be addressed concerning what you do with an individual who, just because they have a private well, thinks they can pump 100,000 gallons of water out of it a day, meanwhile the individual in the subdivision is only allowed to use 1,000 gallons a day. Ashworth agreed and said it was going to be the Group's decision as to whether they want to address it.

Letz stated that the Group had received a letter as a result of publication of the Notice of Application and Public Hearing in the San Antonio Express-News on June 12, 1998, from Mr. Tom Culberson addressed to J. Brown. Letz put it in the record that the letter had been received and would be given to J. Brown to pass on to the consultant.

Letz stated that if there were no further public comments from those present he wanted to remind everyone that written comments could still be accepted through July 12th and could be addressed to J. Brown, UGRA, to the TWDB, ATTN: Mr. Craig Pedersen, or to this Group in care of the Secretary, C. Cornett's office.

J. Brown asked if since there were a lot of entities (cities and counties) not represented here today, should the Group not send this survey to each of the city and county governments and ask them to distribute them to interested entities within their county and allow them to respond to this. Ashworth responded that he felt this was essential and stated that this is the public input process and the people present today were representing the various water use types. They are representing them, which means the public should have access to those present to tell them how they feel about certain issues. It is very important that we get as much public input as we can so the more people we can contact the better. Ashworth reminded the Group to keep in mind that there is a very short timeframe for getting the input back to him. Brown asked when he would like to have the surveys returned. Ashworth replied by the end of next week or the first part of the week after that.

K. Shackelford asked if the survey was asking about where you live or this whole region of water. Ashworth replied it was asking for specifics as to what each person is aware of. Shackelford asked about drought specific plans. Ashworth replied in some cases a private citizen might not be able to answer some questions. It's geared more toward public water suppliers or municipalities.

Letz asked if there were any other comments. Beth Eby, City Manager of Del Rio, asked if part of the SOW was to identify all the resources in the area and how they interconnect. Ashworth responded that one of the very first things in Chapter 357 was to identify all available water resources, surface and groundwater. So for groundwater purposes it means to identify all the aquifers.

Ashworth stated that his firm has been hired to just do the scoping. No one has been hired to do the entire plan and he certainly hopes that his firm will be hired to do that as well. If so, they will be coming to every single town and talking with the utilities, the city managers, etc., and find out what the long range plans are and what needs to be done to satisfy those needs. Also every single private water supplier will probably be contacted.

With no other public comments, Letz closed the public comments section of the meeting at 3:05 p.m. and invited everyone to remain for the PWPG Called Meeting to be held after a short break.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Secretary, PWPG

Plateau Water Planning Group
Called Meeting
Kinney County Courthouse
Brackettville, Texas
July 21, 1998

MINUTES

PRESENT: J. Letz, J. Brown, C. Cornett, Z. Davis, O. Erlund, O. Gonzalez, J. Junker, J. Mohar, R. Pace, G. Prather, H. Senne, K. Shackelford, J. Simpton

Non-Voting: D. Reyes, R. Luebke, C. Mims (L)

Consultants: J. Ashworth, LBG-GUYTON

ABSENT: D. Burr, N. Smart, J. Wendele.

GUESTS: See Attached.

J. Letz called the meeting to order at 2:05 p.m. and requested members present introduce themselves in lieu of Roll Call. H. Senne introduced guest, Ms. Carmen Berlarya, Mayor of Brackettville. Letz announced that a quorum was present and the meeting was in compliance with the Opens Meetings Act.

Item II on the Agenda: PUBLIC COMMENTS.

J. Letz requested any public comments. None received.

Item III on the Agenda: APPROVAL OF MINUTES.

After reading of the minutes for the June 25, 1998, PWPG Public Hearing and Called Meeting in Rocksprings, Texas, R. Luebke requested that the remainder of the sentence at the end of the second paragraph on page 7 be added to the minutes. V. Richardson, PWPG Administrative Assistant, explained that this was a typographic error and the rest of the sentence should reflect that the TWDB would not put their entire "staff on this one study." Richardson agreed to correct the minutes. No other changes were made to either meeting. C. Cornett moved to accept the minutes with requested corrections, for both the Public Hearing and the Called Meeting on June 25th; seconded by J. Brown, the motion carried unanimously.

Item IV on the Agenda: NON-VOTING MEMBERS

J. Letz informed the Group that there were two liaisons who needed to be approved as non-voting members. They are Janet Adams (Region E) and Gordon Hill (Region M). Letz also explained that the Group needed to add a non-voting member with 1000 acre-ft or more of diversion water rights downstream of the Rio Grande. The only response received was from David Brask, who represents both Snowmass, Inc and Brask-Dumont Ranch, Inc., who was requesting Thomas Robinson be approved as his representative for these two entities. C. Cornett moved that the Group accept these three as non-voting

members; seconded by R. Pace. G. Prather suggested we verify that David Brask is a legitimate water rights holder of 1000 acre-ft or more. C. Cornett amended his motion to accept Janet Adams, Gordon Hill and Thomas Robinson for David Brask contingent upon Brask meeting the requirements of being a legitimate 1000 acre-ft or more water rights holder downstream of the Rio Grande; seconded by J. Simpton, the motion carried unanimously.

Item V on the Agenda: DESIGNATION OF POLITICAL SUBDIVISION - 75% GRANT

J. Letz explained that UGRA volunteered to be the political entity for the Scope of Work (SOW) portion but the Group never named an entity beyond the SOW for the 75% portion of the grant. Letz opened the item for discussion. J. Brown stated that UGRA was *NOT* interested in serving in this capacity, however, if the other subdivisions felt they could not handle it then he guessed UGRA would reconsider. C. Cornett, PWPG Secretary and representative of Springhills Water Management District (SWMD), which has been designated as the PWPG Administrative Office offered to trade being designated the Administrative Office instead of the Political Subdivision with Brown. Brown refused. Brown was asked if he had to get approval from his Board before agreeing. Brown replied no and explained that his Board is concerned with UGRA getting too involved in this Regional Planning Group and the time it is going to take with some of the other things UGRA has on its agenda at this time. Brown stated that he does have the authority at this time to accept or reject the designation but it would be up to his Board to sign the Interlocal Agreement.

Letz stated that it appears to him that once the SOW is finished, the work of the Group is going to be greatly reduced until the next consultant is hired and that work will really be on-going. He doesn't see that much work being required by the political entity and it appears what the Group is asking is for someone to do the accounting work. Brown explained that justifying the 25% local match would be very challenging for the political subdivision. Letz asked Brown if he was referring to the time being put in by administrative staff members for SWMD (Vicki) and UGRA (Debbie). Brown replied yes. Letz asked Debra Reyes, Texas Water Development Board (TWDB), if that was going to be a major part of what the political subdivision would be required to do. Reyes replied it was going to include any contract amendments, billing, etc., because everything is going to funnel through that subdivision and whichever consultant the contract is with. All the administrative accounting work related to the contract will funnel through that political entity. K. Shackelford asked Reyes if it was correct that whoever agrees to be the political subdivision will get no money for doing it. Reyes explained that it depended on how the Group does its budget. Any work that is directly attributable to the Plan's development, then that is reimbursable under the in-kind 25% match. Letz stated that if all the other entities were willing to put up the money, then the Group could actually pay some other political subdivision to do the work for it, but he envisions most of the expense going toward the in-kind contribution portion of the grant. He feels that the Group is asking for a great deal just to handle the day-to-day operating expenses and he agreed with Brown that accepting the political subdivision designation would be a massive undertaking in terms of expense.

J. Simpton stated that it would be chaotic to go to some other entity, such as a city or county, who is outside the workings of the Group, and ask them to serve as the political subdivision. In his opinion, only Cornett's office or Brown's office has the insight to handle the designation effectively. However, if neither office will accept it, then he feels that the rest of the Group will need to come up with the money to pay to have it done. Letz agreed and stated that these two offices within the Group are the only ones who have the staff and the ability to manage the task. J. Mohar asked Brown if Headwaters Underground

Water Conservation District could be considered. Brown replied that Headwaters doesn't have a staff. Brown explained that it was not the money issue with UGRA but the amount of time involved. He also stated that UGRA would not let it die; they would accept it but he was hoping that someone else would step up and take it. Letz suggested that this item be temporarily tabled and the Group proceed to Item VIII on Cost Allocations at this time. The Group agreed.

Item VIII on the Agenda: COST ALLOCATIONS.

Letz handed out a draft letter he had prepared to the Mayors and Judges. Letz explained that he had come up with an arbitrary amount to be requested from the various entities to help with postage, mileage reimbursements, newspaper postings, etc. Letz asked for any comments or changes to the first page of the letter, which was basically just a justification. None were received. Letz explained that the second page contained the arbitrary figures he had come up with for the fee structure, which includes asking for the following amounts:

Kerrville and Kerr County \$5,000 each

Del Rio and Val Verde County \$5,000 each

Bandera County \$2,000 each

Edward, Kinney and Real Counties \$1,000 each

Other Entities \$ 500 each

This fee structure would shift the burden to the larger cities and counties. Letz explained that he did not want to send the letter out, however, until the Group had actually approved the amounts. If everyone contributes the requested amount, then the total generated would be approximately \$25,000. Letz stated that he didn't know if there would be enough left out of this amount, but perhaps \$10,000 or so could be given to either SWMD or UGRA to assist them in handling the political subdivision designation. The problem is no one knows how much of the \$25,000 will be needed to cover the other expenses.

Mohar stated that he has a problem with it, in that if you assess the City of Kerrville with \$5,000 and Kerr County with \$5,000 then that puts a greater burden on the citizen of Kerrville. The citizen of Kerrville is represented by four tax-collecting entities - the City of Kerrville, Kerr County, UGRA and Headwaters. That one citizen is getting taxed four times in this particular situation and he is going to be contributing \$10,000 as opposed to a citizen in a rural county, who does not have all these taxing entities, who is only going to get taxed once. Mohar personally would rather see the allocation of costs be broken down strictly by population. In other words, a per capita allocation and then it be split among the various entities of the various counties so that one taxpayer is not getting hit so hard. K. Shackelford stated that in Real County, they also had the city of Leakey, and he asked Letz if he was referring to Leakey as one of the Other Entities on his list. Letz stated he was thinking more of asking Headwaters. He doesn't think the Group could ask SWMD or UGRA to give more than they are already giving. Other Entities could be private. He knows that O.J. Erlund has mentioned the possibility of Aqua Source contributing. Erlund stated that he would donate \$1,000 from Aqua Source today. Letz explained that he understands that some cities, such as Leakey and Tarpley, don't even have \$500 to contribute. Shackelford stated that

Leakey doesn't even collect property taxes. Letz explained that it would be great if some of the smaller cities wanted to contribute but he feels the Other Entities would be private entities. Letz suggested perhaps figuring out the total the Group is trying to raise and then split it up among the counties. Mohar agreed and stated that he personally feels that the \$25,000 is not going to be anywhere near enough to cover the 25% match and any reimbursements deemed appropriate. Letz explained that this figure did not cover the 25% match at all and that the match would probably come from in-kind contributions entirely. Letz stated that the City of Kerrville was about to do a study of the Lower Trinity. He spoke with the Kerrville engineer and he informed Letz that they have no problem funneling the money for the study through the PWPG to be used for the 25% match. Letz again explained that the money generated from this letter was for postage, mileage, newspaper postings, etc. and he feels that \$25,000 would be more than enough to cover what's left. Reyes agreed that the largest administrative costs had already been incurred. Letz stated that probably \$15,000 would cover what administrative costs are left and the remaining \$10,000 could be used to offset the costs of the political subdivision. Shackelford stated that his county would need some kind of written request and they would need it fairly quickly. Letz stated that if the Group could agree on a final letter, he could get it typed up and mailed out by the end of the week.

Letz asked for further comment. G. Prather stated that in Val Verde County, the City and the County were the only entities that were going to pay attention to the letter anyway. He has already spoken with the County and the \$5,000 doesn't seem to be a problem for them but they are still in the process of building their budget.

Reyes asked Letz if the Group was aware that this would cross two budget years for the local entities because the Plan is not due until September 1, 2000, so she doesn't know if that would ease their burden or not. Letz stated that his intent was to probably ask for \$5,000 this year and another \$5,000 the following year. Prather added that he had already told his County Commissioners that this \$5,000 was just a start for what was going to be needed. Simpton stated that as far as Val Verde was concerned, the letter Letz was proposing with specific amounts for the City and the County, was better suited for their needs and simplified it for them rather than having more meetings to get them to split the amounts. Prather agreed it was simpler for Val Verde County and Del Rio. They would only have two people to talk to instead of 44,000. Letz asked for feedback on the contents of his proposed letter and asked if it was positive enough so they would not think their money is being wasted. Shackelford stated that it was a good letter. Letz asked for a motion for whichever format the Group preferred to go with. O. Gonzalez moved that the Group send out the letter as proposed by Letz with his amounts, and if, at a later date, the amounts or methods needed to be revised, then the Group could reconsider. Reyes asked if the Group knew what its total budget was going to be for the Planning Study yet and, thereby, what the 25% match was going to be? Letz responded no. Reyes stated that the total 25% match figure needed to be in the SOW, which is due in her office on August 1st, along with where that match is coming from. Letz replied the match would come from in-kind services. Reyes asked if those in-kind services had been identified as to who would be performing them and what type they would be? Letz stated that he didn't think any of this had been addressed yet and stated that the Group would probably have to meet with consultant, J. Ashworth, and figure out how that amount is going to be calculated and by whom. Letz stated that he did not understand how the TWDB could expect the Group to come up with an amount when the Group doesn't know what its going to cost. Reyes explained that's what the Group needs to be working on. If the Planning Study is going to cost \$100,000 then the 25% match would have to be \$25,000 in either in-kind, cash contributions or some combination thereof. And all of this needs to be laid out in the SOW and the grant application for the TWDB to evaluate. Letz asked Ashworth if he had any idea what the cost of the

SOW is going to be. Ashworth replied that was going to be a part of his discussion under Item XI later on the agenda and asked if the Group wanted him to discuss this portion now. Letz stated that there was a motion on the floor from O. Gonzalez to accept the letter as he had proposed. Shackelford requested the motion be amended to change the "Other Counties" on the list to read Edwards, Kinney and Real Counties for \$1,000 each; seconded by Gonzalez, the motion carried unanimously.

Letz agreed to get the letter typed and stated he would mail it to the Judges of all the counties and the Mayors of all the cities, with the exception of Kerrville and Del Rio, who have already been contacted.

Letz stated that he was going to table Items V and VIII for discussion and possible action until after Item XI on the agenda. Letz continued the meeting with Item VI.

Item VI on the Agenda: FORMATION OF INFORMATIONAL SUBAREA.

Letz explained that under the requirements of Senate Bill 1 (SB1), the Secretary, C. Cornett, has had to send out letters to all the other Regions offering to participate in informational subareas, which are just a way to exchange information. Reyes stated that it is also a way to cut the costs if both are collecting data on the same subject. For example, with the Rio Grande, then maybe this Group won't have to do as much or the scope of what's being collected could be limited based on what the other Region is doing. Then all the information could be shared so that all the Regions in surrounding areas aren't doing the same work. That's what is behind this Rule. If it makes sense to form informational subareas so that everybody is not duplicating each other's work, then maybe it should be considered. But if it does not make sense then the subareas don't need to be formed. That's the purpose of the letter. To find out if any of the other Regions feel there is information which can be shared.

Letz stated that he had discussed this with Ashworth and the only Region he has an interest in was the one proposed by the Rio Grande Regional Water Planning Group, Region M, relating to the Rio Grande. Other than that, there are no other Regions that the PWPG would have an interest in forming a subarea with. Ashworth explained that Region M goes from Maverick County down to the Lower Rio Grande Valley. Letz added that actually the Far West Regional Water Planning Group (Region E), which goes over to El Paso and Terrell County, would also be included in this informational subarea. Ashworth agreed. Mohar asked about Regions K and L and the Trinity Aquifer? Letz stated those Regions could be a possible subarea, however, based on meetings and discussions, they have no interest in pursuing informational subareas at this time. Brown stated that was ludicrous because you can't take an aquifer that runs through seven counties in a critical area and study two counties of it and make any sense out of it. Brown suggested that someone needed to talk to these other Regions and suggested that Reyes might mention it. Reyes responded that was the responsibility of the Group. Brown asked Ashworth if there was some value in just looking at two counties out of the six in the Priority Groundwater Management Area? Ashworth responded it was not the way to solve the critical area of the problem. He recently talked with Quentin Martin (Region K) and LCRA put together their scope and told him about the TWDB's model that will be modeling the Middle Trinity, with the Lower Trinity possibly being looked at. Ashworth informed him that Region J was considering doing a Lower Trinity study. All of this information was totally new to him. He was glad to hear about it but Ashworth doesn't know where it going to go from there. Brown stated that Martin only had one county that was in the priority groundwater area.

Letz stated that he didn't think the PWPG failing to formally do an informational subarea, precludes the Group from communicating or working together on the Trinity. Brown agreed the fewer groups formed the better. Letz agreed and stated that the consensus he got was that the TWDB studying the Trinity solves their problems as they see it. They don't seem to see that the Lower Trinity needs to be studied also, which he doesn't understand. But until we can let some time pass and let some scopes of work get going, then he doesn't feel they will be willing to form an informational subarea. Brown stated that the Group has got to look at the Lower Trinity as it is extremely critical to Kerr and Bandera Counties and it is also extremely critical to Kerr for them to know what's happening in the adjacent counties because of the Hammett Shell and its effect on what recharge is getting into the lower aquifer. Letz agreed and stated that he didn't know if it was even really necessary to form any formal informational subareas, including with Regions E and M.

Simpton stated that we have liaisons with each of these Regions and information is going to be exchanged. We will get a copy of their minutes and be able to see what's happening. Simpton questioned what the motive of convening another committee? Ashworth stated that Region E is looking into it and trying to figure out what the motives are in the Lower Valley. The El Paso people are very, very concerned that the Lower Valley is trying to open up channels to force more water coming down. Letz asked Ashworth if he had any feeling from his discussions with them if they are going to want to have a formal subarea, or is it going to be more unofficial. Ashworth replied that so far they have voted to go ahead and do it provided nothing is turned up. They are going to do a little investigating and as long as it is purely informational and there is nothing else attached to it, they are willing to do it.

Brown moved that this agenda item be tabled until further information is known about it and how it affects us. Reyes stated that the Group has done what it needs to do to meet the requirements, which is send out the letter. Letz asked if it had to be included in the SOW? Reyes replied that the SOW could be amended if it is decided by the Group to do it later. Cornett asked for a point of clarification and inquired if this was going to be more of an exchange of data than politics? Ashworth indicated it was purely an exchange of data. He also asked how it would benefit the PWPG as a Region? Ashworth responded that he was not sure he could see an immediate effect. He knows there is a statewide effort, even from the Governor's office, to get a better handle on water resources along the entire Rio Grande corridor. In his mind, that's good for the State of Texas. How does it help the PWPG specifically? Perhaps it can help Del Rio look at their water resources, otherwise, he's not sure. It's too early to tell.

Letz reminded the Group that there was a motion on the floor to table this agenda item until more information is available, which had been made by Brown; seconded by H. Senne, the motion carried unanimously.

Item VII on the Agenda: TERMS OF PARTICIPATION.

Letz explained the Group needs to adopt some formal language if a city or county does not want to participate in the study. Reyes explained, for example, if Kerr County's Commissioners Court says we don't want to be involved with the planning process at all and we are not going to do it, we are not going to be a part of it and we don't like it. Then they later realize that maybe they should be involved because they are going to have to rely on this water plan to include them so that they can go forward and ask for funding. The Group needs to decide what level of participation, if any, is required by them to be included in this planning process or could they say they don't want to be involved and then later write a letter and

say they are sorry and the Group will include them in its Scope. Basically, if some entity says it doesn't want to be involved, then the Group is not required to do their planning for them. It is sort of like a contingency plan for someone who doesn't want to play along.

Letz asked for any comments. Mohar stated that it is his understanding that there are a few things that could be held over an entity not wanting to participate. One is that they will get no funds advanced from the TWDB if they don't participate and the second is that they will get no permits. Reyes indicated that was correct. Letz feels that certainly if anyone agrees to give the money requested in the letter, then they are definitely included. The specific studies, such as the Lower Trinity, which would benefit Bandera and Kerr Counties, then it is up to those counties to find the money to fund that study. To him that is how the terms of participation are defined. If they don't want to fund the study for their county, then they don't get the study. Cornett feels that the amount the Group is asking is not going to be any near what these studies are going to cost but he feels this is a start. Letz agreed and reiterated that the \$25,000 was strictly for administrative costs. Cornett emphasized for terms of participation these amounts were a start. Down the road when the Group starts asking for the real money, then the Group should be able to count on and get that additional money. Mohar added that regardless of whether they decide to participate, they would still get the benefits. You cannot eliminate them from getting the benefits so they must be encouraged to participate.

Letz stated that it is hard to determine how a community or entity is going to participate until the Group gets an idea of what some of these specific studies are going to be. For example, going back to the Trinity study. If that study costs half a million dollars, then he expects Bandera and Kerr Counties are going to have a hard time figuring out how to fund it. Therefore, it going to have to be a collaborative effort between those counties and this Group or the consultant 's recommendation of what the studies need to be and those entities that are directly in that area and how they can fund it. Letz stated he did not understand what was actually required and asked what kind of action was really needed. Reyes explained that the Group needs to figure out what it's going to do if, for example, Kerr County steps up and says it doesn't want to be a part of this process and the Group doesn't have to plan for it's water needs for the next 50 years. Then the Scope is amended to reduce everything relating to Kerr County - the Scope gets reduced, the cost of the study gets reduced, and the cost of the match gets reduced. Everything pares down. Now what if Kerr County comes back and says it wants to be back in on this. What is the Group going to do? You are trying to answer the questions - What if they want to drop out? What if they want to come back in? Or is the Group just going to decide it doesn't care what anyone says about participating and it is going to plan for the whole Region because this is important to us and it is important to the Region? So, therefore, the Group doesn't care if they participate. Letz feels there are too many "what if's" and the Group will just have to amend the SOW if a particular area or entity decides not to participate. Everyone right now will want to participate. Once we start getting some costs on the studies, then there may be some groups that back out. At that time the Group will either have to negotiate with them or amend the SOW at that time.

Brown asked for a point of clarification and asked if this required a bylaw amendment. It just needs to be formalized in the SOW document. Reyes responded no unless the Group just wanted to put it in the bylaws. Prather asked about the possibility of a Resolution. Shackelford stated that there wasn't anyone yet who had declined to participate so he agreed with Letz in waiting until the problem arises. Brown reminded the Group that there would be another meeting in August and that would give them 30 days to think about how it wants to incorporate any possible language into the Scope of Services. Reyes

explained that the Group has to decide now what the terms of participation are so that it can be a part of the SOW. Reyes said she is hearing that the Group feels everyone is going to participate, either by contributing dollars, by contributing hours toward the in-kind services, or by contributing supplies. Is that what the Group is calling participation? Letz feels that "participation" is that there are representatives from all 6 counties participating in this process. Reyes asked if as long as they are represented on this Board does the Group consider that participation? Simpton stated that the Group should proceed on that basis and include everybody in the planning process. If somebody opts out in the future then the Group considers that and if they opt back in, then the Group reallocates costs.

Simpton moved that participation will be based on all 6 counties in the PWPG are currently participating as they are all represented and participating in the process at this time. If at some time in the future, an entity decides not to participate, then their continued participation will be considered at that time. Likewise, if an entity decides they want to participate again, then their new participation will be considered at that time. Any costs may be reallocated when an entity leaves or rejoins. Seconded by Senne; the motion carried unanimously.

Item IX on the Agenda: PARLIAMENTARIAN.

Letz explained that this item came out of a discussion between himself and the Secretary, C. Cornett, after the last meeting in which Cornett and his Admin Assistant, V. Richardson, trying to figure out what was said and who said it. Letz asked the Group to be more conscientious about only one person speaking at a time and stated it would be very helpful to Richardson when she is transcribing the minutes, if everyone waited to be recognized by the Chair so that she is aware of who is speaking. Also, Letz stated that the Group is going under *Roberts Rules of Order* in accordance with the bylaws, and he recently reviewed them. He feels that if the Group goes strictly by them, then it will never get anything accomplished. He also feels that it gives the Chair a lot of latitude in how he interprets them. Cornett stated that the problems encountered at the last meeting turned out to actually be an argument over nothing, however, he feels that somewhere down the road it may get a bit more intense and he wants to make certain that everyone understands they are following some form of order. His main concern is trying to keep the meetings orderly. Letz stated that he understands it is difficult enough for Richardson to get all that's on the tape and still be able to put together comprehensive minutes without having to try and figure out who is speaking. He again asked members to wait to be recognized and if he fails to do so, he asked that Cornett remind him. Letz asked for any other comments. None received.

Item X on the Agenda: TRINITY STUDY (2 REPRESENTATIVES)

Letz explained that the TWDB has, independent of the Regions, announced that they are going to do a study of the Middle Trinity and, to a lesser degree, the Upper Trinity. At this time, they are not going to be actively studying the Lower Trinity. This study will be done 100% by the TWDB at 100% of their cost. It will be going into a program called Visual MODFLOW. The TWDB is also forming a Trinity Advisory Group and they recommended that each Region appoint 2 people to that advisory group. Any other entity, such as the Trinity Aquifer Water Planning Group (TAWPG), will be allowed to participate. Letz stated that he and Cornett had attended a meeting in Austin, where the study was announced, and he feels that this is merely a "Feel Good" meeting just to make some people happy. He really doesn't feel that it is going to do anything other than be a vehicle to disseminate information from the TWDB back to the Regions or to the public. He doesn't know if it is really necessary to assign 2 members from the

Group to have to attend those meetings, especially given how many meetings most of the members are already required to attend elsewhere. The meetings will be held quarterly and he feels that all members should be on notice of the meetings and encourages any members who want to attend to do so. But he doesn't know if making any kind of formal appointment is necessary. Cornett agreed. Letz stated that he feels everyone is very fortunate that the TWDB has announced this study. He wishes they had included the Lower Trinity, mainly because they are paying for 100% of the study and it would have made the Group's work a lot easier. Ashworth recommended that the Group instruct whatever consultant it hires to attend to these needs, because that consultant is going to be using that data. Letz agreed.

Brown asked if there was not some way that the data gathering methodology for the study of the Lower Trinity be incorporated into the data gathering of the Middle and Upper Trinity. Maybe the Group would have to pay for at least that part of the Scope. He does not know what the sampling methodology or sampling protocol includes, but if they are going to be out there looking at layer 1 and 2, what's significantly different in extending the study down to the Lower Trinity. He understands that data analysis and report writing is where the expense comes in. Brown asked Ashworth if he is aware of the studying being done and is there a chance that this Group might piggyback at least the sampling and data gathering from that study without getting into significant costs. Ashworth stated that he definitely thinks it can be included. He's not sure the TWDB is going to pay for any more sampling of the Upper and Middle zones because they may consider that as duplication. That is something that will have to be worked out. We have to make sure that they say that this is only how much they are going to sample. And if we say we won't agree to sample an additional, then they won't consider that duplication, and they will fund it. At the meeting in Austin, Bill Mulligan implied that a study of the Lower Trinity is eligible for funding in the SOW because they definitely are not going to do it. Brown stated that he just want to make sure if there was an opportunity for this Group to piggyback something and reduce the amount of the local in-kind match that has to be raised from our taxpayers, then he wants to make sure we take advantage of it.

Letz asked if it would be appropriate for this Group to at least send a letter to the TWDB, in regards to the things Brown has mentioned, asking that this be added into their SOW? Letz further stated that he seems to him if they are inputting data based on wells out of the Upper and the Middle then it should take very little additional time to input data on the Lower, if that data is available. Cornett explained that the data is not readily available. Brown stated that he would rather the Group ask for it and get turned down than not ask for it and find out later had the Group asked for it, they would have done it.

Reyes suggested that the Group not let sending a letter, preclude it from including this study in the SOW because there is going to be time to negotiate the SOW and that may be the time when all these details get flushed out and the TWDB figures out what the proposal is for studying it. That may be when the TWDB determines that they may be able to help the Group out with its efforts after all and cut the cost of the study down. Of course, the TWDB is dealing with limited resources in terms of funding anyway. Reyes cautioned against letting the letter preclude the Group from putting it in the SOW but she is also not saying don't send a letter. Letz asked if it would be beneficial to leave the PWPG Scope as it is and submit a letter requesting that they add the Lower Trinity to their study and leave it very broad. Ashworth stated that he really doesn't feel they will do it because they have already said that they will definitely have this model built in one year and if they add the Lower Trinity to it, then they won't be able to do it. He feels fairly certain that they will not be willing to take on the Lower Trinity. Cornett inquired about the possibility of asking for it in the later phases because that one year was phase one. Ashworth feels

that they left it open for down the road into what they are calling phase two, which is beyond this first planning effort.

Cornett moved that Letz draft a letter and request that in future phases of the Trinity Study, the TWDB consider studying the Hosston-Sligo formations; seconded by Brown.

Brown stated for the record that he feels that if the PWPG at least has the letter on file and gets turned down, then when we start talking about the need for funds in our own Regional planning, we can at least say we asked for your help and you turned us down. Maybe it will add some weight to the PWPG application. With no further discussion, the motion carried unanimously.

Item XI on the Agenda: SCOPE OF WORK.

Letz turned the meeting over to Ashworth who handed out a draft of the SOW. Ashworth stated that there are a few changes from the earlier draft he had provided. This Scope needs to do two things: 1.) Make sure all SB 1 requirements are included, which represents probably two-thirds of the work effort; and 2.) Incorporate everything that the local Region feels should be a part of the planning effort. This is the direction Ashworth is going from here.

Another thing he has done differently is to divide everything up into phases. On page 1 there is a Phase One. He is also working with Region E, which includes El Paso and Far West Texas groups, who are also very groundwater dependent. The Scopes are very similar except for the city of El Paso. Many of the things they are coming up with, he is able to incorporate back into the PWPG Scope and vice versa. The first page is one of these incorporations. Working with Reyes has made them understand that any funding the PWPG wants to get needs to show up in the Scope. The first phase is basically a request for qualifications for the consultant the Group will hire for the big planning study. The work the Group puts into writing up an RFQ, doing interviews or whatever else is done that the Group wants to be funded for, that work must show up in the Scope.

The remainder of the Scope consists of work done with the consultant. It is divided into three phases: The first phase is Information Gathering and Analysis and the second phase is taking that information and doing the Water Supply Evaluation. You've figured out how much you have; you've found out how much you need, then you weigh those two together to find out if you do or do not have enough; what you are going to do about it; how you are going to handle a drought contingency. The third phase is writing the plan itself - putting it all together and preparing the document that is required in SB 1 to go to the TWDB. There is also a public participation aspect in it.

Ashworth referred back to Phase I on page 2. Much of this is what was in the earlier draft - a Regional Overview; Existing Water Management Plans (nothing can be duplicated so the consultant is going to go to every town, every city and every entity and find out what is already on file); Surface Water Evaluation (for this Region he doesn't feel this is going to be as big a task as what will be encountered in East Texas); Groundwater Supply Sources (there are a few areas here that are different from the previous draft).

Phase I, Task 4, Item D, *Estimate safe yield of each aquifer based on recharge verses pump effects on water level*, came from comments sent in from the previous draft. This is where we have a good handle on how much recharge is coming in so that pumping standards based on what recharge may be coming in.

Item E, *Evaluate Groundwater availability in Bandera and Kerr counties portion of the Hill Country "Priority Groundwater Management Area"*. Item 1 is working with the TWDB in regards to the TWDB Model of the Upper and Middle Trinity aquifers. This is where it is documented in this plan that the Group wants to work with the TWDB and provide extra effort in going into this Upper and Middle part. Item 2 is where the Group is actually asking for a study on the Lower Trinity (or the Hosston/Sligo formations) in Bandera and Kerr counties. It is just these two counties because they are the only counties that are in that critical area. Ashworth stated that he expected comments that this critical area needed to be extended further out into the Region and he feels that the overall evaluation of the aquifer throughout the rest of the area is going to include the entire Trinity. There is some Hosston but little use has been made of it. It is very deep in Real County but he knows it is there.

Item F, *Evaluate groundwater supplied for the City of Del Rio*. Ashworth will be talking with the City after this meeting to see if this item needs to be expanded into any more detail than is what is already described.

Ashworth referred to Task 6 on page 5, *Ecologically Unique River and Stream Segments (Optional)*, and stated that Tasks 6 and 7 have been moved up from positions in the earlier draft. They have been moved to this position because they are more in the data gathering and evaluation category. Because this whole process has to be finalized within the next few days, he feels it would be very helpful if this Group were to decide if it wants a Task 6 or 7. Cornett stated for the record that he feels due to financial resource limitations, the Group needs to study to see what water we have for our planning purposes for humans. He is not really interested in this *Ecologically Unique Rivers and Streams Segments* at this point. Brown agreed with Cornett and stated that he doesn't feel UGRA is very interested in that issue either. They spend quite a large amount of money on water quality issues in Kerr County every year and he does not feel that UGRA would be interested in getting into any in-depth analysis of Ecologically Unique Rivers and Streams. Mohar asked Ashworth what constitutes a *unique river or stream segment*? Ashworth replied that SB 1 has some specific wording about some of the criteria, but basically it is intended for a unique ecological place in your Region that you want to protect. Say you have some endangered species in a spring and you want to make sure that spring does not go dry, therefore, you want to identify it as a unique site. Then the rest of the plan will have to make sure that no more water than is already being used is going to be pulled out of that area and might possibly drain that spring. This is a somewhat radical example, but it is one possibility. By not going through this process does not mean that the Group is not going to be looking at the environmental needs for water. That is required all the way through the plan. You've got to look at the in-stream needs as they affect the water supply.

D. Luebke asked to briefly address the Group about something specifically mentioned. An example of why the Group may want to seriously consider designation of some of these ecologically unique river segments is the springs at Balmorhea. These springs are the lifeblood of the agricultural community out there. If they don't have the water from those springs, they don't have a living to make. The City of El Paso was making some noise awhile back about going into that area and drilling into that aquifer because they are hurting for the water. People in Balmorhea realized they were very possibly going to get into El Paso's squeeze, so they decided after some discussion with the Texas Parks and Wildlife, that the

protection of some endangered species could be used to their advantage because then they would have the protection of the Environmental Protection Act. An agreement was made with several different entities to provide water rights from the irrigation district granted to the Parks and Wildlife Department, along with the Highway Department, and a lot of other entities to build a desert marsh. By virtue of the fact that this area was inhabited by this endangered species, people in Balmorhea were willing to give up some of their precious water, to assure the well-being of those animals so they could fight off the City of El Paso. If you want to look at this from the standpoint of user groups, that is something you might want to seriously consider. Luebke's charge to this Group is to offer suggestions regarding the fish themselves but to drop this item just doesn't make sense to him.

Cornett stated that he's not talking about not taking care of it. This is just something the Group cannot afford at this time. We don't have the baseline data we need to study these other things. In his County of Bandera alone there is next to nothing as far as data on groundwater resources. We need to get some of this baseline data and then, in the future, look over here at this other stuff.

Luebke stated he was not sure what the relationship is between gathering data on groundwater and the designation of an ecologically unique area. Cornett responded that the Group was going to have to look at these and anything that is in this Scope of Work is going to cost. He doesn't feel there is going to be any free rides and if it's going to cost, he wants to put his priorities over on the other side. Letz agreed with Cornett that if it is in the Scope, then we have to study all the areas that may be unique rivers and streams, which in the Hill Country is probably every river and stream we have. He feels that the waters that are in the actual rivers are pretty much governed by the State anyway. Everything else is private property except for the few State Parks in this area and he doesn't see that the Group should infringe on private property rights, which is the direction he sees this going. The State is already involved in the State waterways and he doesn't feel the need for an additional study of it. Cornett stated that if it was needed, he would make a motion to omit it.

Ashworth added that the wording that is on the Scope now is very close to the wording in the Rules as they are. This is the Group's document and it can change the wording any way it sees fit. This section starts out with A which says "*Develop a general overview...*", and B says "*If the regional planning group decides to recommend...*". The Group may decide not to recommend at that point. Ashworth stated that if Cornett was concerned about the cost of item A and then it could always be left in the Scope and then decide how much budget is put on this item. For example, you can give it a \$100 budget and that means that someone is going to spend about an hour talking to the Parks and Wildlife people to see if there's something that really should be brought to the attention of the Group. Cornett asked if it couldn't just be added in the future as the Group starts reaching the point that it feels it is more important. Ashworth stated that was also an option. He reminded the Group that this is a two-year plan and in two more years they will come up with another plan.

H. Senne stated for the record that he represents the ecological portion of the PWPG and he totally agrees with Luebke that it needs to be in the Scope. Task 6, with no more involvement than it takes, is a general overview of the potential rivers and streams segments. A lot of this information has already been recognized. All the Group will be doing is taking the data that has already been assembled and recognizing it. Senne told Cornett that even though the priority may not be as great, respective of the Region, he just doesn't feel it is right to ignore or overlook including this item in the Scope.

Cornett asked what Senne suggested in terms of budgetary concerns as Ashworth is on a short timeline. Ashworth stated that budget would be discussed a little later and asked if the Group was satisfied with the wording currently in the Scope. Senne felt that the current wording is acceptable. Ashworth stated the current wording used "general overview" and indicated that it was up to the Group to decide, through its budget, how general that overview really is. It can be as simple as a \$100 study.

Letz asked if, as a matter of simplicity, there was a motion to remove this task. No such action was indicated.

Ashworth continued with Task 7, *Unique Sites for Reservoir Construction (Optional)*, stating A and B were originally in the Scope. Comments led to the addition of Item C, *"Develop criteria for the development of reservoirs unique to the Plateau water management region."* Ashworth asked for expanded comments on this item. Brown asked Ashworth to explain what "unique sites" are? Ashworth explained that the SB 1 meaning is that there a lot of areas that feel they need additional reservoirs, whether the State agrees with them or not. In order to put a reservoir in there, they want the Planning Group to do a thorough analysis of that area to make sure that is an appropriate place for a reservoir. To make sure there is a certain set of criteria there, that there is no bottomland hardwood, there are no endangered species, there are no archaeological sites, there is a narrow opening for a dam and that everything is pretty much perfect.

Letz feels that Item C should be expanded to included "if recommended by the Regional Planning Group" so that criteria is not developed unless the Group determines there is a unique site for a reservoir. Senne asked what size and type of reservoir it was referring to? He knows there are many agencies that are already looking at this and there are services free of charge that can be used to make these determinations if an individual will grant private property rights and wants that done. Ashworth stated that he was sure SB1 is really looking toward the bigger public water supply programs or flood control reservoirs. He doesn't think the State was talking about livestock facilities or recharge facilities in this particular area. These smaller type things can probably be incorporated somewhere else in the Scope. For example, if you want to approach recharge, it can be put in here or it can be developed under a different task. Brown feels that those over around the Guadalupe, when looking for additional water rights, had to look at some of those old sites that the Corps or Engineers looked at up on Johnson Creek and the Headwaters, to determine if they are unique and if there is any relevant benefit in order to come up with a plan to get Kerr County beyond that 20-50 original water designation. UGRA has indicated that the people in the area around Quero and Victoria, and those areas down the Guadalupe, are saying don't come down here and look for reservoir sites. Go up between Blanco and Wimberly somewhere. With the current condition of the Lower Trinity, Kerr County has to find some way to develop more water other than the Trinity. Selfishly, he feels they have an interest in exploring at least a general overview of this task. The Group agreed and Task 7 remains.

Ashworth continued with Task 8, *Recommendation of Data/Information Needs*, stating that this task has been added. He feels that by the time they have looked through all of this data it is time for the consultant to come back to the Group and make recommendations as to whether or not there is sufficient data to continue on into Phase II, which is the evaluation phase. If there is not enough information to be able to make a good, professional judgement on some of these evaluations, the Group needs to know it at this point in time and be prepared to go back to the TWDB with an amendment saying the Group needs to collect some more information on this particular issue. This was not included in the first Scope of Work

but the Group cannot make a judgement at this time because there is no data. This is just a point in time where the consultant can come back to the Group and let it know just exactly where things stand in terms of all of the available information.

Task 9, *Phase I Reporting*, is the consultant's requirement. There will be this same reporting task in Phases II and III. Basically this is saying that at the end of the phase the consultant needs to come back with a written document saying here is what I've done for you, here is where we are on our timeline (we're on schedule, we're behind schedule, we're ahead of schedule, we're on budget, etc.) It's a time to let the Group know where things stand. Ashworth suggested the Group might very likely want to have some sort of monthly reporting also. The consultant is going to submit a monthly bill and probably the thing to do is ask for some sort of brief written update monthly that goes right along with that billing. Letz asked if item A was more the money side of it. Ashworth stated it is the bill but at the same time it is also letting the Group know what it is getting for the bill.

Ashworth continued with Phase II, *Water Supply Evaluation*, which is the planning aspect. It includes taking all the information that was gained in Phase I and looking at the population and water demand numbers that the TWDB has given out. If there is a real heartache over the numbers then the Group needs to look at what it is going to do about that. There is a process to go through. The TWDB will not fund the work going into determining whether the Group has a real heartache on it, but once the determination has been made and the Group starts developing the proof of the numbers it does want to use according to their guidelines, he believes that is covered. Reyes indicated this was not correct. She stated that she asked this same question and was told that the TWDB would not fund it because it is in SB1 that they will not fund revisions of those numbers. It is in the Rules, but because it came out of statute, it still could not be funded. Ashworth stated that the Group could basically still do C and go through the process of making the changes, the TWDB is just not going to fund that part. Reyes added that they would not be recommending it. Ashworth indicated that if the Group comes up with the proper proof, the TWDB would accept those numbers. You have to go through them for their acceptance but in some cases the Group may feel that it is worth it. The TWDB may be saying that a town is losing population when in fact the Group knows it has doubled over the last ten years and needs a water treatment plant. Then the Group would definitely want to go the TWDB with their facts.

Task 2, *Water Supply and Demand Analysis*, is just deciding whether there is a surplus or deficit of water. Task 3, *Water Management Strategies*, is just looking at all the strategies that are available. These are written in Appendix A. Most were provided in SB1 but they have added a few additional ones that are specific to this Region. The water strategies will then be used in Task 4, *Water Supply Adequacy/Drought Contingency Planning*, where each community will go through a drought contingency plan to see where it is, what's going to happen if there is a major drought, which of these strategies can be used to beef up the water supply. It is just intended to get that particular entity looking a little farther down the road than it might have in the past. The TWDB expects there to be a water plan developed based on the "drought of record". The Group will have to determine what "drought of record" is, define it and have a plan developed for it. The TWDB just recently came out with a resubmittal of one of its Rules. Before the Group was also going to have a write a plan based on 75% and 50% of normal water supply conditions. Now they have changed that 75% and 50% of normal to looking through all the strategies and picking the appropriate strategies to help you out in those particular conditions. They also changed what is meant by 75% and 50%. Before they meant percentage of flow or percentage of precipitation. Now they are saying that percentage is relating to the water supply. If you are a groundwater source and you normally have

100 feet of saturated thickness with equal permeability all the way through, you get half way down and you are at 50%. If you are using lake water and you use up half of your lake volume, then you are at 50%. So they are relating it now to supply rather than flow or precipitation, meaning recharge of the groundwater. That lessens the task of having to write a full plan on this, which was good of the TWDB to recognize that having to write 3 plans would be pretty difficult. Task 5 is the consultant reporting previously discusses.

Phase III, *Water Management Plan*, is toward the end of the project. The Group needs to write the Regional Water Plan. Task 1, *Public Participation*, includes the public meetings and public hearings the Group is required to have in dealing with that final plan. It does not include the public meetings the Group will want to have during the entire process. This may need to be expanded. El Paso is putting in an entire Appendix C that deals with how they are going to handle public participation. It deals with having a Web site and having quarterly newsletters sent out. If this Group feels that is something that needs to be included and it wants to get paid to do it, then it needs to go in this section. Ashworth suggested adding a couple of more tasks under this item that state what the Group wants to say about public participation. Letz asked if it could be as broad as simply saying the Group hopes to provide other mechanisms together with public participation such as town meetings, Web site, and things of this nature. Ashworth indicated that item C somewhat refers to these types of things but it relates to participation following preparation. He stated that a section could be added to include public participation during the entire process. Letz asked Reyes if item B was sufficient to allow for funding for something like a Web page? Reyes replied that she had a conversation with Ashworth and Mohar just before this meeting on this subject and stated that they are talking at the TWDB about the level of detail that is going to be coming back to them in the Scopes of Work. There is one camp that wants the level of detail to be very detailed. In other words, if the Group is proposing a Web site, then it needs to spell out Web site and "X number of hours" at this cost. Then there is another camp that wants to say "provide ongoing opportunities for public input including, but not limited to..." so that the Group does not box itself into a corner requiring a contract amendment if you deviate from what is put in the Scope. The answer to the question is that she doesn't know how detailed it needs to be at this point in time, but this is part of that negotiation process that will go on from August 1st until the Board meeting, whether that be the October Board meeting or a Board meeting further down the road. There will be some interchange between the TWDB and the Planning Group and their consultant over whether more detail is needed or not. Reyes recommended that if the Group feels comfortable with the current language, she would leave it as is and see what response comes back from the Board. It also gives the Group more time to think about it and prevents the Group from tying itself down right now. Letz suggested making the language as vague as possible at this point.

Ashworth explained that Task 2, *Regional Water Management Plan*, is writing of the Plan itself. Basically there is a "near-term", which is from now until 30 years from now, and a "long-term", which is a plan way out in the future (30-50 years from now).

Task 3, *Interim Reporting*, is the reporting for that Phase III period by the consultant. Task 4, *Report and Date Transfer*, is basically a requirement of SB1, for how the report is written. The TWDB is going to be getting 16 different plans at the end of this period and they will have 1 year to put together one state plan. They are going to want these plans to be as similar as possible and they are probably going to be putting out guidelines as to what type of software and outlines might be used. Item G was added to include the consultant being able to do work with any of the adjoining Regions as far as sharing data goes. The Group just indicated that information would be shared as it is agreed by the Group that it is necessary, so

if it is not agreed on, then that task does not exist. Is included at this point so that it does not have to be added later.

Ashworth asked for any comments the Group had regarding what he had just presented before he talks about the budget. He will have a timeline basically showing when each one of these tasks is done over the next two-year period. They sort of build on themselves. He will get this timeline out to the Group within the next few days. The timeline, the Scope and the budget all have to be in to the TWDB by August 1st, however, in the next month or two, when the Group hires its consultant, there will be a negotiation process with the consultant. If the Group hires a different consultant than the one hired to write this plan, then they may be looking at this for the first time and they may have some real problems with the way it is written or how much time or money is designated for certain tasks. They may want to renegotiate some of this. As he understands it, the bottomline of the budget itself is going to be going to the TWDB and they are going to okay that amount of money. As the Group wants to make changes to that amount of money, with the approval of the TWDB, it can be done at that time with the final consultant. You can change the amount of money and time put on each of these tasks. But it does have to be turned in by August 1st. Ashworth again asked for any comments. Mohar asked if the Group will have a monetary budget before this is submitted to the TWDB? Ashworth replied that the budget HAS to be turned in and he suspects it is something the Group will have to talk about today if it requires a vote. Simpton asked if this was the meeting to approve this Scope of Work and what about the modifications that need to be made to it? Ashworth indicated that modifications can be negotiated after it is turned into the TWDB.

Reyes explained that it is going to be a process whereby the TWDB starts evaluating it and when they identify all the things they don't understand, they will then come back to this Planning Group and say they need more information on this, this and this. There is going to be time between August 1st and when the Scope goes to the Board for approval to crunch out some of the details of some of these tasks, simply because they may not understand something or they may think there needs to be more detail. The natural process of some of those details is going to come out. As far as the money goes, there does need to be a bottomline dollar figure for the cost of this study provided in that grant application because it also determines what the local match is going to be. Simpton stated that this process seemed rather dumb to him because they haven't even had time to sit down with the consultant who is going to do the work and get a proposal. Reyes replied this was just a proposal. Simpton replied that the Group does not have a response back saying what they are even going to charge. How can Ashworth give them a figure? Reyes explained that he is using his expertise as a hydrogeologist to determine what the costs are going to be to do this study. That is what the Group hired him for - his expertise. Ashworth added that this is very backward compared to the way it is normally done. The Group is going to give this Scope to the consultant and say you HAVE to work with this and here is what we are going to pay you.

Letz asked Ashworth if he had a rough budget drafted up. Ashworth provided a handout, which included some estimates that were given by Region E. Again, their tasks are very similar, so it is pretty easy to follow along with it. Region E's bottomline for the study is \$624,000. Region F, located directly above this Region, is going to be coming in with a \$1 Million dollar bottomline budget. Ashworth feels \$1 Million is probably too much. \$400,000 to \$600,000 is probably pretty appropriate for a two-year evaluation where a lot of the evaluation is an overview-type of evaluation. In other words, when the consultant comes to your town to evaluate your water delivery system, it doesn't really provide money for them to go in there and do an extremely detailed one like you would normally hire a consultant to do - to run pumping tests, to look at the power systems, to look at the efficiency of each individual well, etc. He

thinks Region K, which is the Lower Colorado River, is going to come in with a budget of about \$350,000. This is just to give an idea of what some of the other Regions are submitting.

Letz asked what modifications Ashworth would make to adopt in this Region. Ashworth replied that he hasn't had time to really go through this task by task. These are not his numbers. Basically the utility department of El Paso has put this together because they had the most expertise with dealing with consulting projects. On the second page, which is Phase II, Task 3 and 4, the evaluations of the surface and groundwater supplies, they have them evenly split at \$50,000 each. He is going to try and talk them into increasing the groundwater figure because he thinks it is going to be a lot more detailed out there. It may also be the case in this Region since the Group is going to actually ask for some groundwater studies. At least more detailed than just an overview and it probably needs to be a little more weighted toward the groundwater part. Senne asked where the budget was for this Group. Ashworth responded that once the Group tells him how much it feels comfortable in spending he will go back in and move these figures up or down proportionately.

Letz asked Reyes how the TWDB could expect the Group to do this at all. We have no clue what we are even going to study yet, much less how much it is going to cost to do it and there is no time to go out and get these figures. Reyes responded that she could not give the Group more time. The bottomline is the TWDB needs to know something and the Group needs to do the best it can given the information it has. Simpton stated that every Region is going to have to have a plan but in this Region there are two big issues being looked at. On the Eastern side there is the Trinity study that money is going to have to be put into and right now this Scope is outlined for two counties. And on the Western side, they are proposing the need for some type of study on the Edwards-Trinity. He didn't see that outlined in what Ashworth had just presented. If Ashworth can show there is the data already out there to back it, then he will back off but he is not aware of any. Ashworth agreed there probably isn't any. Letz stated that the Edwards-Trinity study would probably include western Kerr County, Real, Edwards and probably western Bandera. The Lower Trinity is more site-specific to Kerr and Bandera Counties. Simpton added that somewhere the Group has to hone in on those two issues as far as what would be requested on those two major issues. After that it is more of an administrative gathering of information. Letz asked Ashworth what he thinks a study of the Lower Trinity, in relation to the TWDB's study of the Upper and Middle Trinity, might cost. Ashworth replied, for the two counties, it would depend on how much detail is involved. The study is going to require six to eight months of the effort and will require at least one staff person. Consultant's work on the average is going to run at \$100 per hour plus time/travel expenses and to run pumping tests and any expenses that go along with that. That would run anywhere from \$25,000 to \$50,000 total. Letz asked about the Edwards-Trinity study, which covers the larger area. Ashworth stated that the way he envisions the rest of the Plateau area, which is what is being designated as the Edwards-Trinity, is to do a Regional look at it, but concentrating in the areas where the cities specifically draw their water. Existing data can probably be used basically to do the rest of the area, but around the cities is where he feels additional data will need to be collected. He has not done a count of how many individual communities will be involved, but there are not that many. Simpton indicated the major pumping would be coming from Brackettville and Del Rio, which is roughly 30 miles by 15 miles. Ashworth agreed and added that when we get into Bandera and Kerr Counties, obviously we are going to have to do the individual entity evaluations in the area that is now basically called the Trinity. Ashworth explained that the Edwards-Trinity is the exact same Trinity as the Trinity Aquifer. In Kerr and Bandera Counties, where it is only designated as the Trinity Aquifer, that just means it has no Edwards above it but it is all the same aquifer.

Letz stated that it appears that the Group is almost going to have to meet next week to come up with budget numbers. He knows that the city of Kerrville is planning a study and the city of Del Rio is also. He has no idea how much Kerrville is even looking at budgeting to do a study of the Lower Trinity but he found out just yesterday that they were planning on doing a study. Letz suggested getting some idea as to what the entities that are going to be funding studies of these large portions are willing to fund and then meet next week with Ashworth to formally approve the Scope. The next meeting place is in Real County, which is fairly central to all the members, and all that is needed is eight members to meet a quorum. Ashworth stated that it is only a bottomline budget figure that is needed by the TWDB so if the Group can figure out what its 25% match is, then go from there. Letz agreed that the Group needed to figure out how much money it can generate and put in some arbitrary numbers in the meantime. Letz asked Reyes how does the Group know how much it can count as reimbursement toward administrative time. Reyes replied it was whatever a particular person's salary was. Brown stated that he had received a list of the authorized expenses from Reyes this past week but he hadn't had time to put it into language that most of the Group would understand. Brown agreed to get that information out to everyone within the next two workdays. Letz asked Reyes if members could count their time coming to these meetings. Reyes responded that the time could be counted. Letz asked everyone to contact Brown within the next couple of days and put in a guess as to how much time they are going to put in. Shackelford asked if there were any other studies already done that can be counted. Ashworth stated that at the back of the Scope there is going to be a list of many of the planning studies that they are already aware of. Task 2 is going to accumulate every bit of information there is out there, and none of that will be duplicated. The TWDB won't pay for it. The consultant will very rapidly evaluate whether or not that data is sufficient. His knowledge of the Trinity tells him that their numbers are not good enough to give the availability numbers that are needed. Safe yield numbers, for example, just aren't there yet. R. Pace asked if this was a fixed fee, lump sum, not to exceed, cost plus contract. How is this thing paid for? Ashworth stated that once the Group comes in with an amount and it is approved, that is what it has for the next two years to work with. Pace asked if the Group requests \$500,000 does the consultant use it all up? Ashworth stated that it was possible some of the money would not be needed. That is where the Group, in its monthly review process, can monitor the consultant very closely. Pace sees a cost plus as the way to control the money. If the consultant gets a lump sum fee, he is going to spend every dollar given him. Pace asked where the surplus would go? Reyes responded that if the Group asks for \$400,000 and the local match is \$100,000, and \$300,000 is all that is spent, then the Group does not get that extra \$100,000. Nor does the Group have to match that extra \$100,000. Ashworth stated that he feels uncomfortable standing before the Group as a professional consultant trying to recommend dollar amounts. This is not the way his firm normally handles its clients.

Reyes added that the Group had mentioned starting with its local match and figuring out what it can come up with. She advised that other Regions were doing exactly that same thing. Pace stated that he is going to insist on one thing. If they are going to spend the money, then the consulting firm needs to be accountable and he does not believe in a lump sum contract. Ashworth agreed. Pace asked how the Group can monitor the consultant and get its money's worth? Brown replied that, having worked with the TWDB and their grant process from years before, none of this was a surprise to him. This is standard operating procedure. He does want to say that one of the things they are going to do to the Group when they come back with a contract is make us sign an assurance. The Group is going to have to assure them that it is going to have the local match either in-kind or in-match. They are going to audit the in-kind contributions. He just wants anyone who has not dealt with the TWDB to understand that a.) they are going to audit the in-kind contributions at the end of the project; and b.) if things don't match up, then the

Group is going to have to dig into its pockets and come up with the difference. On the other hand, he doesn't think the Group realizes how much time and expense is actually being put into this process if the expenses would just start being logged in. Brown added, in response to Pace's question, the Group is going to have to do the work, then bill the TWDB on a monthly basis and they will then write out a check.

Letz stated that he doesn't really see any reason to discuss the budget much further because they really don't know enough at this point. He asked that everyone try to come up with their individual in-kind contributions and get that information to Brown as soon as possible. He also asked Simpton to check with the city of Del Rio and find out how much they are anticipating budgeting for the water studies. Letz will check with the city of Kerrville for the same information. Ashworth stated that members could fax their cost estimates in to him as soon as they have them as well as any other comments on the Scope. His fax number is (512) 327-5573 and his phone number is (512) 327-9640.

Letz recommended tabling *Cost Allocations* until the next meeting. Regarding *Designating a Political Subdivision*, Letz stated that this could either be tabled or UGRA could agree to do it. G. Prather asked what the options were to UGRA? Letz stated that he didn't think the Group has another option. The city of Kerrville isn't qualified and they don't have the staff to do it. Prather agreed that the city of Del Rio is in no position to do it either. Letz asked Cornett if Springhills Water Management District had any interest in doing it. Cornett replied they did not. Letz stated that the only real option available is UGRA and he does feel it is appropriate for the Group to allocate some direct cash reimbursement as opposed to just a total in-kind contribution. Reyes replied that some of the other Regions are including in their budgets, staff time for working on the contract and coordinating. For example, if Cornett were going to put Richardson on this project, then 20% of her time for the next two years could be included in the budget. People in the Regions are doing this type of thing. As long as it can be documented that she is working on this. Cornett replied that they already are. Reyes just wanted to let the Group know that this option is out there and that someone from an entity, whether it be UGRA or SWMD, can have a percentage of their staff time be reimbursed. Letz replied that the Group needs to get an idea of how much money is out there from the various entities and he also asked Cornett and Brown to set their staff time out separately as in-kind contributions so that the Group can try to reimburse that as much as possible. Brown stated that he is trying to talk his Board into downsizing and not taking on more projects.

Letz recommended going ahead and tabling Items V, VI and VIII on the agenda until the next meeting. Cornett asked if under Item VIII a letter was going out as discussed previously. Letz indicated the letter would go out before the next meeting and there would be additional action on Item VIII.

Letz asked Ashworth when a good day was for him to meet next week. Ashworth indicated he would be available any day. Letz asked the Group if it wanted to try and have a quick meeting in Real County. A meeting was set for Wednesday, July 29th, at 2:00 p.m., in the County Courthouse in Leakey, Real County, TX and an attempt will be made to get a copy of the draft budget out to members prior to this meeting so that comments may be submitted from members unable to attend this meeting. Letz informed the Group that there will be a notice requirement and the agenda will be faxed out to members to meet this requirement. In addition to the three tabled items, Item XI, *Consider and Discuss Scope of Work*, will be included on the agenda.

Item XII on the Agenda: Informational Items from PWPG Members.

Brown informed the Chair that he would discuss the political subdivision designation with his Board and provide an answer at the next meeting. Letz expressed his appreciation to Brown.

Item XIV on the Agenda: Adjournment.

R. Pace made a motion to adjourn the July 21st Called meeting of the PWPG at 5:10 p.m.; seconded by H. Senne. The motion carried unanimously.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Secretary, PWPG

**Plateau Water Planning Group
Called Meeting
Real County Courthouse
Leakey, Texas
July 29, 1998**

MINUTES

PRESENT: J. Letz, J. Brown, D. Burr, C. Cornett, O. Gonzalez, J. Mohar,

G. Prather, K. Shackelford, J. Simpton, J. Wendele

Non-Voting: D. Reyes, TWDB

Consultants: J. Ashworth, LBG-GUYTON

ABSENT: Z. Davis, O. Erlund, J. Junker, R. Pace, H. Senne, N. Smart,

GUESTS: See Attached.

J. Letz called the meeting to order at 2:08 p.m. and requested members present introduce themselves in lieu of Roll Call Letz announced that a quorum was present and the meeting was in compliance with the Opens Meetings Act.

Item II on the Agenda: PUBLIC COMMENTS.

J. Letz requested any public comments. None received.

Letz requested permission to address the Group before proceeding with the agenda and stated that the SB1 Oversight Committee is also meeting on this date. John Burke, Chair for the Lower Colorado River Planning Group, is testifying before the Oversight Committee today, and he asked Letz to send him a letter regarding the funding process for this whole process. The committee is looking into changing the funding so that the State will hopefully pick up 100% of the funding. Letz sent a letter supporting the 100% funding to John Burke, as well as Senator Buster Brown, Chairman of the Oversight Committee. Obviously that can only be changed by the legislature and they don't meet again until next Spring, so it is not going to be decided any time soon. Letz provided copies of these two letters to Group members and guests. Burke also requested estimated costs the PWPG has incurred year-to-date. He figured up his costs and also got input from C. Cornett, Administrative Office,

and J. Brown, SOW Political Subdivision. He arbitrarily assigned 6 hours per meeting to all the other members and averaged the mileage with 2 members riding together. The total amount he submitted was \$109,000 but is not sure how much of that will actually qualify. He provided a handout of the cost breakdown as submitted to Burke. Reyes asked if these costs were for one year or for two years. Letz stated it was for one year. He added that he had also arbitrarily assigned \$50 per hour per member for time spent on the project. He feels this is a reasonable amount considering the amount being charged by the consultant of \$100 per hour. He recognizes that this may be less than some members actually make

and more than others do, but he feels this is a good representation of the average salary of members. Brown advised that one thing the Group had to do today was set those values because tomorrow he has to meet with the consultant, J. Ashworth, and prepare the application, which must include the local contribution (25% match) for the grant. Letz agreed and stated that it would be considered under Item VI on the agenda.

Item III on the Agenda: DESIGNATION OF POLITICAL SUBDIVISION FOR 75% GRANT.

Letz reminded the Group that this was discussed at the last meeting and asked Brown if UGRA had made a decision. Brown asked that discussion on this be postponed until the Group addresses Item V, *Cost Allocations*. Tentatively UGRA has agreed to accept the designation, but Brown feels the Group needs to hear what the other Planning Groups are doing as far as handling this issue. No objection from the Group to postpone.

Item IV on the Agenda: FORMATION OF INFORMATIONAL SUBAREA.

Letz stated that the subarea under consideration was along the Rio Grande and asked if the Group wanted to proceed with that. Letz reminded the Group that Ashworth had indicated at the last meeting that he favored the formation of this informational subarea. Reyes added that Region E, in their last meeting, approved the formation of an informational subarea, however, they had concerns about what costs might be involved. Basically what they came up with was adding a line to their SOW and the related costs would be associated with postage, copying and staff time for sharing information with the other areas that are going to participate. Ashworth indicated that he does think it will be helpful for the entire Rio Grande region to be able to share this information in order to generate a state-wide database that is very similar for the entire Rio Grande region. Anything involving the city of Del Rio or that is attached to the Rio Grande corridor itself could be of benefit. He does not see it as being a very high-budget item. It may be nothing more than simply answering the requests that may come. If we are going through and identifying Rio Grande water rights within our Region, for example, that can be very easily transferred over. Letz asked what types of information is shared and will it be defined in the SOW as to exactly what type of information will be shared back and forth? Ashworth replied that at this point there is nothing specific. He has not heard either of the other two Regions specify any of the work to be shared. Reyes advised that the Rules state if the Group agrees to do this it "*should exchange information on population and water demand data, water supplies available, water supply and demand analysis results, and available information on environmental water needs, in addition to anything else the affected Groups choose to exchange.*" It lays out some things that the TWDB thinks is important to exchange that the consultant might find useful in their evaluation of this particular Region. She doesn't think this can be a unilateral decision. This Group cannot decide it wants something from Region M, for example, and they have to give it to the Group. It would have to be an agreement between the Regions. J. Simpton asked if the interchange point would be the consultants or all the members of the Group? Ashworth replied that it could be done either way. The consultant could do it or some committee within this Group could be assigned to handle it and the costs would go toward the in-kind contributions. He doesn't see anything identified in the Rules that is different from what is being generated already. Cornett asked if it wasn't true that most these numbers cited in the Rules would be available from the TWDB? Water use and population are things he's already getting from the TWDB. Reyes replied that was true, but there are other numbers in the Rules that are not generated from the TWDB or any refinement that this Group does to the numbers in the dataset that she has provided to the Group. Simpton stated that he could see that some of

the information could be vital. For example, if the lower Rio Grande Valley commissions a restudy of all water rights on the river, then obviously some of that is going to affect some of us upriver. We need to know what's going on down there, and vice versa, something this Group does affecting the flow going downriver will be of value to them. J. Mohar asked if this wasn't something better handled by the consultants rather than through committees? Ashworth stated that it would be more efficient to have the consultants handle it. However, in a situation where the Group is trying to find services to make up the in-kind match might warrant a committee to handle it. Simpton agreed with Mohar to let the consultant do the screening and introduce to the Group those topics it might be interested in. Brown asked if perhaps the issue wasn't whether or not the Group had to cite the specifics in the SOW if it is going to do this? Reyes responded that it could just be a single line in the SOW saying it is going to be done. O. Gonzalez asked if the Group also had to identify who would be exchanging the information in the SOW? Reyes replied that would also need to be included. Mohar suggested something as simple as *"we will cooperate and exchange information with all the adjacent Regions."* Ashworth stated that the wording he has in the SOW as the very last subtask in the document at this time reads, *"provide requested data and information to the adjoining Regions as agreed upon."* D. Burr asked Ashworth if he sees the Regional Liaisons as playing a part. Ashworth responded that was possibility. Mohar and Burr agreed that the Liaisons could be the committee. Brown commented that, in his opinion, Del Rio would want to protect that avenue of communication however the Group decides to do it because what they do up in El Paso also can affect Del Rio as well as what they do down below. He also mentioned that there is this fight regarding the readjudication of Elephant View may mean the readjudication of the waters of the Rio Grande.

Letz indicated that all that was needed at this point was a motion to include the formation of an informational subarea between the PWPG, the Far West Texas Regional Water Planning Group and the Rio Grande Regional Water Planning Group. So moved by Brown; seconded by Gonzalez.

Burr asked what type of expenses would be involved? Is travel the type of expense that would be incurred? Ashworth envisions it as mostly time being required to put together a database. If they are asking for specific data from a specific database, then someone has got to sit there and extract that specific data and copy it to a floppy. It will probably be more administrative costs than actual travel. Mohar asked if it should be limited to the Rio Grande and suggested enlarging the motion to include the other adjacent Regions. Letz stated that, as he understands the Rules, this is with specific informational subareas. The Group has to work with the other adjacent Regions anyway under a different portion of the Rules. These are the only two Regions that have proposed forming a specific subarea and it just happened to be an area that adjoined us. Brown asked for clarification on his motion. He didn't recall the motion, as he stated it, would limit the Group to just the Rio Grande area. While the discussion involved the Rio Grande, Brown asked if there was one for the Guadalupe? Letz stated that he had talked to Evelyn Benevito, Chair for that Planning Group, and she has indicated they have no interest in forming an informational subarea. This doesn't necessarily limit it to the Rio Grande. The Rules specifically allow for the formation of these subareas and the Rio Grande is the only one that has been proposed. Reyes added that there has been correspondence from the other two Regions requesting the Plateau's participation. Letz stated that if there is interest in other areas, an amendment could be added to the SOW at that time. Gonzalez suggested that by making a generic motion, rather than limiting it, the Group could request information from any neighboring Region. Brown asked if the Group was, in reality, creating a subarea that has a geographical area to it? Letz replied that was correct. Brown asked the Chair to call the question. Letz stated that the motion Brown made was not the one he had repeated. Brown stated that,

based on this clarification, he understood his motion was to limit the informational subarea to the two Rio Grande Regions. Gonzalez repeated her second. **The motion passed unanimously.**

Item V on the Agenda: COST ALLOCATIONS.

Letz asked if everyone had received a copy of the letter he sent out? Burr stated that it was his understanding that as of yesterday, Del Rio had not received a copy of the letter. Simpton concurred with Burr and asked Letz to get them a copy of the letter that went to the city of Del Rio. Letz agreed to get a copy to Gonzalez so that she can make sure it gets to the appropriate person within the entity. Letz opened the floor for discussion and stated that he had not heard from the city of Kerrville. J. Wendele indicated that they had discussed it and he did not foresee any problems. Simpton and Burr stated that Del Rio is expecting the letter and they don't foresee any problems either. Cornett added that he had spoken with the Bandera County Judge and they have come to an agreement that Springhills Water Management District would absorb the cost for Bandera County at this time. Shackelford asked if Cornett was saying that Springhills would pay all of Bandera County's costs. Cornett advised that was correct. Burr asked Gonzalez, as a Councilwoman, did she feel the \$5,000 cost was tolerable? Gonzalez replied it was. Shackelford advised that Real County just doesn't have the money at this time and perhaps if they had a water district that could charge its customers 25¢ a year then they too could afford it. Cornett advised that they don't have any customers either. Shackelford asked just what Springhills Water Management District is. Cornett replied it is a groundwater management district. Shackelford asked if they collect taxes. Cornett indicated this was correct. Shackelford stated that the city of Leakey doesn't participate in a lot of things because they don't have the ad valorem taxes. He has talked with the Judge and a couple of the Commissioners and he thinks the county might be able to come up with \$1,000 but he can't promise it. Brown advised that, under the SOW discussion, what some of the other Regions are doing in their overall grant costs is setting aside a local coordinator who gets paid and is dedicated strictly for the internal operations of their Regional Planning Group. If this Group agrees to do the same thing, then it might be able to significantly reduce the cash participation from all the entities within the Group. What ends up happening is there is a coordinator who works for the Group and the salary is paid as part of the eligible expense for the total Regional plan. Brown asked everyone to be thinking about this option but reiterated that a decision had to be made today.

Item VI on the Agenda: SCOPE OF WORK.

Letz turned the meeting over to Ashworth for an update on the status of the SOW. Ashworth provided handouts of the updated SOW. It is basically the same document that he provided at the last meeting. The major area that he has expanded on is on page 4 and involves groundwater. The city of Del Rio is interested in a little more expanded evaluation than what was previously looked at. He added a two subtask function under Del Rio (Item F). He also expanded the language in Item G, the public supply groundwater source evaluations, which is really the key to this whole plan. It's not going to surprise him that the TWDB is still going to ask for clarification on some of this. It is inevitable and he has already said that even though LBG-Guyton's contract ends at the end of this month, he will still be available to help the Group with any of these comments that need to be worked out.

Brown informed the Group that UGRA is going to send a letter of request to the TWDB asking for the Phase I contract to be extended up through the end of September so that if there are some additional things Ashworth needs to do, the Group will still have him under contract if that is agreeable with LBG-

Guyton. Ashworth indicated this would be agreeable to his firm. Brown asked for any objections from the Group on this suggestion. None received.

Ashworth stated that Phase I through Phase III is basically what is envisioned for the consultant. Phase 0, *Consultant Review and Selection Process*, on the first page is an addition. Everything that the Group is going to be asking for funding on has to show up in this document. If the Group wants to be funded for its consultant search for the major plan, then it needs to show up here. He has outlined some tasks that the Group might want to use. If there is some other methodology for selecting the consultant preferred by the Group, then he needs to know now so that he can incorporate it into this document. Otherwise this is basically preparing a request for qualifications, preparing a contract terms and conditions, actually making the selection and negotiating with the consultant for the final contract. Letz stated it looked adequate to him. Burr indicated he was somewhat confused and asked if the Group hadn't already done this. Ashworth explained this was done for the SOW and now a consultant has to be selected to do the study. A few of the Regions put it together into one and selected a consultant from the beginning to go through both phases. Letz asked how much was budgeted for this process. Ashworth replied he had budgeted \$5,000. Letz stated that, unless there was a consensus otherwise from the rest of the Group, he suspected the decision would be to go with LBG-Guyton. Reyes explained that the grant application that Brown and Ashworth were in the process of completing requires that the Group goes through a "request for qualifications" process. They don't tell the Group what that process is and what was recommended in Phase I was that whatever the political subdivision, in this case, UGRA, normally does then that same process should be done for hiring the second consultant. The Group has to go under the guidelines of the *Professional Procurement Act*, which basically means it is a quality-based selection as opposed to a low, competitive bid process. So whatever UGRA, or the designated subdivision for the second phase, normally does is the process that needs to be done this time. Reyes added that most of this work that is being done in this process is work that is going to be done by some smaller version of this Group here - a consultant selection committee perhaps and she reiterated that the time spent on this process are eligible in terms of meeting the in-kind match. Reyes suggested that the Group not hinder itself by underestimating how much time or money this process was going to take. The Group will be reviewing qualification statements, interviewing, and ultimately selecting a consultant. There is going to be time involved in all that as well as administrative costs from long distance phone calls, mail-outs, etc.

Brown explained, for those not familiar with dealing with State grants, that if the Group targets \$5,000 for the consultant selection process and only uses \$4,000 of it, then the budget could be revised and the remaining \$1,000 could be moved into another line item. Reyes agreed. On the other hand, if the Group only targets \$1,000 for the process and ends up spending \$4,000, then the Group can only capture the \$1,000 for credit. Reyes agreed unless the Group wants to move money from some other task into this task. She believes the percentage allowed is 35% between categories of expenses which can be moved around without requiring a contract amendment. The bottomline budget figure is not changing but there is the 35% cap between categories. Brown added if the Group doesn't spend the amount targeted then it doesn't have to match it either. It was agreed to leave it at \$5,000.

Burr questioned the wording in Task 4.F.1 and said he thinks they are looking to evaluate regional potential for groundwater *resources* rather than use. Ashworth agreed. Brown stated that he had just completed a certification for a groundwater management plan, which Cornett also went through, and the TWDB wants everything quantified that is in those plans. Not only is the Group going to have to evaluate the potential for groundwater use, but also it is going to have to state what that is - by acre-ft or 1,000

gallons of water or some other quantity. Burr told Ashworth they want him to look at the area around Del Rio and tell them where the best potential well fields are. In other words, there needs to be some *sources* of groundwater identified. Burr agreed with Brown that they need to be able to say what kind of usage they are going to need in the next 30 or 50 years. Burr added there is the need to search for some resources as well. Ashworth agreed. Mohar asked if Item C on the same page 4 was not exactly what Burr was talking about. Ashworth explained that Item C is probably going to be done in little less detail than what is going to be done for the city of Del Rio. Item C is basically getting the information the TWDB wants on a Regional basis and Item F is getting a little more specific. Simpton explained that what they were planning to do was, once Ashworth came up with a budget figure for Item F, they were going to go to the city of Del Rio and ask for a match for that figure.

Ashworth suggested rewriting Item F.1 to read, "*Evaluate regional groundwater resources for potential municipal use, including quantity, quality, recharge and movement.*" Burr and the Group agreed. Burr asked if Brown's requirement for quantified amounts was also going to be included? Ashworth explained that the TWDB is going to give us the table of what they say the demands are going to be to start with. There is a task in this SOW to look at those demands and see if we are in agreement with them.

Cornett stated that he still has concerns with Task 6, *Ecologically Unique River and Stream Segments*. He feels that when the Group starts looking at the overall costs of trying to achieve this SOW, the amount will be quite large, and the Group should really look at omitting this task altogether. Cornett emphasized that he thinks this is a very important section and sometime down the road they might want to come back and take a look at it, however, there are going to be quite a few other tasks that are just as important that are going to have to be funded. He would hate to have to neglect this Task 6 by underfunding it. Burr stated that if it is not in the SOW at all, then it will be underfunded. Cornett asked if the Group was actually achieving anything if it underfunds it and leaves it in the SOW? Letz added that to actually do this task properly, every river and stream in the Region would have to be studied because they are all potentially unique just from the nature of the Hill Country area. Burr asked if the State hadn't designated which were unique? Letz replied they had not. It is a situation where if it is in the SOW, the Group is going to have to look at it and to do it properly is going to cost a great deal of money. So if it is omitted, then the Group doesn't have to look at it. It can be added through amendment at a later date if the situation warrants or if sufficient funding is found to be available. Letz agreed with the proposal to take it out now because he feels that a cursory look could be more damaging than any benefits it might provide. Letz also can see the potential for criticism if the Group includes it and doesn't fund it properly.

Brown added that this Task 6 could generate anywhere from a \$250,000 to \$500,000 expense easily. Mohar agreed with Brown. Burr asked Ashworth if the *Endangered Species Act* and the Parks and Wildlife portion of this study were not going to have to be addressed somewhere in the SOW? In other words, in the SOW the Group can't ignore the requirements to be sensitive to the *Endangered Species Act*. Are the Parks and Wildlife responsibilities included in the SOW at all or can the Group indeed get away without mentioning it? Ashworth explained that environment water needs are certainly well recognized in SB1. He has tried to spread it throughout the SOW and Task 4.I on the same page 5, requiring the *evaluation of groundwater resources necessary for the enhancement of environmental interests...* covers this subject somewhat. The Group needs to say what it is concerned about ecologically and then let the consultant go out and see what kind of water needs are tied to those environment factors. This can be done and a lot of knowledge can be gained on the environmental issues without going

through the Task 6 routine. Ashworth added that he had just met yesterday with Gene Richardson, the Freese & Nichols component of this SOW, and they had assigned \$15,000 to this Task 6 with the concept in their minds that there would be an initial look at this point. As 5.6 states, "*If the regional planning group decides to recommend...*" then there would be additional work. The budget figure of \$15,000 does not really go into that additional work. It only covers the initial overview look. If the Group wants to leave in Task 6, then the budget figure could remain at \$15,000 and an overview evaluation could be done. The initial recommendation might be that in the Year-2000 phase of this planning, then the actual study could be strongly considered. Ashworth agreed with Brown that the potential funding for this Task 6 could be extremely large.

Letz asked if a comment could be added to the SOW stating that the Group is intentionally deferring this until a future time due to budgetary constraints or that it will be reconsidered at a future time? Mohar stated that if it comes up, then the Group will reconsider it and questioned the value of adding it to the SOW at all. Letz stated that, since it is listed by the TWDB as one of the items to be considered, then the statement would show that the Group did not forget it.

Letz asked if there was a motion to delete Task 6 altogether. Cornett so moved; seconded by Brown. Gonzalez asked if this action would weaken the application in any way? Ashworth responded he didn't think it would be a problem because the Rules clearly state this is an optional item. He also reminded the Group that, since the gentleman who argued in favor of retaining this Task at the last meeting was not present today, he wanted to reiterate his argument that you do have the potential by identifying areas like this it has the dual purpose of potentially protecting other water use supplies. For example, say the Group is protecting streams for ecological reasons, it also protects the flow of those springs that feed into an additional water source downstream. Letz agreed this was a good point and noted that both individuals who spoke on behalf of leaving Task 6 in at the last meeting, H. Senne and R. Luebke, were both absent at today's meeting. **Letz called for a vote on Cornett's motion to delete Task 6 completely from the SOW, as seconded by Brown. The motion passed unanimously.**

Letz asked Ashworth to briefly go over Task 7, *Unique Sites for Reservoir Construction*, which is also another optional item. Ashworth explained that this task was intended basically to recognize a good site for a reservoir, identify it in this document and protect that site for construction of the reservoir. It prevents someone else from coming in and saying they are going to use that site for something else. The task was expanded in 7.A, "*Develop unique reservoir criteria for the Plateau water management region.*" This is intended to identify what types of reservoirs might be beneficial. There is nothing in the Rules that says what kind of reservoir sites there are and for what use those sites are intended. If the Group is trying to build a recharge site, that should be acceptable too. Brown asked what the budget line item for this task was. Ashworth stated he had budgeted \$15,000 for that also. Brown stated he was going to selfishly recommend that this task be left in as he feels it is very important for the long range planning of future water for Kerr County. There is a real possibility that a retention reservoir will be needed in Kerr County sometime in the future and if this task is left out of the plan, then it would not be eligible for funding. He is more concerned about protecting the opportunity to go for funding than the actual study itself. He also feels there may be some additional opportunities in the Medina Basin as well. Mohar agreed with Brown and stated that Task 7 has to be an integral part of the plan. **Brown moved to leave Task 7 in the SOW; seconded by Mohar. The motion passed unanimously.**

Brown continued discussion before leaving this subject and referred to subtask F on page 4. He asked Wendele if the city of Kerrville was contemplating any underground water studies. Wendele replied that Kerrville has already begun some data collection and has gained access to the Modflow modeling software. The study will probably be limited to the Lower Trinity in the vicinity of Kerrville. Brown asked Reyes if this Kerrville study is captured in the SOW, then would the money the city spends on this project generate in-kind credit toward the 25% match. Reyes responded that was correct as long as it is identified as a specific element in this SOW and it is not an already completed study, which it doesn't appear to be. Letz asked if the wording in subtask E.2 on this same page was sufficient? Brown feels the SOW needs to pinpoint the city of Kerrville just like the city of Del Rio is pinpointed in subtask F to alleviate the argument to apply it to the 25% match. Ashworth stated that it is identified in subtask E.2 and specifically mentions the cities of Bandera and Kerrville. Brown and the Group agreed the wording was sufficient.

Letz asked for any other comments on any portion of the SOW. Ashworth referred to page 7, Phase II, Task 1, *Population and Water Demand*, and stated that this is a tricky area. If we accept the TWDB's numbers it is just a matter of downloading them and putting them in a table to be used further down in the analysis. If there is disagreement, then there is work to be done to reestablish those numbers and that work is not funded by the TWDB. That funding would have to come out of the general cash fund that is developed. Brown asked if there had been a demographic study done in Bandera County? Simpton stated that they had not seen these numbers over in Val Verde County. Reyes stated that she had just delivered the numbers to Cornett's office. Brown informed the Group that, in the study they just did in Kerrville, they disagreed with the TWDB's numbers and finally struck a compromise, which they still feel is a little low. He feels that the city of Del Rio, with its current growth, and Val Verde County have got to be protected. The Group may need to challenge those TWDB numbers. Burr asked if the State's figures for population and demand don't harmonize with what our past figures have shown, then that needs to be adjusted. He feels it would be revealing to compare the State's figures with what has happened in Val Verde County in the last 20 years. He also feels that the Group needs to know, going into this process, if the State's numbers bear some resemblance of realism. Brown advised that his experience was fought out over 3 months and they still didn't win but they did get some compensation. The population growth numbers projected for Kerr County were way below what the experience factor indicates is happening in the county. Burr asked if the wording was sufficient to protect Del Rio? Ashworth replied that subtask C was the one that says the needed changes would be evaluated and presented to the TWDB. Burr asked if the requirement to use State numbers was the final word. Reyes replied that it is statute and what came out of the legislature is that they cannot fund revisions to population and water demand projections. Burr asked why subtask C was included? Reyes indicated that the study can be done, the TWDB just won't fund it and they won't recognize it as an in-kind contribution. Brown explained that if it is not included in the SOW and the Group decides to do it, then the TWDB could reject it because it is not in the SOW. Ashworth stated if the Group has to justify some project down the road due to increased population and the TWDB doesn't see that there is an increase, then there will be a problem with getting acceptance for funding. Mohar added that one of the major concerns the Trinity Aquifer Water Planning Group (TAWPG) came up with was that they disagreed strongly with the TWDB's population figures for the Trinity area in the eastern part of this Region and their caution was to watch those numbers very, very carefully. Mohar agreed with their concerns, especially for Bandera County.

Letz asked for any other comments on the SOW. Ashworth advised the Group that he has put the *Public Participation (Task 1)*, under Phase III, but some of the other Regions have included closer to the front of

the SOW. Most of the line items included are required such as the public hearings before the plan is actually completed. Subtask B is added to "*provide ongoing opportunities for public input throughout the preparation of the regional water plan*". At this point, this subtask is a catchall for any public participation activities the Group plans. Some of the other Regions have a very large breakout under subtask B. They are planning Web pages, quarterly newsletters, additional public meetings, etc. He has not heard any of these things mentioned by this Group so he did not specifically expand on it. Letz asked if Web pages would qualify for in-kind contributions and would it be covered under subtask B? Reyes replied that what she would anticipate coming back from them is clarification on what is meant by this statement as written. Reyes suggested that the Group goes ahead and puts some wording such as "*may include the development of a Web page, preparation of a newsletter, etc.*" because her feeling is the Board is going to ask for more specifics. Letz stated that one of his reasons for asking about a Web page is that one of the new Kerr County Commissioners, Larry Griffin, is a computer whiz and loves to do this type thing. He would probably be glad to develop a Web page for the Group and donate his time. Reyes reminded Letz that someone would have to maintain that Web page if the Group decides to use that as a vehicle for public participation. Letz agreed and added that he does feel there needs to be some mention of public participation under Phase I. He would like to see some way to get the public involved in the information gathering process. Ashworth stated that in the El Paso area, Region E has added a section immediately following Phase 0, which is one page that says "All Phase - public participation" and they have a discussion on what they are going to do with the public. They call it All-Phase and it applies throughout the SOW. Letz stated he prefers moving it up and incorporating it into all phases as well.

Burr commented that, regardless of where it is included, the public loves to wait until the eleventh hour to participate and then write letters to the editor saying, in effect, that nobody told them this was happening, despite the fact that there have been continuous reports at city council meetings and other forums. Burr said there is nothing in the SOW about taking out informational ads in the local newspapers, which is very expensive. Burr feels that the Group should consider these informational ads, as opposed to relying on some reporter's idea of what is being done. These informational ads, composed by the Group, could be used as a way to accurately inform the public of what the Group is actually doing. Gonzalez added that even with these ads, some of the public is going to continue to criticize the Group, as was evidenced in a phone conversation she had endured until midnight the previous evening. Burr stated, nonetheless, that he would like the Group to have the liberty of funding for periodic informational releases that will have to be paid for because they are no longer considered public service announcements. Reyes suggested that something the Group might want to consider for local participation was for some members to put together information as the process evolves and attend the city council and commissioners court meetings and during *Public Comments*, stand up and give a report on what this planning Group has been doing, what it's about to do and when the next meeting will be held. Each member who did this could estimate the time involved and put it in as a way to contribute in-kind services. Burr agreed that Reyes had a good idea but he feels there still needs to be the funds to do what he is suggesting as far as paying for informational ads because it is their experience in Del Rio that the reporting tends to be less than accurate. The only way the Group would have of countering this misinformation is by having a means to pay for rebuttals or clarifications. He is suggesting that the Group include some funds in the SOW for some paid public service announcements.

Letz asked Ashworth how much is budgeted for this item. Ashworth replied he has budgeted \$7,000 for this task. What he has budgeted for is what he feels the consultant is going to be charging. If there are additional areas where the Group will be doing some of this, then that line item needs to be increased.

Simpton agreed that there needed to be funds set aside because, whether it be public service announcements or press releases, someone is going to have to expend time and effort to write them. Letz agreed and recommended the \$7,000 be increased somewhat. Burr expanded on this further by stating that it is important to have the public understand exactly what the Group is doing throughout the process because somewhere down the line, in some of the counties, we may have to bring the option of a conservation district to a vote, so the Group has to establish good will and creditability from the very beginning or it isn't going to win that vote.

Ashworth suggested the addition of a subtask F under *Public Participation* that reads, "*provide the public education on the water planning process through activities such as the establishment of a Web page and periodic news releases.*" Burr agreed. Ashworth also asked if the Group wanted the entire task moved up to the front of the document and be identified as "All Phases"? The Group agreed by general consensus.

Letz asked for a motion to incorporate these public participation changes. So moved by Brown; seconded by Prather. The motion passed unanimously.

Letz asked for any other comments on Phase III. None received.

Letz then called for Ashworth to provide the budget figures. Shackelford asked what Real and Edwards Counties going to get out of this study. Ashworth replied that they are going to get a document that spells out what the groundwater resource is in those counties. The consultant will go to each community and look at the water supply, talk to the city officials, talk about the long range plans, talk about drought contingency plans, look at the water delivery infrastructure, etc. Shackelford stated that he feels finding water is one of the priorities for Real County. Ashworth added that this is intended to be a planning document. It is not a full-fledged research document. These plans are all geared toward the communities. When you get into the outlying areas, the TWDB counts them as County-Other. Just how detailed you can get on that level just depends on the time and the money that is available. If nothing else, it is going to at least identify what aquifer is out there and what the limitations are on those aquifers. There is going to be something out there to give some idea as to what these aquifers are capable of handling. It's not going to answer every single question when you get down to site specifics necessarily. Letz added that he would imagine in Real County there is very little data from any government type entity on the wells. How much value on the size of the aquifer is going to depend on how much contribution and information the citizens are willing to give back. Letz stated that the consultant is going to have to rely on well data and he is fairly certain there is very, very limited well data at the TWDB for Real County. Ashworth added that the last work that was done that he is aware of is work that he did in the multi-county Trinity study. He is not aware of anyone who has written any reports since then. There have been a few wells that have continued to be monitored on an annual basis. This work was done in the late 1970's and published in 1983. Letz stated that something that might be helpful in Real County would be a public hearing where citizens of Real County can see what information they can voluntarily get. Ashworth added this was a wonderful opportunity for in-kind contributions. When the consultant comes out he is going to have to get familiar with Real County and he is going to have to rely on somebody to guide him to where some of the major wells are and to where the subdivision's community supply systems are. Any time put in toward doing this such as travelling around, pointing it out, making a phone call to get an okay to go in and measure a water level - all of this is in-kind service.

Ashworth referred to page 4, subtask G, and stated this section was intended to include every community and every town. That won't be true in some of the other Regions because they have too many communities to cover in this amount of detail. However, in this Region there aren't that many communities and he expects the consultant should be able to go to every single community.

Letz again requested the budget figures from Ashworth. He provided a handout that shows a schedule of approximately when each one of these tasks will be accomplished. He will amend this to move the public participation up and make sure the timeline for that task covers the entire period. Phase I, Consultant Work, is scheduled to start October 1st (however, the TWDB probably won't get the grants approved until the end of October, so the starting date may have to be pushed to November 1st.) Ashworth added that Reyes had informed him that the Group can go ahead and select the consultant and they can start work right away if they want to take a chance their grant is going to be funded. The Group will have to pay the consultant even if the grant gets turned down. Reyes explained that the Group might want to instruct the political subdivision to negotiate a contract with the selected consultant for an amount not to exceed a certain dollar amount so that the consultant can go ahead and get started even though you don't have that final approval from the TWDB. In all likelihood, Reyes does not expect the grant to be approved before the Board meets on October 15th.

In regards to the budget Ashworth provided a handout that shows what he projects the individual tasks to cost. He explained that he looked at other budgets for \$1 Million, \$2 Million and even \$3 Million but that is certainly unreasonable for this area. This Region is not as large and doesn't have as many communities. He tried to come up with a budget that he feels is more in line with what he thinks the TWDB is expecting for a Region similar to this. Phase I, II and III are what he anticipates a consultant would be requiring. This does not include any costs the Group feels may need to be encumbered by itself. These numbers (Phase I through III) are the budgetary numbers you would have to expect to pay the consultant to do this work. If the Group decides it is going to do some of this work, then that may subtract from some of these numbers. If some of the work that is going to be done by the political subdivision is work that is eligible for funding itself, that entity is not included in these numbers at this time. These numbers say that the consultant will do everything within these tasks. We are required to turn in a budget by task not subtask. If you look at Phase I, Task 4, you will see that is the largest amount on the list. He felt it necessary to break this figure down because he is the groundwater consultant and he didn't want the Group to think he is trying to pad his own budget. These numbers are based on time required to do it and \$100 per hour. He did not include travel, computer time or anything else. He just said that the \$100 per hour would include all these things. If you just subtract the last two zeroes in each figure you can see how many hours he is anticipating being required to work on that.

Letz recommended starting at the top of the budget and going through is line by line to assure that everyone understands the amount and any adjustments that need to be made can be included. At the same time go through the SOW.

Ashworth stated that he feels pretty conservative about these numbers. He and Gene Richardson worked on them together and tried to think how much time it would take really take to do it. Given the Group's concern with the 25% match, he is aware that the Group can't go with a large budget like some of the other Regions are doing. He is not sure how some of the other Regions are going to get away with the budgets they are proposing. He said he and Reyes had a long discussion about this issue on the way to the meeting and the TWDB is going to go through a review process on these budgets also. Ashworth asked

for members to let him know as we go through the budget what amounts need to be changed. We do need to come out with a bottomline number to add to the application tomorrow.

Phase 0 \$5,000 Consultant selection process (Actual Group costs, not the consultant's costs).

Phase 1 Task 1 \$10,000 Regional Overview. (In-Kind Contribution)

Task 2 \$20,000 Existing Plans, Programs & Surveys.

Task 3 ~~\$26,000~~ *\$31,000 Surface-Water Resources (Requires field effort, travel time) (*See Note Below)

* NOTE: Simpton advised that it has been published in the Federal Register that the U.S. Fish and Wildlife Dept. is looking at declaring an endangered minnow in the Del Rio creek system from which it gets its water. If it is declared, then in a time of drought, that minnow will have to be factored in. Ashworth suggested adding a statement to Subtask I that reads, "*Consider potential of water supply loss for city of Del Rio resulting from endangered species.*" Reyes asked if this was surface water or groundwater. Ashworth stated he believed the state did in fact consider creeks as surface water so he recommended adding this statement under Task 3.C, *other surface-water issues*, as subtask #3. Due to added subtask of potential endangered species (minnow) in Del Rio water system this figure is increased by \$5,000

Task 4 (\$150,000) Ground-Water Resources

Subtask A \$ 8,000 Overview of aquifers.

Subtask B \$ 5,000 Direction of regional groundwater movement.

Subtask C \$ ~~5,000~~ *\$10,000 Groundwater availability. (**See Note Below).

Subtask D \$ 5,000 Safe yield (recharge vs. pumpage effects).

Subtask E ~~\$16,000~~ *\$21,000 Lower Trinity study (***See Note Below).

Subtask F \$40,000 Del Rio study (includes all communities).

Subtask G \$27,000 Drought contingency plans.

Subtask H \$12,000 Agricultural areas (groundwater only).

Subtask I \$ 7,000 Environmental evaluation (endangered species.) (** See Note Below.)

* NOTE: Letz stated that he felt, in addition to Subtask G, there should be something specifically added to mention Real, Kinney and Edwards counties. Ashworth suggested adding a subtask 3 under Subtask C, which reads "*Review aquifer availability in Real, Edwards and Kinney counties.*"

***NOTE: The Group also proposed adding \$10,000 to Subtask E from Phase I, Task 6, which was deleted.

During discussion of Subtask E above J. Wendele explained the Kerrville Trinity Study. He stated the scope of the study is going to be incorporated into the ongoing aquifer storage and recovery research. Will be looking at water level responses to local injections and withdrawals. What they are really going to try and do is dedicate some monitor wells that are separate from production wells and look at those responses to both withdrawal and rejection through the entire "Kerrville well field". He sees this study as entailing a large amount of field work and some up front costing in that they want to put data loggers on these wells so they can get real time information back. Ashworth asked if the Kerrville city limits would be the outer boundary. Wendele indicated that was a possibility but right now they have a Lower Trinity well at the airport that they are trying to get a pipeline built out from the city to the airport so they can use that airport well as a monitor well. If that happens then there will be an east-west spacing of maybe 7 or 8 miles across. Wendele stated that he could easily see the Kerrville study costing \$25,000.

Task 5 \$15,000 Groundwater/Surface-Water relationships.

Task 6 ~~\$15,000~~ *ITEM DELETED*.

Task 7 \$15,000 Reservoir construction.

Task 8 \$ 3,000 Data recommendations.

Task 9 \$15,000 Monthly report/statement (includes in-kind)

Letz informed the Group that due to a previous commitment he had another meeting to attend and would have to turn the meeting over to Vice-Chair, J. Simpton. The Group took a short recess at 4:38 p.m.

After the break, Simpton reconvened the meeting at 5:02 p.m. and Reyes stated that the TWDB wants the Group to provide the total dollar amount for the planning effort meaning at the end of the planning effort you have a regional plan that's been approved by this Region and goes through the entire SOW. If the Group helps the consultant complete those tasks then that is eligible, in-kind services. It's just a matter of going through and identifying where those tasks are and can members of the Group, or an extension of the Group through the member's own staff, contribute so the Group is getting to the end of this planning effort.

Ashworth stated that it would be good if the Group could figure out some way to reduce the 25% task match. The bottomline is not going to matter that much. Mohar added that you either had to inflate the contractor's price or decrease his price by the amount of the Group's contribution in order to get him paid.

Brown informed the Group that he had just been called out of the meeting to take a phone call from J. Letz. Brown stated that Letz had asked him to advise the Group to be sure and capture the administrative costs as much as possible. Cornett advised that this would be addressed when the Group revisits the Cost Allocations under Item V on the agenda.

Simpton suggested revisiting each line item and see if the amount can be increased to reflect the addition of in-kind services.

Simpton stated that Task F could be increased by \$15,000 (\$10,000 cash and \$5,000 in-kind services).

Task E, which includes the Kerrville study, could be increased by the \$25,000 in-kind contribution the city of Kerrville is projecting to spend on their model study. Wendele reminded the Group that the \$25,000 was only an educated guess as to what the cost would be. Reyes asked if there was sufficient wording in the SOW to reflect the Kerrville model study. Ashworth stated that he had added the following words to cover the Kerrville study: *"Work with city of Kerrville in their efforts to develop Lower Trinity groundwater model."*

Cornett advised that SWMD is also looking at putting in a data logger and monitor well in the Hosston. SWMD can also do some of the legwork and he already has a list of some of the lower wells in Bandera County. Simpton asked what SWMD's contribution might be. Cornett advised it would probably be another \$8,000.

Therefore, Task E could be increased by \$33,000 with in-kind contributions (\$25,000 Kerrville and \$8,000 SWMD) for a total project cost of \$59,000.

Cornett asked if SWMD ended up putting in more than the \$8,000 could it apply somewhere else down the line? Ashworth replied that it keeps adding up and the bottomline is 25% no matter where it ends up coming from. Reyes agreed and stated that was whether it was cash or in-kind.

Simpton pointed out that all of the consultant selection in Phase 0 was going to be done by the Group. Reyes agreed. Therefore, the entire \$5,000 for that task will be in-kind. Ashworth agreed. Cornett asked if that \$5,000 was going to be adequate. Simpton deferred to Brown for an answer. Ashworth reminded him that he was basically looking at 50 hours of work. Brown asked Reyes if the time the consultant selection committee spent on selecting a consultant would be chargeable. Reyes stated that the Group needed to establish an hourly rate and that time would be chargeable expenses.

Brown asked what the parameters that are going to guide what the Group could bill as hourly rates for non-cash credit? Reyes replied that this Group needs to establish what hourly rate is reasonable based on industry standing, meaning if technical work is going to be done, then in the industry there are hourly rates that are charged for that kind of technical work. The TWDB has funded studies that have included that kind of work. A couple of the other Regions have adopted hourly rates of \$25 per hour based on past studies that have been funded by the Board and what is considered a reasonable industry standard based on the types of activities they are doing. She added this Group should figure out what that hourly rate is going to be and establish it so that it can be provided the political subdivision in figuring out how much to charge for the consultant selection process. This will allow the Group to come up with what that true in-kind value was worth. Brown asked if she was talking about a flat rate of \$25 for everyone regardless of actual salaries. Reyes replied she was. She explained that if the Group was doing some data collection for in-kind services and they had elected to have the consultant do it, then the consultant would have billed the Group some hourly rate for doing that data collection. Brown stated that before the Group runs up a large amount of in-kind services, it needs to know what the limits are. Does the TWDB say that whatever is reasonable is what they are going to accept? Reyes explained that there is a scale of rates

used by consultants and that is what the TWDB has funded studies on in the past. Simpton asked Brown what he would suggest based on his past experience. Brown replied that he had never encountered this before. Wendele stated that they had done this when UGRA was doing some in-kind work with CH2MHill with the ASR project. They took an hourly rate and applied a multiplier of 2.2 for overhead. They took the actual hourly rate and multiplied it by 2.2 and reduced CH2MHill's bill by that amount. Brown asked if most consultants weren't using 2.8 now. Ashworth replied he did not know what his firm was using. Simpton asked if \$25 was out of the question. The Group agreed that this amount was way too low. Reyes said that whatever hourly rate the Group charges needs to be reasonable for whatever type work is being done. You can't just arbitrarily say you are going to bill \$300 per hour. What is the basis for that? Simpton pointed out that Ashworth's basis was \$100 per hour. Reyes stated that Ashworth would be writing an entire plan for the Group. Simpton added that the members of the Group were going to be doing in-kind services right along side him. The Group agreed this was a good point. Simpton stated that he would suggest billing just what the consultant is billing the Group, which is \$100 per hour. Ashworth stated that this seemed reasonable to him because the in-kind services the Group is going to do is what the consultant would have been doing otherwise. The Group is taking on the responsibility for that information and making very responsible decisions. He doesn't see why the Group can't bill at \$100 per hour. Reyes stated that she would make that the Group's proposal in its application. The worst thing that could happen is that someone at the TWDB says this isn't reasonable. Then it has to come back to the Group for more deliberation. The best thing that could happen is the TWDB will say this makes sense and they have very good rationale for estimating their value and time. She said to put it in the application and explain it like it has been discussed here today by saying *"our consultant, who charges X number of dollars per hour would have charged this amount, but we are going to do the work instead so, therefore, our time is worth is exactly the same."*

Brown asked if he as a minimum wage employee in his office that runs out and picks up some information or data, would it not be reasonable for the Group to assign a different value to that type work? Several members of the Group argued that it would still be charged \$100 per hour if the consultant had their minimum wage employee do this work.

Brown moved that the Group establish, for billing purposes, an hourly rate of \$100 per hour for all work contributed by members of the Group toward the development of the Regional plan; seconded by Burr. Wendele asked if he is keeping track of in-kind services for the city of Kerrville's study of the Lower Trinity, then a flat rate of \$100 per hour would be chargeable regardless of who does the work. Reyes added that her understanding through conversations at the TWDB where this exact scenario has come up where somebody wants to credit for in-kind for work that is going to be done by a local government. What the Group can get credit for is the actual value of that work. Reyes informed Wendele that if he has staff that are getting paid \$25 per hour plus overhead and fringe, whatever the real value per hour is, that is what the Group actually gets credit for. It is the real cost and not an inflated cost based on this hourly rate that the Group wants to establish. Cornett asked if the Group could come back and say that Kerrville would not have done this study if it had not been part of the Regional Water Plan and, therefore, include it in at a \$100 per hour rate. Reyes replied that, no, she still thinks the answer is if Kerrville is doing this study, then there is a cost to Kerrville for salaries, overhead, travel, etc. That is what can be taken as an in-kind match and the Group is not going to get more than that actual cost. What the State is going to require is documentation, which means there are going to have to be time sheets, overhead and fringe costs so that they will know how much it costs the city of Kerrville and how much can be figured toward the in-kind contribution.

Cornett asked if the Administrative work could be charged at \$100 per hour? The way he understands Brown's motion, it is still \$100 per hour as though Ashworth's firm were to be doing the administrative work that SWMD does. Reyes replied it could be charged for Administrative work done by members of this Group. It does not include the administrative work done by Richardson as staff. Cornett replied that Richardson doesn't count. If she weren't doing it, then he would have to be doing it. She is an extension of the member. Reyes responded that all she can say is to try it. She doesn't have all the answers to the specific questions and she wishes these questions would come up weeks ago so that she could have taken them back to the TWDB and said this is what they are asking of me and I need some guidance. The best thing that can happen is the Board will agree based on the Group's justification and the worst thing that can happen is the Board will disagree and say it has to be valued on something based on actual cost plus expenses.

Cornett added that the one thing he doesn't understand is the Board's attitude that if we have that piece of equipment there it is counted as overhead because it wasn't bought specifically for this program. If he has a computer in his office, he did not volunteer his computer for Region J. Reyes responded that he is using it for Region J though. Cornett replied that it was being used for the TWDB's benefit however. Reyes replied it is being used for the benefit of this Region. Richardson is generating minutes, which come back to this Group, so it is benefiting this Region. Cornett asked what the worse case scenario would be if the Group submits \$100 per hour? Reyes indicated all she could say was that the Group would get some comments back.

Brown reminded the Group that they needed to come up to some reasonable responses to this and get the application turned in tomorrow. That's all the Group is doing - filing the application. Until the contract is signed, the Group is not guaranteeing them that it is going to generate X number of dollars of in-kind credits. A month from now when they come back to the Group with a contract proposal and say they are going to lock us into this, by that time the Group will know whether or not it can generate the local match. At that point, the Group may determine that it needs to negotiate this down. All we lose is a month. Until the Group signs the contract it is not obligated to any of this nor is the TWDB obligated to the Group.

Burr added that the Group would like to go forward with a contract or budget that it thinks is going to go through the first time. What words can be put down on paper that would justify \$100 per hour? Reyes suggested that it was just what was said earlier. If the Group were not doing this work then the consultant would be doing it and the consultant is charging \$100 per hour. Burr indicated that he would vote for this motion, however, he added that it sounds as if it is not defensible to him. He won't hold the idea up but he goes forward with a lot of hesitation. Cornett added that it sounds to him like we might just be starting to communicate with the TWDB. Reyes stated that she feels the amount will be based on other studies funded by the Board.

Ashworth commented that if the Group were to contract with LBG-GUYTON, it would negotiate a contract and see their pay scale. The charge for his time is \$92 per hour. For some of their junior people it may be more around \$70-\$80. That price includes overhead, whereas the Group may not be including overhead.

Gonzalez asked if the Group was still proposing to submit a budget tomorrow of \$496,000 or \$621,000? Simpton replied that all the Group was voting on at this point was to establish some dollar in-kind value

of services. Then the Group will go back to the individual line items, keeping this hourly dollar amount in mind, and try to put an in-kind match to these figures.

Brown requested Simpton call the question. The motion carried unanimously.

Simpton referred the Group back to the budget line items as follows:

Task Amount Increased To in-kind services

Phase 0 \$ 5,000 No Change

Phase 1 Task 1 \$10,000 \$12,000 \$ 1,000 for retrieving drought plans; and \$ 1,000 to generate database

Task 2 \$20,000 \$25,000 \$ 5,000 to collect local plans/summaries

Task 3 \$26,000 \$36,000 \$10,000 for local entity contact

Task 4

A. \$ 8,000 No Change

B. \$ 5,000 No Change

C. \$ 5,000 \$15,000 \$ 5,000 for Real, Edwards & Kinney

\$ 5,000 for methodology (Cornett)

D. \$ 5,000 \$ 6,000 \$ 1,000 collect pumpage data

E. \$16,000 \$49,000 \$25,000 city of Kerrville

\$ 8,000 SWMD

F. \$40,000 \$55,000 \$10,000 cash

\$ 5,000 in-kind services

G. \$27,000 \$33,000 \$ 6,000 data collection from city staffs

H. \$12,000 \$14,000 \$ 2,000 ag and extension agents

I. \$ 7,000 \$ 9,000 \$ 2,000 Parks & Wildlife Dept and Environmental Committee

Task 5 \$15,000 No Change

Simpton stated that during the break guest, Judy Pierce, had raised some concerns about officially eliminating all of Task 6. The ecological river system is something the State is going to look at and he wonders if it is not prudent to include a statement that this task is going to be included. Just not in as much detail. Simpton suggested wording such as *"conduct a general overview of river and streams sectioned within a planning region to see if any rivers or streams might be considered for any designation as a unique segment."* Cornett stated that he would throw out an even more general statement that in every section or task we form an environmental committee. Simpton asked Pierce if she had any comments. Pierce stated that the Group is effectively throwing out the responsibility at the local level and then what happens when the federal government comes in. That's what happened with the Edwards Aquifer Authority and the Florida Everglades. She feels it makes the Group look like it is being irresponsible and it is just inviting the other agencies to step in. Ashworth added that he felt subtask A under Task 6 could be left in and add a statement which reads *"make recommendations to the Regional Planning Group as to actions which might be considered during the next planning phase starting in 2000."* In other words, the Group is not planning to take any action on any stream segment this time, however, it

is going to be studied and recommendations made for the next phase. Cornett suggested forming East and West subcommittees to do this work and come back with recommendations. Burr reminded the Group that it is fine to say we will spend all these hours doing in-kind services but how many are really going to have time to go out and actually do all of this work? Brown suggested that the West subcommittee could hold town meetings and have interests from Kinney, Val Verde and Edwards Counties come to it and the East subcommittee could have Real, Kerr and Bandera Counties get together. We have involved the folks in the Region and the subcommittees then put that together and present it to the Group.

Simpton stated that the Group had voted to omit Task 6 altogether. He asked if someone wanted to revisit this issue. Reyes advised that one of the members was no longer in the room and the Group was lacking a quorum. After a brief recess, the Group proceeded. Burr moved to accept Ashworth's recommendation of leaving Task 6, Subtask A, with the addition of his suggested statement; seconded by Gonzalez. The motion carried unanimously.

Task Amount Increased To in-kind services

Task 6 \$15,000 No Change

Task 7 \$15,000 \$25,000 \$10,000 Potential sites

Task 8 \$ 3,000 No Change

Task 9 \$15,000 \$27,000 \$12,000 Monthly report/summary

Phase II Task 1 \$10,000 \$15,000 \$ 5,000 Environmental committee

(Scott - UGRA)

Task 2 \$15,000 \$25,000 \$10,000 Economic impact-communities

Task 3 \$50,000 \$65,000 \$15,000 Strategy feasibility discussions

Note: Task 3.A wording changed to read, "*Evaluate and recommend ALL strategies for consideration in specific drought contingency and water management plans to the Regional Planning Group, included in Appendix A.*"

Task 4 \$30,000 \$35,000 \$ 5,000 Drought contingency

(Local entity briefings)

Task 5 \$10,000 \$16,000 \$ 6,000 Monthly reports/summaries

Phase III Task 1 \$ 7,000 \$10,000 \$ 3,000 Host public hearings, Web page, public service ads

Task 2 \$50,000 \$55,000 \$ 5,000 Work with communities

Task 3 \$10,000 \$16,000 \$ 6,000 Monthly reports/summaries

Task 4 \$40,000 \$43,000 \$ 3,000 Public hearings

Simpton asked what the new totals were. Ashworth replied that he thinks the Group has added an additional \$108,500 in in-kind contributions. Gonzalez asked if that figure included the \$10,000 for the city of Del Rio study? Ashworth stated it did not. Simpton and Gonzalez both stated this \$10,000 would be a cash contribution. Adding this figure to the original \$496,000 submitted by Ashworth would bring the total budget to \$614,500. Mohar informed the Group that with the \$496,000 it would be short \$153,600. Simpton stated that the Group had added the \$118,500 in-kind contributions, which still left a shortage of approximately \$36,000. Simpton asked about the administrative monies the Group is going to receive from the cities and counties? Reyes replied that this was cash and it would count. If the Group needed to use that money to pay someone to do the administrative duties or serve as the political subdivision, then it could come out of this cash. Also any reimbursements which needed to be paid would count. Simpton stated that all the money raised would be used to support the tasks identified in the SOW. Reyes agreed. Ashworth asked for a few minutes to check his math on the revised budget.

Simpton agreed and suggested that the Group move on to the remaining agenda items while Ashworth did the math. The Group agreed.

Simpton referred to the tabled ***Agenda Item III, Designation of a Political Subdivision:*** Brown stated that UGRA would have to accept the designation because he had to sign off on it tomorrow. Cornett moved that UGRA be the Group's designated political subdivision for the next phase; seconded by Gonzalez. The motion carried unanimously with Brown abstaining.

Item VII on the Agenda, INFORMATIONAL ITEMS FROM PWPG MEMBERS:

Cornett advised that there was a motion at the last PWPG Called Meeting in Brackettville to accept David Brask of Snowmass, Inc. and Brask & Dumont Ranches, Inc., as a non-voting member with the contingency that it be verified that he is actually the owner of 1000 acre-ft or more of water rights along

the Rio Grande outside of the Region. Cornett stated that they are currently amending their certificate and they will have 1,322 acre-ft. They are currently joining several together. The database provided by Reyes shows they currently have 195 acre-ft, however, we have received documentation from TNRCC showing they are currently going in to adjudicate their permit. Simpton asked Cornett if the Group had actually voted to accept them if it could be confirmed they met the 1000+ acre-ft requirement? Cornett replied that the Group had voted unanimously to accept them with the contingency that the number of acre-ft water rights being claimed was accurate. Cornett stated that he had confirmed they met the requirement and no further action was necessary.

Simpton asked if there were any other comments from Group members. None were received.

Return to Item VI on the Agenda: SCOPE OF WORK.

Simpton asked Ashworth if he had the revised figures. Ashworth reported that the consultant's column came up to \$476,000 and he was still working on the in-kind contribution column. Simpton asked Ashworth if he had heard the comment earlier that it appears the Group will still be short approximately \$36,000 but the administrative cash that will be coming in from the various cities, counties and other entities should make up the shortage? Ashworth indicated he had heard the comments and agreed it should be enough. Simpton asked Reyes how that needed to be worded in the application?

Reyes replied that the Grant Application would need to show the consultant's fee plus the in-kind contributions plus any cash contributions received such as the \$10,000 from the city of Del Rio. All these amounts are added up and placed in the application. Then there is a place on the application for 25% of that total amount, which will reflect the in-kind match the Group is required to come up with. Simpton reminded Reyes that the Group was still short approximately \$36,000 and according to her earlier statements the administrative cash contributions could not be included because they were not tied to a specific task in the SOW. Reyes and Gonzalez both stated that their figures showed the amount added would actually be more than was needed. Prather added that the term "administrative cash contributions" was just a term the Group had assigned. This was still cash contributions and could be applied to the tasks also. Ashworth stated that the figures he had come up with by adding both columns equaled \$637,500 in total study costs and 25% of that total amount equals \$159,000 and the in-kind contributions, as he has added, equals \$161,000. He shows the Group is over the 25% amount without showing any of the cash contributions. Ashworth stated that he wants to spend more time reviewing the actual figures he had put down on each line item and would re-add everything when he gets back to his office. He added that it appears to him that the Group is right where it needs to be with the new additions.

Simpton asked for a motion to accept the Scope of Work with the budget figures Ashworth will add up. Shackelford moved that the Group accept the proposed Scope of Work as amended; seconded by Gonzalez. The motion carried unanimously. Brown asked Ashworth if the Group was close enough in the math addition to set a budget figure? Ashworth replied that he would still like to go over it closer back at his office but he could advise the Group of his preliminary figures. He shows the consultant's line to be \$476,000 and the in-kind services to be \$161,500 with a combined budget of \$637,500. The in-kind services being in excess of the 25% match.

Shackelford asked when the Group would decide what consultant would be hired for the next phase. Cornett reminded the Group that it had budgeted \$5,000 for Phase 0 of the Scope, which was consultant

selection. Simpton stated that he feels the Group wants to express that LBG-Guyton will be given strong consideration in the selection process. Ashworth expressed his appreciation and reminded the Group that Freese & Nichols is a part of his team. When you are talking about this kind of money he wanted to also remind the Group that the money would not just be going to his firm. Burr stated that his opinion was that continuity was very important and that would be accomplished by continuing with the same firm. Shackelford agreed.

Return to *Item V on the Agenda, COST ALLOCATIONS:*

Brown advised that it was not necessary to act now because it is not a part of the application as the Group was over it 25% match anyway. Simpton tabled the item until responses are received from the letters already sent out.

Item XIII on the Agenda, SET NEXT MEETING:

Simpton advised that the rotation would take the next meeting to Del Rio and asked what would be on the agenda? Reyes replied that it depended when the Group set the next meeting. She suggested that the meeting be set far enough out that the Group might anticipate comments from the TWDB. She would guess that sometime in August the Board would be providing those comments. She stated that she didn't know if they wanted this entire Group to have to assemble to decide who is going to respond to the comments, or if the consultant's contract is extended does the Group want the consultant to respond. Would there need to be interaction between the entire Group or would there be discussion between the consultant and just a few of the members? Simpton stated that he thinks the Group would be discussing the remarks from the TWDB and see what they say in relation to the SOW and the budget request. Simpton again asked Reyes if she knew when those comments would be received. Reyes reiterated that she really didn't know and suggested that the Group set a tentative date for the next meeting with the understanding that she will be in contact with Cornett or Letz regarding the status of the Boards review and comments. She suggested picking a date somewhere in the third week of August at the earliest. Simpton suggested the next meeting being on the 25th of August. Cornett suggested that the Consultant Selection committee would probably need to meet sometime prior to that August 25th meeting. Brown agreed. Simpton asked who the committee members were? Cornett replied in addition to himself, they included Brown, Mohar and Wendele. Burr asked if the consensus of the Group was to hire the same consultant, would there be a need for a second meeting. Cornett replied that the Committee needed to meet to start the selection process.

The next Called Meeting was scheduled for 2:00 p.m. on August 25, 1998, at the Del Rio National Bank, Val Verde County, Texas.

Item XIV on the Agenda, ADJOURNMENT:

O. Gonzalez moved that the PWPG Called Meeting of July 29, 1998, in Leakey, Texas, be adjourned; seconded by K. Shackelford. The motion carried unanimously. The meeting adjourned at 7:05 p.m.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Secretary, PWPG

**Plateau Water Planning Group
Called Meeting
Del Rio National Bank
Del Rio, Texas
October 8, 1998**

MINUTES

PRESENT: J. Letz, J. Brown, D. Burr, C. Cornett, Z. Davis, O. Gonzalez, J. Mohar, G. Prather, H. Senne, K. Shackelford, J. Wendele

Non-Voting: J. Arroyo, TWDB; R. Luebke, TPWD; G. Hill, Region M

Consultants: J. Ashworth, LBG-GUYTON;

G. Richardson, Freese & Nichols

ABSENT: O. Erlund, J. Junker, R. Pace, J. Simpton, N. Smart,

GUESTS: See Attached.

J. Letz called the meeting to order at 2:10 p.m. and requested members present introduce themselves in lieu of Roll Call. Letz announced that a quorum was present and the meeting was in compliance with the Opens Meetings Act.

Letz requested that Item II on the Agenda, *Report from Chairman*, follow Item IV; no objections.

Item III on the Agenda: PUBLIC COMMENTS.

J. Letz requested any public comments. None received.

Item IV on the Agenda: APPROVAL OF MINUTES.

After reading of the minutes for the July 21, 1998, PWPG Called Meeting in Brackettville, Texas, and the July 29, 1998, PWPG Called Meeting in Leakey, Texas, it was requested that the July 21st minutes be changed to reflect that Z. Davis was present at the Brackettville meeting. **K. Shackelford moved to accept the minutes as amended for both the July 21st and July 29th meetings; seconded by H. Senne. The motion carried unanimously.**

Item II on the Agenda: Report from Chairman.

Letz reported on the conference call set up by Craig Pedersen, TWDB, on September 9, 1998, with all of the Regional Chairs. Letz explained that Pedersen reported having received common complaints from the majority of the other chairs. Among those complaints were the issues of funding, specifically the 75% and 25% sharing; the administrative costs; calculation of the in-kind contributions, and what qualified and what did not. Pedersen informed the chairs that the Scopes of Work would be returned to all the Regions and they would have approximately 10

days to get them reworked and the comments resubmitted to the TWDB for their meeting on October 15th. Letz informed the Group that since the revisions the PWPG had were very minor, he elected to call a meeting of the Executive Committee on September 14th in Kerrville to meet with J. Ashworth in an effort to most effectively meet this short deadline. The SOW was resubmitted on by the deadline of September 18th.

Letz reported that on October 2nd, the TWDB issued new rules wherein the State will pick up 100% of the cost of the SOW, however, they will not cover any of the administrative costs. The problem with these funding changes is that the TWDB cannot enter into contracts or start funding until the rules are officially changed, which won't be until their December board meeting due to public notification requirements. This means the entire process will probably be delayed until after the first of the year. Letz concluded his remarks and turned the meeting over to J. Arroyo, TWDB.

Arroyo reported that Letz had given an excellent briefing. He stated that the Group fulfilled all the changes the TWDB's Technical Review Team had requested and the Technical Review Team has certified the SOW as complete. Arroyo confirmed that the TWDB's current planning is that they will fund 100% of the planning costs and the Regions would fund 100% of the administrative costs. He further confirmed that the new rules would become effective 20 days after the TWDB's December board meeting. He estimated that around January 6, 1999, the TWDB should be able to start signing contracts and the amount of the TWDB staff recommendation for the PWPG's eligible cost of the planning effort will be \$666,000 total. Discussion ensued regarding the procedures the TWDB had used to come up with this figure. Arroyo explained that if, under the present scheme in which the TWDB funds 100% of the planning costs, the PWPG still provides some of the planning work, then that designated entity doing the work will have to enter into a contract and the TWDB will have to approve that contract. Cornett asked if the Group could shift some of the work that it had originally planned to do over to the consultant? Arroyo replied that he did not know the answer to that question, as he was unfamiliar with the specifics of the negotiations that have already taken place. He added that it appeared to him that all the technical work is covered in the \$666,000. J. Mohar asked Arroyo for further clarification on how the \$666,000 figure was derived at. Further discussion ensued with Cornett asking Arroyo to get clarification on the in-kind services and what the Group could actually do with that money. Cornett specifically wants to know whether this work can be shifted to the consultant. Arroyo stated that he felt this would be a contract negotiation situation. Arroyo agreed to get further clarification and asked Cornett if his specific question was regarding in-kind services other than administrative and whether those can be shifted to the consultant. Cornett indicated this was his specific concern.

Arroyo continued with his briefing by reporting that the TWDB is also going to be asked to authorize an amount for contingency - not regional specific, but state-wide. Once all 16 of the regional budgets have been added together, they are going to be asking for authorization for an additional contingency amount.

The TWDB is also going to the legislature, specifically the governor's budget personnel, and request authorization for funding to address changes which will come up after the Group has submitted the original SOW and initiate the next cycle of planning. This concluded Arroyo's briefing and Letz continued with the agenda.

Item V on the Agenda: Hiring of Consultant.

J. Brown reported that the committee met and decided to send a single source RFP to LBG-GUYTON and Associates in conjunction with the Freese and Nichols team. The committee sent a formal RFP with a specific deadline for response. LBG-GUYTON did provide a response and their proposal meets all requirements of the RFP, therefore, the consultant selection committee recommended that the Group enter into contract negotiations with LBG-GUYTON in conjunction with Freese & Nichols, subject to the approval of the TWDB as to when they can get started on the plan. Brown asked Ashworth if they would be able to start work prior to January. Ashworth indicated that his recommendation to his firm was to start as soon as possible due to the amount of work that needs to be done. Ashworth did ask for clarification from TWDB as to their ensuring the Trinity modeling study work that they would be doing would be authorized in the plan. He requested some statement from the TWDB that this task is definitely going to be authorized and paid for by the TWDB, then LBG-GUYTON would be very comfortable with beginning the work on this particular task as soon as possible.

Cornett moved that the Group retain the same consultants, LBG-GUYTON in conjunction with Freese & Nichols; seconded by O. Gonzalez. The motion carried unanimously.

Item VI on the Agenda: Scope of Work.

Letz opened the meeting for discussion regarding what the Group intends to do in the short term based on the items pending with the TWDB. Ashworth reported that he had reviewed the SOW again and the PWPG's budget was one of the lowest of the 16 submitted to the TWDB because the Group had stayed directly in line with what the SB 1 Rules asked the regional planning groups to do. Therefore, he could find very little in the original SOW which could be discarded. Further discussion ensued regarding what work could be started now and the reimbursement of work already performed. Shackelford asked when and where the Group wanted the money coming from the various cities and counties to be given. His county has allocated \$1,000 and it is available when needed. Letz stated that Kerr County had allocated \$5,000 and it was also available. He recommended setting up an account to allow some of the expenses to be reimbursed.

Brown suggested that the bank account be set up in Bandera County since that is where the PWPG Secretary, Cornett, is located. Letz suggested that this topic should be referred to a committee to decide where the account will be set up and who will be authorized to sign on it. Letz stated this could be discussed under the next item on the agenda and asked to continue discussion on what could be done now on the SOW.

Brown asked for direction from the Group on what it wants accomplished and specifically in regards to revising the budget, especially if he is going to be entering into negotiations within the next couple of weeks. He recommended calling a work session. Cornett agreed and stated that the work needed to be more specifically prioritized before it goes up for negotiation. It was the consensus of the Group that a committee should be formed to handle this task and Letz agreed by forming the committee. Cornett recommended the Group consider allowing more work done to be done by committees and the entire Group only meeting on a quarterly basis. Letz agreed and a Scope of Work Prioritization Committee was appointed.

Letz turned the meeting over to the Region M Liaison, G. Hill, who proposed that Region M and the Plateau's Region J could share work regarding water availability and analysis of the Rio Grande, the watershed and with Mexico. His proposal was that they do the Rio Grande surface water and the PWPG does the groundwater portion of the study. Cornett advised that groundwater studies are far more expensive to do than surface water and recommended this approach be looked at more closely. Hill agreed to further discussions and suggested that the engineers hired by both Regions get together and come up with the most feasible plan then report back to the respective Groups.

Letz asked for any other comments or questions on the SOW. Burr asked about the timeline and were the delays due to actions taken by the TWDB going to be taken into consideration. Arroyo stated that the answer to that question was no and reminded the Group that the original deadline set by the TWDB was November so in looking at the overall picture, the Group is still on track. Brown reminded the Group that SB 1 imposed the deadlines and the legislature was the only one who could amend them. Burr agreed and stated that if the legislature could address the funding issue at this time it could also address extending the two-year deadline. Brown suggested that there were three organizations that could assist the Group in writing the amendment and getting it filed and that would be the Texas Water Conservation Association, the Texas Municipal League and the Texas Association of Counties. Those are three of the heaviest lobbyists in the state of Texas when it comes to water issues. He suggested that perhaps all the Regions would want to approach these groups and request they file a bill that would adjust the timeline. Ashworth added that to make matters even worse, if you read Phase III, the requirements are that you have to have a draft plan that goes before review; then has to be accepted by this Group and goes before the TWDB for comments and then it comes back for amendments. It then goes back for a final authorization, so basically that plan is really a *draft plan* with everything in it having to be ready by July 1st. It was the consensus of the Group that the timeline needs to be seriously looked at now instead of later. Letz asked for any other comments on the SOW. None received.

Item VII on the Agenda: REPORT FROM COMMITTEES.

After extensive discussion among the Group, Letz appointed three committees.

Item VIII on the Agenda: INFORMATIONAL ITEMS FROM PWPG MEMBERS.

G. Prather briefed the Group on the devastation of the Del Rio flood on August 24th when 22 inches of rain fell on the city in three hours. Nine people were killed, six are still currently missing. Three hundred homes were completely destroyed, four hundred homes sustained major damage and seven hundred homes sustained some other type of damage. This relates to approximately 1400 families that were affected. There was a tremendous amount of immediate support from various organizations to help ease the burden on the city. There is still much assistance that is needed by the city of Del Rio. Letz thank Prather for the report and urged everyone to help in anyway they can.

Item IX on the Agenda: SET NEXT MEETING.

Letz asked Arroyo when the TWDB's December board meeting would be held. Arroyo advised that the meeting is set for December 17th. Letz reminded the Group that the Bylaws require a meeting of the entire Group at least once every two months, therefore, a meeting had to be scheduled for sometime in December.

The next Called Meeting was scheduled for 2:00 p.m. on Friday, December 18, 1998, in Bandera.

Cornett agreed to contact PWPG member J. Junker about holding the meeting at the Flying L Guest Ranch and advised that the final details would be provided to all members prior to December 18th.

Item X on the Agenda: ADJOURNMENT.

K. Shackelford moved that the PWPG Called Meeting of October 8, 1998, in Del Rio, Texas, be adjourned; seconded by O. Gonzalez. The motion carried unanimously. The meeting adjourned at 4:05 p.m.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Secretary, PWPG

Plateau Water Planning Group
Called Meeting
Flying L Guest Ranch
Bandera, Texas
December 18, 1998

MINUTES

PRESENT: J. Brown, D. Burr, C. Cornett, Z. Davis, O. Erlund, J. Letz,

J. Mohar, J. Simpton

Non-Voting: D. Reyes (TWDB)

Consultant: J. Ashworth, LBG-GUYTON

ABSENT: O. Gonzalez, J. Junker, R. Pace, G. Prather, H. Senne,

K. Shackelford, N. Smart, J. Wendele

GUESTS: See Attached.

Lacking a quorum of the PWPG board, J. Letz contacted fellow Group member, O. Gonzalez, by telephone to allow for action on three specific agenda items. All members present were also assembled and Gonzalez was placed on the speakerphone to allow communication between the quorum of Group members.

Letz called the December 18, 1998, PWPG Called Meeting to order at 2:31 p.m. and announced that a quorum was available and the Group was in compliance with the Open Meetings Act.

Item VI on the Agenda: AUTHORIZATION OF UGRA TO SIGN TWDB CONTRACT.

Letz asked for any discussion. None received. Letz asked for a motion on this item. So moved by J. Simpton; seconded by O. Gonzalez. The motion carried unanimously with J. Brown abstaining.

Item VII on the Agenda: AUTHORIZATION OF UGRA TO SIGN LBG-GUYTON CONTRACT.

Letz asked for any discussion. J. Simpton advised that the Executive Committee had voted to present the LBG-Guyton contract to the entire PWPG

board. O. Gonzalez moved that the Group authorize Brown to sign the contract; seconded by J. Mohar. The motion carried unanimously with J. Brown abstaining.

Item IX on the Agenda: AMENDMENT OF BYLAWS.

Letz explained the suggested amendments as adding J. Brown to the Executive Committee since he is the manager of the Group's political entity and would be administering the contract and the other was to change the Groups meeting from bi-monthly to quarterly. Letz asked for any discussion on either of these items. Gonzalez asked if Brown was to be a member of the Executive Committee and not a particular office on the Executive Committee. Letz stated that was correct and he would be a Member-at-Large. Gonzalez moved that the Group add J. Brown to the Executive Committee as a Member-at-Large with full voting authority; seconded by J. Mohar. The motion carried unanimously with J. Brown abstaining.

Letz asked what the current Bylaw requirement for PWPG meetings was. Secretary, C. Cornett, replied that the Group was currently required to meet every two months at a minimum. Letz explained that by moving the required meetings to a quarterly basis it would allow much more flexibility in setting meeting dates. So moved by Gonzalez; seconded by Cornett. The motion carried unanimously.

With no other urgent business to discuss Letz called a recess of the PWPG meeting to allow the members to assemble with the other PWPG members and guests present to continue with the meeting. The meeting recessed at 2:45 p.m. for a short break.

Letz reconvened the PWPG Called meeting at 2:55 p.m. by announcing that the Group had just had a conference call with Gonzalez to allow a quorum of the Board to act on several urgent items. He indicated that the Group was going to proceed with the remainder of the agenda items for informational purposes only and requested that Secretary, Cornett, continue taping the meeting for inclusion of the informational items into the official minutes. He reiterated that no further action could be taken by the members present due to a lack of a quorum in accordance with the PWPG Bylaws. Cornett agreed. Letz informed those present no action was taken on *Item III on the Agenda: APPROVAL OF MINUTES* and indicated the minutes would be discussed and considered at the next PWPG meeting.

Item I on the Agenda: ROLL CALL.

Letz requested that all visitors present to briefly introduce themselves. (See attached Guest Sign-In Sheet.) R. Luebke, Texas Parks and Wildlife Dept, introduced his guest and indicated that he was Luebke's designated representative in the event Luebke could not attend any future meetings. Letz informed Luebke that the PWPG does not recognize alternates but stated that he was certainly welcome to attend any of the meetings. Reyes concurred.

Item II on the Agenda: PUBLIC COMMENTS.

Letz introduced Pamela Hodges, with the Trinity Aquifer Group. Hodges provided the PWPG members an activity report dated August through December outlining what the Trinity Aquifer Group has been working on during this time period. Hodges stated that they have been meeting the first Monday of each month at 9:30 a.m. at the Boerne library. She presented a brief overview

of the progress of the modeling project with the TWDB as well as the other projects they have been working on. She provided a handout prepared in conjunction with the Hill Country Roundtable, which she reported is a non-partisan organization which is directed to the problems in the Hill Country area by dealing with county authorities, population, resources, etc., which provides additional informational Trinity Aquifer educational items. Their interests are broader than just water, however. She answered questions from PWPG members. Letz asked for any other public comments. Judy Pierce, Bandera Bulletin, added that her research of the Hill Country Roundtable revealed that it was a very conservative organization. Hodges excused herself from the meeting and Letz thanked her for her presentation.

Item III on the Agenda: APPROVAL OF MINUTES.

Deferred to next meeting due to lack of a quorum.

Item V on the Agenda: TRINITY AQUIFER ADVISORY UPDATE.

Letz asked Cornett and/or Brown to report on the TWDB Trinity Study update meeting. Cornett advised the Group that one area of concern to him was that the TWDB was indicating that this study would be an end product and it will be available as a regulatory tool. He disagrees with this theory and added that they were laying it out on a mile square grid, which anyone in the Hill Country realizes that water can rapidly change within 100 yards. Ashworth stated that he requested that when the TWDB talks to Groups the speaker makes sure that he does not give the impression that it can be used as a very localized management tool. Further discussion ensued regarding this topic.

Item IV on the Agenda: REPORT FROM CHAIRMAN.

Letz reported that Reyes, Brown and Cornett had been working on the final numbers for the Scope of Work since the Group last met. He announced that the TWDB has gone from the 75%-25% cost to a 100% SOW cost and a 0% Administrative cost. Letz stated that Reyes had indicated that allowed for a *windfall* in the actual budget because there were a lot of in-kind services the Group was going to perform that had been converted into actual dollars under the new plan. He announced that these numbers were included in the budget, which the TWDB did approve the day before, 12/17/98. The total approved was \$637,000 - which was the original amount submitted, however, all of the in-kind is in dollars and the Group does not have to worry about all the in-kind services it had indicated it would perform. He has asked Ashworth to provide the Group at the next meeting his recommendations on which tasks to allocate that additional \$156,00 previously set aside for in-kind. He also asked Ashworth to provide spreadsheets so the Group can see exactly what he will be doing and what components make up the \$637,000. Ashworth agreed.

Burr remarked that the memo provided by Reyes indicated that \$229,000 was all that was immediately available until after the Legislature meets, which would probably only cover work

up through a portion of task 3. He asked if that would be a problem. Ashworth replied that it was a potential problem, however, his company would not stop work if there was a lapse. They would hold off the billing as long as they could. Cornett added that this is one of the reasons he was concerned with specifically prioritizing some of the tasks to determine what needed to be started immediately and that would allow for adjustment if there is overage on some of the expenses. Burr asked Reyes when she anticipated that the Legislature would act. Reyes replied that the Legislature has two options - 1.) Emergency Appropriation, which means they could start the Legislature and immediately appropriate the money for this effort. The TWDB's best guess if they go this route is that the money would be available around April 1999. 2.) Normal Appropriation, which means the money would not be available until the next funding year or not until September 1999. She added that the TWDB feels the Legislature will act right away. Burr added that at the last meeting, it was requested that the Group petition the Legislature to act right away. With the plan due out in September of the year 2000, Burr asked if this concern had been addressed at the TWDB's Board meeting? Letz stated that this was specifically addressed at the meeting of all RWPG Chairs where several Legislature members were present. He stated that the Legislature was aware of the need to act immediately. Ashworth added that it was his understanding (and Reyes confirmed) that the contracts go into effect on January 6th and they would like to get started as soon as possible after that date. If his company and UGRA get their contract negotiated between now and January 6th, they can't start until the Group gives them the authority to start. If the Group gives the approval to begin in January they are prepared to start. Every month's delay is going to critically delay the process. Letz advised that as soon as the contract is signed with UGRA means they are ready to go.

Mohar asked what agenda item was currently being discussed. Letz replied that the Group was actually discussing the contract, which was actually Item VI on the Agenda. Mohar referenced a memo from TWDB (Reyes) indicating that a draft report describing the results of that task was required. Mohar asked if that meant that when that task was completed, a report was due to the TWDB on that specific task only as soon as it was completed? Reyes replied that was correct and added that it was a way for the TWDB to make certain that the work for that particular task is actually being done and the Group is not straying from the work required by that task. Reyes added that this was a DRAFT report that would be submitted and that was something that really needed to be understood by the Group. It may be changed several months later and the TWDB will recognize it as a draft, however, since they will be paying up to 100% of that task, they want to make sure that the Rules have been met. Their review will simply be to assure that all their Rules have been met and not to criticize how those Rules were met. Letz asked for any other comments in correlation to Items VI and VII on the agenda regarding signing of the contract.

Burr asked if since under the new Rules, the Group will be doing 100% of the administrative work, had any of the governing jurisdictions responded to the letter asking them to include monies in their budgets? Letz stated that he would address that later under Item VIII, but after talking with Cornett, he advised the Group that he feels Springhills Water Management District

has incurred about as much as they can in out of pocket expenses. Letz referred back to the correlation page of the SOW, Item VIII. The draft amount was \$20,000 and approximately \$19,200 was to be used by LBG-Guyton. Everything this Group has done up to this point for the development of the SOW has resulted in costs far exceeding the \$20,000 draft amount. The TWDB understands this and the 100% SOW plan is a result of this. Letz requested all members get their expenses in as soon as possible and asked Cornett who they should be submitted to. Cornett agreed that Springhills would collect the expense reports from members. This will give the Group a total dollar figure of expenses that exceeded the \$19,200 for LBG-Guyton on the SOW. Hopefully this total dollar figure can be added into Item VIII and the Group can get reimbursement for all that cost. This would allow individual members to get reimbursed for mileage and meals, as well as allow reimbursement to Springhills for the approximately \$16,000 in expenses incurred administratively. Letz requested all members to get their expense forms into Cornett by January 1, 1999. Then these figures can be summarized and turned in to Reyes so she can attempt to get the additional funding. Burr asked if the forms Brown had provided were still required or if a fax would work. Brown stated that those expense forms were no longer applicable and suggested that members provide an itemized transmittal sheet with backup receipts to Cornett. Letz advised that receipts would be required for all expenses other than straight mileage. Letz stated that he was aware that some of the entities had budgeted money. He knows for a fact that Kerrville and Kerr County had each budgeted \$5,000, and Real County budgeted \$1,000. Simpton advised that Del Rio and Val Verde County had each budgeted \$5,000. Letz indicated that came to around \$20,000 that he was aware had been budgeted. Letz indicated that the City of Kerrville had asked for a letter requesting the money and he agreed to get that letter out to them immediately. Simpton asked that Letz provide Val Verde with a copy of that letter. Letz agreed. Before the money starts coming in, the Group needs to get an account set up. Letz added that the Group does need to set up some oversight and approval of these expense payments needs to be set up and he feels this should be the responsibility of the Finance Committee, whose chairman is R. Pace. He further advised that the Group is required to have someone outside of the political subdivision (UGRA) to look at all the billing as well. He feels this is a responsibility to be handled by the Finance Committee. Letz agreed to get with Pace and inform him of what he needs to do regarding these issues as soon as possible.

Letz recommended that all of the committees he was appointing handle business with conference calls as much as possible. All the committee meetings do have to be posted as well. Further discussion ensued regarding who should be authorized to sign the checks and where the account should be set up. With a lack of a quorum, no action could be taken at this meeting. Burr stated the alternative was to give Letz authority to set it up and ratify the action at a later date. The consensus of the Board was to do this and Letz agreed to get with Pace and have him set up an account with Norwest Bank since they had branches in both Kerrville and Bandera. Letz added that this action should make Cornett's Board of Directors happy and Cornett replied that it is getting to the point that someone else is about to get a whole new responsibility if some action did not occur in the very near future. Letz added that, in his opinion, as soon as the money is

received from the entities, the Group would reimburse Cornett directly and if the money is later reimbursed by the TWDB, then that money would reimburse the Group's account. This will allow Springhills to get some quick relief from this burden. Letz asked if there were any other comments regarding Administrative Expenses.

Ashworth added that on the contract he would be writing with UGRA, he would need an exact amount that the Group would be authorizing to be spent. If the Group is going to be taking some of the money out of the \$632,000 to reimburse administrative costs, then that would change the number. Reyes suggested that Ashworth include the wording "up to \$632,000" in the contract. Ashworth and Brown agreed that could be done and stated they would also use "not to exceed". Letz asked for any other comments. Burr asked if some of the administrative costs could come out of the \$632,000. Letz replied no, however, up to now most of the administrative costs had been incurred on the Scope of Work, which was reimbursable. From this point forward, the amounts would probably not be reimbursable from the TWDB. Burr stated that, as he sees it, the Group is still going to be incurring future administrative costs than has been solicited from the government jurisdictions to this point and the Group will need more money on what appears to be an on-going basis. He asked where this continuing income might be coming from. There would be a requirement for this money between budget cycles of these government jurisdictions. Letz agreed and stated he feels the Group will probably get a maximum of \$25,000 from the government jurisdictions. If the Group can get the TWDB reimbursement, that will pay for what has been incurred up until now with a possible \$2,000 or so additional. The Group will need to go back to the government jurisdictions next budget year for that. In the interim, he feels the Group should go out through grants and see if any money is available. Brown asked if Letz was talking about private, not-for-profit funding? Letz replied that was correct. Brown indicated he felt there was such a group in Kerr County that the Group could go to and ask them to match. Letz stated that was something he felt the Group should certainly look at. He then asked for any other comments on Administrative Expenses. None received.

Items IX and X on the Agenda: REPORT FROM COMMITTEE CHAIRMEN and COMMITTEE RESPONSIBILITIES.

Letz stated that there were no actual reports from committee chairmen but he wanted to discuss the various committees and responsibilities. He referred to his letter dated October 20th, which was a follow-up to an item from the last PWPG meeting. He stated that there are currently 4 committees which he has appointed: 1.) Executive Committee; 2.) Financial Committee; 3.) Technical Review Committee and 4.) Public Awareness Committee. He advised that he had also appointed a chair to each of these committees. His intent in appointing these committees was to get more work done outside of the PWPG Board meetings. It would be up to the chairs to call meetings as needed but they did need to be posted meetings. They can be done through teleconferences. There is not a requirement that you have to be on the PWPG Board to be on a committee. As an example, on the Technical Committee, he added Jim Haynie, who is the Headwaters Underground Water Conservation District liaison. Letz briefly described the

responsibilities of the various committees as outlined in his letter. He added the Public Awareness Committee as an afterthought of the last Board meeting. He feels that in this Region the Group can do most of this work itself. Letz provided a summary handout that the TWDB had put together, which was generic but generalized to each of the Regions. He was going to turn this over to the Public Awareness Committee for review and comment. The handout is a good fact sheet for people who are making presentations. This committee needs to get with various groups such as the Rotaries, Commission, Councilmen, etc., and make presentations on some regular basis as to what the PWPG is doing. This is a good handout for that purpose but it probably needs to be individualized a little more to this Region by providing exactly what our budget is and what we are going to be studying. He will turn it over to the committee and ask them to get back with Deborah by the deadline on the memo of January 6th. The TWDB has offered to give the Group 530 copies of this at no cost to the Group. It is certainly a good draft to work on as it contains a lot of good information.

Letz also reported that on January 7, 1999, there was a tentative meeting with Region M to discuss joint efforts, especially in Val Verde County. The meeting was tentatively set up in Laredo at 1:00 p.m. with our consultant, their consultant and several representatives from both Boards to get together and determine what was in the respective SOW's and what work has already been done. Region M liaison, Gordon Hill, reported that they have been into this for a little over two years now and they have already spent about \$2 Million on studies in their Region. He feels that it would be beneficial if the two Regions could come together and not duplicate any work that has already been done. He suggested that their engineer get with our engineer and see what they could come up with. He knew that they were going to need some underground water studies done specifically in Maverick County, so everyone is getting together to discuss this. Letz stated that Z. Davis was the Region M Liaison and needed to attend, along with himself. He also asked Burr to attend if he was available on January 7th. Burr stated that he could do that if it was the Chairs request, however, he feels the Technical Committee should be widely represented. Letz asked Ashworth to also attend; he agreed. Brown stated that if they were going to be discussing river modeling then he felt he needed to attend as a representative of the River Authorities. Letz concurred and stated that some members from the Public Awareness Committee might want to be there as well. Burr requested the address of the meeting location. Hill advised that they would call as soon as the meeting location had been firmed up. It will either be at the City Hall or at the Community Center and they would get the address to the Group as soon as it is confirmed. Burr also requested Hill provide a tentative list of the attendees. Hill agreed.

Letz asked for any other comments. Brown stated that he was not aware that they had been working on a river model for a little over two years and asked if the Watermaster's office was involved in any way with this? Hill replied that they were not and explained that it was owned by the Lower Rio Grande Development Council. They put up the money and did the work themselves, however, it will be housed at the Watermaster's office. It was something that they

wanted to run in-house, however, if Brown wants to come down and run his numbers, it will be available to everyone. Brown's concern with this is that in SB 1 there are provisions for grants to do river modeling as a part of SB 1, which is probably something that will require us to get involved with Region M because of the Frio, Nueces and Guadalupe headwaters all being up in this Region but the terminus is down in the Gulf of Mexico down in Region M. Brown stated that he and Ashworth will be there. Hill asked for a tentative headcount. Letz replied approximately 10 or so.

Item XII on the Agenda: INFORMATION ITEMS.

Letz asked if the Group was interested in pursuing a website for the Group to post agendas and minutes. Reyes informed the Group that this was actually the TWDB's website and a link to a page that could be set up specifically about this Board could be navigated to through the TWDB website. Currently all members' names are on the site, as well as the Chair's phone number and Springhills' phone number. They can, with the approval of the Group, put the approved minutes and agendas on their website so that people who access their website can get what is going on in this Region. This can be done now and it's just a matter of the Group providing her with a digital copy of the minutes and agendas. Cornett advised that Springhills' website already has a link to the TWDB website so anyone accessing the Springhills website could automatically navigate to the TWDB's website. Burr asked Cornett if he had said that the TWDB already has Plateau's website up and running? Cornett explained that Springhills has a website and one of our links goes directly to the Plateau page, which the TWDB has. Burr asked if there was anything currently on that page. Reyes replied that the member's names were all that was on it right now. It included all voting and non-voting members' names, her email address and phone number, Cornett's email address and phone number and the Chair's phone number. Letz stated that he felt the Group should get as much information as possible posted on the site. Burr added that from a public awareness point of view it is a good idea. It's another way to say "if you are really interested in this topic, here is another way to get information". Letz agreed. Brown suggested that just getting our agenda's posted would strongly work toward the public awareness. Reyes agreed and stated that if she could get that early enough they could get it on the website. Currently they are providing an extremely brief summary of what will be happening at a meeting. This is a way to show exactly what happened at a meeting by posting the minutes on the site. Cornett asked if they had thought about going into a format such as the Secretary of State has as far as posting. He advised that V. Richardson, SWMD Admin Asst., was able to post the agendas directly by going on-line and this cuts out some of the middle-ground communication, which in turn cuts the expense cost. Reyes stated that she is not aware of that capability being available on their website. Letz asked if this would create more work for Cornett? Reyes replied it did mean that because he would need to provide the information on disk or email it to her. Cornett indicated he would prefer to email it. Reyes asked if the consensus of the Board was yes or no? Letz replied it was a yes and Cornett replied it was "no problem".

Reyes stated that another informational item involved some issues that were going to be offered to the Legislature by the Senate Interim Committee on NAFTA. One she felt was relative to this planning group, was one recommending that the Legislature direct the TWDB and TNRCC to develop a model of the Rio Grande. This is all she knows about it but she just wanted to make the Group aware of this. Burr requested that Reyes keep him informed on any Legislative moves in that direction that she becomes aware of. Reyes agreed.

Reyes also provided a handout, which shows some of the things that are going to be coming up and some of the decisions that this Group is going to have to be making. Her handout was a project schedule, which is how she keeps track of what this Group is doing and whether it is hitting all the key marks in the Rules. She excerpted a few pages to show the Group. It shows specific tasks and as the Group starts and finishes these tasks, she will enter the dates and calculate percentage completed. Eventually she will put in the actual dollars once the contract gets signed so she can keep track of the money to see how much is spent on each of these tasks. She specifically has highlighted a couple of things that will be coming up. On page 1, Item 4.3.6, is a Contract Negotiation and Execution. That is something that was acted on today and she will be getting with Brown and getting the contract signed. The next thing is the review and approval of any subcontracts. She stated that the TWDB does need to look at any subcontracts that are written as a result of the planning effort. All they are looking for is to assure there is no conflict between a subcontract and the contract between the TWDB and UGRA. The main point is that the TWDB's contract would have to be the contract that governs if there is any conflict. On the next page (5 of 11), Reyes reviewed several items that will be coming up over the next few months. Reyes asked for any questions. Letz asked Ashworth if he had any idea when they would be looking at the population projections and have recommendations. Ashworth stated that it is close to that point now. Letz added that this is something the county and city governments probably needed to look at and say whether it makes sense to them. If any of these entities disagree with those population projections, they need to be allowed input into that. Hill reported that they had submitted their projections to the cities and found that there are some drastic differences. It was agreed that these entities needed to be brought on board as soon as possible. Reyes advised that the TWDB had changed their position on the funding. They will not fund developing a new model for making projections, but if the Group or any of the entities have new information to show that their numbers are wrong, then that is fundable. The work to do that is now fundable. Basically, if the Group is enhancing or providing new information all of that is fundable. Burr recommended going to Chambers of Commerce, Airport Districts, Hospital Districts, etc. all give population projections and he is sure they will be interested in what this Group does with this subject. Brown advised that he had already fought this battle with the TWDB in 1997 and never were able to convince them to change. Hill stated that there had been a change of heart at the TWDB. Brown was glad to hear this. Reyes advised if anyone was interested in looking at the TWDB's guidelines on changing those projections, they are on the Internet on their website.

Letz advised that the Group failed to authorize the approval of the billing for the SOW to LBG-Guyton. Brown had reviewed the figures with Ashworth and provided the Executive Committee with a bill for \$19,234.68 total. Letz advised that the Group could not act on it at this time due to a lack of a quorum. Cornett moved that the Group did act on it now and the Group can vote on it at the next meeting. Letz agreed and stated that if there were no objections, he would authorize Brown to proceed with the payment of the Bill. Brown stated that he had no objections to proceeding with the consensus of this Board. In fact, he had the authorization to pay it anyway, however, he does want to run these things before this Board, especially with items relating to the larger grant.

Letz asked for any other informational items. Luebke advised the Group that should it ever decide to reconsider its decision to eliminate from the draft SOW the items relating to Ecologically Unique Streams and River, he had been able to procure some information put together through cooperation of the TPWD, the Fish and Wildlife Service, and the Resource Protection Division. Reyes advised that this item never did actually get cut. Luebke provided the information to Ashworth.

Letz asked for any additional informational items. Brown asked that Letz update his committee list and get a copy to himself and V. Richardson as neither of them had received copies of his letter or his list.

Item XII on the Agenda: SET NEXT MEETING.

Letz advised that no meeting would be set at this time.

Item IV on the Agenda: Adjournment.

J. Letz adjourned the December 18, 1998 PWPG Called meeting at 4:35 p.m.

Respectfully Submitted,

Cameron E. Cornett

Cameron E. Cornett

Secretary, PWPG

**Called Meeting
UGRA Building - Kerrville, Texas
February 10, 1999**

Minutes

Board Members Present:

J. Letz, J. Brown, C. Cornett, D. Burr, O. Gonzalez, K. Shackelford, O. Erlund, R. Pace, J. Junker, J. Simpton, J. Wendele

Non-Voting Members Present: D. Reyes, C. Mims, J. Adams, G. Hill

Consultant: J. Ashworth, B. Stein, G. Mercer, G. Richardson

Guests: See Attached

Item I: Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meetings Act.

Letz called February 10, 1999 meeting to order at 2:05 pm and announced that a quorum was present and the group was in compliance with the Open Meetings Act.

Item II: Public Comment.

There was no public comment

Item III: Approval of Minutes.

Minutes from the December 19, 1998 - Called Meeting and December 18, 1998 Executive Committee Meeting were approved with changes by unanimous vote.

Motion J. Simpton, Second C. Cornett

Item IV Report from Chairman.

Letz gave a general status report and stressed the importance of all board members becoming more active and involved in the planning group.

Item V: Consider and Discuss Amending Bylaws

This item was tabled due to lack of 2/3 quorum required and was referred to Executive Committee to make recommendation.

Item VI. Consider and Discuss Election of Regular Officers for 1999

J. Brown requested this item be moved to end of agenda. There were no objections.

This item was tabled due to lack of proper notice

Item VII . Consider and Discuss Process to Appoint New Board Members (Review Bylaws)

Combined with Item V and referred to Executive Committee for recommendation.

Item VIII.Consider and Discuss County Interest Representative on PWPG Board

Received Letter of resignation from K. Shackelford. Motion to accept by

J. Brown, Second by C. Cornett, Motion carried by unanimous vote.

Discussed situation with Judge Smart's lack of participation. Motion for J. Letz to send letter to Judge Smart and put on next agenda. Motion J. Brown, Second

O. Gonzalez, Motion carried by unanimous vote.

Item IX. Consider and Discuss Opening PWPG Bank Account and Authorizing Signatures for Same.

Motion to open account at Norwest Bank as presented

Legal Entity - UGRA

Account Number_____

Two Signatures Required on all Checks

Authorized Signatures: R. Pace, J. Letz, C. Cornett, J. Brown

Finance Committee to approve all disbursements

Authorized J. Letz and R. Pace to open account

Motion J. Simpton, Second O. Gonzalez, Motion carried by unanimous vote.

Item X. Consider and Discuss Authorizing Expenditure Reimbursement to Board Members / Entities

Motion for Finance Committee to reimburse entities and board members for expenses incurred to date subject to availability of funds. Motion J. Brown, Second J. Simpton, Motion carried by unanimous vote.

Item XI. Consider and Discuss Amending Total Cost of Scope of Work.

Motion for UGRA and SWMD to compile expense records related to Scope of Work and then forward this revised Scope of Work expenditure to the TWB for approval. The revised amount would then be transferred into SB1 task #8 from another SB1 task, subject to TWDB approval. Motion J. Simpton, Second R. Pace, Motion carried by unanimous vote.

Item XII. Consider and Discuss Authorizing UGRA to sign contract with TWDB.

No action taken. This item done at 12/18/98 meeting.

Item XIII. Consider and Discuss Resolution to Request Extension of Time to Complete Tasks Under SB1.

Motion to Authorize Chairman to sign letter requesting a four month extension of time, from 9/1/00 to 12/31/00 to Senator Brown and Representative Lewis. Motion J. Brown, Second R Pace, Motion carried by unanimous vote.

Item XIV. Consider and Discuss Possible PWPG Actions on Current Legislation.

Motion for Chair to send letter of support endorsing companion bills HB972 and SB272. Motion J. Brown, Second D. Burr, Motion carried by unanimous vote.

Item XV. Consider and Discuss Participation with Region M Under Scope of Work.

Motion to adopt Memorandum of Understanding Between PWPG and Region J and M, dated 1/14/99. Motion D Burr, Second O Gonzalez, Motion carried by unanimous vote.

Item XVI. Consider and Discuss Accuracy of Population Projections within Region J.

J Ashworth comment that if entity wants revision, then the cost of revision to be paid by entity requesting revision. Motion to authorize Chair to send letter to each county / municipality within PWPG. Motion D Burr, Second O Gonzalez, Motion carried by unanimous vote.

Item XVII. Consider and Discuss Committee Responsibilities.

Technical Committee: Ashworth to meet with as needed. Public Awareness Committee: All entities in PWPG to be visited before next meeting and committee will develop plan regarding public awareness.

Item XVIII. Report from Committee Chairs.

No reports were given and no action taken on this item.

Item XIX. Report from Consultant.

J. Ashworth provided handout and discussed study LBG - Guyton is doing for City of Del Rio.

Item XX. Informational Items from PWPG Members:

None were Received.

Item XXI. Set Next Meeting.

Next Meeting set for March 24, 1999 in Bracketville at 2:00 PM

Item XXII. Adjournment.

Meeting adjourned at 4:20 PM

**PLATEAU WATER PLANNING GROUP
BRACKETVILLE
APRIL 27, 2000
MINUTES**

Members Present:

Jonathan Letz
John Junker
John Morrow
O.J. Erlund
Cameron Cornett
Art Tuttleby
Herb Senne
Jim Brown
Deborah Reyes
John Ashworth
Dick Luebke

Jonathan Letz called the meeting to order April 27, 2000 and announced that a quorum was present. The Group was in compliance with the Open Meetings Act. Jonathan Letz requested that the guests introduce themselves.

Guests:

Rima Petrossian, Texas Water Development board
Con Mims, Region L
Del McCrae, City of Kerrville
Bill Stein, LBG Guyton

Item #2: Public Comment

There being no Public Comments, Jon Letz had requested the guests to introduce themselves.

Item #3: Approval of Minutes

Discussion of backlog of minutes, decision by group to utilize Merritt Personnel Services to accomplish minutes for the Group since this is more cost effective.

Cameron Cornett made a motion to authorize the Administrative Assistants to contract the preparation of minutes with Merritt Personnel Services at \$10/hour. Jim Brown made a second to the motion. The motion was accepted unanimously.

Jon Letz deferred the discussion on recommendations until later, as scheduled on the agenda. Jon requested to go to Item #5 on the agenda.

Item #5 Discussion on Resignations and Appointment Procedures-By Laws

Discussion on the order of events followed:

- a. Vacancy has to be announced at the meeting.
- b. Next the vacancy has to be posted.
- c. We then have 20 days before we can accept nominations.
- d. After the 20 day cutoff the nominations will be presented to the

Executive Board. At this meeting the vacancy will be valid to be
Filled.

Jon Letz stated that all the above requirements had been fulfilled at this point. There are two nominations that have been submitted as listed:

- a. Bill McCrae, nominated by the city of Kerrville
- b. Faye Han nominated by Kinney County.

Jon further stated that there might be more nominations by 20th of May. At that point however many nominations are submitted they will be submitted to the Executive Committee.

Next, Jon directed the discussion of nominations for the office of Secretary since Ryan considers the offices of President and Secretary to be in conflict.

In search of a Treasurer, John Junker had been nominated. Jim Brown made the motion to nominate John Junker for the office of Treasurer. Seconded by Ronnie Pace. Majority approved the nomination.

Herb Senne next took the floor to announce his resignation and justification for resigning.

Jon Letz expressed appreciation on behalf of the Water Planning Group for all the contributions of expertise and efforts that Herb Senne had given to the Water Group. Jon also stated that the action for acceptance of the resignation would be deferred to the end of the meeting.

At this time, Jon Letz turned the meeting over to John Ashworth to update the Group on the progress of the Plan.

Update on Trinity Aquifer Study and Development of Strategies and Evaluations

John Ashworth reported the current time of the consultants is divided into two main areas. One is working on the Lower Trinity Water Study and the second is in two parts; developing the evaluations and strategies for the Plan.

- a. Trinity Study –Bill stein gave a presentation this morning basically in summary for the rest of you we have been conducting some pumping tests.
- b. We are collecting water samples and we are collecting samples to help identify the tritium isotope, which in turn will assist in understanding the recharge of the aquifer better.

John Ashworth further defined tritium isotope and how this molecule helps identify water that has recharged the aquifer since 1940's.

Further discussion followed about testing wells, which are part of the ASR well project. The interest point is whether there is communication between various wells.

Changing the subject and going on to another subject, John Ashworth mentioned the conflict of numbers once the WAM, Run #3 was completed. Region L has different numbers than Region J.

This conflict has been presented to the Texas Water Development Board with all of Plateau Water Planning Group's methodologies of how they arrived at their numbers.

Jon Letz mentioned that the Technical Committee had discussed the issue and the direction agreed upon was to try to resolve the issue by contacting Evelyn B of Region L.

Next the discussion centered on the discrepancies of numbers that made up the deficit for the City of Del Rio. The discrepancy centered on the definition of ground water, known as a pond versus underground water, better known as San Felipe Springs.

The consensus of the Group at the Technical Committee meeting was to include the group of the Del Rio representatives from Val Verde County to see which direction they would be interested in pursuing and direct their intent back to John Ashworth. Then a decision can be input into the plan.

Lengthy discussion followed regarding the different approaches to assisting Del Rio in the discrepancies found in consistent back years of reporting procedures. Definition of ground water versus underground water.

John Ashworth pointed out that it is important that the Group make sure we do what is right for Del Rio and get them in the situation where they can get permits and funding if and when the need arises.

John Ashworth summarized the issue of the water demand deficit by posing a question to the Group, "The alternatives are do we treat the issue as a deficit and work at it from a strategy viewpoint or do we just report it outside the strategies as Deborah Reyes said. That is a calling on your part (PWPG). Either way it needs to be in the plan.

Next issue addressed by John Ashworth was the Timetable, Budget Update.

Item #10 Timetable and Budget Update

TIMETABLE:

- a. PWPG will have to have an adopted draft plan into our Development Board by October 1, 2000, which has to be preceded by a Public Hearing which has to be preceded by 30 days for the public to view. This backs us up to July for this Group. This is to get all six chapters written and ready for review by PWPG.

- b. Two chapters remain to be completed. Chapter 5 which is the Strategies section and Chapter 6 which is your recommendations.
- c. Next we will begin formulating strategies. Decisions will have to be made by the PWPG to give Glynda Mercier and I enough direction to complete the strategies in a timely manner.
- d. At the May PWPG meeting we need to be adopting some of these strategies. We will look at the evaluations and adopt what strategies we want to go into the plan. We can then start to write Chapter 5.
- e. The goal is complete a majority of this work within then next two

Months and get it accepted by PWPG so that it the entire package can be place for public viewing.

Deborah Reyes responded to a question regarding turnaround time. PWPG does not have to wait for Texas Water Development Board to provide comments before taking the plan before the public for their review.

Continuing Deborah stated that in theory you do not have to respond to the TWDB comments. However, if you have flaws with things that don't meet rule or statute those obviously will need to be addressed.

The Plan for public viewing will be placed in a library and at each County Courthouse.

Jon Letz stated that at the May meeting PWPG would need to make decisions on the following items:

- a. Number of copies of the Plan
- b. Number of Hard copies
- c. How the Plan is to be bound
- d. Which Printer will be chosen

Deborah Reyes instructed that PWPG will need to be prepared to take in some form that is going to be turned over to be included in the water plan that you forward to TWDB. The requirement is that the public comments received on that initially prepared plan are included in your final plan with your responses to those comments.

BUDGET:

John Ashworth distributed a detailed evaluation analysis on the budget.

The monies per chapter do not always exactly match up.

- a. The first column = Total budget from the beginning
- b. The second column = The amount of money that has been spent through the end of March.
- c. The third column = The percent of the Budget Remaining.

There was some discussion on the percentages on tasks, but majority of the members had few questions. The task questions were answered to the satisfaction of the participants.

Jon Letz called a ten-minute break and then return.

After the ten-minute break Jon Letz introduced Tully Shahan who has been nominated to replace Herb Senne in the capacity of Environmental Interests. Tully was welcomed by all participants.

Jon Letz then turned the meeting over to John Ashworth to continue with the Consultants Update.

Glynda Mercier presented the issue on emergency transfer of water rights. The response was from TNRCC. The official response was titled with a Lawyer and Chief of Water Availability & Water Rights Section from TNRCC.

Glynda Mercier had posed three questions to TNRCC in a letter regarding the emergency transfer of water rights. An attorney answered the questions in detail.

There was an in-depth discussion for some length of time that included the above issue along with the scope of work and how the scope of work may be revised to reflect some of the tasks that are being anticipated. This is important to assure that all the tasks that are being listed are in agreement with the Consultant's contract.

Jon Letz proposed to get together with John Ashworth, review the scope of work, identify what tasks have been completed and then bring the results to the meeting for all to review.

Next a discussion about the firm yield and the differences with Region L results. Jon Letz is sending a letter to Evelyn of Region L to help resolve the differences.

The subject of Drought Contingency Plans was discussed. All region entities in Region J have submitted their Drought Contingency Plans and the letter of April 26th does document those plans.

RECOMMENDATIONS:

John Ashworth announced that Cameron Cornett is heading up the Recommendations Committee. There is a need for more of you to participate in this requirement. So far, only Glynda and John Ashworth have submitted recommendations.

Chapter 6 is all about recommendations. This is YOUR (PWPG) opportunity to speak out. At this point Cameron has requested that people E-mail your ideas to him.

John Ashworth listed the principal items in Chapter 6 now being formulated:

- a. PWPG has the opportunity to make recommendations on legislative improvements.
- b. Administrative improvements are another part. This is defined as how the Texas Water Development Board and other State Agencies can better run the regional planning process.
- c. These recommendations can also be just what an individual thought would be beneficial to this Region.
- d. It is to your benefit to be specific in your suggestions. Give examples and/or details that support your recommendation.

- e. Also in Chapter 6 recommendations we will address unique ecological streams and reservoir sites.

John Ashworth noted that the biggest time-consuming aspect of these strategies in most cases is developing the cost. Texas Water Development Board wants an elaborate detailed cost on these things. Some of the strategies will be more difficult because they are long-term. Judgements will have to be made how detailed we can make these cost analyses.

Two tables of Strategies were distributed to the participants. These were the portion of the handouts that were not addressed this morning due to lack of time. There is one table of potentially feasible strategies and then there is a table of selective strategies. The selective table you will take only the strategies that you are actually evaluating.

A lot of time was spent discussing and defining entity strategies versus regional strategies. More emphasis is placed on the detail evaluations of entity strategies versus the regional strategies, which are more general. Several different regional strategies were brought up and discussed briefly, acidite, brush control and restricting lot size.

Adjournment

Meeting adjourned.

**PLATEAU WATER PLANNING GROUP
LEAKEY
MAY 24, 2000
MINUTES**

Present:

Jonathan Letz, Chairman – Kerr County
Art Tuttleby – Public
Howard Jackson – City of Kerrville
Bill McCrae – City of Kerrville
Dick Luebke – Parks & Wildlife
O.J. Erlund – Hill Country Water & Utilities
Deborah Nicholson
Zach Davis – Kinney County
John Mohar – Bandera County
Jim Brown – Kerr County
Cameron Cornett – Bandera County
Judge W.B. Sansom – Real County
John Ashworth – LBG-Guyton Associates
Deborah Reyes – Texas Water Development Board

Absent:

Ronnie Pace – Kerr County

Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meetings Act.

Jonathan Letz stated that there is a quorum present and PWPG is in compliance with the Texas Open Meeting Act.

Jon Letz noted for members present that there is a ‘Late Emergency Posting’ that was sent out last night.

Jim Brown posed a friendly challenge to the posting asking what hour was it posted?

Jon Letz stated that the ‘Late Emergency Posting’ was posted at 10:00 p.m. o’clock. Further stated that all members were notified. The Secretary of State’s office was notified and the media was notified. Media notified were Kerrville Daily Times, Bandera and the Val Verde newspaper.

Jim Brown responded that he did challenge the posting hour and that he is satisfied with the posting and requirements as set out in the Texas Government Code. He expressed his ‘Thanks’.

Item #2 Public Comment

No public comment.

Jon Letz directed the members to the Item #5 on the Meeting Agenda.

Item #5 Consider, Discuss and Nominate Officers for Vacancies

Bill McCrae was nominated for the vacant position of Municipal Interest. Motion was made by Jim Brown and seconded by John Mohar.

The motion and second for the office of Municipal Interest carried unanimously in favor of Bill McCrae.

Jon Letz next referred back to the Minutes.

Item #3 Approval of Minutes.

John stated he had received all of the minutes up to the last meeting and was reviewing the minutes for content. Soon he would mail these out along with the report of his participation in the 16 May meeting in Austin of all the Chairs.

Item #4 Report from Chairman.

Jonathan Letz as Chair for the PWPG attended the May 16th meeting in Austin. The Board of the Water Development and also the Commissioners from Texas, TNRCC and several Legislators were present. Also in attendance were Cameron Cornett, Ron Pace and Deborah Reyes. This meeting was a joint meeting to review the status of the various districts and what has been done so far in the water planning process.

Deborah Reyes requested that Jon Letz initiate a list of Successes and Challenges regarding the water planning process.

Cameron Cornett and Jon Letz composed the following list:

- a. Success – Parts of Water Planning Process initiated by Senate Bill 1 has resulted in increased awareness and water dialog of water planning issues of fourth level.
- b. The Challenge – There was an expectation that the regional water plans would include more scientific studies, the level science, resulting in the planning process should be increased.
- c. Success – The regional and inter-regional network of the individuals has been created. The network facilitates the discussion of water issues.
- d. The Challenge – The time framework provided for completion for the first regional water plan was too short.
- e. Estimates – The water availability out of shared water resources has resulted in conflicts with adjoining planning region, being Region L.

As Chair of the Group, Jon stated that he had received a letter of resignation from General Prather of Val Verde County. The process of filling this vacancy will begin as stated in accordance with the by-laws.

Last item that Jon mentioned under this agenda heading was the subject of printing the material for public viewing once the plan was completed. Several estimates were submitted. The information will be available for any questions and we will at a later meeting discuss and choose a printer.

Report from Consultants.

Jon Letz brought the members up to date on the conflict of RAM numbers. This conflict was surfaced at our last meeting between what run model to use for the water availability. Region J and Region L had come up with different values to use in the reservoir Canyon Lake and Medina Lake.

Texas Water development Board had said that Run 3 is the correct run to us. However, there were some errors in Run 3 that have been corrected so we have to rerun a lot of our water availability. However, we were using the correct run, there were some errors in that model. This is the reason the emergency item was forwarded to request funding since our group had to go back and redo parts of Chapter 3 and Chapter 4 due to the errors that were originally sent with Run 3.

Art Tuttleby pointed out that our group did not make the errors, the errors originated from the material sent to our group by the Texas Water Development Board.

Jon Letz asked for any comments. There were no comments.

Dick Luebke was asked for any comments and he had a statement. Mr. Luebke had a handout available for the participants of the meeting today. This was an update from Cindy Loeffler of Parks and Wildlife put together and sent out to all representatives of Parks and Wildlife. This handout contains short summarized version of one or two sentences from each region.

Item #6 Discussion and Nomination for Vacancy of Environmental Office

Jon Letz announced that there is one nomination for the Environmental Office, Tulley Shahan from Kinney County. The choice is to wait for Mr. Shahan's arrival or proceed with the appointment.

Cameron Cornett made a motion to table the appointment and that the members wait until next meeting, since the vacancy was just announced at the April meeting.

Art Tuttleby seconded the motion. The motion and second was passed unanimously.

Item #7 Discussion and Consideration of the Budget Update

John Ashworth distributed a budget update for members to review. John pointed out that timetable-wise this Group is at the same point as most of the other regions are. There are two months in front of us to complete this first draft of the plan.

Cameron Cornett pointed asked about the percentages on four budget items; travel, additional recommendations, adopting the plan and the development of the plan.

John Ashworth responded that we are well within the budget, the percentages were the remaining amounts of funds and the two negatives were substantially minor.

Item #8 Consider and Discuss Strategy Evaluation

John Ashworth outlined briefly the spreadsheet of strategies as follows:

- a. We are still working with three entities; Aqua Source, UGRA in Kerr County, City of Kerrville.
- b. Under Kerr County, County Other, Guadalupe River Basin, the second strategy; which is 133-C, says purchased from UGRA.

This will be changed to be 'purchased from UGRA/GBRA.'

- c. Second page the last listing under Val Verde County, 'Mining', I am suggesting that we add another strategy of additional wells to the mining strategy. PWPG had authorized a long-range goal of 92-acre feet per year, strategies to date in place will not be sufficient to meet that goal; therefore the additional wells are suggested.
- d. Finally, the City of Del Rio was showing a deficit. After further review it was discovered that there were some overlooked supplies information. These overlooked supplies were added to the demand number and the City of Del Rio is no longer showing a deficit.

John Ashworth provided this information to the Del Rio Committee (made up of representatives from Del Rio). There has been no response back regarding this new discovery. If no response in accepting the recommendations that John Ashworth has presented to them then this will in essence removed them from the strategy sheet. PWPG would not be developing strategies and evaluations for Del Rio.

John Ashworth added that in the event that they would be taken off the strategy sheet does not mean that Del Rio would be taken off the plan, just not discussed in the deficit chapter.

John Ashworth had also written some individual summary of the evaluations. Very preliminary and no cost estimates at this point.

John further requested that the members review these evaluations and get back with he and Glynda Mercier with their thoughts to make sure these evaluation are going in the direction the group wants.

Deborah Reyes brought up the question about the evaluation of the strategy that is listed under Kerr County. Last meeting there were several questions listed.

John Ashworth opened the discussion. There was a changeover being John Wendele and Bill McCrae. Basically PWPG needs a list of the City of Kerrville's strategies.

Bill McCrae replied that there were some differences in the order or priority, and staff had some questions regarding the definitions of groundwater versus surface water. There was also the issue that some of the strategies that were listed were already being implemented.

Cameron Cornett stated that one concern is that the delay of the information from the City of Kerrville is putting the entire group behind schedule for the planning process.

Mr. McCrae responded that all the information is available now. Furthermore, that there are enough parties in agreement in regard to supply and demand numbers, which coincide with the information that Jon Letz, described at the last meeting. The main difference was there are four or five strategies. It is really a supply issue, the 900-acre feet versus what we feel should be assigned to the City of Kerrville.

Jon Letz stated that we cannot afford the time to go back and re-accomplish these figures for a month. Possibly we can footnote for this plan and then the next phase put in the correct numbers.

It was decided that PWPG cannot amend numbers already placed due to time and budget constraint.

General consensus of discussion is that the numbers should be on the conservative side to aid in the procurement of state and/or federal assistance if a lack of water problem develops in the future.

Jim Brown made the motion that we give a week for a deadline to allow the City of Kerrville to get their numbers in or we go with the existing ones. Then if they don't get their numbers in they will be revised in the next planning phase.

Zach Davis seconded the motion.

Motion carried unanimously.

Drought of record established for most areas in the state in the 1950's culminating in 1956.

Jon Letz pointed out that the strategies that were listed on page 3 of the handout needed a motion to add those to the City of Kerrville.

Jim Brown so moved and Art Tuttleby seconded the motion. After much detailed discussion the motion was passed unanimously.

The next four strategies were reviewed and all agreed that they met their needs.

Cameron Cornett made the motion to authorize the consultant to do the analysis for the strategies listed for Aqua Source and UGRA in Kerr County. Also added to the strategy is the purchase of water by Aqua Source from UGRA. Zach Davis seconded the motion.

The motion as stated was approved unanimously.

John Ashworth made note to the members at this point that just because we are developing strategies for evaluation there is till another 'cut' coming up in approximately a month. At this point you adopt the strategies that are going into the plan, at that same time some of the strategies can be dropped if no longer applicable.

It was also pointed out that these strategies are non-binding, they are suggestions. This plan does not mean an entity is required to follow through on any of these strategies.

Jim Brown made a motion for the second strategy under the topic of Kerr county, 'County Other' and Guadalupe River Basin to read, "purchased from UGRA/GBRA'.

Cameron Cornett seconded the motion.

Under further discussion Jim Brown made a statement for the record. The reason for that addition is the memorandum of understanding that Kerr County has with GBRA.

Glynda Mercier clarified that in "evaluating the strategy, the consultants would have to assume same or similar costs no matter who you got the water from. You have to assume the same or similar diversion pint and layout."

There being no further discussion, Jon Letz called for a vote in favor of the motion posed by Jim Brown and seconded by Cameron Cornett.

Next John Ashworth introduced Val Verde County. Recommended another strategy, additional wells for Mining for the purpose of making sure there are sufficient strategies to meet that deficit.

Jim Brown moved that we add wells for mining for Val Verde County. Cameron Cornett seconded the motion.

There being no discussion, the motion was carried unanimously.

Since there had been no response back from the City of Del Rio Committee, Art Tuttleby made the motion that we accept the supply numbers based on the re-evaluation of those supplies available to Del Rio when added to chapter 3 Supply Tables. This will now produce more supplies than there was demand therefore there is no longer a deficit showing in Chapter 4.

Cameron Cornett seconded the motion.

Motion carried unanimously.

Next Glynda Mercier briefed the group that a revised memorandum from ASR Bandera County has been received. This memorandum will replace the information that is in the packet for the strategy under Bandera County, 'County Other', San Antonio, Aquifer Storage and Recovery.

John Ashworth requested that the group re-authorize the next to the last strategy which red 'Recharge Structures'. It has been suggested that it read 'Recharge Structures/Sedimentation Structures. They were

authorized last meeting; however, due to the complexity of the changes that have been made John felt it necessary for the re-authorization.

There was discussion about the weight that regional strategies versus individual entity strategies held for analysis purpose. The consensus is that they are of equal weight. Reason is that when/if PWPG goes to the Texas Water Development Board in the future to request assistance in any form or fashion that these strategies are adequately described and adequately evaluated so that those who are the Water Development board can make an assessment at that time.

Cameron Cornett made the motion that since individual entity and regional strategies carry the weight that they be accepted.

Jim Brown seconded the motion.

Jon Letz called for discussion.

Jim Brown stated that the reason for the change from 'Recharge' to 'Recharge/Sedimentation Structures' is under Public Law 566 there are Federal Funds available to build sedimentation structures. They won't pay for recharge structures. Some folks have been successful in getting independent funds for various projects under PL 566.

There being no further discussion regarding the strategy on Recharge/Sedimentation Structures, Jon Letz called for a vote. The motion carried unanimously.

At this point John Ashworth told of his plans for Chapter 5 as follows:

- a. He has allowed for a section to define what the strategies mean.
- b. Later we will say which strategy is good for whom
- c. A section where we have a discussion on each strategy of the water use categories and typical strategies that are useful for that particular water use category.
- d. Discussion on natural resources, environmental issues as they relate to the strategies.
- e. Note that earlier this group did consider but chose not to elect any emergency transfers as a strategy.
- f. Section on supply deficit strategies by County – we can discuss particular needs of each County
- g. State management objectives already in place.
- h. Final section –regional strategies. This section would explain the process, the methodology of developing these strategies.

Jon Letz introduced that under 5.4 Natural Resources & Environmental Issues which we had discussed earlier the need to evaluate each of these strategies from an environmental standpoint. There is a need to protect ourselves to make a more viable plan.

Jon mentioned the possibility that Cameron be appointed Chairman of an Environmental Committee for the East of Region J and Art Tuttleby for the West of Region J to help assure that environmental considerations are looked at.

Cameron Cornett suggested that PWPG allow the consultants to write in their write-up on this issue. Members of PWPG will recognize that the stream segments we will not endorse, political endorsement, the adoption segments.

John Ashworth agreed on that point.

Cameron Cornett stated as far as Art Tuttleby and himself being on the Environmental Committee that that would probably be the content of our scope of work and that we should have that established.

Dick Luebke requested to be an ongoing member on that committee.

There being no further items on the strategy list and no further discussion regarding that topic, Jon Letz requested that Item #9 be next on the agenda.

Item #9 Consider and Discuss Recommendations of the Water Planning Group

Jon Letz turned the meeting over to Cameron Cornett, Chairman of the Recommendations Committee.

Cameron announced that at the Technical Committee Meeting the committee voted to submit to you the approach for unique reservoir sites using a broad stroke approach to add to the water demand as the Number #1 criteria and put two tiers on the criteria.

The first tier is basically the water demand, planning objectives as spelled out in the Texas Water Development Board Rules. Then the second tier we would use a dollar and cents approach. That would allow the individual citizens in the area to actually have the option of voting the bond up or down once we develop the dollar/cents approach.

As far as the recommendations themselves, Cameron is collecting them, consolidating them as they arrive by E-mail and will present them within the next two weeks.

Glynda Mercier had a suggestion for Bill McCrae regarding a rainwater availability model. This suggestion could become a recommendation.

Jon Letz expressed concern about the subject of Conservation as a strategy.

John Ashworth replied that the only conservation on this list of the strategies is for irrigation. The other conservation is listed as a regional strategy.

Glynda contributed that the Consensus Water Plan document is very much more helpful in discussing in detail the municipal demand the below normal rainfall and expected case conservation assumptions that went into the municipal demand. Glynda was to meet with the TWDB the next day to get a better understanding on what the irrigation demands are currently.

Item #10 Reports to Submit

No reports to submit.

Jon Letz directed the Agenda discussion to Item #14

Item #14 Consider the Emergency Funding from Texas Water Development Board

John Ashworth presented the focus points of the scope of work and the contract:

- a. Consultants will use the best available data that is before us at the time. Which we accomplished. In which case we used the WAM runs for the surface water as they existed at the time. We spent our time and effort within budget doing that. Currently we are being presented with some corrections to that model.

There was discussion following, noting that the need for the funds, the authorization to submit the request and actual review by The Texas Water Development Board would not occur until the earliest possible date of July, 2000.

More discussion followed with many options to consider for correction of the numbers that the region was given by TWDB.

After lengthy discussion creating various scenarios in search of a solution the general consensus of the group was to proceed. A motion was to be made.

John Mohar made that the motion that PWPG proceed and apply for funds not to exceed \$10,000 from the Texas Water Development Board contingency funds to cover the rerun of the WAM 3 model which in turn effects changes in Chapter 3 and Chapter 4 and the Strategies in Chapter 5. PWPG to proceed with the work with the idea that we can move the funds from one budget item to this budget item if necessary.

Zach Davis did second the motion.

The motion carried by affirmative unanimous vote.

Jon Letz moved forward to Item #14.

Item #14 Informational Items

Cameron Cornett asked how we are doing on our funding.

Jon Letz stated that our administrative costs are down, does not appear to have any outstanding accounts. I feel that we are doing fine.

Jim Brown requested that we placed the funding item on June Meeting Agenda as an official action.

Jon Letz pointed out that the next meeting is going to be very time consuming. The agenda will have as priorities to finish the strategy evaluations and we will have to complete the recommendations.

Discussion followed and consensus is that the next meeting would be June 22nd and June 23rd in Del Rio.

Jon Letz adjourned the meeting.

**PLATEAU WATER PLANNING GROUP
JUNE 23, 2000
DEL RIO**

Minutes

Present: Jonathan Letz, Deborah Reyes, John Mohar, Cameron Cornett, Dick Luebke, Jim Brown, Jerry Simpton, John Ashworth, Glynda Mercier, Art Tuttleby, O.J. Erlund and Bill McCrae.

Item I: Call to Order, roll Call, Certification of quorum and compliance with Texas Open Meetings Act

Jon Letz called the meeting to order on June 23, 2000 at 8:06 a.m. and announced that A quorum was present and that the group was compliant with the Open Meetings Act.

Jonathan Letz called for an informational item prior to agenda scheduled items.

Jon stated that the Plateau Water Planning Group does not have a liaison for Region K at present due the resignation of John Wendele. Region K is northwest, Colorado River Basin. Volunteers were encouraged. Action on any volunteers would take place next meeting so that the name(s) could be placed on the agenda.

The fact was noted that whoever represented Region J at the meetings of Region K would benefit by frequent attendance especially during the strategy plan meetings.

Next informational item that was brought forward by Jon Letz was requesting the status of completing a joint juniper and vegetation control with Region L and Region K.

Glynda Mercier acknowledged that the information was forwarded in a report form that she had submitted.

Jim Brown offered that it was his understanding that there was no conversation in Region L regarding joining other regions on the subject of the juniper and vegetation control. The Region L did discuss the control situation; however Jim did not know what they did with the strategy portion.

Other discussion in the group continued regarding the importance of keeping abreast of the other regions that surround the Plateau Water District, Region J.

Concern and interest in Region M regarding the 1890 constructed earthen canal which has had no maintenance since 1890 was surfaced. Concern for the future of Del Rio was expressed by the Board Members. They believe there is a need to further investigate

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what Region M is going to do in regard to Maverick County water rights.

Consider and Discuss the Scope of Work.

Cameron Cornett was asked to relay the issues that were discussed at the Technical Committee meeting on June 22, 2000. The following issues were presented to the full Board:

- a) Recommendation to submit an amendment on water numbers because Aqua Source had been omitted as a major water provider.
- b) John Ashworth went back into the tables and did break out and put Aqua Source as a major provider. The amendment will be placed at the end. The amendment will show where the numbers have been broken out. This arrangement will help keep the plan on time schedule.

Cameron Cornett made the motion to approve the amendment with a modification of the Numbers as needed. Breaking out Aqua Source. The Basins that this would involved would be Guadalupe, San Antonio and the Nueces.

Jim Brown seconded the motion.

John Letz summarized the motion: A motion and second to approve the plan amendment that would correct water demand numbers for the Guadalupe, San Antonio and Nueces Basins. This will effect also, Bandera, Real and primarily Kerr County where a major deficit will be required.

The Motion was approved, accepted and carried unanimously.

Deborah Reyes brought out the question whether the Contingency Funding Request that was submitted to The Texas Water Development Board was still needed.

Following a discussion about the need to shift funds, delete any tasks or request more funds a motion was made by Cameron Cornett: The motion is that we will amend our scope of work and the UGRA will submit a withdrawal of the application for additional Contingency Funding and they will also submit a Scope of Work Amendment. We will address these issues at the next round of planning.

Jim Brown seconded the motion.

Discussion on the scope of work ensued with John Mohar asking about the overages regarding Tasks 1 and Task 2. How was this being handled?

John Ashworth answered that the way he is handling the overages so far, is that the Water Development Board allows as much as 35% over on any one task without having to have

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a budget amendment. Plateau Water Planning Group has stayed within that range. Beyond that money can be moved back and forth. There will not be a shortage in the end.

Jerry Simpton presented the enigma of how to balance between maintaining the stream flow, cut back on use of the Spring Mount in San Felipe and consider alternate water when outside sources are observing the safe yield equation (gigantic number), how much of that can you take without drying up the creek and effecting environmental and socio-economic, and the threatened species situation?

Jon relayed to Jerry Simpton that John Ashworth will address that question later, currently there are no firm numbers on that topic.

In-depth discussion with Dick Luebke, John Ashworth, Jerry Simpton, John Mohar, Debbie Reyes and Glynda Mercier regarding the spring-flow and long-term water levels Completing the subject of scope of work on the agenda. The synopsis of the discussion was to recommend more studies be accomplished on the subject area in the next round of plans. That line item number is Task 4b and 4d.

Consider and Discuss Provisions for Chapter 3 and 4.

Jon Letz requested an update on the new firm yield numbers for Canyon and Medina Reservoirs.

Glynda Mercier reported that the handouts show the revised surface water analysis for the various city categories actually Table 3-1 and 3-3. Revised amounts are largely due to corrections made in the water availability models. TNRCC water availability models for the San Antonio Basin and a set of footnotes on the lower part of those charts where one can see what those corrections are all about.

These water availability models are before TNRCC discovered there were errors in the availability models. Also there are areas where at least one incorrect executable code was discovered which resulted in a change due in the Nueces Basin.

The corrected model shows Canyon firm yield 36000-acre feet per year. The Medina diversion system firm yield remains as it is.

Jon Letz asked the Board what their preference for distribution of the revised chapters. John Mohar, O.J. Erlund Zach Davis, Art Tuttleby will receive hard copy and the remainder of the Board members will receive their revised chapters by E-Mail.

Concerns and Discussion of Strategy Evaluations.

John Ashworth stated that he wanted to be sure that the Board members understood that the strategies you make as a group, the group will also be making the decision, which of these strategies are placed in the plan. Also for all to recognize that there is a brief

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strategy description without detail. Time intended to implement is when you break down the strategy into short-term and then into long-term. The short-term is more detailed and the longer-term is less detailed.

Deborah Reyes pointed out that the strategies all have to be fully evaluated.

John Ashworth acknowledged the full evaluation; however if the plan has a strategy that is to be implemented in 50 years from now you cannot make strong statements about the cost.

John Ashworth presented the following topics of the strategies:

- a) Quantity of Water
- b) Reliability of Water
- c) Cost of Water

Comment suggested by John Letz at this point was to include a Recommendation if applicable; i.e. on environmental issues that have wells being involved to recommend studies on effective spring flow of increased aquifer dependence.

John Ashworth agreed and stated that if a recommendation needs to be made let's restate it at the appropriate point.

- d) Impact on Other Water Resources
- e) Impact to Strategy to threats to Natural Resources
- f) Other Factors
- g) Inter-Basin Transfers
- h) Impact on Navigation

Jon Letz suggested a break. Welcomed and introduced Kelly Shahan who was voted on the board.

Kelly Shahan replied with a thank you.

Meeting reconvened.

Jon Letz opened with a discussion point for John Ashworth to address whether the issue of Del Rio not having a deficit will be a detriment since the San Felipe Springs seem to get to a point where they are very small and may not be able to utilize that source. The plan seems to address strategies for areas that have a deficit.

John Ashworth, Jim Brown, Jerry Simpton entered into detailed discussion regarding San Felipe Springs, environmental issues related to use of the springs and the future of water for the City of Del Rio.

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The discussion ended with John Ashworth suggesting that the group go back and look at the numbers and work with Jerry and see what the most appropriate way the City would like to see this written up in the plan. Then they will come back to the group and make that recommendation.

A request from Jon Letz to present a uniform format for the strategies whether they are regional or individual. Reason: Easier to track and possibly may be used more by the Public.

John Ashworth stated he would try that format.

Consider and Discuss Recommendations.

Jon Letz commented that Cameron Cornett was the contact person for receiving all the recommendations each of the Board members are to contribute. Next Jon requested that Cameron take over the meeting at this time and try to complete these today since time is critical in this completion effort for the plan.

Cameron stated that he had a note from John Ashworth to mail the recommendations by the third week in July.

One of the first recommendations was to forward to Legislature. The subject was to obtain funding to assist those members of the Board who are self-employed. General consensus was that some members of the Board are employed by Public Utilities and other related water resource providers thus assuming that most were reimbursed some of their expenses of travel, lodging and meals while the other members worked "out-of-pocket".

Cameron Cornett proposed a motion and Jim Brown seconded the motion to authorize the Executive Committee to develop a resolution authorizing the Chair to send a letter to the Texas Water Development Board and other regions. The resolution is to address the unfunded mandate portions and the expenditures required of the regions.

The recommendations were presented by Cameron and lengthy discussion ensued; especially on the subject of Riparian Rights. At the end of the discussion on Riparian Rights Jim Brown and Glynda Mercier were going to review the material and come back at a later date on this subject.

The recommendations were presented from number 1.3 through 2.8. Most noteworthy was the discussion on the participation of the State Agencies, more especially the non-participation. The input from these agencies during the planning process is essential and the lack of a knowledgeable representative from TNRCC was commented. The Department of Agriculture had a representative only a few times during the process and not since the plan creation was initiated. The concern of the non-participation of the state agency representatives is the fact that they review the Final Water Plan, in the course of events they may decide that many of the strategies are invalid and deny the

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recommendations. This denial may have been averted if proper feedback from the non-voting, state agency representative had been available at the formation of the Water Plan. This process is a three-year effort and time if very crucial.

The main concern is having a representative of one of the agencies (who did not participate in the plan writing) appear at the evaluation of the final plan and disagree with a part(s) of the plan without having given any feedback during the original creation of the Water Plan.

Dick Luebke, Texas Parks & Wildlife who attends a majority of the Plateau Water Planning Group meetings gave a constructive suggestion of how the situation of non-attendance might be conducted. Most of that information can be channeled through the by-laws.

Jonathan Letz opted to defer the action of amending or adding to the by-laws until after the plan has been completed so that the Group efforts are focused on the time-critical plan for Public Hearing purposes.

Considerable commentary was offered on the topic of planning for water management in a time other than "drought of record". It was understood that a definition for 'normal' or 'peak usage' and/or average condition of flow conditions and aquifer conditions and precipitation conditions would be necessary for clarity. Glynda Mercier and Jerry Simpton had significantly constructive comments based on experience with Texas Water Development Board.

Consensus on the subject of aquifer controls was that an alliance was more desirable than an 'authority' for adjacent counties and regions that share the Trinity Aquifer. It was noted that the Lower Trinity is very different than the Upper and Middle Trinity.

The review of all of the recommendations was completed at this time. Revisions will be worked and sent back to the Board by mid July by Cameron Cornett.

Jonathan Letz stated that he appreciated the great job of putting together the recommendations.

At this time a brief break before proceeding with the agenda items.

Jonathan Letz requested that Cameron Cornett proceed with discussion of the environmental report from Parks and Wildlife. Dick Luebke presented his comments on the environmental topic as related to the strategies as well as the recommendations. His efforts were organized and especially informative.

Jon Letz pointed out that the input from experts in the state agency field were very concise. This was a very good example of how state agencies can contribute valid information and save time, effort and money for the Water Planning Group as well as for the Consultants.

More information was divulged on the subject of reservoirs. Jim Brown had some previous experience and knowledge of studies done in years past. From that information and Dick Luebke's contribution it was determined that more studies on locations available that are viable would be needed. Also consideration for the fact that it takes somewhere between 20 and 40 years lead-time for the construction of a reservoir. It was noted here that the additional water is really needed by the year 2040.

Jon Letz said that there is a need to identify the specifics of these issues under that strategy so that the foundation is set within the next two to three years for the planning group to go forward to the Legislature, Fish & Wildlife Service, Parks & Wildlife and the Corps of Engineers.

Jon Letz directed the meeting to move to the next agenda item.

Budget and Time Table Update.

John Ashworth stated that the Public Hearing is coming up somewhere around the first of September. There will be one month of viewing period that backs up into the first of August so that is why completion is necessary by the end of July. Note that this will not be a final plan; however we will authorize just what we are going to present at the Public Hearing.

The schedule for the completion of material is as follows:

- | | | |
|----|--|-----------------------|
| a) | Chapters 1 through 4 from John Ashworth | July 10 th |
| b) | Recommendations to Cameron Cornett | July 1 st |
| c) | Recommendations to John Ashworth from
Cameron | July 15 th |
| d) | Environmental and Strategies to John Ashworth | July 15 th |
| e) | Chapter 5 through 6 from John Ashworth | July 25 th |

A great deal of time was taken to discuss the discrepancies that the model used to obtain data for the plan.

The model now exists and through discussion among the Water Planning Group it is recognized that TWDB will not be able to update the model with current information. From this standpoint, Jonathan Letz advised that Region J enter into an agreement with Region K and Region L to have the model updated in the same way so that the model is not fragmented into three different models.

Jim Brown pointed out that we need to work with the other regions that are effected by the Trinity Study to recommend that in the next round of funding that there be funds made available for us to take the existing model and pull in the new data to bring the model up to date.

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John Ashworth repeated back that it was his understanding that he does not have to prepare a Public Review document for the two sub studies; but the results of those studies are incorporated in the main plan. This fact that those two studies were done will be verbally discussed during the Public Hearing.

Jonathan Letz called for informational items.

It is noted that replacement for General Prather who resigned would be placed on the next agenda.

The next meeting is scheduled for August 3 and August 4, 2000 in Bandera.

The meeting was adjourned.

**PLATEAU WATER PLANNING GROUP
AUGUST 7, 2000
BANDERA**

Minutes

Present:

Jonathan Letz, Chairman, Kerr County
John Junker, Bandera County
Dick Luebke, Texas Parks and Wildlife
Bill McCrae, Municipalities
Ronnie Pace, Secretary, Kerr County
Zach Davis, Agriculture, Kinney County
Jim Brown, UGRA, Kerrville
The Honorable W. B. Sansom, Real County
Cameron Cornett, Headwaters Underground Water conservation District
Tulley Shahan

Item#1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meetings Act.

Jonathan Letz called the meeting to order at 6:00 p.m. August 7, 2000 and announced that the meeting was posted and that a quorum was present. The Group was in compliance with the Open Meeting Act.

Item #2 Public comment.

No Public Comments

Item #3 Approval of Minutes.

Jon Letz stated that at the last meeting the minutes were referred back to the clerical staff for further preparation. A verbatim transcription as well as a condensed version of the minutes will be submitted. Once the first set of condensed minutes have been received the minutes will be up for approval or correction.

Item #4 Report from Chairmen.

Jon Letz had no reports.

Ronnie Pace restated that the verbatim minutes will be archived and the condensed used for meetings. Verbatim minutes will be utilized for referral purposes.

Bandera

August 7, 2000

Tape 1

Ronnie Pace made the motion that the Board have a summarized version of minutes for members and keep a full transcription in the archives.

John Junker seconded the motion.

No reports from Jim Brown.

John Junker gave a financial update. Balance before Friday, \$26,214.15. Listed the checks that have been cut since Friday as reimbursement for John Mohar, Cameron Cornett and administrative expenses to Karen Letz and Merritt Personnel Services.

Item #5 Consider and discuss the Appointment to Fill Public Interests.

Jerry Simpton from Del Rio has nominated Alejandro Garcia. Mr. Garcia could not attend this evening since there was a city council Meeting in Del Rio. Mr. Garcia is a Civil Engineer for the City of Del Rio. We will defer making appointment until later in the meeting.

Item #6 Consider and Discuss the Printing and Binding the PWPG Water Management Plan.

Cameron Cornett made the motion to approve the consultants handling the printing and binding of 50 copies of Water Management Plan for Public Review. The printing will be accomplished in Austin.

The motion was seconded by John Junker. The motion carried unanimously.

A notice will be sent out on the dates and time of the Public Hearing. A press release to all area papers for the publics' interest.

The notification will be in accordance with the statutory requirements and appear in the San Antonio Express News. This will occur three days prior to the Public Hearing. This will meet our requirements. In addition for informational purposes we will send out a press release to all other papers (not a legal requirement).

Item #8 consider and Discuss Authorizing Expenditure Reimbursement to Board Members/Entities.

It was reported that there are no current invoices due.

Item #9 consider and Discuss the Scope of Work Review and Possible Modification.

Discussion was regarding the possible scope of work cancellation and letter to request the pull back of a letter to reallocate funds. The actions required to complete this request have been deferred until further notice and all material necessary with detailed account is at hand.

Jon Letz called for a motion for authorization to be granted to the Executive Committee for approval of the changes to the Scope of Work.

Cameron made the motion to authorize the Executive Committee to approve the changes to the Scope of Work.

Zach Davis seconded the motion. The motion carried unanimously.

Item #10 Consider and discuss Timetable, Budget Update.

The schedule for the completion of Water Plan material is as follows:

- | | | |
|----|--|-----------------------|
| a) | Chapter 1 through 4 from John Ashworth | July 10 th |
| b) | Recommendations to Cameron Cornett | July 1 st |
| c) | Recommendations to John Ashworth from
Cameron | July 15 th |
| d) | Environmental and strategies to John Ashworth | July 15 th |
| e) | Chapter 5 through 6 from John Ashworth | July 25 th |

A great deal of detail discussion was necessary to talk about the discrepancies that the model used to obtain data for the plan.

Jon Letz stated that copies of the plan necessary had to be mailed out by July 25th. Over 2000 notices will be mailed out by July 25th.

Mr. Letz also stated that TNRCC printed labels for these 2000 notices. These notices are for the Public Hearing.

Copies will also be placed in each County Clerk's Office and each County Library within the Region. Any entity that helped pay for this effort will also receive a copy. Members of the Board will also receive a copy. These printed copies are just a draft following the Public Hearing comments may be added and then a Final Water Plan will be printed and submitted to the Texas Water Development Board in January 2001.

Bandera

August 7, 2000

Tape 1

A brief announcement of how the Public Hearing is being organized, the time allotted and places chosen for the Public Hearings was discussed. The schedule as determined at this planning point is as follows:

- a) Jerry Simpton, Vice Chairman for the Public Hearing Presentation in Del Rio. (5 minute introduction).
- b) Jon Letz, Chairman for the Public Hearing Presentation in Kerrville (5 minutes introduction).
- c) The Consultants will take over with a 45 minute overview of the Plan
- d) Receive Public comments from anyone interested. No responses will be made to any comments. Comments will be permitted three minutes. Each person who wishes to make comment will be required to fill out a card with a name and address for the record; this is a legal requirement.
- e) These comments will be incorporated into the Final Plan as an attachment.

Item #11 Consider and Discuss Environmental Committee Report.

Cameron Cornett stated there was no discussion at this time.

Item #12 Consider and Discuss Approval of Revisions to Chapter 1 through 4.

Jon Letz said that there were no changes or revisions to Chapters 1 through 4.

There was discussion regarding the discrepancies in the demand and supply changes. There was a question whether there would be changes in the tables. By consensus it has been decided that we will not change those tables that we are going to leave it the way it was calculated originally. Reason: Mainly because Texas Water Development Board gave us these changes very late.

Cameron Cornett made a motion to accept the provision to the draft in Chapters 1 through 4. And it is to be noted that the Kerrville supply numbers have been revised from 900-acre feet to 3200-acre feet.

Ronnie Pace seconded the motion. The motion carried by a unanimous vote.

Chapter #13 Consider and Discuss the Approval of Strategy Evaluations.

Jon Letz and Cameron Cornett listed the various changes, additions and corrections to Chapter 5 item by item. (Details may be read from page 6/PWPG Bandera /Aug 7,2000 verbatim minutes).

Jim Brown made a motion to accept the modification on the strategies as presented.

Bandera

August 7, 2000

Tape 1

Cameron Cornett seconded the motion. The motion carried by a unanimous vote.

Item #14 Consider and Discuss the Approval of Recommendations for Water Planning Group.

Jon Letz encouraged discussion about where the changes are and then the voting members may authorize the consultants to make the changes as directed or as advised.

These changes are broken into five categories: Legislative Recommendations, State Funding Recommendations, Planning Recommendations, Needed Studies and Data Recommendations. One other recommendation which is Additional Strategies to lock into in the next planning phase.

Ronnie Pace pointed out that the thought behind these recommendations is that the Planning Group is trying to give the next planning group serving some idea what to be looking for and also look at the other groups and see what their additional strategies might be. Plateau Planning Group had a couple of ideas; one being desalinization.

Detailed line by line discussion ensued on the changes that are in the offing. These modifications occurred from the Table of Contents followed by 6.3.5 continuing at random where needed through to 6.5.8. Several pages of dialogue were recorded of detailed discussion relating to each of the changes.

Ronnie Pace made the motion to accept the changes as presented for the recommendations.

Second for the motion came from Jim Brown. Motion carried by unanimous vote.

Item #15 Consider and Discuss Approval for Chapters 5 and 6.

Jon Letz called for a formal motion to accept these chapters that were discussed at length as presented.

Cameron Cornett made a motion to amend the previous motion to authorize the Consultants to submit the chapters of the Draft Plan to the Texas Water Development Board.

Second came from Zach Davis to approve Chapter 5 and 6 as modified. Motion carried by unanimous vote.

Item #16 Informational Items from Plateau Water Planning Group.

No informational items brought forward.

Item #17 Consider and Discuss Amending By-Laws.

Jon Letz commented that what he had done is add another paragraph which allows members to appoint a designated alternate or representative if they are not going to be able to attend the meeting. The language came from Region E and what it does it allows or makes it easier for us to get a quorum for each meeting. This requires a 48-hour notice to the Chairman in writing who that designated alternate is going to be. The chair may approve someone with less notice and I see a benefit to doing it that way in case we absolutely need a quorum and we can get in touch with someone that they can designate.

This addition goes under Section 5.5, which is Attendance. This will modify the by-laws only slightly, will certainly give a little flexibility when we need a quorum at the meeting. Under the by-laws it takes two-thirds of the voting membership to amend the by-laws and we have two-thirds at the current time.

Jon Letz contributed that he thought if each member must notify the Chair in writing the name and address of the person they are designating at least 48 hours prior to the meeting or hearing on which the designated alternate will appear on behalf of the member. The chair may waiver the requirement of the designation to be in writing and the 48-hour time limit.

Ronnie Pace made the motion that the above addition to 5.5.3 to the by-laws as stated.

John Junker seconded the motion. The motion was carried by a unanimous vote.

Item #18 Consider and Discuss the Removal of Members.

Jon Letz brought forward the subject of non-attendance. He stated that PWPG has several members that have missed several sessions; but we have the possibility of judgement that we can discuss. Under the current by-laws if you miss three consecutive meetings or the majority of the meetings in the last twelve months the Board may remove you.

The only person I am aware of right now that has missed four consecutive meetings is Otila Gonzalez from Del Rio. If the Board wants to bring that forward and remove Otila, it is a requirement that you go through a letter process and then the item can be placed on the next agenda.

Several persons commented that she had been so helpful and wondered what the reason for non-attendance might be. Jim Brown had tried to find out but to no avail.

Ronnie Pace suggested that instead of a removal right away; perhaps send a letter to inform her that PWPG has an addition to the by-laws that permits an alternate to attend and then include the by-laws which also have the removal section as well.

Jon Letz agreed to write the letter.

Jon Letz then requested to return to Agenda Item #5.

Item #5 Consider and Discuss the Appointment to Fill Public Interest.

Jon Letz announced that the recommendation from the representative from the Del Rio area is to appoint Alejandro Garcia as the person for the Public Interest position. Alejandro Garcia is the Civil Engineer for the City of Del Rio. He had attended the meeting Friday. Eager to participate, he is not present at this time only because he is attending a City Council Meeting in Del Rio.

Zach Davis made a motion to accept Alejandro Garcia.

Cameron Cornett seconded the motion. The motion carried by unanimous vote.

Jon Letz stated that there was not a need to have another meeting until the Public Hearing. Mr. Letz recommended that the members try to attend the Public Hearing closest to their area. The final months of 2000 PWPG will need to complete the Plan.

The meeting is adjourned.

**PLATEAU WATER PLANNING GROUP
(REGION J)
PUBLIC HEARING
SEPTEMBER 25, 2000
7:00 P.M.
DEL RIO CIVIC CENTER, KENNEDY ROOM
1915 AVENUE F
DEL RIO, TEXAS**

MINUTES

The Plateau Water Planning Group (Region J) met as announced as a public hearing on September 25, 2000. This public hearing as a state requirement was to take into account comments from concerned citizens regarding the Plateau Regional Water Plan DRAFT dated August 2000. Public comments would be turned over to Jonathan Letz, Chairman for Region J. Mainly the planning is needed because of the vulnerability of Texas to drought, the limits of existing water supply and the increasing water demands as the population grows.

Mr. Jerry Simpton, Vice Chairman for Region Water J, opened the meeting on how the Group came to be and spoke on why the regional water planning is needed. Mr. Simpton further stated that the drought of 1996 lead to the Regional Water Planning Group (RWPG). He explained the Regional Plan requirements and also recognized consultants and State agency representatives. He introduced Mr. Art Tuttlebee, City of Del Rio, Deborah Reyes from the Texas Water Development Board (TWDB), Glynda Mercier of Freese & Nichols, Inc., and John Ashworth and Bill Stein from LBG-Guyton Associates, Professional Ground-Water and Environmental Engineering Services.

In accordance with Senate Bill 1 (SB 1) passed by the Legislature to put together a water planning course of action, we need to make sure state water needs are met. The plans will show how to preserve water supplies and how to meet needed water in the future and prepare for future droughts. Said plans must be completed and adopted by September 1, 2000 and approved by the Texas Water Development Board by the same date. The water plans will be revised every five years.

Per Mr. Simpton this is the first opportunity and first to go for the first five years. The plan, addressing most pros and cons, may have flaws but it will shape the future water plan and will serve the interest of Texans.

John Ashworth of LBG-Guyton Associates explained how water supply, demands and population meet water planning needs. Edward and Kinney County have not shown much in population growth. By the year 2050 **Bandera, Kerr and Val Verde Counties** will grow considerably in population. **Water consumption will remain the same and decline mostly in Kinney County because of decrease in demand.** There is no huge

amount of irrigation in the plateau region. He added that a water shortage does not show in the Del Rio area. We do not have water rights on the Rio Grande and even though Del Rio has groundwater, it mostly depends on the springs and somewhat on the wells.

Mr. Bill Stein of LBG-Guyton explained the work performed for the study, the sampling of the east and west spring, the sampling and pumping test of Del Rio's three wells on the northerly side of Del Rio, Texas.

After being asked if the draft of the water plan is available to the public, John informed the audience that the draft copy is in each courthouse and on the website and after the report is completed they would try to distribute, maybe not a mass distribution, but copies would be available in the library. Regional members would have a copy, and on the TWDB website. Ms. Reyes of TWDB will give the website address later and will have an executive summary. It was mentioned that it would take about one year to put this together.

How accurate was the population information on Bandera and Kerr County was asked. Ms. Mercier of Freese Nichols said groups of citizens, formed in Bandera County, provided documentation but more than likely some information fell through the loop. In Kinney County, same question was asked. Answer was that the County and Fort Clark Springs provided **population information**. John Ashworth, LBG- Guyton, said the plan shows slow growth in that area.

John also mentioned that many key concerns never get heard in Austin. We must realize our own key issues because somewhere else someone may be opposing and the touchy issues must be discussed. Mr. Simpton said a hydrology study for this area should be requested, particularly in the next five years, and the water plan will be done with better understanding.

Recommendation for plans on drilling wells was asked. Over-use of ground water, over-use in Kerr County, has not been recovered. Mr. Simpton said it will have to go to Edwards underground.

The floor was opened for formal comments from the audience:

John-LBG Guyton: These comments will become part of this plan and will be included in final the document and there will be response to comments but does not mean plan will be revised. Comments will appear with a response on the final draft.

Brent Trant: Kinney County with the Soil/Water Conservation District made a comment. He has a population change concern, plan shows in second with zero growth in the past 30 to 40 years, yet there has been big change in the last ten years, about 48% increase yet statistics show a vast difference, "maybe they know something we don't". Kinney County has Ft. Clark Springs and when the cool weather comes in the population increases with people from the north as well as hunters. We will be sending you information on this.

On the conservation side - Comprehensive Conservation Plan is not shown as far as water retention that does hit the ground. Does not know how many counties are involved in water enhancement but Kinney, Val Verde and Maverick County are involved. Also there is nothing in the plan addressing cedar to take care of that problem as far as ground water is concerned. He stated Kinney County burns 8 to 15 thousand acres of cedar every year.

Retention dam in the conservation end needs to be looked into. There are government programs with available money because of the Edwards aquifer -we are in a critical area. In Kinney County, there is an EQUIP Program made up of a branch of ranches for brush management. We have a non-profit organization program called District Resource Investment from the Soil/Water Conservation District that is doing research in all particular areas that has led us to do what we have done and you may use that office for input.

Darlene Shahan -- Kinney County

Population growth in Kinney County, where was information obtained, why does it show population dead for thirty years. Concerned about the lack of growth.

John Ashworth --LBG Guyton, said State agencies look at growth patterns, if pattern is changing then pattern should be assessed by State. The plan must show pattern as is. The population in Kinney County will be looked into but the State will not double count. Should be looked into so right pattern shows.

Violet Essary - No comment

Lloyd Belt - No comment

Robert Elledge -- Kinney County Extension Office

About a month ago Kinney County did research on population and research was presented to the board, it shows a steady growth. Why not send it now instead of waiting. It may be picked up at the Kinney County Extension Office.

There being no more comments the meeting adjourned at 9:00 p.m.

**PLATEAU WATER PLANNING GROUP
PUBLIC HEARING
UPPER GUADALUPE RIVER AUTHORITY**

Jonathan Letz opened the Public Hearing at Upper Guadalupe River Authority Building on September 25, 2000 at 7:30 p.m..

Agenda is as follows:

Brief introduction from Jonathan Letz

Overview of the plan by John Ashworth

Thirty (30) minute question and answer session.

i) During this period we will limit questions to 3 minutes

ii) One question per person.

Close this session and then open the Public Comments portion of the meeting.

i) During this period each individual allowed one comment

ii) Three minutes per comment.

Jonathan Letz introduced himself, Chairman of Plateau Water Planning Group. There were several other entities that are holding posted meetings. At this time you are invited to open those meetings officially if you choose. None of the entities elected to officially open their meetings at this time.

The other Board Members of the Plateau Water Planning Group were introduced to the audience. The following members were introduced:

Ronnie Pace, Secretary, Kerr County

Jim Brown, UGRA Representative, Kerr County

Cameron Cornett, General Manager for Headwaters Underground

Water Conservation District and General Manager of Spring Hills

Water Conservation District, Kerr County

O.J. Erlund, Not Present, Kerr County

Bill McCrae, City of Kerrville Councilman, Kerr County

John Junker, Treasurer, Bandera County

John Mohar, City of Bandera, Bandera County

Judge W. B. Sansom, Not Present, Real County

Judge Gallegos, Edwards County

Zach Davis, Kinney County

Tulley Shahan, Kinney County

Jerry Simpton, Vice Chairman, Val Verde County

Alejandro Garcia, Val Verde County

Otilia Gonzalez, Municipalities, Val Verde County

Art Tuttleby, Val Verde County

All the work comes down to our consultants. Primary Consultants are LBG Guyton Associates. The team is led by John Ashworth and Bill Stein.

On the Engineering side the Freese & Nichols, Inc. represented by Glynda Mercier.

Finally, we have Deborah Reyes from the Texas Water Development Board. She is our ally in Austin.

Also Administrative Assistant, Karen Letz.

Brief overview of slides. This whole process got started under Senate Bill #1. This bill came out of a legislative act from the 75th Legislature and basically it mandated the formation of the state water plan.

The plan is different from any other plan done in the past in that it is to be done as a "bottoms up process" and to do that the state was divided into sixteen regions. There was a little negotiation that went into the formation of those regions. And we ended up as what was termed as 'Region J' along with five other counties. Kinney County, Edwards County, Kerr County, Bandera County, Real County, Edwards County, and Val Verde County.

We interact through liaisons with all the regions around us. The most interaction is with Region L. Which is where San Antonio is. From a water standpoint that is probably the region we will deal the most with outside our own region.

The Texas Water Development is the agency that is mandated to coordinate this water plan. There are three other state agencies that have to approve the plan, Texas Resource Conservation Commission, Texas Parks and Wildlife and Texas Department of Agriculture. Those three entities will review the plan, make comments, and any changes necessary to it.

The Texas Water Development Board appointed the Board members for the Plateau Water Planning Group. The process for that was directed by the legislation for each of the listed interest groups had to be represented on the Board. Once the Board was the basic members were appointed the Board could increase that size if they so chose. Also as a fairly small region, decided to put another qualification that we don't have to follow, but we do follow and that is we have representation from every county in the region and the numbers are somewhat split out by population with Kerr and Val Verde having the most members followed by Kinney, Bandera, Real and Edwards County.

A couple of things are important: What a plan does and doesn't do.

- a) We must recognize this is state laws and regulations. We have no regulatory authority. All we do is make recommendations to state legislature.
- b) We must recognize existing water rights.
- c) We can do nothing to change the ownership, change anything about any existing water rights.
- d) Regarding groundwater we have no authority to do anything. We can make recommendations.
- e) Receive plans from other entities. In the case of Kerrville County, UGRA, City of Kerrville and Aqua Source are the primary sources of water providers. We rely on those entities to give us ideas of what they are doing in the future, need to do and we assist them with some science and some other information and make sure that balances. Make sure there will be enough water in the future.

The Plan is set to go into effect for a short time period the next thirty years and then a long term over the next fifty years. So are Plan time period is to provide or to ensure that there is water available for every area and entity in the region through the year 2050.

Next is to consider existing plan. Almost every entity that deals with water has had to come up with a drought contingency plan. That is one instrument that we are aware of that you adopt those or have a corporate plan. I used to see Kerrville because I am somewhat familiar with some of their plans. We work with entities like that. They give us what their plans are for the future and we incorporate that essentially in our plan. We are not out trying to compete with entities that are already doing their work at their ground level. We must consider water supply needs for all water used including environmental.

What that basically means is that the mandate that the legislature was that we are not supposed to prioritize who gets water or who doesn't. And we are not going to. We have to ensure that any interest group whether it is agriculture, environmental, municipal, mining, and industry that all interests are represented. And that all their needs will be met for the future.

Finally we must come to agreement with adjacent regions on water use to cross regional boundaries. From our standpoint as a region, also for Kerr County, Bandera County, that really means we have to work out some arrangement with Region L. Two reservoirs that we rely on Region J that have been designated by the Texas Water Development Board are Medina Lake. Medina Lake which is half in our region and half in Region L. Then there is Canyon Lake which is Region L. We have to have an agreement and basically have to work out the same plan as it relates to water rights from Canyon Lake to Kerr County. So there has to be some coordination between those two regions.

Where are we going in the future for next couple of months? After this hearing all of the Public Comments that are received in writing or verbal will be transcribed and become part of the plan. And we will respond to all of the comments.

We may do that by taking all the comments that are similar and may put them together; but all of them subject-wise will be responded to and then those comments and our response will become part of the plan. This does not mean that we are going to necessarily change the plan to accommodate the comments; but it may.

After the comment period is done, the Board will then meet. So between now and December we will iron out a final plan and that final plan will be submitted to the Texas Water Development Board on January 5, 2001.

Several months after that or during the period after that, Texas Water Development Board will take all of the plans and develop one state water plan. If there are any revisions required by the any of the regions they will come back to us and we will work on those problems. Hopefully, we won't have any. Then we will mail them to the legislature for action sometime in the spring.

Those are all the comments that I have. I will say that we have run into John Ashworth's comments right now for the overview of the Plans. I will remind you later on we will give you question and answer period, please state your name before you ask your question. There will be someone up here to answer your question, hopefully it will be John, he knows a lot more than I do. We will repeat the question. During the Public Comment portion it is important that each individual fill out form...there are some outside the door and also some here. It is a legal requirement that we know who these comments are coming from. Only way we can do this is to have them in writing at the time it was made by. Anyone who wants to make a verbal comment then hand us a written transcription of it and several people said that they wanted to that. That is fine. We will do it that way.

I will turn this over to John Ashworth now.

Thank you Jonathan. I am seeing a lot of familiar faces; it is good to see you again. There are a number of you that are interested in your water supplies for the future. I really applaud you for being here.

Last night we gave a similar Public Hearing on the other side of this region out in Del Rio. Did not have quite this big a crowd but we were meeting in the Civic Center. Right across the hall we had a lot of competition, they were having a Bingo tournament going on over there. Luckily I didn't see anyone leave the Public Hearing migrating that way so I guess we managed to keep people in tact there.

Before I get into the Plan as hopefully you have had a chance to look at at this point in time. I do want to make one point about this planning process. It is mainly, that the way this process is set up by the legislature through very specific guidelines developed by the Texas Water Development Board, is that it is a Drought Contingency Plan. What that basically means is that we are charged at looking at how much water this region will need by entity and water use categories during a major drought period. In addition to that then we have to look to see how much water supply would be available to meet those demands during a drought condition.

It is important that when you read this document that you understand that background that it is a drought contingency plan. The intent is to basically make sure that the entities and the categories within the region are prepared for drought in the future. It is kind of funny for me to be saying 'drought in the future' when we are sitting right in the middle of the most major droughts we have had since the 1950's. So we are already feeling that pinch.

Back in 1996 when we were already getting into the deep part of this drought within the state of Texas, there were quite a few cities went dry. They got to be an extreme emergency and it turned out that there was just not enough preparation. That is why the legislature is pushing this Senate Bill 1 to make sure that everyone in the state, all cities understand what they have to look forward to in drought conditions. A lot of times, especially smaller communities, have not had the opportunity to have any type of scientific or engineering work done to really look at their water supply and determine whether or not it is sustainable over a long period of time. So here is the beginning process to do that.

It is a beginning process. This is the first time that the state water plan is starting down at the bottom level and working it's way up to the state agencies. Prior to now, it was done by the state agency and probably a lot of communities never even saw that plan, it went straight to the legislature and was never seen again. Well, now it starts from the bottom, starts from you right here.

It is a beginning. It is an evolving process. Every five years this plan must be renewed. It can be renewed and revised at anytime. January 5th, this particular plan comes to an end and is turned over to the Texas Water Development Board; but even the very following day the Regional Planning Group can go in and start making a revision, a modification to that plan. So don't feel that whatever is in this plan as it exists right now is in concrete, that it won't ever be changed. This is an evolving process. That is why it is important for us all to continue to stay abreast of what we see within this plan and help the Regional Planning Group members to continue to revise it as necessary over time.

This plan is in draft form, there is still going to be a few more modifications made to it. Some modifications may result from comments you make tonight. We are certainly appreciative of anything you have to say. Many of you are much more knowledgeable about your particular conditions than we may be. So, we are very open to your comments.

I will try to go through and briefly just hit some highlights. I would be up here all night if I was going to go through this plan in detail. I want to just at least hit some highlights. Then we will go through a question and answer period if you just had questions about how we did this or what something means in the plan. Following that we will go to some specific comments. If you have a specific comment you want to make sure is placed on record and is responded to and placed in the plan then please, just hold off until that second session.

The plan consists of seven chapters. All sixteen regions in the state are going to be writing their plans based on these identical seven chapters with these identical titles. That way when Texas Water Development Board gets all sixteen they will be able to pull those together and create one state plan from it.

Chapter 1 is a description of a region. In this chapter you will find specific Chamber of Commerce type information about the region, its climate, its major economic factors within the region. It is also a place where we try to list where existing plans already occur.

Chapter 2 we get into the 'meat' of this planning process. We have to look at current population and project what that population is going to be in the future. That was not specifically done so much by this planning group, that document, those numbers were initially provided by the state. The state through the previous state water plan, which came out in 1997, had current and projected population and that is where that started. We had a short period of time to revise those numbers. And so we went out and talked to each community to each county and we asked if anybody wanted to revise population numbers. Four of the six counties came in with some revised numbers. Now we couldn't just revise the numbers because we thought they were that way, there had to be proof that those eventual numbers were not right. In a lot of cases we looked at utility hookups, we looked at school populations. Each entity that wanted to show that their population was other than what we started with had that opportunity to gather that data and bring it in to us. So, as I said four of the six the counties did come up with increased population numbers.

Along with those population numbers come the projected water demands. Water demands in a lot of cases are attached to those population numbers. Obviously if your population goes up the water demand goes up. We start with a current water demand that we see in place right now and project into the future how much water is going to be needed for each entity, each municipality for each water use categories. You will hear me talk about water use categories that is like livestock, irrigation, mining. We don't have steam power generation within this region so we did not have to contend with that. Once we establish these numbers it became a requirement to stay in place. After that short window of time we were not allowed to change those numbers. It can be changed during the next planning process that starts immediately next year.

This Regional Planning Group can go in and start revising these numbers. Last night Kinney County was not very happy with their population future projections so that was well noted. This regional planning group will be looking at their numbers in the future.

The next task was to look at water supplies. How much water is there out there to meet these demands in the future? Looking at both surface water and ground water and any other alternative methods of obtaining water. Those were documented in Chapter 3.

In Chapter 4 we compared Chapter 2 to Chapter 3 to see whether or not if there was going to be sufficient water to meet the demands. If it turned out that the demand numbers were larger than the supply numbers that became a part of the tables within Chapter 4. This is where we recognize where there may be problems in the future. I do want to use the term MAY. There is as accurately as we try to do this, as years go by things change and so that is why it is important that this plan evolve over time because that is going to effect these numbers up here. As best as we can figure at this time we now have a list of what we think are water shortages within the region.

In Chapter 5 the Regional Planning Group is charged with trying to identify strategies that might relieve those deficits. If a particular city shows up with a shortage, what are some of the options that might be out there? As Jonathan Letz explained this group has no authority to tell that city that they have to do one of those. None at all. That is totally up to that city. That all this planning process is doing is laying out some options that have been looked at.

In Chapter 6 there is a list of recommendations. This is the opportunity for this region to speak back to the Legislature and to speak back to the state agencies. To give them recommendations on suggested changes or how this planning process can be made more efficient, how the state water agencies might operate better, how laws might need to be changed concerning water issues is wide open. Whatever this regional planning group felt would be that the legislators needed to see. That went in there. This body is certainly listening to you folks out there. I mean we are not trying to invent all of this ourselves. We are very open to the general public. That is why all of our meetings are open to the public and that is why we are holding a public hearing so we can make sure we get a feel from the entire community.

In Chapter 7, which is not in that document that you reviewed but will be there very shortly, is very simply a listing of the number of planning group members, who they are, when we had our meetings, what type of public outreach we had. What newspapers we generally sent notices to, sort of a lot of the administrative matters having to do with this plan fit in that particular document.

There are going to be a number of appendices that will eventually exist that will be back up information that will support a lot of the data that is in this particular document.

These are the populations; I made this chart to compare 1996 to the year 2050. This is the relationship between the 1996 years per county and the year 2050 projections in red. If you can just see the relationship of the projected growth in this region. Obviously, you see Bandera, Kerr and Val Verde have the largest populations and the largest expected growth rates. Edwards, Kinney and Real Counties are much more sparsely populated.

Now we go to water demands. Again we are comparing 1996 to 2050 by county. Basically you see the same sort of trends. There is not quite as large a change in the 2050 as you saw in the population. It is not a direct correlation because there is a strong expectation within the state agencies that make these type of future projections is that in the future there will be more and more conservation in place. Where we use less water per capita over time. As we become better educated about our natural resources and how we really should be using the water that we have. We won't be using quite as much in the future. You might see in one place here in Kinney County you actually see that water demand actually goes down over that period of time. And that is basically a reflection of the fact that the state projects that irrigation water use will go down substantially in the future. Kinney County has the most irrigation within this region. So, if their irrigation use goes down substantially then certainly that is going to have that effect. That certainly not meaning that the people are going to use that much less water for their own human consumption in Kinney County.

Here we have the same water demands compared for 1996 to 2050; but this time by water use category. As I said there is no steam electric power generation currently in this region so we have zeros. Irrigation declines over time. Most of the irrigation in the region is in Kinney County and is using groundwater. The irrigation in most of the other counties is actually coming out of the rivers where irrigators have specific river water rights and in a lot of cases during a drought of record that water does not exist in those rivers. Livestock very small gain. Manufacturing is so small there; this is not a major industrial part of the state. Mining is primarily gravel washing and again there is not much change. Municipal use you see the water demand change over time.

Our surface water sources that we had to look at were numerous although quantity wise there was not a whole lot. In this plan we were required to do all of our tabulating by River Basins. And even though this one of the smallest regions of the sixteen regions in the state we have five River Basins to contend with:

- a) the Rio Grande River Basin
- b) the Nueces River Basin
- c) the San Antonio River Basin
- d) the Guadalupe River Basin
- e) the Colorado River Basin

This Plateau Water Region happens to have the Headwaters of all of these major Rivers. Because they are the headwaters that means that there is not always a whole lot of water, except when it rains. We are on the verge of forgetting what rain is.

In a drought of record condition most of these tributaries hold very little water. Out here in the western part near the Rio Grande, unfortunately the city of Del Rio has no water rights within Amisted. So basically the Rio Grande River is not a water source for this region as it exists today. It can always go out there and purchase water rights to revise this. But at this time under current conditions as we are required to do, Val Verde County has no rights to that particular river. They are getting water from San Felipe Springs, that is their major water source. They will be getting additional water from groundwater sources.

Other major areas, certainly over here Medina Lake, Medina County has certain amount of water rights within that area. There is also here in Kerr County we obviously know that the Guadalupe River is extremely important. There are only limited rights to this water, don't have the rights to use every bit of it. Future conditions are concerned, as Jonathan said, with Canyon Lake. And hopefully, being able to revise water use out of that lake in the future to hopefully benefit the area if that is the choice that is made.

We are looking at groundwater sources now and overall if you looked at all the water used within this region, the majority of individual users, entities, municipalities, water use categories most of them are relying on groundwater.

We have listed here the major aquifers that do occur in this region as follows:

- a) the Trinity Aquifer, that covers most of our use here in Bandera and Kerr Counties (the darker green area) Lot of you may know that also as the Glen Rose, the Cow Creek, the Hensel, Austin, sometime Lower Trinity.
- b) All jointed together as what the state calls the Trinity Aquifer. The major green area is the Edwards Trinity Plateau Aquifer. The Trinity in the Edwards Trinity is the same Trinity as 'this' Trinity. These rock formations under ride the overlying Edwards rocks in this area. However, because there is no Edwards overlying this area the state has separated them out and just classified them as two separate Aquifers, even though water does drain underground from this area over into this Trinity Aquifer.

We went ahead and we are classifying this as a separate aquifer and developing availability numbers separately. We have just a little bit of the western edge of the Edwards Balcones Fault zone aquifer. Then you hear the word, 'Edwards' and then again at the same rock formation is here; but down here this aquifer extends all the way though San Antonio and up into the Hayes County area. Major aquifer for San Antonio receives much more recharge than these areas out here. This is basically the very western edge of that classified aquifer.

We also have what we are now calling the Austin Chalk Aquifer that is not one that you will see on the Texas Water Development Board Major/Minor Aquifer Maps. But because there is a little bit of irrigation, from Austin Chalk

wells near Highway 90, we did go ahead in this area and determine availability primarily for those irrigators. We also showing a little bit around Leakey, the Frio River alluvium fairly narrow, fairly shallow but there is enough water that that community gets water supply.

Those are our groundwater sources that we try to look at that we try to determine how much water is available from those during drought conditions and from that we compare them to the demand.

These are the major areas where we are seeing the shortages. Now, some of these shortages don't kick in right away, they may kick in later. For the most part they are not a major concern and when I say that let me explain. Rural domestic basically means human water supply use in the rural areas outside of any community of over 500 population. That could be a private well or it could even be small subdivisions outside the cities themselves. That number is tabulated separately. One other technicality that we are having to contend with and that is when we are looking at existing water supplies, because this is a drought contingency plan and because we are trying to find ways to improve current conditions. We have to use only the current infrastructure when we are looking at the abilities of any of these entities to supply water. So, that basically means for rural domestic, we can only look at the number of existing private water supply wells that are out there right now. If the population doubles out there is that rural area and domestic supply needs double at this point in time the way this plan works we still have to show only that same original number of wells. So, that obviously means we have a shortage because we cannot produce that amount of water for twice the population.

It is sort of artificial because obviously when somebody moves into the area they are going to go and drill a well. And they are probably going to have a water supply. Even though shows that it is somewhat artificial it doesn't mean to throw up a red flag immediately that 'Note there is no water'.

Irrigation shows up in some of these two because we run out of water in the rivers where the water rights for those irrigators exists.

Livestock shows up in two counties. Again those are because believe there are water rights for some of this livestock use and some of that livestock use was just getting water supplies out of adjacent creeks and rivers. When those creeks and rivers go dry then they have to depend on strictly on groundwater. They do show up as minor shortages.

Same way with Mining, the shortage was very minor. If the industry feels that it is running short of water, they will try and drill another well. So that is the basic strategy for those, they will be drilling additional wells to develop the water needed for those.

We only have two communities that we actually show by number that with end up with shortages and that is Leaky and the City of Kerrville.

Leaky is basically as they grow, that small amount of groundwater they are producing is probably not going to be sufficient. They will probably have to drill another well, possibly increase treatment capacity. They are a small community; it won't be a major problem for them. There should be adequate water for them in that small Frio River alluvial to take care of their needs.

City of Kerrville, there are five or six strategies listed there. We are working with the City. We are working with other entities within Kerr County to look at obvious strategies for future water supply capability. There are certain strategies that are basically hardware strategies meaning drill another well, increase that water treatment plant. The other obvious things we need to be looking at are purely how do we manage our water. And certainly when you get to looking at the City of Kerrville, that has to be stressed out in this Regional Planning Group is very aware of the fact that there are concerns of is there enough water? In the groundwater aquifers in particular to be able to supply this increasing demand. And how does it need to be managed? And I suspect there are a number of you out there sitting there writing your comments, 'Yeah, that is what I am going to comment on.' We will be hearing that very shortly.

This group also looked at a number of regional strategies that are not written up as individual strategies for any one particular entity. They are intended to mean that we recognize that there are concerns that need to be addressed region-wide. Those are in the document, they include brush management, brush clearing and water demand and water conservation management. Whether that is through a groundwater conservation district or whether that is through County subdivision ordinances; whatever that may be there is a recognition that there are things that are on-going and those are things that may occur in the future.

Utility System efficiency. We are getting to a time now when we don't want our Utilities wasting water. The time of leaking transmission lines really needs to be coming to an end. Our water is becoming recognizably important to us and one of the greatest losses of all is leakage, just poorly efficient running equipment. Sometimes even pumps may need to be replaced because pumps may not be running efficiently. Again these are recommendations to individual communities, water utilities to encourage them to try and keep their systems as efficient as possible.

Education is recognized as being very important. I have been in this process for many years and I don't think there is anything more important than education. When people understand what problems are and what limitations are then they are ready to take action. But when they don't know about it they may be wasting water and just really not consciously but not realizing what effect there may be.

Rainwater harvesting is becoming a more critical strategy that can be looked at region-wide. I am going to be building a house on the eastern side of Austin and I am certainly intent to put a rainfall catchment system on my home. I think it is a very justified thing to do.

Recharge enhancement can be looked at as either encouraging rainfall, there is not too many of these activities in the state right now. Encouraging when clouds do come and form; there are methodologies to seeding these clouds and encouraging more rain. Also looking at enhancement after the rain has occurs. How can we get this water back down underground? How can we create methods of holding that water long enough to give it time to infiltrate back down in the ground and recharge the aquifers?

Last of all is land management and put those two kind of back-to-back because a lot time, good land management whether that means clearing cedar, whether that means planting good native grasses, whether that means stopping erosion. All those things have a lot to do with holding the water up and allowing it to infiltrate back into the ground. Those are a number of the things that this group has been looking at. Once again, I want to emphasize that this is an evolving process. We know we don't have all the answers right now. All the answers are not going to go into the document that makes it to the Texas Water Development Board this year. This group is dedicated to keeping the process going and making sure that this document continually gets improved over time.

At this time we are going to spend 20 to 30 minutes just answering questions about the how the plan was developed or anything of that sort. Once again if you have a specific comment that you want to be made as a permanent record and responded to in the plan please hold those back.

If you have a question if you will just raise your hand and if you will speak loud enough that we can get it and please give us your name when you start.

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Tape 1 Side 2

For those of you who do not want to make an official comment but you do have a question in your mind we will go ahead and try an answer it.

Question 1: Willard Down, Kerrville, Kerr County. What methodology did you use in determining what the supplies are?

John Ashworth: Surface water or groundwater?

Willard Down: Both

John Ashworth: For surface water we have to look at what has happened historically. First of all we have to recognize existing surface water rights. We have to look at who has those rights. So, that we cannot go in and say, 'this entity over here is short of water so we are going to say that they are going start getting water out of this river'. Well, if they don't already have rights to it we can't say that they automatically can. We can go back and say they can negotiate rights to it.

Do you want to respond to the surface water part of this question or is that close enough? Basically there is historical records of how much water is capable of being produced all the way back to in most cases into drought periods. Another thing that the state requires is that where there is a surface water computer model developed we are to use that model. That model is built such that it recognizes all water rights and it recognizes historical change of the flow of the river and at any point in time it can tell how much water is available in that river under any type of condition. We do have a model that we had to go by for the San Antonio and Guadalupe River Basins and the Nueces River Basing.

Groundwater the state did not give us any specific directions statewide how to do that. LBG Guyton was hired to come up with those numbers. What we were doing...there are two different ways to looking at availabilities. If you look at all of these sixteen regions; you may find these two different ways or they may be more. You can record in your tables what you might consider as 'safe yield'. Safe yield may be nothing more than how much recharge happens every year. And they may list only that amount as being available, how much recharge occurs that year.

The other way of looking at it, we, which is the way, we looked at it and maybe it is whether this group wants to continue doing that during the next process. We are going to wait and see how the rest of the state did this; but basically we had to determine availability per decade, every decade how much water is there. What we did for every decade we transpose our self into the year of 2030. We looked at what the conditions are and how much water is in the water right now. How much recharge is going to happen that year and how much water is down there in the aquifer that can be pulled back out. Now, you cannot pull all the water out of the aquifer. You probably would be lucky if you can get half of it out. We made a calculation of how much water during that year is in the aquifer that could be retrieved if we considered that is what the state was asking for. That is the number is currently in there. We also were asked to create a table and it is a table 3-2 in Chapter 3 where we looked at how much water is available. We tried to put an estimate of what the recharge is or safe yield. We also made an estimate of how that relates to a square mile and per acre. We tried to break it down into a smaller area. You see these large numbers and they don't mean a whole lot to you, but when you see it a square mile per acre it begins to start making some sense. That in a nutshell is what we did.

Question 2: Jeff Callasos. Kerr County. Out of all the strategies developed for Kerr County which one or several if any of these strategies would you classify as a scientist as being sustainable in perpetuity?

John Ashworth: You want me to repeat it? He is asking of all of the strategies that were listed for Kerr County which ones I think scientifically are the most sustainable for the long period of time?

That is a very good question and it is a tough question and it is one that the entire regional planning group deals with. I think we obviously, we here in the Hill Country

have come to a point where we understand that we do have a limited resource. That the Trinity Aquifer is not the Edwards Aquifer by a long shot. It does recharge to a certain extent but certainly we don't have those 2,000, 3,000 and 4,000 gallon wells that you can get out of the Edwards. Most private wells are lucky if they get 5, 10 or 20 gallons per minute. So, we certainly recognize we have a limited resource.

I think the most important thing Kerr County, Bandera County of all the Hill Country is that we are trying to do is to recognize that and understand that there has to be a mental judgement on your part on how your part of how you are going to use that resource. How you are going to establish management practices whether that is through your groundwater conservation district or through your county ordinances, just how you are going to do that. In order to maintain that water for the long run. To keep it available especially for emergency purposes. I think probably the first sustainable thing is just a mental thing that everybody gets it within his or her mind that, 'O.K. we have a limited resource we have to conserve'. Conservation is going to be your best strategy. It is amazing how much water in the early 1990's when the Texas Water Development Board when they were going through earlier state water plans. It got to the point where demand was outpacing how much water they had. They got a point they just could not build anymore reservoirs. That was not feasible. So they got to thinking and they realized after a lot of calculations they could save up to 30% just by instilling better conservation measures. 3% is whole lot more water than quite a few more reservoirs can produce in this state. Conservation can be a very major thing that this area can do and certainly that is very sustainable.

I think it is a little too early to make judgements on some of the things such as reservoirs whether or not we can get additional water out of Canyon. These are things that we are working on now. This regional group feels that these are things that are going to have to get us over the 'hump' but it is going to have to be a number of things. No one strategy is going to solve it all. There is going to have to be a number of things. Again, it is not going to be this regional planning group's call in a lot of cases. It is going to be the community's call. This planning group is in place to help encourage these and again to throw off those alternatives to show what they are and provide a little bit of information.

Question 3. You don't know which strategies are sustainable in your scientific opinion?

John Ashworth: I will say...I would rather not at this point which ones are or are not. I think the regional planning group needs...we are still in the draft form, we still need to sit down together and talk through these, talk with the communities, there is still a little work to be done before we are ready to say, 'We really feel that this is the most sustainable',

Question 4. John Henderson. I read in the San Antonio Express News the other morning that Region L is advocating a great increase of water in Canyon Lake to go to San Antonio. What is Region J going to do about talking about inter-Basin transfers if anything at this point in time?

John Ashworth: Inter-Basin transfers for as transferring back to here or just or just in general?

John Henderson: Keeping what we have.

John Ashworth: Once again, we must with this plan we are required to keep with the existing laws, existing water rights that exist at this point in time. Now, there are a lot of plans that Region L is looking at. And certainly we need to stay very abreast of it. This planning group needs to continue to make sure their voice is also heard there that our needs are also listed. That the state understands that also.

Now as far as we already are limited as to how much water in the Guadalupe we are allowed to use within Kerr County. I mean that is already by permit. Permits can be changed and certainly those attempts can be made. We cannot just go in and automatically say in this plan, 'This will happen'. Because there is a lot of 'behind the scenes that has to go on with the entity who is going through that permit change request. I am probably not the best one to be explaining that whole procedure. At this point in time this regional planning group does recognize that it is important that we certainly do not lose any more water than what we already have. And we certainly need to encourage increasing any of these supplies that we can.

Question 5: Cathy Fox. Kerr County. My question is related to Mr. Henderson's. You said that regions less than What happens, who will intervene as Region J and Region L hypothetically came up ?

John Ashworth: The Texas Water Development Board.

Question 6: Bill Wallens. Do you have any control of the Trinity Aquifer?

John Ashworth: Me personally? This planning group has no authority whatsoever. This regional planning group makes recommendations.

Bill Wallens: You do realize that SAWS, Edwards Aquifer is going to drill two deep wells, they have already contracted, money has been appropriated in the Trinity. And they are going to pump 488 million gallons out this next year, per year and the second well they are going to pump some 3,000-acre feet out and give to the Edwards Aquifer.

John Ashworth: Are you speaking in northern Bexar County?

Bill Wallens: Yes.

John Ashworth: Yes, we are aware of that. That is not in our region unfortunately so we cannot address that directly. That is Region L. The concern certainly is is that going to drain the aquifers all the way back over here by pumping that amount of water?

Bill Wallens: Is Kerrville well is pumping?

John Ashworth: Is that the direction you are going with this?

Bill Wallens: How can you approve or going along with this?

John Ashworth: Groundwater moves very slowly. It certainly is something that this Regional Planning Group if they chose to make a statement about they certainly can do that even though it is not in this region. I think it would be best backed up by any scientific evidence that if San Antonio were to drill those wells and do that that is going to drain water out of this region. And at this point in time, speaking from a hydrogeologist that is very aware of the Trinity, I am standing here almost willing to say that it is not going to drain you...

Bill Wallens: I have a 550 foot well that I drilled 21 years ago in the Trinity. I went there because I wanted a lot of water, I have no water now. That is how much it has gone down.

You know if SAWS drill three wells they will drill 50 of them. There are laws against that; are you familiar with Riparian rights of landowners?

John Ashworth: Yes sir, but that is only for surface water.

Bill Wallens: That is also for what is beneath the ground! I will give you a sheet afterwhile.

John Ashworth: O.K. you know. This whole issue with groundwater is an extremely difficult one. I more than anybody recognizes the problems that is going on in the state right now with groundwater. We had the rule of capture here in the state of Texas we were one of the few states left in the United States that still recognizes groundwater as a private property right.

On one hand we stand up here and say, 'By God that is my private property, I can do whatever I want with it.' And on the other hand you are saying, 'Wait a minute, you are pulling water from under me'. So the two issues are clashing and the legislature knows that right now.

Bill Wallens: SAWS, Edwards Aquifer supposedly 93 million-acre feet they are setting. The law says that through privilege of necessity the municipal can come over and get; for instance if you had a basket apples and I wanted to feed those people and you had other apples in your orchard I could go through the laws of privilege of necessity come and get some of those apples. But when you look over there and I have a mountain of apples then there is a liability.

John Ashworth: I think the best I can say right now for tonight. You certainly have the number of regional planning group members who have heard what you have said and they will certainly consider that in the plan.

Question 7: Billy Vlasick, Kerrville. I realize there are a lot variables; but is they're a benchmark of what an acre-foot per year is costing in terms of capital? I saw in the paper in San Antonio a tremendous range of \$70 to \$80 an acre foot out to the \$1500's. I am assuming that is an acre-foot a year,

John Ashworth: No, there really isn't, there is a significant range. A lot of that has to do with transporting it. Our firm has done a lot of work in looking at the value of water. How much is water worth? It depends on a whole lot what is going to be used for and where you have to take it to be used. What the loss of that water at that place is? In another if a farmer has a 100-acre plot of land and he grows irrigated crops on that piece of land. Well if he decides not irrigate anymore but rather to sell his water. That water then is worth however much profit he would have been making on the irrigated crop over a dry land crop. That is one way of determining evaluation of water. In a lot of cases it has whole lot more to do with how much it takes to take it from where it is to where you want it to go. Really there is no firm benchmark at this time.

Question 8: John Henderson. All this water eventually gets back to the individuals. What are we doing in public relations way of getting the individual to cooperate in saving?

John Ashworth: Again I think education is the biggest factor. There are educational water resource programs that are going on now in our schools. Our children are beginning to learn more about water than we ever did. The groundwater conservation districts have educational programs. From time to time there are journalists that write about water issues and what we need to be thinking about responsibly as far as our water use goes. Education is the main thing.

I think education is the main thing. That is the way you would like to see it, you would like for everyone to understand the situation and comply with it. There may come a time for the public good that maybe rules and regulations have to be put in place. Especially for groundwater, the state has chosen at this point in time not to change the groundwater law, but rather to modify it by allowing the existence of local groundwater conservation districts. These districts are put into place by local vote. They can be taken out by local vote. They are run by a Board of Directors that are voted by the locals and the rules they regulate are voted on by the local public. There is public input into any regulation or management practices that a community feels it is important to have in place. Those are the two main factors getting down to the individual.

Question 8: Verna Bonchild, Kerr County. It is almost laughable to talk about conservation and focus on the individual when I believe the Chamber of Commerce is advertising commercials in other communities encouraging people to move to Kerrville

area when government entities are permitting umpteen number of golf courses to be put into place in this little community. I mean, really!!

John Ashworth: That sounds more like a comment than a question, would you like to repeat it again in a minute. It is a very good comment.

Question 9: Linda Coffee: What is the yield in an acre of water like in the Guadalupe River Basin? How many people, like of family of three,like how big a population do you all have those figures? Do you know them off-hand?

John Ashworth: In that table 3-2 we did produce numbers that show availability per acre but it is not this regional planning group's responsibility to make that type of decision. That gets more down to county ordinances. I don't believe this regional planning group is going to come out with a statement that basically says only this amount of 'population should be allowed'.

Linda Coffee: Will you show a yield per acre?

John Ashworth: Yes, you will find that in Table 3-2.

Linda Coffee: And we will know approximately how much water a family of three will need?

Question 9: Jimmy Spradling City of Kerrville. The city has some ASR wells you know that they pump out of the river intoI have been told and I am not sure about this, the river has to be at a certain level before they can pump into those wells. Now it would seem to me that if the river is high, and it is flowing into the Gulf of Mexico we ought to be able to pump, store it and use it. Will this Region J deal with that? Or is that under their jurisdiction?

John Ashworth: It really is policy issue for the City of Kerrville as to how to operate those ASR wells. The concept of an ASR well is to store that water when you have plenty of water, in other words when that river is flowing and there is more water going through than you can use. Then go ahead and grab it and store it underground. Then when you get into lighter conditions when maybe the river is not supplying enough water or during the summer when the demand gets so high that you are not producing enough water then you can go back into that bank of water and pull some back out. That is the concept.

Jimmy Spradling: But, what I am wondering is there a rule that says, 'You cannot pump except when the river is at a certain level?'

Glynda Mercier: The City of Kerrville and it's existing water right has been constrained by special conditions and surface water right is a legal document of the Texas Natural Resources Conservation Commission (TNRCC) as a regulating agency issues to the water right holder. So, the City is constrained by special conditions in its legal document

in its water right. And there are restrictions placed on the City whereby if it flow under a certain CFF level then the City has to allow that flow to pass. UGRA has similar special conditions in it's permit. Many times the TNRCC will put a special condition in a permit to allow pass to flows to satisfy the in-stream uses in other words environment uses downstream. But every water right, also additionally has to pass flows to a senior water right downstream, in other words a water right whose priority date is older than the subject water right. In other words, a lot of people came in for their water right way back when years and years ago, years before the City of Kerrville got their water right issued to them.

Jimmy Spradling: Guess what I am saying if it is at flood stage, if you pump all you wanted to....

Jonathan Letz: You can only pump what your permit amount states.

Jimmy Spradling: No matter how high the river is?

Jonathan Letz: Right, a certain number of acre-feet they can take out of the river.

Jimmy Spradling: Does that make sense...if the river is at flood stage and it is going into the Gulf of Mexico and you can't take it?

Jonathan Letz: It may not make sense, but it is the law. And the City cannot change it.

Jimmy Spradling: But can Region J do anything about it?

Jonathan Letz: No, we could put a recommendation in that maybe TNRCC regulate that re-look at how to allocate water. That could be a recommendation. I think during a flood period you are not going to be able to change that because ...what if you don't have a flood one year, it would be very difficult to change the water rights continually based on flow of the river. That is what we are basically saying that you are in a flood period you increase the rights and when non-flood period you would decrease it. You really cannot do that.

To answer part of your question, one of our strategies is that to increase the ASR program in the City. I believe it might be under the UGRA and maybe under the City of Kerrville as well. It is a strategy to increase the use of that program. During the flood stage also there is the turbidity issue when the river is flooding basically silt, debris and you can't pump during that period anyway.

Question 10: Bruce Baker Is there a provision for making public existing data with regard to contaminants in primary creeks that provide surface water to the rivers, also annual testing of the private wells for harmful bacteria?

Glynda Mercier: Yes, call Jim Davenport at TNRCC for that data on the water quality in the creek. It is public data. It is published.

Question 11: (No name given very weak voice, but may be Bruce Baker again) Any testing for harmful bacteria in private wells?

John Ashworth: We have not so far made that type of recommendation. If you would like to make a comment during the period that needs to be done that that needs to be done. It is very difficult at this time, the state does not have the staff to go out and do that so that is where you rely on your local groundwater conservation districts in that sort of thing. That is your best option.

Jonathan Letz: John let's take two more questions and then ask for Public Comment period.

Question 12: Perry Fischall Real County. In a severe shortage of water what is going to be the pecking order for the 'Federales' coming in here and telling us we have too much water for the salamander or the minnow down there in Del Rio versus the local needs of people? Is there such a thing?

John Ashworth: Boy, it gets to be a big fight when you bring the Federal folks in. You know, this regional planning group certainly has to abide by the Federal laws too. It gets to be a very, very critical issue. I know for Del Rio it is specifically a real concern about San Felipe Springs declaring that minnow in that Spring system endangered what that will mean for the water supply for the City. So, that is certainly being looked at in this plan. It is very critical.

We are certainly having to balance all of our human needs against environmental needs. As Jonathan mentioned we have to look at the environmental needs throughout this region and they are critical. But when they come face to face with human needs then certainly it needs to be spelled out very clearly. And this regional planning group can certainly make recommendations as they see fit.

Perry Fischall: So then we would come in second probably?

Question 13: Frank Lowry. Is it within the jurisdiction of the state legislature to equalize in some way relative to need or whatever relative to those ancient property water rights that the engineer referred to earlier?

John Ashworth: Certainly it is within their capability. I think they are dealing with that a lot especially with inter-basin transfer of water rights. They are having to look at how that effects both senior and junior rights. It is a pretty critical issue right now and certainly they can take action. They have that capability.

All right I thank you for your questions. We are now going to officially open this up for comments. Again let me explain that these comments are going to go on the record. We will respond to them in the plan. There will be a document in the plan without official response to it.

Don't expect to response from us tonight. We are here tonight to hear your comments and that is what this period is for. We would very much appreciate if you have a comment to fill one of these forms out so that we make sure that we have your name correct. If you will raise your hand we will get one of these forms out there to you. We do want to make sure that everyone has the opportunity to make a comment.

Jonathan Letz: I want to make two other comments about that. Everyone will please come up. Anybody who wants to make a comment please come up to the lectern we need to record these. Come up to the microphone to record these. Please limit your comments to three minutes.

John Ashworth: I am going to call these out here as they appear on my stack here as they come in.

Mr. Doug Cabasos: Kerr County. My first comment. I would encourage the Region J planning group to make copies of these plans more readily available to citizens. I think everybody here; I don't know who got a copy of that or who was able to get a copy of that from the Internet. I personally could not download it or it would blow up my computer it was so large. And to go down and copy all this stuff it is very, very difficult and time consuming. For the amount of money that was issued to do this some \$600,000.00, I think probably more public copies need to be made available.

My second comment is my concern in some of the plans relying on Canyon Lake. It has come to my attention as well as many other citizens groups across central Texas that that is highly disputed the amount of water is available out of Canyon Lake. As a matter of fact it was disputed among Region J and Region L. The disparity was somewhere in the neighborhood of 70,000-acre feet. And then a number was reached, an agreement I am not sure what that number is or maybe it is still being contested I am not sure. These suggestions in that plan without having that number that scares me especially with Kerr County having a memorandum of understanding with GBRA to get some water. I would encourage that to be resolved and addressed and then the plan amended.

Also with the tritium studies, I would encourage Region J to put a tritium study in somewhere or recommend that to the City of Kerrville or Kerr County or to the Conservation District to do tritium tests specifically on the ASR wells. We should be able to tell whether that thing is working or not with tritium tests, correct?

John Ashworth: Certainly should help.

Doug Cabassos: The margin of error, I am not familiar with the margin of error on these tests. Did I read in there it was ten-acre feet? Was that incorrect? What is the margin of error on numbers is that enclosed in the Region J Plan?

John Ashworth: On the availability numbers?

Doug Cabassos: Well, yes on the availability of groundwater and surface numbers.

John Ashworth: We don't have a margin of error in there.

Doug Cabassos: I would encourage Region J to list their margin of error on all of these figures.

Mr. Bill Rawlins: You heard my story already. I am just the landowner that had the well. But I am still going to go away from here without the answers that I want. Who controls the aquifer? I would like to enter that into the record and I will give you documentation about my questions. Why are we allowing another municipal to drill wells in this aquifer and what are we going to do about it? Because we well know that SAWS says that they will drill three wells it will be 50 wells and possibly other municipals. There are things you can do about it. There is... when you inflict damage or liability on other people you can do something about it. That is the reason we have law. Basically that is primarily all I wanted inject. I would like to comment that when you augment your wells or Kerrville did, pretty much cleaned the water up for about 15 miles, right? So undoubtedly that is a good idea. When you have extra water after for instance flood of 1978 and 1984 to somehow capture that water.

In 1984 a group of us tried to get a corps of engineers to look at putting a dam on the Guadalupe. I know that is almost something impossible; but unless we find a way to capture that water instead of sending it on down and we have that right we have had no development of surface water in the last 20 years that I know of in this area. Thank you very much.

John Ashworth: Thank you.

Mr. Jim Tom: Jim Tom from Leaky over at Real County. First of all I would like to make the comment to I really appreciate your effort going into this thing. This is a copy of the Plan and you can go by the Courthouse and get it, you have a good County Clerk who will make you a copy. Only takes about a half a day and then you can't understand it, but it is interesting reading.

The main comments I want to make are population projection, which seems like you already have a handle on that. I feel like I am just talking about my little world there in Leaky in the Frio Canyon. I know what is going on there so I feel like I can make comments on it.

Population in that area is growing tremendously. There are a lot of wells being punched in the ground. A lot of water being sucked out. One thing in the report it says in the 1950's the low in the Frio River, the Concan was a minimum 8.8 cubic feet per second. About a week after I read this report it was 6.6 cubic feet per second. Our water level where I live which is about a mile south of Leaky, we were not as low as we were back in May of last year. The difference is the number of wells sucking water out because it is the Frio alluvial and we have everybody sucking water down. That goes

into the strategies, I see a lot of wells going in and every one of them no negative impacts.

I have a problem with that because again we are sucking water out of there. It is going to take the water out of the river.

Next thing because we are frail alluvial like that, I am really concerned about the traffic down Highway 83. NAFTA in its great wisdom created a lot of economy for somebody, but it didn't for us. It just raised a lot of truck traffic and a hazardous waste problem up and down. One truckload of hazardous waste (Cannot understand this person-words run together. The meaning would be something to the effect that the truck crashed) going to kill a twenty mile section of the Frio River and everybody's wells and that is all the Frio River is. Below Concan there is no river.

One other thing on the industry. You say there is no industry in the area. We have tourism and tourism is a very large industry in our area. If were not for the river we would not have that industry. Our community would not exist, mainly if it were not for the tourism. The River is the economy for our area. The River creates the real estate values which is the tax basis, which supports everything else. I would like to see tourism addressed as an industry in the plan because we don't have flow we don't have tourism and that really fits the whole area. Because I know Del Rio with the Lakes and Kerrville with all the tourism they have that is basically say the population ... of the source. I really consider the in-stream flows and one other thing is do we really have a surplus when we consider the in-stream flows? What we concerns me about if we a surplus in an official document does it become available to other people somewhere else. We can use all the water we got and when we are through we will let San Antone have it. Thank you very much.

John Ashworth: Thank you.

Mr. Robert Howells: I am Bob Howells of Kerrville here in Kerr County. I have quite a number of comments but I think I will hold it down to just one or two. I am glad someone else asked about the Feds.

Somewhere in report it commented on some of this area having very important hunting and fishing concerns, yet it did very little to address those. In fact there is very little biological, ecological conservation related type issues in the report anywhere. Something that needs to be thought of. But particularly troubling was the unique stream and river segments. I understand that the legislature in its wisdom did not tell you what they were going to do with the information; but on the other hand they asked you for a list and you said, 'We have it but because we don't know what you are going to do with it I am not going to give it to you.' Well I am not sure that is quite right. One of the statements that was in there was that the proposed stream segments that weren't listed did indeed warrant protection; but currently they had qualities that offered protection....

**PLATEAU WATER PLANNING GROUP
PUBLIC HEARING
UPPER GUADALUPE RIVER AUTHORITY**

Tape 2/Side 1

Public Comment Continued....

Tape Begins:

Mr. Robert Howells:and by case in point about a mile from here on the Guadalupe River used to be a population of fresh water mussels found only in central Texas only four populations were left in the Universe, one of them was right here in Kerrville. Two years ago the Guadalupe River level was dropped so a foot bridge could be built. All of them were left high, dry and dead.

Last year one of the other populations dried up and the third one probably did. They are not federally listed but we are asking for it. If we don't consider things like this the Feds will do it for us.

John Ashworth: Thank you.

Sherry Cunningham: I live here in Kerrville. First of all I want to commend all of you for all of the time and effort you have put in on this. I know it is not an easy job and I really appreciate your holding this meeting tonight I think it is real healthy for us to receive all the comments from throughout the area.

One thing I want to complain about is I attend a lot of regional meetings that ...when I say regional meetings, I mean in the San Antonio area. It is not unusual for me to overhear conversations from the San Antonio area that people about the water supply and the mention of the Guadalupe River and just before I came this evening I turned the news on and there was an article on the news this evening that the San Antonio Water System is hiking up their fees to build up money so they can go and buy up more water and they did mention the Guadalupe River and Canyon Lake and Colorado River. I think that is a real concern that I have is that the big cities seem to reach out and don't seem to care about the rural areas around them. I think that we really need to keep our eyes and ears open to what is going on there and be aware that that is in their game plan.

John Ashworth: Thank you.

Olga Clout: My concern is in your proposals or recommendations. 6.6 and 6.8.17 where you talk about somebody I never did figure out who is going to take a section of river and that is all it said. Not who can take it, how much they can take or what they have to do today. I sure think that needs to be clarified.

Cornelius Van Favel: (Cannot understand his introduction)....I am pleased to hear that you are taking suggestions. I want to concentrate on one point; I have a couple more. Those are written down for your convenience and I have given a copy to the Secretary.

My main problem is that in a (cannot understand) pages of plan you cannot be careful enough. You have to be conservative, I know you have to I am very disappointed with the method that was used to estimate the According to the report in three days, I currently discovered that the population figures were the same old numbers were in the HDR 1997 report. I knew those were wrong at the time, I tried to tell people about this and I still think they are wrong. What is happening there is that they assumed that in 1990 the rate of increase in the population in Kerr County, I am not speaking about other counties, I know nothing about. So, this applies to Kerr County what I am saying and what I am suggesting. That the rate of increase is about 2%; but then that it should decrease 1.15% in 2050. No reason given. No explanation, I don't know where this comes from and just doesn't jive with the facts. The facts in public analysis come from the U S Bureau of Census of Roanoke. When I use these figures I come up with 2.14% and I can only assume if I want to be conservative and careful in fighting for a job situation that this number will not decrease. If that convenes 2050, 2.14% per year you come up with a population that is very different from this report for what is in this report. Now, I am not the only one who uses this method or something similar.

The Kerrville Telephone Company also in 1997 did a similar study and they come up with 2.28%, so we don't differ very much. So, O.K. what does this amount to. Right now you show a population estimates for 2000; you don't have the census back yet. The census is about 46,000 people in Kerr County. According to the Region J project that number was just about doubled to 86,000. If you use what I call realistic figures and I might say scientists, Kerrville Telephone Company they have a business of being right. When you use those numbers you come up with 126,000 people in Kerr County. Now, this is hard to believe but if you talk to real estate people in Kerr County they do believe this. Now what difference does this make for the demand? That of course is the ultimate goal.

I use the same conservation factor that you mentioned. I was still with you; I take your word for it that the consumption of per capita basis of slowly comes to the surface. Now, if you do this instead winding up with a 2,000-acre feet short by it is 12,000-acre feet. That is a tremendous difference. Because I can see how you can stretch together another 2,000 acre-feet in the next fifty years; but you are not going to get another 10,000-acre feet anywhere. So, I deplore you to take a good look at your population projections and once you do this even if you only meet me half way, you are going to have some very different recommendations. You are not going to recommend to drill more wells in already depleted area of the Trinity aquifer in this part of the country. If you do this it makes no sense, if you believe a realistic projection.

So, I thank you for your attention. Several other points here but they are all minor compared to this issue. Thank you.

John Ashworth: That is a good nature one. You bet. Thank You.

Phillip Nitzberg: Thank you for the opportunity. I think all of us in Kerr County are extremely conscious of water. As an ex-sailor who sweated water all the time and who had to get water from evaporators and things like that. I can really appreciate water and shortage of water because water is life.

In Kerr County we have a terrible problem. We talk about education, how we can conserve water and then have developers setting up golf courses. Wall to wall golf courses all over the place. Water-sucking golf courses are taking enough water to feed 5,000 people for each golf course. How many do we have in this area? Three going and I think four others within a 30 minute run of here. This is ludicrous we are absolutely out of our minds that we do things like this! I can go and put 1.6 gallon water tank, I can take my wash water and put it on my plants; but when they take a golf course out there that is spraying water out there like crazy. Their argument: 'Oh, it is only effluence'.

Fine, it is only effluence but that effluent was supposed to be pumped back into the river and it was good enough to be pumped back into the river and those people down the river are Texans too, just like us and they are entitled to water just like us. I am sorry, I am very livid about this because there is no reason for this except insatiable greed of developers and that is what is all about.

Weems Mueller: I will give you some numbers here first. Concerns water conservation and especially converting the older commodes in that the pre-1926. Most of those old commodes are still in use. Those old commodes are wasting insidious 12 million gallons a year in the city of Kerrville. In the state of Texas 200 billion gallons in treated water a year. In the United States 2 trillion gallons a year. All of these converting the older commodes to the 1.6 and 1.7 (1/2 pint more). The conversion can be made in 15 minutes. It takes \$15 worth of parts and the labor involved probably run around \$20 to \$25. There is no reason for them to be using those older commodes; they flush twice as much water as they are using. Enough to serve about 111 citizens of \$1 million dollars a piece.

John Ashworth: Last sign up I have here is John Curry. Is there anyone else out there who is going to make a comment. O.K.

John Curry: I would like to thank you for all the work you have done. I have some background in hydrology from graduate school and I think there are very few people in this room that realize how much work something like this takes. It is unbelievable, it really is a huge task.

Public Hearing

Upper Guadalupe River Authority

The first is the distribution of the available plan. It really was not available, the Web site had it out there as kind of a joke to me. It is almost impossible to get it off that website. It really becomes a task. If we are spending money on it as a public proof we should not have to be struggling to get a copy of it even though most people probably got it they freaked out at the size of it.

The other thing I would like to speak out on this conservation. I don't why the included this in the plan, it is a joke unless you are going to make it a law. Unless you are going to tell somebody they have a quantity of water they can use, they are going to use more than that. Because we actually had an entitlement program in this county where we encourage people and come in and use large quantities of water to water their lawns. Until we get rid of that we are still going to be up against the wall. The other thing is that I have to criticize you on is that on all the recommendations you have and you had a question that asked you which one would be sustainable, you were unwilling to stand behind any of them. I have a hard time understanding what I paid for if you are willing to stand up here and tell me that all your recommendations not willing to stand behind. Thank you.

John Ashworth: O.K.

Sandra Pena: Southeast Kerr County. I was also very disappointed looking through this document to find that out of 600 pages you mentioned rainwater harvesting in one sentence. Unless I guess that it might be somewhere else. I consider this to be the most sustainable technology that we could use in dealing with our water shortages. I think there should be much emphasis in this document of indigenal and community rainwater harvesting because I believe it is extremely water conservation at its best. It works on the same principal as the ASR wells. You collect rainwater when it rains cats and dogs and you store it for those days and those times when it isn't raining. It is the same principal only a lot cheaper and can be done by any individual as well as cities; counties and I have talked about that already at other arenas here. I understand that the City of Kerrville is seriously looking at two water rates and I just wanted to add that anyone in the city who collects rainwater is going to see a reduction in their monthly water bill by the augmentation of rainwater. I really think the strategy should be getting more attention in this document.

John Ashworth: Thank you. Are there any more comments?

Thank you very much ladies and gentlemen. I know this was a lot of time, took a lot of time for all of you to come down here. All of these comments will be looked at very seriously by the consultants and the Regional Planning Group members. If possible we will try to integrate some of these into this plan. If not, they will continue to be looked at in the succeeding plan.

End of Tape 2/Side 1

**PLATEAU WATER PLANNING GROUP
ROCKSPRINGS**

OCTOBER 11, 2000

Condensed Minutes

Present:

Jonathan Letz, Chairman, Kerr County
Jerry Simpton, Del Rio
John Junker, Bandera
O.J. Erlund, Kerrville, Kerr County
Dick Luebke, Texas Parks & Wildlife
Otila Gonzalez, Del Rio
Nick Gallegos, Rocksprings, Edwards County
Cameron Cornett, Kerr County
John Mohar, Bandera
Zach Davis, Kinney County
Howard Jackson, City of Kerrville, Kerr County
Deborah Reyes, Texas Water Development Board
John Ashworth, LBG Guyton Associates
Ronnie Pace Kerrville, Kerr County
Tulley Shahan

Guests:

Jim Jackson, Spring Hills, Bandera President of the Board
(Did not give a name as far as I could hear) Spring Hills, Bandera, New General
Manager)
Doug Cavasos, Concerned Citizens, President, Kerr County

Item 31 Call to Order, roll Call, Certification of quorum and Compliance with Texas Open Meetings Act.

Jonathan Letz called the meeting in Rocksprings to order October 11, 2000 at 1:15 p.m. A quorum was present. The PWPG is in compliance with the Texas Open Meetings Act.

Item #2 Public Comment.

The guest, Doug Cavasos questioned whether a proposal would go forward to make funds available for the Groundwater District to assist with science gathering and/or data gathering.

John Ashworth answered that he believed that a proposal of that nature did go forward.

Jon Letz stated that he believed that a recommendation to that effect did go forward. They would have to review to see what the financial part of the recommendation stated.

Mr. Vassos' second concern was that the Public Comments from the citizens were cut down to single statements. Deborah Reyes answered Mr. Vassos.

Item #3 Approval of Minutes.

Ronnie Pace distributed copies of the minutes for the meetings of April 27, May 24, and August 7. These are for your review and any comments you might have. He announced that the June and July minutes were being prepared and would be available for distribution at the next meeting. He requested the current handouts be returned with any comments also at the next meeting.

Item #4 Report from Chairman.

Jon Letz gave a brief synopsis of the September 8th Chair Conference Call. Comment was made that Jon felt from a personal standpoint it was one of the best Chair Conference Calls. Jon noted that since he first introduced the idea of the lack of funding for reimbursements, administrative costs that now it is pretty much unanimous that all the regions feel the same way. A strong message that it is unacceptable for them to continue to want a bunch of volunteers to do all of the mandatory work with absolutely no support from the state on the administrative side. The Regions do not want to go to the entities to support the funding.

Jon Letz stated that there was a \$600.00 expense to get the draft of the Water Plan on the Web Page. UGRA has paid. Jon told Jim brown that this was a bit different type of cost than they usually absorbed; therefore if UGRA would like to submit a bill PWPG certainly would reimburse the \$600 fee.

Jon Letz gave an hour-long presentation to a group in Kerrville at the Methodist Church to update them on the Water Plan procedure.

Jim Brown mentioned there were a lot of people complaining about the lack of availability of the Water Plan.

A lengthy discussion ensued. Jon Letz stated that PWPG definitely needs to do a more comprehensive job of providing more copies in the more heavily populated areas such as Del Rio and Kerrville.

One person brought up the idea of providing a CD for interested individuals. Bill McCrae pointed out that only the sophisticated computer literate would be able to download the information since the contents of the CD contain several different programs

Rocksprings

October 11, 2000

Condensed Minutes

for the entire Plan; i.e., Microsoft Word, Excel, Smartview and a couple of other programs.

Jon Letz stated that even so, the CD version could be made available to those who wish to purchase for the cost of the CD.

John Junker, Treasurer then distributed an update on the bank balance. The balance being \$25,075.97. The checks written were to: Karen Letz, Administration \$1,127.33, Braswell Printing \$341.64, San Antonio Express News \$377.90, Merritt Personnel Services \$552.50, Jonathan Letz \$67.80. The Ending Balance as of 11 October is \$22,680.80.

It was discussed and decided that check totals would be itemized for labor and materials to help in the future planning of budgets.

There was no report at this time from the Finance Committee.

Texas Parks and Wildlife, Dick Luebke reported that he had received an E-Mail from Cindy Loeffler at their headquarters. Cindy Loeffler is the lead person at Parks & wildlife for the Senate Bill 1 Planning Process. The report stated that Region H is the only region out of the sixteen Texas regions that has nominated six springs regarding the ecologically unique springs.

Deborah Reyes reminded everyone that the Comment Period to make comments about the planning process, rule changes, contract provisions, planning area boundaries, value changes, etc., is due to the Texas Water Development board by Friday, October 13, 2000. There has already been one month that this has been open for Public Comment.

There was a great deal of discussion regarding the letter.

Deborah Reyes pointed out that if you think that the issue in question (whatever subject) is a featural issue of the Board Control, obviously the Board had something to say about the guideline of changing population then you should make the comment to the Texas Water Development board.

This statement caused confusion for some; since they assumed that when the recommendation regarding that issue was placed in the plan the letter question would be redundant.

Jon Letz instructed that it would not hurt to submit from the individual area where the issue was more probably effected.

Point being that the letter is a different avenue of review. The comments being submitted on the Public Hearing has a different tract than the comments you submit to the Water Development Board through this letter. If there is a problem with methodology or

Rocksprings

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process that will be addressed and you will receive a response from the Texas Water Development Board through this letter.

Cameron Cornnett brought up the subject of obtaining funds for the science and data gathering of the Underground Water District through this avenue of the letter.

Deborah Reyes informed everyone that the Texas Water Development Board does not have the 'tools' to get their own funds, they make requests. Furthermore, it would not hurt to try but be prepared that funding comes from another source not Texas Water Development Board.

The question arose what do we do with the complaints we received at both, Del Rio and Kerrville Public Hearings? The most complaints were about the population projections.

John Ashworth explained the procedure even though this discussion belongs to Agenda #6. He stated that he is in the process right now of getting those items summarized, which will be included in the plan. Prior to going final the PWPG will be given first opportunity to review and suggest changes.

Deborah Reyes at this time mentioned that she had received twelve copies of the draft initially prepared plan on September 27th. The Water Board made a very hasty review and found six items missing. Once again, she emphasized this was a very brief overview and more details would follow. The complete review may not happen for quite some time. It is her understanding that the Planning Group will get a detailed outline of 'what is wrong' with the plan. Furthermore, Deborah wanted all to know to not take offense at the criticism, to remember that what they are tasked with is to go through the work line by line and make sure that rules apply with the contract and statute.

Deborah had reference to the entire draft plan, not just certain chapters.

John Ashworth questioned whether the letter should be just from him or will the Planning Group also send forth a letter.

Jon Letz responded with he though John Ashworth needs to respond as a consultant and Jon Letz will responds from the Plateau Water Planning Group. This is because Jon believes that the Board quite possibly 'read' the comments in a different light on where they come from. Therefore, PWPG could attach John Ashworth's letter to PWPG letter point being Jon Letz has more to set forth in issues due to the PWPG Board viewpoint. Especially funding and how it is handled, this is a major concern to the PWPG Board.

Jim Brown now brought forth his motion: I move that Region J request that the Water development Board examine the methodology used to determine the population growth rates and consider other methodologies.

Tulley Shahan seconded the motion. The motion carried unanimously.

Jon Letz requested that John Ashworth state his four major comments that he is going to send forth for October 13, 2000 to the Texas Water Development Board. They are as follows:

- a) First comment has to do with the population water demand and the guidelines cut off. The time period within which one has to settle that issue;
- b) Secondly, the universal state-wide groundwater availability calculation methodology;
- c) Next, has to do with the requirements for establishing drought triggers other than for municipal use; and
- d) Last, the desire to not to have to work with all of the 'codes' in the Water Development Tables.

A motion from Jim Brown and a second from Cameron Cornett that we include John Ashworth's four item letter along with the request to get funding in addition to that which goes directly to Plateau Water Planning Group and other funding for scientific studies to the Underground Water District. The motions carried unanimously.

Howard Jackson who was officially signed in for Bill McCrae today under our new by-laws. Howard moved that we include in the letter from PWPG to request administrative costs be paid for by the Water Development board or by the State as all other expenses have been paid. This would be a rule change in the letter going forth on October 13, 2000.

John Junker seconded the motion to carry this as the fourth item the letter. Motion carried unanimously.

Agenda Item #5 Consider and Discuss Resignation of Art Tuttleby, Public Interest of Val Verde County.

Jon Letz requested a motion to accept the resignation of Art Tuttleby. Motion came from Jim Brown and second from Jerry Simpton to accept the resignation of Art Tuttleby.

Jon Letz requested that Jerry Simpton begin the process for recruiting a new member. There is a time line of about six weeks before it gets filled.

Agenda Item #6 Consider and Discuss Action on Public Comments Received on the Draft.

Jon Letz stated he had sent forward to John Ashworth the transcription of all of the comments from the Kerrville meeting. Jerry Simpton had given John Ashworth the comments from the Del Rio meeting. These will be summarized and placed in like categories to be included in the final Water Plan.

Prior to going to the final state the Plateau Water Planning Group will have the opportunity to review and change or add anything they feel necessary. At the next meeting we will vote on those responses.

A letter from the National Wildlife Organization was sent to all the regions. This letter is quite lengthy and there is the possibility that the Texas Water Development Board will respond on behalf of all the regions. The regions have a legislative rule requirement to respond.

Agenda Item #7 consider and Discuss Preliminary work on the Next Planning Cycle to be submitted to Texas Water Development board by November 15th.

Deborah Reyes announced that the Texas Water Development Board is approaching the next planning cycle with a new approach. TWDB put together preliminary legislative appropriation request to go to legislature in January.

TWDB is asking for a preliminary list of activities that is due November 15th.

Deborah cautioned that the planning group not question-out a full scope of work. After the first of the year TWDB will be asking for a full-fledged scope of work from the region. Right now TWDB is asking for the best guess on how much money the group thinks it will take to produce a base line plan that TWDB requires and anything you want to add on top of that (such as scientific studies).

Jon Letz requested from John Ashworth a rough draft to E-mail around, then the draft can be commented, added to, changed and up for discussion on the November 15th meeting agenda.

Agenda Item#8 Consider and Discuss RFQ for the Next Planning Cycle.

This item was placed on the agenda so that the group can talk about it based on the Conference Call in November. This is mostly just to advise the group that they were all about done and we are getting ready to do another scope of work and another RFQ.

John Ashworth after listening to the discussion, encouraged a competitive approach so that the group gets exactly what they need for the next planning cycle.

Deborah Reyes suggested they consider whether they needed an expert in the demographics area to be on the team.

Jon Letz stressed that two questions needed to be surveyed prior to drawing up this RFQ. One is does LBG Guyton Associates, John Ashworth want to return to this group study and second, does the PWPG want LBG Guyton to return considering the list of needs they perceive for the new plan?

Jim Brown mentioned that we certainly need a scientific study for the Trinity Aquifer. Jim is aware that because of the importance of demography to this area an expert in this area is needed also. Jim has requested to be on the committee with Cameron Cornett.

Another expressed concern from Jon Letz is to have someone on the consultant team who is knowledgeable in the endangered species and environmental area.

The timetable for this RFQ is to work on the document in January and February with a due date of March 15th to The Texas Water Development Board.

Agenda Item #9 Consider and Discuss Possible PWPG Boundary Modifications.

Jon Letz relayed that this agenda item had been initiated by the fact that a specific request for a boundary modification of Region M. Region M asked that Val Verde County be split to their region.

When Jon had spoken to Glen Jarvis of Region M he stated he did not want all of Val Verde, he just wants Amistad. The reason given: Region M handles all the water rights downstream and they had to deal with and currently Amistad is out of their region.

Other discussion among Board members continued to include questions about Canyon and Medina and how the boundaries might be changed. The discussion widened to other possibilities.

Deborah Reyes explained the ramifications of the changes. The consensus came around to Jim Brown making the motion: 'Include in the letter to Texas Water Development Board that we do not want to change our boundaries to release Amistad or any other boundary. That Region J desires to stay as it is with no boundary changes.'

Jerry Simpton seconded the motion. The motion carried unanimously.

Jon Letz, Deborah Reyes, Jim Brown and Cameron Cornett had a discussion about initiating a joint study program for the Trinity Aquifers which include Kerr, Bandera, Kendall, Gillespie and Blanco. Three regions J, K, and L.

Jon Letz prefers an agreement arrangement to be worked out among the counties involved. Negotiating the cost share. Jim Brown surfaced other specifics that would need to be worked out in advance. They are as follows:

- a) The study goes in and determines the firm yield of the Trinity Aquifer, this is being done in four regions...there is some technical question

- i) Is there some way that we can split the yield so that when we construct the charts for water availability we can go back and subdivide that study result between the county areas and appropriately place the quantities of water we need in each of the regions involved when we look at the water availability?

John Ashworth stated that they would have to be able to do this.

Deborah Reyes commented that the state encourages joint studies. Actually what the rules say is that you can throw all of this together subject to approval of all region planers involved. PWPG can send out a very generic letter offering to accomplish this and the same letter can be brush control as well.

Jon Letz made a motion to send a letter to Region K and Region L open the door for a joint Trinity Study, recharge structures and a joint brush control program. Cameron Cornett seconded the motion. The motion carried unanimously.

Agenda Item #10 Consider and discuss approval of Chapter 7.

John Ashworth distributed Chapter 7, which was in the working state. Chapter 7 has to do with how we administered the Plan and how we involved the Public Plan implementation issues. John asked for any additional information regarding the chapter.

Deborah Reyes pointed out that the plan needed to address 'how' the implementation will work in the region.

Deborah Reyes also pointed out that the group had talked about doing an East/West plan approach under the category of Project Management. Deborah also said that did not materialize and this should be addressed why the group thought this was initially necessary and then not being necessary for whatever reason.

Jon Letz requested everyone to review the material and get back with John Ashworth so that he has the information to approve at the next meeting.

Agenda Item #11 Consider and Discuss the Executive Summary.

John Ashworth mentioned that the group as reviewed this material. The Executive Summary covers the highlights of the Plan. This can be for the reader who is going to only read this, nothing else in the plan he will have a summary of why this plan is, what it is about and how it was accomplished.

Deborah Reyes interjected that this summary should answer the question, 'Are all needs in the region going to be met with all water management strategies implemented'? Deborah further suggested that if implementation of a plan was not going to meet the needs of an area in the region that would be important to reveal.

The crux of the matter is that there is a statute requirement, which is also, mirrored in the rules that if you are not going to meet all of the rules of the region then you need to say 'why'.

Jim Brown surfaced a scenario of concern about making such a statement. The scenario goes like this:

"We make that statement and let's say specifically Kerrville-Metro area. We cannot meet the needs beyond a certain point. City of Kerrville goes in for a funding through Texas Water Development board that funds the project. The date that we say that the project is to be completed does not happen; the project survives the date and that we could not meet those needs.

Jim Brown's concern is that someone at the Texas Water Development Board may say, 'Wait a minute, we cannot fund that project because the TWDB had read in the plan of Region J Plan that it states they will not have the resources to meet their needs prior to the date that this debt is serviced to the Water Development board so therefore we cannot grant the loan.'

I am not concerned about the Water Development Board, I am concerned about bond rating houses picking up that loan...I have a real problem with that."

Deborah Reyes suggested that that question be directed to the letter that Jon Letz is writing to the Texas Water Development Board for the October 13 deadline.

Agenda Item #12 Consider and Discuss Actions Concerning Other Regional Water Plans.

Jon Letz noted that some of the Regional Water Plans were at hand for Region J to review and some were not available. He has requested Deborah Reyes to see if she can get the balance of Plans not available.

Jon Letz also stated that Region J had sent one copy of their plan to each of the Chairs.

Agenda Item #13 Consider and Discuss Scope of Work Modifications.

Jim Brown stated that Region J does need a Scope of Work Modification and he requested a copy of the last modification from John Ashworth.

Jon Letz stated that the group now needed to return to Agenda Item #8

Agenda Item #8 Consider and Discuss the RFQ for the Planning Cycle.

Jon Letz asked Cameron to bring forward the three points he wanted to discuss.

Cameron Cornnett stated one of his complaints was there has not been sufficient time for work for review. Cameron believes that five (5) days prior would be sufficient. Cameron would like this to be included in the next contract.

Next point that Cameron would like written into an agreement as follows:

- i) Measurable objectives for self-work

Some of the items that were asked of the consultants were abstract; this will help to clarify PWPG's point of view so that the consultants know what is expected of them.

Third item that Cameron desires is more accessibility to correspondence between the consultants and The Texas Water Development Board. Especially when there is a controversial issue or a change of protocol. Cameron felt he had to 'drag' the information from sources.

Those are the three points that he would like to see in the next contract.

Jon Letz stated that as Chairman of the contract Writing Committee he was certain those items would be included.

Agenda Item #14 Consider and Discuss Budget Modification.

Jim Brown noted that there would be a budget modification due to the scope of work modification.

John Ashworth stated that the budget was all right. There will be some substantial publishing costs right at the end; there are sufficient funds to cover that.

Jon Letz said that at the next meeting both budget modifications and the scope of work would be available for all to review.

Agenda Item #15 Consider and Discuss Drought Triggers.

John Ashworth said that Deborah Reyes was not available at the time so he met with The Texas Water Development staff to discuss the subject of 'Drought Triggers'. This subject appears in Chapter 5.

There was a great deal of controversy about the wording and how the region was to actually carry out the requirement. John received the following concept of what he understood the TWDB's opinion and what they are looking for in the term 'Drought Trigger':

'The Board is asking for some very specific locations, specific numbers related to groundwater. TWDB wants lists of specific well, water levels within those wells and those water levels would indicate a certain drought trigger. These wells would be for each water use category and each municipality in the region.'

The controversy surfaces here. When you consider ranching there is going to be a windmill and water is not going to be the issue, the issue will be forage. Grass is going to die before the water gives out.

'The TWDB staff basically came to an agreement that really drought triggers for all other than municipal use categories really didn't make a whole lot of sense; but it is in the contract and according to the guidelines we have to provide this information.'

Next point of contention was who was to be the monitoring person or entity who had the responsibility of measuring the drought trigger level. First suggestion was Texas Water Development Board. There was much discussion between PWPG members of the Board about delegation and the need to keep the information coming from the local level not a disinterested outside person or office.

General discussion led to the consensus that TWDB would be welcome to assist on the data collection; however when it comes to communicating the information to the region it was agreed that the 'word' should come from the local level.

John Ashworth brought out one other valid point that currently this data is not present in the region. Also even if TWDB had some observation wells, it has been noted that measurement takes place in the winter and no measurement takes place in the summer. There is no continuous data procedure that renders good results like the j-17 type well that San Antonio has. Not only do you need to get the data from the wells themselves; but also you need a history on which to base the information.

It was decided that the region would have to come up with specific wells for monitoring and forward that information to John Ashworth.

Agenda Item #16 Informational Items.

None at this time.

Agenda Item #17 Meeting Schedule.

Jon Letz announced the next meeting will be in Kerrville on November 9th. There will be a Technical Meeting at 10:00 a.m. and a board Meeting at 1:00 p.m.

John Ashworth requested the members get their comments in to him as quickly as possible so that he can prepare in advance to have the material ready for the next meeting.

Cameron asked if the RFP should be ready for next meeting.

Jon Letz stated that is one item we can defer for a short while.

Meeting adjourned

PLATEAU WATER PLANNING GROUP
November 09, 2000
UGRA Kerrville, Texas
Condensed Minutes

Present:

Jonathan Letz, Chairman, Kerr County
Cameron Cornett, Headwaters Underground Water Conservation District
Ben Lucas, UGRA, Kerrville (proxy for Jim Brown)
Bill McCrae, City of Kerrville, Kerr County
Jon Junker, Bandera County
John Mohar, Bandera
Dick Luebke, Texas Parks & wildlife
John Ashworth, LBG Guyton
Glenda Mercier, Freese & Nichols
Ronnie Pace, Kerr County
Deborah Reyes, Texas Water Development board
Jerry Simpton, Val Verde County
Susan , Headwateres
Jeff Davis
Scott Roglan, UGRA
The Honorable Judge W. B. Sansom, Real County
Tulley Shahan

Absent:

Jim Brown, UGRA, Kerrville, Kerr County

Item #1 Call to Order Roll Call, Certification of Quorum and Compliance with Texas Open Meetings Act.

Jonathan Letz called the Plateau Water Planning Group meeting to order on November 09,2000 being held in Kerrville, Texas. We have a quorum and the meeting was posted in compliance with the Texas Open Meeting Act.

Item #2 Public Comments.

No Public Comments.

Item #3 Approval of Minutes.

Jon Letz stated the Administrative Assistant had E-mailed the copy of the minutes of the Public Hearing and there was some problem with the hard copy.

Dick Luebke commented that his name did not get on the 'Present' list of the 27th April Meeting.

Cameron Cornett made the motion that both sets of minutes be accepted.

Jerry Simpton seconded the motion.

Jon Letz stated that the motion from Cameron Cornett and the second from Jerry Simpton were made to accept the minutes from the April 27th PWPG meeting in Bracketville and the May 24th PWPG meeting Leakey. Also noted to add Dick Luebke's name to the Present list on the 27th of April minutes.

Item #4 Reports from Chairmen.

Jon Letz reported that there had been another Chair Conference Call. There were several recommendations that were a consensus of recommendations among the regions.

Deborah Reyes had the list which she read as follows:

- a. All the regions support that State put up the money for the administrative costs.
- b. All the regions support the State provide funding for data collection.
- c. All the regions support the State provide funding for data collection activities including GAM (which is the Groundwater Availability Modeling)
- d. All the regions support the Legislative clarification of Unique Stream Segments and the ramifications.
- e. All of the regions support the state provide funding for the implementation of water management strategies.
- f. Maintaining the viability of agriculture as it relates to urbanization of regions. (General statement).

Jon Letz commented that he had received a letter from National Wildlife Federation. This letter was very specific to Region J. They went by strategy and made comments in writing on each one of the strategies.

Jon Letz recommended that he send a letter in response saying that PWPG appreciated their input and that the comments will be considered during the next planning phase.

Jon further stated that PWPG was not going to officially respond to this as part of the plan because of the time factor.

Deborah Reyes requested to give part of Jim Brown's report since it is related to the contract amendment, which Jim is, the 'keeper' of on behalf of the region. Deborah further commented that the Texas Water Development Board did receive the request for the budgetary change. Actually there was no budgetary change; but there was an amendment from the region to delete two scope of work items. The Board did receive that, it has been processed by TWDB and was mailed Monday for UGRA for execution. As far as TWDB is concerned it was approved.

Dick Luebke reported that Texas Parks & Wildlife; Resource Protection Division is preparing a much more finely defined list for each region of unique stream or river segments. The estimated date of completion for Region J is January 2001.

Dick Luebke further reported the plans of Parks & Wildlife in the near future include creating a trail from Laredo up through the state to the panhandle. In this projected plan a trail will come through the counties

in Region J's area. Reason for this mention of projected plans is that the western part of this region from a bird standpoint of view is very crucial. This part of the region is where just about the entire tree habitat is. Further detailed information is available on the Parks & wildlife page. Necessary for the coming plan process.

Deborah Reyes announced that the Texas Water Development Board has compiled a list of recommendations from all the regions and will take them before their board to make comments. This has been delayed until December because of the number of comments from the regions. As rules or policy changes occur Deborah stated she would keep the Region informed. A report should be ready in December to disseminate to all.

Item #5 Consider and Discuss the Response to Public Comments Received on the Draft IPP.

John Ashworth has reviewed the responses to the Public Comments; there are written comments provided. John has requested that these be reviewed in depth by individual Board members and then get back to John with any changes or updates so that they may be included in the Plan. These responses from the Board should be sent to John Ashworth no later than the 17th of November. Board members were encouraged to make comments and not assume that everyone else will do the job. The more comments the more well rounded the comments will be.

Item #6 Consider and Discuss the Approval of Chapter 7.

Chapter 7 had been sent by E-mail to the Board Members to review prior to this meeting.

John Mohar was the only person who responded and his comments were only cosmetic, nothing of great change value.

John Ashworth reminded the board members that there is still time to make changes if they see anything that needed to be changed or added. He also stated that in the Executive Summary there needed to be a statement to the effect of whether or not PWPG strategies are sufficient to meet drought deficits for every one of the categories.

Cameron Cornett made the motion that Chapter 7 be accepted; John Mohar seconded the motion.

The motion from Cameron Cornett and the second from John Mohar to accept the Final version of chapter 7 and Executive Summary as modified from the comments by John Mohar.

Deborah Reyes pointed out that all of the chapters would have to be adopted as a whole plan later.

A lengthy discussion ensued between Jon Letz, Bill McCrae, Glenda Mercier and Cameron Cornett regarding the omission of UGRA's ASR well in Chapter 5. This subject surfaced after the discovery that Kerrville and UGRA had been lumped together early in the planning session. Now in Chapter 7 the Executive Summary and the Chapter 5 did not seem to reflect the breaking out of UGRA.

Further discussion led to the result of a motion being made by Bill McCrae and a second from Ronnie Pace.

Jon Letz stated that the motion to add an additional strategy for ASR well for the City of Kerrville was made by Bill McCrae and seconded by Ronnie Pace. The motion carried unanimously.

Item #8 Drought Triggers.

A concern about the lack of historical data on wells in the area to help determine a drought trigger brought about a consensus of frustration with what was perceived to be the requirement for writing this section of the strategies.

After much debate about how to attack this dilemma at hand, Deborah Reyes suggested that she read the rules to clarify what the real requirement is and how it is stated. The rule was quoted as follows:

"For each source of water supply in the regional water planning area the Regional Water Plan shall identify factors specific to each source of water supply to be considered in determining whether in determining whether to initiate a drought response and actions to be taken as part of the response."

Jerry Simpton provided general direction. He suggested recommending certain wells, which should be monitor wells in the area of the City of Kerrville who may have some historical data. If not, data collection would be able to be initiated and historical records begun.

John Ashworth commented that he had enough direction in a new approach that he could proceed with the writing on this section.

Item #9 Consider and Discuss Preliminary Work on the Planning Cycle.

Jon Letz announced that the Preliminary Work on the Planning cycle was to be submitted to the Water development Board by November 15, 2000.

John Ashworth presented the information that the Water Development Board basically needs to know. They want to know how much money per task over a five-year period of time. This information was just an idea of preliminary expenditures; these figures were not to be thought of as concrete. Later more detailed effort will be focused on this task. The final budget for then next planning cycle will probably be very different than this rough draft.

John Ashworth read to the Board the following general information.

- a. Chapter 1 about \$20,000 – which is basically to revise the descriptions for the regions based on the new population, new information that is developed in all of the rest of the planning effort.

- b. Chapter 2 currently showing \$100,000 – Water use projections. This one is going to be highly dependent on how the Water development board decides what level of entities has to be surveyed. Right now we are looking at communities of 500 population or more.
- c. Chapter 3 most of the money is in the range of \$600,000 to \$700,000 – to do quite a few studies that are suggested in this plan.
- d. Chapter 4 preliminarily about \$60,000-To do that supply/demand analysis.
- e. Chapter 5 Probably about \$100,000 to \$200,000 to do the Water Management strategies.
- f. Chapter 6 Recommendations. - \$60,000's.
- g. Chapter 7 Plan adoption and implementation. \$60,000. That figure may be more based on a lot of the responses we are getting from the public about not hearing enough about this planning process and people having a difficult time downloading such a large document for hard copy.

Jon Letz emphasized that implementation is where education for the public would come into play. What the plan is and how to use it.

Increases in various items listed above to be sent to TWDB by the 15th of November are as follows:

- a. Administrative Expenses will be a separate item and have not been included in the previous 'a through h' listing. That will be \$75,000.
- b. Up the amount for Chapter 3 to a million.
- c. Chapter 2 was increased to \$150,000.

Cameron Cornett made a motion to approve the preliminary list of activities for the next planning cycle. Also authorized Jon Letz or Executive Board or some smaller body between now and Wednesday to go through the final version and review what the list is.

Jerry Simpton seconded the motion. The motion carried unanimously.

Jon Letz mentioned that the list should be projected to carry the figure needed for the first two years. This breakout was not requested in the letter. Deborah Reyes emphasized that; however it will be especially beneficial for the TWDB since they go forward to their Board to request the funds attributable to the next biennium. If this breakout is not provided the TWDB will assign someone to do it for the Region. For this reason it is more beneficial for the region to make this projection because the region knows which of the tasks would be completed and expended during this 2 year period that an outsider who is not familiar with the plan.

Another point surfaced that the possibility of adding a cancellation clause to the contract with TWDB is worth researching and discussing; however at this point Jon Letz believes that the clause is a premature consideration

Item #10 Consider and discuss the RFQ.

Cameron Cornett stated the RFQ work is in process, no action at this time.

Item #11 Consider and discuss Action Concerning Other Regional Water Planning IPPs (Initially Prepared Plan).

Jon Letz pointed out that at the last meeting PWPG was just beginning to request this information from the adjoining regions.

Jon suggested that at the next PWPG meeting the information of any consequence will be presented.

Item #12 Consider and Discuss Scope of Work Modifications.

Jon Letz announced that there were no modifications to his knowledge.

Item #13 Consider and discuss Budget Modifications.

Jon Letz stated there were no Budget Modifications.

Item #14 Informational Items.

John Mohar asked about the continuance of the PWPG once the plan was complete in January. If so John wanted to know if the meetings would revert back to quarterly meetings?

Jon Letz responded that John Mohar was 'on' for another couple of years, at least. In regard to quarterly meetings that would occur as appropriately needed.

Jon Letz announced that he had advised Craig Peterson of the Texas Water Development Board about the adjoining regions and PWPG's vote to NOT change the boundaries. All the regions are aware that Plateau Water Planning Group does not want to change our boundaries.

John Ashworth stated that part of the comments that were returned from TWDB had to do with the required tables where the supply and demands are broken out for major water

providers. The Regional Planning Group selected three major water providers, City of Del Rio, UGRA and Aqua Source.

It was stated that this doesn't have a whole lot of influence on what is said and done in the plan. Really it has no effect on strategies. It is strictly an identification of what entities there are in the region that provide substantial amount of water to different people other than themselves.

John Ashworth further read the definition as follows:

"For the purpose of this planing exercise, The Plateau Region defines a major provider as an entity which provides 100-acre feet or more per year of raw or treated water to other entities in excess of its' own use."

Glenda Mercier suggested that the inclusion of the concept or the verbiage of a second tier provider. There is a first tier where you provide water to somebody then you are a first tier, the customers. The second tier would be other than their primary customers such as another subdivision or small town.

John Ashworth assured the PWPG that they would have a finalized, polished definition that would suffice for the plan.

Deborah Reyes relayed that the results from the plan recommendations and strategies are already in process. The TWDB is watching for consistency with the plan as it progresses in processing applications being submitted.

Jon Letz mentioned the next meeting is December 14th at 1:00 p.m. in the Bracketville Courthouse. There will not be a Technical Committee meeting that day.

The meeting was adjourned.

**PLATEAU WATER PLANNING GROUP
January 02, 2001
BRACKETVILLE**

Minutes

Present:

Jonathan Letz, Chairman, Kerr County
Cameron Cornett, Headwaters Underground Water Conservation District
Jerry Simpton, Val Verde County
David Shepherd, Springhills, Bandera County
Jim Brown, Guadalupe River Authority
Zach Davis, Kinney County
Howard Jackson, City of Kerrville
The Honorable Judge Herb Senne, County Judge, Kinney County
Bryan Pace, Kerr County
O.J. Erlund, Kerr County
Henry Garcia, City of Del Rio, Val Verde County
Dick Luebke, Texas Parks & Wildlife
John Ashworth, LBG Guyton
Glenda Mercier, Freese & Nichols
Deborah Reyes, Texas Water Development Board

Guest:

Tommy Claya, Manager of San Felipe Irrigation & Manufacturing Company,
Val Verde County
Frenzi Wylie, Commissioner of Precinct 3, Val Verde County

Absent:

John Junker, Bandera

Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meeting Act.

Jon Letz: Called the meeting to order on January 02, 2001 at Bracketville 1:00 p.m.
A quorum is present. We are in compliance with the Texas Open Meeting Act.

Item #2 Public Comments.

None.

Item #3 Approval of Minutes.

Cameron Cornett stated that there were some errors on October 11, 2000 meeting minutes. The guest should have been Jim Chastain. David Jeffries was also there. And Springhills is one word.

Jon Letz pointed out that on the August 4th meeting PWPG did not have a quorum; but a discussion was held at that meeting. Jonathan did confirm that the minutes for the full official meeting on August 7th were available for review and approval instead of the August 4th meeting. Also noted is the fact that a verbatim transcription of both the 4th and the 7th meetings is on file if anyone has any requests to review.

Jon Letz called for a motion to approve. Motion from Cameron and second from Jerry Simpton to approve the minutes from June 23, 2000; August 7, 2000; October 11, 2000; as amended. Any further discussion. All in favor say, 'Aye'. Opposed, none.

Item # 4 Reports from Chairmen.

Jon Letz: Under reports, I don't have any. Ronnie?

Ronnie Pace felt that the minutes were going pretty smooth.

Jon Letz reminded the Board that if anybody does want a copy of the full version, let either Ronnie or Karen know and we can get them out. We have that full transcript if anyone wants to look at that.

Cameron Cornett commented that he feels reassured as long as the full transcription is kept on file for reference in the event of a question regarding any subject.

Jim Brown stated he had no reports at this time.

Jon Letz relayed that Herb Senne the other night and wanted to know how much money he needed to send this year. Jonathan told him, 'Herb, we didn't do anything'. Unusual. It was noted that John Junker was not present this meeting. A few invoices we can look at later on. I don't think there are any changes in our balances since our last meeting.

Dick Luebke: No report at this time.

Deborah Reyes: No report at this time.

Item #5 Discuss and Approve Invoices.

Jon Letz noted that there are two invoices up for approval from Karen, Administrative Services:

Bracketville

January 02, 2001

Tape 1 of 1 Tape

a) One for reimbursement of telephone charges and postage
\$70.20

b) One for Administrative time: 4 October through 8 December 2000
\$97.50.

Next Jon Letz stated that there is an invoice from 'So Fast Printing' that covers some copies that we had in October for the Minutes to distribute.

c) \$23.60

Next PWPG has an invoice from Merritt Personnel Services:

d) \$335.00
This is the one invoice received; there is to be another that is due and we will want to approve that invoice when it arrives.

Jon Letz called for a motion to approve.

Jim Brown requested discussion. Jim wanted to know approximately where we are on our bank balance?

Jon Letz said that he didn't have the paper work since John Junker was not present at this meeting. However, he believes the balance to be over about \$20,000 or \$23,000, in that area as I recall.

Jim Brown was satisfied with the approximation.

Jon Letz called for a motion. Ronnie Pace made the motion and Zach Davis seconded to approve the invoices as presented and discussed. All in favor say, 'Aye'. All opposed None. Motion carried unanimously.

Item #6 Consider and Discuss Response to Public comments Received on Draft Plan.

John Ashworth stated that comments are as had been reviewed previously at the Technical Committee Meeting, December 28, 2000. There was a request to add a Parks and Wildlife written comment response into the plan which was done. Should be complete at this time.

Jon Letz said that other than that most of the comments are from earlier meetings. This is good, a couple of people that have not been on the Board as others are present today. PWPG is required to respond to the comments that are received from the Public and from Parks & Wildlife. We had received some comments after the cutoff date that we are not

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going to respond to officially. The response was that we have received and acknowledged and explained what we are going to do with the comments. This does not mean that PWPG has to do what the comments suggested. From Kinney County PWPG has received a number of comments concerning the population projections. We are going to work on resolving this problem in the next phase.

Item #7 Consider and Discuss Comments Received from the Texas Water Development Board.

Jon Letz stated that these are comments that came in two letters to assure that PWPG is in compliance with all the provisions of Senate Bill 1.

John Ashworth said that all the additions were presented to the Technical Committee. The Technical Committee has reviewed the additions and John said that he would refer to them.

John further stated that the Water Development Board provided their comments in two sections.

- a) Section 1 – Required to be responded to.
- b) Section 2 - Strictly suggestions for improvements.

John Ashworth advised that the suggestions for improvements be handled by saying that the consultants reviewed the Section 2 comments and where appropriate did make the appropriate changes in the plan. In most cases there was nothing in there that caused any problem. It just made the plan look better. In some cases, it probably was not even appropriate. But I would suggest that in our response document following the Section 1 portion that we just put a statement in there that says the following, ‘The Section 2 material was looked at and responded to where appropriate’.

Cameron Cornett made a motion to accept that statement.

Jim Brown: Second.

Jon Letz stated that there a Motion from Cameron Cornett and second from Jim Brown that the advisory comment from Water Development Board will be responded to as “The Section 2 material was looked at and responded to where appropriate’. There was no further discussion. The motion was passed unanimously.

Item #8 Consider and Discuss Approval of Drought Triggers.

John Ashworth stated that drought triggers were added to the plan by presenting two tables as follows:

- a) One table showing the drought triggers and responses from municipalities where those plans exist in Drought Contingency Plans.

- c) The second table shows a groundwater trigger as identified in a specific well for each individual Groundwater source. Meaning each aquifer in the Region. The text explains that this very preliminary because there is no historical background to the water levels in these wells. It will take a bit of time to gain enough annual measurements on just an annual basis to be able to determine a specific drought trigger. But it does identify as required in the Water Development Board guidelines.

We also have a statement in the plan that says the entities that are responsible for developing responses when a water level drops varies from Groundwater Conservation District's and County Commissioner's Courts as PWPG had requested.

Jerry Simpton commented that in the City of Del Rio that they would use the City rather than the County, he believes that they should govern.

Jon Letz said that what was done basically the minimum requirement to meet Senate Bill 1. As an example of the Trinity...I mean we don't have enough information or time to go through and establish drought triggers that are useful to any city, county and region as a whole for that matter.

PWPG has met the requirement for the plan. There is one well for the Trinity in Kerr and Bandera County. One well identified in Bandera County and clearly that is not a sufficient to give any real assistance for monitoring or being a true drought trigger in the future. But the idea is that PWPG had to meet the requirement for the plan. PWPG will build on that existing concept in the next planning phase.

John Ashworth reminded the Board that this is an important function and currently there is not sufficient time in this initial planning period to accomplish what should be done. John further advised that in the next five year period that drought trigger project be one of the more important aspects that is reviewed and worked up.

Jon Letz requested a motion. Cameron Cornett made the motion; Jim Brown seconded the motion to approve/adopt the addition of the Drought Trigger Tables as presented. Motion carried unanimously.

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Tape 1 of 1 Tape

Item #9 Consider and Discuss Acceptance /Adoption of the Del Rio Study and the Lower Trinity Study Report.

Jon Letz said that PWPG discussed the acceptance/adoption of the Del Rio Study and the Lower Trinity Study Report at the meeting. Jon further stated that we now need to formally accept those reports since they were the Appendices to the Final Plan. They need to be formally accepted by the Board.

Zach Davis moved to accept/adopt the Del Rio Study and the Lower Trinity Study for the Final Plan. Jim Brown seconded the motion. The Motion was unanimously accepted

Cameron Cornett: And also on the Drought Triggers did you include the wording, 'not only that adequate wells were not available; but these wells that we are looking at may be influenced by surrounding wells'?

Item#10 Consider and Discuss Modifications to Final Regional Water Plan.

Cameron Cornett stated that the Technical Committee had three recommended strategies that were requested to be removed as follows:

- a) One – 133-12 UGRA requested removal due to insufficient stream flow.
- b) Second – 133-02 Kerrville deleting the section pertaining to the purchases of surface of water from UGRA. UGRA will stand.
- c) Third- 133-03 City of Kerrville. Deleting that entire strategy. To be discussed in the text.
- d) Fourth - 193-02, City of Leaky. Ask for deletion of that strategy.
- e) Fifth – Recommended Strategy 10-5 the ASR Project for Bandera County and (David, you weren't present but one of the things that was brought up is that we have two locations situated and Texas Water Development Board requested specific studies and Specific sites. What we did is deleted that strategy and talk about it in the text and request further study in the next round of planning.)
- f) Sixth: - We also had down to 'beef up' Section 5.3 Regional Strategies particularly under brush management.

We received no endorsement; one of the proposals was to put a picture of a bass on the cover of the report. There was no endorsement for that, so it did not come forward.

Jim Brown: I think it was a lot less than no endorsement. I think with ladies present, it would be difficult to explain the conversation but we decided we didn't want it.

Jon Letz requested to go back and expand on a couple of the points that Cameron mentioned:

- a) "133-12 was the stream flow, that was the reservoir on Johnson Creek. There just isn't enough water in Johnson Creek to put a reservoir. That is why UGRA requested that that be deleted.
- b) On the purchase of surface water from the City of Kerrville It was listed as purchase of surface GBRA/UGRA and felt that any water purchase is going to come from UGRA. It is not possible there is no way to get it from GBRA up here.
- c) 133-3 was option on reservoir that City of Kerrville had. That was deleted because that reservoir site is now in a subdivision. The economics of it would be prohibitive now.
- d) 193-02 City of Leaky. They are going to use well water. They have no plans to go to surface water, only well water. It is questionable whether it is ground or surface water.
- e) The other comment Cameron made, he talked about expanding the regional strategies. We had a long discussion at the Technical Committee meeting because the regional strategies that we had such as brush management, rain harvesting, things of that nature don't fit into a table that is an important table, which is a required table by the Texas Water Development Board. But since it didn't fit the form of that table we wanted to make sure that that information wasn't lost because we put a lot of important thought into these regional strategies and that John has really emphasized a little bit more in the text since these are important to us and we would like at some later point request funding from legislature. And simply because the fact that they were not in that table does not mean not mean that we don't consider them strategies for the region."

Does anyone else have any comments or questions related to any changes? If not then we need a motion to approve the modifications to the final draft.

Cameron Cornet moved to approve the modifications to the Final Regional Water Plan as presented. Ronnie Pace seconded the motion.

Bracketville

January 02, 2001

Tape 1 of 1 Tape

Jerry Simpton asked John Ashworth about the deadline for delivery of the Final Plan to the Water Development Board?

John Ashworth replied that the deadline to the Water Development Board is Friday, January 5, 2001. They require nine hard copies plus one camera-ready copy plus an electronic copy that is not "read only". It has to be a manipulatable type electronic file. That is our first major deadline is to have everything cleaned up and make sure that those copies are in their office by Friday. Then after that in very short order, I would say within the next week we will have delivered the remaining copies for everyone else.

Discussion ensued about the type of copies to be completed, the number of copies of each different form of copy and the pricing.

Jonathan Letz called for a motion to adopt the Final Regional Water Plan. Cameron Cornett moved to accept the Final Regional Water Plan and a second was made by Howard Jackson. The motion was carried unanimously.

Item #12 Consider and Discuss the Charge for Copies of the Final Regional Water Plan.

A lengthy discussion followed the announcement of Item #12. Many factors were discussed including how the Plan might be sold; the main part only, the main part plus both studies or just one of the studies depending upon the consumers interest along with the estimated cost of the mailing for each request.

Jon Letz called for an amended motion to set the prices as further discussed. The motion was made by Henry Garcia and seconded by Zach Davis to set the prices as follows:

- a) The Final Plan with the appendices = \$50.00
That does not include the Lower Trinity Study or
The Del Rio Study.
- b) The Lower Trinity Study = \$25.00
The Del Rio Study = \$25.00
- c) CD of the Final Plan Appendices and both
Studies = \$25.00

Various members of the Board discussed the distribution of the printed Final Regional Water Plan as well as the legal requirements of the distribution to various entities.

Jon Letz stated that a cover letter would be placed with each mailing to inform the recipient to contact the Administrative Assistant for people who want additional copies.

Deborah Reyes stated that the cost of printing the Final Regional Plan is paid for out of the interim funding.

Jon Letz called for a motion. Howard Jackson made the motion and Jim Brown seconded the motion to authorize the consultants to proceed as follows:

- a) make 100 copies of the Final Plan and Appendices;
- b) 100 copies of the CDs and;
- c) 75 copies of each Study.

The vote to carry the motion was unanimously approved.

Plateau Water Planning Group
February 01, 2001
Leakey
Tape 1 /sides 1 & 2

**PLATEAU WATER PLANNING GROUP
FEBRUARY 01, 2001
LEAKEY**

Minutes

Present

Jonathan Letz, Kerr County
John Junker, Bandera County
Cameron Cornett, Representing Water Districts
Bill McCrae, Municipalities
Howard Jackson, City of Kerrville
Jerry Simpton, Del Rio
Tommy Qualia, Del Rio
John Mohar, Bandera County
Ronnie Pace, Kerr County
Dick Luebke, Texas Parks & Wildlife
O.J. Erlund, Water Utilities
Glenda Mercier, Freese & Nichols
Jim Brown, River Authorities
Deborah Reyes, Texas Water Development Board
Roger _____, Texas Department of Agriculture
John Ashworth, LBG Guyton
Boyd, Campsey, Springhills

Absent:

Item #1 Call to Order, roll Call, Certification of Quorum and Compliance with Texas Open Meetings Act.

Jonathan Letz called the meeting to order on February 02, 2001 and announced that the meeting was posted and that a quorum was present. The Group was in compliance with the Open Meetings Act.

Item #2 Approval of Minutes.

The minutes from the last meeting have not been received.

Item #3 Public Comment.

No Public Comment.

Item #4 reports from Chairmen.

Jon Letz: reported that there was a meeting scheduled in Austin last Friday to meet with Andy Jackson and Craig Peterson and a Board member from each of their respective Boards concerning Parks & Wildlife comment. Most of comments were met with displeasure in most of the regions. That meeting was cancelled and was rescheduled for 11:00 a.m. on Tuesday.

Jon Letz further announced that the Senate Natural Resources Committee would meet at 2:00 p.m. to discuss Senate Bill 1, Regional Water Planning, and February 06, 2001. Also the House Natural Resources Committee will meet February 7, 2:00 p.m. to discuss the same topic. Anyone who would like to attend those meetings is welcome.

Jim Brown had two reports. First report was that UGRA for the record, posted requests or RFPs in the 'Austin American Statesman', 'San Antonio Express News', 'Kerrville Daily Times'. All of this was completed in accordance with the UGRA's professional selection process. Second report was that UGRA had completed paying LBG Guyton Associates all of the funds that they were entitled to from the Grant from the Water Development Board. Remaining funds are \$245.90. Most of that is derived from the interest earnings that we gained through investment in Tex-Pool.

John Junker stated the register report. One of the transaction activities was four checks that were written the 8th of January, they are as follows:

Merritt Personnel Services	\$675.00
Karen Letz, Administrative Services	\$97.50
Karen Letz, Reimbursement	\$70.20
So-Fast Printing, copies	\$23.60

The balance as of the 8th of January of \$20,742.50.

Jim Brown reported to Mr. Junker, that he had statements in route for the publication of the notices in the Austin, San Antonio and Kerrville papers. The approximate amount of \$500 dollars was estimated for the publications.

Cameron Cornett acknowledged and commended Karen Letz for her gracious contributions of labor to the tasks at hand, which far exceeded her requests for reimbursement. Cameron also thanked Karen for being so readily available to assist with any of the work that needed to be accomplished. Always cheerfully keeping the workload progressing on time. Great work, Karen well done!!

Jon Letz then called for Liaison Reports....Agriculture?...Parks & Wildlife?...Texas Water Development Board?

Deborah Reyes responded that yes, she had a great amount to report. Which follows.

First were announcements of deadline dates on the schedule as a reminder. The following dates were noted:

- 1) 01 February – Legislative Summary from the Water Development Board. This summary was put together by the TWDB Staff compiled from the recommendations that each of 16 Planning Regions had included in their Regional Water Plans. This was presented to the Governor and the Lt. Governor along with other Legislative members.
- 2) Interim Project applications for funding from Texas Water Development board are due February 16th.
- 3) Funding applications to get funds to develop The Scope of Work will be due to the Water Development Board on May 1st.
- 4) TWDB has the review of the Final Plan, this is now underway. TWDB is laying out a process for getting the State Water Plan completed by January 2002.

Deborah Reyes continued to inform the PWPG members of other situations and events. Some important issues to be noted are listed below as Deborah relayed them to the PWPG members:

- a) Deborah first mentioned the Public Hearing on Rules Language. Deborah further stated that both John Ashworth and Glenda Mercier did participate. John Ashworth along with some of the Other folks provided testimony. Deborah reminded everyone that this will not be the last time comments will be requested. PWPG members were strongly encouraged to participate. This is the opportunity to make your wishes known very specifically.
- b) Final Plans from the regions are expected to have been reviewed by the end of February 2001. Priority of the review is to determine that the comments addressed in the plan meet statutory, regulatory and contractual compliance. If there is a major issue the Region will be contacted right away.
- c) Last comment Deborah mentioned is that the money available for the first biennium and the first year of the planning cycle. The total from all of the Regions from their wish lists were \$33 million dollars for the entire state. This is about 50% increase over the first planning cycle.

- i) Money available right now at the TWDB which came from appropriation from current biennium is \$2.4 million. That is to get us through the fiscal year/01.
- ii) For fiscal year/02 ...has not be appropriated.
- iii) TWDB is anticipating \$5.7 million dollars to go to the planning regions.
- iii) There is no speculation for the second biennium which would cover the last Two years of the planning cycle.

There was considerable discussion about the funding process between Deborah Reyes and the PWPG members. Understanding that TWDB does not control the amount of the funds appropriated versus what amount was submitted as a request by all of the Regions was the final discussion.

Cameron Cornett asked Deborah about the status of the request for covering administrative costs?

Deborah Reyes answered that it is in the proposed rule changes. However, the change is not for 100% Administrative Expenses; but reimbursement for travel, getting copies of materials for meetings to all the planning board members, for translation and for Public Notices ... all of these items mentioned are just related to the Public Hearings, not regular meetings.

Furthermore Deborah relayed that one other region felt so strongly about this issue that they are planning to lobby their legislators specifically on the Administrative Funding issue. They feel that the State should pay 100% for Senate Bill 1 since the State is requiring it.

The subject of census numbers was surfaced by Jon Letz and Cameron Cornett pointing out the great variances between the census numbers provided by TWDB and the actual increase in population that is obviously evident which gives a not so accurate picture in the analysis.

Jim Brown pointed out that it is not so much the numbers but the methodology that the TWDB utilized to develop those numbers and expand them out over the 20-year time frame. It is the growth rate that we had problems with.

February 01, 2001

Leakey

Tape 1

Deborah Reyes stated that when the new census numbers are available to the TWDB that it is expected that the regions will have time to submit their input as the methods are developed. It is the intent of the TWDB to involve all the regions.

John Ashworth brought up the question regarding the scope of work. Since it is tied very closely with the budget and PWPG will not know what the budget is for the last two years, how do we handle the Scope in relationship to these last two years?

Deborah Reyes responded that it would be only by speculation that she could answer. Remembering the way it was calculated in the first go-around was that a budget was presented for entire project. (Also remembering that planning groups crossed the biennium then requested another appropriation). It is not clear that if TWDB will handle the funding that way again or if they are looking at staging the funding. This was addressed contractually.

Jon Letz then stated that Item #5 will be moved to the last Agenda Item in order for Mr. Mohar to participate in accepting the resignation he has submitted.

The other change is the request from Glenda and this to move Item#11 to precede Item #9. That is from Item#8..

Item#6 Consider and Discuss the (ROLLS ALL THE WORDS TOGETHER CANNOT DISTINGUISH) to Fill the Vacancy of PWPG of Public Interest of Val Verde County.

Jon Letz asked Jerry Simpton to lead on the subject.

Jerry Simpton recommended and moved that the Region accept the recommendation PWPG appoint Tommy Qualia as Public Interest Representative. Tommy has experience as a Manager of the _____ Irrigation Company. It has the largest water rights, about 5,000 acres worth. He is a farmer and business person and has manager the Irrigation Company for ten years.

Cameron Cornett made a motion that PWPG accept Tommy Qualia for membership to the Region.

Jon Letz stated that he had a motion from Cameron Cornett and a second from Jim Brown to accept the nomination of Tommy Qualia to fill Public Interest vacancy of Val Verde County.

Any further discussion. All in favor say, 'Aye'. In unison response of 'Aye'. The motion carried unanimously.

Jon Letz welcomed Tommy Qualia and thanked him for this interest in the Planning Group.

Item #7 Consider and Discuss Reimbursement of Printing Costs for Extra Regional Water Plan.

I talked with John Ashworth about this and under our contract, he was required to prepare a certain number of comments that were required by law. And you will recall at our last meeting we requested or directed him to make an additional 'x' number probably 20 or something that we could sell later on.

Cameron Cornett made the motion that Plateau Water Planning Group reimburse the Consultants for the extra printing costs.

Jim Brown had a point of information to question is that reimbursement out of PWPG Administrative Funds or Grant Funds?

Jon Letz stated that the funds were from the Administrative Funds.

Jon Letz stated that a motion from Cameron Cornett and a second from Ronnie Pace to reimburse consultants for the printing costs of the additional copies requested by PWPG and the funds will come from Administrative Funds.

John Ashworth answered the question of how much would this cost. Estimated actual costs were running somewhere between \$40 and \$50 dollars per hard copy and about \$10 per CD. So it would be approximately \$1500.

Cameron Cornett asked whom do we make our checks out to? Do we contact you?

Jon Letz answered that checks will be made to Plateau Water Planning Group and that Karen Letz would give information regarding the copies and prices.

Jon Letz stated that all copies have been mailed out. PWPG Board members first. All entities helped fund the Plan will receive a free copy. Some cities will get copies such as Bracketville, Rocksprings, and Del Rio, City of Kerrville. They are all getting copies of the plans. Some have been mailed and some have not. And then the Library will be getting the plans. And as we decided at the last meeting five (5) to Val Verde and five (5) Kerr and then two (2) to all the other Public Libraries.

Item#9 Consider and Discuss Hiring Consultants for the Interim Project.

Jon Letz requested that Cameron Cornett report on the recommendation from the Technical Committee regarding the Interim Project.

Cameron Cornett said that the Technical Committee had a recommendation to hire John Ashworth of LBG Guyton & Associates as a lay consultant and basically retaining Glenda Mercier of Freese and Nichols Associates as the secondary consultant for Surface

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Water for development for approval of the Interim Project and development of the next Scope of Work.

Furthermore, Cameron made a motion that Plateau Water Planning Group retain LBG Guyton & Associates along with Freese & Nichols for the Interim and the next development of Scope of Work.

Bill McCrae seconded the motion.

Jon Letz stated that a motion was made by Cameron Cornett and second from Bill McCrae to hire as our consultant team who will be led by LBG Guyton & Associates with Freese & Nichols providing engineering work. They will be hired for both the interim and the development of the next Scope of Work.

Jon Letz requested any further discussion. None. All in favor say, 'Aye'. In unison 'Aye'. The motion carried unanimously.

Jim Brown requested for the record show that he did abstain from voting because he will be contracting with the entities.

Item #8 Consider and Discuss Approval of Interim Project.

Jon Letz asked both Cameron Cornett or John Ashworth to present the Interim Projects.

John Ashworth stated he had developed a preliminary budget for the groundwater-monitoring portion of this project. John went over the budget with the Technical Committee breaking it down between the drilling and completion of wells and the installation of instrumentation for a total of 20 wells to be put into the appropriate aquifers. In the counties of Bandera, Kerr, Kinney and Val Verde with a maximum cost of \$284,100. That is assuming 20 wells would actually have to be drilled and completed. It would end up costing less than that if existing wells were located that we could put the instrumentation in.

Ronnie Pace asked if is there an issue using existing wells?

Jon Letz said that you can use existing wells, they have to be in the right location and we have to have enough data on the drilling of it to know how it was drilled, how it was cemented, it has to be bit logged or cable logged, so there are a lot of questions. Also the owner would need to understand that this is a long-term commitment (approximately 5 years) for the Water District to collect the monitoring data. If the existing well meets all the criteria, yes it would be great and PWPG could save about \$13,000.

John Ashworth said that is the description of the Groundwater Monitoring and Glenda has the description of the second project.

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Glenda Mercier introduced the description of the Surface Water Project. The objective of the Surface Water Project is to use the water availability model in an orderly progression methodology. This methodology has been worked out to identify those water rights that are senior priority and also reliable at the diversion point of the Kerr County entity that want to utilize that right.

Glenda noted that in her previous estimate she had inadvertently omitted the printing costs for reports not knowing how many reports or studies would be required.

Jon Letz requested a motion to approve the two interim projects as outlined.

Ronnie Pace made a motion to approve the interim two projects as outlined.

Cameron Cornett seconded the motion.

Jon Letz stated that a motion from Ronnie Pace and a second from Cameron Cornett to approve the two interim projects as outlined. The evaluation wells amount to \$284,100 and the surface water module \$27,300.

John Ashworth stated that he and Glenda would proceed to write the proposal and formalize the wording. John further asked if the Plateau Water Planning Group wants the final product to come back to the Technical Committee or just straight back to Jim Brown?

Jon Letz requested that the consultants proof it first, then PWPG can get down to the contracting part. All in favor, 'Aye'

In unison the participants responded 'Aye'

Jon Letz said there is a Unanimous acceptance.

Item #9 Consider and Discuss Authorizing UGRA to Submit Application for Financial Assistance to TWDB for Fund Interim Project.

Jon Letz said that and at the same time....

Item #10 Consider and Discuss Authorizing UGRA to Contract with TWDB for PWPG for Interim Project Funding.

Jon Letz commented that both Agenda Items were similar; however to meet compliance he has requested the Planning Group to consider both at this time.

Deborah Reyes expressed her thanks.

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Jon Letz further commented that essentially, ...the next Agenda Item is related ...

Item #11 Consider and Discuss Authorizing UGRA to Contract with Selected Consultants with PWPG for Interim Contract.

These are all related to the same thing; however, it will take three motions to accomplish

...

Jim Brown stated that yes, it will take three.

Jon Letz at this time did turn this over the meeting to our Political Entity to walk the Plateau Group through this.

Jim Brown stated first with Agenda Item #9 Consider and Discuss the Authorization of UGRA to submit an Application for Financial Assistance for two projects.

What Jim Brown requested was to now perfect an application that will consist of the RFPs and some other language that will be submitted with a budget to the Texas Water Development Board. This application must be submitted on or before the 16th of February. Then on or before the 19th I will publish the notice. The notice has been filed on behalf of PWPG has filed for Grant Funds. A notice that we have applied will also be mailed to appropriate persons.

Cameron Cornett made the motion.

O.J. Erlund seconded the motion.

Jon Letz stated that we have a motion from Cameron Cornett and a second from O.J. Erlund to submit an application for the two interim projects of monitoring wells \$284,100 and the surface water availability for \$27,300 for a total of \$311,400.

Jon Letz called for further discussion? None. All in favor say, 'Aye'. Any opposed. None.

The Motion was carried unanimously.

Jim Brown said that the next Agenda Item #10, subsequent to submitting the application then the Water Development Board what they consider is their acceptable budget and plan along with a contract that UGRA then will negotiate with the Water Development Board for funding.

What Jim is asking the Planning Group to do is to authorize Jim Brown as representative of UGRA at 1) after TWDB makes that offer after we telephonically or maybe E-mail that Jim Brown have the authority after PWPG and Jim agree in some consensus or at least in some sort of principal that PWPG will either accept what PWPG is offered, or if they offer less than what PWPG wants and allow Jim Brown (UGRA) to go forward with

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negotiation and try to bring that in resolution. If we don't do that then PWPG and UGRA going to have to come back and have a special Board meeting. So, Jim Brown (UGRA) is trying to avoid that by seeking PWPG's authorization.

Jerry Simpton stated that he wanted to put that into a form of a motion that PWPG authorizes Jim Brown (UGRA) to negotiate and contract up to the amount of \$311,000 that that be cleared with the Executive Committee for consultation for final approval.

Cameron Cornett seconded the motion.

Jon Letz stated that there has been a motion and second. Is there any further discussion? All in favor say, "Aye". In unison 'Aye'. Any opposed. The motion carried unanimously.

Jim Brown presented Agenda Item #11 to discuss the hiring of Consultants for the Interim Projects. Again, the UGRA will develop contract relationship with the LBG Guyton and Freese & Nichols will be sub-contracting through Guyton. There will be only one contract and it will be with Guyton & Associates. Again, Jim Brown (UGRA) needs PWPG/s authorization to go forward and do that.

Cameron Cornett made the motion as stated. moved.

Jerry Simpton seconded the motion.

Jon Letz stated that the motion had been made and seconded to authorize UGRA to proceed with contract negotiations with LBG Guyton and Associates, the lead consultant.

Tape 1/Side 2 ends

PLATEAU WATER PLANNING GROUP
April 11, 2001
DEL RIO

Minutes

Present:

Jonathan Letz, Chairman, Kerr County
Zach Davis, Kinney County
Jerry Simpton, Val Verde County
Tulley Shahan, Kinney County
John Ashworth, LBG Guyton Associates
Bill McCrae, Municipalities
Ronnie Pace, Kerr County
Jim Brown, Upper Guadalupe River Authority
Jorje Arroyo , Texas Water Development Board
Rima Petrossian, Texas Water Development Board
Cameron Cornett, Water Districts
David Shepard, Bandera County
Hugh Coates, Kinney County
Howard Jackson, Kerrville
Dick Luebke, Texas Parks & Wildlife
Otilia Gonzales, Val Verde County
Alejandro Garcia, Val Verde County

Guest:

Brad Cross, new member of LBG Guyton Associates
(Former employee of TNRCC)

Absent:

John Junker, Bandera County

Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meeting Act.

Jon Letz: This is the regular meeting of the Plateau Water Planning Group, April 11, 2001, 12:44p.m. We have a quorum and we are in compliance with the Texas Open Meetings Act.

Item #2 Public Comment.

None.

Item #3 Approval of Minutes.

Jon Letz announced that there were minutes for the PWPG for three meetings as follows:

November 9th 2001 = No one had any changes to request. Accepted as they were submitted.

January 2nd 2001 = Ronnie Pace stated his name was not 'Bryan', so replace 'Bryan' with Ronnie Pace.

February 1st 2001 = A blank was left in the minutes on Page 1 for the name of the representative of Texas Department of Agriculture. It was agreed to fill in the blank with the following:

'Representative from Texas Department of Agriculture'

On Page 5 of February minutes the name of the Irrigation Company was blank. The correct name to fill in is as follows:

'San Felipe Irrigation Company'.

Ronnie Pace requested a motion to approve the minutes as corrected with the changes written in.

Jim Brown made the motion to accept the changes as stated above. Cameron Cornett seconded the motion. The motion carried unanimously.

Item #4 Reports from Chairmen.

Jon Letz reported that there had been two Chair Meetings in Austin with all regional Chairs. The first one was with Andy Sansom, Texas Parks & Wildlife and the purpose of that meeting was to discuss and review the letter that was sent to all the regions regarding the letter sent out under Mr. Sansom's signature. The letter was critical of all of the regions planning efforts.

Mr. Sansom brought Mark Watson, one of the Commissioners with him to this meeting.

Andy Sansom took responsibility for the letter; however in retrospect he stated that he would have worded the letter differently. Next planning phase Mr. Sansom indicated that there would be a lot more involvement of the Texas Parks & Wildlife with the regions.

Del Rio

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The second meeting Andy Sansom brought along Carolyn Brittain as representative of TNRCC on their behalf. One of TNRCC's Board Members or commissioners was present also. The meeting purpose was similar to the first meeting of the Chairs in that discussion involved future involvement of representatives from TNRCC as well.

There was a lot of criticism from TNRCC to all the regions that they did not have a lot of background as to how to implement and who was going to handle all of the permitting that is required for reservoirs and ASR wells.

Basically all of the Chairs were unified in their response to say, 'That is not one of our jobs to do that'.

These were two very good meetings. There were several members of Craig Peterson's office, Manager & Director of the Texas Water Development Board along with some of their staff.

First and Second Meeting Lee Bass was also present. With ranking members of these agencies present at the meetings it was very clear that these agencies are very committed to the process.

Dick Luebke gave a recap of the meetings stating much the same observation that Jon Letz gave.

Dick Luebke also reported that the Rio Grande no longer reaches the Gulf of Mexico. The first time in history the mouth of the Rio Grande is now comprised of dry ground. Interestingly enough historical accounts of the River are that you could not shoot a musket ball across the mouth of the river because it was too wide. The River used to be about 30 feet deep for the width of the River. Now it is not there anymore.

Lengthy discussion continued about the cause and that related to the infestation of hydrilla, water hyacinths, zebra mussels and Salvinia which may have contributed to the evapotranspiration of some of the water. The importation of exotic water plants to some water plant dealers has caused much concern about the process of evapotranspiration. This process happens when there are large bodies of these plants, which cause excessive evaporation from the body of water where they are growing. These types of plants are water wasters.

Jon Letz inquired if there was anything that the Texas Water Development Board representatives would like to relay at this time for Liaison Report.

. . . . Further detailed discussion requested to be inputted into the minutes verbatim.

Cameron Cornett: Mr. Chairman, I have another question for Dick. You said that Texas Parks & Wildlife, you all had discussions and meetings within your organization as to each or your participation. And what your roles would be. Could you clarify that for

me, I just want to make certain we don't get another ugly letter at the end of the next process.

Dick Luebke: The ugly letter I think you are referring to, Cameron, because I don't know what the relationship between that and our direction as an Agency. Based on the meetings that we have had I think was happening within the Parks & Wildlife Department different. Different representatives from sixteen different regions were given different instructions depending on which division. For example I'm from Fishery Division. We have three or four people from my division who serve on various regional water planning groups. We have representatives got Wildlife Division, we have got representatives from Coastal Fisheries Division, representatives from Resources Protection Division and because of the organizations that we have, I am getting my information from my division. And the other folks are getting their information from their division. When we have opportunity to compare notes and see, 'O.K. what were you told'? As compared to what other folks were told. We basically had different direction given to us and as a result you can expect to be differences in participation. Of course the other thing is that each every regional water planning group reacts and behaves and does different things. What we wanted to make sure that everybody had a clear understanding that this high priority, this is extremely important to natural resources. Do everything that everybody and every regional water planning group do everything they cant o provide information, feedback, answer questions do whatever they possibly can to help the process. In other words, don't hold back; don't avoid things; but rather be willing to get into the middle of things. That is essentially what it was.

Cameron Cornett: So, you all pull more participation this next round of planning.

Jon Letz: I think to just follow-up on a little bit on your question. The two topics that we discussed in those Chair's Meetings was the most was unique stream segments and the consensus from the Chair's was that no one knew what that meant. Therefore, no one was going to pursue it because they didn't know how that information was going to be used. And we spent entirely too much time on that one topic with Andy Sansom. And I think it was very hard for him to understand or I guess we heard it enough was by the end of it. The reasons don't trust Parks & Wildlife is the bottom line. We aren't going to designate something until we know how that designation is going to be used. Or at least we are not going to recommend it and we being basically the citizens that make up all different planning regions.

So, there is a real trust issue as to how that information is going to be used and until that was clearly defined and very explicitly defined there wasn't going to be much progress made on that one topic. They are looking at possibly redefining that or looking at that legislatively or rule-wise as to try to get that to the comfort level to the regions.

The other areas all regions were criticized were the lack of environmental studies in the rivers based on surface water strategies. I think the answer back to Parks & Wildlife

from the Chairs was that we don't have the funds or expertise to do that. And if Parks & Wildlife want all these studies done, then Parks & Wildlife needs to those studies. We are not going to take it when we have a very limited budget to turn over to the Texas Water Development Board. We are not going to put that as our highest priority. If Parks & Wildlife thinks that is a priority, they need to fund it. And that is kind of the words that went back to Andy Sansom. And I don't know where that is going to end up in the rule process or budget process?

Jorje Arroyo: Actually that is an amendment to the Section first and then consequently the rules.

Jon Letz: I think that regions were very unified in this direction to Mr. Sansom was basically the direction why the problems they criticized were there.

Cameron Cornett: I would just like to be able to 'curb' it before it starts the next round.

Jon Letz: I think we are started in that direction to try to fix the problem. We will find out after the rules have been re-written if the problem has been fixed.

Report from Texas Water Development Board, do you have anything other than later agenda items, Jorge or Raymond?

Jorge Arroyo: The reason Raymond and I are here is because Deborah Reyes has taken leave for a couple of months. She probably will be joining us maybe even next month. She is going to start coming in a little bit at a time. So, she will back. Meantime Raymond is going to be monitoring the group and the assisting directly. You can count on me as well.

In sense of what is going on at the Board. There is a lot going on, this legislative session is setting a record. It really has hit us pretty bad. At the same time we are reviewing plans and bringing the results of those to the regions. We are amending rules. We are starting with the Scope of Work for the next round of planning. We are implementing the GAM studies.

I know this is a pretty superficial report. I will be happy to take any questions and specifics you might have. Glad to be here though.

Rima: Deborah did send her greetings and wanted to tell you that Savannah, her daughter is doing just fine and she is very happy with being a 'Mom' right now.

Jim Brown: Rima, probably some of the folks here at the Board do not know about Savannah. I think we all knew that Savannah was coming as soon as we saw Deborah.

Rima: Oh. O.K.

Jim Brown: When was she born and how much does she weigh?

Rima: She was born February 22 and she weighs 7lbs and 9 oz. She is 20 inches long. And she is a cutie.

Jorje Arroyo: We had a conference call with Sam Beard in Region E and the card there and Jon was in her office and we were discussing the revision of Region E and she went to the hospital and had her baby.

Jim Brown: Well, she stayed for the conference anyway.

John Ashworth: She was squirming a little bit.

Cameron Cornett: I have a question for you Jorge, is Texas Water Development Board are they going to start getting their reviews out a little sooner so we don't have to go through the same gyrations the next time?

Jorje Arroyo: Sure.

Jon Letz: I think that is all you are going to get Cameron.

Jorje Arroyo: Well Cameron, I am assuming and correct me if I am wrong. I am assuming that you are talking about the review from your original plan before you adopt your original plan. This has been a very deliberate plan. As you all know we have been at this for three years, most of us. Some of you have been on it longer. And the adoption of the plan, well that is the completion of one phase. We are cautiously and best as we can moving on to the next the phase. We are doing the review of this plan. We need to feel out the Board, this meets the rules whether we like the rules or not. This meets the rules whether we recommend approval or not. At the same time we have to prepare the State Water Plan. We will be glad to entertain any suggestions that our customers have on how we might do the job better.

Cameron Cornett: I would think during the phases while we are adopting chapters that would be a more appropriate time to be getting back with us for comments.

Jorje Arroyo: That idea has been kicked around and has been given consideration. I think the problem that I think has not been solved, if we want to go that route, is the once we submit a chapter to the Board you need to have to have a Public Hearing. That is what the process calls for. So, we kind of made a compromise for that last run. We ask you to complete a chapter; you give us an advance copy. We provide you comments and then we check on that when you submit your initial prepared plan. We did that and we

did gain some of that because...to the extent that it was possible...we let you know where the major issues we were anticipating.

But officially we have to wait until you approved your initially prepared plan to give you the official comments on that regional planning document. So, you know its...we can always try to do it better. If you have any comments we can work with you on those.

Cameron Cornett: Very good politically correct answer.

Jim Brown: Is that on the record? Did your wife burn your toast this morning?

. . . . condensed minutes continue from here.

Jorge Arroyo, Texas Water Development Board, stated that he and Raymond would attend the Plateau Water Planning Group meetings representing Deborah Reyes until she returns from her leave of absence.

Jorge continued on that actions currently taking place at the TWDB are as follows:

- a) Legislative session has effected the TWDB in some negative ways;
- b) TWDB is reviewing Water Districts' Plans and then bringing the results to the individual regions.
- c) Rules are in process of being amended.
- d) TWDB is starting with the Scope of Work for the next round of planning.
- e) Currently implementing the GAM studies.

Jorge stated that this report is superficial; however he will answer any questions you have regarding these topics. He continued that he is glad to be present at this meeting.

Rima Petrossian followed up with greetings sent forward to PWPG and that daughter, Savannah is doing well and that Deborah is enjoying being a 'Mom'.

Discussion between Jorge and Cameron regarding the reviewing of chapters of the initial plan and approval process began. Cameron looking for more timely reviews to help expedite the final process for adoption and Jorge explaining how the process of review has to be followed according to the rules for approval. Main point being that if approval is granted by the TWDB then whatever document is approved must be placed before the general public as a Public Hearing. Going chapter by chapter that interpretation would exceptionally slow and not cost effective.

Jorge showed willingness for any constructive suggestions.

Item #5 Vacancy Due to Resignation of John Mohar.

Jon Letz announced he had received a letter of resignation from John Mohar. Jon further relayed that so far he had only one nomination. Jon continued that he had not had time before this meeting to discuss the matter with the Executive Committee. The interested person is a representative from Bandera County and his name is David Jeffers. David Jeffers is the new General Manager of Springhills Water Conservation District. Jon stated that he would like to submit David's name and at the same time he encouraged anyone else to supply a nominee if they so wished to fill the vacancy left by John Mohar.

Jim Brown came forward with a motion to nominate David Jeffers as the replacement for the vacancy in Bandera County. Cameron Cornett seconded the motion.

Jon Letz announced that the motion carried unanimously.

Item #6 consider and Discuss election of Officers and Executive Board for 2001.

Jon Letz stated that during earlier meetings because of pressing due dates for various actions the Planning Group responded to it was difficult to get a the By Law required 30-day notice so that an election officer for the year 2001 could be implemented. Continuing on Jon said that now is the time to accomplish this election of Officers for 2001.

Jon relayed that the officers could be voted in as a group or as individuals however the Plateau Water Planning Group preferred. Jon further stated that he was willing to serve as Chair again and he had contacted Jerry Simpton and he too had agreed to serve again. John Junker as Treasurer of the Finance Committee did defer to another candidate since it is difficult for him to be here all the time for signing of checks (he resides in Bandera County).

Jon spoke with Cameron Cornett who resides in Kerr County and he agreed to serve as candidate for Treasurer of the Finance Committee.

Zach Davis made a motion to elect the following Officers for the Plateau Water Planning Group:

Jonathan Letz, Chair
Jerry Simpton, Vice Chair
Ronnie Pace, Secretary
Cameron Cornett, Finance Committee/Treasurer

Jim Brown seconded the list above as elected officers for the PWPG.

Jon Letz stated that we had a unanimous acceptance of the motion and second for the officers of Plateau Water Planning Group.

Jon Letz stated that PWPG also has an Executive Board that includes the Officers just elected plus two members-at-large. One of those members has historically been the Treasurer. The other member-at-large the PWPG tries to get a person from the Western area geographic bounds.

Jim Brown nominated Alejandro Garcia, Del Rio, if he was interested.

Alejandro Garcia accepted the nomination.

Jerry Simpton made a motion that Alejandro Garcia be elected a member of the Executive Committee.

Zach Davis seconded that motion.

Jon Letz stated that a motion from Jerry Simpton and a second from Zach Davis voted Alejandro Garcia as a member-at-large to the Executive Committee. The Executive Committee now lists as follows:

Jim Brown, Representative of political entity
Alejandro Garcia, member-at-large
Cameron Cornett being the third member of the Executive Committee

The Executive Committee was elected unanimously.

Jon Letz stated that according to the By Laws Jim Brown is automatically a member of the Executive Committee being a representative of the political subdivision.

Jon stated that a vote is necessary if we have the Treasurer as a member. This is not a requirement; to have the Treasurer has been helpful to process some actions. This makes six members of the Executive Committee total.

Jerry Simpton followed with a motion to elect Cameron Cornett to the Executive Committee.

Bill McCrae seconded the motion.

Jon Letz announced that the motion had carried unanimously.

Item #7 Invoices for Administrative Services.

No action on this item at this time.

Item #8 Consider and Discuss the Review Received from the Texas Water Development Board on Submitted Regional Water Plan.

Jon Letz stated that the Plateau Water Planning Group has received the letter of review from the Texas Water Development Board. There are errors to correct, mostly clerical in nature; numbers being changed in the table and not in the text or visa-versa.

At this point to expedite the review Jon Letz turned the meeting over to Jorge Arroyo of the Texas Water Development Board.

Jorge pointed out that briefly a statewide perspective of the processing of these 16 water plans the state has received to review. After receiving 16 plans in January 2001, we started compiling the State Water for Texas Summary. By June 2001 we hope to bring all of the plans from the 16 regions to the Texas Water Board for consideration and approval.

Two of the plans are going to be recommended for approval. These two plans of the sixteen regions are the only two where there were no issues rule-related or conflicts. Those two regions are LaVaca/Navidad Group and the Panhandle Group.

Jorge presented the eight-key area that the Board has directed the review team to look into. These eight keys are as follows:

The first key issue is = we need to make sure that the Plan meets
The statute of the rules. If not, we cannot certify to our
Board and that is a requirement. This is the most important
one. All the comments and all the other stuff eventually
gets down to the supply meets the rules and statute.

The second key issues is = That we need to make sure that there is
Consistency between the water plans. Several regions are
sharing water resources; thus we need to make sure that
they are using the same numbers and if they are going to be
tapping into that water source that there is no conflict in
those numbers in those areas.

The third key issue is =That there is no inter-regional conflict. That
is a statutory requirement. We need to recommend approval
only if those plans that do not have inter-regional conflict. In
your case you are 'home free' on that one. We had some
coordination meetings with Region L and we took care of
those issues early on.

The fourth key issue is = That no water supply source has been over

allocated. We need to make sure that you are using a water source that it be based on the information available and accepted that that source is likely to be sufficient for uses that are being proposed.

The fifth key issue is = that those strategies where it applies, that you follow the environmental consensus criteria.

The sixth key issue is = that you determine the costs in a manner that is consistent with the contract requirements.

The seventh key issue is = That you address all the comments that you receive on your plan.

The eighth key issue is = That there is consistency between what you have in the text of the plan and what you have in the tables. The tables are what we are using; so, we want to make sure that the numbers that are sent out statewide are accurate and consistent.

Those are the general areas of review.

At this point, Jon Letz turned the meeting over to John Ashworth to proceed with the review of the corrections recommended by The Texas Water Development Board. These corrections were reviewed page-by-page. (*For detail discussed refer to verbatim minutes for Del Rio/April 11, 2001*).

After review of the detail Jon Letz asked Jorge Arroyo what kind of a vote does the Plateau Water Planning Group need to satisfy TWDB? Full Board have to vote each particular change completed or can that vote be delegated to the Executive Committee?

Jorge Arroyo replied that there is a practical way in which you can accomplish this process. The procedure suggested is as follows:

- a) Hear the information, get a sense of correction that is necessary;
- b) Give some guidance to the consultant so that the consultant can prepare an errata sheet;
- c) Authorize the consultant to meet with Texas Water Development Board; and
- d) After the meeting with the TWDB if there are no major differences or disagreement then the consultant can bring back the errata sheet to the Executive Committee and next to the full PWPG Board for final approval of the errata sheet. At this point the errata sheet can be submitted to the TWDB.

Jorge also warned that if the group creates an entire new water management strategy, the TWDB legal council will have a difficult endorsing an errata sheet for the full-blown process.

Jorge also noted that once the errata sheet has been approved it must be provided to all known recipients of the plan.

After detailed discussion page-by-page of the revisions needed for correction Jon Letz called for a motion.

Cameron Cornett made a motion to authorize the consultants to proceed with the preparation of the errata sheet per discussion of today's meeting. Ronnie Pace seconded the motion.

The motion carried unanimously.

Bill McCrae and John Ashworth had a discussion about the strategy for implementing the ASR well.

John Ashworth stated that the way the consultants are interpreting the comment the PWPG strategy is basically not removing more water; PWPG is just going to modify the water we are taking out at present. John Ashworth will also review this item with Glenda Mercier to confirm the interpretation.

Bill McCrae is satisfied with the response at this point.

Item #9 Consider and discuss Modifications of Interim Project and Commission of Same to Texas Water Development Board.

Jon Letz relayed that at the last meeting with UGRA, PWPG gave fairly broad authority to work on the Interim Project or negotiate this Interim Project. This action was good because a lot of changes occurred once we got to Texas Water Development Board.

Essentially PWPG requested a surface water study to look at water rights. We spent a lot of time on that issue because that whole project was wiped out pretty quickly. Jon Letz did not like that idea.

The next strategy PWPG were going to drill six wells for monitoring in Kerr County, six in Val Verde and two in Bandera County. That plan got set back to 2 wells in Kerr County, 2 wells in Bandera County. TWDB will not pay for the drilling and the completion plus the installation of the equipment in the wells.

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PWPG ended up getting at this point some equipment to put into two of the wells in Bandera County and some equipment in two wells in Kerr County. PWPG cannot drill any wells unless PWPG pays for the drilling.

Jim Brown added that the only reason TWDB approved the wells in Kerr and Bandera is because those are the only two Counties in our district that have an on-going Groundwater Conservation District. A portion of this contract is that after these wells are completed someone who has groundwater responsibility has to run the monitoring wells, so that is why the wells in the other counties were deleted.

Jon Letz requested of Cameron or Jorge to bring the group up to date on where PWPG is on the contract and the money?

Jim Brown offered that he had the contract and is working with Jorge on the restructuring the contract. Originally PWPG had requested \$133,000 which has been reduced to \$60,000 at Jorge's suggestion in order to get the contract approved by TWDB. This means no new wells drilled. This is a concern to PWPG because it is difficult to find two existing wells in Bandera County and two existing wells in Kerr County that measure up to the criteria needed to extract good results. The geology has to be specified and well-documented logs need to exist on the existing wells to make them good monitoring wells.

Jon Letz confirmed that Jim Brown on behalf of PWPG is proceeding with the contract. A request has gone forward to Springhills and Headwaters to see if they can find four wells in the two counties to match the necessary criteria for monitoring. Once PWPG receives the recommendations from the water districts the information will be brought back to Plateau Water Planning Group to consider and make a decision.

Jim Brown said he had received an E-Mail from Phyllis Tomlin advising that the maintenance agreement that is a separate document is not ready yet. Once that is completed the PWPG will have a review of it and then pass it on to Springhills and Headwaters because it commits these Water Districts to the maintenance and operation of these wells.

Discussion between Cameron Cornett and Jorge Arroyo regarding a phrase in the contract that reads 'unlimited rights' ensued. Discussion closed with the concept that they need to see the maintenance agreement and the wording in context prior to requesting any changes in language due to excessive legal costs for rewording documents.

Jon Letz requested a motion for continuation of negotiating the contract by UGRA with Texas Water Development Board due to the substantially different terms and conditions originally set forth.

Cameron Cornett made the motion and Zach Davis seconded the motion to offer UGRA to negotiate the contract with Texas Water Development Board along with the maintenance agreement subject to Springhills and Headwaters review of said agreement.

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Also to continue the funding to equip the two monitor wells in Bandera County and the two wells in Kerr County.

There was no further discussion. All participants approved the motion unanimously.

Item #10 Consider and Discuss Authorization to Submit Application for Financial Assistance to Prepare Scope of Work or Use of Alternative Funding.

Jon Letz clarified that this funding of the Scope of Work refers to Phase II planning. Jon asked the question, 'Is there a different way to fund the Scope of Work development than we originally used in the first place'?

Jorge Arroyo relayed that the process gives two options and it is pretty simple. Texas Water Development Board has come out with a request for application for a Scope of Work (S.O.W.) that is going to be \$10,000 for each region. The designated political subdivision can run the request on the behalf of PWPG. If this is the choice of the Plateau Water Planning Group this has to be accomplished by April 15th.

Jorge encouraged an optional plan that has been brought forward. PWPG rolls the S.O.W. as a 'task' into the funding application for the next plan. So, in the Scope of Work that PWPG sends Texas Water Development Board by August 8th, PWPG includes a task that says, 'Preparation of the Scope of work Limited to \$10,000'.

What PWPG will gain by this latter option are as follows:

- a) PWPG will not have to provide notice right now that you intend to apply.
- b) This non-action saves some money
- c) TWDB is speeding up the process revising the 355 Rules. This allows a little more flexibility in what kind of administrative costs we can pay for.

Jon Letz asked if PWPG will be reimbursed for the amount spent on this preparation of S.O.W.

Jorge responded that yes, up to the \$10,000.

John Ashworth mentioned that the group now pretty much knows the ropes, we will have new guidelines resulting from Senate Bill II. John stated that he had been giving some thought to the Scope in Process and the way John would like to see it happen is that we begin with a Regional Planning Group Workshop.

This process would be for everyone to go through the new Rules. Make sure everybody understands the new guidelines and come to an agreement on what PWPG wants to accomplish over the next five years. Then let the consultants put together a draft on paper. PWPG can do this for under the \$10,000.

Jorge pointed out he had not relayed to John Ashworth that one of the new timelines that TWDB has out for this process is that the regions are not to work on the Scope of Work until June 21st. The reason is that the legislative session will be over and by that time PWPG will have the new rules in place.

Jorge also stated that TWDB is preparing a guidance document for the Scope of Work, which will be distributed to all of the regions.

Jorge said that Craig Peterson and he are committed to the Agency to have a draft of the contract ready in time for the districts when they prepare their Scope of Work. Then they will have an idea of what going into the contract, which makes the procedure a little, more productive.

John Ashworth reminded PWPG participants that one of the difficulties of this Scope of Work is going to be the fact that PWPG participants are going to generate a Scope and Budget for five years.

PWPG is going to be assured of only the first two years. John encouraged the participants to keep in mind that during the scoping process we are going to be making some decisions what part of the five years scope we are going to want to get accomplished in the first two years.

Very technical conversation regarding the process of 'preparation' of working on the S.O.W. and how PWPG and UGRA are going to handle the contracting portion of this process. Persons involved in this conversation were Jon Letz, Ronnie Pace, Jorge Arroyo, Jim Brown, Cameron Cornett and Bill McCrae. (*Details of discussion can be viewed in the verbatim minutes on file for Del Rio, April 11, 2001*). Issues resolved with agreement of producing final document for contract to be reviewed by Jorge Arroyo.

Jon Letz stated that the group pretty much got into Agenda Item #11 with this discussion.

Item #11 Consider and Discuss the Development of the Scope of Work.

Jon Letz stressed the importance of this next meeting as being one of the most important meetings to attend for the next three or four years. What is in the Scope of Work is what this group does; if it is not in that scope of work that task will not be done. Make sure that nothing is left out of the scope of work that is crucial to PWPG goals.

Ronnie Pace that burning up time commented concern and not really giving the group the real benefit of what is expected might waste the next planned meeting in Bandera.

Jim Brown pointed out that Jonathan Letz had said that this would be a brainstorming session. Further clarifying that brainstorming does not have to fit the rules, which are not completed yet from the legislative session. This brainstorming session is for the

participants to assign priorities to what we want to look at in the following years. Once stated they can be placed in the Scope of Work to fit the new Rules.

The group agreed to meet May 10th in Bandera from 11:00 a.m. to 12:00 noon, break for lunch. Then the workshop from 1:00 p.m. to 3:00 p.m.

Jorge stated he would try to bring a rough draft of some of the guidelines for the districts to consider when creating their S.O.W. One of the most useful planning tools derived from this guideline that Jorge's committee is constructing is the timeline for the five year span.

John Ashworth will pursue a rough outline of a preliminary Scope of Work. John said he would look into the current proposed rules and unless there was anything major changed, John would set the outline.

Discussion between John Ashworth and Jim Brown surfaced the possible need to revise an already adopted plan prior to the five years, which would entail an additional Public Hearing. Comment was made that this consideration needs to be brought forward while writing the Scope of Work.

Item #12 consider and Discuss RFQ for the Next Planning Cycle and Approval of the Same.

Jon Letz stated this is really a 'no action' item.

Jim Brown clarified that UGRA did run the RFQ for the interim plan and S.O.W. and the new plan. These RFQs were run separately in accordance with the UGRA procurement policy.

Item #13 Consider and Discuss Comments on the Proposed Changes to TWDB.

Jorge Arroyo announced that the Rule Changes are a website, the main page. It is probably one of the first items. The changes have recently been elevated to the first page. Comments on the proposed rules are due, the deadline for that is May 7th.

Jon Letz encouraged everyone that has any comments be sure and respond before the due date. We will not be meeting prior to May 7th.

Item #14 Information Items.

Jerry Simpton relayed the fact that a new micro filtration plant along with underground water storage tanks has been implemented in Del Rio area. The cost of \$45 million.

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Some of the funds were grants, some loans from banks; some funded by local bonds and some by Texas Water Development Board (at 0 interest rate).

The project was lengthy and some waste was reported which was disturbing.

Jerry Simpton reported that some of the data that the regional plan processed was of value to the Val Verde community and municipality in developing and financing.

Jerry Simpton also appreciated the use of the video received to help educate the local people about wells. Prior to this video the information was not readily available and without valid information it is difficult to get people to come to a decision.

John Ashworth interjected that Brad Cross (new Guyton employee) previously from TNRCC has some very close ties with high-level staff people at EPA in Dallas. Brad is familiar with a lot of things that EPA can typically fund. Some of these concerns are an outgrowth of some problems that might surface during our regional planning process. For example if we determine that a community has a certain concern about their long-term water supply; potentially there is some additional funding that we might be able to access.

This does not mean that the funding is funded through the regional planning process; however, John thinks this is an opportunity for PWPG as a planning group to identify some problems out there. This links with the discussions with Del Rio. Part of what this monitoring wells in Val Verde was going to do on the interim was going to help Del Rio begin to determine how much pumpage they had to be concerned about upstream of the springs before the springs become effected and even their water wells. This may be a project that EPA might be interested in funding. John asked the group to keep this in mind.

Jim Brown announced that USGS is bringing in their big drilling rig sometime in the next 90-days. An underground water authority is paying for the relocation costs and move in costs.

George Ozuna is looking for some projects for that rig. So you might want to contact George, they are looking for local sponsors.

Jon Letz asked for any more informational comments?

One person in the audience commented that they have found that they could apply for an additional sum of money through the EPA like mentioned and have applied for an additional grant for about one million dollars to help their water treatment plant. This is in process and they hope to get their money within the next month or so. There are other sources of funding other than TWDB.

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Jerry Simpton pointed out that Texas Parks & Wildlife is saying to Val Verde County that they need to take care of the threatened minnow and get this done. However, Parks & Wildlife has not offered to come to the table and help us determine that. Val Verde needs their support.

Texas Water Development Board has elected not to provide the monitoring unit for Val Verde County to assist in long-term study to determine what the relationships are for the issues of how does the pumping effect the stream and the minnow, how does the rainfall effect the minnow, how does the stream flow effect the minnow in this area.

With this comment the meeting was adjourned.

PLATEAU WATER PLANNING GROUP
May 10, 2001
BANDERA

Minutes

Present:

Jonathan Letz, Kerr County
Ronnie Pace, Kerr County
Otilia Gonzales, Val Verde County
Rima Petrochian, Texas Water Development Board
Dick Luebke, Texas Parks & Wildlife
John Ashworth, LBG Guyton Associates
Howard Jackson, City of Kerrville
Jim Brown, Upper Guadalupe River Authority
Zach Davis, Kinney County
Tulley Shahan, Kinney County
(Extra loud tearing noise on tape blocks out several persons on roll call)
Deborah Reyes, Texas Water Development Board
Raymond _____, Texas Water Development Board
Ruby _____,
Bill McCrae, City of Kerrville

Guest:

Lennie Stein, City of Bandera

Absent:

Cameron Cornett, Headwaters Underground Water Conservation District

Item #1 Call to Order, roll call, Certification of Quorum and Compliance with Texas Open Meeting Act.

Jon Letz: Called the meeting to order on May 10, 2001 at 10:47 a.m. at Bandera. A quorum is present. We are in compliance with the Texas Open Meeting Act.

Item #2 Public Comments.

Jon Letz: Requested any Public Comments.
None.

Item #3 Approval of Minutes

Jon Letz commented that the minutes from the last meeting had just been received and that the minutes would be mailed out early next week.

Jon Letz for Cameron Cornett who attended a meeting in Austin gave the only other report. Cameron's report for the Finance Committee was to give the current statement balance from the most recent bank statement is \$19,913.99 as of April 30th.

Discussion between Jim Brown and Jon Letz resulted in the conclusion that a check was to be written from the PWPG account for LBG Guyton. The check is to be written and mailed by May 14th.

Item #4 Reports from Chairmen.

Jon Letz called for reports. Deborah Reyes from Texas Water Development Board stated that this was to be her last meeting in the capacity of Project Manager for Region J. She has been promoted to a position within the Water Development Board in the office of Project Planning and Construction.

Furthermore Deborah relayed that Rima is in the process of hiring someone for the Project Manager position for Region J. Rima will continue to fill the position until a person is hired.

Congratulations were offered by all attending and stated that they wish her the best; however they will miss her. Deborah encouraged visits when they come to Austin.

Jim Brown asked Rima what the status was on the guidelines being created by Water Development Board. The TWDB has just begun the rough draft. Rima was unsure how long the process will take since they had just received the material; however it should be ready by July 18th in time for contracts.

Item #5 Consider and Discuss the Resignation of O.J. Erlund.

Jon Letz announced that he had received a resignation request from Mr. Erlund. O.J. Erlund stated that he felt that he no longer represented the interests of the water utilities and that this seemed to be a right time to resign at the beginning of the new phase for planning.

Jim Brown moved that PWPG accept the resignation of O.J. Erlund and Howard Jackson seconded the motion. There being no further discussion, a vote was called.

The board members responded with an 'Aye' in unison. There being no further opposition the motion carried unanimously.

One recommendation was submitted and the formal process for accepting further nominations was implemented. Jim Brown requested a resume for the one recommendation. It would be most helpful for the board members for the new representative to replace O.J. Erlund for that individual to have an understanding of the water utility for future considerations for nomination.

Item #6 Consider and Discuss the Approval of Comments from Texas Water Development board Submitted on the Regional Water Plan and Approval of Errata Sheet to be Submitted with the Regional Water Plan.

Jon Letz turned the meeting over to John Ashworth who proceeded with the explanation of the process of response to the TWDB.

John Ashworth explained that there are two documents that have to be created from this TWDB request and they are as follows:

- a) One is the response to the Texas Water Development Board comments. The thicker one first. This one basically lists the exact comment that was given by the water Development Board in the following response to each of the comments. This document contains only the response to the very specific comment.
- b) The next document is the Errata Sheet. This is the important one as far as the Public is concerned. The Errata sheet will need to be sent out to the recipients who currently have the original plan.

Rather than sending out each and every change; a revised copy of Tables 11 and 12 with all of the important changes printed in bold print. This will make it easier to understand which numbers are corrected.

Jon Letz requested a motion for approval to accept the changes to the comments.

Jim Brown made the motion and Ronnie Pace seconded the motion to approve the responses to the comments received from the Texas Water Development Board on the submitted Regional Water Plan and approval of the Errata sheet resubmitted to the Regional Water Plan.

The discrepancies in numbers on Tables 11 and 12 came about from numbers that the Water Development Board had provided for PWPG to use in their calculations. Basically

Bandera

May 10, 2001

Tape 1 of 2 Tapes

TWDB as counting Ingram twice. TWDB agreed to use PWPG numbers. So the new numbers shown in bold on the Tables 11 and 12 reflect that correction.

Jim Brown pointed out that Rima and Jorge had worked with Region J in their discussion with the other divisions within the Department (TWDB). The result of Rima and Jorge's influence and their assistance in negotiating these issues culminated in saving a great deal of time which is very cost effective for all concerned.

John Ashworth pointed out that in writing the future strategies a greater effort to accomplish more detailed analysis will benefit the end result of the next plan.

A second motion was requested by Jon Letz to authorize Jim Brown to work with the consultants on any minor revision to both documents reviewed previously.

Zach Davis made the motion and Otilia Gonzales seconded the motion to authorize Jim Brown and John Ashworth to make any minor modifications that may be required to the approved responses received from the Texas Water Development Board on previously submitted Regional Water Plant the Errata Sheet submitted to the Regional Water board.

This action was voted and approved unanimously by the PWPG members.

Item #8 Interim Planning Grant Contract and Conditions for Required Maintenance Placed on Water Districts and Implementation Grant.

Jon Letz briefly brought the board members up to date on the status of the Interim Project. Jon further stated that Cameron Cornett could not attend the meeting today due to a required meeting in Austin. The maintenance of the monitoring wells that had been requested for this study will fall on the Water Districts in the counties, which would be Springhills and Headwaters. Those two entities will need to work with Texas Water Development Board and Jim Brown. Therefore, these entities need to be in agreement on any documents that are to be signed.

Jim Brown stated that as the Group subdivision and Contractor with TWDB, PWPG will be subcontracting this service out to the two respective Underground Water Districts. Jim further stated that he is not willing to step out on the line and recommend that we go forward with this project until the two Water Districts are comfortable with the maintenance agreement and subcontract relation between Underground Water Districts and the Upper Guadalupe River Authority.

The main concern is timelines. It is now May and PWPG is gauging that the implementation has to be bought, contracted, and installed. Jim Brown further confirmed with Rima that in conversation during her presence that Jorge that the gauges would have to be us and running with recording of data being operational no later than December 31, 2001. Rima responded that that is correct.

It was further outlined that the sequence of events that have to occur prior to contracting, purchasing, installation are significant.

Jon Letz stated that Cameron had great concerns about the timing and due dates for accomplishment. Cameron would rather place this project into the next planning cycle and accomplish the goal with the right timing and planning.

Jim Brown assured everyone that he and Cameron have the same concerns. Their concerns were **not** to 'kill' the project; but to alert the PWPG members that we have some problems with timing and scheduling. Point being that PWPG would rather do nothing at this point and the next planning phase drill wells and get them equipped properly rather than do something just for the sake of doing it.

Jon Letz concluded with he didn't see any need to take any action on Item #8 at this time other than Springhills, Headwaters and Jim can keep working on the agreements with TWDB and Plateau Water Planning Group will make their decision at the next meeting as to whether to proceed with the Interim Project as it is stated currently or not.

Item #9 Consider and Discuss Comments on Proposed Rule Changes for TWDB.

No action.

Item #10 Consider and Discuss RFP for the Next Planning Cycle.

Action completed.

Item # 11 Informational Items.

Jon Letz requested the group to consider reviewing the By Laws. Consideration was requested in particular regarding the number of persons for the Board needed to work on the next planning phase.

Deborah Reyes established the fact that you can add numbers to the Board at any time. If you change the boundaries of the planning area PWPG is subject to reappointment of officers.

Jon Letz stated that he would place the By Law subject on the agenda for discussion for next time. Jon is looking for the best way the group would like to handle the review and possible changes to the By Laws. It could be just by discussion and voting or have a small group/committee to work on the review.

Bandera

May 10, 2001

Tape 1 of 2 Tapes

Discussion between Jim Brown, Jon Letz and Deborah Reyes regarding the Item #10 topic about the RFQ. The discussion resulted in establishing the fact that the authorization for Jim Brown to initiate the process had been accomplished the last meeting.

Item #13 Consider and Discuss Scheduling Public Hearing Concerning the Scope of Work per 31 TAT 357.

Jon Letz stated that PWPG needs to do a Public Hearing to receive printed preparation phase. There is to be a hearing in the eastern area and one in the western area.

After discussion between Jim Brown, Jon Letz, Deborah Reyes, Rima Petrochian, and Zach Davis it was noted that the Scope of Work is due to Texas Water Development Board By August 6th. Public Hearing need to happen prior to this date.

Notices need to be posted 30 days prior to the Public Hearings.

After Discussion among the Board members that a motion was due to establish the eastern and western areas designated for the Public Hearings.

Tulley Shahan made the motion and Zach Davis seconded the motion to have two Public Hearings for the Scope of work. First Public Hearing will be on June 27th in Bracketville at 6:00 p.m. in the District Court Room. The second Public Hearing will be on June 28th in Bandera in the Bandera County Courthouse. The motion was approved unanimously.

Alternative methods of financing projects was discussed at some length between Tulley Shahan, Jon Letz and Jim Brown. No conclusion; but lots of good options presented to study further.

The meeting for voting purposes was adjourned at 11:20 a.m. to reconvene at 1:00 p.m. for further discussion of planning for the drafting of the Scope of Work.

PLATEAU WATER PLANNING GROUP
February 21, 2002
Del Rio

MINUTES

Minutes approved (9/4/02). Motion made by Cameron Cornett & seconded by Otila Gonzalez. Passed unanimously.

Present

Jonathan Letz, Kerr County
Cameron Cornett, Groundwater District, Kerr County
Ronnie Pace, Kerr County
Jim Brown, UGRA River Authority, Kerr County
Comer Tuck, TWDB
Zach Davis, Kinny County
John Ashworth, L B Guyton & Associates
Charles Kneupper, Watershed Planning Mgr. UGRA
Alejandro Garcia, City of Del Rio
Tully Shahan, Kinney County
W. B. Sansom, Real County
Otila Gonzalez, Val Verde County
The Honorable W. B. Sansom, Real County

Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meetings Act

Jonathan Letz called the meeting to order February 21, 2002 at 1:00 P.M. Introduction by Jim Brown of Charles Kneupper, the new Watershed Planning Manager, UGRA.

Item #2 Public Comment

No public comment.

Approval of minutes of 10-18-01 meeting – motion made, seconded – motion carried unanimously.

Item #4 Report from Chairman

Regarding scheduling/rescheduling of meeting, - Mr. Letz stated he did not feel there was sufficient guideline and number data gathered until recent time to warrant a meeting. Report is due April 1st. Jonathan Letz met with Comer and Robert Flores regarding new liaison changes, such as forwarding disbursement of items to facilitate more timely responses. John Junker resigning due to schedule conflicts.

Jim Brown requested Comer to check regarding advance payment on IFR contract.

Cameron gave financial report, which showed that the bank statement indicated the same balance through November, December and January of \$11,495.22.

Jonathan Letz informed members of liaison Gary Garrett in place of Dick Luebke.

Comer gave the following information – The Water Development Board is a 6-person board – previously having 3 vacancies, but now having 3 new board members – Pitman from Lufkin, Guerrera from Edinburg and Wier Labatt from San Antonio. Mr. Wales Madden from Amarillo is the new chairman. Tommy Knowles retired as Executive Administrator of Planning – he retired in the middle of January. Mr. Comer

Also stated he was informed two days ago that Mr. Craig Peterson, the Executive Administrator is also resigning.

It was further stated that Bob Cook took Andy Samson's place with Parks & Wildlife.

Additional members and public arrived, Tully Shahan, Mike Holly, Robert Young, and Don Hood.

Item 5 Discuss Appointment of Member to Fill Water Utility Interest in Kerr County.

Discussion regarding the vacant position, which has been open for some time, but a suitable replacement, has yet to be found. There is so far only one party who shows an interest, that being Tom Phillips from Aquasource. Another name was submitted, Charlie Wiedenfeld from Wiedenfeld Water Board. There is also a need to fill John Junker's position. A possibility being Tom Kepler who lives in the Medina area from Bandera County. Jonathan Letz stated he would meet with them.

Item 6 Consider and discuss Approval of Invoices.

No invoices outstanding at this time.

Item 7, Consider & Discuss The Point of Representative for Consensus of Water Planning Agency's Population/Demand Group

Jonathan Letz stated a need for representatives from each planning region to participate with the Water Development Board, Parks & Wildlife, TNRCC and TDA, - prefer one from east & one from west. Possible candidate for the east might be Tim Dolan currently with the Planning and Zoning Commission for the City of Kerrville. Meetings would take place within the next month. Names will be needed as soon as possible. Projected growth being the key issue at next meeting.

Question to Comer - is migration taken from Birth Certificates and Death Certificates – Comer answered yes for the years 1990 & 2000 the difference to be taken to show level of migration in or out. After taking off for natural births and deaths is migration.

Jonathan Letz queried where future meetings would be held.

Comer stated the initial meeting would be held in Austin, however, if the group wishes further technical information an expert would come out and address them.

Jonathan Letz asked if any name was given for the west.

It was mentioned there was a lady in Ft. Clark who might be interested, Rosetta Pingnot.

If no person was found for this area, Otila Gonzalez stated she would serve.

Jonathan Letz requested members to have names in by next Wednesday and he will approach Tim Dolan, requested Tully obtain phone number for Rosetta. He would then contact interested parties.

Item 8 Consider and Discuss Policy Guideline for Travel Reimbursement.

February 5th letter guideline – now a procedure under legislature entitled for mileage reimbursement for members that not reimbursed through their entity - need to formally adopt policy then decided on dollar amount. Recommended reimbursement to be submitted with location & number of miles and calculation for amount.

The question was raised if meals would also be considered for reimbursement.

Jonathan Letz stated it refers to eligible travel – meals should be included

Comer – if expenses not reimbursed by employer – mileage and meal rates if so authorized would be limited to states' travel of about \$.32 a mile and maximum of \$10.00 for noontime meal with receipts.

Jonathan Letz commented that he felt meal reimbursement is not that important – the mileage is more important as it represents a substantial amount for some. He recommends adopting mileage costs be paid under administrative costs.

Motion made – seconded by Ronnie Pace – UGRA will develop travel voucher form - motion carried unanimously.

Comer relayed that the travel reimbursement would be effective as early as September 1st. Jonathan Letz stated make it effective January 1, 2002 to cover current meeting.

Item 9 Consider and discuss Scope of Work for Regional Water Planning.

Jonathan Letz informed group there is a total of \$243,410.00 for region budget. Amounts are listed for each task but do not have to be left there, however, once the scope of work is adopted – but cannot change by more than a 35% swing, then it has to go back to TWDB for approval.

John Ashworth – electronically sent out draft copies of scope that are being worked from today. The way it is set up is unlike the way started out at last planning period, now we know that scopes need to be set up by task chapters 1 through 10. Titles are as they are indicated, dollar budget amount next to that as suggested – under draft guidelines that came out in November/December legislation is limited to \$233,487. At the meeting held in Austin it was decided that money going to be held back for later use would be moved forward into scoping process so it came out with 10k more than what we started with. The most increase was placed in 3 & 10 – entire group of 16 regions took a vote and decided to add the money to 3 & 10 – they added money to each two tasks and slightly more in a few of others.

Jonathan Letz noted that there is a pool of money set aside.

Comer explains – at same time that this basic scope of work is to be submitted by the 1st of April, regions at that time may also make separate requests for additional funding out of the 1.9 mil reserve. Suggest requesting be made for task 3 & 4, water supplies and possible additional ground water study. If you have more than one subtask you submit for initial funding – prioritize them. Then there is an additional pot of hopefully 3 mil holding back for next December/January for studies that could not be identified at this time.

John indicated that what you see in this document is basically what is required. Exhibit B – Final guidelines, Scope of work Guidelines, Chapter 357 & 358 all critical on wording in Legislative language. Optional projects for tasks 3 & 4, with the end of task 3 showing a list of 10 optional tasks, these are ones to talk about at a later time. Came out of recommendations made in plan. At the end of #4 are also two additional tasks. Task 1 – description of region – Water Development Board is specific in not putting in a whole lot of money in regenerating this.

The question was raised about how much can be moved to additional tasks?

John stated, “We can move anything we want now”.

Jonathan Letz had a question regarding pipeline information.

John noted that the final exhibit B document states TWDB would pay a contract to do entire state. #2 needs to now say we will take data from TWDB and put it into our plan.

John stated he showed a lot of reporting back to the committee tabulating tables and putting in new data. He stated he did this to make sure that we cover budgetary items. I spent a lot of time working with tables and going to meetings, if I don’t show this as a function of Chapter 1, the budget may not reflect this and I have a hard time showing this. The consultant will be there to present material to you. That’s what we are billing you to do. We just can’t go over \$243,410 total. A year from now if we find we are more than 35% off it takes a contract amendment, but it can be done.

A motion was made to make line Item \$5,000.00, however it was decided that rather than voting on it now, put that as a possibility.

Cameron it is your suggestion that we reduce line item from \$15,000 to \$5,000? He answered yes.

John stated he didn't think he could do the project for \$5,000. I can accumulate the data, it started out at 25k, and TWDB took 10k out for pipeline. I saw a document that said that RPG could decide what the major springs were – did not show in any final documents – it leaves it up to this group to identify in its mind what to call major springs. My concern is if you start slashing money on budget

(TAPE ENDED)

John stated we ran out of money at the end - we were using our own money to finish up the project – most of the work occurs in chapters 3 & 4 and that is where he planned on reserving most of his time and money. The amount shown on paper right now is what is suggested by TWDB. He felt 10k would be a reasonable amount of money for him to do the project, but he wasn't going to put any amount down until he heard their reaction to some of this.

It was settled at 10k temporarily.

John continued to state that Task 2 is the chapter that shows the population projection and water demand. TWDB has \$16,500 it could be that at the end of month if planners meet with Water Development Board and come to agreement that population is acceptable relating to water demand – there is not a whole lot of work to be done by this region – we may not need that amount – we need to use this budget to take to the communities and say here is what the TWDB provides. If they disagree with that then it is up to them to provide the proof. The guidelines tell you exactly what you have to do. Until we know whether or not we are going to have that data already in front of us and acceptable we need to leave that money there and if it is acceptable that is a good spot to take some money out. If you give me the numbers that is acceptable then we can rewrite Chapter 2 to show the new numbers, put in graphs, fill in TWDB tables and go from there.

Jonathan Letz asked Comer that you have asked for representation to go to these consensus planning meetings– what information are we going to need TWDB to change and what voice do they have other than this noted in the state records of the objections.

Comer replied - I can guess it depends on the input of the information and the objections of the representatives it depends on how convincing they are on why they think a particular county should be different. If they can quote population figures or surveys or whatever it might change their minds – that is the only way I can answer that – It depends on how convincing the argument is.

I guess I mean the amount of money we have is at 16k which isn't as much as last time as I recall there was an objection and the City of Kerrville had to pay for the appeal.

Our argument is at that time we were at the back end of a 10-year period; we are now at the front end.

Looking at individual counties – each county is looked at separately – so far the agencies' representatives are fairly open minded about changes, again at this time it depends on the argument

The main cost here the numbers for this planning period we are going to have lots of plans in the future, we need to save money now – how much is it going to do your part, can you do it for less than \$16,500?

Yes, if we assume we still take the time to provide it to the communities to show it.

We don't have that many communities to work with its pretty easy to get it to them and get the response back

I don't think we need a whole lot of your time to go to these communities to fill out the forms and get the data and leave a little cushion room of \$1,000 above the amount.

John stated it was his intention to send the data to each community. We can explain what this is, what the purpose is and then if you decide if you are in disagreement with it and want to request the regional planning group make changes and what it will take.

It was stated that the formulae the TWDB was using to project out over the next 50 years what the population was going to be was the big problem they had last time.

John noted he wished to bring the communities into the process, which they did not do last time. The number of places this new scope allows us to do this to promote this more than last time to get more public process – chapter 2 is one of the first places to get the communities to buy into this. Lets go ahead and drop it down to \$10,000 if you feel there are no changes. Task 3 has the two most important chapters. Bill Mullican stated no region was to spend any money reevaluating a water source just for the sake of reevaluating. #2 shows major springs but doesn't give a whole lot of guidelines on how to describe springs. 3-4 surface water availability models – Glynda not here to show where stand or reevaluating 5 rivers in this region. They are required to use the wams and gams.

Go back to 3 where it said assist TNRCC. TRNCC and UGRA are fighting over their interpretation of the flows on Canyon Lake. A real issue. The entire hydraulic project in RCC has gone through 3 major changes in the last 21 months. TNRCC states the Guadalupe is over appropriated and there is no future water.

Jonathan Letz stated his concern is you could spend full budget on any item listed, how can you do anything for the region on the 11 points for 44k plus the additional 11k. Comer, how do we do something if you won't fund it?

Part of the answer is to move money around as you are doing now – next level of study would be to carefully identify additional studies that you can argue and say are not in the base line here where you need to ask for competitive money for additional studies.

But TWDB came up with a lot of changes – if we don't have the money here to do it, lets delete them now and let your board deal with them. We are fixing to sign a contract with UGRA to do this with not enough money to do it with.

John suggested turning in scope at same time for additional studies – funds were applied for in December for currently unidentified problems that may come up. #5 is going to be the two gams that could potentially be available to us to use – its got to show up here – asked Robert Mace what is process – the board is going to have a tough time doing these model runs – trying to leave time to push the issue – as far as Trinity goes – they have made some modifications already on population redistribution and pumpage – does not include Lower Trinity which is why he left it optional.

John how much do you need to accomplish this – I still don't think we can get all of these items done – I would rather at least get 1 out of the 11 done properly as opposed to getting nothing done on the 11 tasks.

Comer responded that the one task for the 5-year period was to try to get everything done as required for TWDB approval – you have to do required task. – 2-year period vs. 5-year period. Contract signed with UGRA in July we can only guarantee a certain amount of money about 8 mil – whatever that money – and whatever the legislature agrees to – Contract states that you can't spend the \$243,000 in first two years. It also states only half of staged certain things need to be done in first 2 years then the others follow in years 3, 4, and 5.

What if it's not applicable to our area – can we just state that

Yes – if you address the issue and give reasons – make sure you recognize it

Cameron stated regarding 6 & 9 – 9 needed no money and on 6 the importance was not very high.

Comer agreed that 6 & 9 were not required and can be omitted but must be recognized and reasons given.

Cameron wanted to leave 5 in with the same clarification as in 7, he just not certain we want to do it.

Number 7 is just there for all those aquifers not covered by gam – Number 6 is not a requirement – just one you had previously discussed about working with regions L & K to come up with regional Trinity availability. We have to put together a time line, the next step after today's process. The first period is what can be accomplished, in July we have 3 ½ years left.

Comer indicated that round numbers available were 8 mil out of total 18 mil – 40% that's all we can promise. Turn in budget for full \$243,410 it will probably be approved.

Jonathan Letz said the \$11,500 freed up right now should be applied to 3.

John said task 4, working with strategies \$50,000. New guidelines state that additional evaluation on new strategies needs to be done so we may need to beef that one up too.

I don't think we will have adequate amount of money to deal with the others. Our region did the Trinity work last time – the other regions didn't allocate any money –

Leave it in there as a low priority item at this time.

Right – you approached it but the other regions did not want to spend money on it. Do not plan on assigning a dollar figure to each line item.

Jonathan stated we need to assess priorities for you.

(TAPE OVER)

We need to prioritize all the items

John continued with number 9 in the guidelines part of the strategy evaluation which talks about whether desalination is it a viable strategy to meet needs that's why it is in #3 – needs to come from information you developed. TWDB does not want to spend money to do desalination they just want to know if it is potential means to meeting needs. The document from the board covers entire state on major and minor aquifers – this means in a regional sense, it is not intended to use as final document for a community, each will have to do own study to look at local characteristics it is a potential strategy.

Jonathan suggested the need to prioritize – for next meeting

John said he would prioritize time wise, not importance, as each was important. He also stated he felt the cost of \$56,000 for right now and could add to it if needed. Not considered cost amount for optional items – cannot do all of these with money given, needed to prioritize first them give detail to scope out.

Jonathan suggested submit list on optional tasks, one for east and one for west.

It was suggested that the West Side combine 6 & 7 and just focus on one. Also add Pinto Creek to #7. Per telephone conversation with Jerry on #6 they are still working on EPA funding – things are picking up and there is a strong possibility that by September #6 might get done outside this planning process.

Suggested East Side incorporate 3 & 4 together for the Lower Trinity.

EPA funded project in what may look at springs and also matching funds. John stated he would check with board on legality – need to prioritize all of optional items. On task 4, Jim the 1st is

yours the 2nd is Bandera County. We can go to board with as many as we want, they just need to be prioritized – they may not get past #1 out of the two groups you have selected.

Question raised regarding what is involved for preliminary evaluation for potential ASR?

Board pay for feasibility analysis only of whether ASR would work.

Jonathan felt #1 on page 4 is not as important as spring evaluations for long term. Evaluation of springs should go with #3 rather than #4 – task 3 should have priority over 4. Two #1s being west & east area, combined 6 & 7 and 3 & 4 as #1 priority. As second priority option for spring evaluation on Plateau – Edwards Trinity.

John said we are looking at headwaters to Guadalupe catchment area. Assume springs coming out of contact with Glen Rose & Edwards. The need to expand within The Colorado in Kerr County and how the water level declines affects it. He will write this up and get back with members on it. Should need to reevaluate only. So there are two #1s and one #2. #4 has a lot of new language as to how you evaluate strategies – this is to be used in the evaluation of any new strategies that are developed – don't reevaluate old strategies unless absolutely necessary – if A, B, C occurs then new strategies of existing or new shortages or water usage groups show up they use new criteria. A lot of how it would affect environment and water quality and also economics. #4 next go around work real hard to try to eliminate shortages for aggregate uses. Livestock, irrigation and private waters don't need state funding, just a matter of accounting. If we had to use # of existing wells it would show a shortage basically just drill another well – not a real shortage of water – leave it out of #4 strategies.

Concern shown with 2b – increase in availability as GAM indicates availability to meet IOUs in Kerr County.

Task 4 is one eligible for extra money – if 50k not enough & specific item recognized to cost money to evaluate that needs to be an optional item.

Between Oct & Nov we need to identify items for last 3 mil for not previously identified items.

TWDB intending consultants to run any models – they will run it – consultant team will assist in telling TWDB what scenarios to run. We can reword this especially on 5 – provide assistance as indicated by regional planning group.

Incorporate A, B and C under 5. Page 2 modify item 5 and make it the wording more like item 7 – with three conditions at bottom.

John followed up with Task 5 – impacts of water management strategies on key parameters of water quality – we will decide what water quality issues we have in this region and use issues as we look at

Strategies – second part impacts moving water from rural and agricultural areas #2 restates that including analysis from 3rd party impacts – TWDB will do any 3rd party impacts work. \$7500 will be appropriate.

Change the wording to show that TWDB will do 3rd party impacts.

They will supply new tables and we just go through and agree or disagree and make changes. Get back with us on exactly what the report will look like (requested of comer) and what the term “quantitated” means. Task 7 basically states we will develop matrix that lists all planning requirements and we show on what page we address them. #1 is mostly covered in task 3 – evaluation is in 3 – but it is just another way to report it. The \$7500 does not allow much more than for taking information and correctly wording it.

\$5,000 with a note under 2 to be provided by TWDB.

2 has two parts – 1 quantitative reporting of impact & analysis of 3rd party

(TAPE OVER)

John felt task 5 was not an important chapter.

Jonathan stated TWDB is supplying us with this. Task 6 - water conservation & drought management.

New chapter asks us to develop a model water conservation & drought contingency plan. It should not take a whole lot of time. The #2 recommendations are similar to recommendation chapter out of the old plan. It will be repeated again. I figure \$1,000 a day to do anything, cannot do for 2k.

Jonathan Letz felt it was an important area in public eyes, and it should be left at the 5k from state average amount. It shows we are looking at conservation.

Task 7, if matrix is all that is required then 25k is too much. It's a matter of going through plan and identifying by chapter # exactly where all of issues in guideline can be found – bring down to 8k. On task 8, the same as before 30k is assuming you do want to include either unique ecologically stream segments or reservoirs site. John stated he would get with Tully & P & W on environmental focus regarding their feelings on this issue.

Jonathan felt the water quality and rivers are more important than designated ecological segment, but leave some money in it. Should free up about 20k. We could check with P & W as they already have data. They would have photos and could provide a listing of critters affected. Have P & W submit their write up and then we could review it. Set at 10k.

Task 9 is exactly what we are doing now. Only new report has to cover new strategies. \$1,500 there for any new strategies. We will have to prepare a report but no IFR contract is needed in the next go round. IFR is for the last planing period.

It was stated that in looking at guidelines for scope of work, provision has been integrated to survey all water development needs, not just all new.

Leave 5k there as the process will be streamlined and we may have fewer strategies. Plan adoptions, Task 10, the items in there are my items, the consultant's items. In the guidelines all

they talk about are regional planning groups administrative cost. The need to explain who group is, how it works, and how often they meet and how many public hearings.

Comer stated the consultant costs would be incorporated into the individual tasks. Task 10 is basically regional planing group cost. It was further stated that the cost to review process and produce final bound product would be included in the 15k printing cost set aside. John mentioned that there was no

Place to budget consultants cost to create Chapter 10. Comer stated he would find an answer and get back with them.

John stated he would rewrite task 10 with wording in task 10 as far as administrative cost for group. But he felt they still needed to leave task 1 in there, it was not a high price.

Jonathan felt there was enough money in the \$37,910 to cover that. That number came from allocating \$10,625 for travel, meeting notes 2k, other notices for \$285.00, printing 15k and public participation 10k.

5,6,7k to put together and go with final public hearings on plan. Board will review chapters as we turn them in, but they do not have to be submitted individually, however, they would be better off to be submitted individually.

Jonathan suggested to wrap up this section with \$36,000 left to allocate they put it on tasks 3 & 4. With 20k on task 3 & 16k on task 4. This would bring task 3 up to 76k and task 4 to \$66,500. Item 10 needed to be worded this way – Consider & Discuss Approval of Scope of Work for Regional Water Plan and allow executive committee to give final approval after revisions discussed today have been incorporated.

Motion made, seconded, unanimously carried with report due by April 1st.

Item 9 – Consider & Discuss Authorizing Political Subdivision Contract with TWBB and Consultant concerning Regional Water Plan.

Cameron made motion, seconded by Ronny Pace, Unanimously carried.

Item 12 – Consider & Discuss Water Infrastructure Finance Survey.

John stated the contract in place just a short time ago, but felt they would finish well before it is required to be in. 3 public supply sources with deficits were the city of Kerr, the city of Leakey and Aquasource in Bandera county, water shortages in Bandera & Kinney. Basically just not enough wells. He will meet with county judges & help them to fill out survey. Remainder aggregate categories that we have strategies for but this group needs to come up with some sort of statement on how you feel these particular aggregate groups would solve problem.

Motion was made to accept county aggregate water use summary descriptions as presented; it was seconded and unanimously carried.

John stated the next issue is that there is a statement that this group has to comment back on what is proper role/roles in financing water supply projects identified in the approved Regional Water Plans. The state wants very specific language for recommendations where state money can be raised & how to raise that money.

It was decided to table this issue and discuss at next meeting.

In the greater organization meeting of the new Texas Water Advisory Council in Austin on the 23rd of January, a statement was made unofficially at looking at a state income tax for water needs in the future. This did not seem to be good idea with the group there. This group will need to vote on recommendations in the future.

The schedule on draft of approved report has to be to TWDB by April 30 with final in by June 1st. It does have to be approved in a public meeting.

It was planned to have a posted meeting between now and early April.

Jonathan Letz will set next meeting date at a future time.

Meeting adjourned.

PLATEAU WATER PLANNING GROUP

April 24, 2002

Bandera

MINUTES

**Minutes approved (9/4/02). Motion made by Cameron Cornett & seconded by Zach Davis.
Passed unanimously.**

Present

Jonathan Letz, Kerr County
Cameron Cornett, Groundwater District, Kerr County
Ronnie Pace, Kerr County
Jim Brown, UGRA River Authority, Kerr County
Comer Tuck, TWDB
John Ashworth, L B Guyton & Associates
Tully Shahan, Kinney County
David Jeffrey, Springhills, Bandera County
Tommy Qualia, Val Verde County
Howard Jackson, City of Kerrville
Duke Luebke, Texas Parks & Wildlife
Jock Davis, Texas Dept. of Agriculture
Glynda Mercier, Freese & Nichols

**Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas
Open Meetings Act**

Jonathan Letz called the meeting to order April 24, 2002.

Item #2 Public Comment

Laura Brock with the Texas Center for Policy Studies out of Austin introduced herself and gave a brief background of her organization.

Minutes of February 21st meeting not available for approval at this meeting.

Item #4 Report from Chairman

Jonathan Letz announced that the new Executive Administrator is Kevin Ward.

Jim informed the Board that they received \$6,500 of the \$13,000 grant for the IFR study. The invoices were approved.

Cameron gave financial report, which showed that the bank statement indicated the balance of \$11,495.22.

Comer gave background history on Kevin Ward. Comer also stated that Bill Mulligan replaced Tommy Knowles as Executive Administrator for Planning. Also the new Director of Water Resource Planning Division is Harold Petryny. Kevin Ward's position has not yet been filled.

Item #5 Consider and Discuss Approval of Invoices

Three outstanding invoices at this time.

1. Merritt Personnel - \$105.00 – Transcription fees
2. Karen Letz - \$80.50 Administrative Labor
3. Karen Letz - \$101.46 Supplies

Motion made to accept invoices, seconded, motion carried unanimously.

Item #6 Discuss Appointment of Member to Fill Water Utility Interest in Kerr County

Board discussed two possible candidates for this position; O. J. Erlund's son, who works for Aquasource, and Charlie Wiedenfeld from Wiedenfeld Water Board. After consideration of information given regarding each candidate a motion was made to ask Charlie Wiedenfeld to fill the vacancy. The motion was seconded and passed unanimously.

It was brought to the attention of the Board that, due to the fact that the representative from Edwards County does not attend any of the meetings, perhaps they should consider finding a replacement.

Item #7 Consider & Discuss the Resignation of John Junker

A motion was made by Ronnie Pace to accept the resignation of John Junker. Motion was seconded by Cameron Cornett and passed unanimously.

Item #8 Consider & Discuss the Approval Liaison of the Vacany Regions

The following names were considered as liaisons for the respective regions:

1. Region E - Otila Gonzalez
2. Region F - Cameron Cornett
3. Region K – Jim Brown
4. Region L – Jonathan Letz
5. Region M – Zach Davis

The motion was made by Cameron Cornett to accept these liaisons. Motion was seconded by Jim Brown and passed unanimously.

Item #9 Consider & Discuss The Consensus of Water Planning Agency's Population/Demand Group

Otila Gonzalez was the only Regional Member in attendance of the meeting, as Tim Dolan's schedule did not allow him to attend.

Comer gave background information regarding the consensus group and how they came up with their figures.

John informed the Board that TNRCC, Parks & Wildlife, the Water Development Board and the Department of Agriculture all had representatives in attendance. He relayed that this meeting was strictly a population projection meeting. At this point John passed out handouts, which included charts showing how the consensus group came up with their facts and figures. Kerr County was questionable and drew the most discussion at this meeting. It was accepted that Kerr County would be accepted at the 1.0 rate in the beginning, but that the consensus group wanted to lower the rate to .5.

Jonathan Letz stated that if funding is going to be tied to these figures, that the Board needed to fight this to keep the rate at 1.0. He queried regarding future appeals.

John stated that an appeal could still be made, however, they would actually have to come up with proof and convince them that the migration figures would not decline. The data needs to be presented by September or October, as the final numbers would be adopted in December.

Comer stated that Dan Hardin of the TWDB would be willing to come out and explain the technicalities of how the numbers are derived.

Item #10 Consider and discuss Scope of Work for Regional Water Planning

It was asked when does the Board look at the supplemental applied for at this time.

It was stated that staff is currently looking at Scopes of Work from all 16 regions. Review teams consist of a ground water person, a surface water person, an environmental person, a conservation person and the project manager. This portion should be completed by May 8th. By the middle of May they plan to start getting with the chair of political subdivisions and consultants and going over what was found in the review process and if necessary attempt to negotiate any changes or adjustments. Recommendations will go the Water Development Board on their June 19th meeting with the idea of approving and authorizing contracts with the regions. It is planned that the consultants will be able to start work soon after June 19th.

It was further stated that on both the base line and the supplemental no adjustments were made to the Scope of Work itself. The only adjustment made on the supplemental was the wording and it was rearranged to show that instead of having three requests, there were only two requests; basically combining the funding for the project in Val Verde county into the funding for Kerr/Bandera County. The content was not changed at all.

Item #11 Consider & Discuss Water Infrastructure Finance Survey

It was noted that May 1st was the actual date in which an approved draft of this report has to be turned in. The Board will then review it & give back any required corrections.

The final is then due June 1st. The report is currently 90% complete. The report is broken down as follows:

The introduction explains why it's being done. The second part explains exactly whom the surveys were given to. The next part discusses the results of the surveys, after that it discusses the responses for the aggregate water use groups. Page 9 is a fold out table illustrating the results of the surveys. There are two appendices on page 10. This is a copy of the actual survey that was sent out. Along with the survey the strategy write up was also sent. Page 11 is a required documentation showing that at least two attempts were made at getting these surveys returned.

It was brought up that it is a real serious problem for funding issues because the city of Kerrville relies on state funding for a lot of this and the results are showing a contradiction.

John stated that they might want to consider quantifying the available supply in a little bit different way than they have previously. Such as this time, being more of what you would normally expect to pull out of underground water on an annual basis, and if you do that, this lowers the annual amount of water that is available which would certainly show where you have the deficit.

Concern was stated regarding this matter and the different ways of bringing this concern to the Water Development Board.

Page 8 shows the ideas that you send to the state as to what the proper role is of the state financing water supply projects. They want the responses in very specific terms.

Several members stated they were against a statewide tax. It was suggested that a user fee be considered on a sliding scale of consumption. The little user should be exempt but a cap would need to be placed for the high water users so as not to drive away industries.

After a lengthy discussion it was decided to leave this section blank and delegate it to the Executive Committee, thus giving 2 to 3 weeks to work on it.

Cameron made the motion for preliminary approval of the water infrastructure financing survey draft subject to the Executive Committee's final review and input. The motion was seconded and passed unanimously.

It was tentatively decided to have a May 23rd meeting in Kerrville to discuss the Scope of Work and Infrastructure Report. At this meeting they would also discuss the by-laws, officers for the year, and discuss and deal with members that are not attending. It was noted that on May 8th the Board is to approve the supplementary funds and base line funds, with a conference call on May 15th to the chairs.

A request was made for the TWDB's schedule. It was stated that for the June 19th Board meeting they would have the contracts with the political subdivisions ready to go,

written out with the dollar amounts specified. It would take a couple of days to get the Board signatures on it then they should be in the mail to the political subdivisions within a few days

after the Board meeting. Actual billable work should begin on the 19th on to the date of approval. Contract to take 2 to 3 weeks to get signed.

Cameron asked Comer to explain in more detail the management area of designation regarding Senate Bill 2. Comer explained that The Water District Board is now charged with the physical delineation of the ground water management areas and the rest stays with TNRCC and they are to decide if it is a priority ground water area and if it needs water districts. The TWBD is required to finish that delineation of the ground water management areas by August 31, 2003. However, they intend to finish in December 2002 or early January 2003 for the delineation to be available to the legislature when they convene, in case they decide to make any changes in water code law or any districts are coming to them to be formed and the legislature will know where they fit into the ground water management areas. There is an initial stakeholder meeting scheduled for May 15th in Austin. They also anticipate having 3 or 4 meetings spread out across the state in the fall.

It was asked if that process might have an effect on the Regional Planning.

Comer stated that it could very well impact the Regional Planning 3 or 4 years down the road.

Meeting adjourned.

**PLATEAU WATER PLANNING GROUP
MAY 23, 2002
Rocksprings**

MINUTES

Minutes approved (9/4/02). Motion made by Cameron Cornett & seconded by Charlie Wiedenfeld. Passed unanimously.

Present

Jonathan Letz, Kerr County
John Ashworth, L.BG-Guyton & Associates
Ronnie Pace, Kerr County
Jerry Simpton, Val Verde County
Thomas Qualia, Val Verde County
Charlie Wiedenfeld, Kerr County
Allen Moody, Edwards County
Comer Tuck, Texas Water Development Board
Richard Luebke, Texas Parks & Wildlife Department
Otila Gonzalez, Val Verde County
Alejandro Garcia, Val Verde County
Zach Davis, Kinney County
Cameron Cornett, Groundwater District, Kerr County

Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meetings Act

Jonathan Letz called the meeting to order May 23, 2002. The new board member was introduced, Charlie Wiedenfeld, who has taken on the position of water utilities. He gave a brief background of his involvement in public water supply in several surrounding counties. Allen Moody is here representing Judge Gallegos.

Item #2 Public Comments

There were no public comments.

Item #3 Approval of Minutes

Minutes of April 24, 2002, meeting were not available for approval at this meeting. Karen Letz was authorized to find a new transcriptionist.

Item #4 Report from Chairman

Jonathan Letz reminded everyone about the e-mail from Glynda and that if any county is going to object the population projection numbers, the appeal process needs to be started. It was

suggested that copies of the projection handout from the last meeting be sent to all board members. Karen also sent out guidelines of working under these rules.

In the absence of Jim Brown, Jonathan advised receiving an e-mail from Comer entitled Plateau Region's Scope of Work Negotiations. He also received a letter following this up, which he has not yet read. The plan is for Comer, Jonathan, Jim, and John Ashworth to meet to ensure that all the requirements are met for the Water Development Board. Since the deadline on this is approaching, there is no time for another full meeting. Board members will be advised of any changes, however.

Cameron gave the financial report, stating the bank statement indicated the balance of \$101.46 on administrative costs, with the balance on April 30 of \$11,206.26. He advised that next month there will an expenditure of \$592.22 for posting requirements.

Dick Luebke gave the liaison report. He reported that Cameron asked him to give an update on the Texas Parks & Wildlife Master Water Resource Conservation and Recreation Plan. He gave all members a copy of the plan and gave a summary of the information. Board members were advised that Parks & Wildlife recently underwent the sunset review that all state agencies undergo. Resulting from that, recommendations and legislative mandates were made. One recommendation was that TP&W needs federal long range planning regarding future needs for parks and recreation activities. Texas Tech also conducted a study to inventory park lands and engage public support for park expansion. They also recommended in their study that TP&W should develop long range planning to cover projected needs. In the last session of the legislature they required TP&W to prepare a land and water resource conservation and recreation plan. This is to guide the department over the next ten years in preserving the natural resources and providing public access. The plan is to be adopted no later than August 15, 2002. In preparation, the department staff completed a comprehensive inventory of all land and water as far as recreation and resources. A committee was formed to prepare an outline and is meeting this date in Austin. The draft plan is estimated to be ready to give to the public in early June. He thinks there will be several public meetings held around the state and probably will be posted on web sites. The final version should be ready for commission action by August to meet the mandate in October. Dick was asked to return in June to give an update on the progress made.

Dick advised members about a video on the value of springs in maintaining healthy fish and wildlife resources as well as recreation that would be beneficial for them to watch and would like to show it at the next meeting. This will be added to the agenda for the next meeting.

Item #4 Con't Report - Consider & Discuss Tourism Interest Vacancy

Jonathan asked members to be thinking of possible candidates for this vacancy.

Jonathan advised that David Wampler is resigning his position. A new city councilman or Howard Jackson will be the permanent appointee. Jonathan's recommendation is Howard Jackson.

Item #4 Con't Report - State Water Plan for 2002

Comer Tuck reported the State Water Plan for 2002 has arrived. It was mailed to regional planning group members. He asked if anyone does not receive their copy to call him. Single copies, which are free, can be given to other interested parties. The phone number is 512-936-0814.

Item #5 & 6 Consider and Discuss PWPG Officers 2002

Jonathan states he is happy with the current officers, but the floor is open for changes. The motion was made to keep the existing officers and seconded. The motion passed. The officers are Jonathan Letz, Chairman, Jerry Simpton, Vice Chairman, and Ronnie Pace, Secretary.

The Executive Committee consists of the existing officers and three at large. One is designated to be Jim Brown, and two other members are needed. Jonathan advises one should be from the west. A nomination was made for Zach Davis from the west and Cameron Cornett from the east. There was some discussion. There were no more nominations or discussion. The motion was made for Zach Davis and Cameron Cornett to be at large members of the Executive Committee and seconded. The motion passed.

Item #7 Approval of Invoices

There is one outstanding invoice.

San Antonio Express News - \$592.22 – Notice for Funding for SOW.

The motion was made to accept invoice, seconded, and motion carried unanimously.

Item #8 Consider & Discuss Scope of Work for Regional Water Planning

Information was distributed to members including a letter dated May 20 to Jim Brown and a copy of the current Scope of Work.

This is the letter that was turned in on the Scope of Work last month. It basically says the planning group needs to have the plan completed according to all requirements within the statute, whether or not the group has something in the scope. Discussion ensued on receiving payment for doing the work that needs to be done.

The second page of the letter divides the first six comments on the regular part of the scope and the last two on the supplemental tasks. He feels the first six may just require some wording changes in places. On the supplemental funding, the board appears to be somewhat negative. They feel these are items that we are required to do anyway or else they are items we should be

able to answer. He has not yet studied this in depth. There has been no decision yet on whether funding will be made.

Discussion followed regarding the funding or lack thereof. Conclusions and recommendations will be presented at the June 19th meeting. Whatever the board approves will be put in the contract. This will be presented to the Executive Committee before being presented to the Water Development Board.

A motion is needed to give authority to the Executive Committee to negotiate. It was decided that the first six comments are basically ready. The last two supplemental tasks will need changes. The options are to delegate this to the Executive Committee or have another meeting. The motion was made to authorize the Executive Committee to negotiate and approve the Supplemental Scope of Work. The motion was seconded. Discussion followed. The motion passed.

The comment was made that the funding for Scope of Work is insufficient. It was explained that the Legislature has budgeted \$18 million over a five-year period. For this biennium we have 40% of that amount of money actually appropriated by the Legislature. The Legislature will be asked for another 40%-50% out of the next biennium. The last year we hope to get the remaining funds out of the appropriation, however, there is no hard and fast guarantee that the region will get the money, as the Legislature has not appropriated all of it yet.

Item #10 Consider & Discuss Approval of Water and Discuss the Findings of the Survey

Members were given handouts. The first was a review and comments from the Water Board Infrastructure Finance Report. There is additional information on the Summary Statement, including additional language and a small table that will be inserted, taking care of Comment 1 on the survey results. On Item 2, Raw Survey Results, those copies will be provided. Item 3 is covered by the page that was given to members. Item 4, the report did not include discussion on the proper role of the State, because this will be done now. Item 5, the Data Table is correct.

At the last meeting it was decided that we were not prepared to adopt a statement at that time. There was extensive discussion, and it was recommended a statement be prepared. Members were asked to comment on this statement. (The question which the statement is to answer is: What is the proper role for the State in financing water supply projects identified in the approved regional water plan?)

It was suggested by Governor Perry to look to private activity bonds for funding. He also mentioned an infrastructure of water pipelines that connect through the entire state. Desalinization was also discussed.

John wrote in his first sentence that a centralized office should be established. It is suggested that the team designated would be better than established.

The motion was made to approve the water infrastructure financing survey with the modification of adding the private activity bond statement and transportation statement and seconded. There

was some discussion on language and amendments made. The motion was then made to approve the amended water infrastructure financing survey with the private activity bond statement and transportation statement, and it was seconded. The motion passed unanimously.

Item #9 Considering the Status of the PWPG Bylaws

This was put on the agenda to make sure everyone had a copy. On Page 4, 5.52, the provision concerning absences was discussed, and 5.72 the removal of members. Under the terms of the bylaws there are four to five members who are subject to removal for not attending enough meetings. Under 5.72 the procedure is to ask the chair or vice chair to put this on the agenda to have action taken to remove a member. Members were asked to take note.

He made another comment on Page 7 about officers. There is no treasurer, but there is a Finance Committee with that authority. Two signatures are required for checks. He asked if the Board wanted to leave it this way, combine the secretary/treasurer, or to make the treasurer a formal position. At this time signature authority is with the secretary and treasurer. There was some discussion.

Item #11 Consider and Discuss PWPG Groundwater Management Area Litigation

Cameron reported TNRCC is in the process of rewriting TAC 293 and 294 and the elimination of groundwater management areas under the TWDB. The TWDB has already stated they have taken into consideration the designated PGMA's that are already in place. He referred to the maps that have already been presented.

Comer advised that TNRCC delineated groundwater management areas and also did administrative and regulatory work on priority groundwater management areas process. The last legislature divided those activities and assigned TWDB the responsibility to delineate groundwater management areas and TNRCC is left to priority groundwater management area process, etc. The Texas Water Code Statute charges the TWDB with delineating groundwater area management area with emphasis on aquifers but can consider other considerations such as political subdivisions. The statute requires the water development board complete the process by September 1, 2003. This has been voluntarily moved up, and they trying to have it completed by the end of December 2002 in order to present it to the legislature when they come back into session in January 2003.

There was a workshop on May 15, 2002, in Austin where this was discussed. This included existing groundwater conservation districts, some environmental groups, etc. Three different scenarios were presented: (1) Follow the aquifers. (2) More emphasis on county line boundaries. (3) Emphasis on boundaries of groundwater conservation districts and regional planning groups. There was considerable discussion on all three. At the end of the workshop, participants were asked to choose their favorite scenario. The "follow the aquifers" scenario was the choice of the group. Within the next month or two a recommendation will be made to the Board on a draft map to present to the public. There will be several meetings across the state to present this.

There was extensive discussion concerning who attended the workshop, how the voting was done, which areas are involved in the divisions, and the possible results of the boundaries.

He reported two statutory ramifications and one practical political ramification. The statutory ramifications are that if a local area goes the route of petitioning TNRCC to create a groundwater district through the TNRCC process, the groundwater management area boundaries will be moved as a determining factor for the boundaries of that groundwater district. Another ramification is the legislature instituted strengthening joint planning between groundwater conservation districts within the same groundwater management area. If two or more groundwater districts are within a groundwater management area or share a groundwater management area, they are to exchange their water management plans, strive towards coordinated planning of the aquifer, and the legislation allows one district to petition the TNRCC that another district in the management area is not performing its duties properly and to force them to make changes, enforce the rules, etc.

He stated the political ramification is that in the next legislature if some one is trying to create a district through the legislative process, which is the most common, they would look at groundwater management area delineation and see how the proposed district fits in the delineation. He suggests they might look at the delineation of the areas when they are looking for approval of their legislative created districts.

Cameron reported there is a timeline involved in delineating the management areas and, then, TNRCC will review whether there is a need to establish a groundwater district. He believes this could cover the entire state, not just priority groundwater management areas.

Discussion continued on the impact this will have on the public in general, how counties can be split, and the issues involving groundwater management. The maps were used to demonstrate how the areas could be divided and what aquifers would be involved in each district.

The question was raised as to how the map could be changed. Comments are to be in by July and August. The PR program will start in November. It was suggested that everyone take this information back to his or her county and city governments, etc., to get everyone to individually respond. Also, a letter could be sent on behalf of the regional planning group.

The motion was made by Cameron to authorize Chairman Letz to take comments from individual members, draft, and send a letter to TWDB and the state legislators on this issue. The motion was seconded. There was discussion on state control of groundwater in the future and that this is the first step. The members are also concerned that they will be controlled by San Antonio in the future. The motion passed unanimously.

The members will be notified when the next meeting will be held.

The meeting was adjourned.

**PLATEAU WATER PLANNING GROUP
SEPTEMBER 4, 2002
Kerrville
MINUTES**

Present

John Ashworth, Planning Group Consultant
Jonathan Letz, Kerr County
Zach Davis, Kinney County
Otila Gonzalez, Val Verde County
Alejandro Garcia, Val Verde County
Jim T. Brown, River Authorities
David Jeffrey, Other
Thomas Qualia, Val Verde County
Tully Shahan, Kinney County
Jerry Simpton, Val Verde County
Cameron Cornett, Groundwater District, Kerr County
Charlie Wiedenfeld, Kerr County

Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meeting Act

Jonathan Letz called the meeting to order on September 4, 2002.

Item #2 Public Comments

There were no public comments.

Item #3 Approval of Minutes

The members were informed that two new transcribers have been found, one in Bandera and one in Boerne.

The minutes from February 21, April 24, and May 23, 2002 were discussed. Members were requested to help in completing final copies of the minutes and to "fill in the blanks" when they receive their copies.

On the April 24 minutes, names were corrected and whom they were representing. The minutes were then reviewed with corrections made. A motion to approve the minutes was made and seconded and passed unanimously.

The February 21 minutes were reviewed with accurate spelling of names and organizations with revisions and corrections made to the minutes. A motion to approve the minutes was made and seconded and passed unanimously.

The May 23 minutes were also examined with names and organizations corrected and revisions and corrections made. A motion was made to approve the minutes and seconded and passed unanimously.

Item #4, Reports

Jonathan reported on a Water Development Board meeting he attended in Austin on August 8. He made some brief comments on water desalination and asked how the water would be transported to areas not along the coast. Most regions are in favor of this, but West Texas would like to have seen a pilot groundwater saltwater test done, but since it was not the mandate from the governor is not being considered. He discussed a survey by the National Wildlife Federation that was critical of the regions for not being more conservation minded in their water plans. According to the survey, only two regions, L and P, were doing a good job in this area. He went on to say that the survey shows that we could save approximately 4,822 acre feet with a better conservation effort and with a higher effort, 8,588 acre feet. The new chairman of WDB thought this would be a good baseline for use to look at, although he did not quite give his approval. There have been significant changes on the Water Development Board with a new chairman and new members. They are very clear on the direction the Water Board is now taking. They seem to be pushing conservation and things along those lines.

There is no report from the secretary today as Ronnie Pace is not here.

Jim Brown gave his report on Political Entity. He advised members that all the paperwork is together for the contract for SOW funding, and this is being Fed Ex'd to the Water Development Board this afternoon.

He shared information on the IFR report he obtained at the Texas Water Advisory Council Quarterly Meeting. The estimated bottom line of the report is 18.2 billion dollars of infrastructure needs that must be completed prior to 2050 in order to meet 2050 water needs. Seventy-two percent of those funds would have to be spent between now and 2/28/2029. There was discussion as to who would be financially responsible for this. Local units of government or water companies were willing to contribute 20-25% and the State will be asked for the rest. Chairman Ron Lewis stated that if you are running a replenishing source and not selling it, do not ask for money for 100% financing of your project. This message was for municipal governments with wastewater treatment plants who have the opportunity to sell re-use water. The plants under river authorities that have water they are not selling will be examined closely to see what has been done to make up the cost.

Jim was in Tampa, Florida, and got a quick tour of the Tampa Bay project. This is a desalination plant that sits in the back of an electrical generation plant. They use blow down or blow back water (he is not sure of the correct term) coming across the bars to elevate the temperature required to start the desalination process. In doing this, they have cut their energy costs tremendously. A stand-alone plant costs about \$7.92/1000 gallons. A plant that takes advantage of heated water coming off the electrical generation is down to \$2.27/1000 gallons, and they believe they can continue to lower that cost with co-generation efforts.

He was also involved in a survey with the Army Corps of Engineers about seven months ago. The Corps of Engineers is trying to determine how to stay alive. They will not be building any more flood control projects, because they are all in place. They are now looking very seriously into water transportation. His latest report from the survey shows the Corps is beginning to focus in that area. The biggest problem for Tampa is getting the water to the area of Florida that needed it. They spoke of the Corps' study. It

appears the Corps will be changing their role from flood control to water transportation. He feels the regional planning groups will probably see recommendations for what they can do for us.

The question was asked about the impact of discharging brine back into the local area. Jim stated they are putting the discharge into a reservoir where they blend it rather than doing a direct discharge. He understands that even when it comes out of the discharge pond, it is piped somewhere into the bay and not along the shoreline where the fishing industry would be affected by it.

Jonathan advised that from the meeting he attended in Austin, there is nearly a 100% chance that the desalination pilot project will be built next to an electrical power plant.

Within a few weeks requests for qualifications or proposals to entities interested in the demonstration of seawater project will be sent. The report has to be ready for the legislature when they meet. There was a discussion about the supply of the infrastructure needed to support this and the impact of this based on the maps shown. Large municipalities are building significant infrastructures, giving Abilene as an example.

Cameron Cornett did not bring the bank statement but will scan it and send members an e-mail.

The TWBD report by Comer Tuck followed up on the conservation discussion started by Jonathan. There has been planning to increase efforts and priorities in various conservation programs. He feels in the next few months there will be changes in the agency and more high profile on conservation in the regional planning process and technical and financial assistance programs with conservation raised to a somewhat higher place.

He advised members that the Board is in the middle of a decision process, so he cannot give a definite answer. On the last three million dollars of additional supplemental funding that are in reserve for funding the regional water planning process. They are looking at taking requests for using that money and doing some allocation by December or January. Nothing is definite yet, but there is a possibility there will be a change. In the near term there will be a small amount of money divided between regions to do short term amendments to the existing regional water plans. Some regions have identified a real need to make an amendment to the water plan before the next one is developed. Possibly there will be some money for public participation or interregional coordination, etc. The bulk of the money would be set aside for about a year to allow regions to identify specific needs after getting deeper into the process and then take requests for the bulk of the money. Some regions have requested delays or extensions in asking for the money, but some have indicated they want the money now. When the Board makes its decision, he will so advise.

The Liaison Report was a video on information of the value of warm water springs that the members watched.

Item #5 Consider and Discuss Appointment of New Members: Kerr County, Municipal Interest; Bandera County, Tourism Interest

There are nominations for the two vacancies. For the Municipal Interest in Kerr County there is a letter from the City Manager of Kerrville with a resolution from the City Council recommending James Smith.

They also ask that we keep Howard Jackson and give all the information to him. The motion was made and seconded that James Smith be appointed as Kerr County Municipal Interest, and the motion passed unanimously.

The nomination for Bandera Tourism Interest came from Judge Evans in Bandera County. He recommended Homer Stevens. Mr. Stevens has not been contacted yet, but since Judge Evans nominated him, it would appear he is ready to accept. The motion was made and seconded to appoint Homer Stevens as Tourism Interest from Bandera County and passed unanimously.

Item #6 Consider and Discuss Approval of Invoices

There is one outstanding invoice.

The motion, Charlotte Stevens for transcription - \$55.00

The motion was made to accept invoice, seconded, and motion carried unanimously.

Item #7 Consider and Discuss Proposed Groundwater Management Area Boundaries

Copies of the draft map were distributed to members. This is the map that is being presented around the State. There is a comment period until the end of September. There will be eight public meetings across the State and then a public hearing in Austin on September 30, 2002. Comments can be made in person at any of the meetings or at the hearing. They can be made in writing and sent to the Water Development Board by the end of September to be on the safe side. The closest meeting to Kerrville will be in Fredericksburg next Thursday, September 12, 2002, from 6:30 to 8:30 p.m. at the Ag Center in Fredericksburg. There is also a meeting Monday, September 9, 2002, in San Angelo and one Tuesday, September 10, 2002, in Alpine. There is a meeting in Plainview on Thursday, September 5, 2002. There are others in East Texas and along the coast in the weeks following.

There was a question concerning whether the PWPG should make any official comments. The suggestion to combine Regions 7 and 9 was made since we rely on groundwater and surface area out of that region with 60-80% of our recharge coming from there as opposed to localized recharge. It is felt it is important to be in Region 7. A discussion ensued considering pros and cons.

A letter was received that indicated a consumer was not pleased with the Group's recommendations. She felt the map should follow the aquifer lines. She states the groundwater management areas have no real function in managing groundwater, and this should be done by individual groundwater districts. This developed into a discussion on PGMA's with the understanding that PGMA's will stay in place even if the plan splits a PGMA in half. There is a similarity between these boundaries and the GAM's. The modeling within a GMA will be following an entire GAM. In other words when they run a model it will be for a GMA. A discussion followed on how the modeling will be done. As no one really knows how this will be accomplished, there is some anxiety. Kinney County appears to be the only county we have that will be split based on the direction of the Edwards Aquifer Authority.

A motion was made to empower the chairman to write a letter outlining the requests based on the needs of the Region and seconded. There was a discussion on what the western area might do. A letter will be

generated based on information obtained from members. This letter will be given to members for approval before being sent to the Water Development Board. The motion passed unanimously.

Item #8 Consider and Discuss Review of Scope of Work by Consultant and Implementation Schedule.

Members were directed to find the summarized version of scope of work in their packets along with a single page schedule in their packets. The Water Development Board has basically given the tasks and a very extensive list of rules on how to accomplish the tasks. This plan will have ten chapters, as opposed to the first plan's seven chapters. There will be a few additional things that need to be done this time. The budget dollar amount is next to each task item.

Task I, the Descriptive Chapter. The major addition will be a discussion on the availability of existing pipelines that might be used during emergency periods to actually transport water from one site to another. There are some water security issues, but these will be dealt with at a later date.

Task 2, Population Water Demand. This will be discussed in Item 10. The Water Development Board will give that data to us.

Task 3, Water Supplies, both groundwater and surface water. The main difference is that we will probably have computer models with both surface and groundwater to work with. If these are not finished in time, we may not have them. Major springs are also addressed in Task 3. This is to look in more detail at major springs this group identifies as being of importance as a water supply. There is an optional study that will be done that was authorized by the Water Development Board under this task to establish some water level recorders in order to understand what the water level does in relationship to recharge. This is to be started as soon as the contracts and money are authorized.

Task 4, Developing Strategies. We compare our water demands from Task 2 to our water supply in Task 3 and find out which entities are short. For those entities, we will develop strategies. The Water Development Board is also showing us what entities will be getting population and water demands. What has changed on this is that in Kerr County, Ingram and Kerrville are still there. South Kerrville Water Company is now on the list, and AquaSource is off the list. In Real County, Leakey is off the list as it is not big enough. This was confirmed by a phone call. Leakey does not have 500 residents, and if there is another town in the county with at least 500 residents, it is off the list. On the official tables Leakey is not shown, but if the group feels Leakey should be looked at, we will look at it. The question of why AquaSource was removed was discussed. The Water Development Board is internalizing all the tables so that they are on the website, with only certain people accessing them to add information. This will make it more cost effective for the group.

This task has an optional study, which has two parts. One is the influence on aquifer pumping on spring flows, one part in Kinney and Val Verde Counties and another part in Western Kerr County. The question of funding was included in the task for adding monitor wells. This is included in the budget, and the locations will be discussed at a later date.

There was a question asked about the strategies on the potential influence of aquifer pumping on spring flow and if there was any conversation with USGS as to whether they are interested in doing their isotope

study within the time frame. All outside entities will be investigated that have any means of assisting in the final result, and the USGS is one of them. George (?) has asked for a proposal to UGRA to fund an isotope study to determine the connection, relationship, communication between the Llano Basin and Guadalupe Basin, but there is no money to do that.

There is no official stand from the Board on whether some of this money could be used as matching funds for some other entity. There was a discussion on whether this could be done. The specific results need to be easily identified from the merging of the money in order to get approval.

Task 5, Impact of Water Management Strategies on Key Parameters of Water Quality and Impacts of Moving Water from Rural and Agricultural Areas. This is a new task and has a low budget. If a strategy is designated, we need to say if the strategy will change or have an influence on water quality. If we generate red water flowing into a creek from mining spoils, we will have to identify it. Several of these will be in the strategy evaluations. There are new criteria involved in each specific strategy that will identify these things.

Task 6, Water Conservation Drought Management Recommendations. This requires us to develop a model for this region of what a water conservation and drought contingency plan should look like. The group was reminded that at a meeting about a year ago there was a demonstration on how to accomplish this. This is something that should already be prepared, and we can modify it to meet our conditions.

Task 7, Description of How the Region Water Plan is Consistent with Long Term Protection of the State's Water Resources, Agricultural Resources, and Natural Resources. The Board wants to show that we did everything in this plan that is required. We will develop a matrix that will list every single requirement and where to find the page/paragraph where the requirement is met.

Task 8, Identification of Unique Ecological Stream Segments and Reservoir Sites. This is discussed in more detail in Agenda Item 9.

Task 9, IFR Report. This records strategies developed for entities, presentations to cities and how they will fund it.

Task 10. The instructions do not read like this is a chapter, but he assumes they want a Chapter 10 that is similar to our final chapter that is a wrap-up of all the tasks. It addresses all the administrative aspects, holding meetings, public hearings, providing TWDB with review documents, etc. The question was asked if the TWDB mandates that we have a web site. Discussion ensued. Since the TDWB has a web site, the group can use this and be within guidelines. The public needs to be advised as to how to access the information. It was decided that this is the best way to handle this.

The schedule was then discussed. Between August and September 2003, there is a vertical line. This is the end of the first budgeted amount that is guaranteed. This is about 50% of the total amount. Everything to the left was selected as items that need to be worked on now that they are guaranteed to be funded. Everything after that may not be funded. In the middle of the year 2005, between July and August, there is another line followed by a green area. He feels we need to be finished with the Initially Prepared Plan, the adopted draft plan, to turn over the TWDB for review. The correction was pointed out that it is to be June 5, 2005, for the Prepared Plan. This is about the deadline of having it all done. The months after that

will be for TWDB review and for us to come back following their comments and any public comments to make final changes and get the document printed into a publishable format.

The blue area in 2002-2003 is the approximate time for optional studies to be done, for the water level recorders to be put in under Task 3, and for the spring study.

Most of the rest of this, like Task 5 Impact, we will have to know the strategies to know what impact to consider. Consistency has to come at the end after the plan is finished. Infrastructure study in Task 9 obviously comes at the end. We will push things up front as rapidly as possible, especially things that do not require us to wait on strategies and deficits, etc. Any initial studies that are needed should be done immediately.

He noted that Freese and Nichols is still the sub. This was authorized for this project; however, Glynda Mercier has left Freese and Nichols and will no longer be associated with this. They are in the process of rehiring, but it is not guaranteed this person will be assigned to this project.

Discussion followed concerning a water conservation plan being separate from a water drought contingency plan and what should go under Task 4 and Task 6. Last time the demand figures the WDB gave, conservation was built into those numbers. This time we are expected to develop our own conservation, and under every single strategy, conservation has to be part of it. There are fairly distinct guidelines to determine in stream water flow needs. Apart from that, the instructions are not clear on environmental water needs, but there are others who can be asked for information on this. It will be not be ready to present to the group for several months. Individuals from each area, such as tourism, etc., will be asked for their input. It was suggested that outlines and chapters be given for review before completing the final draft. Before the next meeting particular questions will be developed that will be sent so there will be time to think about them. The group discussed a book by Gunter _____ about surveying springs that was recently republished by Texas A&M Press. The proceeds from the sale of this book are to be used to try to complete the survey in the Central Texas area that was not done. He did not survey one-quarter to one-third of the state.

Item #9 Consider and Discuss Scope of Work "Task 8" and TPWD Role in Completing This Task

Parks and Wildlife will be heavily relied on to obtain information for this. There is a lot of data to select a unique stream site, and if that corresponds to one TPWD have selected, the work is almost done in this document, and even if it is not, Dick is willing to work with the consultants to complete it. Concern was voiced of not maximizing our leverage in trying to make certain TPWD was incorporated. This was addressed by pointing out some particulars in the document identifying continued commitment to assist and design special studies, etc. At the next meeting there will more definite identification of which stream segments qualify. If there is a specific request, at that time funding will be requested. It was pointed out that the more time allowed to request funding, the better it will be for everyone.

Item #10 Consider and Discuss Status of Population Projection Appeals

The group was directed to the second page of the handout showing the timeline. Requests for revisions must be received no later than January 2, which basically means the middle of December. The TWDB has to approve any appeals. The appeals process is in two parts, similar to the original population

projection, which was described. The TWDB has set numbers of county and region. If it is decided the number for a specific county is wrong, they may be willing to change it if the proper information is provided. However, the other counties have to be changed to make it balance. They have a state total, and they will keep that total, so it means the regional total population cannot change. The same applies to individual communities. There is a short time period for appeal. The numbers for the counties were reviewed and compared with the census with extensive discussion concerning individual counties, water usage, migration into and out of counties, and funding. It was suggested that the first step be to use criteria of justification that is listed to approve revisions and develop data that meets the criteria. If that can be done, the effort can be made to present the case that the county cannot be handled within the region and will need relief from another area. The group talked about the census figures now and in the future and how this should be reflected. There was some amazement at the future census figures for Bandera County and Kerr County. Also, Val Verde County figures do not reflect the border movement or the tourism figures. At the meeting in December, if necessary, it will be decided if any changes need to be made to the figures before sending them to the TWDB. Dan Harding is willing to work with the group to accomplish this.

The next meeting will be on December 19, 2002.

The meeting adjourned.

**PLATEAU WATER PLANNING GROUP
DECEMBER 19, 2002
Bracketville, Texas**

MINUTES

Present:

Jonathan Letz, Kerr County
Ronnie Pace, Industries, Kerr County
Otila Gonzalez, Val Verde County
Alejandro Garcia, Val Verde County
Jim T. Brown, River Authorities
David Jeffrey, Other
Thomas Qualia, Val Verde County
Tully Shahan, Kinney County
Jerry Simpton, Val Verde County
Cameron Cornett, Groundwater District, Kerr County
Charlie Wiedenfeld, Kerr County
Gene Smith, Municipalities
W. B. Sansom, Real County
Homer Stevens, Bandera County

Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meeting Act

Jonathan Letz called the meeting to order on December 19, 2002.

Item #2 Public Comments

There were no public comments.

Item #3 Approval of Minutes

A motion to approve the minutes from the September 4, 2002, meeting as corrected was made by Jim Brown and seconded Zach Davis. The motion passed unanimously.

Members were advised that the Water Development Board web site has been updated. Members were advised that tapes from February and April 2002 were not loud enough to be transcribed, so the minutes contain only the motions made in those meetings.

Item #4 Reports

Jonathan gave the report from the chair. GMA maps have been approved by the WDB and are available from the web site. We requested two modifications: one in the Kinney County area and that Bandera and Kerr Counties be moved to the region in the west. Kinney is now in only two GMAs rather than three or four. The regional boundaries were also corrected. Kerr and Bandera requested to be moved to the

Edwards Trinity Plateau area but did not happen and more of Bexar County was added. We are in the GMA of the Trinity and it extends a little further into Bexar County.

Jonathan received an article regarding the water situation in Kinney. He feels the board should have no position in this. He feels selling water has nothing to do with this group. There was a lengthy discussion about what happens if water leaves the county in gross volumes and the need to address it from the conservation standpoint. Jonathan does not feel as if we should be involved in the local issues. One problem is that we are forced to use underground water models that no one likes. It was suggested that someone be delegated to watch this situation and report to the Board as there could be long-term implications that would affect us. Jonathan reiterated that he feels the Board is working on a regional basis, and it needs to follow the scope of work as outlined. An extended discussion continued concerning what might happen in the future with population growth and water needs and how this will affect this region.

Our geologists have not indicated they want to change the mechanics of the model that has been developed. If anyone wishes to see the model, the Board staff and the consultants are available on request and resource available status to make to "what if" runs. When the model is completed it will become public property.

A question was asked about the current GAM model including the export project. It is calibrated on historical information, so there is nothing to calibrate against. Anything like that would be a "what if" condition that could be entered and run.

There is concern about water from Kinney County flowing east into the Uvalde/Medina area that we are charged with. This was clarified in that it was more the impact that is built into the plan. We are to balance supply and demand, but we do not say who can do what. More education on the Edwards Trinity was recommended. Comer is to check on this to possibly present it at the next meeting or the meeting after that.

Jonathan asked that everyone check the mailing list to be sure the information is correct, especially the E-mail addresses.

He then introduced two new members. Gene Smith, who graduated from Texas A&M with a degree in petroleum engineering and geology and worked for several oil companies. He gave the Board a short biographical sketch of his background. Homer Stevens was then introduced from Bandera County. He taught biology and chemistry at Bandera High School for 25 years. He also gave a brief biography.

Jim Brown gave his report. It was discussed that when he resigned from UGRA someone else should take over the Political Entity role. In order for that to happen, all contracts have to be canceled, all money refunded, and start over to apply for the funds. He talked to his Board, and UGRA will agree to serve as political subdivision at least through this contract period if the Planning Group wants them to continue. This will be discussed more under Item #6.

Cameron is not present today to discuss the Finance Committee report. The balance as of 11/30/02 was \$9,995.56. There are no invoices or checks outstanding.

Dick gave his report concerning the possibility of establishing a monitor well on Parks and Wildlife property. It appears one will be close to his office. This will enable us to monitor the Trinity but also have access to Edwards as well in western Kerr County. Cameron has been in contact with our Parks and Wildlife attorneys to draw up the easements, etc. There are two wells in Kerr County, two in Bandera County, one in Val Verde, and one in Kinney. Some discussion ensued about funding.

The Liaison report concerned two things. There are rumors that portions of the WDB will be reorganized, but he does not have solid information. Potentially, it could affect some of the existing project managers, etc, so there "might" be some moving of project managers as a result of the reorganization.

He stated the draft of water demand projections will come out of the WDB on or before 4:59 p.m. tomorrow afternoon and be transmitted to the political subdivision consultants and chair and eventually be put on the web site in two to three weeks. He reminded the members these are the initial draft projections. We will have approximately five months to check these and make requests for revisions.

Item #5, Consider and Discussion Approval of Invoices

There are no invoices.

Item #6, Consider and Discuss Jim Brown's Resignation from the UGRA and Continued Membership as River Authority Representative and UGRA's Status as Political Subdivision

The second part of the question has been answered. Jonathan discussed this with Jim, and it was decided that on an interim basis as long as everyone is agreeable to it, he would be UGRA's representative on this Board. A motion was made, seconded and passed unanimously supporting this. The Board thanked him for all his help and for agreeing to stay on the Board. Jim stated he would probably stay for another six to eight months, but, because with his new job, there could be some conflict of interest.

Item #7, Consider and Discuss Approval of Appeal of TWDB Population Projection (Kerr and Bandera Counties)

Jonathan stated this was the most important thing to be discussed at this meeting. He reviewed the problem concerning the old plan and new plan and cited the figures on population growth in both counties. He feels that the model does not accurately reflect the growth in Kerr County in the future. He stated the WDB is inflexible about modifying their model. He feels that the expected population growth in Bandera is too high and not high enough in Kerr County. When asked about revising the figures, Dan Hardin said they would not allow any shift without justification and that justification had to go through their model. The desire of the Board is to show growth in both counties into the future. It is felt that with these figures, even though they will be amended in the future census, they could affect infrastructure or funding for projects in Kerr County. He recommends this Board authorize the representatives from Bandera and Kerr County to agree on a number to switch from one county to the other. Stefan feels he can show some upward growth and try to submit that with the new numbers. At that point there would be a follow up meeting between Jonathan and several other members from the region along with Stefan, John Ashworth, and Kevin Ward stating that we do not agree and that Kerr County needs an exception because the consequences are damaging. There was a lengthy discussion concerning the model. It is felt as long as the regional totals do not increase, it is in the realm of possibility that it could be done.

Jonathan asked for a motion to authorize the representatives of Kerr and Bandera Counties, including Judge Evans in Bandera County, to develop population numbers to present to the State. The motion was made, seconded, and passed unanimously.

Item #8 Consider and Discuss Review of Scope of Work by Consultant and Implementation Schedule

A summary on optional studies was distributed to members. The first optional study is getting monitoring equipment for wells in the counties that were discussed above. There are two in Bandera County, two in Kerr, one in Kinney, and one in Val Verde. The goal is to start after the first of the year and have them all installed by March 1, 2003. The budget is about \$40,000, which is mostly for equipment. There has to be a responsible party to select and maintain the wells. The reason for the wells is to gather data for approximately two years, prepare a report, and then publicize the data. The vendor we are going to use to obtain the equipment is Stevens. Their cost is approximately \$5000 per site, and it takes approximately four to six weeks after ordering the equipment. They are giving us a 25% discount because of the quantity being ordered. In Kinney County, there has been no final conclusion on selecting the well and getting the equipment. In Val Verde County the City will be responsible for maintaining it. Bandera has some wells they are looking into but have not yet decided. There was lengthy discussion on the wells in each of the counties as to who would be responsible and how to share the information gathered. The data obtained will eventually be public access data, but it is basically for the districts and region, along with the Board. There was discussion on money available through grants, equipment, etc., that the region could use for this. There was a question as to why existing wells cannot be used with the response that existing wells need to have complete information available to determine if they would qualify. New wells would have all information needed to obtain the data needed. The Board discussed at length what type of information is needed from these wells.

The other optional study is regarding an evaluation of spring flow in Kinney, Valverde Counties and the western part of Kerr County. This has a relatively small budget: Kinney and Valverde at \$25,000 and Kerr at \$35,000. Kerr County has money to do some field surveys of springs in areas that contribute to the headwaters of the Guadalupe River in western Kerr County. This project is slated to begin early next year with the hope of finishing it within 2003. The regional budget for regional planning purposes is guaranteed for only half the total. We want to get these started in case funding falls through.

Members were informed that in the spring of 2002 \$14.9 million for baseline and supplemental studies was committed but there was just \$7.8 million in the bank. Additional funding has been requested from the upcoming legislative session and that will be decided on in late May or early June.

Members were asked to review the scope of work and determine if there were any questions that could be discussed at the next meeting. The members went over the tasks briefly to decide what had been done and what needed to be done. There was a lengthy discussion on conservation, and it will be reviewed at the next meeting. It was decided Task 1 and 2 did not need to be discussed. Task 3, water supplies, will need to be discussed at the next meeting with John presenting information. There was a lengthy discussion on conservation of water in regard to Tasks 5 and 6. Task 7 and 8 will need to be reviewed at the next meeting to determine what needs to be done for these tasks.

Item #9 Consider and Discuss Legislative Issues and 2003 Legislative Session

This is a reminder to all that the legislature is going back into session, and they tend to do things that effect everyone including regional water planning. There is a need to monitor what they do, and the Board should decide how they want to do this and how much can be spent on such monitoring.

There are three things being proposed to the legislature, and they all involve conservation. The first is combining our agricultural water conservation funding programs. There are now ten separate funds with several different sets of rules governing the funds, which is quite confusing. The legislature will be asked to streamline the various funds and programs and give more discretion on giving grants and loans for agricultural water conservation programs.

Second is an agricultural water conservation demonstration initiative. This is for an approximately ten year study of detailed, large scale demonstration plots to completely monitor a number of farms in metering irrigation water use, monitoring equipment on irrigation wells, etc. to see how pumpage effects the aquifer where they are located. This will provide them assistance in putting in more efficient irrigation systems to see how much that cuts back their irrigation use and hopefully improves the aquifer condition, cost, yield, etc. This is hoped to show that there is technology that will help irrigated agriculture protect the groundwater resource that farmers can afford and that will help the farmers continue to make a living.

The third is all conservation, agriculture and municipal, to create an interim water conservation advisory council over the next two years, before the next legislative session, to consider potential conservation programs/activities. The council would be comprised of representatives of the groundwater districts, regional water planning groups, river authorities, municipalities, industry, institutions, environmental groups, professional groups (AWWA, etc.). The purpose of the council would be to produce recommendations on various conservation activities that would be useful for the State of Texas. This would be reported to the next legislature including the cost, state funding, etc. This would be dedicated to water conservation type activities.

Comer was asked if he knew about a Rio Grande water district. He informed the group that there is a group in the Rio Grande Valley area reviving a proposal to create a Rio Grande Water Authority. It is similar to a river authority in other parts of the state. It would be a regional mechanism to provide funding and possibly regional cooperation on projects, water or wastewater. They would be the regional entity that could borrow money and/or build large-scale projects. They could provide service to multiple municipal customers of either water or wastewater. They could guide or promote regional projects to line up several customers who have a need for water or waste water but cannot afford to do it on their own or the economic scale would be more beneficial if there was one large treatment plant and distribution as opposed to five small ones, for example. There is some support and some opposition to it. He understands it is not a taxing authority. It is only the counties on the river including Maverick but not as far as Val Verde according to the version he has seen. Senator Lucio apparently wants to form a water authority that operates under Chapter 51 of the Water Code as a WCNID and also Chapter 30 of the Water Code as a regional wastewater collector/provider. This would be the counties in Region N with the exception of Jim Hogg, who does not want to be part of it as well as Maverick County. Apparently several counties do not want to be part of this, but Senator Lucio seems to want to get this bill through. He is basically setting up a borrowing agency but with a central operating authority to submit the application.

Item #10 Consider and Discuss Informational Items from PWPG Members

No items were discussed.

Item #11 Set Next Meeting

The next meeting will be in Leakey, Texas. The date will be decided on and members notified.

The meeting was adjourned.

**PLATEAU WATER PLANNING GROUP
APRIL 10, 2003
Leahey, Texas
MINUTES**

Present:

Jonathan Letz, Kerr County
Jerry Simpton, Valverde County
Ronnie Pace, Kerr County
Alejandro Garcia, Valverde County
Jim Brown, UGRA
Thomas Qualia, Valverde County
Cameron Cornett, Groundwater District, Kerr County
Tully Shahan, Kinney County
Otilia Gonzales, Val Verde County
Charlie Wiedenfeld, Water Utilities, Kerr County
John Ashworth, Consultant.
Homer Stevens, Bandera County
W. B. Sansom, Real County
Comer Tuck, Water Development Board
Richard Luebke, Parks and Wildlife
_____Real/Edwards
?_____
Gene Smith, City of Kerrville

Item #1 Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meeting Act

Jonathan Letz called the meeting to order on April 10, 2003.

Item #2 Public Comments

(There was talking but I could not understand what was being said for the most part, so I don't know if it was a public comment or not)

Item #3 Approval of Minutes

A motion to approve the minutes from the December 19, 2002, meeting as corrected was made. The motion was seconded and passed unanimously.

Item #4 Reports

A packet sent to the group earlier to look over before the meeting. A letter from Evelyn Bonavita was attached relating to the May 1, 2003, meeting in San Antonio in which they will discuss the Kinney Groundwater District. He is planning to attend the meeting and invited other members to join him as issues related the groundwater district will be discussed. There is also a letter dated February 18, 2003, from Bill _____ related to population projections. The higher appeal was approved by the Board, and the

figures submitted to move some of the population from Bandera County to Kerr County were approved by the WDB. The cover letter Jonathan sent is also attached. He pointed out in the letter that the group disagreed with the process and did not like the fact that we could not challenge the criteria they were using. There was also a letter in the packet from the chairman of Far West, Tom Beard, that he felt was interesting as it had received quite a bit of attention. Last, there is a letter that Kevin Ward sent to the chair responding to the letter from The National Wildlife Federation, Sierra Club, etc. Jonathan advised that he is going to try to mail more information instead of just e-mail as the budget will allow. He hopes to have the packets sent out a week before the meeting so everyone will have time to read over the material. If someone would like to receive a packet, please advise so they can be placed on the mailing list.

There was no report from the secretary, Ronnie Pace.

Jim Brown advised members that as he is no longer an employee of UGRA, his present employer's counsel has advised him that he cannot serve in the capacity of Political Entity as that position is of a financial manager. Ronnie Pace can fill that position as he is on the board. Jim has notified Janet Robinson, President of the UGRA Board, of this. He asked that this be included in the record. Ronnie advised that they were narrowing the list of prospects and hoped to have selected someone in the next 30-60 days.

Cameron gave the Financial Report. He had copies of the bank statements for the last three months if anyone did not receive his e-mail. The balance was \$9,995.56 at that time. Since then, there have been three expenditures for administration in the amount of \$385.71, leaving a total of \$9,609.85. Jonathan advised that it would be feasible to build the balance up and suggested asking the entities that support the Board to include in their budgets the same amounts they gave two years ago. The question was asked if we receive state money or just county money. Jonathan related that state money does not cover any administration costs, such as mailing out minutes, letters, secretary paid hourly, etc. Originally, Kerr County and Valverde, as the largest counties, and the City of Kerrville and the City of Del Rio as the largest cities, were asked for \$5,000 contribution. Bandera County and Kinney County were asked for either \$1,000 or \$2,000. Then Real and Edwards County were asked for \$1,000. It has been three years since an assessment was made.

Liaison Report advised that in the Region L, San Antonio region they are doing basically what is being done here with population and water demands and going through preliminary studies.

Information was distributed concerning the Rio Grande as it is a key component of the Region E water plan. It forms the western boundary of our region, although we do not really claim water from it as a supply source. This is a monthly update from the Texas Agricultural Experiment Station. Because of the drought situation, water is being allocated out of the Rio Grande for both the City of El Paso and for irrigators. The City of El Paso will be going strict rationing this summer, and a great deal of irrigation will not happen this summer in that area because of the low allocation. He felt the Board should be aware of the situation for information purposes.

The Parks and Wildlife is producing a video entitled, "Texas, the State of Water", that is going to be aired on almost all the PBS stations throughout Texas beginning on May 29, 2003. It will try to explain to the general public what the relationship is between surface water, groundwater, and natural resources.

Richard will bring a copy to the next meeting so members can view it. He also stated he can get someone from Parks and Wildlife to come to the joint meeting to discuss the threat of fish species involved in the Kinney County situation if the Board so desires.

Comer Tuck reported that nothing is final on the appropriation bill until the governor signs it, which could be as early as mid June or later. The current version of the bill does include enough money for regional planning to meet what is in the existing scope of work and existing contracts at the moment. This does not include any extra money. He stated there were meetings on reorganization within the agency, so he does not know what might come of that but will advise in the future. He hopes to be able to schedule a Chair's meeting in late June in Austin for a day to meet each other, discuss what happened in the legislature, how appropriations look, more followup on issues raised, etc.

Item #5, Consider and Discussion Approval of Invoices

There are three invoices submitted for approval:

Charlotte Stevens for transcription of minutes - \$80.00

Karen Letz, administrative services \$75.00

Karen Letz, supplies, copies, phones \$230.71

The motion to approve the invoices was made and seconded. The motion passed unanimously.

A new item was added to the invoices. This is related to LBG guidance invoices, and UGRA has requested that we approve these invoices for payment during our meetings. UGRA has agreed to pay them with Jonathan's authorization as chair. He will then bring them back for the Board to look over. In the past, Jim authorized the payments; now Jonathan will authorize the payments. These cover the period from February 2002 through March 2003. The invoices from February 2002 through November 2002 have been paid. From December 2002 through March 2003 are pending.

December 2002 - \$4,477.13.

January 2003 - \$2,272.66

February 2003 - \$567.64

March 2003 - \$1,520.04

All but about \$500 of this was for the appeal for the population projections and plan administration. All the other line items are intact with these two exceptions.

The motion was made and seconded to approve the invoices. It was amended to have Jonathan Letz initial and allow for payments to have smooth flow. The motion was passed unanimously.

Members were informed that budgets could be cut by as much as 50% in the coming biennium and that they need to be aware of this possibility. It was suggested that congressmen be contacted and informed about the Board feels is important. It was stated that everything that is in the contract presently will be covered, but this is subject to change. The session is to end on 6/2/03. There was some discussion on this matter.

Item #6, Consider and Discuss Election of PWPG Officers for 2003

According to the bylaws, at the first meeting each year the chair, vice chair, and secretary are to be elected along with members of the Executive Committee. The motion was made to retain the current slate with Jonathan Letz as chair, Jerry Simpton as vice chair, and Ronnie Pace as secretary/treasurer. The motion was seconded and the motion passed unanimously.

Item #7, Consider and Discuss Election of At – Large Members to Executive Committee

The Executive Committee is made up of the chair, vice chair, secretary, a representative from the political entity, and two at large. Right now the at large members are Zach Davis and Cameron Cornett. This matter was tabled until after Item 8 was completed.

It was suggested that the Board wait until the positions for Cameron and Jim are filled before the Executive Committee be elected. The motion was made to leave the Political Entity open, and the other two members at large will be David Jeffery and Zach Davis. The motion was seconded and passed unanimously.

Item #8, Consider and Discuss Resignation of Jim Brown and Cameron Cornett from PWPG Board

Two resignations were discussed, Jim Brown and Cameron Cornett. Jonathan received Cameron's letter dated 4/7/03, and Jim Brown sent him an e-mail that this would be his last meeting.

Jim informed members that he understood the Board will probably make an offer to his successor at the their next meeting. He suggests that he resign but to leave the spot open until his successor is appointed by the Board. He stated he was happy to have been a part of the group and what it has accomplished. If he can help in the future as non member, he will be glad to do so.

Cameron informed the group that he is planning to go to law school. He places a great deal of importance on the group and feels there should be a controlled transition, thus the reason he sent the letter earlier rather than later.

Jonathan thanked both men for their assistance to him personally and to the Board. He suggested the members give both men a resolution of thanks and a certificate or plaque of acknowledgment for their time and service, however, he does not have these prepared for this meeting. He wants to have this put on the agenda for the next meeting. He asked when the resignations are to become effective. Cameron stated his is through this meeting but does not know what may happen through May. Jim stated he will be happy to attend the meetings until his replacement is named but cannot be involved in the financial side. Things will continue as they are for the time being.

Jim suggested that someone assume the role of liaison with Region K in the mesquite and juniper removal effort. He will be happy to continue his efforts as a layperson. He informed the Board In the next session that Kerr, Llano, and Gillespie Counties could be added to the State's Soil and Water Conservation vegetation control process but support from Region K is needed to accomplish this.

Item #9, Consider and Discuss Change of David Jeffery Membership Position from "Other" to "Water District"

The Board was advised that when Cameron joined the Board he was in Bandera County and Water District. When he moved to Kerr County as general manager of Headwaters, he and the Board wanted him to remain a member, so he stayed in Water District and David Jeffery was placed in Other for Bandera County. Jonathan suggests that Water District be moved to David Jeffery in Bandera County and open an Other spot in Bandera County. The motion was made and seconded that David Jeffery assume the Water District spot on Cameron's resignation and file the vacancy for the open position in Bandera County. There was no discussion, and the motion passed unanimously.

Jonathan introduced a guest from a new water district that is becoming active in Real County. He suggested a new slot be opened for another water district representative from Edwards and Real Counties. There was discussion as to if it is a water district or river authority or a hybrid. The legislature calls them a conservation reclamation district with authority over surface water and groundwater in Real and Edwards Counties with a very broad jurisdiction.

Item #10, Consider and Discuss Review of Scope of Work by Consultant and Implementation Schedule

A comprehensive review of the scope of work with the budget for each task was identified, detailing each task, to bring everyone up to date. The long term aim is to produce a state water plan that is a combination of all 16 regions with each region developing a plan based on the same chapter subjects. The members were advised that the plan is in the editing stage so that revisions can be made. Stefan from Region A spoke to the group about how the Panhandle Regional Planning Group gets funding. The floor was then opened for questions and discussion.

There was a lengthy discussion about moving water from one region to another and budgeting. There was a question on Task #4 on the optional study of pumping effects on spring flow and why it is optional. This task and the water monitoring at the end of Task #3 should probably be referred to as conditional as they fell under a separate budget. They are really no longer optional although they appear that way in the scope. The Board has authorized them if the money remains in the budget, however, the legislature could delete all the optional studies. There is a revised schedule moving the optional studies forward pending the legislature's decision on the budget. The members feel the optional studies are more important than most of the other tasks and the legislature should be so advised. There was a question on the water availability model being revised. The board was advised the pumping distribution was revised but the model has not yet been seen. An action item for the next meeting is to at least consider a letter to the WDB that we intend to enlist their help in modeling. They are going to do modeling work on all 16 regions on a first come first serve basis. The board was informed that a letter will not reserve a place, but a formal request is needed. Comer was asked to advise the board when the models are to be

completed/updated. A presentation to the board and possibly the whole community of the models would be worthwhile. The current Hill Country Trinity is being built now and also the Edwards Trinity Plateau.

The Board was advised that Kinney County has a very critical situation that is not protected in the original water planning. There is no water marketing unit threat in the plan. There was a recommendation to allow the consultant or one of members to meet with the end users to find out if they are addressing this situation. There was extensive discussion regarding the existing contracts and projections in Kinney County and how the models reflect this county and concern expressed. Jonathan suggested ways the Board can assist the water districts by targeting studies or running models, but that is basically all the Board can do. The question was raised concerning if the groundwater districts are required by the water code to use the groundwater plan when doing the groundwater management plan. The response was yes unless there is better site specific information available. A discussion followed concerning all models being done at the State level and funding.

Item #11, Consider and Discuss Monitor Well in Kinney County with Kinney County GWCD

There was a brief review of the monitor well plan along with the funding. Kinney County advised the Board that they have a well that is not being used at this time, and their GWCD wants to use it as their monitoring well in partnership with the regional WPG. The first step is for John to look at the well to see if it is appropriate for the purpose. There was discussion concerning what is needed to get this started and what the monitor well is to accomplish as well other sources of funding. There was clarification that this funding is not to put in a surface stream. The Board was advised if there is an interest in stream flow monitoring to request funds from the International Boundary and Water Commission and USGS., although there was some disagreement about this. Another family is interested in putting in a monitoring well and a creek for Kinney County and have offered this to the water district..

Item #12, Consider and Discuss Approval of TWDB Demand Projections

Three documents were distributed. This is a critical stage for water demand projections. It is not necessary to adopt it at this meeting but the process needs to be started. One takes the regional grouping by water use category and compares it to the current projections and what was published in the 2002 water plan. In the previous plan the numbers given by WDB had water conservation built into the plan. In the current plan this is not done, however, they gave a per capita estimate for municipal use for increased or decrease based on plumbing fixtures. In other words, if a community began putting in new types of plumbing fixtures, a certain type of conservation would occur. The numbers are in acre feet.

The next document includes the approved population on the first page. The second page shows municipal use for each city and county/other (rural). Following that, for each decade is the reduction from the baseline that could be expected purely from the plumbing fixture aspect. The board needs to consider not only the per capita water use but also the plumbing reduction. This was discussed in detail with members being advised to be sure all the figures are correct before approving demand numbers. This should be accomplished by the next meeting or the meeting after. Kinney County especially had many questions with extensive discussion. Each county was advised to collect data as to how their population is growing.

There was a prolonged discussion on the irrigation numbers and livestock figures with a question on filling ponds, and if this should be considered under irrigation or under county/other municipal use. Thr

Water Advisory Group is looking into this. The Board was advised to use the data from the Conservation Districts as the fastest way to obtain information on how much water is being used in order to have a good number. There were several more questions on irrigation figures with a prolonged discussion continuing on these figures for all the counties being incorrect. The members were advised that if changes to the demands are to be done and accepted by the Board, it should be done immediately. They were also advised that after two years if a water district or anyone else, after monitoring, decide that something is vastly wrong to bring it to this group so an adjustment can be made at that time. This plan does not go in until 2005 so adjustments can be made. Jonathan asked that everyone check the figures and to call Comer to determine how the figures were computed. These can then be verified and brought to the next meeting. These figures can then be given to John to include in the plan to present in one appeal rather than presenting numbers on several different appeals, which is costly.

The presentation continued indicating the graphs that compared the last plan to this plan's projection with all the categories other than municipal. There is also a historical water use summary for that particular category from 1980 up to 1999. Jonathan asked about the relationship between the 2001 plan and the 2003 projection and seeming contradictions. A detailed explanation ensued on mining and manufacturing with mining declining over time along with the amount of water needed to mine, etc. Manufacturing is based on population growth, etc., so there are some changes. Comer also talked about steam/electric and livestock at length. He explained that the draft numbers are based on the same assumptions used last time. The Board's web page, Exhibit B, has the documentation on how to do the plan with wording on methodology. John will e-mail details on this to the group.

Item #13, Consider and Discuss Legislative Issues and 2003 Legislative Session

This was covered earlier in that the budget is pending.

Item #14, Consider and Discuss Informational Items from PWPG Members

There were no information items.

Items #15, Set Next Meeting

The next meeting will be in June. Members will be notified of the date. To be placed on the notification list, send an e-mail to Karen Letz at SOCOTXKB@HCTC.net.

The meeting was adjourned.

**PLATEAU WATER PLANNING GROUP
JULY 23, 2003**

Del Rio, Texas

MINUTES

Present:

Jonathan Letz, Kerr County
Jerry Simpton, Val Verde County
John Ashworth, Consultant – LBG Guyton
Feather Wilson
Ralph Boeker, Texas Water Development Board
Zach Davis, Kinney County
Charlie Wiedenfeld, Water Utilities, Kerr County
Homer Stevens, Bandera County
Otilia Gonzales, Val Verde County
Thomas Qualia, Valverde County
Gene Smith, City of Kerrville
Tully Shahan, Kinney County
David Jeffery, Bandera County
Greg Etter UGRA
Stefan Schuster, Consultant – Freese & Nichols
Robert Anaya, Texas Water Development Board

Item #1, Call to Order, Roll Call, Certification of Quorum and Compliance with Texas Open Meeting Act.

Jonathan Letz called the meeting to order on July 23, 2003.

Item #2, Public Comments.

Laura Brock of NWR advised members of several recently published items on principles of water planning with extra copies available. Another publication was on research on evaluation on irrigation demands around the state. Copies were sent to Jonathan and copies are available if anyone is interested.

Item #3, Approval of Minutes.

A motion to approve the minutes from the April 10, 2003, meeting as corrected was made by Charlie Wiedenfeld. The motion was seconded by Gene Smith and passed unanimously.

Item #4, Reports.

The chairman advised the members that the delay in calling this meeting was because of a delay in the Chairs' meeting that was to be held in Austin. The meeting was to be held in June but was postponed until July. This meeting was delayed until after the Chair's meeting so more accurate information on the budget was available. Most of the items will be discussed under specific agenda items. He did inform members that the WDB has assembled a regional water planning data web interface. The information obtained will be input directly into the database by the consultants on a real time basis. At this time who will have access to this information is not clear. He feels that every member of a planning group should receive a security code and password to access this on a "read only" basis. There was some discussion that this should be public access "read only", but this was not decided on.

Jonathan gave a general overview of the Chairs' meeting stating it was a standard format. There were four members of the WDB with their executive director along with several senior staff in attendance. He informed members of his opinion that Region E and Region J seem to be the most difficult to get along with. These regions seem to voice more problems than the other regions. Region E voiced the issue that there is too much paperwork coming from "the top" that the regions have to make "fit". Jonathan was more specific in his statement, directing his comments to the population projections. He did state it was overall a "pretty good meeting".

There was no report from the secretary, Ronnie Pace, who is not in attendance.

There is no report from the political entity.

Jonathan gave the financial report. He advised members that the reconciliation statement is available for those who do not have a copy. The ending balance as of June 30, 2003, was \$9,519.851, no change from the prior month but a slight change from the last meeting. He did remind members that at the last meeting they were asked to go back to their organizations/entities to include in their budgets for next year an amount for regional water planning.

The Liaison Report included three items from the Parks and Wildlife Department. Before Cameron Cornett resigned, he approached Dick about locating a monitoring well in West Kerr County on Parks and Wildlife property near Dick's facility. Subsequent to his leaving, this well was checked by the District. They are in the process of considering this location but have not yet made their decision. He brought copies for the Board of the July issue of the Parks and Wildlife magazine because it was devoted to water issues. He also brought copies of the PBS program that was aired in June that he had talked about in the last meeting.

Jonathan advised members that Comer Tuck is no longer the WDB liaison. The new liaison is Ernie Rebeck, but he could not come to the meeting today. Ralph Boeker is substituting for Ernie and will bring his report. Ralph advised members that during the regular legislative session, sufficient funding was allocated for water planning so the requirements of the current contracts can be met. He did inform members that typically the chairs are contacted through conference calls periodically, but the WDB does like to have meetings on occasion. Sixteen chairs did attend the meeting. Feedback was asked and received from the different regions, and he felt it was a good meeting.

Item #5, Consider and Discuss Approval of Invoices.

There are three invoices submitted for approval:

Charlotte Stevens for transcription of minutes for 4/10/03 - \$90.00
Karen Letz, administrative services for June and July - \$90.00
Karen Letz, supplies, copies, phones - \$81.86
LBG Guyton & Associates for 6/1/03-6/30/03 - \$4,330.18 (Task #2, \$2,811.12
and Task 3 \$1,519.06)

The motion to approve the invoices was made by Tully Shahan and seconded by Gene Smith. The motion passed unanimously.

Item #6, Consider and Discuss Appointment of New Member – Kerr County, “River Authority Interest” to PWPG Board.

This slot has been open since Jim Brown resigned from UGRA and PWPG. It was held open until UGRA appointed a new manager, which has been done. Their recommendation is that Greg Etter be the representative to our Board. . He gave a short statement of his past experience and education. A motion was made by Tully Shahan and seconded by Jerry Simpton that Greg Etter be appointed to the Regional Planning Group. There was no discussion, and the motion passed unanimously.

Item #7, Consider and Discuss Appointment of New Member – Bandera County, “Other Interest” to PWPG Board.

There is a problem with this opening in that the vacancy notice that was published by the Secretary of State showed the vacancy to be “Water District” not “Open” Interest. Technically, we cannot fill this position today. Even though our agenda is correct, the posting with the Secretary of State’s office was not correct. This will be corrected, however, there is a policy in the bylaws that a representative can appoint another member into that spot. Cameron Cornett’s recommendation was that Feather Wilson fill that spot, and at the chairman’s discretion, he feels Mr. Wilson can fill the vacancy at this meeting. This will be made official later.

Mr. Wilson gave a short biographical background. He has been a geologist for 42 years and obtained two degrees from the University of Texas in Austin. He has done considerable work in the Texas Hill Country including volunteer work in water districts. He is quite knowledgeable about the Trinity. He will be an official member at the next meeting.

Item #8, Consider and Discuss Legislative Issues and 2003 Legislative Session.

Jonathan did not add anything other than what was highlighted in the agenda package that he received at the Chairs’ conference. The key thing from the budget standpoint was that the contract amounts all the regions had pending was approved. It remains to be seen if the next legislative session will approve the balance. It was felt this will be approved. It appears that most

of the legislature seems to be committed to the process that was started under SB1 in 1997. He mentioned specific legislative issues with groundwater, surface water, and financing with references stated. Members were also directed to the water conservation task force item.

Item #9, Consider and Discuss Proposed Revisions to the TWDB Water Demand Projections.

John reminded members of an e-mail distribution of a memorandum report and asked if all the board members received this. Copies were distributed. Table I is the summary of what is planned for revision at this time. Since sending out the report, he now has a preliminary number to put under the City of Kerrville. A revised Table I was distributed with the revised number for Kerrville; the remainder of the figures are correct. The preliminary numbers from the WDB were sent several weeks ago to the board and to the public for review. Comments were sent back to John. He also went through the list and found things that did not look right. The majority of the numbers seemed to be within the range of acceptability, unless an entity, itself, told him they wanted a change. The only problem he really had was with irrigation. He advised the board that there is an opportunity to send our requested revisions to the WDB backed up with specific evidence of why the changes are justified. There is no deadline for this, but he thinks the WDB is looking at about this time of year in order to keep the entire planning process moving forward.

The chart shows only one municipality that had some disagreement with the number, Kerrville. Stefan was asked to work with Kerrville, and they have been working. The WDB was brought into this, and he asked Stefan to explain what has developed. Stefan reported that from the annual water use survey they determined the GPCD (gallons per capita per day) use. Based on the numbers the board had from the 2000 survey, they produced the GPCD number to 143. Historically it has been about 173. They determined after some research, that the WDB had not accounted for sales outside Kerrville. In addition, the calculations for the projections also did not include the corrected population numbers, so there is a twofold correction that needs to be made. The WDB has already started recalculating those numbers and a new revised demand that is more in line with historical numbers should be forthcoming. The real concern was that 143 does not create the demand level that Kerrville felt was necessary to follow into the infrastructure financing that needs to be done in the future, thus, it was important to get this number raised. The new numbers should be supplied soon. The board can approve this when the numbers are obtained, or take the action of referring it to the Executive Committee based on an upward change agreeing that a number somewhere in the higher range of 173 subject to final agreement by the Executive Committee will be accepted. Jonathan asked if this could be held until the next meeting, and this was agreeable to the members.

Jonathan also referred to the per capita use across the region varying from 104 gallons/day to 526 gallons/day. He feels there are big savings in some areas, and that is more important than worrying about a small number for the City of Kerrville. He asked if John is going to address this. John agreed this was important. This table was distributed at an earlier time in the water demand process. It has all the municipal and county/other entities and what the gallons/capita/day, which is what the demands are based on with a significant variation. What the numbers really mean is the total amount of water produced by that entity is divided by the population as shown on the population chart. If there is a higher than average GPCD, there is a

need to see if there are other water uses other than personal consumption within that entity. Representatives from the entities were asked at earlier meetings to look at the numbers and advise if they are not really justified based on whether they are too high or too low based on the other amount of water used, other than personal consumption. He feels the water demand numbers are getting closer to what they actually are compared to the figures in the first plan, except for irrigation, but they are not yet right. There was some discussion about Kinney County figures and how water is lost. The ASR wells were included in this discussion. The City of Bandera was asked to present the ASR well and how it works at a future meeting. John told the group it is critical to determine the water demand number that represents the amount of water source that is needed not just how much is being sold.

John went on to state that irrigation is the area he has some concerns about. The WDB process at this time was to use the year 2000 survey conducted by the NRCS. Each county was surveyed to determine how many acres were being irrigated, what type of crops were grown, and how much water that crop used. This survey continued through the year in order to determine if more than one crop was being grown during the year in order to get the total amount of irrigation use. They have done a survey every five years for the WDB, but it appears 2000 was the last year this will be done. In future they plan to use some type of remote sensing and other methods to insure better accuracy. This is the number we are to use for our purposes, and this the number we can change it we feel it is incorrect. The year 2000 was a drought year, and we are doing our planning based on drought conditions. He feels that the irrigation numbers are too high. He wants to use the upper level of the historical period, which covers drought and is also within the measured amount. He wants to make sure agriculture has enough water. His figures showed these changes in Kerr and Bandera Counties, as well as Real County. He asked for questions and discussion on these changes. These projections assume low rainfall measurement. He will check his figures to determine if golf courses are included in this. There was a question as to the accuracy of the NRCS survey numbers. John explained that there are sources other than NRCS that he used in conjunction with these survey numbers. There was some discussion on the figures for Bandera and Kerr Counties, and John asked members for input.

John then informed the board that Val Verde County has reported to him documentation of their annual water rights and annual diversions noted by month for the last five to six years. He thinks the WDB never had these numbers, or NRCS never used them. He used the year 2000 diversion number they provided from San Felipe Creek and added the amount of ground water from the NRCS survey to arrive at the new number. He asked for comments and questions on this. There was a comment stating the State's approach was unreasonable and did not make sense as numbers were available. The State, however, did not use these numbers but used the survey. There was some discussion and explanation on this.

John then discussed the Kinney County figures informing the group that the 2000 survey was not in keeping with the historical record. The planning for this county will be an issue in the near future. There is a potential plan to market water that was previously used for irrigation out of Kinney County. The Kinney County Groundwater Conservation District was to determine historical irrigation use within the county by taking applications for historical use permits documented back to 1977. The application filing period continues to October 1, 2003. These figures were to determine how many acres and how much water is dedicated or has historically

been dedicated for agriculture. This will be used as the 2000 starting period. He asked for comments and questions on this plan. There was a lengthy discussion on how long it will take to compile the figures in order to have this information available. It was decided that an estimate could be available by the time of the next meeting. This number could be amended, if necessary, at a later date. John advised members to recheck the numbers and advise him of any discrepancies.

He also informed members that Task #2 was budgeted for only \$10,000 a year ago. He reported that he and Stefan are already over the \$10,000 budget, and they have not charged for many things they have done. There is no money left in the budget. There will be a contract adjustment request to move more money into this task as it is extremely important. At the time the budget was made it was felt the WDB numbers were accurate, but obviously this was not the case. The consultants feel this is an important, critical, task and money needs to be shifted to this task.

Item #10, Receive Public Comments on Revised Water Demand Projections.

This item was postponed until the next meeting when the final draft numbers were be available.

Item #11, Consider and Discuss Approval of Water Demand Projections.

This will also be discussed at the next meeting.

Item #12, Consider and Discuss Water Conservation Implementation Task Force (SB 1094) and Possible Nomination to Same.

Jonathan explained this is a creation of the most recent legislature, and a copy of the version of the SB 1094 implementing this task force is in the packet. Tully Shahan advised Jonathan that he would be interested in being nominated and serving in the task force. There will be statewide sixteen members of this task force. The members will be expected to do several jobs. Of the sixteen, seven will be state agencies. The remainder will be various interest groups, and one of the interest groups has to be a regional water planning member. Nominations are now being compiled, and the WDB will make a selection based on a consensus process. The task force will plan to meet monthly for a year to eighteen months. The meetings will be mostly in Austin, so some travel is involved, but there is no compensation for this travel. Ralph advised that one of the key things the task force will be looking into is best management practices for conservation for the regional planning groups to work with. He feels the meetings will be at least monthly and somewhat lengthy. The due date for nominations is the end of July. There was a question if this task force is to implement and propagate statewide rules and regulations that would supersede and subordinate the existing water management districts to the State. The local districts would then have to equate or exceed those regulations. It was explained that this task force is tied to conservation issues. There was discussion that this task force is the forerunner of a bill to override existing groundwater management districts. There was more discussion on what the task force will cover. Members were encouraged to read the senate bill. The board was advised that the task force has a research grant for \$175,000, and it is all conservation oriented with no efforts to do regulatory type work. Jonathan told the board that he feels there is a very slim chance of anyone from this region getting on the task force. He feels this region does not have a powerful

enough lobby to support a nominee, however, if someone wants to try, he will be happy to recommend this person. Tully stated that he would like to be nominated, and the Board agreed. A motion was made by Jerry Simpton and seconded by David Jeffery to nominate Tully Shahan to the Water Conservation Implementation Task Force. There was no discussion, and the motion passed unanimously. Jonathan informed members that there can be more than one nomination if anyone is interested. He encouraged entities to send letters of support for Tully. The letters should be sent to Comer Tuck.

Item #13, Presentation of Status of Trinity and Edwards – Trinity Groundwater Availability Models.

The report on the status of the groundwater models was given. There was discussion on pump test data. He did a review of what groundwater availability model to use and gave the status of the Trinity and Edwards Trinity Plateau models. He also discussed how to address domestic pumpers, the addition of the lower Trinity into the model, and new wells.

The purpose of the modeling is to provide reliable, timely information on groundwater availability to the state of Texas for a 50 year planning horizon. This is to result in a computer model of groundwater flow for all the major aquifers and some of the minor ones. This is to give a better understanding of groundwater resources and to assist groundwater districts and planning groups in determining groundwater availability to develop better plans for drought management. The computer models for the major aquifers are scheduled to be completed by September 2004. The models are to be used as tools to assess the availability once defined. The group was informed that handouts will be available explaining how to request a model run. The group was encouraged to use this resource and to participate in the process by attending state meetings and by reading the reports and making corrections as needed. Emphasis was placed on the information being received to compile the models and not to wait until the models are completed.

Maps were referred to showing what areas are completed, shown in blue. The purple areas are near completion, currently being reviewed. The red areas are to be done by 2004. The areas of this group's concern were discussed. In this model, the Edwards-Trinity Plateau, the Trinity-Hill Country portion will just have two layers – one of the Trinity, and one for the Edwards, so basically all the lower, middle, and upper Trinity will be one layer. The question on how to use such a non site specific model can be used was asked. It was explained that this is the best that is available at this time. It was brought to the attention of the group that no money was allowed to be spent to update any of the models, so the regions were prevented from updating them to make them site specific. Again, it was explained that this is the best that is available at this point, and it is just the beginning of the process. Lengthy discussion ensued. Questions about how to get a model for just one county in this area was discussed. The group was informed that the data that is sent in is not necessarily used in the model but is reviewed and if it can be used in the model it will be.

The first Trinity model was completed in 2000, and a hard copy of the report is available through the WDB, or it can be downloaded from the internet site. This model is of interest to Regions K, J, and L.

Item #14, Consider and Discuss Policy Issues as Part of Regional Water Plan.

A list of policy topics is included the packet. The last time this topic was handled at the end of the planning process and sent back to the regions to be adjusted/modified. This time we have been asked to look at it earlier to decide what process to use locally, to schedule it for a meeting to discuss or postpone it for a year, two years, etc. These are policy issues that can become part of the water plan and are intended to give direction to the legislature and WDB. This list is compiled from what the WDB has gleaned from the state water plan and regional water plans. We can either use this list or make our own list. The group was asked to read over this, and it will be discussed at the next couple of meetings.

Item #15, Consider and Discuss Review of Scope of Work by Consultant and Implementation Schedule.

The group was given a budget update. Copies were distributed to the PWPG members. There are two supplemental projects ready. One is the groundwater/surface water interconnection in western Kerr County. They will be looking at springs and flow from the tributaries coming into the headwaters of the Guadalupe. This is to determine what happens if a well field is put in the Edward's formation in western Kerr County to see how it effects water destined to come into the headwaters of the upper Guadalupe. The other project is the installation of six monitoring wells within the region – two in Kerr County, two in Bandera, one in Kinney, and one in Val Verde County. Since the money is available, this will be started. It is thought that a well in Kinney County has been located that appears to meet all the requirements. It is hoped that other monitoring wells will be put in by other entities. The supply evaluation, Task 3, will be started soon. There was a question on over-spending. The board has discretion to move funds from category to category. The board does not allow 35% over-spending on any one task. If it is under 35%, the group has the discretion to move the money where they want it. It is hoped that other tasks will not require as much money, so it will be available to move the money from Task 4. The motion to move \$3500 from Task 4, Water Management Strategies, to Task 2, Population Water Demands was made, seconded, and passed unanimously.

Item #16, Consider and Discuss Informational Items from PWPG Members.

The City of Kerrville and groundwater district had a dispute over conjunctive water supplies. Our removal of water from the Guadalupe River is a low priority because it only started in 1980. In our drought of record, we had to rely on groundwater supply. The rules say your historical use is the last several years. The last time we had any historical use out of the groundwater was prior to the time we started taking water out of the river. Some members wanted to use the last five years, but we argued that was not really historical use of that reservoir so a compromise was reached and used the historical use of groundwater was prior to 1980. These rules really did not cover conjunctive water use. We wanted to take the last five years prior to 1980 and adjust it for population but we were unable to do so. A lot of the rules do not fit very well to cover conjunctive use several supplies of water, but a compromise was reached in this situation.

Item #17, Set Next Meeting.

The next meeting will be scheduled in mid to late fall, possibly some time in the middle of November.

The meeting was adjourned.

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Jonathan Letz: June 17, 2004, [inaudible] Meeting of the Plateau Water Planning Group. Good turnout. We are in compliance with the Texas Open Meeting Law and we do have a Quorum. We'll start out today with a Roll Call. Zach, why don't you start us off?

Zach Davis: Zach Davis, Kinney County.

Lon Langley: Lon Langley, Headwater.

Greg Etter: Greg Etter, River Authorities.

Feather Wilson: Feather Wilson, [inaudible].

Unidentified Male: [Inaudible].

John: I'm John [inaudible], the [inaudible] Fisheries.

Jerry Simpton: Jerry Simpton, [inaudible] County.

Homer Stevens: Homer Stevens, Bandera County.

Ernest Rebeck: Ernest Rebeck, Texas Water Development Board.

Howard Jackson: Howard Jackson, City of Kerrville.

Unidentified Male: [Inaudible], Department of [inaudible].

Tully Shahan: Tully Shahan, Kinney County.

Charles Wiedenfeld: Charles Wiedenfeld representing the Utilities.

Unidentified Male: [Inaudible].

David Jeffrey: David Jeffrey, Water Districts.

Ronnie Pace: Ronnie Pace, Kerr County.

Jonathan Letz: Jonathan Letz, Kerr County.

Laura Brock: Laura Brock, I'm with Environmental Defense [inaudible].

Unspecified Female: [Inaudible].

Unspecified Male: [Inaudible].

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- Danny: Danny [inaudible], and I live in Kerrville.
- Unidentified Male: I'm Dr. [inaudible] with the [inaudible].
- Unidentified Female: I'm also Master [inaudible].
- Bill Crom: I'm Bill **Crom**, Kerr County [inaudible].
- Scott Loblan: I'm Scott **Loblan** with [inaudible].
- Jonathan Letz: All right, good. I know we had two more come in, so I'll let them introduce themselves since they're here.
- John Ashworth: John Ashworth, Consultant for the Planning Group.
- Craig Peterson: Craig Peterson with URS Corporation.
- Jonathan Letz: Welcome everybody. I'm glad to have our residents from Kerr County and Austin coming and joining us today. Hopefully, they'll find it informative. We have a public comment portion right now. Any of you all want to make any public comments? We all just here to listen? Good. We do not have the minutes from last meeting prepared yet, so we will not have any action on that. On reports from the Chair, a couple things, I'm gonna take a little liberty here. Ronnie is probably the only one in this room that knows this, but Karen and I became parents about a month ago today. Here we have pictures of Samuel Becker Letz, one month old today. We're quite proud of him.
- Unidentified Male: See if you feel that way in about 15 years.
- Jonathan Letz: The other reason I have to bring that up is there's been a few things that didn't get sent out since the past meeting. It's been a little bit hectic at our household. Karen and I – it's an adopted child, and from about the meeting I left that meeting, we found out that we had 30 days to get ready, and we've been pretty much going full speed ever since then, so trying to get everything done as well. Things dropped through the cracks. Accept our apologies, we tried to get everything done from my standpoint and her administrative side, and I think we did.
- On other items, just for the record, I received a letter from Judge Sansom, and he has permanently appointed Lee Sweeten as his

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permanent alternative whenever he's not here, so Lee is a voting member when he does attend, assuming that Sansom is not. As a reminder to our other members, that is something that we have added into our bylaws. If you're not going to be here for one meeting, or for several meetings, you can, and we encourage you to appoint an alternate, and that person does have voting ability at the meeting that you miss. That's really about the only comments I have. I do have a large number of handouts, and I'll start passing them out and tell you what they are.

Kind of a summary of Regional Water Planning, Ernie sent me these after our last meeting. I think he has some more copies today, but it's kind of a good summary as to what we're doing here. Feel free to take one of those. We have an item on the agenda today that Greg Peterson will be presenting, and it's in regards to a letter I received from Water Texas [inaudible] Group, and everybody's aware as to why they're on the agenda; there's a summary there.

We talked about, at our last meeting, or last couple meetings, Streamflow Assessments. This is a May 26 letter that came out from, I believe, Bill Miliken, [inaudible] Development Board, relating to the points that were selected, or we selected in Kerr County, and also there's some data that goes with that. I imagine John has a copy of that. I have a letter from Kevin Ward, the – what did we give for Kevin's title? He's head of the Water Development Board, I don't –

Unidentified Male: Executive Administrator.

Jonathan Letz: Executive Administrator, whatever he is, he's the head honcho over there. This is a copy of the letter that he sent to Bob Cook at Parks and Wildlife regarding their involvement in the water planning process this time. That will be followed by a response from Bob Cook at Parks and Wildlife, a letter to Kevin Ward regarding the commitment of Parks and Wildlife to the Water Planning. I think Dick's probably [inaudible] seen these, probably, but it shows the continued commitment of Parks and Wildlife in the water planning process in terms of [inaudible] a big help to us. And then this is another handout, more for your information. I got this from –

Ronnie Pace: Kerr Water Districts, yeah.

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Jonathan Letz: Kerr Water District, some rule changes. The Water District is very important to us. It'll be interesting to see what some of those rule changes are. And while we're handing things out, we'll go ahead and get to these items in a few minutes, we have an invoice to approve, LBG Guyton Associates. I've reviewed the backup and I have a copy – or Greg Etter has a copy now, but they're mostly for the detail. We also have bank statements. I [inaudible] bring them to our last meeting, but these have to do with the financials since the first of the year. We have a balance right now of \$12,989.59, which I believe is an increase from our last meeting.

At the last meeting – I take that back; I gave you the January balance. Our balance is \$17,738.81, and that's an increase from our last meeting as we received a \$5,000.00 check from Kerr County. All right, I think I got all that paperwork handed out. Ronnie, do you have anything else to add?

Ronnie Pace: No, not until we get our transcripts done.

Jonathan Letz: Oh, we got a wait? Let's wait a minute until we get all the paperwork around, then we can get on with it. I never know a good way to get all this stuff handed out at these meetings, just pass it around. All right, I think we got it. Ronnie, got your stuff? That's it, okay. I kind of went over your Secretary Report because we don't have any minutes, so unless you have anything else?

Ronnie Pace: No.

Jonathan Letz: Greg, any report from the Political Subdivision?

Greg Etter: Nothing [inaudible].

Jonathan Letz: Finance Committee we covered under the bank statement. Report from Liaisons, [inaudible]?

Unidentified Male: Well, let me quickly say at your last meeting, I read to you a proposal by Region L sent up to the Development Board for Supplemental Funding, a concept of developing a standardized approach to evaluating Groundwater Exports. Without going into that detail again, I'll just report to you that Region L decided to sever that out of their list of projects that they were gonna send up to Development Board for Supplemental Funding and request separate funding for that specific project under the Research and

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Planning Project. So a letter's gonna go out any day now to the Development Board asking for unsolicited research and planning funds to develop this [inaudible]. That's all I have.

Jonathan Letz: Dick, no challenge? Okay. All right, Ernie, do you have any comments from the Water Development Board?

Ernest Rebuck: Yeah, let me [inaudible] a little more [inaudible]. The unsolicited money is not a large pot, but it's not just – it's available only for research and planning money as [inaudible] point out, but also just for planning itself. So we actually – if we have a need at some point, we can actually put it toward that. I'm mentioning that because we chose not to go after the additional supplemental money, but if there is a valid reason, we can actually make application for the unsolicited money at the same time. I think the amount we had this year total, for all these different areas, the research and planning, general planning, facility planning, was \$400,000.00. It does go pretty quickly, but that is available.

Jonathan Letz: What's the criteria you use for those things.

Ernest Rebuck: Generally, it's the same criteria for those separate programs and generally those free programs. Okay, the next thing I want to share a little bit here with you is – oh, the other thing, you passed out here the rule change to 256, [inaudible] Works.

Jonathan Letz: Correct. Those came from you David.

David Jeffery: Yeah.

Ernest Rebuck: That came from you?

David Jeffery: Right, that's what Bill Miliken gave out yesterday.

Ernest Rebuck: Okay, you brought it over from [inaudible].

David Jeffery: Right.

Ernest Rebuck: We're actually taking a look – and we have to this periodically. As a matter of fact, we had to make a couple changes in the last legislative session to 357, 357 being the rules of the [inaudible] Regional Water Planning, so we're probably gonna do these as a bunch, rather than going all the separate years and so forth. We

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put together a change to 356 as well as 357, so if anyone in the group has some suggestions in terms of changes to 357, share those with me as I work on rule changes.

Ronnie Pace: These are draft right now, so.

Ernest Rebeck: Absolutely, yeah, very draft. Okay, and then the third thing I'll mention, and last thing is when you go back and look at Regional Water Planning, the strategies that were selected for the last time, 2001 Plans and [inaudible] 2002 Plans, if you go through that and add up the volume of water, 66 percent was surface water, about 13.5 was water conservation, 11 from groundwater, reuse, about 6, [inaudible] 2.5. Now, what I wanna share with you is we have a lot of interest, and [inaudible] has been working with the Water Conservation Implementation Task Force. They asked us to go back and contact different water user groups and have – and the question is, how do you make progress in implementing any of your strategies?

We've done this for two categories so far, Water Conservation and Reuse. It's fairly interesting numbers that came out of that. There's quite a few people that have moved forward. Moving forward may not mean that they built a reuse system, but it means they may have hired a consultant to do additional studies for them, they may have appropriated some money, they may, you know, any step forward at all toward implementing those strategies. We're talking about some really high numbers.

Maybe the program, next time it permits, I can come in and present some of that data for the group and give a, kind of, snapshot of what's happened since the 2002 State Water Plan, and I can cover all the other categories at the same time.

Jonathan Letz: Is that it? All right, Item 5 is consider and discuss approval of invoices. The only invoice we have before us today is the invoice of LBG Guyton Associates. I believe everyone has a copy of that, or a copy of the coversheet. Any questions on that? If not, accept a motion to approve.

Jerry Simpton: [Inaudible].

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Jonathan Letz: Motion from Jerry Simpton, second from Ronnie Pace. Any further discussion? All in favor say aye. Any opposed? No. Next is Item 6, consider and discuss appointment of new member, Kinney County Water District Interest. I received three letters of recommendation. From Herb Senne, Kinney County Judge, a recommendation for Cecil Smith, the City of Spofford, Mayor pro-tem, recommendation for Cecil Smith, and the City of Brackettville also recommended Mr. Smith, so that looks like we have a lot of people who want Mr. Smith to sit on the Board. We did not receive any other recommendations, and I understand that Cecil is the President of the Groundwater District.

Unidentified Male: He's the President.

Jonathan Letz: Which would make sense; he would be the logical choice.

Unidentified Male: Is the Groundwater District recommending him?

Unidentified Male: I haven't – I don't know.

Unidentified Male: I mean, I assume if Cecil's representing the Groundwater District, that's who the Groundwater District would –

Jonathan Letz: Yeah, I would think so. I mean, someone went out and drummed up support for Cecil.

Unidentified Male: I agree. But you see what I'm saying, I think the Groundwater District's who he's representing, so.

Jonathan Letz: I agree. We don't have a lot of recommendations from them, but I can't imagine that they wouldn't; he's the President. They were aware –

Unidentified Male: I have no problem with him, so long as that's who they are recommending, that the Water District's recommending.

Jonathan Letz: I think we can assume that.

Unidentified Male: I never assume anything.

Jonathan Letz: I understand.

Tully Shahan: I [inaudible].

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Jonathan Letz: Motion, and a second to accept Cecil Smith as the Groundwater District member for Kinney County? The motion was made by Tully Shahan, and the second by Howard Jackson. Any further discussion?

Unidentified Male: I'm all for it, so long as the Groundwater District recommends him.

Jonathan Letz: Okay. All in favor say aye. Any opposed? Well revisit it if it's a problem. Next, the next two items, we have to presentations today, and the first one is regarding the letter that was handed out, Water Texas, concerning the groundwater studies in Kinney County, and I believe Craig Peterson will be leading us off on this discussion. Craig?

Craig Peterson: Thank you, Mr. Chairman and members of the planning group. For the record, my name is Craig Peterson. I'm with the URS Corporation, Vice President of Water Resources for Texas. I'm here today on behalf of Water Texas and Native Valley Alliance who were looking to develop some groundwater resources in Kinney County along with some of their landowner partners. What we're asking for today is consideration of two things. One is a request to include, for your consideration, to include the Board as a war management strategy with the Pinto Valley Native Valley Alliance project from Kinney County.

A similar request has been made to Region L for inclusion in their planning process, so we'd like you to consider that as you develop more management strategies going forward. The second request is just to – perhaps the best way to put it is to be a resource to you for water information and water data on water resources of Kinney County. URS Water Texas and Native Valley Alliance have done a lot of work in examining the water resources in a focused way in Kinney County, and we feel that we're in a position to significantly increase the body of knowledge available to this Board about the resources in that area.

I'm gonna go through this pretty quickly; I know you've got a long agenda and a busy day, but there's a couple things that I wanted to highlight. The Native Valley Alliance, who they are. The Native Valley Alliance is fundamentally a group of local landowners who have longstanding interests, as the letter indicates, in the Pinto Valley. Pinto Valley has been a significant agricultural production

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region, and they're looking to move from irrigated agriculture to municipal use of the water of the water resources of that area. This project is managed by Water Texas, and you noted Lynn Sherman's name on the letter, who is the President of Water Texas.

I think one of the things that I would point to you that's – well, a couple of things. First of all, core values of Water Texas tend to get some of the water marketers and some of these activities lumped together, and I think that in sharp contrast to some of the things I've seen elsewhere, in my view and my assessment of the Water Board of Texas, their core values and how they want to go about doing business is a very strong motto. It's collaborative, it's built on respect, and it's built on good science; I think as a manifestation of that, we're here today, I'm here today on their behalf. They've got a groundwater district meeting in Brackettville that they have to be at at 4:00 p.m., which is why Lynn's not here today.

Without having to be here, or without having to go to Region L, Water Texas has taken the initiative to present to both of these groups. **[Inaudible]** not required to be in the plan of the property resources, and so this is a voluntary effort on their part. Water Texas **[inaudible]** invited and the Native Valley Alliance **[inaudible]** an invitation from local landowners who participated several years ago. As the letter indicates, looking at the neighborhood of 20 to 25 thousand acre feet of production out of Pinto Valley. Conversion, as indicated, from historical use with agriculture to municipal use.

In terms of the science, and I'm gonna turn a little bit to this area. I'm gonna give you a very high level overview of some of the science on this project. What I'd like to do, and really, this – thank you, sir. This really gets to my second point, which is about the availability of Water Texas and URS to work with you on this project. We've developed some interesting new information. Grant Snyder, who is our principle senior hydrogeologist and he's been the guy really working on this project, and who would love to be here today.

He's actually doing his duties for the United States. He's in the Army Reserves. He's a Major in the Reserves, and right now he's on duty, but he will be back in a couple weeks and will be

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available to you for follow-up discussions if you want to get into some of the details that I don't intend to get into today. There is a significant amount of production out of Pinto Valley, which is located approximately right through here, the center of Kinney County, a significant amount of production, historically both in times of drought and times of plenty. It appears to be hydrologically separated from the eastern part of the County.

There's a series of faults that have been identified in the scientific literature from a number of sources that demonstrated disconnect between that resource and a separation of that resource from the Edwards [inaudible]. Now, this is some interesting, for me, some very interesting information, something I think is important for this group to consider because right now, the boundary definitions are approximately the **Watershed Boundary** to the **West Oasis Basin**. I think that was a fairly arbitrary basin, and frankly, this area has not been that heavily examined until recently because for the most part it was a reasonably isolated area and not a lot of folks were really interested in it.

One of the things that Grant Snyder and our staff has done is done extensive literature search with other folks, Bill Stein from Guyton, even Feather Wilson, and another hydrogeologist that has been consulted, an independent gentleman by the name of Pat Bolden, who's got about 50 years of experience in West Texas and is really considered an expert by, as I understand, by many folks in the [inaudible] of Water Texas. He's a former Shell Oil guy, retired from there, and he's independent right now, not on the payroll of Water Texas, URS, or anybody else associated with this project. He has blessed these conclusions and independently validated and corroborated Grant's work, as have others.

It's been peer reviewed. There's very strong evidence that production in the Pinto Valley, and I know **Con Mince** is gonna be interested in this, we've had no impact on the Oasis Basin, the San Antonio Basin, the Guadalupe Basin. There may be some impacts, low impacts on the Watershed of the Rio Grande. Those are being further studied, evaluated. We don't believe that there will be any impacts on Brackettville or **Los Morro Springs**, as I indicated. These appear to be hydrologically separated; of course, that's a principle user of groundwater resources in Kinney County.

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I guess the bottom line to take away from this is that there's extensive new information on these groundwater resources that Water Texas and Native Valley Alliance would love to have an ongoing dialogue with the planning group about this science. We believe it's the best science available and would love to work with you, with your consultants in terms of valuating this information and incorporating it into your [inaudible] process and into your discussions. These conclusions, as I've said, have been subject to peer review. Grant recently presented this information for the South Texas Geologic Society; got some very good feedback on his work.

In conclusion, this is not intended to be a definitive recap on these issues, and just as I said at the front end, I want to just wet your appetite a little bit, but there is a significant body of information and knowledge out here that is available to you as a resource. There's an important water management strategy that we would hope that you would include, at least as part of your evaluation, your consideration in regional planning process. We'd hope that you would invite URS and Water Texas back to talk to you again as you start evaluating other elements and things that are on your agenda, like springflow, like water supply, like the boundary conditions between these [inaudible], and on behalf of Water Texas, I'd like to say that we welcome that kind of dialogue.

Thank you for the opportunity to be here. I'll attempt to answer any questions, but if they get too deep for me, I'm gonna defer to Grant, all right? Thank you very much Mr. Chairman and members.

Jonathan Letz:

Thanks, Craig. It's not a question; it's kind of a functionality. This water would probably be used to meet a need in a different region, Region L. That means the strategy originates in Region L, but as I understand the planning process right now, if a water source is moved from one region into another, both regions have to be involved. So the strategy would probably develop in L, but we would still be required to address it. This is new for us; it's new for me as far as exactly what hoops we jump through to do this.

I'm certainly glad that these folks are being quite open with us, so however it works out, and we're gonna discuss water supply evaluation here in just a little bit and we'll talk about this maybe a

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little bit more, but I just wanted to let you all know that just because the water is not meeting a demand, we're not recognizing a demand for that water in our region, therefore we would not necessarily normally be developing a strategy for this, we would be required since this is going to be a strategy in another region.

Craig Peterson: If I could just add one point, a small clarification, Jon, and I thank you for your comment. You used the word required, and I think that it would be in the best interests of the Regional Planning Group and wise to consider the movement or the potential movement as an impact on supply, but would not be required for the Planning Group to consider this as a strategy. It is just –

Unidentified Male: Just the impact.

Craig Peterson: It has been done elsewhere. Certainly, you want to take into account the consideration of the impact, but I would just add that small clarification.

Feathergail Wilson: What kind of water balance would you have? Do you have any idea what the recharge is, what your potential for recharge is?

Craig Peterson: Well, I'm not gonna address that number, Mr. Wilson, because I don't feel like I've got – there's a lot of recharge numbers out there and it depends upon if you consider recharge as the Water Development Board definition of recharge, or just –

Feathergail Wilson: Oh, no, I wouldn't, just whatever you –

Craig Peterson: Well, one of the things that – I don't have that number, okay. One of the things that we recognize is that this area of Pinto Springs appears to funnel water resources of water that has come from other areas into that area. It appears to channel into that area, but I, again, would love for Grant to come back and really address your questions in detail because I think he could do more justice to the details.

Unidentified Male: Craig – this would be to Craig or to Con, is this – what is the likelihood of this being a strategy in this water, regional water plan for Region L?

Craig Peterson: I don't believe that I could make a good assessment of that right now. I think we're too early in the process. I would certainly hope

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that they, and believe, that they would strongly consider this, but I'll defer to the member of the Planning Group.

Unidentified Male: I'm sort of in the same boat. I am not aware of a potential purchaser that [inaudible] in Region L at this time, but Region L has invited, or plans to invite, Water Texas to visit them, just as they're doing you. We'll just see how it plays out.

Unidentified Male: Jerry?

Jerry Simpton: Craig was making a comment that looks to be separate from the Edwards, but it's not separate from Edwards [inaudible]. In Val Verde County, we're initially concerned with all the Edward [inaudible]. Trinity is, from that point, moving toward reopening in Southern Val Verde County. I would welcome, and I would encourage the region to go ahead and accept this thing so we can compare it with some of the studies that are starting to be put on the table in Val Verde County.

One of the things that came about recently since Val Verde County Committee voted to seek the groundwater conservation [inaudible], the landowner group that controls 100,000 acres in Central Val Verde County has presented their study that was presented to [inaudible] also three years ago offering to sell 100,000 acres. Their model that was presented to [inaudible] for this 100,000 acres, considers about a million acres, and it overlaps this area. So my question is, how does one mesh with the other, and the conflicts, there's got to be some measure of conflicts when you start trying to do this large a volume.

Unidentified Male: [Inaudible] regulatory question. Who regulates the permitting [inaudible] across [inaudible]?

Craig Peterson: Well, if it is a political subdivision that is building the pipeline, then typically, most of the political subdivisions have the ability to build those pipelines without having significant restriction. There would be things like stream [inaudible] crossing requirements that we'd get from the core of engineers, things like that, but there would not be a pipeline instruction permit.

Jerry Simpton: So for individual counties –

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Craig Peterson: Well, it wouldn't necessarily have to be a county. Most counties don't have the authority to build water projects. It could be a city –

Jerry Simpton: There's not too many cities between there and San Antonio for example.

Craig Peterson: It would be a water district, either a municipality or somebody with the authority to build and construct water projects. Can I go back to your previous question to me? Okay, if you go back to the statement that I made, you asked for more balance, and I read that pretty literally, but I would like to offer that the data that we have received shows that a 20,000 to 25,000 acre feet has been historically produced, and perhaps a good deal higher that, had been historically produced out of Pinto Valley and Kinney County. So that's why the number that I threw out, that we mention in this letter, the 20,000 to 25,000 acre feet value, appears to be consistent with previous longstanding production activities.

Jerry Simpton: Does that mean that people were getting out of the irrigation business?

Craig Peterson: That's right.

Unidentified Male: **[Inaudible]**.

Unidentified Male: As I explained to Craig, I'm looking at your map, you didn't explain the shaded areas, or I wasn't paying attention. What is the Pinto Valley, how many acres are we looking at?

Craig Peterson: Thank you. This is **[inaudible]** that the gentleman over here quite correctly observed. It extends out, obviously, west and north. This is the Edwards **[inaudible]**, as we have defined it; there is this, what appears to be fault lines, which **[inaudible]** in the literature here, **Spofford Fault**, that appear to form some classic faulting patterns to the west of Brackettville.

Unidentified Male: Okay, that helps, and then how much area – where is Pinto Valley itself and what kind of acreage are we talking –

Craig Peterson: This is the Pinto Valley right here. Gosh, I just don't recall what the total acreage is in the Pinto Valley, you can call –

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- Unidentified Male: That's the baseline – that yellow dotted line; where is that located geographically on the map?
- Craig Peterson: There is an escarpment up here that you're quite familiar with, I think, an unnamed escarpment. There is –
- Unidentified Male: Is that Highway 674?
- Craig Peterson: I don't believe it – I think it's near 674, but I don't think it lies directly on it. Of course, the exact location of that has not been pinpointed.
- Unidentified Male: The exact location of the division line.
- Craig Peterson: That's correct, but we have this very strong evidence that Los Morros Springs is an outlet to the **[inaudible]**, as opposed to the **[inaudible]**.
- Unidentified Male: Okay, that helped.
- Unidentified Male: I'd like to ask one more question about **[inaudible]**. Let's assume the pipeline goes down **[inaudible]** and they own the road, would you then get a permit to use their **[inaudible]** to build a pipeline?
- Craig Peterson: In all likelihood there would have to be additional rights of way required. Most likely adjacent to a major right of way that exists right now. That would be the most feasible option. Highway 90 is one option. It depends upon where the ultimate delivery point would be.
- Unidentified Male: **[Inaudible]**.
- Craig Peterson: It's a little early in the process for that at this point. Thank you all very, very much. I appreciate it.
- David Jeffrey: I think it's a – sorry.
- Laura Brock: Do the landowners already have **[inaudible]** through the Groundwater Conservation District down there?
- Craig Peterson: I believe that the landowners have requests in for historical use permits, most of them to the district. I'm not exactly sure when
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that process is due to be completed. It's probably some months from now is my understanding, late summer and fall.

David Jeffrey: I think this is a good time for us to get this on the table, but I really think it's probably not gonna have a whole lot of impact on this **[inaudible]** of planning because unless it's gonna be a strategy in Region L, they have to decide that pretty quick. We're not gonna spend a whole time on it, other than start assimilating the science and getting the knowledge behind it to be aware of it for a future plan. That's the way I see it, I mean, Jon, is that about right because if this is a timeline, we have ten months to get this plan done.

Jonathan Letz: Right, and maybe Craig, you can tell me if Region L – or Con, is Region L planning on taking action on a strategy during this planning period, or are they waiting for it to develop more?

Unidentified Male: I really don't think they are, but **[inaudible]**, but I'd be real surprised to formally adopt this as a strategy.

Jonathan Letz: Right, and probably, that's gonna drive whether or not we have to do an impact analysis from this point of view. The only issue, which we're gonna talk about in a little bit here is our developing our water supply numbers, and what process do we use in Kinney County. We'll talk about that further.

Craig Peterson: I would add that it would be the hope of Water Texas and the Native Valley Alliance that consideration would be given in Region L. Again, whether they include it in the plan or not does not preclude this from going forward as a water supply source, but it is, I think, evidence of the good faith of Water Texas and Native Valley Alliance that they brought these issues to this group and to Region L, and they want that to be carefully considered.

Jonathan Letz: I think if we get the point if it's not a strategy for L, but it goes forward, obviously it has an impact to our region, how do we address the impact?

Craig Peterson: Well, the proposal's on the table already, so it's not like we closed our eyes to it. Certainly, we need to recognize that a potential project may occur and if you all so choose, we can go ahead and begin at least a reaction dialogue to **[inaudible]** the plan.

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Unidentified Male: Jon, are you aware of any other projects like this or pipelines that are going to be built or proposed plans being talked about?

Jonathan Letz: I think they are mostly in feasibility aspect right now. Until buyers are actually lined up and some names are signed on the dotted line, these projects don't go a whole lot farther. I mean, it's feasibility up to that point, but you gotta find a buyer. Jerry talked about a proposal in Val Verde; I'm aware of maybe two different proposals in Val Verde.

Unidentified Male: I'm just wondering if there's actually somebody [inaudible].

Jonathan Letz: No, I'm –

Unidentified Male: For example, [inaudible] coming to San Antonio [inaudible].

Jonathan Letz: I'm aware of no transported groundwater projects that are in place for [inaudible] region.

Unidentified Male: Other regions that –

Jonathan Letz: Oh, other regions? Certainly, out in El Paso. El Paso is moving forward quite rapidly to acquire and make plans for piping water to the Del City area, so that's a pretty long transport.

Unidentified Male: Canyon Lake is –

Unidentified Male: Down in the lower Oasis Basin there is a groundwater project being [inaudible]. In fact, there's two proposals they're looking at.

Jonathan Letz: There's several in the central Texas area looking to move [inaudible] water back to the west into the Georgetown, Roundrock, Austin area, and probably some looking at moving east into Houston, so there are several projects that are – I'm not aware of any pipelines being entrenched at this point.

David Jeffrey: Well, I appreciate you coming Craig, and Water Texas keeping us informed. I think the benefit I see right now is getting it on the table so we're aware of it, and also, anything that we can do to get more science into this area where we know we're lacking in science is a positive. I appreciate you coming today, and I appreciate you going to Kinney County to the Water District as

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well because they'll be really, probably more involved than we are in a lot of this. It's a local entity down there.

Jonathan Letz: All right –

Jerry Simpton: Jonathan, I would move that we accept their offer to provide the study in **[inaudible]** County; I would like a copy of that.

Jonathan Letz: Okay, motion to accept, I guess, the invitation from Water Texas –

Feather Wilson: **[Inaudible]**.

Jonathan Letz: Motion from Jerry Simpton, second by Feather Wilson to accept the study from Water Texas and provide that information to any counties in our region that request it. Any further discussion? All in favor say aye. Any opposed? No? Okay.

Unidentified Male: Jon, Jerry, is the deal is Del Rio that you mentioned about Verde County, has that deal progressed? You said that they had a study too –

Jerry Simpton: They made the proposition to study the **[inaudible]** and as far as I know, there's been no access.

Unidentified Male: But as far as hydrology and all, I mean, you don't know –

Jerry Simpton: It's extensive.

Unidentified Male: It's extensive. I mean, is that something that should be shared here?

Jerry Simpton: It was not presented to Val Verde County. The Commission of **[inaudible]** voted on the forming of the water district, then **[inaudible]** existence, I think, for three years.

Unidentified Male: I wonder if it's published? I mean, to me, that's something that needs to be right here.

Unidentified Male: **[Inaudible]** copy, you can get one from Bob. It's gotta be part of **[inaudible]**. Have you ever seen one?

Jerry Simpton: I was aware of it, but I haven't seen it.

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Jonathan Letz: Anything else on Item 6? Was it Item 7? I should have brought my glasses. Item 8 is a report from UGRA concerning effect of cedar eradication study on water resources in Kerr County. Scott Loveland's gonna go over this.

Scott Loveland: Scott Loveland with Upper Guadalupe River Authority. I'd like to thank Jonathan and you guys for inviting me here today to give just a brief synopsis of a report, or a study that we just concluded. We studied the evaporation and interception of water loss from Juniper Communities, or Ashe Cedar as most people call them. There's been a lot of studies done on how much a cedar or a **[inaudible]** tree – we're talking about cedars today, are water hogs. So really, **transpo** evaporates the water. Once the water gets to the ground, transpo will evaporate it out. There's been numbers thrown around from 25 gallons per tree per day up to 125 gallons per day. A lot of that varies.

A lot of people accept 25 to 50 gallons per day. Well, we started thinking about the actual physical presence of the tree. Does it have any effect on the water cycle? Once it rains, does the canopy actually catch some of this rain and allow it to instantly trans – or evaporate directly back to the atmosphere? We worked with Dr. Keith Owens and Dr. Robert Lyons of the **[inaudible]** Texas A&M Agriculture Experiment Station. They're the ones did all the study, all the science on it. The Kerr County, we did two trees in western Kerr County at Kerr Wildlife Management Area was our study site, as part of a comprehensive study plan, which stretched from – if you look on Page 7, it stretched from **Haze** County, around the **Balcony's** Escarpment, all the way down to **Yuvalley** County.

So there were a total of ten sites. I'm gonna primarily focus on and talk about the Kerr County site, but all the sites verified each other with pretty close results. Essentially, what we did, or what Dr. Owens did was he got a couple cedar trees at each site and we had a rain gauge to get the total rain, we had a collar around each tree. Cedars have evolved, their leaves and their branches have evolved to really out-compete a lot of the other plants by trapping the water and allowing it to funnel down the branches and down the stem. So we put a collar around here and captured all the water coming down the stem. Then, we captured water that fell through.

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This study was done from 2000 to 2003, over 11, 000 days, so roughly three years at all ten sites for 294 total rain events, 70.5 inches of precipitation total. We did find a relatively significant amount of water that is trapped by the canopy of the cedar, and actually directly evaporates out without even getting into the water cycle. A result, to jump straight to the meat of it, in Kerr County we found out, and this is an average because, of course, when it rains hard and a lot most of it, 80 percent of it is going to go through the canopy, but most of the rains were lighter, under half an inch. If you're sitting under a cedar break, you're not gonna get wet. That's basically what we found.

Roughly 42 percent of the rain at our site never reached the ground. It actually evaporated off of – it's pretty significant because there's a lot of cedar breaks, especially in Kerr County and some of the other surrounding counties. So .82 acre feet of water could be gained for acre cedar cleared, and that's 100 percent cedar cover, if you had 100 percent cedar cover. So to put that in other terms, where's my cheat sheet, for every acre of solid cedar that you cleared from [inaudible], you'd come up with 197,000 gallons per year of water per acre that you cleared, so that's pretty significant.

Unidentified Male: It's reaching the land surface?

Scott Loveland: That actually reaches the water cycle, the land, yeah, that's correct.

Unidentified Male: Not necessarily –

Scott Loveland: Where it goes from there, there's a million factors that determine that. Is it bare ground, is it covered with grass, is it a slope, et cetera, et cetera, moisture, et cetera, et cetera, but this is actual water that's not even getting into the cycle to have a chance to do what you want it to. Some of the other sites were even higher. Ours was one of the lowest sites for whatever reason, but numbers up to 420,000 gallons per acre cleared per year you'll be gaining.

To put this in relative terms, if you had a 1,000 acre ranch and it was covered with 70 percent cedar cover, which around here may be a pretty good guesstimate, and you decrease that to 20 percent cedar coverage, you'd roughly have 474 acre feet more per year of water reaching your ranch, which equates out to 178 million

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gallons. So if you had that same assumptions with Kerr County with 708,000 acres, you'd come up with about 290,000 acre feet more water entering the Kerr County water cycle a year, which is roughly 95 billion gallons. Here's a note right here. The City of Kerville roughly uses 1.35 billion gallons a year of water for its municipal consumption.

Jonathan Letz: So you're saying the City of Kerville should pay us to clear cedar?

Scott Loveland: Maybe so, I don't know; that's y'all's job. That's just to put it into relative terms is what that's for. Consumption, water gain, what other people are using around here for water. Charlie brought up an interesting comment, what about the oak trees, the grass, the agarita, the other types of organisms out there? Talking with Dr. Owens, there have been studies that have looked at how much does an agarita bush or an oak tree actually intercept. Cedar trees are very unique, especially if you look at their leaves and sit under a cedar break in the rain you'll see that they catch water a lot more significantly than an oak tree. An oak tree's leaves is flat, it rolls off the leaves.

Some of it gets caught by the bark a little bit, but – I don't have those numbers for you today, but they're significantly lower than a cedar tree. Do y'all have any questions?

Unidentified Male: So the cedar's good for erosion control.

Scott Loveland: Cedar's good for erosion control? Yeah, I don't know; we didn't study that.

[Crosstalk]

Unidentified Male: If you got more than 20 degree slopes it is.

Unidentified Male: That's a good point.

Unidentified Male: What type of effect would it do if it was 100 percent clear? Part of the hydrological cycle of evaporation from a tree back to the atmosphere adds to the process of developing rain, so would this cause drought?

Scott Loveland: I think 90 percent of our rain comes from the ocean, not cedar evaporation.

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- Unidentified Male: Not just cedar; if we start clearing the land off the hill –
- Unidentified Male: No vegetation transfer of evaporation.
- Scott Loveland: Once you clear off the cedar and this water reaches the ground, there's a million questions, yeah, that come up. They weren't covered by the study.
- Unidentified Male: I would be concerned if we're gonna develop some kind of different cycle in our climate if you [inaudible]. Photosynthesis, oxygen transfer, and –
- Scott Loveland: Yeah, if you wiped out photosynthesis and cleared the cedar, you had 70 percent and the county went to 20, and you over-raised it and didn't allow anything to replace it, that's a good question. What would happen? Would it change the weather? I don't know.
- Unidentified Male: What does it cost per acre?
- Scott Loveland: It depends. I mean, there's chaining –
- Unidentified Male: You said you used a dozer.
- Scott Loveland: There's dozers, I don't know, skid steers, depends on the slope, depends on the rocks, depends on the vendor. Skid steers run from \$80.00 to \$150.00 an acre. Burning is relatively inexpensive, but it doesn't get the cedar breaks, it just gets the rebreak. That's \$7.00 to \$14.00 an acre. Bulldozing, I'm not sure. There's a lot of factors. I really don't know.
- Unidentified Male: You could probably look at \$100.00 an acre, or \$150.00.
- Scott Loveland: For dozing, yeah.
- Unidentified Male: Can I ask a question? I'm new to the hill country; I've only been here 15 years. Has this been like this for the last 100 years or is this something that's developing and continuing to develop and cover more acres?
- Scott Loveland: I think according to the experts, like Dr. Owens in the summary, in the introduction part it talks about it definitely increasing over the last 200 years. I think it's commonly accepted. This was an oak savanna area with maybe 20 – you know, who's guess, you wanna
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go back 200 years or 500 or 1,000, but [inaudible], this is probably an oak savanna with a lot more grass and a lot less brush in general.

Unidentified Male: He had a lot of natural fires.

Scott Loveland: A lot of natural fires that controlled it. The natural fires I've seen around here, like, there was a huge one up in Johnson Creek back in the '80s. You can still see remnants of it. There's maybe 20 percent cedar cover left. There were the bigger ones in the canyons, and that's what, I suppose, most people are talking about.

Unidentified Male: If you read – if you go to Fredericksburg and go in that museum, they have a number of copies of the old German diaries back around 1850 to 187-something like that. Those people knew that the cedar trees did bad things because anytime they gotta – they didn't have to do something, they'd write in that diary, we didn't have anything to do today so we cut cedar. They knew that cedar was bad.

Unidentified Male: I don't think anybody's for total cedar eradication or anything. We know it was here before. I think most people realize there's a whole lot more here than there used to be, and brush control, not only cedar and mesquite down south and some other species, aren't controlled by fire naturally anymore. Does it affect you guys as water planners, I think from transpo evaporation studies that people have seen, it can be a water hog, it's facultative. If there's not water there it'll survive, if there's a lot of water there it'll really transpo evaporate it, but this is kind of a new concept. It's actual physical presence will actually trap and allow it to instantly evaporate.

Jonathan Letz: One of the interesting things with this study, and I hope I'm not jumping too far, is that we have an amount of water that if we get rid of the cedar will reach the ground, and we have a recharge number that we have plugged in, which is our best guess right now to recharge, so I think it's one of the first times that we could directly – I know it costs to clear cedar, we can do a cost analysis for Kerr County of what the benefit is to clearing cedar. That's something that we could add to our plan that we have never been able to add before. I think it could be really useful if Kerr County uses it, and every other county in our region.

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I think that it could come in, you know, likely that we have a specific strategy now, as opposed to being a general statement that we think we need to clear cedar. That's what I think is the neat thing about this study is that it enables us, for the first time, to really get it on the front page and then we can start going forward trying to get funds to do some of the – not necessarily eradication, but certainly the reduction.

Unidentified Male: Jon, I'd like to make a comment. I don't know much about [inaudible]. I've seen some articles [inaudible], and I don't know if it's by a range scientist, or who, that are [inaudible] some counter-ideas and it's a possibility. They're saying you move the brush, whether it be mesquite or cedar, you have other plants good and bad, if you place them, they say the next cycle you might not do much for your streamflow or your groundwater supply. How does that – have you all looked at some of that stuff?

Scott Loveland: Yeah, most of those studies are looking at transpo evaporation. They're looking at how much that plants gonna take once the [inaudible] water's in the ground and transpo evaporated. Of course, I mean, I've seen studies by Dr. Owens that show after they cleared the first two years after they cleared cedar off, the species that re-grew used almost as much water as the cedar break, but this is a different concept and this is talking about interception, not even allowing the water into the ground, allowing it to get down into our [inaudible]. The transpo of operation and the cedars is a lot more than anything that's gonna replace that. It's a very unique plant in that form.

As far as transpo of operation and land management, after the cedars gone, that's a whole other issue and there's a lot of people talking about, hey, cedars not really a water hog as much as another plant. Now, I don't know a lot about that, but I know it's very facultative and so is the mesquite. They'll use a lot of water if it's there, sometimes a lot more than grass, but then grass has a bigger surface area that's really thick. There's a lot of things, what kind of soil do you have, what kind of slope do you have? There's all kinds of stuff, do you graze it, do you not graze it, do you look at it over a year, do you look at it over ten years, I don't know.

Unidentified Male: Scott, if you explained it me correctly, if I didn't understand it correctly, you might have a lot of different types of vegetation, but

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around numbers, you know the water that they use isn't going to be that different. What's different is that the cedar doesn't allow the water to even get to the ground to –

Scott Loveland: That's the whole study in a nutshell.

Unidentified Male: There's no other vegetation [inaudible] cedar and then that cedar comes back. [Inaudible] gonna do that. You end up getting more water into the system.

Scott Loveland: Yes sir, and that's the just of this study. That's the whole just of it.

Unidentified Male: One point, [inaudible] Dr. Owens [inaudible]. One of the interesting things is they had set up there, basically, a small pot with the sprinklers to make it seem like rainfall. They had some tree enclosed where they had the cedar lying, and then they had removed the cedar. They had put a trench in there and it was on a pretty good slope, say about a 20 degree slope, something like this. They turned those sprinklers on, and of course one of my assumptions, and most people's assumptions was one thing, that a lot of that – because it's pretty hard rainfall pretty much, but it would be surface runoff and it would be entering their trench from the surface level.

However, it didn't do it. It went in through the root system that the cedar had through those pathways and was coming up 2 foot, 3 foot deep inside that trench within ten minutes or so. It was a very – it was quite an eye opener to me, so –

Scott Loveland: Yeah, that's another study that Dr. Owens is working on. Since cedars leaves were designed to catch it and allow it to funnel down and go to the plant, does it all go to the plant or does it go other places. Once it does reach the ground through the stem –

[End of Audio]

Duration: 63 minutes

SIDE B

Laura Brock: Since I work for the Department of Defense, I have more research.

Unidentified Male: Why aren't **Riel** and Edward Counties included in this rain study?

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Scott Loveland: Just pure time and budget. I think at the time, there were more critical issues to these three counties having to do with springs. I think, certainly, the next time around we ought to complete the picture.

Unidentified Male: I think too, going back again when we all were interested in setting this up, those two counties weren't exactly the planning processes we are now.

[Crosstalk]

Unidentified Male: You know, to do this sort of thing, you need a lot of people, you need a lot of help, and I think you need a lot of volunteers to this **[inaudible]**. One county can't do it.

Laura Brock: **[Inaudible]**. I think one thing that we've been talking **[inaudible]** ideas kind of give landowners the tools so they can actually **[inaudible]** of their own springs, which helps the people who are nervous about having somebody come on their land, and kind of give them a way to interact correctly.

Unidentified Male: Good idea because the tools is real expensive.

Laura Brock: Right, and that's something that we're definitely interested in trying to work with them and whoever else we can work with to figure out what the **[inaudible]** would be and they'll get funding, and you know, work **[inaudible]** to make sure they can accept this information too **[inaudible]**.

Unidentified Male: Several months ago, they were trying to do a spring assessment, and this guy who brought it to my attention **[inaudible]**, and when you looked at what they were doing, it was more than just a spring assessment. It was a complete environmental impact **[inaudible]** and everything. Property owners said, hell no, you're not coming and we're not gonna do this.

Scott Loveland: Yeah, that's why I'm intending to be very careful when I approach the landowner. I'm not looking at any feces; I'm not taking biological samples.

Unidentified Male: You know, and when you start saying Environmental Defense Fund in this part of Texas, you're lucky to get out of town in some

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places, seriously. We've been through [inaudible] and all that kind of stuff, and you know, just the property owners –

Scott Loveland: My approach has been to introduce myself as representing you, and that our main goal is to establish recommendations to protect those springs from a private point of view. Most of them are very eager to talk to me.

Unidentified Male: I think as long as you're looking at it from a water issue, a straight water issue, but when you start mentioning other agencies it gets a little more hairy.

Unidentified Male: I tell you, even the USGS, [inaudible] USGS [inaudible], and I've talked to the ranchers around where I live. They said, you're not gonna dig in my dirt. They ain't gonna let the USGS [inaudible].

Scott Loveland: Just as we were talking about David **Danberger** and his ranches, an example – I think we'll have an opportunity to actually show some examples. Sorry, I forgot the name of this spring system in the landowner's right here, but I spent the afternoon on their ranch and they actually drove me all around their ranch and showed me what they had done to their ranch, how they were operating it, how they cleared the land of cedar, and how to reseed it with native grasses, and how not to disturb the native soil. The main thing is not to allow erosion to occur when you do this clearing, and they have a beautiful set of springs. In my mind, they're doing it right.

Hopefully, we can use one of these as an example of blending the whole spring issue into a land management recommendation.

Unidentified Male: [Inaudible] visit, gonna have to get the word out, kind of a PR for [inaudible].

Jonathan Letz: Anything on this side before we take a short break? All right, let's take a 15 minute break – arbitrary within a parameter. Do we have anything that's going to help us come up with a better recharge number with any new data?

Scott Loveland: Not that I'm aware of. Basically, we have gone with the previous studies and the Water Development Board's model that says, on a regional basis – you've gotta keep that in mind, on a regional basis, average is 4 percent of average annual rainfall. In which case, for planning purposes, we cut that in half for drought or record

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conditions, say only half of that, 2 percent. I would like for you all to debate that again.

Jonathan Letz: Bill, what do you think?

Bill: I think that's absolutely nonsense. I think that's much too [inaudible] Edward for example, and that's where we get our water from, from the spring [inaudible] Edwards; that's where it comes from.

Scott Loveland: Yeah, actually, I think the Edwards has a higher percentage than the [inaudible].

Bill: I think it's about 20 percent. I think what they're talking about when they talk about 4 percent is what runs across the upper [inaudible]. That's what they meant. It's not a number that has much to do with, for example, the [inaudible] from, say, Kerville North. It's obviously a heck of a lot of recharge, a lot more recharge there than it is south of it, so really, it's bands of recharge. It'll be very different to replace this. So we have a band of recharge, for example, up in Kimble County, [inaudible] that really impacts us, really impacts this area and our region. Four percent is across the board, it's just too simple. I mean, it's just not really telling you what's happening.

Unidentified Male: So for even lower Trinity, that's gotta be relevant. Even if that's right, the 4 percent is coming directly from [inaudible].

Bill: That's not where the recharge is coming from, that's right.

Scott Loveland: I think when you actually use three different recharge number, one for the Edwards, one for the Upper Glen Roads, which covers a lot of the hill country surface, and then we have another separate one for where the Lower Glen Roads.

Unidentified Male: The Lower Glen Roads is more [inaudible].

Unidentified Male: Yeah, you had a higher –

Unidentified Male: For the Upper Glen Roads, that's about right, 4 percent. If you pose that across the entire region, it's entirely wrong.

Unidentified Male: How hard is it to start going more into a local recharge?

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Scott Loveland: Well, I think you still have to tie it to the geological outcrop as I think that we're saying here, and I think that basically what we did by dividing it into these three bands, whether we – we want to change the numbers in each one of those bands, and I'll listen to Feather if you think we need more bands than that.

Unidentified Male: We'll go over it maybe next time when we show this.

Unidentified Male: And it might be an area that, not in this planning phase, if there is another planning phase to try anymore recharge studies and try to, you know, **[inaudible]** more where the recharge is actually coming from so we can get more accurate numbers. That's what I see as probably the biggest problem in all of our numbers is the recharge number.

Unidentified Male: Greg.

Unidentified Male: It's a political issue too.

Ronnie Pace: Jon, whoever had it last month, we had a chart that showed, going back 30 or 40 years, that water **[inaudible]** table. What was that? Is that groundwater and surface water? It showed we have more water now than we had years ago. Remember that chart that somebody did at one of our meetings? It proved to me there's more water coming in. We're not losing water; we're actually gaining on the availability water. It was one of our **[inaudible]** meetings, and I **[inaudible]** we're not running out of water, we just don't know how much we got. The demand needs to be –

Scott Loveland: Yeah, and I think the issue is do you have enough for peaking purposes, especially during drought periods.

Ronnie Pace: Well, what we saw on that chart, it hit the worst of the worst, and we had water. It wasn't one of these, sky's falling stuff, so.

Jonathan Letz: No, Ronnie, I don't.

Ronnie Pace: Well, I remember seeing it and we talked about the fact that, wow, we got more water than we thought we had, even through a period of 40, 50 years at the worst of the worst, and it's getting more today than –

Unidentified Male: It might have been **[inaudible]**.

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- Ronnie Pace: It was a couple months ago.
- Unidentified Male: Either way, recharge is –
- Ronnie Pace: Nice try though.
- Unidentified Male: Recharge is something we need to try to get a better handle on.
- Unidentified Male: If I may make just one comment; it's really an opinion. When you start throwing around the word recharge, make sure that everybody's using the same definition because for some folks that's crossformational flow and for others it's not. That could be **[inaudible]** some problems.
- Scott Loveland: That's a very good point. We're having to deal with that in a number of place where, well, it's like what we talked about in the Lower Trinity. Is it recharging immediately from above? No. Is it coming in laterally? Well, if you want to call that lateral recharge, some do, some call it just lateral movement.
- Unidentified Male: We do need to define –
- Ronnie Pace: Well, why would it be recharge if it's laterally – whether it's laterally or vertically, it's still recharging.
- Unidentified Male: **[Inaudible]** recharge, that's coming from the surface –
- Scott Loveland: Either that or a recharge can sometimes have a time component. It means, happening right now. It's entering the system –
- Ronnie Pace: Well, how it enters the bucket, I don't care if it's sideways or top. I guess I've gone simplistic in this thing.
- Scott Loveland: Yeah, that's the key point is to be able to document that. The other concept is sustainability, which is also has to be defined, and that's basically I think what we're doing here, looking at these options here, different ways of defining what's sustainable, whether you use pure recharge or whether you allow a certain amount of withdrawals from storage. As we work through this process, always keep in mind that that's what the public wants to hear, are we coming up with a sustainable supply in the end?
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Unidentified Male: There's another [inaudible] in Kerr County. Our newest [inaudible] department has a provision in there that 1,600 acre feet is to be used only to maintain the [inaudible]. You can put it in, but we can't take it out, so there's another little – and that's already starting to pop up all over the place. It's something else to –

Unidentified Male: [Inaudible]?

Unidentified Male: Lower Trinity. In other words, we have a search portion that we can actually inject and recover, and then there's another portion that says we can only take this 1,600, or whatever it is, acre feet and inject it and leave it.

Unidentified Male: Yeah, [inaudible] of what little bit migrates out.

Scott Loveland: [Inaudible] four options, and there may be other options, but I just wanted to put these in there for discussion purposes for coming up with availability. Again, it can be the cap designated by the conservation district; it can be your water demand number plus a percentage overage just to make sure you've gotten all those demands that didn't get counted in our Task II demand survey. Basically, if you're using a model, that's what you do. You plug these demand numbers in it, you can increase that number if you want, you can put any demand number in it that you want, and it kicks back how it affects the [inaudible].

So I think how the gams are being used, you know, if you're using the gam to determine your availability, it's pretty in these demand levels. Whatever demand level you feel you're comfortable with that you think is a good number, you put it in there. If it kicks back that there's very little effect to the [inaudible] or an acceptable effect to the [inaudible], then you set that as your availability number. So that's how the gams work.

Unidentified Male: What we can do it recommend things; we can't actually do anything.

Scott Loveland: Yeah, these are gonna be the recommendations, but it's what's gonna be written in the [inaudible]. You always keep that in mind, that nothing we do here is something that absolutely is gonna happen.

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Unidentified Male: Now, in terms of picking your criteria for availability groundwork, that is a **[inaudible]**. We don't approve of that.

Unidentified Male: We choose, but we don't pump water.

Unidentified Male: It's our choice, but it doesn't mean that everybody else out there in the world has to abide by what we say.

Unidentified Male: Okay, you're not worried about the **[inaudible]** at this point. We got 16 flavors around availability.

Scott Loveland: We hope that our decision influences water users out there.

Unidentified Male: The consistency between the groundwater management plan and the regional water plan, so you have a little bit of a role there, maybe a big role.

Unidentified Male: If that's true, then what we're gonna do is recommend that the large **[inaudible]** in this area change their bylaws and rules and somehow change it to where they do regulate the Edwards. I think that would be a real critical aspect of this. We don't have any – our district's **[inaudible]**. You don't control **[inaudible]**. **[Inaudible]**.

Unidentified Male: We're talking 50 years, you know, there's gonna be development out here in **[inaudible]**, there's no doubt about it. It's already happened.

Unidentified Male: Jon, sustainability, is that defined as **[inaudible]** sustainability, or can we define it a long period of time? Because I got a note when the first **[inaudible]** came out, in the meeting or private conversation, the issue came up – I mean, we should – sustainability for the Trinity, however, in a drought of record, if we need to go down for a while, who cares, as long as it comes back to the **[inaudible]**. Sustainability is not annual, it's over –

Unidentified Male: It has to be an average over.

Scott Loveland: Right. I think, to me, what sustainability means is this is how you want your **[inaudible]** to live from here on out, and that doesn't mean it cannot have some ups and downs, but you want to set a management scheme up to where the ups equal the downs so that you equal out in the end over time.

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Unidentified Male: Right, **[inaudible]** may not be sustainable.

Scott Loveland: Right.

Unidentified Male: Sustainability has many definitions. You're talking –

Ronnie Pace: Now you want to define it here.

Unidentified Male: Yeah, some of those terms, we need to find those terms in our plan so we don't have the issues coming up next time.

Unidentified Male: So sustainability, this is not based on the drought of records availability?

Scott Loveland: Yeah, the numbers that we're gonna come up with are based on drought of records. This is availability during the drought period, so we have to kind of understand what availability might be during normal times, and say, well, how much more can we use when we really need it, when we may not have some other sources?

[Crosstalk]

Unidentified Male: In a drought record, we may not be sustainable, but overall we are, we need to be sustainable; we agree on that.

Scott Loveland: And this is where looking at long term water level trends helps, where we can start recognizing in an aquifer what normally happens. You know, during drought conditions, how low does the water table normally go all by itself?

Unidentified Male: Mesa's been doing some estimates on droughts for over 25 years. I'm not sure **[inaudible]** use some of that.

Unidentified Male: Up and down, how do you factor in the environmental aspect?

Scott Loveland: Well, yes, that's another good point that I'm glad you brought up. When we look at the environment – and probably the way to look at it is historically, how has the environment responded to drought, what happens during drought period? What streams go dry under natural conditions because we're not gonna change that, so we have to already understand that if a stream normally goes dry, it's gonna go dry, but if some of our strategies are set to where it's gonna go dry much earlier, or segments of the stream that never go dry, or a

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spring that has never gone dry suddenly might go dry, that's an issue.

That may be one of the things we want to look at when we're trying to decide just how low are we going to allow something like this Edwards to be developed before we drop that water table down to the point where we lose the springs? That's part of what this project is, and that's why John **Durkens** out there in the field measuring water levels so that we can see what the water table is in comparison to the springs and start calculating that volume and then store it back in there. The last two points that you could consider is looking at this amount of retrievable storage and saying, we're willing to develop a certain amount of it.

We're willing to mine a certain amount of that recharge, plus a certain percent of mining. Say, you'd be willing to let the water table go down 50 percent, so you calculate how much volume that is in that 50 percent, and then divide that by your 50 years, and there you are. The other aspect, which is almost exactly the same is setting to water level depth that you have out there, and remember in the first plan we had to have what we call trigger wells? That didn't work out very well, so I don't think it's in the plan this time. The intent is good, to have wells out there like J17 that the EAA has, that they can save when the water level gets down to a certain point, certain conservation measures have to kick in.

It requires a good historical amount of data on the Lower and Upper Trinity in a particular well, and be able to tie it in to the aquifer over the entire area.

Unidentified Male: It worked well in the entrance. It didn't work very well in the –

Scott Loveland: Right, probably didn't work for us very well, so anyway, those were some of the concepts we can look at. They may not be the only ones, but we need to start figuring out what we're comfortable with and what sustainability means. Maybe we ought to try and define that at the next meeting, what sustainability is because that will definitely guide which one of these types of options we'd use.

Unidentified Male: Jon, what's the process for sharing the underlying data? What's necessary [**inaudible**]?

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Jonathan Letz: I'm not sure – ask me that again. I'm not sure I understand what you mean.

Unidentified Male: Well, it seems to me as though all these decisions that you're asking to be made on these recommendations, in order to make them on an intelligent basis, we have to have whatever limited understanding of the aquifer, we need to have that. How is that information, that knowledge of the aquifer, how is that going to be transmitted to this group so they can make **[inaudible]**.

Jonathan Letz: I think maybe as we discuss these, we probably need to take it an aquifer at a time and try and reproduce some maps that allow you all to see how much saturated thickness there is out there right now. And from that, if you've got 700 or 800 feet of saturated thickness, maybe a one foot decline a year, after 50 years, you still have 650 feet of water left in the hole. You know, maybe that's not a big deal. Maybe a little bit of **[inaudible]** is okay, but that's – I think it would be helpful if we could kind of describe these aquifers in terms of how water exists in that aquifer and how much is there to give you a feel for how much of it you feel comfortable –

Unidentified Male: How much is being recharged? I mean, there's a lot of little pieces. So is that an oral presentation that you'd be going through with respect to each aquifer, are you gonna **[inaudible]**? I'm looking at this, and they're real important questions, but without some knowledge I would think, at least myself, I would struggle to come up with a recommendation.

David Jeffrey: Well, a lot of this data, at least what you asked for, is in the first plan in the tables. I mean, some of the historical use in some of those graphs are in there, and I presume we're gonna bring all those drafts back out.

Jonathan Letz: Yeah, I think that'd be the thing to do is be able to put up some hydrographs to show you how water tables that we do have data on, how they react seasonally, look at saturated thickness maps –

Ronnie Pace: But we still need a lot more **[inaudible]** data to come with it because we don't have that –

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Jonathan Letz: Yeah, and you're almost getting to a detail that's getting very difficult to be able to produce.

Ronnie Pace: Yeah, but you still need it.

[Crosstalk]

Jonathan Letz: That's getting quite useful to be looking at a southern county area. It's getting more difficult. I will put together as much useful information as I can dig out on each one of the individual aquifers that we used last time.

David Jeffrey: It might be helpful if we broke it into areas and everyone can attend any one they want, but it would be more of a workshop setting. You could do the Trinity to Edwards, Trinity to Kerr Vendor, you know, and possibly **[inaudible]** County, and then do Kinney to **[inaudible]** and Edwards, and do the Trinity Edwards out there because they're different, and you kind of go over them that way so we can get a better handle. Because we went over it pretty quick last time, and it would probably be better to try to spend a little bit more time **[inaudible]** and do this workshop setting for the east and the west area, rather than try to address it all at one time. I think we'd get overwhelmed.

Unidentified Male: Every time we go through this, it keeps pointing out one thing to me. We don't know what we need to know in order to really do this right. We do not have –

Unidentified Male: To a certain degree it's true.

Unidentified Male: Well, the Trinity for example, this aquifer changes from one side of the river to the other. So what works for one **[inaudible]** group, may not work for somebody else. You can't do this, and plus you have the impact of the aquifers. It doesn't doesn't know where the county line is.

Unidentified Male: The way the water plan process has been budgeted is that the Board has given us supplemental funds when we want to go out and do a detailed analysis to figure certain things out like that. Otherwise, the money they had given us is to work off existing data, in which case, I have to look at everything that's been published, look at the databases, and make my best professional judgment as to what it is, but to be able to go in and look at

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something that Feather was bringing up today is [inaudible] area in the northern part of Kerr County. That's not anywhere published at this point in time, nor is there budget or time for me to integrate that unless somebody comes in and just delivers it to us.

Unidentified Male: Well, I think – I'm not real clear where I'm going here because I'm by myself, but I think one of the pushes that all the reasons are pushed for is I'm sure that every [inaudible] has the same problem. There needs to be some kind of statewide recognition of, this is what needs to happen, let's tack it on that [inaudible]. We're probably not the right group to do that, but we are recognizing the need for that.

Scott Loveland: The fact that what y'all said about the Trinity model not working correctly in Van Verde and Kerr Counties is exactly that.

Unidentified Male: Trinity runs –

Scott Loveland: You have basically said that I know the data is not there to show it, but basically we know that this is not how it works. So this is those pieces of the puzzle that continuously get added. This is happening in probably all of the regions; they're recognizing the lack of data. In November there's going to be a pretty major groundwork conference in Austin at the Capital building, and Tom Beard, Chairman of the Region E Far West Texas Planning Group is gonna be one of the speakers.

His topic right now that he's gonna speak on, that he has named his paper is *Thank Goodness for Reading the Label and Their Stupid Idea*, and basically, everybody out there is totally opposed to reading the label coming out in marketing water in a desert environment. What Tom's point is, is yeah, we're against it but look what's happening. We're getting a lot of notoriety. For the first time, people are recognizing the fact that we don't know how much water we have out here, and there's money beginning to be funneled in to looking at some of these aquifers that have very, very little scrutiny before. So to me, this regional planning process is doing this.

Unidentified Male: Yeah, even if you don't know answers you can recommend approaches to getting the answers, but you're also recommending a very, very long term project, very costly.

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Unidentified Male: Oh, yeah, it evolves over time.

David Jeffrey: Those, over time, could be very **[inaudible]**.

Unidentified Male: I recommend we follow Jonathan's recommendation if we do look at different areas. Even though it won't be perfect, we need to move in this direction because when the public sees these numbers, that's the most ridiculous thing we put out there. The aquifer to the **[inaudible]**, and you got **[inaudible]** acres put there, and if you do that, there's not a spring will ever flow again, so why put the damn number down. If I come back to something that gets us up to that surface availability, or annual basis plus a ten year book or drought book where you're up and down, but if you go beyond that, it'll be a fraction of this number. **[Inaudible]** so why put it down? It confuses more people than it could ever help.

Unidentified Male: Could we get away from that 1950 drought?

Unidentified Male: In Texas they're using right now. Right now it's the drought of record in West Texas.

Unidentified Male: Are they using it now?

Unidentified Male: The **[inaudible]** is basically Elephant View Reservoir, at the end of this summer's gonna be basically dry. There's not gonna be any more water.

Unidentified Male: A question if I may. The surface water availability **[inaudible]** next 50 years, is that unappropriated water that has taken into consideration downstream cedar water rush or how is that covered?

Scott Loveland: That's just pooled water, yeah –

Unidentified Male: **[Inaudible]** available **[inaudible]**.

Scott Loveland: It's not unappropriated, it's just all the water. Then, we have to go in there and look at water rights are already on it, and then we look to see if there is an unappropriated water.

Unidentified Male: I think you're gonna find most of that surface water is appropriated.

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Scott Loveland: Yeah, you can see the way this process is, is basically those people out there who have water rights, that's the water demand, so that's what we're comparing the supply to those water rights. So we don't want to subtract them out [inaudible].

Ronnie Pace: I'm just curious, how many other states are this aggressively pursuing water availability and demand?

Scott Loveland: You know, I'm not sure. Craig was still in office when we started this Senate Bill 1 stuff, and y'all actually went out and looked at a number of states to see how they were doing regional planning.

Greg Etter: Well, I can tell you that right now, states that I know, Colorado is engaged in a major water planning process. Of course, California is continuously updating their state water plan, but new efforts are going on in Virginia, in Georgia, Florida has got an ongoing process that's not a statewide work-plan, the State of Pennsylvania, so there's a lot of folks – and it's interesting because there's been some new attitudes developed on the East Coast about the need for water supply augmentation in reservoirs [inaudible]. They've had a drought, what do you know.

Ronnie Pace: Yeah, just curious.

Unidentified Male: I want to come in on that because we had a couple people [inaudible] that actually spent a day with us looking at what we're doing in Texas. And it's interesting, in Oklahoma, there's so many other states, and some Greg mentioned have taken a real look at what we've been trying to do here, so.

Unidentified Male: Yeah, I really think nationally we're taking the lead on a lot of this.

Unidentified Male: Well, why did Water Texas Authority, whatever, how did they come to this conclusion we need planning, we need to do this? How did this evolve?

Scott Loveland: Let me answer this. The Texas – well, of course, there's been a State water planning process for 40 years, 50 years. In the 1997 [inaudible] session of the Legislature, they decided that, well, there have been some good state water plans developed by the Water Development Committee. There wasn't a lot of buy-in at the local level, so the legislature, in its infinite wisdom, decided that what was needed was a [inaudible] process, an [inaudible]

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process, and they recommended the regional planning process for development of the regional and then roll up in the statewide water plan.

Unidentified Male: Aren't you glad they're not in session all the time?

Scott Loveland: Excuse me?

Unidentified Male: Aren't you glad they're not in session all the time?

David Jeffrey: Jonathan – I mean, today we're gonna put this stuff on the table. Is everyone else pretty much in agreement to set up workshops on an east and west basis? I mean, is that the best way to tackle this? It might be a little bit easier. What else do you have for today, or is that –

Jonathan Letz: I think that's pretty much it. I just wanted to start getting a feel of how the conversation would go, that would help kind of to give me some guidance, and I see what you want.

David Jeffrey: I think the main thing is to get the assumptions that you're making and **[inaudible]** of the aquifers, what the formulas are, and let us look at those a little bit, and that can be in any maps that you have. I think some maps would probably help. I think we all agree with Howard that we know the way we're having to model this isn't very accurate, but we have to do something, so we just gotta get it as good as we can. We're certainly, I think, gonna have more information than we did last time, so we should be able to **[inaudible]**.

Unidentified Male: Is there any way to see how the other regions across the state are defining sustainability or availability, or is that –

Jonathan Letz: I don't think that other than what I hear, maybe what Ernie hears –

Unidentified Male: Well, I could bring something in on it, but Jeff's covered the **[inaudible]** of the key ones here. Our **[inaudible]** is actually targeted recharge, people recharge. The other one, and actually Ken Handle is playing with it, but they're thinking of 1 percent –

Unidentified Male: The 50/50 rule.

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Unidentified Male: The 50/50 rule, and that may not fly, but that's what they're talking about because rather than drying it up to bring it down, you just decrease it a little bit each year [inaudible]. So those are two that I don't see on your list, but otherwise, Jon's list covers it pretty well. If you want me, I would be happy to bring in a tally of, oh, 16 regions. It's kind of interesting.

Unidentified Male: [Inaudible] recommended [inaudible].

Unidentified Male: In a regional work plan, no.

Unidentified Male: Is that because it's politically involved?

Unidentified Male: No, no, it's just that that's not the way this planning is done. They're [inaudible] more of a principle. What are the water levels so far, or – they don't do that – the planning, we're not at well level, okay, and they don't get to the acre. That's the [inaudible]. They're saying that more of a principle [inaudible] recharge demand, or demand a little bit of mining, or controlled mining because of water levels, not where are we going below. Those are the type of things that [inaudible].

Laura Brock: There was [inaudible] water capture workshops. They had one a couple days ago. Steve Williamson [inaudible] made a presentation. I think they were somewhat sponsored by [inaudible] because James Houston was [inaudible] study, and they actually interviewed districts to find out what their management regime was. [Inaudible]. That's something I was gonna try to get my hands on. I could forward it to Jon, and then he could bring it the group next time. Does that sound like what you're looking for?

Unidentified Male: I would think that would be the most politically explicit issue [inaudible].

Laura Brock: Right.

Unidentified Male: But you know, by directly or indirectly, the Harris Galveston Science [inaudible] effectively has –

Unidentified Male: Well, it was [inaudible].

Unidentified Male: Yeah, indirectly, the Region A and the Panhandle District has –

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- Unidentified Male: **[Inaudible]**, whether it's directly or indirectly.
- Unidentified Male: Yeah, and I think it would be **[inaudible]** fast.
- Unidentified Male: You need to approach it from **[inaudible]** way.
- Unidentified Male: But we don't get into best management practices. That would kind of fall into that, right, in order to meet one of our strategies. Bumping limits or caps would be okay, but practice, right?
- Unidentified Male: Well, we have **[inaudible]** strategy, and the strategy could be **[inaudible]**. That's how you would recommend it, that portion of the plan, if we wanted to recommend something, strategy.
- Unidentified Male: **[Inaudible]**.
- Unidentified Male: **[Inaudible]** is denied. It's purely a recommendation that – it's educational too, in that you can say, if you want to maintain water levels at the current level, this is what it takes. Until the public knows what that is, it's hard to know how to win them.
- Unidentified Male: I think the danger comes on saying something until you know what's there. So far, we don't know what's there yet. I mean, as soon as you put something in **[inaudible]** limits, you're just putting the bulls-eye on your back until you can define, you know, **[inaudible]** publics, we know we have this much water. We don't know how much water we have, and that's where the problem comes with putting something through.
- Unidentified Male: You can talk about **[inaudible]** all you want to, but how are you going to control something when you've got hundreds and hundreds of wells that you don't even know you have? The pre-existing, the grandfather wells, there's no way you could ever –
- Unidentified Male: I think you can –
- Unidentified Male: You can encourage limitations.
- Unidentified Male: Long-term, if a water district decided to take a strict kind of policy, I think within 20 to 30 years they could get a pretty good handle on it, but I think that takes time to do it. It could be done. I hope it isn't.
-

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Unidentified Male: Anything can get done if you got enough time and enough money, and enough –

Unidentified Male: One of the best tools that groundwater districts have going right now is purely education. It's amazing how much conservation occurs purely by education.

Jonathan Letz: Well, do we want to set up a schedule for – what's our schedule? Let's move on to – let's do the rest of the agenda that we can get through. Any informational items? **[Inaudible]**?

Unidentified Male: Yeah, talk about **[inaudible]** meeting.

Jonathan Letz: Go ahead.

Unidentified Male: Bill Milken got up and talked about having a million dollars to put in our budget for the next go-around, and that'd be \$25,000.00 for 40 districts to hire a monitoring well technician, if he gets it through; it's a possibility. So there's someone that's looking at developing data, and this is what they realize. Also, they talked about using the satellite **[inaudible]** for their monitoring, and some of those may be available for districts too on their wells. Unless you got a different picture on it –

Unidentified Male: No, I've already –

Unidentified Male: Were you awake?

Unidentified Male: Satellite connection already.

Unidentified Male: I wasn't too sure how the districts are gonna end up with those, but the way I understood it the Water **[inaudible]** Board was converting all of theirs first, so.

Unidentified Male: Yeah, they are. The latest monitoring well we put in is – are the hills research stations, or –

Unidentified Male: **[Inaudible]**.

Unidentified Male: I keep wanting to say fish hatchery, but –

[Crosstalk]

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Unidentified Male: But anyway, the Boards talk is somebody **[inaudible]** about getting **[inaudible]** set up on that well, and it could be a good possibility that they might do that.

Unidentified Male: Another source of equipment may be the TAG Fundraiser that they're putting out. They're doing some politics in Austin, and they got a fundraiser going on. If TAG ends up with the money, they've got to designate a percent, and monitoring equipment was one of the items they might use on that fundraiser, so that's something else to look at.

Jonathan Letz: You're on the book for the **[inaudible]** all that stuff?

Unidentified Male: Of course, yeah, that's it.

Unidentified Male: What's the status of the Conservation Taskforce planning to – when they're **[inaudible]** public comments through the 1st of June? Have you all got any –

Unidentified Male: We discussed for two hours this morning those comments in the **[inaudible]** section. An **[inaudible]** station went over **[inaudible]** yesterday and we were discussing all the comments trying to adopt the final recognized finance –

Unidentified Male: **[Inaudible]**.

Unidentified Male: When is that final? Is that August or September?

Unidentified Male: Last year we pushed it as late as we can.

Unidentified Male: Well, no, that's November, but when are the comments that were sent in –

Unidentified Male: I'm sorry, I don't know.

Unidentified Male: I think it's maybe August or September when we have **[inaudible]** to put out another grant.

Unidentified Male: So the **[inaudible]** report is **[inaudible]**. Yeah, I'm not sure either.

Unidentified Male: There's another Senate Committee working parallel **[inaudible]**. Do you know if you're gonna need from us communication **[inaudible]**?

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- Unidentified Male: They're not **[inaudible]** Water Board Counsel –
- Unidentified Male: It's a Water Board strategy.
- Unidentified Male: Well, yeah.
- Unidentified Male: It's not for conservation at all.
- Unidentified Male: They cancelled several of their **[inaudible]** meetings because of special **[inaudible]**. We're waiting for when they're gonna reschedule. They're planning on rescheduling, but they're running out of time.
- Unidentified Male: I'm not sure what they're doing.
- Unidentified Male: I'll give you one hint. I think there might be at least one **[inaudible]** the next session.
- Unidentified Male: That's why I was asking those questions because of Senate Bill III, and that's coming from your committee as well as the **[inaudible]** Senator. That would be my guess. Do you have any ideas on that? Okay, thank you.
- Jonathan Letz: Anything else informational? Anything else under Item 13, consider and discuss review of Scope of Work, budget?
- Unidentified Male: Yeah, I think you see where we are schedule wise. We really need to have, probably, our strategies fully reviewed and adopted by the end of this year, so we can't get to the strategies until we get these supply numbers in place. We got about six months, basically, that we need to do a lot of this work, and you know, work diligently to get that done. We've only expended about a quarter of the budget, so **[inaudible]** invoice, it's going to be going up significantly during the next six months. From that aspect, everything's fine.
- David Jeffrey: All right, next meeting. John and I talked probably meeting about a month. Do you want to do two workshops before the next month, or –
- Jonathan Letz: I could do that. I'd probably need about three weeks to prepare for these workshops.
- David Jeffrey: I see your calendar **[inaudible]**.
-

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- Jonathan Letz: That's July.
- David Jeffrey: Do you want to do west first, or – where do you want to go first?
- Jonathan Letz: It doesn't matter to me.
- David Jeffrey: Why don't you go west first? Middle of July work for you? Ya'll want it to be Thursday? Fifteenth? July 15, workshop, Del Rio.
- Unidentified Male: Same thing, 2:00 p.m. or 1:00 p.m.?
- David Jeffrey: 1:00 p.m. will be at the Del Rio [inaudible] Del Rio National Bank –
- Unidentified Male: Bank and Trust.
- David Jeffrey: Del Rio Bank and Trust. How soon do you want to do Kerrville?
- Unidentified Male: I would do it fairly quick right afterwards.
- David Jeffrey: Okay, the 7/22, we'll do a workshop in Kerrville. It'll be here, 1:00 p.m. Then the meeting –
- Unidentified Male: What's gonna come out of the workshop?
- Unidentified Male: I think in the workshop we should have the data, or a decision on how we're gonna come up with the supply numbers from the aquifer sample. I think we really should – the goal needs to be, the local [inaudible] comfortable with, the assumptions to be made from the recharge, the thickness, to at least get a gross number, and then at the next meeting we can figure out exactly how we're gonna use that gross number.
- Unidentified Male: Probably, I'm gonna need another two to three weeks based on those decisions to actually generate those numbers. I suspect at the workshops we could also think about [inaudible], if you want to look at those at the same time.
- David Jeffrey: It would probably be helpful because they got – I mean, we have a pretty good river basin, so it's easier to do these in small pieces than try to talk about a river at one time.
- Jonathan Letz: All right, what's our dividing line between east and west?
-

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Unidentified Male: It was gonna do **Riel**, Kerr, and **[inaudible]**, Edwards, Kinney, and Val Verde.

Unidentified Male: But from your standpoint **[inaudible]**, would you rather have Riel and Edwards in the east or the west? I mean, there's no reason for you to have to go to both.

Unidentified Male: I don't know to be perfectly honest. I'm so new at this, I don't have enough knowledge base to **[inaudible]** –

[Crosstalk]

Unidentified Male: Go to both.

Unidentified Male: I'm not really affected by either extremity. You are in the middle, you've got kind of a –

Unidentified Male: When you look at it, Edwards County and the lay of the land and everything is more like Kinney and Vel Verde, where Riel is kind of more like Bandera and Kerr as far as –

Unidentified Male: Well, a lot of Kerr and Bandera are going to be dealing with Trinity.

Unidentified Male: I think y'all probably fit better in the western group just because you'll be dealing with Edwards Trinity, especially out there, and here, you're gonna be dealing with a lot of Infinity and **[inaudible]**.

Unidentified Male: Well, why don't we just toss both of those into the –

Unidentified Male: The western area?

Unidentified Male: Western **[inaudible]** together. We'll have one county affected one way, and the other – okay.

Unidentified Male: Are there any objections if we show up over there?

[Crosstalk]

Unidentified Male: Does that work out?

Unidentified Male: Yeah.

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Jonathan Letz: Well, the meeting – okay, and the next meeting will be August 12, and depending on what the agenda looks like it'll either be a 10:00 p.m. or 1:00 p.m. start. It will be held in Brackettville.

Unidentified Male: Where's it gonna be?

Jonathan Letz: Brackettville at the Courthouse. Anything else? We're adjourned, thank you.

[End of Audio]

Duration: 53 minutes

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Jonathan Letz: Are we working Doug?

Doug: Yeah.

Jonathan Letz: Let's do roll call for our records. Jonathan Letz from Kerr County – introduce yourself.

Feather Wilson: I'm here, Feather Wilson, Bandera County.

Gene Smith: Gene Smith, Kerrville.

Jerry Simpton: Jerry Simpton, Del Rio.

Nicholas: Nicholas **Butensis**, [inaudible].

Tully Shahan: Tully Shahan, Kinney County.

Cecil Smith: Cecil Smith, Kinney County.

Lee Sweeten: Lee Sweeten, Real/Edwards County.

Perry Bushong: Perry Bushong, Real/Edwards County.

Zach Davis: Zach Davis, Kinney County.

Greg Etter: Greg Etter, River Authorities.

Ronnie Pace: Ronnie Pace, Kerr County.

Stefan Schuster: Stefan Schuster, Freese & Nichols.

John Ashworth: John Ashworth, LBG-Guyton.

Loretta Brock: I'm with the [inaudible] in Austin.

Craig Peterson: Craig Peterson, with the water tests.

Thomas M. Qualia: Tom Qualia with the Nueces River Authority and the DA's Office in Region L.

Kelly: **[Inaudible]** from **[inaudible]**.

Davy Stevens: Davy Stevens with Resident Life.

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Paul Hoffman: Paul Hoffman, [inaudible].
Izzy Hermon: Izzy Hermon, Crane County.

Paul Seevers: Paul Seevers, Kerr County.

Jonathan Letz: Well, welcome everybody. We do have a quorum, and we all are in compliance with the Texas Open Meetings Law. Before we go any further, we're going to have lunch here today. All Board member, the administrative costs, or administrative amount will pay for everyone. Other people, if you want to eat, there's gonna be sandwiches, and they'll be \$7.00 a piece, and Lee is getting ready to place the order. So, if anyone else wants to put in an order, at \$7.00, we'll be glad to do that, but Board members are all paid for – and consultants. So, anyway, raise your hand for anyone – any additional one. Three? There is three over there, and then we have Paul.

Male Speaker: There's four over here.

Jonathan Letz: Four over there?

Male Speaker: Yeah.

Jonathan Letz: So, nineteen. Okay, do we have any public comments from anybody?

Male Speaker: I'm not familiar with this organization. My comments might be out of line. If they are, you tell me to shut up. We're basically – we're a group of people that live on Lakeview Springs. There's some 40, or so of us residents on Lakeview Springs, and we have publicly come out opposing any shelf high-volume well in the area of Lakeview Springs without any – having logical information. Basically, we're here today to try to get information. Because we're opposing is of course we've been stamped as troubled acres, and everything else, but basically, we're here for more information, and hopefully some common ground.

Male Speaker: My comment to that, I think you need to come to us directly, because we're the Water Board here in this – in this area.

Male Speaker: I do.

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Male Speaker: And not this particular group.

Male Speaker: Well, you're welcome to. We address it as well. I mean, the local well – the local groundwater authorities have control over well, but we as a regional basis, we do have in our plans in other counties, looking at how wells affect spring flow, and do studies to try to figure that out.

Male Speaker: Except, basically our problem is that there doesn't seem to be any data about the other three segments of the river that we can locate. That's basically why I'm here. We're not coming here – we're not here for [inaudible]. We're just seeing what's available as far as information. I have asked Lee Sweeten for information. He tells me there is none. I've asked the TCQ for information. "What is present?" "What is surface water?" "What is groundwater here in this basin?" and those kinda questions. I found very little information. That's basically why we're here. What is available?

Jonathan Letz: There's very little available. We are – this Board is doing study in other areas on that issue, and we have to specifically – you know, we can't – we have a five-year plan, and we have funds, budgets for certain projects we're doing, spring close studies in Kinney County, Val Verde County, and Kerr County. That may or may not be of – but we're doing it, because there is not data around right now.

Male Speaker: I don't wanna dwell on this. I know you've got your agenda. I just wanted to –

Jonathan Letz: Anyway, welcome.

Tully Shahan: Yes, sir – just very briefly, two comments: You all should've received copies of these mailings, one dated October 23rd with a cover letter and attachment from me, and others sent within the last week from Grant Snyder from URS regarding spring flows, and spring flow data. We do have – the first issue just intends to correct some mistakes that were made previously regarding the Water Development Board's report about recharge in Kinney County, the location, and characterization of that. The second just provides some additional information about spring flows, and since you do have spring – "Major Spring" issue on your agenda today, we thought that was important for you to have – basically summaries. It summarizes that in case Pinto Springs is in a non-

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flowing situation 58 percent of the time, and with that I'll sit down. I now you've got a long agenda. Thank you, Mr. Chairman.

Male Speaker: Mr. Chairman, is there any other information that's gonna provide were gonna talk about these particular items, and – that URS has brought in, or are we just not gonna address that any time in the rest of the day? Because they're on the agenda, and I know I did get the e-mail, but as far as information of the springs being dry, to get them dry is just flat untrue. I'll be glad to provide information to this Board to prove otherwise, or to prove that the stagnating representations are not true – not correct.

Male Speaker: Jon, is this [inaudible]?

Jonathan Letz: On our agenda item "Major Springs", you all are going to consider whether or not to designate certain springs as being important water supply sources, either for public supply use, or for environmental reasons that we should consider protecting as far as how we establish our strategies. I think this issue would only come up if you all decide that Pinto Springs is one of them that you're going to declare. Otherwise, at this point, I'm not sure that going in to this detail on that one particular spring is anything that we need to discuss in any further detail. You know, that becomes a local issue to be dealt with on a local level, unless you all choose to do otherwise, but we can bring that back up when we get to this particular agenda.

I think that the – and this on the overall, the Kinney County issue. Well, there's two sides to it, you know what we're saying? I'm not sure that we're gonna ever – I don't think it's our job necessarily to say, "This side is right. This side is wrong." I think that we can really present both sides, because based on how it fits into the text of the program. We – I don't know if we absolutely pick one or the other. Once it's conclusive, and the Board wants to say, "This is our – we think this is right. Here's another view also." We can do that. We have the flexibility to address a lot of those issues, not just Kinney County – any county.

Tully Shahan: Well, Jon, the reason I raised the issue, is that there is a report that can be sent to this Board that shows connectivity between the springs and Kinney County. It shows that Pinto Springs has never gone dry. We had sworn testimony last week at the hearings. "It's never gone dry" – from people who've lived there all their life. So,

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it's something that I don't wanna make it an issue here. It's really not an issue here, but if we already gotta make representation, I want them to be correct for this whole Board, for whatever we consider. So, I'll be glad to have the report sent to the rest of the Board.

Male Speaker: I think if he's got that, you know, it ought to be shared.

Jonathan Letz: Certainly, there's never been any kind of a problem, or I would encourage anything that you people have that's relevant to send it to Beverly, but for us to address it in our plan, it has to you know, be a – we have demand. We have supply. We have strategies, and that's kinda – if it doesn't fit into one of those categories, it really won't be mentioned likely in the report, or if it was under one of those special studies that appear in that. If it does address that, then it will be addressed – any issue. It's kinda – we're limited by the format that we're required to report back to the state on, and things that relevant – in fact, there might be a report about it. If not, they're not gonna be in the report. It doesn't mean we can't have the information shared. Did I confuse everybody?

Male Speaker: Mr. Chairman, are we still on public time period?

Jonathan Letz: Yes.

Male Speaker: I don't ask anybody to take my word for it. These might be IBWC and USGS data, and I would encourage folks to make their own determinations. Seek those – that dispassionate third-party information. Thank you.

Tully Shahan: And because of that, the IBWC – we're gonna talk about this issue. It just so happens the IBWC data that they collected was at the highest point of Pinto Creek, which is on our place, since 1980. When flooding occurs in Kinney County, we lose all the stream load at Pinto Creek, when heavy flooding occurs. IBWC comes over, and they check our streams, and they're dry. Further down Pinto Streams, [inaudible] going south, and geologically descending topography. The topography descends, as well as the elevation of the creek. There are more springs down Pinto Creek that hardly ever dry up. There's people in this room that know, that because of Highway 90, they've never seen Pinto Creek dry up – been driving across it for the last 30 years. So, I won't. We blame this data, but it's gotta be open, and that's all I'm asking is that

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everybody have access to the most accurate data if we're gonna make a decision.

Jonathan Letz: I don't know. My point was that I'm not sure that this is gonna be an issue in the report. I think

[Crosstalk]

Jonathan Letz: I mean, if it is, we need the best editor we have.

Tully Shahan: One other possibility, and you know, I don't know whether this – I haven't quite figured it out yet, whether it's appropriate not – or not whether the Water Texas Proposal actually becomes a strategy in this plan. I think there's some coordination between what Water Texas feels they're going to be doing within a scheduled period of time, and whether or not that appears in one of our adjacent regions. If they show it as a strategy in Region L, we're almost compelled to at least address it in our plan. So, there's some more coordination that's gonna have to be done, before we find out whether or not that particular project becomes a strategy. If it does, then we have to look at the impacts of that strategy, and in that case, there may be a need to look at the spring analysis.

Male Speaker: I think Tully, what you're saying is all along with Pinto. There are the different springs that feed it. We've got the head one – the head spring.

Tully Shahan: And it's been dry. I mean it's on our place. We just never –

Male Speaker: The headwaters?

Tully Shahan: The headwaters, correct, but there's more springs than –

[Crosstalk]

Tully Shahan: Even from the Devil's River mantle being there, is that shows that its, because it's an isolated species there. Down from Highway 90 south, there is no Devil's River mantle to the Rio Grande, but north to the dry Pinto Spring watershed, there are – there's the threatened species there in the Devil's River Mantle, but if it's gone dry, then why would the mantle still be there? So, that's – and I just – I can get the report. Get it sent, but I just want everyone to know, and

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Pinto Springs may not be a major spring, but as we go along here, I want us to know all the facts.

Jonathan Letz: One thing we gotta – Grant?

Grant: Yes, sir.

Jonathan Letz: Mr. Grant Terry is representing the city of Kerrville today. He was on the request of Howard Jackson. So, if you don't remember today.

[Crosstalk]

Male Speaker: Around with a bottle **[inaudible]**.

Jonathan Letz: Okay, next item on the agenda is approval of minutes. We have good news and bad news on this topic. We don't have any minutes to approve, but we finally found someone to start transcribing our minutes from the last three meetings. So, at our next meeting, we could have a back log of the June, August, and this meeting completed, and it's an individual that's somewhat familiar with this. So, you do quite a bit of work on it. It's Greg Etter's former secretary, and now my secretary has agreed to do this – Kathy Mitchell. So, she should do a real good job with – kinda understand the whole issue. She's already dealt with it for quite a while, when she was a UGRA. Now, she's working for the admissions clerk of Kerr County, and is gonna do this on the side. **[Inaudible]**, anyway she's going through her first time right now, but we will have minutes at our next meeting.

Under reports, reports from the chair – just two, if I can find them through my facts here. 1.) Is – I'll probably defer it to Kelly. Received yesterday the report from the Water Conservation Information Implementation Task Force. This is the group that –

Male Speaker: How do you **[inaudible]**?

Jonathan Letz: That totally was appointed by the state, represented our region, and did a real good job I think representing. I have not looked through it, but it's available obviously. We have one copy, but I'm sure it's available. Ernie isn't here.

Male Speaker: For \$15.00 from the water report.

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- Jonathan Letz: \$15.00?
- Tully Shahan: It was on the website.
- Jonathan Letz: It's on the website?
- Tully Shahan: It is on the website.
- Male Speaker: What the number of it?
- Tully Shahan: There's special reports, right?
- Jonathan Letz: It's under Report 362. That's the Best Management Practices Guide. Then, the actual task force information is labeled "special report", but it's the *Weather Conservation Implementation Task Force Report to the 79th Legislature*. The other one is *Water Conservation Best Management Practices*.
- Male Speaker: One of the important aspects of this document is that when we do our strategies, we are required to look at conservation potential on every strategy. That's different than last time. So, we will be referring to this, looking at Best Management Practices for specific types of water use categories.
- Jonathan Letz: And the other comment I have is that – I should probably defer this to Paul SeEVERS, who is joining us today. It's due to an e-mail I received from him, announcing that it's Tuesday, November 16th, in Burney, there is a seminar on Cedar, or rush control, rush management.
- Male Speaker: Cedars, but –
- Jonathan Letz: Seminar, half a day, number of people from A&M, different creeks around, and different projects with the USDA. So, it should be a pretty good seminar for anyone happens to be in Burney around that date.
- Male Speaker: Also, on that same day, there's a meeting in Uvalde, and Tom, you may be able to speak about it a little bit better, if some consider it.
- Thomas M. Qualia: Yes, the Nueces River authority, and the Texas State Soil and Water Conservation Board are going to be sponsoring the one with

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a number of co-sponsors, a conference in Uvalde, called *The Role of Stewardship in Water Resources*, and we have a number of very good speakers. David Langford, from Texas Wildlife Association; Dr. George Benney – he's a hydrologist; Steve Nelly with Soil Conservation Service; Dr. Gary Garret, Parks and Wildlife; We have Myron Hess with National Wildlife Federation; Dr. Robert Banks with Water Development Board, and George and Bill Cofer who run the Annandale Ranch at Uvalde. It's all about how landowners specifically can manage their property in such a way as to end up protecting the rivers, and the springs, and this type of thing. We would love to have all of you there.

Male Speaker: Jonathan, before we leave the topic, I think we've actually already moved past it a tad – on that Conservation Task Force, Jon mentioned that we have to address those BMB's in our strategy. A question for Tully in that regard: Are any other – any other legal requirements, or whatever coming from this in terms of – BMB's are wonderful if you wanna do them, but if you don't wanna do them, it doesn't make any difference. I'm just curious if there is.

Tully Shahan: It's not a mandate. That was on the first day we met, to the last day we met, and you'll read that document. These are just suggestions to the legislature, and it's – none of it's a mandate.

Male Speaker: Any suggestion that the legislature might do something to elevate the status of the BMB's?

Tully Shahan: Well, we did not suggest that. We stayed away. That was a real hot issue, and we stayed away from that, especially the legislature.

Jonathan Letz: But I would suspect, I mean, the legislature asked for this, and I would suspect that they're gonna be using this either directly, or indirectly, and some legislation they're gonna be considering.

Tully Shahan: Real strong industries and municipalities section of our group, one is really adamant about mandates, and they're small seats under 3,000 population, and we're really worried about that, which is about 60 or 70 percent of Texas.

Jonathan Letz: Then, I guess the last item that I have in front of me is to announce a vacancy. Lon Langley was on the Board for Headwaters/Groundwater Conservation District out of Kerr County. He resigned his position as manager, general manager,

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and when he did that obviously, that means he could no longer fulfill his position he held here. That slot will probably be open for a little – for a while, or you know. I'm not sure when they're gonna rehire a general manager. Probably May – I have no idea.

Male Speaker: There is no activity in that direction right yet.

Jonathan Letz: So, they are in the process of – when does the new Board come on? January 1st?

Male Speaker: January.

Jonathan Letz: January 1st will be a new Board. So, I suspect that until after that new Board is in place, I doubt there will be any action on filling that, and they may want a Board member to come on to it, or they may want the new general manager, or they may just wanna leave it vacant. So, it's kinda with that entity. So, it probably will be vacant for a while. That's all I have. Ronnie, do you have anything?

Ronnie Pace: Just this one handout of the roster of all the members. Go through it, and check your stuff. If you find you need one change, just e-mail it to Karen, and if you could just make it one, revised e-mail, it won't mark her stuff up. My phone number has changed for one. Just kinda get it to her as soon as you can, so she can make one e-mail out to everybody saying these are the changes. Make your changes on your own personal.

Male Speaker: Am I getting a copy of that?

Jonathan Letz: We, on this, Karen only put Board members, and I'm not sure that maybe the list she was keeping was getting so long between a lot of different, other individuals, and I'll be here, on it today as non-voting member. She's probably gonna keep – start – a second list of others that she distributes information to, and they just get it. It seems at every meeting we're changing this around, and so we thought it would be a little bit simpler to have two lists, maybe one of the Board members, because people request the voting members more, and then we'll have another list that we can have others.

Male Speaker: I don't care what list I'm on. I just would like the information. You can call me anything you want.

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Jonathan Letz: It takes probably the time [inaudible], try to get it back to Karen within a week. Otherwise, it will drag on, and on, and on. So, if there are any corrections on it – also, check the entity that you're representing as well. Karen is also I think gonna e-mail this out to everyone, because some people are not here, right Ron? Greg, do you have anything from political subdivision, or political entity?

Greg Etter: No, sir. We didn't do the final paperwork on the minor budget amendment that I detailed at the last meeting, and signed off on that. I do have that done now, but nothing of substance.

Jonathan Letz: Okay. Finance, I neglected to lead this morning with the bank statements, but it's the same balance. Nothing was done. There has been zero activity in that account – our account – since our last meeting, and I can remember what the balance was. I believe it was \$304,000 somewhere in that area, I think, but anyways – the same as it was at the last meeting. Report from liaisons: Tom, do you have anything?

Thomas M. Qualia: Well, Region L just got buried in identifying user groups, and borders of land right now. It's just, you know, you can imagine what they're dealing with in the San Antonio metropolitan area. That's what they're working on. To answer a question that came up earlier as far as Water Texas being considered as a water supply strategy, it is not. They consider it a disband. I'm not hearing any discussion of considering it. I think what we generally look for is a buyer within Region L. If there is a commitment on the part of a buyer somewhere in Region L for water anywhere, outside of our region, then we would consider that as the possible water supply strategy. So, that's all I have to report.

Jonathan Letz: Dick, do you have anything?

Dick: No, it's just a – and it may be too late, since the ecologically unique river and stream segments is on the agenda for today, but at the next meeting, Sidney Lapert wanted to let you all know that if you need any discussion, or explanation, or [inaudible] she would be more than happy to take care of that. That's all for the check.

Jonathan Letz: Okay, and since Ernie is not here, we will not have a report at this time from the Water Development Board. Item 5: Consider and discuss approval of invoices. The only invoice we will have will

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be the check for lunch today, and I'm not sure how much that's gonna be.

Male Speaker: I saw it.

Jonathan Letz: I'm guessing. It sounded –

Male Speaker: \$6.50 plus tax.

Jonathan Letz: Tax. It will probably be about \$7.00 for lunch – so 27. That's about what that check will be about \$140, plus or minus, but we can approve that at the next meeting. Oh, Item 6: I've already done that. There's a vacancy in Kerr County for Water District Interest. On to Item 7: Consider and discuss regional water supply source availability and regional water supply user groups. John?

John Ashworth: I think we will start out discussing surface water here, just a minute. Stefan is passing me out a handout, and – Stefan, let me turn this over to you, and we'll cover that subject first.

Stefan Schuster: Thanks, John. What I'm handing out is a memo that you've seen before in a revised version. We had some subcommittee discussions on surface water availability that dealt with subordination, and subordination is really very simple. It's a simple process. It's the written agreement within two water right holders to hold water for another under certain conditions. That is usually handled in a unique way within the water availability modeling process, and we had some differences in terms of the assumptions, and that we made more water available through subordination in our previous memo. So, if you could look at my memo. John will be talking about the region-wide availabilities based on these revised availabilities, but we basically have taken about – we have 150. Sorry, between 150 and 180 acre feet available to the city of Kerrville that's been removed, which also – This subordination agreement also allowed additional water to be taken out of the river, and pumped into the ASR system, which has also greatly reduced Kerrville's availability, since we basically eliminated any water becoming available through subordination.

So, this memo kinda goes through that. If you get an opportunity to compare to the previous version of it, you'll see where the changes occurred. Really, the most significant thing you'd be able to see in Table 5 on the second to last page where you see the

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individual numbers for the maximum reliable supply for Kerrville had about an a thousand additional acre feet added to that number originally. That's been reduced. Again, part of the subordination – the water is not available for diversion to Kerrville, which has then significantly altered the amount available for Kerrville out of the river, under drought record conditions. As I was going through this, and again, sorta the order of magnitude reduction in the water available, this is something that sorta reminded me that these are truly drought record conditions. At the absolute worst, we repeated the 1956 drought. That's the water that would be available in that particular year.

So, this memo outlines those changes, and again, like I said, if you compare that with the previous one you can see where the changes occurred, and John has incorporated those changes into the overall availability, and you'll be able to see where those fall out once he gets to explain. Doing away with water quality, I guess. Will we think of that?

Jonathan Letz: Explain why the – in Table 5 – the maximum reliable supply for Kerrville increases each year. I mean, is the first column what draws from the river, and the second column ASR?

Stefan Schuster: The second one – the first column is what would be available for diversion, for –

Jonathan Letz: From the river.

Stefan Schuster: From the river for ASR. The second column is the amount of water that would be available withdrawing from the ground rails.

Jonathan Letz: Okay. What – why does the amount increase?

Stefan Schuster: That's just a hypothetical in terms of, "If that much water was available, this is how much water would be available from the ASR." It's not a sequential. It's just if this much water is available, then that is the corresponding amount of water that will be available from the ASR.

Jonathan Letz: And the 160 is the amount that is actually –

Stefan Schuster: That's the closest one to the reliable number of 150 in that table. That's why we highlighted it.

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Jonathan Letz: So, the – I don't see the point in putting the rest of the numbers there.

Stefan Schuster: Well, it's just – it's a sequential what would happen in the ASR. I can see your point. That's drought record conditions. So, it's really just a matter of the [inaudible] of the ASR system.

Jonathan Letz: So, basically you're saying like the 550, the bottom number is during a non-drought record, you put that much water in to it.

Stefan Schuster: Exactly, or if you put 150, or 550 acre feet into ASR, your subsequent yield would be approximately 5,000 acre feet from the ASR.

Jonathan Letz: How – and I don't know about you, or others – you may not know the answer. What is the current amount that can go into the ASR now, and what it's projected to be over time? How – you come up with a number as to how reliable ASR is. ASR can be a very important component for counties.

John Ashworth: Depending on the flow of the river right now, we're doing about 1,000 gallons a minute injection. Every month, I send in to the Water Master, and it depends on the flow. If I have high flow of the river, then I can use almost all of that 5394 for the injection, and depending on the demand of the city. Usually, doing about 60 percent going towards demand, and the rest are these injections. We have about 420 million gallons stores at this time, divided by 325851, would be –

Male Speaker: 1300 [inaudible].

Jonathan Letz: So, it's about 1300 currently in storage?

John Ashworth: Yes.

Jonathan Letz: And what's the – how much is gonna end up in storage? What's their goal?

John Ashworth: A goal of one years' worth would be nice, which was around 1.5 billion gallons – the most we've ever, ever used in one year.

Male Speaker: So 3200 acre feet, about.

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- Jonathan Letz: So the goal is to get one year of water use for the city of Kerrville. As the city water demand increases, the goal is to increase the injection available outside?
- John Ashworth: Yeah, also as the plan is able to produce more through a plant expansion project to take care of the demand, and to put it into the ground, because the only time we can really – really able to do it is between September and the latter part of April, because the demand drops off, and the excess water is then injected. Right now, the system is at capacity to where the demand takes up almost everything the plant can produce, and not much is able to be put in the ground.
- Jonathan Letz: Is there a reason that the goal is stop at one year water use at 3200 acre feet, or **[inaudible]**?
- John Ashworth: I think that's just a number that Mr. Jackson had in his mind that he wanted to work up to one year, which 1.5 billion is the most we ever used, I believe. It was in 1996.
- Jonathan Letz: You may not have the answer either, Stefan. I'm just wondering if there – why wouldn't we account for more than that? I mean –
- Stefan Schuster: Right now, it's infrastructure. I mean, there's an infrastructure capacity limit in terms of injection capacity.
- Jonathan Letz: So, we're limited now in infrastructure more than anything else?
- Stefan Schuster: Yes, sir.
- Male Speaker: I have a question. Is this drought a record at 4-9-56, is it gonna forever be the standard of which we do all of our models? Is it gonna truncate every fifty years – do you start? At some point, you gotta get some of the database to work off of. That's just a growing –
- Stefan Schuster: Some parts of the state have used a new drought record, and some parts of the state have got new drought records from the late '90s and 2002's. So, it depends on what geographic region of that state you're in.
- Male Speaker: This skews the whole numbers, doesn't it?

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- Stefan Schuster: Potentially, but it's the driest time we have on our hydrologic record in this part of the world. That's really the crux of doing the central water plan, is that we monitor that often enough throughout the state to adjust for that dry period, since we're always kinda looking for that drought record, and that hydrologic record, that we plan for that to get here in time. So, in certain parts of the state – **[inaudible]** certain parts of west Texas have adopted a new, and there may be others, and I just don't know off the top of my head. They've adopted a new drought record that's within the last ten years.
- Male Speaker: If you all had your magic list, what would you wish these numbers would convert to – drought record number?
- John Ashworth: I don't know. From a surface water point-of-view – is that what you mean?
- Male Speaker: Yeah.
- Stefan Schuster: Yeah, but it's still – I mean, there's some single years that came close, but in terms of a repeated several years in a row dry period in this area, there's not been another year like the '56 period.
- Jonathan Letz: So what's the best worst case there is?
- Stefan Schuster: It's the best worst case there is.
- John Ashworth: Your point is good, because we've had so much development since the '50s, and it's hard to compare, but if we look at conditions of the river and the aquifer in the '50s, is it the result of the – as compared to today, is today's condition caused by drought, or is it caused by development?
- Male Speaker: I just thought counter assist with some old data that needs to be reviewed. Is that something you all can work on, or something we need to address?
- Jonathan Letz: I think it's a limitation put on us by the legislature right now. I mean, they're making – the water planning is driven by drought record.
- Male Speaker: You said that they've been changed **[inaudible]**.
- Jonathan Letz: Well, they had a new drought record. They had a new worse case.

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Male Speaker: New worse case?

Jonathan Letz: We haven't had a new worse case since the '50s anywhere in our region. We came close to it in the '90s, but I think that the further – the further we get time-wise from the '50s for those reasons, or whatever drought their using, because of development, you end up with the whole – the whole system changing. Then, it becomes harder and harder to predict based on what happened when it was – I mean, our whole region was very, very different in the mid-'50s than it is in the early 2000s. It's in population, and land use, everything. So, personally, I don't think it's the best way we ought to do our planning based on the drought record, but the governor hasn't listened to me yet.

John Ashworth: But it is a valid point, and thank you for serving that topic.

Stefan Schuster: If there's no more questions. I'm done, so –

Jonathan Letz: Well, there's no other – I mean from the last page. Kerr County is the only county that has any –

John Ashworth: Changes significant from what the previous [inaudible] and amounts.

Jonathan Letz: You go over the rest of the counties just to make sure that we're all up-to-date – where we are in the world.

Stefan Schuster: I take it from Luke, John's got all this data integrated into the overall availability. So, maybe it's easier just to take John's overall perspective. It gives a little bit of a context on where it needs making as well.

Male Speaker: Ernie just arrived. You wanna see him?

Jonathan Letz: Hi Ernie, how you doing?

Ernie: Well, this is my first time in Leakey, and I ride with a crunch. I had a bit of a fender-bender trying to find the search [inaudible]. Sorry that I got to meet the local deputy sheriff. Nice guy – I mean.

Jonathan Letz: Well, welcome. Welcome.

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Ernie: The only thing I have that I'll share with you right now – a couple things led me here. One is we're low lay. We've had some more money to give to water funding groups, and that was available September 1, and I'll take care of the paperwork when I get back. I just got the form from contracts. That money will – Jon is probably paying attention here – anyhow, that will fully fund the original contract for this region. Since we didn't have supplemental – that shows all our money is at hand, depending on this particular regional water. I'll be getting the contract to you all. Within a week or two we should have it taken care of. So, that's a good news. Let's see. The other news is – probably doesn't pertain a lot to Plateau, but several groups have found a need to amend their water plan. The procedure that they've been following on amendment is like adoption, which is fairly cumbersome. I say it takes five to six months. You may argue about that.

So, we – several groups have asked us, "Can you get this thing streamlined a little bit? I mean you're coming along. We make be talking about a community changed their minds. They need to review the contract with the water provider. They wanna get the water from another source." That's an amendment. So, we're working on some talk with legislation to minimize, or reduce the notice aspect of getting an amendment, or kinda minor amendments. That's in the works. I'm not sure where it's gonna go, if it's gonna be presented to our Board at their next meeting, which is I think, the 18th. Thank you. That's all I have for now. Again, I apologize. The road is kinda an odd circumstance. I hope you don't have too many meeting in Leakey.

Jonathan Letz: I hope there's no –

Ernie: No, no, no. I saw these guys by the side. So, I stopped and asked for directions. I had gone down here. I had seen the Church of Christ, the Baptist church – I couldn't find the Methodist one.

Jonathan Letz: So, you talked and you just ran into him?

Ernie: No, I turned around. I was all the way on the other end of town. I saw two guys on the side. So, I pulled over to get there. I'm ten foot off the road – the front end, and this gal came all around me, and hit me. So, I assume it's not gonna be my fault, but you ought to see the paperwork I gotta go through when I get back.

Male Speaker: You can help out a local planning group member.

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Male Speaker: I never once renew them.

Male Speaker: You may need to.

[Crosstalk]

Jonathan Letz: Okay, John.

John Ashworth: I've been waiting to make sure we've got everybody here that needed these handouts, but I've got a few extra. Ron, if you'll take one and pass them on, I think there's enough for everybody, especially the visitors here. These are draft. What you're looking at is draft. Please, do not consider it as final. These are all working copies. All right, into this agenda item, we're going to continue talking about water availability, and with your handouts, I've tried to put everything in order. So, first of all, what the colorful handout – this is a table that we are required. It's one of the more important tables. This is the availability of water, based on current infrastructure capacity to supply water to the various water user groups. This is the table that will be compared to the demand table to determine whether or not there are deficits, or shortages in supply based on the capability of the current infrastructure to supply water over the next 50 years.

This – the current stage that this table is at right now. Since the last time you've seen this, I have made some modification to the blue numbers, which represent the municipalities. Prior to this, we used a maximum ability as reported to TCEQ of the infrastructure to produce water, and that is reported in million gallons per day. I've come to realize that that really represents more of a peaking capacity, and over a full year's period, I've reduced it by about half to represent more of an average condition of this infrastructure to provide water. The number still – it's a reasonable number, and if you'll look at the far right hand column, under our demand tables where we have demands worked out by decade all the way out for the next 50 years, I took the highest demand decade to compare this number to. So, in virtually all of these cases except for Camp Wood and Del Rio, the municipalities are covered by this number. The only other operation that I can remember, is that if you look in Kinney County under irrigation, other than the WAM number, I pretty much have left it blank for the time being. What I am currently doing is having discussions with Steve Walthower who

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has done the most recent survey of irrigation wells in the county to get a better handle on exactly what the current infrastructure is, versus using the historical numbers provided by the Water Development Board, which appear to be generally short overall.

So, I think because of the concerns in Kinney County, and because we wanna get our numbers as accurate as possible, especially there, I think it's worthwhile me having my discussion with Steve Walthower before I come back to you with a suggested number there. Color-coding is by the method used to come up with this availability, and that's described at the bottom of the table. The tan color codes under the water user group, and under the max demand are those water user categories right now that would come up short, which we would be required to develop strategies. As you see in most cases, irrigation comes up short, and that's primarily because a lot of this irrigation is provided by surface water supplies, and then the drought record conditions according to the WAM three run. You have very, very minimal flows to meet those irrigation needs. So, in most cases that is the reason there is a shortage, is because there is a surface water shortage. Strategies that we may be considering for irrigation are more likely to have to do with conservation that irrigators can use, or it can be looking at different sources of water, such as drilling additional wells. This is a basically how we attack that strategy requirement in the last plan.

Jonathan Letz: John, pretty much in all the counties – can you go over a little bit on the county "other" on the infrastructure capacity – how those numbers are derived? Because, I mean it's the municipalities. They have planning departments, so they kinda know their infrastructure, but we get into the county other, we're talking about unusual wells, pumps in the ground to get some sorta water from somewhere.

John Ashworth: This is – I'm glad you brought that up. This one really gave me a little bit of a headache, because I really felt this. In this first plan, this was one of the places where the planning process didn't make sense, because we have in certain counties, such as Val Verde, Kerr, and Bandera, you have significantly rising rural population. If you have to base the availability on the current number of wells there, it really doesn't make much sense, when it's very obvious that anyone building in the rural area is going to be responsible for developing their own supply, which generally means developing, or putting in their own domestic well. So, it created a layer of

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work that to me, just did not seem totally necessary. So, this time, I tried to develop a process to where we really wouldn't see these shortages. I mean, we have to recognize that the population is coming in, but I think that in our discussion, in the plan, we can make it understood that other than in developments where the developer is gonna supply the water, these needs are basically going to be handled privately.

The process that I used, and I've got it documented back here to come out with the exact formula, but basically what I did was to look at the 2000 Census population, and assume that basically a household would be four people. So, divide that rural population that's not counted under the cities that are listed here, divide that by four to come up with the number of households, and assume that each household is going to need a point source supply. Assuming that source supply is going to be a water well, I then took a typical domestic well, and approximately how much water could be produced from a typical domestic well, and came up with this availability number. Generally, in most cases, that is just sufficient enough to meet those needs. You will see in Val Verde County, it doesn't. I think there a lot of that rural addition is actually going to be water that the city of Del Rio supplies. So, when we start working with Del Rio, and looking at the colonies and subdivisions that Del Rio supplies, then that's where we look for those kinda strategies as being an additional supply.

Jonathan Letz: What was the household demand? You said you use household demand.

John Ashworth: Yeah, do you want me to – I can actually get the full formula if you like, and give that to you right now.

Jonathan Letz: Yes.

Feather Wilson: Why are we using four people per household, rather than 2.49, or some other number? I mean, there are numbers that I use for water availability studies that we have to use in some of these counties, and four is more than generally used. It's 2.93, or 2.49. Why did you use four people per household?

John Ashworth: I was just being conservative. We can change that in the formula. Yeah, that would basically generate more households, and generate even a larger number, which we can do.

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- Jonathan Letz: I mean, I think the – based on the population growth in Kerr and Bandera, and I'll let Jerry answer for the other areas, he's probably more familiar with them. But, four is too – four is too high except that if you only count, because most of them are really a two, to maybe three, but the other side of that is a factor probably needs to be put in there for hunters, other people that use the property that are lost totally under the way we account. So, it's kinda the combination between maybe it's right to adjust the population up to hit the, or get the hunters and the weekend users, even though that's not – but I think if we are doing that, I think we need to say that in the text though that we're accounting for.
- Feather Wilson: Like formal water availability studies, I have to use numbers that are projected from the Texas Water Development Board, rather than four, some arbitrary number. That's the only reason I asked the question.
- John Ashworth: Yeah, and these don't represent the demands. Those numbers were used – the 2.9 was certainly used in the demand numbers that the Water Development Board produced. So, certainly it's built in to our overall demands.
- Tully Shahan: I think that in our calculations in the municipal section on our Conservation Task Force, I think it was 3. It might have even been more than that.
- Jonathan Letz: It's usually 2.9 is the number that I recall.
- Feather Wilson: It is in Bandera County, but in like Gillespie County, which we don't –
- Jonathan Letz: But the problem with 2.9 like in Kinney County is all of the weekend users that come out to –
- Male Speaker: Migrants too.
- Jonathan Letz: Well migrants too, but they're totally lost, because they're not in the Census. So, there is a – you know if we increase the number to four, at least we are accounting for some of that additional population that's missed everywhere else.
- Male Speaker: How many gallons per person did you use?

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Male Speaker: There were four or less decreases the number of active wells. You would actually – it would show. If you look at the household, he said it's four people per household. So, that's where he's giving you his number of wells, dividing that into that total Census. So, I'm assuming that's what you did. So, if you add – if you went from say three, rounded up from three to four, you're looking at less wells, but we all know that's not happening. It'd be better just to track one and go down – 1.9 if you're gonna look at an influx in the population. We did 171 new wells since January, from January through September. So, population in the Census is as I've always said, and continue to say, and will always say, "It won't buy [inaudible] meeting." The way they figure that, sucks. It needs to be based upon the electrical and [inaudible] something of that nature.

Male Speaker: Do you use –

Cecil Smith: Well I don't have the code. I know that Kinney County has got over 400 [inaudible] trails, and 75 as I can see. Twelve wells where nobody lives there, but they are running water for cattle, and everything else.

Male Speaker: You've got a livestock in, but you don't take in all the exotics that have been coming in to these counties. The tall businesses block the natural migration of surface water. So, we're using more ground water pumping for more exotics, and so that picture that you don't have in your argument.

Male Speaker: But most of those that have gone into exotics, there used to be livestock there.

Male Speaker: Yes and no, but it's not necessarily that way all over, and they're overloaded. In some places, the exotics have needed a lot more [inaudible].

Jonathan Letz: Did I ignore your process, John?

John Ashworth: Well, you mentioned the migrants. Like in Kinney County, they are the county overseers. Most of them live there, and go do migrant work up north, but they're counted there. They have to be counted somewhere, and that is their home.

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Jonathan Letz: Well, when I heard migrant what came to my mind were illegals.

Male Speaker: Undocumented.

Jonathan Letz: Undocumented, sorry.

[Crosstalk]

Male Speaker: Something, for example Del Rio, when we had a previous workshop, how did your supply availability from the infrastructure cut in half, and that threw it into a deficit.

John Ashworth: Yeah, and I –

Male Speaker: Actually, John what happens in peak time you're running to the plants, and actually, we get more from **[inaudible]**, because our plants are ready. Right now, we've had plants ready in 16-B, but we know we've overloaded, and know about 21. So, that don't make sense.

John Ashworth: I know we have to tweak this Del Rio number some more. Basically, I didn't wanna use a full peaking number for the entire 365 days. So, you know, we need to back off of that. I arbitrarily backed off by half, but we're talking. What I'm gonna do is go to each one of these utilities, and if they feel that half is too much, that they could actually produce more.

Male Speaker: Production **[inaudible]**.

Male Speaker: But is this based on capability?

John Ashworth: This table is supposed to say how much water you could produce in one year with your existing infrastructure.

Male Speaker: That's what you cut in half though.

John Ashworth: Well, the number that – what we have from TCQ is a – is a form that looks like this, that basically has all the information up from the utility, and it actually has each individual well, or surface water source, whatever it is. The write up here, they have a total production, and it's listed in million gallons per day, and that's really basically a peaking capacity. In other words, what's the maximum amount that this infrastructure could produce in one

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day? I originally multiplied that number times 365, and I think that's unrealistic. You're not peaking every day, nor would you expect your infrastructure to do so. If you did, you know, your source may not be able to handle it. So, that's why I cut back by 50 percent.

Male Speaker: The other side John, the demand doesn't peak out every day either. It peaks out in the hottest, water drought period. That's what you gotta [inaudible]. Right there, it can produce what my defense is, do in the drought town.

John Ashworth: Well, the demand table that we're comparing it to includes those peak days, because the demand is reported for the full year, it includes all those peak period. So, that's what we're trying. I'm trying to come up with an infrastructure supply number that is comparable on an annual basis, not on peaking basis. Jerry, I know you had a real problem with this during the first planning period, and you still – it's still a problem.

Jerry Simpton: It's another one of the deals with the state dictating it. The production capacity is for the peak day, or else you gotta cut everybody off. Now, you're trying to work an average for the year, and averaging that down, that's not how it works in practice.

Male Speaker: Even though you don't produce that much every day, you're capable of it.

Male Speaker: It'd be like saying the city on average, we need a million gallons a day, but the peak days are two million. It won't work that way. Not when you don't have the storage.

Jonathan Letz: But if you go that route, if you do take the peak, and go from a 365, then what you're also saying is that you can produce that much every day of the year, and in reality, you're not gonna be able to produce it. Something is gonna break, but I'm also saying that you can't. So, if the city of Del Rio wants to go to an expansion, basically you gotta say, "Why do you need a expansion? You can produce this number – this amount, because that's a baseline reading." It cuts both ways.

Male Speaker: You gotta have the production there for the peak throughout the day, or else. That's what we ought to plan for, and this doesn't do it.

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[End of Audio]

Duration: 63 minutes

TAPE 1 – SIDE B

- Male Speaker: Basically, this is spring, [inaudible], and it shows here that they had zero infrastructure taken over.
- John Ashworth: That's the WAM. Those are thing out of the water availability model from the state.
- Male Speaker: Somebody with more water, that sounds –
- John Ashworth: Based on historical – repeat of historical conditions are enough. In the 56 years there was enough band water available.
- Male Speaker: Well that isn't a very good reason, because again, there was water available. It was there, unlike your Pinto Creek now.
- Stefan Schuster: That's the remaining [inaudible] in '56.
- Tully Shahan: There have may been a right time in that creek they tested that's sorta balancing the claim to the conservative ID, that record. We have to assume that those conditions fit your –
- Male Speaker: Granted that needs to be addressed, because for years they've been relieving another source.
- John Ashworth: This is what I had to note already to look in specifically, because originally I had this listed as a groundwater source, and then when Stefan brought this out, I noted that it had Camp Wood on it, and that being the only source, I switched it over to surface water. I think what we need to do is talk to the Camp Wood people, and maybe add a groundwater availability component, if indeed they do have an official declaration of there being some groundwater source component to it. So, we probably need to add in groundwater availability to it. John?
- Jerry Simpton: I have to go back a little bit. When we're talking about the domestic wells, number of persons per household, that kinda thing, you're really looking towards the infrastructure capacity, because the ordinance is already approved, whether we like them or not, so

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assuming you just kinda playing with that then – getting past, 1.1 or 2.1, or 4.

- John Ashworth: Yeah, basically I would like to know what the number of domestic wells in our place right now, how much water could be produced from them realistically, and really Jonathan asked the question to start with, we kinda caught up on him, but let me continue this. Because we're looking at an infrastructure capacity, not how much they're actually producing now, but what they could produce. I'm not using in this formula average household use. I'm using more of a, "What is the well capable of producing?" So, once I determine the number of households, which means the number of wells, I then – I then made some assumptions, and here once again, anytime you're saying "assumptions" it means it's one person's pick. You gotta pick a number, and we can go back and forth on this all day, but I basically said a typical household well may produce five gallons per minute, and then assuming that it pumps – it could pump for six hours a day, obviously some wells couldn't, but say some wells could, a majority of the wells could produce five gallons per minute, for six hours a day, at 365 days, gives me a total volume that this number of wells could produce.
- Jonathan Letz: That's probably – one part of that is too low, and one part is too high.
- John Ashworth: You know, the five gallons a minute. I don't think very many wells – domestic wells are certainly pumping six hours a day, and again I'm not looking at how much water is currently being produced by these wells, but how much can these wells produce. That's probably why I'm at the upper end, especially on producing for six hours.
- Jonathan Letz: So we have the volume, and how did you get the population side of that, or the demand side?
- Feather Wilson: Only time a well will produce six hours is when they're filling their swimming pool.
- Male Speaker: I forget [inaudible].
- Jerry Simpton: I have another comment though, and just to clarify here, when you come on to your capacities, and this is not just for the wells, but also for your treatment plants and so forth, you really don't specify

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that. We left to the judgment of the engineer, whether he wants – 2:1 ratio is pretty common between peak areas, but you know that's something where you have a regional determination, and we look for the consulting team to make their best evaluation on that. So, we're not fitting there. This is your decision.

John Ashworth: Well I think mainly in the case of Del Rio, and I'm due to come out there and visit with you all. I would really like each utility to tell me what they're comfortable with as being an annual amount that they feel that they could operate their plant, not how much they are upgrading their plant, but if called on, on an annual basis, which includes winter and summer, what they feel would be a reasonable volume for their current infrastructure.

Male Speaker: Mr. Chairman, could I make a just – offer a comment of pre-consulting to the group?

Jonathan Letz: Sure.

Male Speaker: Just a little historical perspective, and I'm not wearing a hat for any client at this point, just a historical perspective. The reason why this information was requested was really to help local entities to define where they needed to make infrastructure investments. So, it's not so much supply or demand, it's really, "Let's look at this so we know what kinda investment has to be made to provide the supply that you need."

Jonathan Letz: I think the frustration this group has had, and I think Jerry put it out, is that this is meaningless information. It doesn't help anybody. The city of Del Rio has to be able produce their peak demand. That's all they care about, and I believe to make sure they got the supply, this is what you do for a supply-side a little bit. From an infrastructure, they gotta be able to do it for their peak demand day. The fact that they can produce 7,000 some odd acre feet a year is meaningless when they're planning. They don't care.

John Ashworth: It would if we had to go out and shore some supply.

Jonathan Letz: Right, if you store it you would, but I mean you can't store it. I mean, so unless they can meet the peak demand, the infrastructure doesn't really make that much difference to them

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- Male Speaker: But for a lot of communities, meeting that peak demand is investing in some water tower, or some other storage to be able to, because most communities don't. They will accommodate that peak demand by their infrastructure investments.
- Ronnie Pace: I can see this from an additional one aspect. You're saying where an entity is looking to find a funding source, and this is a way of showing of need. If all I'm looking at is doing grant-writing for the city of Campbell for example, these are very important figures for me. They'll validate what everybody knows, and they'll be – but from the aspect that Jerry is looking at, to all of us looking at it, they are meaningless, because you've got to meet that peak. When any data occurs, you have to meet it here. The supply has to be there. It's not an average approach.
- Tully Shahan: I think it would be very appropriate for this planning group as we develop this plan – you know, we're gonna have a set of recommendations, and why don't we come up with a recommendation that somehow builds this peak capacity into the process, because it's not there now, but we need to verbalize that to the Water Development Board. So, be thinking about that, and start writing out some actual recommendations that we can actually put in the plan.
- Jonathan Letz: Good point.
- Jerry Simpton: The greatest peak we ever hit was the day before our conservation measures kicked in.
- Male Speaker: That's what you do.
- Jerry Simpton: Everybody went and watered their trees, because the next day it was in the paper that restrictions were going into effect. We had our greatest peak ever. That wasn't a real surprising confirmation.
- Jonathan Letz: John, going back to the original version of process – somewhere I wrote it down. So, the volume that a well can produce from that formula, and then you just use –
- John Ashworth: Multiply that times the number of wells.
- Jonathan Letz: Times the number of wells.

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- John Ashworth: And the number of wells is based on the rural population divided by four. If you all would like me to, I can change that to 2.9, or 3, and that will basically increase the availability number, because it will increase the number of wells.
- Jonathan Letz: So, you – the number of wells, there isn't any? It's just based on population assuming that with the population of 4,000 that you gotta add 1,000 wells.
- John Ashworth: Yes.
- Jonathan Letz: I think you probably wanna lower that number, at least to 2.9, and possible lower than that.
- Male Speaker: Seems to be the pretty standard number to use, and probably the least likely to be challenged.
- Jonathan Letz: Most defensible. Does everyone agree to change the 2.9?
- Male Speaker: Then your deficit is going to go up, right?
- Stefan Schuster: Supply and capacity.
- Male Speaker: Not demand.
- Stefan Schuster: The number in this middle column here that says infrastructure capacity – that would go up.
- Jonathan Letz: It didn't say anything. Currently, we can produce more.
- Male Speaker: When I say deficit though, I mean you're gonna need more infrastructure.
- John Ashworth: Well the demand, I mean our demand number is already established. So, what I'm comparing it to is the supply number, and the supply number, if we redo this, the number in this column will go up. So, that means that the difference between the supply and demand – the supply would become a larger component.
- Jonathan Letz: It's not an issue on – it's not a deficit from water. It's a deficit in ability to produce.

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Male Speaker: That's exactly what I'm talking about. That's what this deficit is based on.

Jonathan Letz: Yeah, it has nothing to do with how much water is there. It's just saying –

Male Speaker: This is totally infrastructure.

Paul Seevers: What about using five gallons? It might be better than five.

Male Speaker: – in some ways it actually increases the ability to produce –

Paul Seevers: I mean that's like **[inaudible]** more well. You know it's not average.

Jonathan Letz: We would just have more of a problem potentially.

John Ashworth: Which will pretty much double this number again. If we go to 2.9, we're gonna double this number, and if we go to ten gallons per minute, we'll double it again.

Male Speaker: Ten gallons a minute per well? I think you're dreaming. If you look at overall, if you're looking at a regional average there's so many areas. Maybe our counties are different, but if they can get a gallon a minute in storage they're happy. Your five gallons a minute is not a bad, overall figure.

Jonathan Letz: I think five gallons is okay, when you couple that with the six hours a day to produce it, because that's a lot more than most.

Tully Shahan: That's more than you use.

Jonathan Letz: Especially if you're county.

Stefan Schuster: And those wells, in a normal, rural household, like turn on for ten or fifteen minutes, and cut off. Then you have maybe three or four hours before it turns on again. So, you might only use an hour, maybe two hours a day.

John Ashworth: Again, this is not supposed to say how much is being used, or is even expected to be used, but the capacity is capable of producing. That's why I put it up to six hours. Guided wells – you're not

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gonna pump it for six hours. It's gonna pump off for 30 minutes anyway.

Cecil Smith: All these supply tables, they're user-specific, right? So, you may have been more rural, but this doesn't negate the fact to shorten in the municipality.

John Ashworth: Absolutely.

Cecil Smith: So, I'm trying to say they got penny everywhere.

John Ashworth: Okay. I'm going to be changing the formula to 2.9. I'm going to look at in more depth, at the groundwater potential of Camp Wood. If we show Camp Wood as zero, then certainly there's a strategy there that says, "Well, you need a groundwater source." So, one of the wells can be the strategy. Also, we're going to look at Del Rio as to what's an appropriate number to go in – go there. Do you see any place else in this table that we need to work on?

Jonathan Letz: You said you're gonna verify with all the utilities?

John Ashworth: Yes.

Paul SeEVERS: Can I ask you something?

Jonathan Letz: Sure, Paul.

Paul SeEVERS: Do your availabilities take any consideration in production limits in Kerr County? Wells have production limits based upon your infrastructure by rule.

Male Speaker: What is the production limit?

Craig Peterson: It's 50,000 gallons per acre per year.

Paul SeEVERS: Your total capacity is being pointed up.

John Ashworth: Your district limits won't have any effect on the domestic wells.

Paul SeEVERS: **[Inaudible]** they do.

John Ashworth: But the high capacity was –

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- Paul Seevers: All public water supply systems in production.
- Jonathan Letz: This one that you're talking about is basically almost counting other and domestic wells, which are not under public utility, and not large irrigation.
- John Ashworth: Yeah, those are definitely. Anything under – what is it? – 25,000 gallons per day, but certainly irrigation and municipal wells, if the groundwater district has a pumping limitation, then yes. We do have to consider it.
- Stefan Schuster: Let me comment on that if I can. What we're looking at is you may have so much water in the ground – in the aquifer. So then, you're next test is, "Do you have the infrastructure in place – the wells, the pipelines to actually utilize that much water?" So that's the number. John is working on a capacity system. Can we talk about availabilities? So availability then, if there are some rules here that says, "You can have so much. You can pump so much, but there's a limit to how much." Then, availability will be reduced accordingly.
- Male Speaker: That should be coverable with the influence by the rules. Is that what you're telling me?
- Stefan Schuster: The rules would dictate, and put a limit on the availability. You can't have availability in here that would break these rules, if you would protect water.
- John Ashworth: The only other one that I've written a note here is Kerrville. I'm not sure whether or not the number we have for Kerrville includes the ASR. I have to check on that. Okay. So, by next meeting I hope we can finalize this table, and everything else that has – had – been brought up today, I'll assume that there is a comfort level with.
- Jonathan Letz: Does that finish setup agenda-wise, or do we – regional?
- John Ashworth: Well, it takes care of the first part.
- Jonathan Letz: Are we gonna talk about the groundwater availability in this, John?
- John Ashworth: Yes. Okay, the next thing we wanna discuss – and this is an issue that we kinda – has definitely evolved – is the water supply source

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availability. We originally had tables looking at recharge, percents of recharge, water from storage, the land number. Since then, the Edwards Treaty Plateau GAM is out. It's official. We have started making runs with it, mainly because I wanted to compare it to what we had been showing before. The requirements – the Water Development Board requirements basically state that the GAM is available. The Planning Group is to use it, unless there is better data available. At this point, I would recommend that we do use the GAM. I've looked at it from a regional perspective. I think it's acceptable for regional planning, not local planning, but regional planning. What I intend to provide, and I've only had about a week to work on this, and I'm not provided – ready – to bring this to you in detail is that we run the GAM models. Basically, we're talking about two of them: The Edwards-Trinity Plateau, and Hill Country Trinity Model.

We are going to put various levels of pumpage into the GAMs starting from low, moving on up, and at each increase in pumping, we can see the impact on the aquifer, and I will come to you next time, and I will show you those various scenarios, and then you will make a decision as to at what level you say that we have reached an aquifer impact that you are no longer feel a comfort level with. At that point, we stop and we say, "That's our availability." The aquifer can be pumped at that availability amount, and we will assume this much impact to the aquifer, but this Planning Group does not recommend that pumping go beyond that. Now, that sounds pretty reasonable. Let's talk about a few implications there.

But, I'm going to show you the product I will bring to you are two things, and if you'll look in this document where it says, "Groundwater Availability", you'll turn to the second page. You'll see there's a graph. This is an example of taking a county, and run the model for the full 50 years, and at the end of 50 years, we can look at this orange line and say that the left-hand part of that orange line – we can say, "That represents running the model at minimal pumpage for 50 years," or if you go to the other end of that orange line, "That represents running the model at a pumping level equivalent to recharge." Now, what this does is show us that at different pumping rates, the pink line represents – in the model it represents – drains, which represent springs. The blue line represents drains of water coming out of the aquifer, and going in to the rivers. The model actually has input ability and output

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ability. The output is called drains. You can have drains either as pumping, or springs, or as river drains. So, as you can see, as the pumping goes up, there is an increasing impact on the drains. Now this one that I have here is just purely to show you this type of relationship, and we will have to look at this on county basis. I can't show this to you. It wouldn't make any sense looking at it for the entire region. It has to be looked at on a county basis.

Jerry Simpton: What base are you gonna start with on the counties?

John Ashworth: I believe the base starts at existing pumping – the 2000-level of pumping.

Jonathan Letz: What 2000-level of pumping? How do determine the 2000-level?

John Ashworth: That's off the 2000 Demand Table.

Male Speaker: John, tell me again. You said on the GAM it works good for regional, but not locally.

John Ashworth: Well, if I go into the GAM model itself, and I want – the GAM is basically broken up in to cells. Most of these GAMs are built on about a one-mile – one-mile by one-mile scale. Say the city of Bracketville and their one main production well, is in one of those cells. The model is not real good at looking at that one single cell, and saying what's going to happen if you add three more wells inside that cell, because of the amount of information within that one-mile by one-mile cell. It's not significantly detailed enough to tell you what's gonna happen within that cell. What it will allow you to do is look in a much larger area. Let's be quite blunt. If we were to come in and look at the Water Texas Proposal, you'd come in and look at a much larger potential area of where they would consider drawing water, or if you in that same area, if you looked at the existing irrigation wells, and the amount of irrigation that occurred within that larger area, then there's more of a comfort level of being able to use this GAM to say what the impact would be.

Male Speaker: Is that all you looked at is the GAM? You don't –

John Ashworth: No, not necessarily. Remember that the statement I made earlier was, "Unless there was better data." In site-specific areas, certainly we have to look to – at the information that is being

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provided to us, in this case, by URS. In this consideration, look at what their interpretation is. Look at the GAM, and look at the GAM's interpretation based on the same thing, and see if there's conflict. If there is, I've got to come to you all to have that resolved, and we're not at that stage yet, and it may be that if we're not going to evaluate the Water Texas as a strategy, we may not be doing that anyway.

Jonathan Letz: Is this from the GAM?

John Ashworth: Yes. If you look at that map on the last page, this is the second piece of evidence that I will bring to you is to show you at the end of 50-year period what the draw downs would be, based on the certain pumping levels.

Jonathan Letz: John, you might orient people with the – go out there without putting it back.

John Ashworth: Yeah, if you – you almost have to hold it about like this. North is kinda up this direction. If you'll look at the Rio Grande River, the big blank area down towards the bottom right-hand side of the map if you're holding it landscape-wise. That's Mexico. That jagged line is the Rio Grande. You'll see that orange area. That's approximately Del Rio, and then if you can pick out those county boundaries in there, you know hopefully you'll get oriented from that. Now, this is the Edwards-Trinity Plateau Model. So, you will note it. In Kinney County, that only occupies about a third of the county. To the right of that area, it's still Edwards, but it's part of the Edwards Plateau from this fault zone, and then the southern half of the county if where we have to consider the Austin Chalk aquifer, and the Austin Chalk does not have a GAM. We have to consider that by manual means.

Jonathan Letz: What do the numbers mean?

John Ashworth: These numbers – this particular run was using the full recharge amount at four percent. Remember we talked about average annual recharge is four percent of rainfall. Drought might be two percent. This represents – I believe this represents four percent. If you were to assign pumping as a number equivalent to that recharge number – the full recharge number – this is the amount of draw down that would occur. In this case, what we did was we actually spread that full amount of pumping evenly over the entire

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county portion. Now, the other way we can look at it is say, "We can take the pumping amounts, and assign it to the existing cell where pumping is already being assigned, and that ends up with more specific bull's eyes for drawn downs, because suddenly you are assigning a much larger pumping rate than what would normally occur at that particular well." Say the cell that holds the city of Bracketville. Well, if you were assigning recharge as your pumping rate, you would have to pump up the amount of Bracketville's pumping by about 1000 percent. That becomes somewhat unrealistic. So, it gives you bull's eyes that are unrealistic.

This particular run spread the pumpage evenly throughout the county, which is also not fully realistic, but it's probably more realistic than assigning it to the existing cells. Now, if we were going to do this absolutely the right way, that's a full fledged modeling project that's beyond our time and our budget to do – to go in there and look at where pumping will be 50 years from now, and assign it in that area. So, we're trying to work out sorta the compromise between where pumping is now, and distribution evenly to become – come with something realistic under our time frame.

Jerry Simpton: You're saying like in Edwards County we're gonna have a 500-foot draw down?

John Ashworth: Yeah. That's what blew my mind when I saw this. That is why I decided that for us to be sitting here, and talking about assigning availability in terms of recharge, it's not realistic. The more I researched it, the more I have found that the hydrologic establishment out there has recognized this as a problem. State-wide everybody is thinking that sustainability is equivalent to recharge, and folks, it isn't. The main reason is it would be if your pumpage were spread evenly throughout the county. Then, you could say it would be, but our pumpage is not spread out evenly. So, therefore our recharge does – is – more evenly distributed, but pumpage isn't. So, realistically they don't work together. So, that's why I have this comfort level with the GAMs.

Jerry Simpton: Sustainability kinda goes out the window.

John Ashworth: Well, we're gonna come back to this front page here in just a minute, and talk about that, but this is my gut feeling. It's why we

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need to use the GAMs models, because they do have the input of recharge where it's supposed to be. They have the pumpage basically where it currently exists. So, we can use that as a tool, and go in there and look at different pumping scenarios, or different ways of looking at availability within the aquifer to come up with something more realistic, rather than the process we were using before. I'm sorry that these GAMs are just now coming out, because this is something that realistically I wish you would've had in your hands three months ago, but it's something that I think is important for us to look at now.

Male Speaker: It's been four – several years since we've looked at the one over in eastern part. How can we get somebody to come out to Kinney and Val Verde County in this western area, and give us a briefing on how the plans were used? You're talking. I can visualize, but I don't remember the details.

John Ashworth: I would hope we could maybe –

Jonathan Letz: Ernie, our next meeting is in Del Rio. Can we get someone – Robert Mason, or one of his guys to come out, and explain the Edwards? I think it'd be a value to the whole region, not just to the –

John Ashworth: Yeah, well you know a few meetings ago, we actually met in Del Rio, and Robert and I actually – and discussed this. I think what we might like to ask Robert this time is to be even more specific than he was before, and actually come out and show some slides that show the input data, for which cells recharge was assigned to, "How much recharge was assigned to these cells?" Where are the pumping cells? That's what you're asking, right?

Male Speaker: And then just plan the GAM, and letting people understand how the thing works, and what [inaudible].

Jonathan Letz: Kinda the same type of presentation that Robert Mase did when the Hill Country plan was done the first time, and he came out with the slides and showed.

Male Speaker: I know [inaudible].

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- Ernie: Jon, well I pretty well can say that we can get someone out, just who will be available that day, I don't – we can talk about. We'll try to do that.
- Jonathan Letz: Sure, I'll be standing in line to get to Del Rio. That's a short drive. You get good Mexican food.
- Male Speaker: Oh really?
- Jonathan Letz: Yeah.
- Male Speaker: You buying lunch?
- Jonathan Letz: No. We'll have to see.
- Male Speaker: Hey John. I'm looking at this, and I know the colors are kinda pretty, but is there some rhyme or reason that they're color coding here?
- John Ashworth: Well, this was handed to me yesterday afternoon, and the suggestion was, and I didn't have time to get a new printout, that we take the colors off, because in this case, they're somewhat meaningless until Robert and I have explained what all this means. The purple area out to the west is basically where there is another layer overlying, that the center [inaudible]. The green areas are basically cell boundaries, and Robert will have to explain how the aquifer handles modeling along the edges. I think what's important here is to look at the solid blue areas, because those do represent – represent the river stream segments that have drains.
- Male Speaker: Recharge.
- John Ashworth: Now, a drain can either be recharge, or it can be water coming out of the aquifer into the river, or it can be water in the river going back into the aquifer. The model looks at that, and within each one of the cells along there, there is an assignment of whether it goes in or out, and then as you run the model over time, these cells may change, and basically on this graph, that's what. This graph – the blue line on this graph – is not the river going dry, it's the change in whether or not the river is giving up water, or receiving water. It's just a change line.

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Jerry Simpton: John, I've been to several of these programs that put on this GAM. They're using an extremely low storativity number – very low. I think it's too low – way too low, because they're using a number that doesn't really jive with even the compressibility of water. I'm afraid they derive that number just from a computer program, rather than actually thought about it theoretically.

John Ashworth: Yeah, you know I think when Robert is out here we can talk about that. I think at this point, it's whether or not you all have a sufficient level of comfort with the GAM to allow us to use it as a tool. Because it's a very large area, and there's limited data that went into it in certain areas, there are probably areas where the GAM is not predicting absolutely correctly. The ability to have – to say whether or not it's correct is very difficult to say. It's better than saying some of the internal characteristics of the aquifer may not be right in it. Regardless, the – it's a tool that allows you to look at different scenarios, and if we feel that the GAM is not giving us the right number at one end, then as we are selecting our number, we can select a number at the other end to offset it. I know this is extremely hard to explain, but at this point, it's a computer model that has all the available data in it. Now, how you use it – the interpretation of how you use this model is what's up to you all. If you feel there are shortfalls in certain aspects, then like I said, you have to make up for it in how you make your interpretations. You don't necessarily have to agree 100 percent with the model – that it's absolutely correct physically, but if you have a level of comfort enough to say, "Yes. It's a reasonable tool. We can see how pumping affects these drains, and how it affects water levels," then we ought to go ahead and use it.

Male Speaker: Are you using this GAM for your water that's in storage?

John Ashworth: Yes. It includes water in storage, absolutely.

Male Speaker: Because your numbers changed a lot.

John Ashworth: As you pump, you know obviously when you get up here to this upper end, you in some certain areas – certain cells, you're pumping a whole lot more than a recharge number going into it in that cell. So therefore, you're pulling water out of storage. As you pull water out of storage, you draw the water table down, and use –

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- Doug: I understand, but what I'm talking about is earlier. Six months ago you changed your numbers for your water storage even before the GAM came out.
- Jonathan Letz: They used one storativity number for their whole area.
- Doug: For the whole region.
- Jonathan Letz: For the whole thing.
- Doug: To me that's very inaccurate.
- Jonathan Letz: It is, and it was very low. I think, Doug, what's gonna happen is that the western counties in our region are gonna have the same reaction that the eastern counties had when the **Griffith** remodels came out that, "We didn't like it." The good news was, they modified it, and made some big improvements that makes it a lot more user-friendly. I suspect that's the same stuff is gonna happen in the western areas, because the model has some bad assumptions into it, that it may not be real user-friendly in those counties.
- Tully Shahan: This is also a karst system, this Level 1. That's very hard to model – very difficult to model a karst system.
- John Ashworth: That's why I keep stating, "This – this is a regional model." You can certainly sink a well, and get 2,000 gallons a minute, and move over, and get 100 gallons a minute, or dry. So, basically this regional model averages things out. So, we have to understand that. We have to back that – we need to put that behind us, that we understand that on a local basis, it's not going to tell us what to expect if you drill a well right here.
- Jerry Simpton: I don't believe that we're gonna have a draw down of 500 feet in every county. That just blows me away.
- John Ashworth: That surprised me significantly.
- Jonathan Letz: Greg, you had a question?
- Greg Etter: Just a comment really. John Ashworth came out, and we met with all the entities in Kerr County. I think everybody was represented there, and kinda walked through this, and my recollection was that all those entities thought that there is limitations on this. It's not

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the perfect model, but it's what we got, and it's true that we ought to use it, that we're much more comfortable with this, then we are with the previous idea of recharge, and so forth. So, certainly from my perspective, I think it's a better way to go, and my recollection is that it was kinda across the board in Kerr County anyways, but **[inaudible]** I misunderstood that.

Jonathan Letz: I think the modeling has improved greatly for Bandera and Kerr, and Real is kinda somewhere in the middle, but I think that some of the – we're under not using this as a GAM. Using the other GAM, primarily. I think it's a value, and the other one is a value, but I think the concerns that those in the western areas have those GAMs. If we can relay that to the Water Development Board, they would somewhat accommodate to make those changes for the Hill Country GAM, and I think they will provide an improvement.

Male Speaker: The cost of it to be modified on a continuous basis?

John Ashworth: Realistically, I think that we're going to be lucky if the Water Development Board modifies their in-house, GAM version once every five years at best. The model now is public, and anyone can use it. Individual counties can come in, and actually have that model in-house to use, and they can make any modifications they want to it, but I suspect the mother model –

Male Speaker: New term.

John Ashworth: – maintained by the Water Development Board still will exist, and only be modified when they have an opportunity to do so, and when they feel enough new data is available to make that change.

Paul Seevers: Some counties hire consultants to do their own modeling based upon the same modeling software. That's going on right now.

John Ashworth: It seems, and I think this is a side impression Paul, like what you just said. I think a – somehow the Water Development Board needs to figure out how to work with these models, because clearly these models aren't of any value to the local entities, but I think that hopefully the local groundwater districts will use that same state model. Otherwise, all the money that was spent is gonna be totally wasted, and to me if they can use, and make the modification to that model on a local basis, input the new well, change the properties that need to be changed, and then every five

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years, or whatever the time period is, hopefully the whole modeling will be updated with this new data being put up to Austin. Really to me, it seems to be a big mistake for groundwater districts to go out, and use totally different models, unless this model has no chance.

Jerry Simpton: I could completely agree with that point. It should be integrated across county boundaries. That's what essentially is being done.

Paul SeEVERS: I haven't had a chance to look at this Edwards-Trinity model, but is there any overlap between the Edwards-Trinity and the Hill Country Dam, or is there a [inaudible] boundary between the two?

John Ashworth: Good question, Paul. Thanks for bringing that up. There is, and I talked to Robert Mase about it. The Edwards-Trinity Plateau GAM has basically two layers: an Edwards layer, and what they call a "Trinity layer", which includes the entire Trinity. It does not break it up into upper, middle, or lower units. It's all Trinity. If you look at the extent of that, the map that I provided you here shows the extent of the upper layer portion that the Edwards portion of it. If I print out a map that shows the extent where they include the Trinity part, it goes all the way through Kerr and Bandera counties. So my question was, "If I'm trying to model the trinity in Kerr and Bandera Counties, what is more accurate from the trinity point-of-view: the Edwards-Trinity Plateau model where it groups it all as one, including the lower trinity, or using the Hill Country Trinity model, which only includes the upper and middle trinity?" It does not include the lower at this time. Robert Mase told me for the trinity, that the Hill County-Trinity is still the better one, even though it does not include the lower trinity.

Male Speaker: The upper and the middle.

John Ashworth: Yes. It will predict the upper and middle better than the Edwards-Trinity Plateau model does.

Jerry Simpton: And it's being revised.

John Ashworth: And it's being revised, yeah. The Lower Trinity is being added, but that won't be ready until probably next summer.

Jerry Simpton: Also the cells are gonna be compatible, which they're not now.

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John Ashworth: It'll be a great improvement. The current Hill Country model is very hard to use. It's the very first one that the Board built. It's not user-friendly. They're – when they make their modification of it, it's gonna become a much more useful, but we are running it. We run into problems. We constantly talk to the Water Development Board to make sure that it's being run right, but we are running both of them. Again, we've got two models, which covers everything in our playing area, except the Austin Chalk, and we do recognize the Frio alluvium here in the Leakey area. It does not cover those two. So, that's basically 90 percent or more of our water supplies that's covered by these. So, if we don't use the GAM, we go back to the tables I provided you before. So, you all need to give me guidance to tell us to proceed with the GAMs, or revert back to our original tables.

Male Speaker: On the Austin Chalk, [inaudible] told me that a Texas Water Development Board is starting in June of next year, and they were gonna – entire city up on the Austin Chalk for the past about a year, year and a half, and let us know whether there was an aquifer there. If it was written down, where it got it's recharge, and where was the down [inaudible]? Because as of now, they do not recognize that Austin Chalk.

John Ashworth: The Water Development Board is proposing a pretty major look at all the major, main aquifers throughout the state, and they're looking at adding some additional ones including the Austin Chalk, because we put it into our first plan. It's not mentioned anywhere else. We chose to put it in as an aquifer for Region J in the first plan, and that's really what spurred that. So, you all had an influence. Obviously, what they do will be available for our next planning period, so for now, we're gonna have to go with our best estimates. The Frio River Alluvium – that is in our plan. It is not studied. Again, I would like to recommend to this group that that be one of our recommendations that either the Water Development Board staff study this alluvial segment in here, since it does provide a water supply source to a community in an outlying area. It is mentioned in our water plan that either the staff do it, or else they put it out as a research grant to be completed prior to the next planning period.

Paul SeEVERS: I think we ought to recommend it to the Texas Water Development Board, that they refile all these models across Texas based upon county by county for the long range – a long-range plan.

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- Male Speaker: Let me comment to that further. These models on a regional basis, for all – looking at the whole aquifer – really, and I'm gonna argue that it's the best model we can find for this large an area. But, when you turn around and say, "Okay. Does it give me good numbers, good estimates to draw down at economy level?," I agree it doesn't, but the idea is, is you now have a framework, and you have your boundaries you define for that county. So, you start with the Board's model, then you go into the county and you get away from that one-mile bridge, and get down to –
- Male Speaker: Four mile bridge.
- Male Speaker: You have to get more details in there, and that gives you the capability of putting in a lot more detailed data.
- Jonathan Letz: Like the state of Texas would fund county-by-county models.
- Male Speaker: We really don't have that. I don't think we have the resources to do that.
- Jonathan Letz: I mean later, ten years from now.
- Male Speaker: I doubt it. I mean, the funding that we're getting is kinda going the other way, if you get the message. What we're really trying to do is we have – we have [inaudible] that he mandated that, gave us a little bit of money, and we had to do the [inaudible] again in December. We just barely made that.
- Jonathan Letz: You've done a tremendous job.
- Male Speaker: Now, we're actually trying to tackle and explain two minor aquifers. I'm not sure Austin Chalk is gonna do some minor ones.
- John Ashworth: I don't think it is. They're looking at doing a baseline study before they even consider modeling.
- Male Speaker: That's right. So, that's kinda [inaudible], plus as John actually pointed out, as new information comes in, we'll update it.
- Jonathan Letz: So, you view it as sorta a county responsibility 10 years, or 15, or 20 years from now to refine that model for themselves.

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Male Speaker: I'm not saying who is responsible, as much as just saying, "What can we do?" I'm not sure that we have the kinda resources to actually do that.

Male Speaker: I'm not sure that a lot of counties don't have resources.

Male Speaker: I think that's a very important point, that to decrease the grid size on a model of this magnitude with all the parameters that are involved in it is very time-consuming. The extensive proposition that you say the state is not gonna fund a local water district that's 1,000. It's hundreds of thousands dollars that's gonna be necessary to do that.

Male Speaker: **[Inaudible]** or wells?

Male Speaker: You get the picture that it's a model within a model. You have a coarser grit that covers the full aquifer if you would, and you wanna get the kinda information, you do a more detailed model in that, using the bigger model as **[inaudible]**.

Ronnie Pace: I think there's a lot of other local data that can be used in it. They put it into a database of information **[inaudible]** that you need to make correct, otherwise you **[inaudible]**.

Jerry Simpton: John, when you said basically we need to decide whether we're gonna use this GAM, or whether we're gonna go back and use those ordinary figures that are supplied to us, which is the most defensible?

John Ashworth: The GAM.

Jerry Simpton: So, let's just cut to the chase. I'm getting hungry. I gotta go have a sandwich. We can talk about this, and have talked about this for months, and months, and months. Let's go already.

Male Speaker: Today is the first day we can –

Jerry Simpton: No, I'm talking about the GAM, but we've talked about this particular issue as far as supply and demand stuff. We've lived with this ever since I've been coming to these meetings. I know it's important, but I never liked those other figures. I thought they were –

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John Ashworth: And, those of you that are still fidgeting a little bit about using these GAMs, remember, this is just a tool. How you interpret it is still for you all to do. You know, you can interpret it in any way you want. So, don't think that because you're accepting the GAM that you're automatically accepting a set of numbers that go in this table.

Jonathan Letz: I think that the –

Male Speaker: We can't arbitrarily interpret these though, can we? I mean, it's got to have a basis for interpretation.

John Ashworth: Well, regularly you talked about that with this.

Jonathan Letz: That's after lunch though. I would say that it's important to use the GAMs. For one reason, I think it's what John has said. It's the best we have right now, and the other reason is, if you're gonna have any hope of the Water Development Board helping improve these GAMs, they better be used. If they're not used, they're gonna say, "Well, why should we help fund something that's not gonna be used?" So, I think there is two reasons that the GAM is the right way to go. Anything else on this before we break?

Ronnie Pace: Do you need a motion on that? Are we gonna vote on that, or –?

Male Speaker: Are we required to use the GAM?

John Ashworth: Unless there is better information available. Now, if you as a group vote not to use the GAM, you're saying there is better information available, and that we should not use the GAM.

Jonathan Letz: But John says there isn't.

John Ashworth: I'm saying there isn't site-specific. That does not mean that I will ignore outside information. Like I said earlier, I will look at what URS has provided, and anybody else that has any information that wants me to look at it, and compare it to what's in the GAM. I will do so.

Male Speaker: If you're looking for a motion to utilize the GAM as I tool, I would make that motion.

Male Speaker: I thought I already had.

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Jonathan Letz: Okay, we have a motion that's subject to accept the two GAMs – the Edwards-Trinity GAM, and the Hill Country GAM as the modeling tools that we'll use in this planning process.

Male Speaker: Question: By doing that are we adopting this definition?

Jonathan Letz: No.

Male Speaker: Because we need some time to –

Jonathan Letz: This is just getting us at – we're going down this road, and we're not coming back. Any further questions? All in favor say, "I".

All: I.

Jonathan Letz: The opposed? None. That's unanimous, and we're taking a break for lunch for 30 minutes – we're back on the record. All right, let's go on to the groundwater availability. John?

John Ashworth: As I was making some visits, and visited with the Kerr County contingency, and we talked about the GAMs, it became apparent that once you use the GAMs, you have to have some sorta definition of what it is that you're trying to achieve with it. You have to set some guidelines on where you're going to set your availability number. So, we kinda came to the conclusion that I would generate at least a beginning draft of some language that might throw out a concept of what the Planning Group may want to look at when they're viewing the results of this GAM. In other words, what does availability mean? It can just run the gambit from not allowing any water level decline at all, all the way up to using 50 percent of the water in storage. In some point in time in Chapter 3, because we're recording our availability numbers, we have to express what they're based on, you know basically what they mean. So, this document titled "Groundwater Availability" was just a first shot on my part of putting some things down that I have been hearing you all talk about in terms of how we might view the GAM, and what it is that you're basically trying to protect with this availability analysis.

I put in quotations up there in that second paragraph right out of the Water Development Board's guidelines that this availability number, we develop it by calculating the largest annual amount of water that can be pumped from a given aquifer without violating

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the most restrictive – restrictive is important – physical, or regulatory, or policy conditions limiting withdrawals under drought or record conditions. So, that leaves that restrictive statement available for you all to discuss in terms of physical, which is what we kinda looked at before; regulatory, which basically means that there's an entity that has regulations on how much water can be withdrawn from the aquifer; or purely a policy statement, and this document is sorta like a policy statement. The third paragraph basically talks about the fact that ground water and surface water are – coexist in our region, and that this region does represent the headwaters of a number of streams, and you all have told me before that the tourism, and the whole aspect of this region is firmly tied to those surface water – water being in these streams, at least for the critical periods at the time of year. So, I put in a lot of flowery language there, but anyway, it comes down to that underlying statement, and I think this is where the controversy comes, and this is really the definition that I took the first shot at. This is sorta what we need to talk about.

It's the availability, as defined by you all – not me – is the maximum level of aquifer withdrawal that results in an acceptable level of long-term aquifer impact. Now, what that aquifer impact is what you all are gonna decide. What is this amount of pumpage resulting in an impact level that's acceptable to you all? It's lowering the water level 500 feet acceptable to you? Then, that's your impact. That's your acceptable level of impact. Is one foot of draw down over 50 years what you want? That's your level of impact. That's basically what I need to know in order to run the GAMs, so that I can come back, and tell you what level of pumpage represents that impact.

Male Speaker: John?

John Ashworth: Yes.

Lee Sweeten: When you read the rest of your statement right there: "Significantly beyond levels that we anticipate due to naturally occurring conditions." How do you know whether that's gonna be one foot, five foot, ten foot?

John Ashworth: Well, I had to add that extra part, because it's obvious our streams don't flow year-round. A lot of them don't. So, there's – there is no pretense in here that we're trying to set an aquifer availability number that's gonna allow water to flow all year long. I'm trying

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to say there's a natural state that these rivers are in, and that basically we would set a groundwater availability number that would not impact beyond that natural level, or –

[Crosstalk]

John Ashworth: – if a certain amount of it impacts okay to it, then that's all right also, but that's for you all to discuss, and we don't even have to go this route. You all can come up with a totally different way of expressing an impact that we want to look at, that we want to evaluate via the GAMs.

Jonathan Letz: I think Lee's question John is – and this is also my question is "How do we know how much we can draw down, and not impact the rivers?"

Lee Sweeten: Even if it's a natural occurrence, seasonal, whatever I mean that's my whole question. It's a great statement. I like it. I would like to take it on face value, but unfortunately you can't, because you don't know how much you can draw down before it's gonna affect that, at least I don't.

John Ashworth: Well, from the GAM perspective, that's where we come back to this analysis, is that basically where along this orange line are you comfortable with going, before this change in the blue line gets to the point that you consider critical. Now, your question is, "Well, what is this blue line? What's the critical nature on it?" I'm not sure. That's – it gets to be a very difficult question when you really wanna get down to a very local basis. It may be beyond what we're capable of doing during this planning period. It may be something that can be defined even more during the next planning period.

Lee Sweeten: Only **[inaudible]** principle, because it's assumed that someone is gonna come along, and not like what we do, and they're gonna go find a hungry lawyer, and they're gonna attack us. You can't get out the fair gate anymore, and take care of that problem. We gotta find something that's more defensible is what I'm saying. I mean, that's a great looking statement. That's just perfect. It's a mission statement almost, but we gotta be able to back it up. I don't know if we can say well, "We'll accept five feet of draw down," and that's not gonna affect it. Okay, five feet, and then later someone says, "No, even with 100 feet." **[Inaudible]** no.

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[End of Audio]

Duration: 63 minutes

TAPE 2 – SIDE A

Jonathan Letz: One of our aims is recreation. There is no relationship really between – before we said, "Okay. We're gonna say we can use two percent of recharge," or whatever the number was. Well that has no tieback – not dealing with – the levels of the river. It was really driven really by the city of Kerrville, because they're thinking of putting a well field on the Edwards portion of western Kerr County, where the springs flow into the river. Well, it didn't make any sense for them to put a well field out there as a strategy, if all they're gonna do is take the water out of the river before it gets to the natural flood down in Kerrville. That's where the concept came in, and the dams give us an availability to do it, even though the problem with the GAMs are they're not very accurate, but it seemed like it was more defensible then just pulling an arbitrary recharge number out that doesn't tie to anything, to say, "There is a relationship between the surface water, and the groundwater in our region, and almost in every county in our region, because of where the headwaters follow the river."

Lee Sweeten: So, where we're at with this is that we need to decide.

Jonathan Letz: Well, I think first step is decide if this is a policy direction that the whole region is comfortable of using. If not, we can go back to the other, I guess [inaudible] use the percent of recharge, which is kinda the more historic way that is maybe used more often, or was used in the past more often, but it's very arbitrary.

Male Speaker: We've already said we're gonna go with the GAM.

Male Speaker: I mean I'd like to see what he puts out first. Aren't you gonna provide us a county-by-county?

John Ashworth: Oh, yeah. Sure.

Male Speaker: I think until we see that, I don't know why we go.

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Male Speaker: When I read this, and I read into it, and you interpret it the way you said, is where the pumping starts, and the drought happens with the drain, or the spring, will weaken it to a certain point. If you start the pumping, and you make that happen in a non-drought area, that would be accepted. That's not what we're talking about. What I'm talking about – I would want it to flow basically like it would under non-pumping environment.

John Ashworth: Right. I think that's what I'm trying to say.
Male Speaker: – you'd be utilizing water when you're above average. So, you're not looking at it in a drought occurrence. Because if you do that, during the drought occurrence, it's gotta be lower, or you gotta shut them down.

John Ashworth: Yeah, and that's what – we can run the model to where it puts a ten-year drought period in anywhere within that 50-year period. Normally, you put it at the end for the final decade, and you see the results. So, I think the guidance that I would like to get out of this: Do you want – do you want to consider the river drains as part of the impact that we're looking at?

Male Speaker: At the river first?

John Ashworth: Yes. I mean, if that's the case, then when we set the model up to run, that is one of the things we're looking at is impact at a various pumping levels on these river drains.

Male Speaker: What did you say, Tully?

Tully Shahan: Yeah, I was concerned about, are we gonna be in any way contravening both groundwater district's management brand through their recharge? I don't know what the rest of the groundwater districts have. Kinney County's is – they've limited their pumping to recharge, and this may contravene their management plan, and it may contravene other definitions of water availability for other water districts.

John Ashworth: That's a good point, Tully.

Tully Shahan: We don't wanna be in conflict with them, and obviously, they don't wanna be in conflict with us, but that's something that I think that as we walk through county-by-county, we should approach that banner, because it's of grave concern to everyone.

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John Ashworth: One of the other groups I met with was the Edwards-Real Groundwater Conservation District board members, and we discussed their management plan, and the impact that all of this was going to have on it. I can tell you from that perspective, and I can tell you from the work that I'm doing up in Region F, where there's a lot of groundwater districts, that with these GAMs, and the use of these GAMs, we're finding that a lot of the language in the Water District Management Plans are probably going to have to be revised. A lot of them are going to have to adopt new source availability numbers if they wanna stay in line with what the regional planning group has, because a lot of them have the same numbers in the first plan, and these numbers are all changing, because of the GAMs.

Male Speaker: The Board required that those numbers be in the management plans in this last go around. So, we were driven – we were driven that way.

[Crosstalk]

Male Speaker: We had to put a number in.

John Ashworth: And I guess what I'm saying is, "Yes, Tully." It is going to impact the groundwater districts, and I think that's why I'm referring to your groundwater districts to really be a part of this process, and express their concerns. If they still – if the groundwater district still has that cap, that cap still is their regulatory restraint, and regardless of what the GAM says, that this regional planning group makes the decision that they're going to go along with the regulatory decision of the local groundwater conservation district, and that takes precedence over what's in the GAM, but again, that's a policy decision we ought to make.

Paul Seevers: What happens down the road to – again, I'm looking 10, 15, 20 years down the road – if our plan, our final plan, or approaching a final plan – what happens if the state decides that all these plans they wanna mandate these plans? Then, what we're doing would be part of the state law that the water districts would have to equate or exceed.

John Ashworth: In other words, they would mandate that no one could pump more water than what we're showing is available?

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Paul Seevers: Right.

John Ashworth: Certainly, that's a possibility. I don't think that's gonna happen anytime soon. It's gonna happen when the rule of capture gets turned over. Right now, it's in the hands on the groundwater conservation districts, and whether or not they accept these numbers, because they're the ones that currently have the ability.

Paul Seevers: This report right here may end up as a mandated, uniform rule over 254 counties in this next legislative session.

John Ashworth: It's possible.

Paul Seevers: It's what I hear. That's what's gonna happen.

John Ashworth: It's certainly possible.

Male Speaker: John, I'd like to make a quick comment, and Craig gave one a bit when we wrote our management plan, we did not look on a record as part of the process of preparing our management plan. That management plan has designed to – for what I call "normal conditions". Then, the district also has a drought management plan, which would supplement our management plan in times of drought. So, I guess I'm kinda a little concerned that we're mixing apples and oranges here – that we're defining something that's not necessarily applicable to drought record, and then trying to extrapolate it into a drought record period.

John Ashworth: Yeah, well you know that's a critical issue, because I had my concerns for these numbers being based on drought record for groundwater. I think Craig had brought this up at one time that over the long term, availability is kinda more has to do with average conditions, because you don't just pull it all out at once, and it makes up for itself, and it's more reasonable to look at long term under average conditions. I can find some strong understanding of that statement. My other concern is that "Exhibit B" in about five places says this number is supposed to be based on drought record conditions. I've asked this question to Bill Barnes one time, and the response I got, and I don't think he wants me to quote him, but the way I interpreted what he said was that drought record is built into the demand number, and not necessarily the availability number. So –

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- Male Speaker: That's what he told me too.
- John Ashworth: Yeah, I'm sorry but there's a major bit of confusion here.
- Male Speaker: They screwed up **[inaudible]**.
- Ernie: I never ran into this drought of record stuff until I came to Texas. I mean, I've been in plannings in two other states, and it was never called drought record, it was more average normal conditions, you know?
- Lee Sweeten: When you get into New Mexico, it's all been a drought out there.
[Crosstalk]
- Lee Sweeten: I lived there for a long time. I'd like to say that.
- Male Speaker: Why don't we talk about what we're gonna do now? You said that a two aquifer – what we recognize now as a two aquifer county, and possible if they do decide to adopt Austin Chalk, we'll be a three. Now, we are gonna have to make zones – management zones. They're gonna have to be – in our management plan we have now is a plan on the whole county. We have got to set up zones, and basically we're gonna end up, if they do say that we have a Austin Chalk, we're gonna have to have actually almost three management plans, **[inaudible]** water in one is not what it is in the other. The pumpage in one like it is now, the pumpage would be 95 percent out of one zone, and 5 percent out of the other one, which basically that's the same amount of water.
- John Ashworth: You're not alone there. There are many districts out there that are doing that right now. They have different management rules for different aquifers within their districts.
- Male Speaker: That's why I'm saying our management plan has got to change. We have got to get down the road just a little farther to get this kicking, so that we can come up with a figure that's believable in this that you got for the value, and it is coming. It'll be pretty – I'm gonna say the next three to four months it will happen.
- Lee Sweeten: Yeah, but you don't have – when did you get your management plan approved?
- Male Speaker: Last year some time, a year ago.

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- Lee Sweeten: Don't worry about it truthfully. You're contingent to the next cycle, because that's what it says here. You have looked at basically [inaudible] in the next cycle.
- Male Speaker: I'm gonna have to do it, because of the management – water before the next cycle.
- Lee Sweeten: But don't make it like that this would cause you to have to do it.
- Male Speaker: No, no. No, this won't. I'm saying this was something that was sitting in before even this just came up.
- Jonathan Letz: John, do they require you using the terminology "middle" and "lower" trinity everywhere? Is it a case of the Water Development Board requirement?
- John Ashworth: No.
- Paul Seevers: Because in Kerr County, I know that there's certain zones that you can't differentiate middle and lower, so even though there are rules of that district applied to that, there's just no way to differentiate.
- Jonathan Letz: Yeah. I think that where it became really separated that is that the lower one included in the model, and the way to keep track of that, I think it was one of the reasons. I don't think probably five years ago, anyone knew this was different.
- John Ashworth: In our first plan we break out the trinity into upper, middle, and lower. This time right now, I have it all lumped together, but this needs to become a decision probably between headwaters and Bandera County districts. If within their management plans, they need that broken out, then probably we'll go ahead and break it out in the regional plan. If it doesn't matter, then we're probably gonna lump it, but I'm gonna let that be a local decision.
- Jonathan Letz: Going back to the definition on the first page, to me it's a choice of if we're gonna base our withdrawals from the aquifers on trying to keep the rivers flowing, you've gotta use the GAMs, or you go back to percent of recharge. Those are the two choices that we really have. Percent of recharge has no tieback to surface water in the river.

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- Lee Sweeten: Like you said, in Kerr County, probably Bandera, definitely Rio, and more and more so in Everest County, the river flow is tied directly to the economy. So, we've got to do it that way.
- Jonathan Letz: I mean, if we didn't have live water ranches for sale, they'd go down from \$5,000 an acre, to \$100 an acre.
- Male Speaker: You're talking about town record. The town record – the normal rules have to be set aside somewhat, do they not? You can't expect a **[inaudible]** record to support your tourism necessarily, or support irrigation necessarily.
- Lee Sweeten: My thought is, is that we were talking a while ago, as you know. "Well, this is getting this drought thing. You're gonna shut these people down." Well, when you get into a drought, that's not **[inaudible]** river basin. You've got the newest shut down. The guy that might have a permit for 5,000 acre feet for whatever reason, they think he's got backed, and that's already talked about water ground management plan. We issue you operating permit. Keep our operating permit – it talks about the available during the drought will be restricted by district. So, at least they know it's built in, so I don't want to necessarily see us looking at drought record, because by that point, there's a whole lot of them done dried that aren't warned in time.
- Jonathan Letz: Until the problem reverses, then the drought of records staffed by the **[inaudible]**.
- John Ashworth: I think we have to maintain a sense of realism when we look at these numbers to, is that we don't want the GAM to tell us that availability is a certain number, and we know in fact from previous pumping that the aquifer pump was in that. So, there's a check there to – we don't necessarily wanna go below that number. We gotta – we need to know how the aquifer is operating right now, and not have some number that's not reflecting realism, either current realism, or historical realism. That's sorta our backup check is to make sure that whatever that number is does reflect how the aquifer has reacted previously.
- Paul SeEVERS: Are you gonna ask the counties for local data such as pump test data, things like that?
- John Ashworth: No, we're way beyond that at this point.

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Male Speaker: I have a question, John. You wrote this, or did this come out of the Board?

John Ashworth: No, we did it. We ran the base models, and we –

Male Speaker: Do we have the ability? Because what I'm hearing is there's a lot of concern about maintaining the flow of the streams and the rivers. They dry it up now, whatever is on the drought of record. Can we – is there any way to say now that maybe under present conditions no pumpage or normal pumpage dries up one percent of the time, or something – whatever that is, and then project out how much that percent increase can we get done.

John Ashworth: You know, I'm not sure. I think what I'm wanna do is get my modelers and your modelers together over the next two weeks, and really think this through, because I'll be quite honest with you all. This region may be setting precedents. I'm not sure that too many of the other regions are using the GAMs to the extent that they're really built to do. I mean, this is the purpose of them, and –

Male Speaker: **[Inaudible]**, John?

John Ashworth: In some cases they just – they – excuse me. Some of them don't have a level of groundwater expertise that understands this groundwater relationship to the surface water aspect, and they may not be able to look at it. They may be taking the GAMs and pulling the recharge number out of it, or just picking some level of pumpage that's in the GAM, and saying, "Well, this is the expected maximum pumpage that's shown in the GAM, so we're gonna report that as available." I'm not saying that for all the regions, and I'm not trying to stick up for LBG-Guyton, but I just know some regions may not have that background expertise to be going to this amount of detail.

Jonathan Letz: The other part of that is that very few of the regions have the geographic makeup we do. We're the headwaters of so many rivers. So, it's a problem here, but most regions just don't have it. They're not capable of really looking at it. I mean, because we know that our pumpage directly – or we're pretty sure – our pumpage has some impact on our spring flow, and spring flow affects the river. So, that's why this region is different I think, and why we're looking at it very differently.

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Male Speaker: John, looking at – if you'll agree that groundwater and the surface water are connected, which we've said over, and over, and Jonathan just said it again – what scares me about this definition is it looks like the second half of it, and the first half are in conflict with each other. The first half says, "Some acceptable level of long-term impact." I'm assuming we're not talking a positive impact, we're talking about a negative impact. In the normal cycle of things, you're gonna have your highs and your lows, but basically everything is at equilibrium, but that means in the long term, there will be no impact if things are left alone, okay? A hundred years from now, you're still gonna have your ups and your downs, but it's gonna be right there. If you're willing to accept any long-term impact, and again I'm assuming we're talking a down-dip, you've got to be – sooner or later – the only thing that's determining is when sooner is, and when later is, is how steep that level of impact is. Sooner or later, you're gonna impact your surface flow. It has to.

John Ashworth: Right. If you assume that right now that relationship between groundwater and surface water is at some equilibrium, it's probably no longer at the original equilibrium. It's at a new equilibrium. It has reached a new level of sustainability is another way of saying it. It's the current way it is now. Any increase in pumping is going to have a negative impact, and I think that is what I'm saying. Now, I have not defined what acceptable level of impact is.

Male Speaker: Except that with the – as long as that slope is going downhill, the further down it goes, and the longer the term, the less able the system is to withstand those dips that are gonna be – the lines are still be gonna be going up and down, and what happens is more of your downs are below the part where everything dries up. Next thing you know, we have nothing coming up anymore. That's exactly it.

Jonathan Letz: I think it's for your short-term too, your short-term impact –

Male Speaker: No, because eventually you're not gonna have – even your high point is gonna be the low point.

John Ashworth: You're expressing the acceptance of a large impact. If we set the standard, phase 2 of this definition is the impact that you define it to be. If that impact may have just a very small influence on the

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river, then you may say, "We recognize that a certain amount – that we can allow a certain amount of growth, and it's only gonna have five percent impact on the river, and we can live with five percent change, or two percent change, or twenty-five percent change."

Lee Sweeten: If you're not willing to accept any impact, then you might as well run on to Georges Valley County Club, because [inaudible] is gonna happen.

John Ashworth: Right. If you're not gonna accept any impact at all, then you're saying the current level of pumping right now is your availability.

Lee Sweeten: No more wells. No more nothing.

Male Speaker: Well, and you gotta take the droughts into consideration, and good times in consideration.

Lee Sweeten: Really what you're looking if you're saying no impact is bottom line, we don't have any.

John Ashworth: Yeah. I'm not anticipating you all coming in with a "no impact", because I really – I don't think you're gonna sell it.

Jonathan Letz: Do we – I mean it seems like if we're gonna – the next step is to let John run it for each county, and see what it looks like at our next meeting, or before that – look at it, and then we can decide if we need to go this approach, or if we need to can this one, and try something else.

John Ashworth: And you know, let me remind you about what this table is used for. All it's used for is when we're looking at strategies, and looking at these water user-group availabilities, is we don't have numbers in there that are larger than what we're coming up with as being total availability. For regional planning purposes, it's just a background. It's not extremely important. It just says that we're not – we're not going out, and assigning more water to a strategy than is available. That's all it's for. Now, we all know politically these numbers are used for other purposes, and that's what we're debating around the table here, is that other people are gonna see these numbers, and use them for other purposes. So, we have to be open-minded, and open about that issue. But, purely from this water plans purpose, this table is technically used for nothing more than making sure

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that we don't grab water out there that we don't say is available for a strategy.

Male Speaker: Change of subject now. We talked before about the regional water plan versus the Groundwater District Management's plan. I just wanted to enter that, but I checked with statute, and renewal on that [inaudible].

Male Speaker: Yeah, okay the Regional Board Planning Group – this group here must consider any certified Groundwater Conservation District Management plan, and other plans submitted under it. So, the [inaudible] board has needed to look at the groundwater certified around our district plans. Then, back in our rules is if in fact, the [inaudible] goes back to the Groundwater Conservation District. So, if they find that, or they consider there's a conflict between our regional planning, and their management plan, use two of them. Okay, they need to file a petition with the Board, and the Board is supposed to the resolve that conflict, whatever that be.

Jonathan Letz: Has it ever occurred?

Male Speaker: We don't like to resolve conflicts.

Jonathan Letz: I know that's why I'm asking.

Male Speaker: The state really is a key word in there too, because her plan [inaudible] plan uses sustainability as a mission statement so to speak. The state water plan says that we should drive tourist sustainability.

Male Speaker: Okay, let me go back. I was being a little facetious and funny.

Male Speaker: I know.

Male Speaker: The conflict is gonna be done on numbers. It's not numbers on availability. Basically, we're gonna look at the science on that sorta availability. We're not gonna get into policy kinda decisions, and so forth in general.

Lee Sweeten: So, where we're at here is you're gonna produce models for each county to look at, and we'll basically decide what that level of decline is acceptable for our county.

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John Ashworth: Yes, but I do need to get a sense of agreement that you all want us to look at the river drains – the impact of the river drains.

Male Speaker: Yes.

Lee Sweeten: You've got to.

Jonathan Letz: Was that a motion plea?

Lee Sweeten: Yes, definitely.

Jonathan Letz: Is there a second to that motion?

Feather Wilson: Second the motion.

Jonathan Letz: We have a second from Feather Wilson. The motion – why don't you restate your motion, Lee?

Lee Sweeten: I move that we look at the river drains when we look at these models. Is that close enough?

John Ashworth: And impact of pumpage on their effect on the river drains.

Lee Sweeten: Works for me.

John Ashworth: Okay, some wording about this will need to go into the plan. If we wanna tweak this language, eventually after we look at everything, and everything is we've come to some agreement, but we will probably wanna put some language like this that kinda defines what our policy is.

Male Speaker: I was gonna say having just got this, I'm not ready to rubber stamp this.

John Ashworth: Oh yeah, I'm nowhere near. This was purely for discussion right now.

Jonathan Letz: Let me restate the motion just again, so whoever transcribes this can properly hear it. The motion is we're gonna authorize our consultant to run the GAM for each county that will take into account river drains in the model runs, and then report back at our next meeting, or prior to that, and then we'll decide the issue of sustainability, or – okay. Everybody agree? All in favor.

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- All: I.
- Jonathan Letz: Everybody opposed? Okay, none, unanimous. That's it John.
- John Ashworth: Yes.
- Jonathan Letz: Okay, on to item eight, the "Consider and discuss designation of "Major Springs" that are important for water supply or natural resource protection.
- John Ashworth: I don't have a handout on that particular aspect, but basically what the requirement is, is that the Regional Planning Group can identify, may identify, major springs that are important for water supply, or natural resource protection. Basically, if there are some springs out there that you all feel are important such that they need to be mentioned in the plan, and that when we analyze, and evaluate the strategies, that becomes a component. That's one of the things that we look at. Does this strategy have any impact on a designated major spring? Again, springs are of concern for water supply purposes, or for natural resources. You all can consider what natural resources means.
- Lee Sweeten: That's what I'm wondering.
- John Ashworth: It can mean that there's a certain spring out there that you're really – that has endangered species; it has some other historical value to it. There's something there that really you feel that it is important to this region that that spring not be impacted similar to the way you would not want your water supply to a certain city to be impacted.
- Male Speaker: During the last cycle, what did we –?
- John Ashworth: That was not in there last time, but this one is the new one.
- Jonathan Letz: I mean, wouldn't San Felipe – San Felipe is fairly one that would be a major spring, correct?
- Male Speaker: Yes.
- Tully Shahan: Maybe Old Faithful at Camp Wood.
- Male Speaker: **[Inaudible]**.

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Male Speaker: May I ask a question? Does this recommendation have to come from a Board member, or can it come from a citizen too?

Jonathan Letz: I think Board member, but you can add a comment.

Male Speaker: Yeah, you can make the comment if anybody wants to pick it up.

Male Speaker: I would comment I was concerned about Leakey Springs here – east of Leakey here. It's a major feeding into the Frio River. Again, we have very little information on it.

John Ashworth: All these other springs are gonna be discussed. I've got places in the plan where I'm gonna talk about springs in general, especially those springs that have a major influence on the base flow of the rivers. You know, we've got two studies going on right now, one in western Kerr County, and one in Kinney and Val Verde County to look at these springs, and their influences. So, all these are gonna be mentioned, but they don't necessarily have to be declared a major spring.

Feather Wilson: One of the major springs, or historic spring is the really the origin of South Llano River, which is in Edwards County, and that's not only historic, but a very, very big, big spring that goes out of our district, but I think springs like that should be looked at.

Male Speaker: What is that spring?

Feather Wilson: I can't remember the name of it, but it's –. It's on a ranch that you can only get to once a year.

Lee Sweeten: Yeah, basically it used to be part of the 1100 Springs.

Feather Wilson: That's what it's called: 1100 Springs.

Lee Sweeten: In fact, we were contacted a while back from people at a junction who were worried about the landowner, and [inaudible] water involvement up there.

Feather Wilson: Those springs are so unique, is that you can actually stand on the other bank, and see water pouring out of canon-hole looking orifice. It's just incredible. They're incredible springs, but they

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don't – they originate in this district, but they feed the other districts.

Male Speaker: Would you still mention those springs?

John Ashworth: Yes. I will mention every single spring that anybody around here wants me to mention. However –

Male Speaker: What I planned on was Camp Wood get their water, and Del Rio gets their water, I think it's critical.

Feather Wilson: And by the way, those springs have gone down since we're talking about it, because I've got some pictures – some old, old pictures where these big holes where the water was coming out of the holes above it. Now, it's only the holes that are below, and people were bathing in the upper reaches of those springs, but not anymore. That's certainly have a – has already had an impact on the South Llano River, and –

John Ashworth: We have to have some discussions about environmental flows, and certainly these springs have a lot to do with the environmental flows. It'll get discussed there. I think we can have a full discussion. As far as the designation of major springs, and how it technically affects what I have to do in the plan, I don't think we wanna get carried away with the numbers of springs we designate as "major". We can say all we want, but this official designation has some other implications on having to add it into the strategy analysis.

Lee Sweeten: Wouldn't we need – do we need to come up with that list off the top of our heads today for these designated ones? Roy mentioned Old Faithful, and 1100 Springs, and San Felipe Springs, so you know **[inaudible]** –

John Ashworth: We can come to a decision on them today – the sooner the better. If you all are not comfortable doing that today, we'll put it off until the next meeting, but –

Male Speaker: Why don't you go ahead and put a list together for us, and we can comment on it next time?

Jonathan Letz: I think that we can – San Felipe definitely. That's just a critical –

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Lee Sweeten: [Inaudible] it's their sole source of water.

Tully Shahan: John, if the ecologically unique river and stream segment recommendation gets made by this Board for San Felipe creek, obviously San Felipe creek is there only because of San Felipe springs. What impact would that have on how you have to handle that in the plan?

John Ashworth: It's still somewhat separate. We'll go with this ecological thing here in a minute. This ecological spring recommendation strictly goes to the legislature. It's a recommendation to the legislature that they designate it, and if they designate it, then it becomes a stretch that the state agencies cannot permit development, or build a dam on it.

Male Speaker: But in the plan – the development – don't you have to, regardless of whether the legislature buys the recommendation or not, don't you still have to address the impact –

[Crosstalk]

Male Speaker: – strategies. If it's recommended, even if it's not approved by the legislature, this recommendation is not done by the group, then the strategies have to be analyzed in terms of what their impact is gonna be on that.

John Ashworth: Whether it's required to or not, I would say I would be doing it anyway. I mean, that just makes sense.

Tully Shahan: I'd like for us to consider Pinto Springs if we can, and Las Moras Springs in Kinney County. Los Moras Springs of course is where Fort Clark was established in 1852. It's part of Bracketville. Originally it was founded, and that whole community, and its economic value really survives on account of Las Moras. Pinto of course, still has got a threatened species in it. It's an isolated species, and there's definitely – could be – a strategy that could come about as a result of a large amount of pumping in that area on both springs. I think it's worthy of consideration of our Board.

Male Speaker: I don't think Pinto, Tully. That thing's dried up. You know, you know as well as I do that it's gone dry.

Tully Shahan: No. We were in total disagreement there.

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Male Speaker: I've seen the IWBC reports too, up until they were not allowed on your property, and it would have an overflow of waters.

Tully Shahan: Well, we just had sworn testimony this past week that our Board began our permeate areas. I mean, on [inaudible] obviously on the different side of the aisle.

Male Speaker: I think it's important to decree, but the springs themselves I know, has gone dry numerous times, but if you've got sworn testimony –

Jonathan Letz: All right. We're getting off track on that. What I think the –

Tully Shahan: You disagree to consent.

Jonathan Letz: I think that the – we have a choice as a Board. I think it's to me, I already know that Old Faithful really needs it. To me, San Felipe is such a unique spring, it clearly has to be designated as a "major spring". All the rest of them are kinda in a same category with me, and I'm sure there's others. Pretty much the headwaters of every river is gonna have a major spring. At Leakey Springs there's – in Kerr County there's some. You mentioned the 1100 Springs. There's also the – it used to be on [inaudible] I can't remember. It's in Real County.

Male Speaker: Big Spring – Big Spring Ranch.

Jonathan Letz: Yeah, I've seen that one. It's the same type of thing as canon hole sprays of water coming out. So, but all, while they're important springs, I think we either have to designate all of them "major springs", or none of them "major springs". Except for San Felipe is the one that I say is a very different – it's not a canon hole. It's a three or four barrels.

Male Speaker: It all needs to mentioned.

Feather Wilson: Well, if you use the GAM map, you know you can say goodbye to all of it here.

Jonathan Letz: Yeah, that's just my point-of-view. To me, it's either you all of those important, but to me it's really just -- there's not only just one major, but I think also the other comment, and I think that we're unlike last time for a period, we're gonna be seriously considering ecologically unique stream segments, and that

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designation is gonna pick up most of these other springs. We have a motion to say that we do have one with San Felipe Springs – is a major spring.

Male Speaker: I'll second.

Jonathan Letz: We have a second for that. Let's at least deal with that one. All in favor of naming San Felipe as a major spring?

All: I.

Jonathan Letz: Any opposed? No. On the rest of them John, why don't you prepare a list of what you consider the other significant, important springs including all others that we mentioned, and at our next meeting, we'll look at how big that list is, and you can give us an idea of what that actually means if we designate that many as major springs. I think – I mean, I don't wanna be driven by budget, but there may be a budget constraint as to how much we can do on major springs, based on reality. Anything else on major springs?

Female Speaker: Can I ask you a question real quick? I was just wondering, because as far as the importance of designation major springs, it means that when you have supply strategies, you have to go back, and look at the impact of those on these designated major springs. Is there another check that you have in the planning process that would give you the option to go back, and look at how the supply strategies impact the headwaters region, which you all declare are important? Is that something that you're gonna do under a different component of this, or would that be facilitated by designating each of the headwaters' regions to have at least one major designated spring?

Jonathan Letz: I think they're gonna be defined by how we define water availability, because we're – the prior discussion was that we're gonna protect the headwaters of the rivers, and by doing that you can protect those springs, and that is the headwater. So, I think that how we define it, that would be a check on all of us.

Female Speaker: Okay. Okay, thank you.

Lee Sweeten: Before we get off that, I'd like to go ahead, and see Old Faithful included. So, I'd like to move that we designate it as well.

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- Jonathan Letz: Okay. We have a motion to –
- Male Speaker: All it means is a water supply to [inaudible] water [inaudible].
- Lee Sweeten: That's their sole source.
- Jonathan Letz: Is there a second?
- Zach Davis: I'll second.
- Jonathan Letz: The motion, and a second. Motion completed at Sweeten, second from Zach Davis to designate Old Faithful Springs in Camp Wood as a major spring. Any further discussion? All in favor?
- All: I.
- Jonathan Letz: Any opposed? Okay, it passes. We got two of them.
- John Ashworth: Next agenda item.
- Jonathan Letz: The next is item nine: "Consider and discuss the designation of 'ecologically unique river and stream segments'."
- John Ashworth: In your handout, on the second page, I've copied the discussion that's in the statute having to do with this issue. Also, on the next page, there's a discussion about unique sites for reservoir construction, what shores it, and then also on the second page under the Exhibit B guidelines, expresses what we have to do in the plan for this. As you can see on that first page, "ecologically unique stream segments" – they've got sorta five different criteria that it could fall under: biological functions, hydrologic functions occurring in conservation in areas, high water quality, exceptional aquatic life, a high aesthetic value, or threaten to endanger to species. These are all criteria that you could use. During the first planning period, this came up, and everyone was very shy about reacting to it, and they asked the Water Development Board to better define what it means. So, here on that second page, under the guidelines, it says, "The 77th Texas Legislature clarified that the designation of 'unique stream segments' solely means that a state agency, or political subdivision in this state, may not finance the actual construction of a reservoir near designated stream segment of unique ecological value." So, that's what it means.

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We also – most regions recognize that this is a pretty large task to go out there and try and figure out what these stream segments were. During the first planning period, there was a lot of concern that Texas Parks and Wildlife is driving a lot of this; yet, they weren't doing their part. Lo and behold, the Texas Parks and Wildlife has come up big time, and they have provided a lot of good information. That information is provided to you in that map. This is what they have come up with is this green designation map, and you should have a handout from Texas Parks and Wildlife describing each one of these segments. There are a lot of segments in Region J compared to some of the other regions, and you know they all have a pretty high level of understanding. I can certainly understand why they're there, but the Parks and Wildlife has done a fantastic job of identifying them, mapping them out, and showing why they're designated – just exactly what function it is that they're doing that.

This group here today, this Planning Group has a number of options: 1.) You can say, "We will continue not to designate any from our planning standpoint." We can designate all that Parks and Wildlife did. We can designate a part of what they did, and some others. We can – it's up to you all discuss whether or not you want to designate one of these. If you designate it, then there is a few small things that we have to put into the plan that basically says, "We do designate this," and pretty much repeat what's been said in Parks and Wildlife's write up, or if it's a new area that's not on Parks and Wildlife, then we have to go out, and generate this information. There is a chapter in the plan – Chapter 8 – dealing with this issue. Regardless of whether or not you designate officially any of these segments today, my recommendation is that we go ahead, and put this entire document in it, as our Chapter 8, and actually show these as from an educational perspective, and just to let everyone within this region, and within this state know that these are sensitive areas, and this is why. That's my suggestion.

Male Speaker:

John, let me say I have no problem incorporating it like you said. I prefer just leaving it like it is. Plus, Feather said a minute ago, if this ultimately becomes a mandate of the state, I'm looking at it from a property rights perspective. We own property. We're three and half miles of West Oasis. I don't care for what I see. I don't see how anything is gonna change in how it's managed in the future, but I do hate to see something mandated where we need

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property rights there. I don't see threats by any municipalities, construction thing. That's my feeling. Now, as far as incorporating it in, I see no problem with that.

Male Speaker: I have some comments.

Feather Wilson: Somebody came prepared? What is this?

Male Speaker: I'm with him. I don't have a problem with this data incorporated into the plan. As far as designating any specific thing, I don't see a need. I worked for the state for 25 years, and am well aware of the legislature, and just a little bit of a change in will, can change things, and can mandate things. You can change the purpose of things. I don't think I'm a very strong supporter of private property rights, since those of our Board, and so from our perspective, I've been charged with addressing all this to say, "We don't like it. We don't feel that there's a need to designate these areas, and allow this first step to be taken." As far as including it in the plan to show that there's sensitive areas – I have not a problem with that. I think that's a real – that's a good thing for educational purposes. I do not like the idea of designating.

Jonathan Letz: I would -- Tully, do you think that we can include this, the whole Parks and Wildlife study, and not be an official designation?

Tully Shahan: Yes.

Jonathan Letz: I think it's kinda in my mind the best of both worlds, because I think it is. I mean, I'm a lot like I think Lee, and Ben, and Zach has said, and I think this whole Board felt last time that we just don't trust the legislature a whole lot when it comes to property rights, and what they're – and trying to do something where they could all plan, and say, "No development. No subdivision. No nothing." Not a subdivision with lots of houses, but no selling property, and sorta mandating what can be done on these segments. It takes in a lot of our region, but I also think that it is important, and we're already instead of saying by the water availability, that these are very important segments, and our headwaters are very important.

Male Speaker: And I agree with you. I mean, I recognize what the Parks and Wildlife is saying here, but we all know that these endangered species they can get political, and [inaudible].

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- Lee Sweeten: When agencies [inaudible] –
- Male Speaker: Exactly. That's what I think this issue does.
- Tully Shahan: From the position of the last, because where I see it, I think that some of these rivers and creeks should be designated. I think the Devil's River for sure, as it's a pristine place in Val Verde County. I think that I kinda single any one particular river out, but that is – that is one of the last few that still exists like it has a long, long time ago.
- Male Speaker: And I agree with you. I think it's a beautiful river, but I still think there's property right owners that had property up there.
- Tully Shahan: I wouldn't wanna – I would not want to make a motion to approve this, unless it's subject to – I wouldn't want to infringe on any private property rights. That's not – I think that, and I hear what Lee is saying, but I think that there from a western point-of-view, and my point-of-view, I would recommend those designations in Bracketville – excuse me – in Kinney County where there is the West Nueces River, Las Moras, Pinto, Vine, Sycamore, and the San Felipe delta river, and Texas Rivers.
- Lee Sweeten: The problem I see, you can certainly guarantee that the legislature wouldn't change their mind, and that groups like Environmental Defense, and some of those, have not picked up on this, and said, "Well they've already designated that, and there's endangered species that have been identified by Texas Parks and Wildlife. We're just basically gonna take it over." That happened at the Federal level, and it can dang sure happen here. I think to recognize these, and realize that they are sensitive areas is one thing, but for us to take that first step, and I see it as a first step of a high blow in designating. I just cannot agree with it at all.
- Tully Shahan: These are all navigable streams, I assume. Is that right, Duke?
- Duke: Not necessarily.
- Tully Shahan: Not necessarily?
- Duke: I don't believe some of these smaller ones are. I don't think Austin would be. We have Mr. Mims here from Region L, he might. I

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don't know. He's the head of the Nueces River Authority, plus some of those streams that originate in our area flow through the Nueces River Basin. I'd like to ask Kahn's comment, if you want to give them. If you don't that's fine.

Male Speaker: I'll give it to you.

Lee Sweeten: Wait. Tell us what you're driving first, and then we'll try to [inaudible].

Male Speaker: In my view, if the headwater streams of the Nueces River Basin are not unique, then there is not such thing as a unique stream segment anywhere in the state. These are the most unique streams, in my view, that you will find anywhere in the state of Texas. I think at least those spring segments within the Upper Nueces Basin that have been earmarked by Parks and Wildlife, on this paper, at least those should be designated as "unique segments". They all meet, in most cases all five of the evaluation criteria for unique spring segments. Keep in mind that just because a Regional Planning Group – should they take that step, nothing – there are enough consider designated spring segments until the Texas Legislature takes the second step to so designate them. That designating can be defeated up in Austin pretty easily. I've found that to be true. What would happen though if this Planning Group took this first step, and designated these springs' sites, what they're doing is they're formally acknowledging the important of the spring segments in their planning. They're redundant – make this same speel for Region L. I'm not just sitting here batting my gums, because I think it's very important for all these Upper Basin streams to be recognized for what they are, and you can't recognize for what they are by saying, "Oh, we'll just insert the Parks and Wildlife's report, and that'll be good enough." Because if you do that, then we do not have to go back, and determine what the effect – the overall effect of your regional plan is on these unique stream segments.

You don't have to take that step. That's not good. You could end up with a regional plan that is disastrous to all of these unique spring segments, and you'd never know it, because you never took that step. On the other hand, if you do designate these stream segments, then your consultant has to go in there, and tell you what impact will occur. So, for that reason, I would strongly urge you to

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consider designating these stream segments and [inaudible]. I'm sorry.

Jonathan Letz: I think –

Male Speaker: With a property [inaudible] in the discussion of this, in that chapter, that these designations are made to the extent that they do not infringe upon private property rights, or to the extent that they impede the development of any critically needed water supply infrastructure – critically needed. Those would be the [inaudible].

Feather Wilson: Would you – would you consider private property rights? Let's say somebody owned 5,000 acres on both sides of one of these rivers – both sides, and they actually paid taxes on the bed of the river itself, and then this were designated as "ecologically significant streams" and you couldn't hunt in those streams, or fish in those streams, do you envision that to happen?

Lee Sweeten: No. We don't envision a lot of things happening, [inaudible], and we can still task our consultant with going in, and looking at the impact on these streams without designating, and providing clear [inaudible] that we've already said. John mentioned we can still, that they be looked at, as far as impact, and we can designate all we want to, and say, "As long as there's no critical impact on private property rights," but what if the state takes our lead, and they designate them? I really seriously doubt that they're gonna include that language.

Jonathan Letz: I think the – I guess the problem I have with designation is that about everything we've said today, everything we do, and every well that's drilled does have an impact. Every new – every time a piece of property is sold, and something is done just to the nature of it, is gonna effect basically one of these red lines on this map, one of these unique stream segments. I think that – I think that if you – where I would see the logical step going, or the illogical since they wanna look at it from a legislative sense, same way if we were to designate these. Then, they'd come back and say, "Well, you can't have negatively impacting." They could virtually shut down development, which to me is property rights, on a large portion of our region. That would be my theory.

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- Zach Davis: That's why I stick by my regional assertion. I'll put it forward to motion, that we don't officially designate them, but we do incorporate this here.
- Male Speaker: I'll make that a formal motion.
Lee Sweeten: I'll second that one.
- Jonathan Letz: Got something on the table anyway. We have a motion from Zach Davis, seconded from Lee Sweeten that we do not formally designate any unique stream segments as identified by Texas Parks and Wildlife; however, we include their study in our report.
- Zach Davis: You can always go back and designate it, but you can't come with it.
- Stefan Schuster: And the discussion really goes – there's two. There's a nuance of words here. Planning Groups make the recommendation. The legislature designates. So, you guys can only recommend something. The designation still comes from the legislature.
- Lee Sweeten: Exactly. We shouldn't recommend it.
- Feather Wilson: The only thing we're recommending is just incorporate this. That's it.
- Jonathan Letz: All right. All in favor?
- Male Speakers: I.
- Jonathan Letz: Opposed?
- Tully Shahan: Nay.
- Male Speaker: No.
- Feather Wilson: No.
- Jonathan Letz: It's not unanimous, but it passes by majority.
- John Ashworth: Let me ask one clarification. We do put these in Chapter 8. When we do our strategies, do you want me to look at impacts on these, even though we're not officially designating them, you would like me –?

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- Zach Davis: I think you're already looking at it.
- John Ashworth: Probably –
- Zach Davis: That was already brought up.
- Lee Sweeten: Do you need to add **[inaudible]**?
- John Ashworth: Just wanted to make sure that was clarified that we'll include that.
- Tully Shahan: I'd like to make a motion that Devil's River be specified as an "ecological significant river and stream segment". I'd like to put that in the form of the motion.
- Male Speaker: I'll second that.
- Jonathan Letz: We have a motion, and a second to designate the Devil's River as a "ecologically unique river and stream segment".
- Male Speaker: Is there some – I mean I've always – I've never been there. I've heard about it. Is there some danger in picking out one, and designating it as unique – that we're saying something negative about the other streams in the area, that they're not worthy of this designation? Are we setting a priority?
- [Crosstalk]**
- Male Speaker: From an ecological standpoint – from an ecological standpoint, from a biological standpoint there are all worthy, or they wouldn't be able to recommend this from Parks and Wildlife in the first place.
- Male Speaker: That's my concern is that, and then maybe this one is justified, but I think we are setting some kinda a prioritization. You're saying that this particular river has more value than any of the other rivers in the area. If that's the case, I don't know enough to apply it on that, but it does cause some concern.
- Jonathan Letz: I would make a comment on that, that I think – and I haven't been out there, but based on what Parks and Wildlife has done, The Nature Conservancy has done, and other agencies, organizations have done, there must be something that labels, or raises the

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Devil's River a little bit higher than the rest of them, because they have certainly spent a whole lot more money, and spent a bunch of time out there as opposed to any of these other segments.

Male Speaker: Or maybe it's just easier to do out there.
Feather Wilson: Cheaper.

Male Speaker: Maybe it's cheaper.

Zach Davis: **[Inaudible]** The Nature Conservancy must have been 40 to 50 percent of the watershed in the river, and they have invested somewhere around 30 million bucks in it to try to make sure it –

Male Speaker: Well, they're trying to get some of that money back too.

Zach Davis: They made the commitment, and put their money up to make sure it is recognized as a unique spring.

Male Speaker: But if you look at what they could've gotten along the Guadalupe, \$30 million – they could've gotten the same bang for their buck. So, I'm just saying that I'm not convinced that whoever spends their money there means that it's more unique, and more valuable. Saying the same thing –

Male Speaker: I would suggest you go out there and look. You will have your eyes wide open. It is special.

Feather Wilson: That was an available ranch too.

Lee Sweeten: Jonathan, I call for a point of order. Can we have a motion that says and approves that none of these would be, and then we can just **[inaudible]** strategic **[inaudible]**? We've already said that they're just gonna pick it apart.

Jonathan Letz: I think the motion was that we **[inaudible]** did not designate. Don't ask me to make a ruling on proper procedure on that point. I think the –

[End of Audio]

Duration: 63 minutes

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TAPE 2 – SIDE B

- Tully Shahan: Jonathan, I'm not trying to create a conflict in here, but I think that the Devil's River is – when you look at the streams out west – the Nueces River. I think – I think the Nueces River Basin's flow to our entire region south – I think they should be in there too, but we've already passed the motion, and I'm not trying to contravene where we're going, but Devil's River, and it's kinda like the Nueces. It's just unique, and it's different from any other around. They're just – they deserve some kinda motion. They deserve some kinda sufficient to the legislature. That's my point, and this is a democratic process, which is fine, but I just – that's why I made that motion. I'll talk about anymore discussion – but that's why I listened to what **Kahn** Mann says, and for those of these guys that are out there on that Devil's River, and people that come from there, and why people are spending of millions of dollars. There's no doubt. These rivers deserve some recognition there – this protection.
- Male Speaker: I agree it's a beautiful pristine river, but I still go back to my original assertion. I'm looking at property rights protection.
- Jonathan Letz: Let me offer this up. For a while, The Nature Conservancy has made an offer to me to have them come to a meeting. How about we'll – we did pass a motion in past, how about we revisit the Devil's River as a single item at our next agenda, and we can ask The Nature Conservancy, or Parks and Wildlife, or both to come, and explain why it possibly should have special designation?
- Tully Shahan: Can we haul the Nueces River inside of that?
- Male Speaker: I disagree. We're just gonna break in time **[inaudible]**.
- Feather Wilson: **[Inaudible]**.
- Jonathan Letz: I think the – the Devil's is a little bit different than the rest of them. So, I don't mind the Devil's. I think –
- Male Speaker: The Nueces River doesn't even hardly flow – very, very minimally.
- Jonathan Letz: I think I would agree that the Devil's River possibly is unique, but the rest of them, I think we will start just unwinding, and not get anywhere.

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Male Speaker: We have a motion on the table.

[Crosstalk]

Jonathan Letz: Can we take a smoke break?

Male Speaker: Sure.

Jonathan Letz: Jerry, Tully has agreed to withdraw motion pending until the next meeting, and the second on the motion was withdrawn for the Devil's River.

Male Speaker: If I could just say one thing about this letter that you handed out to everybody, Lee, and that is the fact that you say the rivers – our rivers are irrelevant to bays and estuaries. I hope nobody in this room believes that. That is the furthest thing from the truth. It's the rivers that make the bays and estuaries what they are. It's the essence of the bays and estuaries, and for anybody to think that there's no connection between them, is to – I'm sorry, but I just have to say – that is ludicrous.

Lee Sweeten: No, I admit that. I was writing this at 3:30 this morning. I probably could've – it wasn't – the word "irrelevant" was probably not the better choice of a word. I guess, my whole basis is that I promote private property rights. I do not believe groups like The Nature Conservancy, and the Environmental Defense, and any of the Texas Parks and Wildlife to some degree, should come in, supersede these private property rights. I feel that people should be good stewards of their property, and leave it in better shape. I've seen this time, and time again. It happens on the federal level. I don't like those groups. I'm honest about that. I don't think that they should be able to come in, and like [inaudible] said, "You do something, it's the first step in the greatest step off the bluff." Pretty soon, you won't be able to do anything with that.

Feather Wilson: I don't think anybody in this room is – would object to what Texas Parks and Wildlife is trying to do, and estuaries and the pristine nature of our streams. I think everybody here wants to keep that. Keep that intact, and I don't see any problem in studying it, and working on it like we're working on it. If we start designating it as something, and it gets into the legislative system, pretty soon, you're right. We're gonna lose property rights. We already have

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unnavigable streams. We've stretched the definition of a navigable stream to include just about every square inch in Texas. At the federal level, and at any rate, and certainly at the state level it's continuing to be stretched. When you do that, you get into hunting, and fishing, and trespassing. I think it's not our job to do that here.

Jonathan Letz: That item is closed on the agenda. I heard a request for a smoke break from someone in the room. I think we're gonna press on. I think we have about another 15 minutes, we'll be done. Item ten: "Consider and discuss the designation of 'Unique Sites for Reservoir Construction'." I think we dealt with this last time, and I think we we're pretty clear we don't have any in this region. So, I don't see any reason for further discussion on that, unless there's something to mention, John.

John Ashworth: Unless during this planning period, any of you perceive the need to construct a reservoir as a strategy or 50-year – anytime within the next 50-year period.

Male Speaker: We see the need, we just don't see the location.

Feather Wilson: Or the money to buy it.

John Ashworth: That's basically all this does is reserve that site for that strategy. If you don't anticipate having a strategy, there's most of us going that way.

Jonathan Letz: Or if we designated a "unique stream", we couldn't do it. Okay, item eleven: "Consider and discuss the water quality standards as they relate to strategy considerations."

Stefan Schuster: The last go around in planning, the Planning Groups were asked to look at water quality parameters of concern, and I had to say that in my tardiness, not being part of the Planning Group's last go around I don't remember there being a list of particular constituents that were names for concern. In this round of planning, you also have an additional requirement that we look at the impacts on water quality as a water management strategy. So, very much along the lines of what we've already discussed here in terms of evaluation for unique reservoir sites, or unique stream segments. We have to look at the impact of a particular strategy on water quality. Now, we could bring the headwaters into that whole discussion today –

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it's been somewhat congruent. We probably have rather pristine water quality as a rule, and that's probably not a great concern in terms of limitations for quantity, but really that's the newest requirement, is that we also need to, as part of our evaluations, take into account water quality considerations. So my suggestion, and certainly open to others would be that we'll be talking to the municipalities anyway. We're gonna solicit some of the groundwater districts to see if we have particular constituents that you're concerned about in your area, and if there's anything else, to bring that to the next meeting as a constituent that you want us to look into specifically, something that may limit the overall quantity. That's really sorta an important parameter there – that we're looking for water quality parameters that are gonna impact quantity if we implement a bigger strategy.

Jonathan Letz: So you're gonna meet with the municipalities, and –

Male Speaker: The water districts.

Jonathan Letz: – the water districts and see if there's any water quality issues, and anyone else that contacts you.

Stefan Schuster: Exactly, and if you have any specific parameters of interest that you think may impact quantity, you can bring those to the next meeting – not like a sample, or anything, but just sorta let us know what that would be.

John Ashworth: In each strategy, we will address water quality, whether there's an impact or not. We at least – that's for this subject matter. For groundwater purposes, I've provided you with this one sheet of tables. The top one is a summary of water analyses from the Edwards-Trinity Plateau aquifer, and the bottom is from the Trinity aquifer – all analyses that are in the Water Development Board's database. These are the primary and secondary drinking water standards. From them, you can see – you can see under the "Limits" column you can see what the maximum liable limit is. Under the "Total Results" – that's the total number of analyses available; the next column "Results over NCL" – that's how many of those analyses were over that particular upper level for that constituent. Then, there's an average and a median; so, basically for those two aquifer systems, you can see how they rank right now as far as drinking water standards go. As Stefan said, you know, you can designate all primary and secondary standards as

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being the constituents that you particularly are – want us to look at when we're analyzing a strategy, or if there's one in particular, or two in particular, whatever that you want us to key in on. Be prepared to tell us that.

Otherwise, we'll probably just kinda stick with the basis of primary and secondary standards. For those of you that don't understand that, the primary standards are actually health-related. You shouldn't go over those levels for health reasons. Secondary are – have more to do with taste, and smell, and look.

Jonathan Letz: Anything else? All right. Next, item twelve: "Consider and discuss review of Scope of Work". John if I could get you to kinda tell kinda what our schedule looks like for the next couple months?

John Ashworth: We're at a critical time now where we gotta be generating our plans. It's due to the Water Development Board, approved as to have gone through a public hearing, and approved by this Planning Group by June 1st. That means we need to back up everything to around – probably have our draft plan that we're comfortable with by the end of the April, so that we can get it out to the public for review, hold our public meeting, take comments, and then do final touches to it, and get it to the Water Development Board by June 1st. So, that's why I'm kinda urging you all to make decisions here. I'm going to move forward with a lot of this plan, assuming certain things that you've given me today. By the next planning period, probably I'm gonna start having some of the chapters ready for review. They may be a little rough at this point, but it's time to start actually looking at the chapters. I would say by the next planning period – next meeting, which will probably be January, we need to make final decision on our availability numbers, final decisions on ecological stream segments. Everything that brought up as a contingency today, we need to finalize that at the next meeting.

Jonathan Letz: So, it looks like we're having probably a mid-January meeting, definitely a mid-April meeting, and either hopefully this one meeting probably late February. So, three meetings early next year; so, we can just kinda be aware of that. John, on the analysis, you're gonna do county-by-county from the GAMs, if you could have that to everybody for the 1st of January or so. That way, we can get that out, and we can – because that's gonna be – if we need to change direction, it's gonna be – need a little bit of advanced

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notice on that. Once we get that out, pretty much [inaudible] can edit.

John Ashworth: And I think I need to actually go and visit everybody, because if I just mail it to you, it's – you need a voice behind it.

Jonathan Letz: Maybe we can schedule a western meeting, and a eastern meeting – two meetings. If you can't make it, you can certainly go to the other one. That way, you'll have just two trips instead of seven, and I'll coordinate any of those dates with you in accordance with everybody else. All right? Budget: We're okay.

John Ashworth: It was not good from the beginning. We're still within budget. I've gotta admit, there's just a lot more work than what we were given budget for, but you know, we signed the contract. We knew what we're getting into; so, we'll stay within budget.

Jonathan Letz: Okay. That's good, because you weren't getting any more money anyway. Any informational items from anybody?

Zach Davis: We finally got our certification on our management plan from [inaudible].

Jonathan Letz: Our next meeting will be in Del Rio.

Male Speaker: Mid-January.

Jonathan Letz: Mid-January. We'll probably get a date nailed down as soon as we can. From a format standpoint, I like the format of meeting at 10:00, and planning a working lunch, so that we get sandwiches brought in. Our plan is to continue that unless I hear uproar that they'd like the old format of meeting only in the afternoon. I think it makes our lives a lot easier to get home at a reasonable hour for everybody. We're adjourned.

[End of Audio]

Duration: 16 minutes

Interviewer: 10:00 a.m. We have a quorum and we are in compliance with the Texas Open Meetings Law. Let's start just go around and have a role call of board members that are here so we can get all those on record.

David Jeffries: David Jeffries, **[Inaudible]** County.

Keith Smith: Keith Smith, **[Inaudible]**.

Wilson: **[Inaudible]** Wilson, **[Inaudible]**.

Howard Jackson: Howard Jackson, **[Inaudible]**.

Male Speaker: **[Inaudible]**, **King** County.

Zack Davis: Zack Davis, King County.

Aaron: Aaron **[Inaudible]** County.

Male Speaker: **[Inaudible]** County.

Male Speaker: **[Inaudible]** County.

Male Speaker: **[Inaudible]** Texas Water **[inaudible]** force.

Thomas: Thomas **[Inaudible]**.

Jerry Simpton: Jerry Simpton, **Val Verde** County.

John Ashworth: I'm John Ashworth, planning group consultant.

Jonathan Letz: I'm Jonathan Letz, Kerr County. We also have a large number of public members here. Sometimes we go around and get all of those names, but we have so many today, I think we'll probably lose a lot of them on the tape.

Male Speaker: How many more; one more?

Jonathan Letz: So we just do have a large number of the public here. A couple of housekeeping items. It's somewhat sad to say because it's been a very good member, but we had a resignation the other day. **Greg Etter** has resigned his position as General Manager of UGRA. He has appointed **Scott Loveland** for his seat here until a replacement is – or until we chose to I guess make a formal replacement. Scott

Loveland is – is Scott here yet? I think he's coming today, but he may be a few minutes late. He's also been appointed inner manager of UGRA until they decide what they're gonna do with the new manager.

But Greg is – stepped right in and helped out a lot, so we're real sorry to see him leave. And another substitute for the day, **Dick Libke** is not here, and **Gary Garrett** that is gonna be here before, Kirk **[Inaudible]** also is representing Parks and Wildlife today. Jen will be going to a public comment here and we're gonna do that, but I think it would probably work a little bit better if any member of the public have comments related to a specific agenda item, and I suspect some of them do, I think it would work better and make more sense if those were made at the time we call that agenda item.

So if anyone has a general comment, feel free to make it now. But if you're here to speak on a specific agenda item – in case you don't have a copy of the agenda, let me read that so people are aware.

Male Speaker: There are some copies back –

Jonathan Letz: Right **[inaudible]**. There are some copies available back there, but other than some housekeeping items, there is a agenda item for consider and discuss designation of Devils River as a ecologically unique river and stream segment. And eight is consider and discuss designation of major springs that are important for water supply or natural resource protection. And nine is consider discuss regional water supply source availability and region water supply user groups. And ten, consider and discuss water management strategies. Item 11 is consider and discuss water standards as they relate to strategy considerations.

If you're here to speak on any of those items, I'd ask you to speak at that time when we call those agenda items. Anybody is free to public comment right now. Don't see anyone at the moment. Okay. We'll move on. Minute, I'm going headache for us, and still a headache. We had someone lined up to do the typing. They listened to the tape and said sorry, we can't do it, there's too much confusion and too difficult to listen to. We have two other people that we're talking to try to get to start transcribing the tapes, so until we get someone to transcribe them, anyone that requests

copies of the minutes, we will make copies of the tapes so they could listen to the tapes.

And those are always available anyway for people, but we do not have any written minutes as we're trying to get that working. We do believe we have a former administrative assistant for Kerr County, **[inaudible]**, is looking at them going through the tapes, which I think she may do well. She is retired and is also the secretary to the City Manager, City of **Kerrville**. Pat **Rinehart** is retiring in May, and she's interested in possibly doing it as a part time job. So I think we're gonna get somebody, but it's been a difficult task trying to find anybody.

We are looking for – we're talking to people trying to get – one of the problems is the transcription equipment, and that's one of the problems is we record on large tapes. Most transcription machines are small tapes, so we're gonna have to – we're kind of at a catch 22. I hate to buy a machine – I guess if we buy a machine and have our own, it's probably the best thing for the large tapes. The other option is to buy a new recording machine for small tape. Either way we have to spend some money to get a different machine to help with the transcription. And hopefully, like I said, we will find someone who will do the transcription, you know, able to do it technically, and then get the equipment that they need.

The equipment cost is probably gonna be in the neighborhood of \$500.00 from prices that we're talking to. Anyway, that's where we are. But at this time, we don't have any new minutes to approve. Anyone that requested **[inaudible]** because I know he's had some requests they will let us know, and we will make copies of the tapes.

Male Speaker: Fair enough. Although there are some older ones that I gotta get on a web page.

Jonathan Letz: Okay, right, okay.

Public Question: Can I ask you a question about your minutes and the tapes? I know in several organizations when you approve the minutes, the tapes are destroyed. Do we keep tapes? The tapes are really the official document. The minutes under that condition really mean nothing.

Jonathan Letz: We do keep the tapes and we have gone through several different ways of doing it. To me, exactly what you said makes the most sense. I'm trying to actually transcribe our meetings verbatim is virtually impossible and doesn't make any sense to anybody because we all talk at once frequently. So one of the things that is helpful and we try to do it occasionally, but we forget in the meetings, is try to identify ourselves when we start speaking. That helps a lot and kinda keeps better order, but we get a little bit lax occasionally.

So the way we've been trying to do the tapes and are trying to get them transcribed now is someone to listen to them, get the basic meeting and what was said, get the motions correct, and kinda summarize the discussion. But the tapes, themselves, are the actual record.

Male Speaker: **[Inaudible]** keep those tapes for a certain period of time according to state library archive commissions. I think it's either two to five years, but the **[inaudible]**.

Jonathan Letz: We've checked and since we've been around we have both from the beginning.

Male Speaker: **[Inaudible]**.

Jonathan Letz: That's a good point, and the good thing about having the former country administrative assistant or the city secretary – both of those people are very involved with records management and understand what the requirements are there because there are a lot of nuances there. So that's where we are on minutes. I apologize for not – we thought had worked that out last meeting, but it didn't work out that way.

Move onto item four, reports. First, reports from chair **[inaudible]**. We had a series of workshops to Kerrville for the eastern part of the region, and one in Del Rio for the western part of the region. I think those went fairly well. We got a fair amount accomplished. Just want to say again, those were workshops. The idea was to try to get some kind of consensus, but votes were **[inaudible]** with because you can't vote at workshops, and so it was more of a workshop to try to move us along so we don't spend a whole lot of time on some of the details and information at the meeting today.

I was also at a – if I can find it through my stacks – two other things. The chairs statewide had a meeting in Austin on January 26, which I attended. It was a afternoon meeting and several things just kind of where we're going with regional water planning, which I think are interesting, and I wanna pass along. 1) The chair has adopted or passed a resolution supporting the continuing funding of the regional water planning process. The resolution is going onto the legislature. I think most people in the state government are happy with the process.

I think Texas is somewhat of a model to other states as to how to do water planning. The way that we're doing it right now is a little bit unique, I think, nationally, but it seems to be working fairly well. So that resolution was passed. And it's not on the agenda, but I think we probably could – I could be authorized to write a letter based on consensus, if that is the consensus of this group, to send a letter to the certain legislative committees and members who are representatives of this group, to supporting continued funding of the process, not one direction one way or the other.

I think it is a better process than has ever been used before. That's just my person opinion. There is a consensus to write a letter – and I have a copy of a letter that was written by **Evelyn Bonavita** who's chair of Region L, I'll pass it around, that's the type of letter I'm talking about. Later on in the meeting, we can discuss that again. Other items that I think we spent most of that meeting actually was talking about the next planning cycle, and it's kinda hard to talk about the next cycle when we're in the middle of this cycle. But starting basically January 6th, we start planning again for the next five year period, 2006 to 2011 cycle.

I think that's real important to remember in some of our decisions today in that this is an ongoing cycle that the legislature seems quite committed to continuing. This plan that we are currently finalizing the development right now is – there's a lot of differences from the last plan and we made a lot of correct, I guess, changes in course in how we define things. So whatever the votes we make on certain issues, that doesn't mean those are being put to bed. It means that we just start talking about them again in nine months. I think we need to remember that on some of these issues.

Another thing I wanted to bring up is where the funding is being requested by the water development board though the legislature, through the 2006, 2007 years, and I think it's somewhat

interesting, and it shows where the emphasis is gonna be. And I think those that wanna stay involved in that process, they need to track certain bills possibly. They're asking for in 2006 \$800,000 and 2007 \$800,000 just for the regional water planning process, that's to keep you going. That's enough, I guess, to get the next planning cycle started.

The bulk of the money, as I look at it, is going into assist ground water conservation districts in improving their monitoring and overall technology on a local basis, and I think this is a really important issue. The water development board is asking \$3 million in 2006 and \$3 million in 2007. This is the largest portion of their request that I saw of levies that they brought forward to us. I think that's real important that that be done because it's the local ground water districts, and I think we have five in our region, all but Val Verde County currently have ground water issues and I believe Val Verde County is in the process of considering forming one.

But that is the avenue that the water development board is gonna be pushing their funds to help improve the models. I think we all are very much aware that both the trinity model and Edwards-Trinity model have some – was Robert Mace who's gonna throw something at me.

[Crosstalk]

Jonathan Letz:

This is Miles. I've had a few discussion with him about how I feel about those models, and they are – remember they're regional models, but I think there is a – this is a way to really improve them. I think the water development boards need to maintain these models and they need data and the way to get data is from the local district. So I think this is a good way to get the models to work within the next five years to really be valuable to each county and each municipality.

Other area of funding is to complete, again, modeling for the minor **[inaudible]** that are asking for almost \$350,000 each in 2006 and almost \$350,000 in 2007. And then they're asking for \$2 million each of those years for **[inaudible]** projects, and part of that is on the coast and part of that is brackish water. I think indirectly the **[inaudible]** projects on the coast may have some benefit to the eastern part of the region from freeing up some possible water rights in the **[inaudible]** basin. But I think really the brackish

water probably also has probably more a value to some of our western areas and throughout the region of figuring out ways to make that brackish water potable.

That's what we discussed there. It was a good meeting. And I've got one other item here. I guess that's it. **[Inaudible]** for me. Ronnie Pace is not here today for a portion of the secretary, so I know we do not have any. Greg Etter is not here, but Scott is here now. Do you have anything to report other than the fact that you're his replacement? Nope. I see Scott shaking his head no. **[Inaudible]** this is Scott Levlin over here **[inaudible]** so far.

Report from the finance committee. We do have the January reconciliations. Pass those out. I'm not sure if we've got enough for all members or not.

Male Speaker: About 15 of them there.

Jonathan Letz: 15 of them. We just don't spend much money from an administrative standpoint in this region, which is good. The only – we didn't have any checks during the month of January. We had a deposit of \$45.00, which was reimbursement some of the food, people that paid for their meals in **Lakey** at the last meeting. Our balance is \$17,567.31. On the second page you will note there are two invoices that we'll approve in a minute, hopefully approve, for administrative expenses, one for labor, and one for supplies. Well, I guess accept the motion to accept the financial report.

[Inaudible] are willing to accept the financial report as submitted. Any further discussion? All in favor say I.

Multiple Speakers: I.

Jonathan Letz: Any opposed, none. Any report for liaisons? Parks and wildlife, Gary is shaking his head, nothing from the parks and wildlife. Any other liaisons present have anything to bring in? Okay. Park and water development **[inaudible]**.

Male Speaker: Thank you, Jonathan. First of all, let me compliment you on a very fine report in the chairs meeting. It took a lot away what I was gonna say. But let me just – on the first side you mentioned not only are we wanting to continue the funding for regional water planning, it will continue based on budget that was submitted to legislature budget bureau, but it will drop down to about \$12

million over the five years. And actually, we're trying to get it back up to about \$18 million, which is where we think we can maintain the process much as it is.

So that's why that letter's important to try to not just continue, but actually restore the funding level. The second thing I'll mention, we all [inaudible] and I realized – I just gave a list of them to my administrative assistant [inaudible], I think we missed Ronnie Pace, and if somehow your name isn't spelled the way you want it, let me know and we'll get another one made. I think we'll have to get one for John at this point. I didn't have one either, but that was just an oversight.

The next thing, I gave you a couple of handouts [inaudible] since last time on [inaudible] segment so I copied all on one page what the statute – this is all I can find in the statute on the [inaudible] segment, just one page – it was readable. The other thing I passed out was a paper and Robert Mace was the primary author on it, although [inaudible] estimating ground water [inaudible] in Texas, and talked about – I know we've struggled with this a little bit. We have really I think [inaudible] workshops [inaudible]. I think if you get a chance to read this, you'll sense this is not an easy question. I think it's something that even people that work fully in the ground water arena wrestle with this also quite a bit.

So at the same time, it talked about something we're doing. We're leaning toward kind of a consensus approach and this talks even about that, so there's a range of strategies that actually – this was written really after the first round of recent water plains, so it's a little bit dated. Talking to Robert [Inaudible], he said we probably ought to update this a little bit. We know a little bit more. We're a little smarter than we were five years ago. But it talks about what the other regions chose, their criteria for ground water availability, and so you may find it with interest. And that's all I have. Thank you.

Jonathan Letz:

All right. Let's get into item five, consider and discuss approval of invoices. As I said earlier, we have to invoices we need to approve, both to Karen Letz. One is for phone, postage, etcetera, it's for \$100.09, and this is a period from April through January. And then another same period, April through January, invoice to Karen Letz for labor – I think my wife does not charge enough, but anyway, it was \$105.00 for that eight month period. But anyway,

that's what she said she wants. So we need a motion to approve those two.

Male Speaker: Motion the two outstanding bills be paid.

Male Speaker: Second.

Jonathan Letz: **[Inaudible]** second it. And motion to second to approve those two invoices I stated. Any further discussion? All I favor say I.

Multiple Speakers: I.

Jonathan Letz: Opposed? Okay. Next is going to a presentation of Edwards-Trinity GAM, Robert Mace.

Robert Mace: Go ahead and stand over here. I don't have a formal presentation for you all. I thought that since Roberto and I was here several months ago and gave you an overview of the Edwards-Trinity GAM that it would be more appropriate for me to come and answer some of your questions that you have about the model and about ground availability. And before I open up the floor, Ernie was kind enough to give me some of the major questions that he's heard that you all have been talking about, and what I'll do is I'll first just go through this list and try to answer these questions that you've all had, and then open it up for more discussion. You probably have some additional questions.

Just a summary of the five questions that Ernie provided to me, first one is differentiating between the Edwards-Trinity plateau GAM and the **[inaudible]** GAM. Second question was the status of updating that **[inaudible]** Country GAM with adding the lower Trinity **[inaudible]**. Third question, how can you use GAM to define ground water availability **[inaudible]**, good question though. Fourth question was generally how springs are incorporated into these ground water availability models. And then the fifth question was any plans on modeling the Austin **[inaudible]**. I'm sure you all have others, but I'll just go through those for now.

On the differentiating between the Edwards-Trinity plateau and the Trinity Hill County GAM, I've got these little info sheets. Go ahead and pass those around this way. Basically, the region has three GAMs that converge on it. One is the Hill Country GAM which shows up in the northeastern part of your region. We've got

[inaudible] to the Edwards [inaudible], which pops up in [inaudible] County. And then a certain model was the Edwards-Trinity plateau GAM, which [inaudible] of your region.

Now the differences between the Hill Country GAM and that Edwards-Trinity plateau GAM are a matter of what is being modeled and also the level of detail. The first model that we have developed for this area is for the Hill Country. That is focused on the Trinity aquifer, it does include part of the Edwards rocks and the Edwards plateau, but it does not have a low Trinity aquifer. And at the time that model was developed, some five years ago, the thought was mostly to get ground water production for most of the Hill Country from the middle and the upper Trinity.

Reality is as you go further west in the Trinity aquifer, we get a lot more production from the lower Trinity, and as the Hill Country's been developed and the people aren't finding the water resources in the middle and upper Trinity, [inaudible] drill down into the lower Trinity. So basically, the Trinity, some of the Edwards doesn't have the lower Trinity. The Edwards-Trinity plateau model includes the entire thickness of the Trinity aquifer, and also includes the Edwards rocks that sit on top of it.

It also coincides with the area that the Hill Country Trinity model covers. So in other words, we've got two models for the same area. However, this Edwards-Trinity plateau model is a more simplified representation of the aquifer. It represents the Trinity aquifer as a single layer.

Male Speaker: It includes the lower Trinity.

Robert Mace: It includes the lower Trinity, that's correct. Whereas the Hill Country model, it divides the Trinity into two layers but it does not have the lower Trinity. The next question I'll talk about the – actually, I could probably [inaudible] with that. Does that seem clear?

Male Speaker: Are you adding a third layer, or are you just gonna extend the second layer in Trinity?

Robert Mace: We're going to add – in fact, we're working now on adding a third layer to the Hill Country Trinity model. It might seem confusing that we've got an area that has two models. The reason on the Edwards-Trinity plateau model that we extended that model all the

way through the Hill Country is to basically be able to more accurately represent the flow and the boundary conditions, basically the things that affect [inaudible] better. We're sort of staff guided, so our guidance to folks that are looking at using one or the other kinda depends on the question you're looking at.

If you're interested in – if you're worried about the lower Trinity aquifer in conjunction with all the other layers, it would be more appropriate to use the Edwards-Trinity plateau model. But the Hill Country model has a lot more detail if you're not worried about the lower Trinity, and we're doing work to add the lower Trinity to that [inaudible] model.

Male Speaker: One other question. You changing the [inaudible]?

Robert Mace: For the lower?

Male Speaker: No, for the two GAMS?

Robert Mace: No, we will not be changing that. The high oriented grid has become the function of which area that you're modeling, and so you wind up trying to line it up with [inaudible] direction [inaudible]. The Hill Country makes sense, do it one way, and when you look at the entire Edwards-Trinity plateau, it makes sense [inaudible]. So we are working to add the lower Trinity to that Hill Country model. I talked to staff yesterday about how that's going; they're working on the structure information right now.

The next two months, they plan on having a stakeholder meeting to present the information that they've collected in terms of how the aquifer works, what information they've collected from [inaudible], things like that. And then they're gonna work, by summer, to have this model out that includes the lower Trinity.

Jonathan Letz: Why wouldn't you combing into one model?

Robert Mace: Question was why would we combine into one model, and that's a good question. When we go into the Edwards-Trinity plateau, this is not true for the entire plateau but a big chunk of the plateau, we don't really have the hydraulic information to differentiate or break up the Trinity in the different layers. The information seems to suggest [inaudible]. But you move further to the east, you can start seeing that there are some differences between those different

layers. And so one reason is, is we don't really see a reason to divide into multiple layers the big Edwards-Trinity plateau model.

It also makes that model, because it's so big, covers so many counties, very difficult to use. Anytime you add another layer, there's a whole other slew of cells, whole other bunch of calculations that have to be made. So we just felt like it was more appropriate, the information was there to make the division in Hill Country, not in the Edwards plateau. It's not to say it shouldn't be done, but at this point the bet is not real strong to suggest **[inaudible]**.

Male Speaker: You are aware that Kerrville gets all their water supply out of the lower Trinity?

Robert Mace: I am.

Male Speaker: So we get into little arguments on the availability and communication and everything else. So I think it would be a benefit to Kerrville if they would **[inaudible]** a little more detail on the lower Trinity.

Robert Mace: Yeah, it's unfortunate we didn't stick it in the first go around exactly for that reason. We move to the western part of the Hill Country, folks are aligned more on the lower Trinity. And initially, that was why we decided we needed to add that in there, and then since that time, more and more people further to the east of the Hill Country are drilling in the lower Trinity for water. So it's become more of an issue elsewhere.

Male Speaker: Robert, are you gonna adjust or change any of the parameters of the other layers in the Hill Country other than the lower Trinity?

Robert Mace: We're hoping that we don't have to do that. We don't think we have to, but we're gonna have to see when we calibrate it. When we put together the first model, there was some concerns that not including the lower Trinity would have potentially an affect on the other two layers, and we did some runs to kind of push some additional water in or take some additional water out to counter that. We think that the amount of water that's being recharged in the lower Trinity is pretty small overall, probably not gonna affect the other parameters, but you never know until you get in there and put it in with the measured values and see if it works or not. So it's a possibility **[inaudible]**.

The third question was how can one use GAM to define ground water availabilities, and that's the \$20,000 question, or whatever you're paying [inaudible]. Not enough whatever it is.

Male Speaker: They won't say that –

Robert Mace: It's not an easy thing. The paper that Ernie passed out to you all was written several years ago, tries to explain primarily that ground water availability is mostly a policy decision. The scientists who come in, we can run the models, we can make calculations on numbers, but the way it's set up in Texas, it's really a policy decision. What do you want your aquifer to look like? How much of a reduction in spring flow can we handle? How much of a decline in water [inaudible]? What's your philosophy? Some districts, some regions look at the entire aquifer [inaudible], entire volume [inaudible].

So they calculate the entire amount of water in the aquifer, and then figure out how they're gonna allocate that out of the next 50 or 100 years. Others look at it in terms of sustainability. They wanna make sure that the water resource is there for many generations in the future, and they want the springs [inaudible]. And so then the questions becomes well, how much do you want, how much water level decline do you want, how much do you want your springs to grow. So it's a very difficult thing, and it sounds like you all discovered that on your own. It's very difficult to debate these issues and come down to it.

The other gist of the paper – it's just a proposal in there. It's nothing endorsed by the board; it's simply an idea coming out of the first round of planning of how it might work, and it sounds like you all [inaudible] as well, which is we call it consensus yield approach where you debate and figure out where it is you want an aquifer to be, and then take that information, have scientists and engineers make calculations or run a GAM model, see what affects that has on base flow, spring flow, water levels, and decide if that's something that you all can live with or are okay with. And that's primarily coming from the fact that, you know, it can be real easy to say well, we want availability [inaudible] charge, and that's fine. That is certainly one way you could do that.

But do you know or understand what that means exactly in terms of affects on [inaudible]. So it's just sort of a dance between

policy makers, you all, and the scientists. Just take in what you want, make any calculations and coming back and saying is this what you expected, is this really the way you want it. Widdling down, hopefully at some point, to a consensus on what is it that you all would like to have. And so that's one way that you can use GAM basically on the calculations. Texas doesn't define – availability's equal recharge, they don't tell you to do that, it's pretty much left up to the ground water districts.

[Inaudible] management plans and how they manage resource and then also left up to the regional water plants in terms of planning the next 50, 60 years.

Male Speaker: I understand what you're saying; it has a little science in it and a little politics in it.

[Crosstalk]

Male Speaker: But I mean it's really not a scientific study. It's really trying to get to the middle ground more or less. Is that a fair –

Robert Mace: You can't go to a book in Texas and it tells you exactly how to make that calculation and nobody can argue about it. That's right. Science is an important part; I gotta say that being a scientist in terms of helping you come up with those numbers, but ultimately the tough decision comes down to you all in terms of where you want it to be. And I'll describe the people – in my view, ground water availability, you put it on the enchilada scale and goes from zero to the whole enchilada, so it could be anything in there in terms of policy.

Male Speaker: I like the **[inaudible]** of nature is so complex and so **[inaudible]** a lot of it lends itself to quantifications question.

Robert Mace: That's a good point. We never have the information we want to make the decisions that we need to make, and as a scientist, I certainly hope that you would come up with the best estimate we can come up with, we're gonna learn more, we're gonna get more information, and hopefully the door is cracked when we go in and make modifications to reflect reality.

Male Speaker: I'd say though **[inaudible]** and **[inaudible]** should be applied when leading the way in this environment, these GAMs. I think they're extremely important, extremely important way to address

them in the future as we get more [inaudible]. I think you've all done a great job.

Male Speaker: You never have enough data.

Robert Mace: That's right. We always need more, and we're always gonna learn more either through data or through experience. You can make predictions, especially in geology or hydrogeology you get little clues and you try to put together the Sherlock Holmes story as best as you can, but you ultimately don't know what's gonna happen until something goes in [inaudible] or something. And hopefully we've made the right assumptions and got enough data to make an accurate assessment, but there's never a guarantee.

You all had some questions on the GAM in terms of how springs are incorporated. And in the Edwards-Trinity plateau GAM, springs are represented in a couple ways, and they're both represented, so there's not specific features in there for the springs, but they show up in how we model spring flow along the contact of the Edwards and the Trinity as drains. And then it also shows up in how we represent base flow or interaction between the aquifer and the rivers in the aquifer. And so at the drains, it seemed to me you all had some concerns about representing springs with drains.

My view is drains are a good way to represent a spring. Mathematically, numerically that's kinda how you represent it. It's a place where the water's leaking out of the aquifer. We're not assigning any emotional value or something [inaudible] the drain coming out, but it's an elevation at the spring and there's a conductance term that tells you how easy it is for the water to get out of the aquifer to that spring. And then you can calibrate that in order to reproduce springs well. We're done it in a bulk way [inaudible] that there's – we don't know where all the springs are, so to recognize that certainly along the escarpment or the contact between Edwards rocks and Trinity rocks, there's springs all along there, so we've put drains up there in that matter.

When you come over to the river side, we've got rivers models in the aquifer, and when there's base flow coming into those rivers, that's also a proxy for spring flow. The springs that pop up near the rivers are being accounted for in the aquifer. Now on the drain side, there's really not much for us to calibrate to. On the Hill Country model, we did calibrate and look at close particular drain

cells and compared that to measured spring flows. On the river side, we can look at measure base flow. And our modelers on the plateau model compared what the model says is coming out of the – leaking out of the aquifer in terms of base flow to that whole base flow charts for the rivers, and they say it does a reasonably good job.

But the models does not do – you can't pick out a single spring. If you got a spring on your back 40, you're wondering use the model to figure out how pumping or drought's gonna affect that spring, the model is not set up to do that right now.

Jonathan Letz: Robert, can you explain base flow a little bit more?

Robert Mace: Sure. Base flow is the technical term for water that's flowing out of the aquifer into the river. So for example, if you're a river and you see that even it's been dry for a long time, it's still got flow in it, that would be the base flow. It's the stuff that's leaking out of the aquifer through all kinds of seeps and springs and going in. And then you'll get rainfall events, you'll see it spike up and always kinda come down to some base and now base flow. Even that will decrease over time or increase over time depending on rainfall.

Jonathan Letz: How does the base flow different from the drains, the contact between the – at the Edwards and the Trinity?

Robert Mace: That's a good question because you could argue that the springs that come out at the contact eventually will leak down or run down at a creek and get to a river. Basically, the drain, it comes out and it's out of the system on the model side. So if you have a drain, once something leaks out of the drain in the ground water model, it miraculously disappears somewhere, which is not entirely accurate. I mean it could be the flows down, the spring run, it leaks back in, or it contributes to base flow to a larger stream or river.

Jonathan Letz: Well, just so I understand this. Would the base flow equate more to the major springs? I don't mean going into the designation we got later on, but I mean to the big springs or the base flow in the little springs?

Robert Mace: Not necessarily. I mean it could, but not necessarily. You could have a lot of base flow and just have seeps, little seeps all along the

river course. So the drains and the base flow kind of corporate all that stuff.

Jonathan Letz: Okay.

Male Speaker: Robert, John did some graphing over time, and what the graphing showed, what we assumed when we looked at it was we see no springs, we see no flow rate in the springs. It looks like all the flow rate is in the streams and rivers, which out here we can understand that because your springs charge all your river flow or your spring flow. So what we're assuming is all the discharge is being reflected not in the springs but in the stream flow. When you look at the graph, it's gotta be that way. So we assume out here in this area that's what the model is telling us.

Robert Mace: Well, yeah, I mean but there's no pumping, the water that's coming in has gotta get out somehow, so it's gonna leak out through the base flow to those rivers and streams. Yeah, you're right. I don't know if you're – what I heard you say is that perhaps there's no water coming out of the drains; is that true John?

Jonathan Letz: Zero. Well, yeah, just trying to pull mine up. We ran the analysis, both, on the Edwards layer and the Trinity layer and certainly out here. We don't have Trinity at the surface, so we're basically talking about the Edwards layer. And what we did was look at analysis as we ramp up pumpage to correlate from current time all the way up to the end of the planning period, what impact is that having on both the stream drain and what we'll call the spring drains. And you can almost always see an immediate impact. Some counties you don't see a whole lot of impact, but you see an immediate impact even with pumpage going on right now.

I take it this is the one down here that you're talking about, and this is Val Verde County. With the anticipated demand, we don't show any real depletion at all in the spring flow, and really just a minor amount of the river flow. And really, Jerry, what we're looking at more of a net change, and you see there's not a whole lot of net change now when we put in our anticipated availability where we're gonna bump that up. Then again, we wanna look at that again and see where the impact jumps in. In this case, we can see that the blue line is more affected than the green line.

And I think one of the things we were a little concerned with in this model was whether or not San **Fillipi** springs was really

accurately put into the GAM model as a spring drain or a river drain, and also the amount of water being used by the City of Del Rio, is that being captured as coming from a spring source or from ground water pumpage. So there's some questions in that pump corner of the GAM that we were having to deal with.

Robert Mace:

Well, and the GAM – to be frank with you, the GAM when you get down to the southern part of Val Verde County over in Kinney County is very generalized, so there is no drain for the spring down there. It's represented by leakage to the Rio Grande, and we don't have a drain in for **Los Mora** springs, and that out flow is being represented by what we call an artificial boundary where the Edwards comes in. So our view on that part of the aquifer is that's a special part of the aquifer that's pretty unique that we didn't feel comfortable that we could model it accurately with this giant model.

So we have a desire to develop a special model for that area. We also thing there probably has to be some additional studies down there to better understand what's going on because things get much more complicated down in that part of the aquifer than the rest of the aquifer where we can generalize. On your sprints question, I mean I would consider what comes out of the drain and what comes out of the river is a bulk spring flow that could be looked at recognizing that springs are all over the place, they're all at different elevations, they're gonna react differently to pumping depending where the pumping is.

Even if the pumping's generally spaced over the entire area, some springs are gonna go completely dry while others aren't gonna have hardly any affect just because these are sitting up higher in elevation, and when the water levels go down, they're gonna dry up.

Male Speaker:

Robert, I guess Jerry's question I think is pretty much our whole region because of where we are and the desire of where we're trying to go. The plain **[inaudible]** point is that we – I think we want to make sure that the pumpage does adverse the affect of spring flow into the rivers, and that's the bottom line what we're trying – or streams or creeks or whatever. We're trying to insure that the springs keep flowing because that's a vital part to this whole region, every county in this region. That being said, is your model of any help to us the way it is right now?

[Crosstalk]

Male Speaker: Any help to us now, and my gut feeling is that it's not a whole lot of help now from what I've been told, but how do we make it helpful? What needs to be done in the next step to make it so that we can go into Val Verde and Kinney counties and look at that so we can go into Western Vadera and Kerr County and really figure out what's gonna happen with these municipality areas that are growing rapidly, line on ground water, and how that's gonna impact spring flow?

Robert Mace: On the Devils River side, I think the model can be helpful there. I mean you could – anyway your management goal is, you could put in pumping, ramp it up and see at what point the flow to the Devils River decreases ten percent. That's what you all are after. Get over to the Kinney County side, the model's not gonna terribly useful in assessing the affects of spring flow and on San Felipe springs. We made a conscious decision to not put those springs into model because we weren't comfortable with the accuracy of the model down there.

Male Speaker: How do we – well, how about [Inaudible] County, the pumpage out there like if a well field went out in Western Kerr County?

Robert Mace: You can get an estimate out of this model, but you're probably – if the pumping is being most specific to lower Trinity, I would prefer to have the model that has the lower Trinity.

Male Speaker: I mean Edwards well field up on the plateau.

Robert Mace: It's probably okay, but there's still a lot of assumptions and generalizations that go –

Male Speaker: Does the model have the capabilities going forward in the next five years to make it a lot more reliable from a spring flow standpoint?

Robert Mace: We've heard you all's concerns on spring flow issues, so we've added that as a list for the future enhancement to this model, to spend more time trying to look at those features. So it's good you all are looking at this, and it's good that you're communicating with us, so we know what your concerns are. So the answer is yes, we do wanna be able to go in and make these models better. Springs are a big concern for you all, we want to do that. As far as the Kinney County, Val Verde area, that part of the aquifer – our

recommend and our report is that we can built up this special model for that area probably after some field studies are done to better understand what's going on with that aquifer.

Male Speaker: Okay. **[Inaudible]**.

Robert Mace: That's an excellent question. Sooner rather than later, but it all depends on where our – what the legislature asks us to do, how much money they give us to do these things. I would hope to be able to do something like that within the next five years, but can't give you a guarantee **[inaudible]**. We have a desire to do that. We're very interested. It's a fascinating aquifer.

Male Speaker: One other kind of a more general question. Are we the only region that is really concerned about this interaction between pumpage and spring flows, or are other regions also – I'm trying to think. Obviously it'd be the head waters region who tend have this more of a concern.

Robert Mace: Well, different regions have different concerns with the models depending on what their need are.

Male Speaker: I mean specifically the inter relation between pumping and spring flows.

Male Speaker: I'd like to comment. Region K, now they're – it's more precisely of base flow there, which is really in the same vault. But Region K definitely is using that as their criteria. I don't know about **[inaudible]**. I was gonna look here, too, what they did last time; it's in here.

Female Speaker: If I can answer. I know K has chosen to keep 90 percent of base flow **[inaudible]** pumping, and that's what they're using **[inaudible]**.

Robert Mace: Region L is also very worried about their relationship between pumping and spring flow, and that model was specifically modeled to make sure that it got pretty close to matching the flows at springs there at San Marcos, small springs.

Male Speaker: Can I comment?

Robert Mace: Sure.

Male Speaker: If you open the paper, and this is last time now, they may not do the same thing this time. On page six, in the middle of the page it says methods used by region [inaudible] planning group – I'll give you a minute to catch up, but about the third bullet under that [inaudible] spring flow and ground water withdrawal near the drought of 1950. That's not totally that, but it does get into it a little bit – Regions G and K in this case.

Male Speaker: So really there's four regions, and some of the regions very large regions, had this same issue. I mean bottom line is more regions that want it and the more people that want it; the more you're getting [inaudible]. I mean it's reality. And if we're the only ones that want it, we don't – we're kinda small.

Robert Mace: We've got a lot of constructive criticism coming in once these models come out, which is good because then we can see where we need to focus our efforts in the future.

Male Speaker: Okay.

Male Speaker: If this planning group makes that a major recommendation in this plan to improve the data and the modeling in Kinney and Val Verde, will that help provide you with emphasis to move forward on it any sooner?

Robert Mace: It could.

Male Speaker: More money from the legislature [inaudible].

Male Speaker: Money, money, money.

[Crosstalk]

Robert Mace: We've got lots of high priority things to work on.

Male Speaker: You mentioned rainfall. There was a gentleman in here several meetings ago who was talking about making spring flows, and I said well, what influence does rainfall have on that, and he said they're not considering it in their model. And, you know, it has to call spikes, and you did mention spikes, so rainfall has to influence a lot of this so you had it in your model somewhere, don't you?

Robert Mace: Yeah, rainfall, of course that's where the recharge comes from, so it's the driver of the ground water flow. Probably what he meant

was when you're in the aquifer looking up at the stream, you're pretty much, and particularly out here, you're pretty much concerned about what's coming out of the aquifer into the stream. And so if there's a big rain event and it comes flowing down the stream and shoots out down through the Rio Grande, it may not be important, it's probably not important to a model.

Male Speaker: In other words, it's rainfall into this spring area is important, but just river flow for rainfall it's not factoring your model. Is that what I'm getting?

Robert Mace: Yes.

Male Speaker: Okay, thank you.

Male Speaker: Actual discussion was **[inaudible]** and trying to point out that they actually didn't directly measure the rainfall but were picking up the gauges **[inaudible]** the calibration of the **[inaudible]**.

[Crosstalk]

Robert Mace: Also take a look at the base for the **[inaudible]** information to get a feel for how much water is coming out of the aquifer into the streams. Question No. 5, unless there's any more on that one, is any plans for modeling the –

[Crosstalk]

Robert Mace: Simple answer to that one is no. Doesn't mean that we're not going to. Right now you all's region – you mentioned the **[inaudible]** source of water at the last plan, so that was alarm bell on terminology. That was an indication to us that you all saw the **[inaudible]** as being **[inaudible]** resource. So we were talking about trying to do a study on the **[inaudible]** to better understand it. We're looking for opportunities to make that happen, and that may be an interim pending thing the next – I'm not sure what the situation is with that, but that could be a funding thing. We may try to do it internally, or we may try to get money from the legislature to do some studies.

My position at this point is that we really need to go out and probably do a 1 ½ year to 2 year study to make measurements, sample the water quality, and try to figure out where the water is coming from, how much is being recharged, where it's going, and

then consider adding that to our list of minor aquifers. And then at that point, once we've got that information, we could consider developing a model for it. But right now there's just not a whole lot of information that we have. **[Inaudible]** say anything about recharge, what's going on.

[Inaudible] various ideas about how that aquifer works, we need to go out and do some studies. Well, short term, we're not gonna do a model, but perhaps long term that will pop up.

Male Speaker: **[Inaudible]** County, how's that going **[inaudible]**. We can't use what I got because it's not available, we're not going to come out ahead here, and we in the middle of trying to protect water. **[Inaudible]** on the model you keep saying that on the far end of it you did put a spring flow, which is correct.

Robert Mace: In Kinney County –

[Crosstalk]

Robert Mace: The springs are not explicitly on. But the outflow due to the springs **[inaudible]**, but I wouldn't use the model to look at the impacts **[inaudible]**.

Male Speaker: Was that what you had at our last meeting here, John?

Jonathan Letz: Yeah, I've been saying that we can't look at it to identify site specific. The drain is still in place. The maps I put up there on the wall for you to look at as far as impact on water level declines based on ramping up pumpage. That's as good a tool as we have right now. But certainly, I agree with Robert, we wouldn't wanna look at it and say how is this increased pumping gonna affect Los Mora springs. I don't think it's there yet.

Robert Mace: Mr. Smith, we didn't want to put something out there for that part of the country that was no good. So we look at it and we thought we can't do a real good job with this part of the aquifer at this time. It's gonna need some **[inaudible]** studies, some field studies, and there's a big issue now on where is the ground water **[inaudible]** out there, which has huge implications on how you put together the model in terms of where the flow's going. How's the flow system working. We would like to go out and do some chemistry studies, take samples from the springs, and maybe send a cave diver down

to sample good enough springs underneath [inaudible] to better understand how the systems working.

We just didn't feel comfortable putting that out to deal with the [inaudible] aquifer that's very special.

Male Speaker:

I mean the – what Cecil is talking about exemplifies a frustration that this whole region's been under the entire time. I think the last planning cycle – the eastern area was screaming about the problems with the Trinity, the Trinity model, and we put those concerns in our plan. At that time, there was nothing for the Kinney and Val Verde County. Now there's a model for those two counties, part of it, and other counties, but the model still – it's got a long ways to go. And I think that as the planning, we just have to understand that. I mean it takes a long time to get these models where they're usable.

We're a lot better off in the entire region now then we were six years ago, but we still don't have much. We have maybe ten percent or some small percentage of the information we really need to do true planning. So I think – I know it's frustrating for us all. I think the western area's probably going through more frustration this time than the eastern area had last time, but we just have to recognize this is an ongoing process. We're planning for a 50 year period. We need to I guess be thankful the water board's done what they've done, and pressure any way we can through legislature, through contacting, anyway we can to get the funding to improve the models.

I mean certainly each area needs improvements, and well, they added lower Trinity because of eastern area saying this doesn't work for us, it doesn't make sense. I think that same thing will happen with the Edwards-Trinity. In fact, they're saying they will. They acknowledge already that there's a problem with the model and Kinney and Val Verde counties, but it's not gonna be solved until the next five year planning period. And I think that you just have to – we just have to recognize it, we don't have very good information for most of our regions still.

Male Speaker:

One key thing you mentioned earlier, you talked about planning. [Inaudible] this process [inaudible] nine months. As we work forward to those goals, hopefully [inaudible] some point during this 50 year point, hopefully sooner than later we will have access

to better data for the whole region, not just the eastern or the western [inaudible].

[Crosstalk]

Male Speaker: Really been nothing really done for us or [inaudible] two years ago, and it was a little late, so now we're here and we want you all to realize we're here.

Male Speaker: We hear you.

Robert Mace: We're doing the best we can with the limited resources we've got. We work with USGS to put a stream gauge in Los Mora springs. We did some work to help the district with it's management plan, and assessing what the recharge is for county, both the Edwards [inaudible] plateau. We're gonna try and do some more studies to get that information. We don't have enough staff and enough money to do everything that needs to be done around the state. We'll try to get to it when we can.

Male Speaker: It's not just the administrative limitation on resources. It's also limitation on data itself. We don't have it in these counties.

Robert Mace: Yeah, there's not a lot of it.

Male Speaker: All right.

[End of Audio]

Duration: 63 minutes

TAPE 2 – SIDE B

Male Speaker: Well, the river's coming out on their places. For us to get information, to know what [inaudible] in the future and do the best planning, we're gonna be asking for access to some of those. Now whether you all grant them or not is a question, but to have the best information, the access would help. There's no question about that. The gentleman over there, Bill Stein, that's part of his job, so that's one of the things we'd have to do.

Male Speaker: I'm not sure if he's gonna hit me or hug me for saying what I'm getting ready to say; is that there is one county that doesn't have a

ground water district. Val Verde County – I think every county in the state that relies on ground water, needs to have a ground water district for local control of that offer and get some issues there. So that’s something that I mean not political on one side or the other, I think a ground water district would be a big help for **Kinney** County. And what it also does, it serves as – I mean Val Verde County. I think it serves as a point of contact for us, for the citizens, for the water development board as to who to talk to about what’s needed and to help with the modeling, and I think our entire region is completely dependent on ground water basically.

Ground water districts are the regulatory and the statutory authority that are gonna be needed. And I think to keep the local control; every county should have one in our region. Anyway, that’s my political comment for the day.

Male Speaker: I have a quick question.

Male Speaker: Sure.

Male Speaker: Thank you. Robert, would you comment at all as there’s some concerns here on the **[inaudible]** and others and complexities in this region, so how does models that this region have to work with compare to other regions? Are they kinda the same ball park, or we got the worst model? What **[inaudible]** situation?

Male Speaker: Do you want me to comment?

Robert Mace: Well, each model around the state has its complexity. Some are a lot easier to model than others. The **[inaudible]** for the most part’s pretty easy to model. You get into these situations where the aquifer **[inaudible]** – the case out here, it’s laying flat, it’s all exposed, and then when you get down to Trinity and southern part of Val Verde County, it makes a dive underground, and that makes things much more complicated.

That’s the case for a number of the aquifers in the eastern part of the state. What makes it unique to this region, the complexity is used – when the aquifer takes a dive underground in Kinney and Val Verde County, there’s all kinds of faulting, there’s a fault **[inaudible]** that runs through there, there’s something called **carsification**, which is just a fancy word for the water dissolving the rocks out, and then there’s the fact there’s not a whole lot of data. So it’s difficult for us to say exactly where the water supply,

which is a key issue for the modeling work as well as for other reasons.

Other areas have different problems [inaudible] some unique issues. Did that answer your question?

Male Speaker: Yeah, and also that's one of the questions, too. Whenever you have a couple aquifers coming together, the boundaries – I mean and you had – every region has some of that pretty much except for [inaudible].

Robert Mace: That is true.

[Crosstalk]

Robert Mace: Yeah, I apologize for that but unfortunately the reality is that the legislature gives us our resources. And what I can give you a for sure as on, there is stat desire to [inaudible]. We wanna make these models the best we can, and we have a lot of interest in hydrogeology in this area.

[Crosstalk]

Male Speaker: We're a lot further than we would be without them.

Male Speaker: At least we're making some decisions based on [inaudible]. I think as time goes on, they will shift from political decisions to scientific decisions.

[Crosstalk]

Male Speaker: Okay. Thank you, Robert. Appreciate the presentation.

[Crosstalk]

Male Speaker: I know, I saw Gordon back there, I saw him [inaudible] as well. [Inaudible] Gordon's the general – he's the president of the board of head waters ground industry in [inaudible] general manager or whatever you – something like that. He's in charge. Do you wanna take a break, or do you wanna keep on going?

Male Speaker: Keep going.

Male Speaker: Keep going for a while, okay.

Male Speaker: Let's get at least through the next agenda item.

Male Speaker: Next item is item seven, consider and discuss designation of Devils River as ecologically unique river and stream segment. On this item, originally this was planned and discussed at the last meeting to have the nature conservancy also present to make a presentation about the river largely because of their interest in the river. I've talked with James King who's their project manager out of Fort Davis, and I discussed it with him. He, unfortunately, is at a board meeting, a statewide board meeting today, and their other representative, Mr. Harrison, could not make it as well.

I talked to James about their position on this, and first he said that he would be glad to come at a future meeting or send a representative to give a presentation on it, that they would like to do that just to get the whole planning group up to speed as to why they have such an interest in the Devils River from an environmental standpoint. The other thing he said is that they have no strong desire one way or the other about this position. They said if a lot of people in the area wanted to do it, they'd be glad. If there are ranchers and private property owners in the area that did not want the designation, they would support that as well.

They're gonna continue to do what they think needs to be done in the areas where they, you know, control acreages and easements, they're working with land owners or land they own, but they said that they really just don't – I think this is a real big issue. They do have the same concern that we have had many times as to what this designation actually means, and they're a little bit – I guess that concerns them as it does everybody else. So I just wanted to first get on the table because they were planning to be here originally, that they don't have a great desire to see this done. They wouldn't stand in the way if we wanted to do it, but they don't think it's necessary really.

Let me go – I don't know. We'll go to the public comment because I know there's some people in the audience that have asked me that they wanna speak, and then we'll open it up. It's gonna be comment, and then we can have the discussion. Is there anyone in the audience wanna make a comment on this agenda item?

Male Speaker: I'll just stand here, is that all right?

Male Speaker: That's fine. If you'd say your name, please?

DJ Jarrett: My name's DJ Jarrett and I'm a rancher on Devils River, also president of the Devils River Association, which includes about 40 or 50 people. I've worked with **Gary Garrett** on the – I'm on the conservation team for the Devils River minnow, the mandate that we have to see if the minnows in the river are tributaries. I've enjoyed my work with Gary, and you can ask him, I've been on that team, I made the meetings in Kerrville, hosted some of them on the ranch, I'm well familiar with that problem, the federal side.

But let me go back just a little bit. This involves land owners over generations that have tried to take care of their property. We had a club called a Turbo Club before the Devils River Association, and we met and we tried to see what could be done. Now this new club, the Devils River Association, tries to balance the rights of the public access, we know they have access, and the land owner's rights. We both have our rights, we know that. And so this is an association, it doesn't just include land owners. We have other people, we have a canoer, a fellow that sponsors canoeing down there, he's in it.

But let me say this, one of the problems I have, and the largest one, is that you have the designation for Devils River from **Pafford** crossing all the way up to the head of the river where **Claudia** is. I thought Claudia and Byron would be here, but they're not, they're better **[inaudible]**. You have that designation all the way from Pafford's crossing to the Sutton County line. Now, historically, there's no water that runs from Sutton County line down into the head of the water. I think we're opening up a can of worms, gentlemen, if we make this designation because you're gonna give it to the legislature and no telling what will happen.

But the problem I have, it involves water all the back to **Slacker** County, all the way to Big Lake because your Devils River is formed I don't know how many miles, but the nature conservancy like 4000 some odd square miles of waterfall. If a drop of water falls, it starts to run, and the state gets in, but we're gonna put these people to their faces they don't know nothing about even this **[inaudible]**. So I think we better take a long look at it, and I hope Gary Garrett can tell us that we have found the minnows, we studied it for five years, they've moved around, and I think we're

ready to sign off on that one. This is the end of a five year study. Thank you very much.

Male Speaker: Thank you. Anybody else wanna make any comment about this agenda item? Okay. Before I open it up for other comments, I received a e-mail from Richard and Beth Ann Smith and they oppose this designation. I just wanted to put that in the record since they did sent that to me.

Male Speaker: I just passed around a letter I'd like [inaudible] kind of an official record of meeting [inaudible]. We have discussed this a couple of times at the – talked about several designations to several streams as ecological significant rivers and streams, and we had voted this issue down once. Our district, while the letter states we believe the [inaudible] flows rivers and streams, we'll work towards that, and they we'll feel that this planning group should undertake designate any river or stream [inaudible] simply because of our concern. Like somebody said, the waters not actually lead to what doors we open to not just [inaudible] but potentially federal entities.

[Inaudible] very strongly in private property rights. We believe that the property owners should be proper stewards of their own land and have destiny over that. So it's our contention that while we support stream flows, we would like to see them enhanced. We don't feel that we can [inaudible].

Male Speaker: Anybody else wanna make any comments?

Male Speaker: I need to say just a little bit.

Male Speaker: Okay. Let's let our consultant say a little bit.

Male Speaker: In your hand out, I did provide you, again, with the map showing the location of all of the parks and wildlife suggested segments, and I also, on the next page, just gave you the brief overview of just the Devils Rivers portion of it. In the workshops, we discuss this in a lot of detail. Ernie has provided us this sheet that he handed out today giving us specific language. The one other statement I wanted to make sure that we understood was that within the planning guidelines, the statement is a regional water planning group may recommend a river or stream segment as being unique ecological value based upon the following criteria, and there's five of them.

Biological function, hydrologic function, riparian conservation areas, high water quality, exceptional aquatic life, high esthetic value, and fifth being threatened or endangered species or unique communities. All or any of those would be the criteria for designating it. And finally, let me just reiterate, from the state's perspective, all the designation does right now, and this group does not designate, it recommends designation to the legislature. The legislature would then decide whether a designation is there. And the only current ramifications is that if a stream segment is designated, it basically prevents the state from loaning any money for reservoir construction.

So it's initial – the reason it's in here is to provide the planning groups and local citizens with a tool if they feel that their particular stretch is threatened by a potential reservoir building. Now where it goes from there, there's consideration of if a designation's finally in place, what future ramifications might it have that may evolve. That's certainly an issue for you to also address in this.

Male Speaker: That's my primary concern. Not what current state, but what the future state might be and having been in state government for many years I realize that what is now is not necessarily what happens tomorrow or five years from now.

Male Speaker: **[Inaudible]** Wilson and when I look at this map, I'm relieved that my stream is not on there because I know what's happening to streams, and I know what's gonna happen to **[inaudible]** lake **[inaudible]**, and there's gonna be a great demand and drive from the people who live in these cities to come and tromp all over your streams and do whatever they want. And so I'm opposed to this, too.

Male Speaker: Any other –

Male Speaker: Are there any reservoirs planned in the state? Last I heard, there wasn't.

Male Speaker: Not in our region.

Male Speaker: In our region –

[Crosstalk]

-
- Male Speaker: John, I think last week in our meeting, we **[inaudible]** subcommittee did not recommend the Devils River at all.
- Male Speaker: Okay.
- Male Speaker: We recommended to this committee, or to our regular board. We did not recommend that.
- Male Speaker: Okay. All right. Does anybody wanna make a motion on this item?
- Male Speaker: I would.
- Male Speaker: Oh, not to do it.
- Male Speaker: I second the motion.
- Male Speaker: **[Inaudible]** we do not recommend any springs be placed on this **[inaudible]**.
- Male Speaker: I don't think we'd make that motion. I think –
- [Crosstalk]**
- Male Speaker: We did at the last –
- Male Speaker: **[Inaudible]**.
- Male Speaker: The agenda item is specific to the Devils River, so we can vote not to do that, or we can take no action.
- Male Speaker: I'd recommend that we take some because we do not recommend Devils River segment **[inaudible]**.
- Male Speaker: We have a motion **[inaudible]** Wilson to not recommend the Devils River as a ecologically unique **[inaudible]** segment. Any further discussion? **[Inaudible]**.
- Male Speaker: Why can't we just let the **[inaudible]** designation hold and into that as our recommendation? I mean regular water plans, we **[inaudible]** planning group submit to the board **[inaudible]**. We don't have any natives coming in – I guess John's not recommending we do it, so we don't have any other criteria to go by.
-

Male Speaker: I think the – what you’re saying essentially is being done. I mean I think the parks and wildlife spent a lot of time and did good work on looking at these stream segments. What they’ll be used for, I don’t know. But I think that throughout our plan we’ve already discussed that the verbiage portion in the chapters – we’re gonna spend a great deal of time about the importance of these rivers to our region.

Male Speaker: I guess my point is we shall submit through the board a regional plan that identifies. Are we gonna have anything, are we gonna work on –

[Crosstalk]

Male Speaker: We’ve already said that we will – the only one under consideration now is gonna be the Devils River and the motion on the table is to not include it. Once we vote on that, this is a done issue in my mind for this planning period.

Male Speaker: We’ve fulfilled our requirements as a board?

Male Speaker: Yes.

Male Speaker: Well, let me – are you gonna take a vote on this?

Male Speaker: Yes.

Male Speaker: Take the vote and then let’s discuss what we are going to do with this chapter because you need to give me guidance as to – well, go ahead and take your vote, and then let’s bring that up.

Male Speaker: Okay. Any further discussion? All in favor to the motion raise their hand.

Multiple Speakers: I.

Male Speaker: All right. Any opposed? It was unanimous. On this agenda item, I don’t think we can really go into a general discussion on the chapter. I think we can do it under a future agenda **[inaudible]** to the Devils River.

Male Speaker: That’s good.

Male Speaker: Okay. But I think we do need to have a discussion as to, you know, a direction as to how we handle these rivers and springs and streams as a water supply. And item seven. Item eight, consider and discuss designation of major springs that are important for water supply or natural resource protection. Same thing on this one. Does anyone in the public wanna make a comment on this before we open it up to the board? Do not see any. On this one, I also received some e-mails related to it. I received one of the e-mails from Richard and Beth Ann Smith also opposed designating **Los Moras** spring and Pinto spring as a major spring.

E-mail from John and Melanie Jones, oppose Pinto, Mud Creek and Los Moras springs. And Jim McDaniel e-mail opposing Los Moras and Pinto springs as major springs.

Male Speaker: The one thing we didn't talk about in the other meetings, when you look in terms of **[inaudible]** to **[inaudible]** in the springs **[inaudible]** simply because our inability to identify is kind of a **[inaudible]**, or you gotta almost include everything. **[Inaudible]** kind of put that as a point of the recent discussion. Are we still looking to built that rail or are we **[inaudible]** others that may not be a natural source.

Male Speaker: Let me – I probably should've done this before we got started. Let me refer this to John to explain exactly what this designation, what the law says we're supposed to do here.

Jonathan Letz: On the next page of your print out, you'll see up there at the top says check the 357 regional water planning guidelines. Under 357.7 of the administrative code under item D, as far as I can tell this is the only place where this instruction occurs, and it says **[inaudible]** plan and development shall include the following description of the regional water planning area including, and D is sources of ground water and surface water including major springs that are important for water supply or natural resource protection **[inaudible]**. That is basically all it says. It does not define what a major spring is.

It is purely up to you as to how you designate it beyond it being important for water supply or natural resource protection. Don't associate this with unique stream segment. There's no implication of potential future laws that you can read into this as compared to the unique stream segment.

Male Speaker: John, natural resource protection you can apply to every spring in the state of Texas.

Jonathan Letz: This is true, and again, you see natural resources is something within the plan that, again, the legislature and the water development board allow this planning group to define what natural resources are important to the region.

Male Speaker: I think we would all agree with that protection.

Male Speaker: I think we get into a – and the basic issue is – we’re gonna come back to springs in Kinney County. I think we all were in agreement, at least the last, we were in agreement that to include major springs, those that were the primary supply for municipal water, which is I think **San Filippi** springs and Old Faithful are those two, and that was the criteria we set at that meeting. And also, because we had a lot of discussion at the last meeting and decided to go back to talk to – the workshops discuss it and also talk with people in your communities and other to get ideas.

I think the first step is to develop criteria is to how we go about it, and then that’s my idea as to what we’re gonna do, but I’m gonna **[inaudible]**.

Male Speaker: Our subcommittee last week voted to recommend Pinto and Los Moras springs as major springs to be considered by this committee. When you look at Los Moras springs, that’s historical importance as much as anything. The reason that the army settled there was because of the springs. Up to 1964, that was the only drinking water for the City of Brackettville and Fort **[Inaudible]**. Since then some wells have been drilled, and now the two cities in ground water. But since that time, there’s been a major development around Los Moras springs. The mud chairman is here, he has the number of residential hook ups up there.

You’ve got an average value of property of \$50,750 per home at Fort Clark springs. There is a lot of retired people up there who have invested their life’s savings. There’s homes up there that’s in the \$300 to \$400,000 range. Then you take the Los Moras springs away from that and there is a tremendous economic impact from our city and our county and the residence of **[inaudible]**. You follow that stream about 21 miles downstream to Maverick County. That is a major water supply for livestock and wildlife.

There are \$200 and \$300,000 homes build on Los Moras springs, and Los Moras creek.

It is obviously a natural resource protection area. I don't think if anyone could drive through that area without noticing and realizing the importance of Los Moras springs there. There is people in the audience who support this very issue that we wanna vote on today, and our subcommittee recommended Los Moras springs and Pinto springs to be considered by this committee. San Filippi springs on the other hand doesn't have a city around it, but it has natural resource protection built in.

The Dales River Minnow lives and has been found in Pinto springs and Pinto creek, and it encompasses a healthy vibrant community of that protected species there. There's 22 ranches that strive and thrive on the water from Pinto springs to the Rio Grande. They are a multimillion dollar homes on Pinto creek – I wouldn't say multimillion dollar, multi thousand dollar homes on Pinto creek. There are a number of ranches that are [inaudible] that are encompassed by game proof fences. There's a ranch there right down Highway 90 that's 18,000 acres. It's total east property line is Pinto creek.

That's the only place those large pastures on the east side of that ranch gets their water. It is a major water supply for all the livestock on that place. Across the creek from that ranch is the old **Ratliff** ranch and I know that some people here in the audience would recognize that place [inaudible]. When I was growing up, they got their water out of the spring that's about 15 or 20 feet from Pinto creek, and John **Hagey** uses that water today in his home there that's located close to Pinto creek.

Pinto creek is a valuable source that's obvious from the Texas Commission of Environmental Quality. There's 904.5 acre feet that has been adjudicated water rights to be pumped out of Pinto creek. That tells me that there's a need for 1000 acre feet from this creek. I think that there's no doubt that these two springs are major springs. On our place, we've got about 250 yards of Pinto creek that's live water. As Dr. Mason was speaking a while ago, we're kind of at the high dip of it, or at the high point of it.

Once pumping starts in spring and summer, we lose Pinto springs on our place, but we don't have about 250 yards of it. So my recommendation and I would like to move that we consider Pinto

springs and Los Moras springs as major springs that ought to be recommended, and we're not legislating that, we're only asking that it be recommended to stay [inaudible].

Male Speaker: We designate this, and this one, John, don't we decimate the designation?

Jonathan Letz: Yes.

Male Speaker: Jonathan, I think we need to act of these two separate. I mean I agree totally with [inaudible] Los Moras. I've had a number of people talk to me about the historical significance of Los Moras springs.

Male Speaker: Wait, wait [inaudible]. You're in the middle of a motion [inaudible], and you wanna make a motion – you were midway through it when I think I interrupted.

Male Speaker: I heard most of it.

Male Speaker: I thought he said I was gonna move, but he didn't finish.

Male Speaker: The reason water plan development says that we shall include major springs; my motion is that I believe that Los Moras springs and Pinto springs are major springs in our area. They are a major impact on the water supply to our area, and they encompass natural resource protection.

Male Speaker: Okay.

Male Speaker: Our subcommittee recommends to [inaudible]. I'd like to move if we consider – I'd like to move and make a motion that Pinto springs and Los Moras springs be a designated as a major spring by this [inaudible].

Male Speaker: Okay. We have a motion. Is there a second?

Male Speaker: For both springs?

Male Speaker: Yeah.

Male Speaker: I second.

Male Speaker: We have a second from Cecil Smith, and designate Pinto springs and Los Moras springs as major springs. Any further discussion?

Rick: Yes. I've got just a real basic question. We've probably been over this but maybe somebody hasn't heard it, and since I have what's called sometimers have probably forgotten. When we designate a spring like this, what does it mean? Cut through the chase, just what does it mean?

Jonathan Letz: That's good and timely. I just got a note from the audience also, Rick, about that same question. Can supply a natural resource be considered separate issues? Obviously they can because you all are talking about it from a water supply and from a natural resource perspective. Yes, it can be designated that way. And what does it really mean? First of all, how is it gonna be used in the plan? And then are there any ramification to private property owner use of their land?

The water development board doesn't really tell us how it's to be used. They just say you have the opportunity to designate it. My feeling is that basically it puts it on the level as a water resource. You're identifying certain aquifers and certain surface water bodies as being water supplies. And by designating major springs, you're sort of upping that spring to that level. You're saying this is a identified source so that as we proceed on through the plan we continue to recognize it as an actually source. So when we do our strategies, if we have to look at impacts to other water sources resulting from that strategy, then this becomes one of them we would look at.

Does it have any ramification on private property use of the land surrounding that spring or influenced by that spring? I don't really think so. Certainly the intent is not there and I don't think we're gonna write it into the plan that just because we designate a spring as being a major one that we're gonna make a recommendation that everybody within 25 miles of that spring cannot drill a well. Certainly, I think that's far from what –

Male Speaker: That's kinda what concerns me is where does it put us as a planning group, as a board if we designate, and we're talking about environmental protection and stuff as well, it's one of the big issues that we brought up – and granted, I think there are hundreds of major springs in this region, a lot that we don't even know about, we're not choosing to designate them. The water may not

be a million dollar home, but it still impacts wildlife, it still impacts the economy, [inaudible] tourism, everything for that whole region. So by designating something, are we gonna at some point be required to protect it, be required to protect the natural resources and how large of a [inaudible] are we gonna deal with.

That's sort of my concern. If we say that there's no ramifications then shoot, let's designate every stream in this region.

Male Speaker: I think if you look at the rule, or the one line, it says springs that are important for water supply or natural resource protection. I think that you need to – I mean to me they're very different because one is that environmental and one is a impact strategy more on the water supply side than as a source. So to me, you need to look at what they're doing, and then I think from that once you decide what you're trying to designate them for, then you can figure out what the purpose is.

Male Speaker: I have a question. If we do this and if we do the next planning cycle can we chose to either add or delete?

Male Speaker: I would think so, but I'm not – we have to look at what the legislature does on rules. I guess before I open it, and I see Cecil has his hand up – a general comment that I have and it sounds to me from **Telley** says, and I'm not the expert of either of these springs by any means, but it sounds like Los Moras is used as a water supply source as are the other two springs that we designated last meeting. But my general concern is that I think that there are a lot of springs and streams that meet the exact same criteria that Telley is mentioning, and I can think of – we go back to a area that I'm more familiar with, they can go to Johnson Creek, North Fork or the South Fork [inaudible] River, there you do have multimillion dollar homes.

It's basically a similar type thing except that it's not a water supply for all. It is for some of them, a lot of them pump out of those stream segments as well. My concern is that if we go down a road that we designate – we don't have a criteria and we're designating this spring but not designating this spring, I feel that it's a disservice to other parts of the region potentially, and I just think that you need to look at it as a whole because why is it right or wrong to designate a spring in Kinney County where that exact same spring that meets the same criteria [inaudible] if it wasn't even considered in Bandera County.

And I think it's a – maybe it was our fault as a planning board not to go out to every county, but I am just a little uncomfortable picking and choosing so to speak.

Male Speaker: **[Inaudible]** I'm not trying to create a problem here, but in our area, in Kinney and Val Verde County, obviously San Filippi springs, Los Moras springs, and Pinto springs are major springs in our area for what our industry produces, from what we have. And I'm sorry that, perhaps, some others didn't bring that up as far as springs on the east side. But I think in our area, it's obvious these are **[inaudible]** springs, and that's the reason for my motion.

Male Speaker: Now that you've had your hand up several times.

Male Speaker: I have the same comments that you just made. Actually that's my same thoughts. David and I talked about this, we're both representatives in Bandera, that if we're gonna do something like this, which I'm definitely reluctant to do, we're gonna have to chose if we're gonna chose county by county basis, and not on regional basis, just as we're choosing several other things on county by county basis. Because I could think of springs in Kerr County, in **Llano** County, Edwards County, for example, that feed into the **[Inaudible]** River, which are extremely significant stream, perhaps more significant than the springs we're talking about here.

[Crosstalk]

Male Speaker: This really is said is that county by county; I don't think you can do it county by county. I think we look to counties for recommendations, but I think you have to have some cohesiveness in a plan, and I don't think you can just have one set of criteria for one county and another total set of criteria for another county. I'm gonna make the same comment when we get to some of the water supply numbers that we use. I've got a problem with the way we did it in the eastern area anyway when I don't see a scientific reason for doing it that way. Cecil.

Cecil: Well, actually, when we share – we was talking about major springs. And my understanding, at that time, was major spring creeks is a spring that has very much of an impact on an area. Now, I do know there's a **[inaudible]** springs. If it was not there, your economy would be going down. Basically Fort Clark, they are there because of that springs. It goes on downstream course

and there is all your livestock and your wildlife, too, if there are water springs. And my feeling on this is that this spring – and when we get down to what does it mean as far as if we designate it as a major spring, basically it doesn't look like too much other than it would be considered –

If they start into modeling or what it means that this proves we should not take so much water that this spring **[inaudible]** because it's gonna affect so many people, and this is my reasoning we should be a major spring if, indeed, we are talking that the only thing it is is **[inaudible]**, we will look at this uniqueness **[inaudible]**. When you use the word unique, to be honest, anything definitely is not what I'm at. But to designate it as a major spring, it goes with this impact on so many people, and this is my reasoning for saying it should be a designated **[inaudible]** spring.

Male Speaker: Lee.

Lee: Well, it's kind of following up on some overall. I mean you said it earlier – how much pumping will you do to protect it. We don't know. We really don't have the science available to do site specific and say well, we've designated this a major spring, we can only pump X feet from the surrounding area or it's gonna impact. We don't know unless we have more **[inaudible]** at this point. And then my second, I guess, question would be **[inaudible]** we can actually do a better identification, more or less, a study per say **[inaudible]** instead of maybe a better criteria –

[Crosstalk]

Lee: What would it hurt to push this off to the next planning session?

Male Speaker: Zack.

Zack: John, I agree with you, too. These designations need to be on a regional basis. We don't need to take them county by county, but back to what Tony was saying. I have no problem with Los Moras springs. I mean there's – even though today Brackettville and Fort Clark don't get their water directly from the springs, up until '64 that was their source, and I know **[inaudible]** has two wells, I think, within 40 or 50 yards of the springs. And then the historical significance of Fort Clark, I agree with that. But I think Tony is piggy backing Pinto springs on this issue. IDWC and I brought

this up at our workshop the other day, 60 to 65 percent of the time Pinto springs, these springs are dry.

As Tony said, all along Pinto, like the Rapid springs, they're springs that feed into it. But these springs, Pinto springs, are dry, and I think they're being made in for a political issue here, and that I'm opposed to, and I just **[inaudible]** to vote against this motion.

Male Speaker: **[Inaudible]**.

Male Speaker: Can I make a comment please?

Male Speaker: Excuse me, **[inaudible]**. I'll give you a moment in a minute.

Male Speaker: Thank you.

Male Speaker: Gene.

Gene: Well, I'm not from this area, and I'm not familiar with these particular springs. Is there just one spring that feeds these creeks all the way down, or is there a whole bunch of springs that feed in there? Now, you're talking about a major spring, or a major spring system is what is confusing to me. I think that, you know, I'm a member of this deal, and I'll be expected to vote on this. I, personally, don't have enough knowledge to vote intelligently on this. Is there just one spring on Pinto creek? There's not a series of springs?

Male Speaker: There's a series of springs, Gene. It starts on our place, it continues on to the **[inaudible]**, the Randolph company and on down, and what Zack was talking about, not **[inaudible]**. They would come to our place and where it was dry, and that's why it was not registered. The IBWC's now going to other spots on Pinto to be able to determine the rate of flow. Now Los Moras is a major spring, and it's basically in one spot.

Gene: Just one spring?

Male Speaker: Yes, sir.

Male Speaker: That's all I'm aware of. **[Inaudible]**.

Male Speaker: Pinto has many springs all along it.

Gene: Are we gonna have major spring systems or major springs individually? It's absolutely confusing to me, but like I said, I'm probably not even qualified to make a decision since I have no knowledge of these things. But it seems to me that it's a confusing issue right now that needs some definition and some understanding to the people in this. Like I say, I admit I don't know anything, but I think there's a bunch of people sitting around this table that don't know a whole hell of a lot about it, too, and that's not a fair way to determine something about water. Water is the most important thing that we have here, but we don't wanna do anything dumb and stupid just to have some classification right now. So that's my only thoughts that I have in this regard.

Male Speaker: Ernie, do you have any comment?

Ernie: Yeah, I would like to comment. And really I wanna support pretty much what John was saying about what is this process, what does it mean. First of all, we may be putting a little more weight in this than we need to. It doesn't say designation here, it says include. And first of all, there's ten chapters in your regional water plan, ten chapters. This is chapter one, which is titled Description of Planning Area. Now, if you pick 1, 0, or 100 springs, let me tell you, this is a regional water plan, and we always had this balance, the Texas Water [Inaudible] Board, where do we give you guidelines and you say well, wait a minute, you're telling us how you are planning or when you don't. This is one that we chose not to give you a guideline.

[Crosstalk]

Ernie: So anyhow, what's the implications? You pick your 0 or 100, doesn't matter, it's like your availability, totally your choice, your criteria. If you wanna do a spring system, fine; a major spring, fine; your choice, and I'm very neutral in this. Frankly, the less you pick, the less I've gotta read when we – but that's not the point. The point is this; implication is under your control. Later on, when you work out your water major strategies, you're gonna have to come back and look at does this strategy drive the spring. Now I heard this region say that springs are really important [inaudible] of this region, and this is an avenue for you to, within your own control as a region, on your strategies to look back, it affects the springs that you list in chapter one, and nothing more.

You may be able to use it if another region – if you have a spring near another region, you may raise a objection, which the board will look at, if another region puts a well close, it may affect a spring that you have listed as major, and that’s as far as this will go. This is an activity within this region.

Male Speaker: Sir, you had a comment.

Christopher Rain: Yes, sir. My name is Christopher Rain. I live in Brackettville, I’m on the water board in Bracket, and we have 4 ½ miles of Pinto Creek on our property, and we have 80 percent of the head waters push our fence line and right next to Mr. **Shahans**, and the creek does flow the majority of the time when we don’t have heavy pumping around us. And we do have endangered species that – all that needs to be taken into consideration so that there’s not so much water taken out of the creek that it’ll stop the springs from flowing. And again, the springs do flow the majority of the time. Thank you.

Male Speaker: **[Inaudible]** any comment?

Male Speaker: I just wanted to – I’m probably restating what should be obvious, but while we don’t have any regulatory capacity, this is going into a state water plan, and it will be used by other people, so it’s something to think about. It is important because somebody will pull this out and use it, so we gotta be real careful when we make these moves to consider that.

Male Speaker: John, any comment before we vote?

Jonathan Letz: I like to always make sure that we keep the big picture in mind as far as this planning goes, and I wanna remind you that during this planning period there are tasks in there that we’re currently involved in, in surveying the springs in western Kerr County, Kinney County, and Val Verde County. So by the time of this planning period, you are going to have a document in your hand that shows where these springs are, what their contribution is, and within the plan itself you can carry that forward by making any kind of descriptive language that you want on any and all of these springs.

Whether or not they get officially designated as major, certainly that would go into chapter one, but regardless, there is still a very good opportunity to put any of these discussions and concerns on

any particular spring or spring system within the plan regardless of whether it's designated or not designated as major.

Male Speaker: I think that's real important, John, to address those issues. I just feel these major designations are opening another can of worms that can be misconstrued down the road.

Male Speaker: Any further comment?

Male Speaker: **[Inaudible]** also identified through water service, water diversion rights; we've already considered the flow of the streams that are in all these for our planning purposes, for availability and demand. And in that, just like we've identified the Trinity aquifer as being a source of ground water, we've also identified all the other springs. We have it already in our plans – we did not identify each spring or anything like that, but all the streams are known, all the diversion rights have been considered, and we know now that they're important and that's why they're in our plan.

We don't, kind of, agree at this point that – the only thing that's in our **[inaudible]** that says we should have maybe identified for protection purposes, but I think we rely on or consider all this in our plan, everything that providing water for the streams **[inaudible]** service water diversion rights coming out of those, or there's ground water being used by municipality. We've identified those sources, and I think what we're getting at – this is a overview, is there any aquifers, or is there any sources of water out there that the state may not know about or you didn't know about that we need to maybe identify.

And I think we've already actually done that in all our plan up to this point. We've identified all the sources.

Male Speaker: All right. Motion's to designate Pinto springs and Los Moras springs as major springs. All in favor of the motion raise your hand. All opposed, raise your hand.

Female Speaker: I abstain. I don't have enough information.

Male Speaker: Okay. Let's do it again. All opposed. In favor – two, three, four; four. Opposed – one, two, three, four, six, okay. Motion fails. Any other motions related to this topic?

-
- Male Speaker: Yes, sir. I'd like to make a motion that Los Moras springs be considered a major spring. Los Moras springs – okay.
- Male Speaker: We have a motion and a second to designate Los Moras springs as a major spring. Motion's approved, Tony Shahan, seconds from Thomas **[Inaudible]**. Any further discussion?
- Male Speaker: One source of information here about Los Moras springs. There's 701 acre feet of adjudicated water rights for Los Moras creek downstream, and I think perhaps our entire county **[inaudible]** is in favor of Los Moras springs. If we're gonna – this was a major water supply for two cities at one time. If we're gonna name San Filippi or we're gonna name the other one, I feel like Los Moras springs should **[inaudible]**.
- Male Speaker: Okay.
- Male Speaker: Thank you.
- Male Speaker: Any further discussion for the motion? Motion's to designate Los Moras springs as a major spring. All in favor raise your hand. Any opposed? Motion passes. Los Moras springs added to the list of Old Faithful and San Filippi springs as major springs. Okay. Let's take a break for lunch, reconvene at 1:00. We're on our own for lunch. I forget to get catering organized.

[End of Audio]

Duration: 53 minutes

TAPE 2 – SIDE A

- Male Speaker: Item nine is consider and discuss regional water supply source availability and regional water supply user groups, task three. John.
- Jonathan Letz: In your hand out you'll turn to the colorful table entitled Draft Water Supply Availability by Source. This was one that we worked on the most in our workshops. As you see, the table, as it now exists, I basically have taken off all the storage columns that were previously there, and we're now looking at the recharge. I also have that pink column called Edwards-Trinity GAM, then the blue surface water column, then the yellow ground water

conservation district cap. Each county was allowed to basically look at their situation and look at how much water they felt ought to be assigned to availability.

We have pretty much set a policy, within this planning group, that our overall concern is setting availability levels such that it protects spring flow and base flow to the rivers. So our interest is in looking at an upper level pumpage that can occur without creating an impact that we're uncomfortable with as far as water levels go. And at the workshops, we put all the maps, the water level decline maps, up on the board for you to look at, and basically the idea was to look at ramping up pumpage starting with the year 2050 pumpage and start ramping it up a little bit at a time, and look to see what kind of impact was going on.

And for the most part, you all were looking at an impact of somewhere between 25 and 50 feet of water level decline that was acceptable, and you just didn't really wanna go too much passed that. Now, as was discussed this morning, how we refer that back to impacts on spring flow, Robert Mace pretty much said that it's very difficult to use the GAM to look at an individual spring and see how it's impacted. So we just had to look at it in a gross manner. I think that as we improve our GAMs in future, we're gonna be able to see that more direct correlation, but right now we have to accept science that the level that it currently is.

We've made a choice to use the Edwards-Trinity GAM because it does include the lower Trinity part of the Trinity layer. Let me go through here and just tell you what my notes, what I wrote down as far as what I thought each county was looking at. In Bandera County, you were looking at a pumping increase that basically equates to what I wrote down here in your column. You initially said 30 percent. When I went back to office and re-ran the numbers, 25 percent is a little more representative of the actual pumping level you were talking about, and that represents 17,310 acre feet per year, and I'm looking in that pink column.

Edwards County, you were looking at that ten percent increase equating to 8,699 acre feet. Now as I'm reading these, you can look over here to the left, in the gold column, to see kinda how that relates back to recharge. First column being average recharge, the middle column being half of average recharge, which is most cases, is what we basically think of as our drought recharge level, and then going all the way down to half of that, .25 of average

recharge. So you can see how that pink number relates to the gold numbers.

Also, in the far right hand column, you see our maximum projected demand. So you can see whether or not that number that you've worked up in the pink column how that relates to your maximum projected demand. We really would like to be able to cover that at least. Kerr County, we're looking at a 20 percent, equates to 16,412, which is a little less than half of recharge, but more than the quarter. Let me skip Kinney temporarily here, momentarily. Real County looked at the 25 percentile pumpage increase getting it up to 5737. And Val Verde, we looked at the 50 percent, which is 49,607, which is pretty close to that half of average annual recharge.

Now Kinney County, it's a little difficult there because the Edwards-Trinity does not include the Austin Chalk. The GAM, itself, does not include the **[Inaudible]** fault zone portion. If you see over there in the yellow, the ground water conservation district cap, that was the recharge number that was calculated by the water development board for the entire Edwards portion, which included the Edwards **[Inaudible]** fault zone. Over in the left hand, the average recharge you see is 44,158 coming out of the GAM. So that recharge is only the Edwards-Trinity portion of Kinney County minus the Edwards **[Inaudible]** fault zone portion.

So in order – if you go straight up into those gray shaded areas, what I did was subtract the 44,000 from the 69,000 to come up with the 25,000 remaining for the – to assign in the recharge portion of the Edwards **[Inaudible]** fault zone. So the two of them together still equal out to the 69,000.

Male Speaker: Explain that again. I got lost somewhere in all that.

Jonathan Letz: It's a little confusing. Okay. Throughout our region, basically the Edwards-Trinity plateau covers basically all of our aquifer systems except in Kinney County. In Kinney County, the Edwards portion is broken into two parts; the Edwards-Trinity plateau and the Edwards **[Inaudible]** fault zone over on the eastern side. So the GAM, itself, does not calculate the recharge portion for that **[Inaudible]** fault zone portion, it's figured separately. So when you look in the gold column under recharge, you'll see average recharge for the Edwards-Trinity plateau is 44,000. So in order to figure out, add in the **[Inaudible]** fault zone portion of it, I'm just

subtracting the 44,000 from the total recharge that was considered separate from the GAMs. That estimate was 69,800.

So in order to stay in tune with what is currently in the Kinney County Ground Water Conservation District rule of cap, we just subtract the Edwards-Trinity plateau part from that number to get the Edwards **BFV** part.

Male Speaker: Why do you put it as county total, John?

Jonathan Letz: Well, it's not the –

Male Speaker: Are you saying the 44,000 is the Edwards-Trinity?

Jonathan Letz: Right. The 44,000 is Edwards-Trinity, and it's down there at the bottom. I see your point. These aren't all gonna add up. What I have to do is take the 44,000 now and divide it up there between the Edwards-Trinity **[inaudible]** basin and the Edwards-Trinity Rio Grande basin.

Male Speaker: That's what I'm saying. You've gotta total a total.

Jonathan Letz: Right, yeah, that's in accurate. You're right, that's a good point right now.

Male Speaker: Do you got the Austin Shock number?

Jonathan Letz: Yeah. Now the Austin Chalk number is – boy, that's very arbitrary, that is the recharge number that was assigned to that in the first plan.

Male Speaker: In the first plan, we didn't know either.

Jonathan Letz: We didn't know either. We don't know now. We've gotta put a number there, so I put one there. And if you all wanna discuss that, raise it, lower it, that's what we're here to do today.

Male Speaker: There's no way you anybody could say with any certainty. It might be 1,000, it's might be 10,000. There's nothing to tell **[inaudible]**.

Jonathan Letz: Right. And what the numbers –

Male Speaker: The number is there is just a number, isn't meaning anything, will not mean anything until they can get a **[inaudible]**, which I believe Dr. Mason was –

[Crosstalk]

Male Speaker: – kicked around here to find out how they could get to it. I know they were going to and I think the money ran out.

Jonathan Letz: Yeah. In the first plan, we actually had Austin Chalk both in the Rio Grande and the **Nuasis** Basin part. Now, it's my understanding that really the only place where it's in use, where it's really occurring in on the western half. If that needs to be changed, if there's Edwards Chalk that needs to be designated on the Nuasis Basin half of the county, you need to let me know that. This number represents the aerial extent of the Austin Chalk within that area times a recharge factor that we had calculated recharge on all of these at two percent or four percent of average annual rainfall.

Now, I can tell you right now technically that's probably not totally right because I think there's a lot of recharge to the Austin Chalk that's outflow coming off the Edwards. So just purely using a precipitation recharge is not going to be totally accurate. So we're at a situation here where we need to assign a number, and I'm open to any discussion you all wanna have on this as to what number we put in there and whether or not we need to put some back in the Nuasis Basin.

Male Speaker: I have a question. Is the ground water cap an Edwards cap or a total cap? The 69,800 –

Male Speaker: **[Inaudible]** Edwards on the eastern side and the western side, basically you're talking Highway 90 north.

Male Speaker: So the Austin Chalk is not included in that cap?

Male Speaker: Austin Chalk is not included.

Male Speaker: Okay. What he said, it seems to me that if the Austin Chalk runs in both basins, I mean the Nuasis and the Rio Grande; I'll include it in both of them. I mean but I don't –

Male Speaker: I don't even know where it is in the Edwards.

Male Speaker: It runs the Nuasis Basin.

[Crosstalk]

Jonathan Letz: Well, it just follows all these all the way around through San Antonio all the way into Austin.

[Crosstalk]

Male Speaker: You've got the number there **[inaudible]**.

Female Speaker: We see the Trinity **[inaudible]** there **[inaudible]** Nuasis.

Jonathan Letz: I think it's only being used on the Rio Grande side.

Male Speaker: Part of that thinking is there's been a whole area that's over in that Nuasis Basin that's been drilled, and they have not found any productive Austin Chalk over there. All the productive Austin Chalk is basically the Los Moras creek basin going down on that western end of Kinney County.

Jonathan Letz: Okay. Which is in the Rio Grande side.

Male Speaker: **[Inaudible]** the Nuasis and they've all been **[inaudible]**.

Male Speaker: Whatever he said there **[inaudible]**. Nobody could tell me what should be – if you drill a hole in the ground **[inaudible]**, which is basically the way they – I guess this has been their thinking for years and years and years. Nobody can tell me if you get water, where's this water from. There's no chemical composition to tell you it was Austin Shock. What is Austin Chalk? You're got to have something to tell you that this is – it could be anything in the world, but nobody – I mean I've seen nowhere in pages and pages in the last three or four years books and books, and nobody can – has got anywhere what an Austin Chalk composition is.

What is Austin Chalk?

Male Speaker: It's a strata and as you go south of 90, the Austin is a much shallower strata than the Edwards is.

Male Speaker: In other words, it's much deeper, and there is a chemical signature. Usually the Austin Chalk has a higher sodium count than what

your Edwards wells will have. So there is a chemical signature between the Austin Chalk well and a Edwards well.

[Crosstalk]

Male Speaker: It is though when we get **[inaudible]** drill a well. They're not going by any **[inaudible]** composition **[inaudible]**.

[Crosstalk]

Male Speaker: It's actually not in the chalk itself. It's in the fractures that are in the chalk, so fractures are extremely difficult.

Male Speaker: And what they call that on your southwestern end of the county, there's quite a bit of water. Now is this Austin Chalk water or is this Edwards water? Some of those wells are now 450 to 500 feet. They tell me that's too deep for Austin Chalk. And you got some **[inaudible]** down to 80 feet, and they got water in them. They say they are in the Austin Chalk. This figure you got there are just as good as anything we could come up with. I mean nobody knows what's down there, how much is there, and the figure you got was based upon 1.4, I guess, inches of rain, right. Just as good a number **[inaudible]**.

Jonathan Letz: Until this study gets done. Okay.

Male Speaker: That answers that.

Male Speaker: You might wanna make it an even number.

[Crosstalk]

Male Speaker: Accuracy of those last three digits.

Male Speaker: One in every crowd.

Male Speaker: Yeah.

Male Speaker: **[Inaudible]** we didn't see.

Male Speaker: So I think –

Male Speaker: The one time you do **[inaudible]** you'd have to change that **[inaudible]**.

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- Male Speaker: Edwards cap.
- Male Speaker: There will be a difference in changing, but John told me it's too late to put in for this one [inaudible] next year. [Inaudible].
- Male Speaker: But I think [inaudible] saying on the heading is not a ground water cap, it's an Edwards cap.
- Male Speaker: It's a Edwards cap and so you don't really have a –
- Male Speaker: It's not a ground water – that's where I had the question as to whether it was included because I think he said it's a Edwards cap because 69,000 plus whatever's in the chalk.
- Male Speaker: So we're gonna have to figure some other [inaudible] figures for that [inaudible].
- Male Speaker: Yep, [inaudible].
- [Crosstalk]**
- Male Speaker: I'm assuming you're taking the [inaudible] use in these figures.
- Male Speaker: 90 percent of that thing is [inaudible] use.
- Male Speaker: Right, I was thinking it was, but you all are looking at 6,000 acre feet.
- Male Speaker: Maximum.
- Male Speaker: Not usage wise though.
- [Crosstalk]**
- Male Speaker: The cap on that was set by the ground water district, and I think everybody in the world knows we have [inaudible] in with water market in the left and right from the legislature on down, if what the district did – I was the president of district at that time. The district capped it at 698 because they said we do not know how much we're gonna have to permit here in the permitting cycle, and we're not gonna permit more than recharge while realize it was probably a high figure, but we had to put a figure somewhere, and this was recharge, it was something we had in writing. If we'd
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have put 50,000 with nothing in writing, then we would've still be arguing with lawyers over it by now.

So the 698 was put there because that is the total recharge we said we had in the upper area, and at that time nobody was worried about the Austin Chalk, and so this was the reason 69 [inaudible].

Male Speaker: Okay.

Male Speaker: It will be a different figure, but [inaudible].

Male Speaker: So John, these numbers are pretty much – I mean this is what we discussed – basically the same methodology was used for all of them, or was the same methodology? It was basically all these numbers are dry from keeping a maximum amount of decline of 25 to 50 feet, which we think will keep springs flowing at a base flow rate.

Jonathan Letz: Right.

Male Speaker: Okay.

Jonathan Letz: It's all based on using the Edwards-Trinity GAM to show you that impact except in Kinney County where we had to add a few other parts to it.

Male Speaker: So we went through these in committee meetings and discussed pretty much [inaudible] this is more or less a formality. And at this point, do we need a motion to accept these?

Male Speaker: We definitely need a motion at some point.

Male Speaker: [Inaudible].

Male Speaker: Have a second. Have a motion from Lee Sweet and a second from Howard Jackson to accept the ground water availability numbers set forth in the handout from John [inaudible].

Male Speaker: Could you clear up that Kinney County –

Jonathan Letz: Yeah, in Kinney County, if we take the 69,800 and then we add the Austin Chalk to it, it comes out to 86,225.

Male Speaker: So let me just –

[Crosstalk]

Male Speaker: But that's not the pink copy.

Jonathan Letz: No, it's – I just wrote it down there in the pink column, but basically it's partially from the GAM, and it's partially from other recharge estimates. But if we're using this pink column as being the numbers that you're looking at approving right now, the Kinney County approval at this point the number we're throwing out there is 86,225.

Male Speaker: John, didn't you all talk to Cecil and the general manager last week about what was going in there or how that was gonna be – what the stage was gonna be?

Jonathan Letz: We talked after the meeting a little bit. We went back up there and looked at the map –

Male Speaker: I mean since the ground water conservation's here and Cecil's here –

Female Speaker: It's my understanding and I know what **[inaudible]** just said and I was trying to look through our rules. I know that our **[inaudible]** plan calls for 698 on an entire district, not just the northern portion.

Male Speaker: That's what I remember, too.

Female Speaker: I don't know that it's in our rules, but I know that the ground water management plan calls for that, and that includes the Austin Chalk. To increase that 69 acre goes totally against what our management plan says. To increase it to an 80 would be disastrous. We saw a chart here at the last meeting with affect of 698 would have, and we were out there on the very end of that. And I know that district would not agree – I mean 698 **[inaudible]**, and to get beyond 698 would be disastrous.

And I think to put that figure – 698 is tough enough, but to go with 80 on something that no one knows, I mean that's like trying to designate a spring over here that you don't have any idea what the ramifications are gonna be. For the same reasons, I think putting 80,000 figure there is just totally against what the district has in their management plan. And to put some kind of supposed number

on Austin Chalk when there is absolutely no data on the Austin Chalk would be doing what we didn't wanna do earlier.

Jonathan Letz: Most of our county evaluations are basically bringing the availability down to that middle recharge number, you know, half of average.

[Crosstalk]

Jonathan Letz: Yeah. If you bring the Kinney County one down to that, just the Edwards-Trinity part is 22,000, and I think that's in the vicinity of what you all are now permitting. So that's another –

Male Speaker: My understanding that 44,158, you are talking about the northwestern portion of the county, right?

Jonathan Letz: Right. It includes the northwest and the upper part of the northeast. There is a dividing line that's you can't – yeah, there's an Edwards fault zone part.

Male Speaker: When you subtract that from what they did was within 25, 612 would be what you'd be calling **[inaudible]**.

Male Speaker: For the DFC.

Male Speaker: The Nuasis I guess you got.

Jonathan Letz: It'd be – that 25,000 would be for the Edwards **[Inaudible]** fault zone portion. There's Edwards-Trinity plateau – well, let's consider the Nuasis River basin is pretty much the eastern part, and that eastern Nuasis Basin could be divided just about equally between Edwards-Trinity plateau and Edwards **[Inaudible]** Fault Zone, so that river basin has to be broken out, and that's what I've got in the far left hand column. I've got an Edwards-Trinity Nuasis and Edwards BFZ Nuasis.

Male Speaker: John, I don't understand why the recharge is tied to the ground water cap at all. I mean to me that recharge number should be whatever the recharge number is over that portion of the aquifer, and it should have no relationship to the cap.

Male Speaker: I think the cap was tied to the resource number that Robert Mace gave to the region.

Male Speaker: Right.

Male Speaker: That number for Kinney County.

[Crosstalk]

Male Speaker: Okay. So 698 is the total recharge for the county?

Male Speaker: No, it doesn't include the Austin Chalk.

Female Speaker: At the time that we got out presentation and we set that cap, the cap was set for the entire county.

Male Speaker: So what was does you all's district wanna do? Do you want to reduce that to go with basically this half of the recharge figure –

[Crosstalk]

Female Speaker: At 50 percent.

Male Speaker: So instead of 69,800, it says that shows cap out there, you'd like to just go 50 percent of the 22,000?

Male Speaker: Well, I cannot say that. We have not had a board meeting, so I cannot say.

Female Speaker: That's what Mr. –

[Crosstalk]

Female Speaker: That's what Mr. Smith and others –

Male Speaker: We can table the Kinney part until next meeting if absolutely necessary.

Male Speaker: What I would like to do, but I mean we have not had a board meeting **[inaudible]**, we need to decide at this meeting –

Male Speaker: We can table Kinney County until the next meeting.

Male Speaker: We should be finished up by that time, and have –

Male Speaker: Are you saying you all are gonna change your cap at your next meeting or what?

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- Female Speaker: No, we're gonna discuss what the regional planning group wants us to [inaudible].
- Male Speaker: The cap might be changed.
- Female Speaker: On availability.
- Male Speaker: Well, let me amend my motion and say that I would like to move that we approve these figures that are presented on this table with the exception of Kinney County.
- Male Speaker: Okay. We have a amended motion that accepts and approves all the numbers as presented and those numbers are for Bandera County, 17,310 acre feet, Edwards County, 8,699 acre feet, Kerr County, 16,412 acre feet, Real County, 5,737 acre feet, and Val Verde County, 49,607 acre feet.
- Female Speaker: Can I ask you a question?
- Male Speaker: Yes.
- Female Speaker: Okay. I just wanted to know, and this is going back to something you mentioned a little while ago, with these numbers as far as the percentage of the estimation that we've used ten percent, 20, 25 and 50, you're saying that those chosen percentages actually don't reflect base flow as well as what you're seeing in the GAM?
- Male Speaker: As I understand, let me make sure because John correct me if I'm wrong. As I understand it, they reflect no more than a 25 to 50 foot drop in the aquifer level, and we believe that level of drop in the aquifer will not significantly impact base flow of the streams and rivers.
- Female Speaker: I was just looking back, like for example, Val Verde County, looking back in the charts from the workshop and showing how that 50 percent would actually affect what the spring flow will be [inaudible], and it looked pretty significant. I was just kind of curious as to –
- Male Speaker: Mr. Robert Mace said that to get into Val Verde County you can't look at spring flow directly based on pumpage. That relationship isn't good enough. You have to make that determination.
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- Male Speaker: That's also true in portions of Kerr County, too. There's a [inaudible] between stream flow and pumpage. Because of the [inaudible] aquifer, so if you take that disconnect on a county basis, it's hard to compare that because the Trinity sands are really, really charging everything in Kerr County, for example, north and northwest of Kerr County rather than Kerr County itself.
- Female Speaker: Right.
- Male Speaker: Until you get down to [inaudible] where you do have [inaudible].
- Female Speaker: Right.
- Male Speaker: So it depends on where you are geologically as to what affect [inaudible].
- Female Speaker: Okay. No, I was just curious as to how the different counties came up with the percentages. They're all more than what actually [inaudible] gonna be. Is this for buffer room for this part for growth?
- Male Speaker: Some of it's been tested by the water development board [inaudible] based upon our own [inaudible] database [inaudible]. So we [inaudible] for that first [inaudible].
- Male Speaker: I might say something more to that also. I think these figures on the core, the average figures on the far left side – based upon the GAM model [inaudible] ten to minus six, ten to minus seven.
- Male Speaker: [Inaudible] where the aquifer's confined.
- Male Speaker: So we're still looking at a pretty conservative bunch of numbers, and so I feel more comfortable because of that, in making decisions about this.
- Female Speaker: Okay.
- Male Speaker: Any further discussion? All in favor of the motion, say I.
- Multiple Speakers: I.
- Male Speaker: Do we have any opposed? No. All right. The Kinney County issue, just so I understand where we're going or what we're waiting for, the water district is gonna revise that cap.
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- Male Speaker: Just what I was talking to a couple of the members, yes, but I'm sure the cap will be revised.
- Male Speaker: Will be revised?
- Male Speaker: Based on science or arbitrary?
- Male Speaker: I mean is this gonna be – I guess my **[inaudible]** is a matter of timing as we're waiting for the next meeting. So at our next meeting, we're gonna have a revised cap you anticipate?
- Male Speaker: I would think so.
- Male Speaker: Okay.
- Male Speaker: But like I say, I haven't got to talk to – the board has got to have a meeting **[inaudible]**.
- Male Speaker: No, I understand you can't speak for the board. Okay. **[Inaudible]** has a cap **[inaudible]** I'm figuring out how the cap really affects it. I mean I'm wondering if we –
- Male Speaker: **[Inaudible]** has a cap, too.
- Male Speaker: Right, but it's harder to figure out, so we leave it off.
- Male Speaker: I just figured it myself and it has no affect on **[inaudible]**.
- Male Speaker: Right. And I guess the question's to John. John said are we asking Kinney County to come up with – are we gonna use the cap number as availability, or are we gonna use a – basically more based off percent recharge on the Edwards-Trinity GAM like we have in the other counties?
- Jonathan Letz: Well, I think we're just trying to give them a little more time for them to go in and reconsider how they're defining these caps and whether these numbers are only for the Edwards and they need another number for the Austin Chalk, what level of recharge they think is appropriate. I think all we're doing is giving them more time to reconsider how they wanna respond.
- Male Speaker: So you all understand what we're asking?
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- Male Speaker: Come back with figures and [inaudible].
- Male Speaker: Okay. To me the recharge numbers still should kinda – I mean there needs to be two numbers. The recharge number or the yellow column needs to be filled in, and then a cap number's a separate column for Kinney County in my mind. I mean you gotta have both components to be consistent through the region.
- Male Speaker: [Inaudible] percentage wise, we can probably get that.
- Male Speaker: Okay.
- Male Speaker: Well, let me ask [inaudible], what [inaudible] are you basing your change to the cap on? Is this a scientific adjustment?
- Male Speaker: We have to be up on the GAM.
- Male Speaker: Last time in our meeting, John Ashworth presented his evidence, and we're now getting more information that's more recent. And even though in his statement it may not be the best, it may never be the most accurate, but it's the most accurate we have to date, and I think that the ground water district should have the right to at least [inaudible] the information from the GAM and apply their approach from that. As we go along, each district and each water facility should take advantage of the most recent information we've got.
- Male Speaker: I don't disagree with that. I'm just wanting to make sure that we're – I think from a consistency standpoint that all of the, every county needs to have the same basic criteria or policy that we're working off of, which has been a 25 to 50 foot drop in water levels, and we think that'll keep spring flows at a base flow amount. I wanna make sure that we have that number for Kinney County, and then we have a cap that's different. Well, that cap may or may not be the number we have to use, but I think we need that other component otherwise we're not gonna be consistent.
- Female Speaker: And I'm [inaudible] better that your cap number where are, are different from these availability numbers? And how different are they?
- Male Speaker: There's quite a large difference, a very large difference.
- Female Speaker: Is your cap bigger than [inaudible]?
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- Male Speaker: Much bigger.
- Female Speaker: Okay. So they're not **[inaudible]**?
- Male Speaker: Right. Kerr County has a per well cap, not an –
- Male Speaker: If you figure 700,000 acres from the county, we multiply it by an average cap, and you divide that by 325 to 850 which is acre feet, it's way above any number we have here.
- Female Speaker: Okay. So I just wanna have a clear understanding when I go back to the board that these numbers are not necessarily high, but because we're accepting a availability number over here, we're not forced to change our cap.
- Male Speaker: In my mind, you use the availability number and if the cap is less then you put the cap replaces it. That's how I look at it. I mean you look at the – so the yellow column is more, to me, what we need to develop from this board, and if you all put a cap on it that's less than that, well then we have to use your cap. If your cap is more, then we use the availability number. That's the way my simple mind works.
- Male Speaker: John, let me ask you. You said 44,000 for Kinney County according to the GAM was the Edwards-Trinity.
- Jonathan Letz: Yes.
- Male Speaker: Okay. Then what do you allocate to the Edwards **[Inaudible]** fault if you're not using that cap? How are you gonna do there?
- Jonathan Letz: Well, right now if you're using the 698, that gives you the 25, 642. But if –
- Male Speaker: If there's no cap, what would you do?
- Male Speaker: What I'm saying is that 69,800 came from Robert Mace **[inaudible]** the recharge and it was the Edwards-Trinity. So I mean if that's what it was and the GAM told you this was the Edwards-Trinity, then I would see where you use the difference for the Edwards. I mean that's the best scientific way. You don't have the science in the GAM for the Edwards, so why – I don't understand the ground water district why they're gonna back down
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and lower the cap. That to me is where we're getting arbitrary [inaudible].

Male Speaker: [Inaudible] recharge – I've had these recharge, but that doesn't mean that you can pump that much [inaudible]. You all's concerned about the springs, you pump that [inaudible] you're not gonna have those springs. [Inaudible] is not available, it's not there.

[Crosstalk]

Male Speaker: That's the amount that's recharging your well. If we pump that much water, we're not gonna [inaudible]. I found out the other day that's a [inaudible]. So if you do that then you're worried about Los Moras and Pinto and all those others [inaudible] you don't have to worry about them anymore. I think that's maybe why they wanna go back and consider.

Male Speaker: I don't have any problem giving you time. I just wanna make sure that we focus on having that yellow column – to me, we need to get those numbers in cap adjusted, you know, as bigger or lower. That may have an impact on the number we use as the availability number. I think we've spent enough on that for right now. In the next meeting we'd consider Kinney County. Item ten, consider and discuss water management strategies.

Jonathan Letz: Well, we need to – I think we're still on that.

Male Speaker: Oh, I'm sorry.

Jonathan Letz: We need to look at the –

Male Speaker: The water supply user groups?

Jonathan Letz: Yeah.

Male Speaker: Back on item nine.

Jonathan Letz: Back to nine. I've made the corrections that were discussed at the workshops. Kerrville, we took the ASR out because it's already incorporated with the surface water.

[Crosstalk]

Male Speaker: I'd like to see that identified [inaudible] because [inaudible] note down there. [Inaudible].

Jonathan Letz: Oh, okay.

Male Speaker: [Inaudible].

Male Speaker: So the remarks it'll say Kerrville infrastructure capacity is 6,625 per year. There's a 2890 cap from [inaudible] conservationists [inaudible] limit. Okay.

Jonathan Letz: Another correct in Real County under Camp Wood. That is only being shown as surface water with zero availability. It's only being shown as, again, in Kinney County under irrigation what we've done here this past week, Bill Stein met with the districts consultant that did the irrigation survey for the county, and we're waiting for data from him, supposed to be in just almost any day now, to basically look at the infrastructure ability under irrigation to supply water. Now there's also – we have to look at that.

The two things that are gonna be looked at there is 1) what physically the wells that are in place, what's the maximum amount of water that those wells can produce physically. That's the infrastructure part. The other aspect is that it can be looked at from a regulatory perspective, how much water is allowed to be pumped from those wells. So those are the two things that are still having to be worked out and decided between those two. So again, that probably has to be part of what the district's looking at, and we have to have time to get this data also from the irrigation survey.

Male Speaker: And all the ones where the gray lines are, those are [inaudible]?

Jonathan Letz: Yes, every one that you see with the gray line, that's deficits, those are the ones we have to do strategies for. You'll see that irrigation in Bandera and Kerr County, everything else is going to be municipal. Municipal, we're gonna have a shortage for Kerrville, Kerrville South, and Camp Wood. The important number right now for this table is the column that's listed infrastructure capacity. I think that's up for approval right now, minus the Kinney County irrigation part.

Male Speaker: What were you saying, John, break it down two way, regulatory and then capability and infrastructure?

Jonathan Letz: Right. The way the guidelines read on this table is that it wants the maximum amount of water that the infrastructure can currently produce, or by regulation is allowed to be produced. It can be one or the other, and it's up to the planning group to choose that.

Male Speaker: So we're ready to accept everything except all of Kinney County, or just irrigation?

Jonathan Letz: No, just irrigation. Well, let me look at it real quick here. From the water district's perspective, Brackettville and Fort Clark Springs Wells – is there anything within your rules that would affect these numbers?

Male Speaker: **[Inaudible]**. I understand that it takes 300 gallons of water **[inaudible]** water per day per prisoner and they've got I think 294 already in. This is just something that's just taken place.

[Crosstalk]

Male Speaker: I don't think Fort Clark **[inaudible]** – you got 727 – I don't think Fort Clark figured that in their **[inaudible]** 200 gallons a day **[inaudible]** that's 365,000 gallons.

Male Speaker: Yeah, it's my understanding that the water that they're picking up **[inaudible]**, they have been taking water from Fort Clark and supplementing the golf club, the golf course. So by taking that now that they've got this extra sewer capability, they'll be using all that blue water **[inaudible]** on the golf course, and the water that they were supplementing the golf course with will compensate –

[Crosstalk]

Male Speaker: I think it's a wash.

Male Speaker: A wash **[inaudible]**, okay.

Male Speaker: It would be a washout if it comes out that way.

Male Speaker: Even if it doesn't, from the data **[inaudible]** at one acre foot which isn't gonna be –

[Crosstalk]

Male Speaker: So we can accept then – we’ll have a motion to accept everything except Kinney County irrigation numbers.

Male Speaker: Same.

Male Speaker: Motion from Lee Sweden, second from Telley Shahan to accept the water user group water supply capacity based on current infrastructure and regulatory caps infrastructure capacity numbers that’s presented for all entities except irrigation Kinney County. All in favor, say I.

Multiple Speakers: I.

Male Speaker: Any opposed? None. Okay. Okay. Ten, consider and discuss water management strategies. And we’ll have to wait a second to wait for John to get back from –

Jonathan Letz: I’m back.

Male Speaker: We voted, did it, now we’re onto ten.

Jonathan Letz: Didn’t go to 11? Item ten is some discussion we need to start on water management strategies. As we just looked on that previous table, I showed you what entities we have to develop the strategies for. During the lunch hour, I passed this hand out to you all. This comes out of the large document that Telley was involved with from the state, and I copied out the irrigation best management practices out of it. Now, our two counties, Bandera and Kerr, are the only two that we have to really – that we’re required to address irrigation, so probably need to basically be taking to you representing those two counties more than anything else.

Can you tell us at this point what irrigation means in these two counties? Is it just hay fields? Are there any crops being grown? What’s the –

Male Speaker: In Kerr County it’s hay, coastal field.

Male Speaker: **[Inaudible]**.

Jonathan Letz: Okay.

Male Speaker: Private infrastructure.

[Crosstalk]

Male Speaker: **[Inaudible]**. There may be a few little vineyards and orchards, but it's not a significant amount at all irrigation.

Jonathan Letz: On the last page of that hand out, this just comes out of the table of contents, but basically is a good way of listing their different categories of best management practices. There's not a whole lot of alternatives for developing additional water other than conservation or changing the methodology of how it's being done. So if you all would kind of look through these and sort of highlight which ones you think potentially we need to discuss in the plan as a recommendation of how irrigation water needs could be better met, and this may require a little bit of homework to go in and see what kind of practices are already in place, and whether or not there's room for any improvement.

Some of these are obviously have to do with row crops, delivery systems through canals, there's a number of things in here that just don't mean much, but I think we need to look at maybe the sprinkler systems, just how much water is being applied, is there potentially that they're putting more water than they actually have to. If you just kinda look through that, give us some thought, and we'll bring this up at the next meeting and come to some conclusions on it.

Male Speaker: I'm having a little trouble visualizing what we're talking about. You have a capacity, you got so many acres, so many wells, so many sprinklers right out there right now. But we envision that to grow, but yet the state water plan is nearly, because of the economics, nearly every instance is deemphasize it and down grade the irrigation. As you get other use patterns coming in, the irrigation is being bought out by the other use patterns. So what I'm suggesting to you, maybe our whole look forward is not accurate.

There's something wrong in the – if we just look at what we got, we're pumping for that right now. Are we saying there's gonna be double that in the future?

Male Speaker: Yeah.

Male Speaker: Then what's your justification?

Male Speaker: It's because I'd say probably five years ago there was probably zero in Kerr County, and now who knows how many acre feet we're using.

Male Speaker: Is it golf courses?

Male Speaker: It's hay fields. It's coastal.

Male Speaker: But in Bandera County, we don't have the fields they do and the flat areas they do –

[Crosstalk]

Male Speaker: Yeah. There are actually a lot of them pumping out of the river.

Male Speaker: Where'd they get the permit?

Male Speaker: They bought a permit.

Male Speaker: If they got the permit, John, your solution is they just put more pumps in.

Jonathan Letz: I've asked Stefan to be thinking about are there some surface water strategies, are there some water right buy outs that would benefit.

Male Speaker: If the permit is there, then it's only a capacity and you just put more pumps in.

Male Speaker: But some of them are wells as well. I think that then – and all I can speak for is Kerr County area, some of these I think the scheduling, the time of – I mean they're all center pivot, I presume they're low, I don't know if they're low pressure or high, but I think there's some things on probably the strategy – I can almost tell you right now rather than waste a whole lot of time on this, it's education of the few people that are doing it to make them aware that they can do things to be more efficient from a conservation standpoint.

Male Speaker: Most of ours are spray, and they just need to go to **[inaudible]**.

Male Speaker: Sometimes you can, depends on the field.

Male Speaker: Right.

Male Speaker: I question whether or not they're actually [inaudible].

[Crosstalk]

Male Speaker: We're not a agricultural county anymore at all. You pay \$10,000 labor for a ranch and what you have is a pretend ranch.

Male Speaker: Well, it doesn't make any difference. I would say every one that's going into Kerr County is pretend also, but they want to have their house and they wanna be able to look out over a green meadow with horses and cattle grazing under irrigation. It's really not economic. I wish I had the money they were wasting.

Male Speaker: They're just trying to maintain their water right and some point of value in that water [inaudible].

Male Speaker: But I don't think this is something that we need to spend a lot of time on. I think pretty much it's a – I mean they type of irrigation, it's all center pivot, it's all hay fields, and I think that it's a matter of education and trying to encourage them to use more efficient irrigation methods on a center pivot system whether it's scheduling, changing the nozzles, changing the [inaudible].

Jonathan Letz: Well, what we will have to do when we identify that particular aspect, then we go in and we've got to actually quantify how much water they can save. There's a quantification, and there's also – we have to figure out what it costs to go in and retrofit these things. So there's a lot of – that's what we're gonna have to do.

Male Speaker: Is that true to private ownership, I mean private – you're not estimating what a private –

Jonathan Letz: Yes.

Male Speaker: In Kerr County, it's one type of system is going in that I see. I think what you can probably do – I'm assuming there's none going out in the western part of the area towards Perry, it's all eastern Kerr County that's doing this I think. I don't think it'd be real hard to calculate a rough acreage that's currently being done. I think there will be some growth in the future. There's certainly a limited amount that you put these center pivot systems on, then you can contact Ewing Irrigation or any of these agricultural companies and say what's it cost to put a timer on, that's scheduling. What's it cost to do a few things, and you can come up with some numbers

that are probably more accurate than any other region's gonna have when you get into these agricultural numbers.

[Crosstalk]

Male Speaker: Amount of acreage under irrigation. And it's a limit as to how much is gonna go ultimately. It's pretty much **[inaudible]** along the river, and probably most of that area eventually.

Jonathan Letz: The municipal strategies for Kerrville, Kerrville South, and Camp Wood – the first step in the process is to provide you with a number of strategies, and then you pick between them and you tell us which one of those strategies you want us to actually focus in on and do the more detailed analysis. I don't think we're gonna have a whole handful of strategies to throw out there. In most cases, it's going to be more wells. Like for Camp Wood, if their spring goes dry, there's really no other alternative but to drill a water well. So we may go ahead and proceed on that one.

Kerrville and Kerrville South, there may be some surface water options. Stefan, do you have anything you wanna say at this point?

Stefan: Yeah. I just wanted to read through some of the previous strategies for Kerrville, and also to remember looking at the handout that John gave you on the conservation **[inaudible]**, also look at the municipal ones that they may be ones that we'd like to add to the previous list as well. And most importantly, we have to consider conservation strategies for every water usage group with the a need, so we do have to have some conservation strategies from that list included, which will be something that we'll add.

Previous for Kerrville we had canyons, getting additional water out of a canyon, to purchase from the UGRA right, to drill a remote well field **[inaudible]** for the Edwards-Trinity, to increase the treatment capacity, and to look at other water rights along the basin for purchase. So those strategies would certainly be part of the reconsideration for this time around. I'll get with Kerrville to see – I know we did a study for them – to look at the water rights can be purchased in the basin and see where we are in the status for this time around. But certainly we should consider the strategies that were on the list previously, and go forward to see if they still apply, if they've been implemented or if there's some additional strategies that may be developed.

And then particularly be paying attention to the list of conservation [inaudible] conservation pricing and those types of issues are certainly things that we need to put on the list for consideration.

Male Speaker: Howard, do you see any –

Howard: Based upon that study we did, the additional water rights there is pretty slim. It's the head waters [inaudible]. There is one new one [inaudible], and I've already got a number on that, too.

[Crosstalk]

Howards: [Inaudible] water rights is probably not gonna [inaudible] they're allocated by the water rights, so there's no way we could use them.

Male Speaker: [Inaudible].

Male Speaker: Yeah. I don't wanna spend the kind of money we'd have to spend –

[Crosstalk]

Howard: I can spend that money a lot better somewhere else.

Male Speaker: I agree. The canyon deal is still open. We've had some conversations –

[End of Audio]

Duration: 63 minutes

TAPE 2 – SIDE B

Jonathan Letz: I think most of the water samples the water development board takes now, alpha is included.

Male Speaker: Gross alpha [inaudible].

Male Speaker: This is just data from water development board collected, not from other utilities.

Jonathan Letz: Right, it's what's in the water development board's database.

Male Speaker: [Inaudible].

-
- Male Speaker: [Inaudible], those were all done by state ledge.
- Jonathan Letz: The problem with using TCEQ is that there's no quality assurance of where they collected it. A lot of times they will have collected it after the treatment. They don't necessarily collect it at the well head.
- Male Speaker: I think at the last four years and they probably are better with that. They've gone to the [inaudible], and it's been a lot more –
- Jonathan Letz: Yeah. I think the board has really been looking at trying to merry up those databases. It's just some of the historical stuff is very difficult for the board to integrate in as being native water.
- Male Speaker: The reason I mentioned this about rating 26 to 28 gross alpha is that is extremely expensive to treat, it's very high cost.
- Jonathan Letz: In this chapter on water quality, please make notes and make sure you get it to me because these are some of the things we need to say in the report, that even though it doesn't show in our table, that you are beginning to see occurrences of this problem. These are good things to put in the plan. So if you all just make notes of specific water quality problems that you deal with –
- Male Speaker: Well, in this case the problem is that they're lowering the standards.
- Jonathan Letz: Yeah.
- Male Speaker: I'm a little bit confused on what we're trying to approve, if anything.
- Jonathan Letz: Nothing.
- Male Speaker: So you just have to write a chapter and talk about the water quality of Edwards-Trinity, and then surface water as well?
- Jonathan Letz: Yes.
- Male Speaker: Well, if it relates to pumping, is pumping affecting water quality pro or con, or will it.
-

Jonathan Letz: Yeah, there's room in there to kinda be descriptive to start with. Here's our big picture water quality issue. Here's what the water quality of our existing sources are. Here are some problems that we have detected that may become a major problem in the future. And then we go into the strategy aspect of is water quality going to be impacted with any of our strategies. Or even for areas where we don't have a strategy, just our long term anticipation. Are you seeing any water quality deterioration now that we expect it to just continually get worse?

Some of the aquifers I work with out in West Texas, like out in El Paso, I mean you can watch the water quality just get worse and worse and worse over time in various wells, so that's a water quality problem. That doesn't have anything to do with this strategy, it's happening, and we need to identify it if that's happening here.

Male Speaker: I keep looking [inaudible].

Jonathan Letz: Yeah, I know.

[Crosstalk]

Male Speaker: Another example [inaudible], this is on a [inaudible]. Through low flow, we have fairly brackish flow in brackish [inaudible]. Now they're [inaudible] on a lot of fresh base flow still coming into the river, so if someone comes on the strategy to pump a lot of ground water from on the [inaudible], the brackish concentration is actually gonna increase. That's kind of another example. Trying to give a picture to the group.

Male Speaker: Well, is there any surface components that we'd look at like in Kerr County where they are allowed on the line on the river as well? [Inaudible]. Or re-use, I mean isn't there water quality issues with re-use? As I'm reading it, it says water quality [inaudible] as it relates to strategy consideration, and re-use is gonna be a strategy and I think water quality's an issue.

Male Speaker: [Inaudible].

Male Speaker: We could get a plus in that one, right?

Male Speaker: Yeah.

Male Speaker: But yeah, it will be considered being around the surface water side.

Male Speaker: Okay.

Male Speaker: **[Inaudible]** the TCQ database, it has improved and their data collection has improved. Having tried to extract some of that information out of their database, it is rather challenging and very, very difficult to be able to compare and integrate it with **[inaudible]**, so there's still some need for improvement on the data collection **[inaudible]**.

Male Speaker: If it's appropriate, I think re-using the city's **[inaudible]**.

Jonathan Letz: Yeah. Well, we can use some examples of how current use is improving things. I mean it's wide open. We can just say all kind of good things that – they just really wanna make sure that we address water quality in this plan because it really was not a major thing in the first plan.

Male Speaker: Anything else? Item 12, review scope of work, budget, and implementation.

Jonathan Letz: The budget, the consulting budget we have approximately 43 percent of the budget remaining, so that should be adequate to get us through this. Obviously we're spending money at a faster rate now than we have the last four years of the plan since we're in the last part, so we're having to be real careful that we portion out that budget to make sure we get to where we need to go, and have money right there at the end to take care of getting the plans actually written and published.

Schedule wise, you're aware that we have to have our draft plan in to the water development board by June 1, so in the upcoming meetings between then and now, you're going to start seeing draft copies of chapters for you to review. Probably by the next meeting, I'll start feeding you chapters to review. We will have to have a public meeting around that time. Ernie, correct me if I'm wrong, but my understanding is that the public meeting does not necessarily have to be held prior to turning in our draft, but it needs to be somewhere in that near vicinity.

I think some regions are already planning to have it a week or two afterwards.

Ernie: I agree. It's actually kind of a parallel track where you're doing public hearing. **[Inaudible]**.

Male Speaker: If there's any way possible, we ought to have some of the draft put together and get a public meeting put on it as well.

Jonathan Letz: It is –

Male Speaker: It is a public input thing **[inaudible]**.

[Crosstalk]

Male Speaker: You can go back and have another public hearing after that, it might save a whole lot of work to start with.

Jonathan Letz: My concern of time and budget is that we don't have a public review draft. They'd have to turn around and modify it to get the next draft into the water development board. I mean it can be done; it's just going to really rush things. If we go ahead and complete the water development board's draft, and then let the public review that at the same time as the board is, then we get input from both of them and we make our modifications, and then there will be a final public meeting to look at the final plan right toward the end. That's my suggestion.

Male Speaker: That's very efficient but, again, we're not **[inaudible]**.

[Crosstalk]

Male Speaker: Okay. I want to say I'm working – well, actually staff came up with **[inaudible]**. We have a little check, not a checklist, but what steps you go through to take care of this final review and everything else. Hopefully I can get that approved through management and bring it to the next meeting.

Jonathan Letz: Okay. One of the chapters basically says that we are to basically show how this plan is in compliance with all the legislative requirements. And what we've put in our scope of work to do, the approach I suggested, and thus far I'm not hearing the water development board say no, that's not what we're talking about, is to actually have a check off list where we're gonna put in all the required input to the plan, put the actual designated chapter or administrative number that defines that, and then put exactly what page number you will find that item on.

I've got a little bit of a check list from what the board is thinking. As far as I know, the board does not have a final checklist.

Male Speaker: I'm working on it, sir, in between reaching day workshops and meetings and stuff.

Jonathan Letz: If I could get that from you say by next Wednesday.

[Crosstalk]

Jonathan Letz: I will continue to coordinate with the water development board on that.

Male Speaker: **[Inaudible]** we're working on a checklist and that will be available, too. Just march along and do the tasks and check your one matches task one, make it a lot easier, too.

Jonathan Letz: Yeah, we'll line it up that way.

Male Speaker: Okay, great.

Jonathan Letz: Of course, life times say water quality will be addressed in several different places.

Male Speaker: Lee.

Lee: About having these drafts **[inaudible]**. I know I like to read something and go back and read it a couple more times **[inaudible]**.

Jonathan Letz: Right. I would not hand you a draft and have you all, right then – if I can't get it out until the meeting, then it'll be for the next meeting to really –

Male Speaker: On that same note, do we have a e-mail mailing list for members?

Male Speaker: The list should be that – Karen sent some out, but you should be able to pick up everyone off that list. I know there was a few changes occasionally. I know two have changed, gave us a better one for her, but in the most recent mail out, the notice for this meeting, that should be the most current that we have for everybody, and we can re-send – it should be on the – everybody that received that e-mail should have them all. Anything else on –

well, the implementation schedule, how many more meetings are we looking at between now and June.

Jonathan Letz: Probably three more.

Male Speaker: Three more.

Jonathan Letz: If we continue on a monthly basis, and we may need to. There's an awful lot to cover. After June 1, we can go back to every other month or so.

Male Speaker: What's our fiscal year? I hope it isn't a calendar year since you only have 43 percent of your budget.

Jonathan Letz: Well, it was basically a five year budget, so we still have 43 percent after the first four years.

Male Speaker: Oh, not an annual budget?

Jonathan Letz: No, it's total budget. And the contract ends January 6, 2006 or 2007. I meant 2006, yeah.

Male Speaker: **[Inaudible]** done yeah, January 5, 2006, and we have a year.

Male Speaker: I'm not sure. I thought the contract ran a little bit longer. I'm not sure. Before we approve it because we have to approve **[inaudible]**, I think there's some runs in there just in case there's some last minute –

[Crosstalk]

Male Speaker: But I have to look it up. It's in the contract **[inaudible]**.

Male Speaker: Okay. Under informational items, I'm gonna go back to this letter we passed around. Do we want to send a letter similar? Yes? That is **[inaudible]** if there's enough knowledge, I'll just do it, and say it was discussed and by consensus. All right. I'll send a copy out, and we'll have it at the next meeting, a copy of it. Any other informational items from anybody? Okay. Next meeting – of course, none of us have a calendar probably. Meeting's gonna be in March and it will be in Bandera.

Male Speaker: We gotta find John.

Male Speaker: We gotta find John again. Either the 10th or the 17th.

Male Speaker: 17th would be better for me **[inaudible]**.

Male Speaker: What day?

Male Speaker: Thursday.

Jonathan Letz: St. Patrick's Day.

Male Speaker: Anybody have a problem with the 17th looks like. Okay. March 17.

[Crosstalk]

Male Speaker: I like it. Does everyone like these earlier meetings?

[Crosstalk]

Male Speaker: Okay.

Male Speaker: **[Inaudible]** and get out of here.

Male Speaker: Okay. It'll be in Bandera at the Flying **[Inaudible]**.

[Crosstalk]

Male Speaker: Be 10:00.

[Crosstalk]

Male Speaker: Okay. We're adjourned. Thanks everybody. Good meeting.

[End of Audio]

Duration: 16 minutes

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: How are you doing this morning?

Male Speaker: Pretty good.

Male Speaker: Anybody that needs an agenda, there are some extras over there. I'm going to call to order the March 17, 2005 meeting of the Plateau Water Planning group. We're in Bandera and it's shortly after 10:10, according to my watch. We have a quorum, and we are in compliance with the Texas Open Meetings Law. Let's go around the table and do our morning rollcall so we can keep track of who's here today.

John: John Ashworth, planning group consultant.

Stephen: **Stephen Schuster**, planning group consultant.

James: James Smith, city of Kerrville.

Tommy: Tommy Qualia, Del Rio, Texas.

Perry: Perry Bushong, Edwards/Real County.

Charles: Charles Wiedenfeld, Kinney County.

Homer: Homer Stevens, Bandera County.

Mike: **Mike McKee**, Extension service.

Zach: Zach Davis, Kinney County.

Paul: Paul Steamers, Kerr County.

Gene: Gene Smith, Kerrville.

Jim: Jim Hannah, Bandera River Authority Groundwater District.

Mr. Baker: **[Inaudible]** Baker, Bandera County.

Kyle: Kyle **[inaudible]** from the Waste River Authority and Liaisons.

Duke: Duke Conners, Bandera County.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Don: **Don Sloon**, Bandera County.

Ernie: Ernie Robuck, Kerr County.

Dick: Dick Luebke, Texas Parks and Wildlife.

Howard: Howard Jackson, city of Kerrville.

Otis: **Otis Treboken**, [Inaudible].

Tully: Tully Shahan, Kerrville.

Feather: Feather Wilson, Bandera County.

David: David Jeffrey, Bandera County.

Jerry: Jerry Simpton, Val Verde County.

Jonathan: Jonathan Letz from Kerr County.

First item on the agenda is public content. I think we have a number of guests this morning. Does anybody want to make a comment of any sort? If it relates to an agenda item, you may speak at that time. We want the approval of minutes. While we try to get our minutes transcribed – we have a person – the former – **Thea Sable** – has agreed to do it. she's going to undertake it now. Thea is the former commissioner's court administrator in Kerr County, so she understands kind of what she's getting into. It's a way for her to make a little bit of extra money in her retirement, so hopefully that will happen now!

Related to that – I'll wait until we get to invoices for the other part of that. So, we don't have any minutes for today.

Under reports from the chair, I've got some copies of several different items. One is the summary of the chair's conference in Austin on January 26th. I've got several copies of that and I'll pass them around. Ernie sent that to me. I discussed that briefly at our last meeting. Also, just a couple of – Mr. McKee – he sent me a couple of emails that were interesting; I have copies of his emails here. Later during the day – if anybody has any questions they can

visit him directly on it. One is that he has asked – Mr. McKee is with the extension office in Fort Stockton. Is that correct?

Mike: That's right.

Jonathan: He thinks it would be a good idea for us – and I would agree with him – to have as alternative strategies, rangeland resource management which is kind of brush control and expands beyond brush control. I think it's a good idea. Also, his rainwater harvesting, as well, as an alternative strategy – those are good ideas. He has a couple of word documents to go over what his thoughts are. I thought they were useful. I'll pass those around for people to read. He also – I'll let him discuss it – it's a "sustainable water for rural communities" issue that is up for the legislature now. Do you have any comments on this Mr. McKee to explain that a little bit?

Mike: It's used more for small communities is a sustainable water supply. Initially, the Texas water resource industry is pushing now with Senator Hutchison and trying to get it into the legislative docket in Washington. This will be aimed at small communities, rural counties, water districts, and any entity that is providing water – drinking water – for an area. It is not really aimed at irrigation; there are other issues for that. This is aimed at drinking water in small communities. As needed, if the community asked for assistance, they would be provided a team of people who would come in – water resource planning – engineers, hydrologists, sociology people to look at population projections, growth projections – a lot of small communities – maybe some of these who are not even incorporated – don't have the money or the wherewithal to get this type of assistance.

Yet, they're interested in survival and planning to grow a little bit – maybe it's just to maintain what they have. They're trying to figure out how to survive. A lot of counties and towns are in that category. I retired from the San Antonio Water Systems three years ago. So, they threw me out the door! So, I went to work as a water specialist for the resource extensive service. A lot of towns in west Texas are now looking at issues like this. This issue, as I understand it, is still in the beginning stages – they are still developing the initiative – and it looks like it's going to be aimed

at the western part of the plateau on out towards El Paso. So, this is in parts of J, and parts of district F and then E.

This initiative – like I said – it would be nothing binding. We’re asking for a letter of support, if possible, from the Water Planning Group. This would be typed up on your letterhead or however you would want to do it, and one to Senator – each of the senators – and also to Congressman Bonilla; since he serves a lot of this area, we’re hoping for his support, as well. It would be nothing binding on the group. All it is doing is supporting the initiative. If the initiative goes through and is funded, then it would be up to the Kinney Water Planning entity in the region if they wanted assistance to go to the NM probably through the extensive service – or the water resources – and request their help. Again, it’s not gonna cost them anything. It’s not gonna be anything binding. We feel like the proposition will be a win/win for all the small, under-funded communities that still need help.

Jonathan: Thank you. I’m passing this around and maybe you can visit Mr. McKee during lunch or something. If anyone would like to direct the chair to write a letter in support – it’s not an agenda item so we really can’t vote on it – but as we’ve done before, if it’s a consensus that the group would like to support this initiative we can certainly write a letter to the appropriate government officials.

Male Speaker: Let me ask a question. if we have so many different water controlled bodies, is this in addition to everything we have or just areas that do not have any kind of water controlled bodies?

Mike: It is my understanding that it would be in addition to what you already have. It would be supplementing any – planning the systems or anything that you have already. It wouldn’t be taking away or anything. It would be an additional service that would be available – additional help.

Male Speaker: Through extension services, right?

Mike: That is my understanding, but the details are not concrete yet. They’re still trying to draw support from the senators and Bonilla on this. So, it’s still very fluid right now but that’s the way they’re writing it up and proposing it.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

- Male Speaker: This would be a funded situation, I suppose?
- Mike: Yes, it would be federally funded over several years. They're looking for a package of several years of support. As you know, you don't come in and do intensive water planning in just a short period of time and then get out. It takes time.
- Jonathan: It appears that it's an interesting, and possibly, a good idea to help out some of the rural areas in our area – get additional studies done federally funded.
- Mike: There are a number of small towns in the area that have had problems in the past – some of the droughts – Bandera's had occasional water problems. Del Rio's got some problems.
- Male Speaker: Jonathan – if we need to come back to it – since we discussed it now – we're facing that right now. The legislation that is pending for the district in Bandera County, it has a paragraph discussing sustainable water suppliers planning the yield of the aquifer. That's already getting bounced around pretty hard – lobbying groups have been to Austin saying, "Don't put that in there." We don't have anything to really counter that. It makes sense, but then the definition gets real murky. If you had a state definition that said, "This is how you gotta do it," everybody that's trying to do it differently – so, what I see on our side is that we need some help in this area.
- If we want to come back to – or if we can do it now – I'd rather get it done.
- Jonathan: That's fine.
- Male Speaker: I recommend this be pursued and the region endorse this type of effort.
- Jonathan: Any other comments?
- Male Speaker: I think it's a little undefined to be supporting something that you don't know about it. It seems that it would be confusing to me to support something that is not defined.
- Male Speaker: Well, it's not specific what your motion is here.
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Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: Well, you really can't make a motion, I'm just thinking it's more to support the initiative that Senator Hutchison's working on to provide funding through the extension service to rural communities to look at water issues. That's kinda –

Male Speaker: Water planning – the systems of water planning – and I don't have any problem with that.

Male Speaker: Would that include Bandera and Kerr Counties?

Mike: Certainly. This is not aimed at the major urban areas. This is aimed at small communities.

Ernie: I don't want to throw rocks at this right away, but I'm a little bit concerned because the communities you mentioned are actually quite distant. That concerns me because it is mandated that this region and the other regions pan to communities of 500 or greater. But they have that option to go smaller. Now, I can agree that there is a lot of work that needs to be done because this level of planning is the first step where you're pairing sources and needs. But there's a lot of work after that where you start looking at possible facilities and costs and so forth. I guess that I'm a little bit concerned, and I'd like to have a little bit of an understanding that we're complimenting and working together – not crossing paths and duplicating work.

Mike: Certainly that would be the case. This would be looking at other types of water issues, too. We've got some small communities in west Texas that have some arsenic in their water or maybe they're getting some water from a river and they're having other water-quality problems. So, it would be water quality as well as quantity as –

Jonathan: Excuse me, Mike, do you know the – is there a bill yet?

Mike: No there is not. They're trying to get letters of support from rural areas to get support in Washington to develop a bill.

Male Speaker: Jonathan, I think we can endorse the concept. There's all of us at this table have endured and are enduring exactly what these people can provide. Ernie and Feather – we're gonna comment on the

content and I don't think we should do that. Just basically some kind of basic endorsement – we would support something like that and work with them in a common goal.

Jonathan: I think it's very broad at this point.

Mike: I think that's what the letter infers. It's just broad support for the concept of providing the support in the rural communities. There may be some rural communities that want to go into some more depth in their water planning in their own areas than the district is providing. Maybe they have some other concerns and they want to carry it further for their communities and get that assistance. They can't afford to go out and hire it.

Jonathan: That is for federal funds to float through the state for –

Mike: Right.

Ernie: I'd feel real comfortable if there was something in there that said, "This would be done in coordination with region water planning efforts."

Jonathan: I think it has to.

Ernie: If it had that kind of praise in our support, I would whole-heartedly endorse it.

Mike: That sounds great.

Jonathan: How about I draft a letter, email it out and if a majority want me to send it then I'll send it. If a majority doesn't want me to send it, I won't send it. We'll do it that way. If most people think it's a good idea, I'll send it out. If not, each individual representative is certainly welcome to do it on their own as well.

Male Speaker: John, do you have any comment on this? Are you knowledgeable on this?

John: No, I'm not knowledgeable about this particular initiative. I think I'd really like to hear more. I agree that it probably works best if the state legislature is basically saying that the region water planning process should be the primary means of state planning,

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

then I think if they can work with the group, that's good. I don't know what level of expertise they have on a lot of these issues that face the communities. Maybe they've got enough – I think I'll leave it at that just not knowing the full extent of it.

Jonathan: I think I would rather have the initiative find the money from the Water Development Board than I would –

Male Speaker: Can I add something? Are you aware that on April 13th, we're putting together the very first federal legislation – or federal lobbying effort – for bringing federal money for water projects into Texas. We're organizing for April 13th of this year and it fits right into that mold. We've gotten together through TWCA and determined that California has been taking entirely too much of the federal dollars for water projects, so it's time to bring some of that to Texas. This type of initiative is now being streamlined.

I'm actually going to DC for Texas Water Day to start lobbying for some of those efforts along with some of the staff from the Water Development Board. so if there are other issues that you would like to bring forward that we want to promote and talk about that – but really, Ernie is absolutely correct: Our main objective in going to DC is to put everything under the regional planning umbrella and say, "This is what we've done. These are the types of projects and initiatives that we've identified that we need federal help on." Now, the process takes so long that – doing this now, we're expecting that we wouldn't see any results before '07 or '08 at the earliest anyway, but it's time to start getting that ball moving at the federal level to get some information about where we need assistance and where the feds can help us and start funding some of our programs.

So, this certainly is falling into the timeframe of what's going on within the state.

Jonathan: Okay.

Mike: One other point I forgot to mention – this sounds great – this, I believe, was targeted at the '06 budget and there will also be money in there for research. If they don't have the expertise that is needed – as we know, we have hydrologists and so forth on staff in El Paso and at the Water Resource Institute – if we did not have

the expertise to do what the community needed, there would be research funds in there to hire that expertise.

John: I think the main advantage is that you're there in the local area and you know the people. You've got local contacts. I think that's the major –

Mike: I don't know if it's in the letter or not, but Ellen Jones – the director of the Water Resource Institute – mentioned that there will be money in there, hopefully, to do some research in there if it's needed – if we cannot provide the expertise.

Jonathan: Okay. Thank you. Under "Reports From the Secretary", Ronnie is not here today and we don't have any minutes. There's nothing on that item. "Report From Political Entity," Scott Loveland is not here that I see. I do have a brief report on that. I think UGRA and the Water Development Board have come to a meeting of the mind on how to get funds from the state to them so they can then pay our consultants. I don't know if you all got that check yet, but I know that the money is en route. I don't think our consultants have been paid since last April – it's almost a year. Anyway, there have been some differing of opinions as to what was required in Austin. But it's been worked through now.

But anyway, that's working. I talked to John Washburn at UGRA and I know that all of the invoices have been approved through UGRA and most of the money to pay most of them is back at UGRA. Those checks will be coming out shortly if they're not already. The finance committee – I did not bring new statements so they're the same as last month. I think we wrote two checks at the last meeting and they were authorized, funded – a couple of checks to our administrative assistant for expenses and labor – no other changes there.

Report From Liaisons – Dick, anything? Kyle?

Kyle: No, we're doing the same thing you're doing.

Jonathan: Okay. I think that's it from Liaison. Ernie?

Ernie: Just one thing, Jon, thank you. We put together a summary of the steps come June 1 where you come to a path where you get your

public input while you're getting reviews – federal, as well as our own. It's a summary – if people are okay with email, I'll just email it out.

Jonathan: Go ahead and email it out.

Ernie: Okay. That's it.

Jonathan: Okay. Under item five, "Consider and Discuss Approval of Invoices," I left the actual invoice on my desk but what it is – going back to the transcription – one of the problems that we have got ourselves into is that we started out using standard cassettes for our meetings and nobody has that type of transcription machine. Everyone uses little ones, just about. I had a visit with David and they're getting ready to change their system – Bandera – whatever you want to call them now. But, we've using their machine up until now. I think I brought it up at the last meeting. I have ordered – and hopefully now you'll approve it, since now it's on my credit card – a machine that we'll bring to future meetings. It's a Sony recording and it can also be used for the transcription side of it.

One machine has both functions. Including shipping, it's \$476 and some odd cents. I think it would be a way for us to have one machine to be in control of and it would be a whole lot easier – if we do run into problems down the road as to who to transcribe – it's been a real headache for us because no one has the type of machine we need. So, I'd like a motion – if we could – to authorize the reimbursement to the chair for the \$476 for this new machine.

Perry: I'll move.

Gene: Second.

Jonathan: Okay. Perry Bushong made the motion and Gene Smith seconded. Any further discussion? All in favor, say aye.

Everyone: Aye.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: Any opposed? Okay. Item six is “Consider and Discuss Kinney County Water Source Availability and Water User Group Availability.” John?

John: All right – down to planning. You all got a packet in front of you. the material in the packet is pretty much in order of the agenda, so hopefully we’ll be able to just turn to the next sheet that’s up. The next item is to talk about availability. We’ve pretty much settled all availabilities in the region other than in Kinney County. The two sheets I have there in front of you – the first sheet summarizes the source water by aquifer and river basin. We went through the process of looking at the GAMS for the Edwards-Trinity portion. Each of you set a certain percentage allowable of pumpage from a point starting at the 2050 amount of demand all the way up to recharge.

Under the groundwater parts, you see that it is divided between recharge and ET-gam. The ET-GAM is only for the Edwards-Trinity, otherwise we treat the other aquifers the way we had before as a percent of average annual rainfall. We also – you’ll see – had the surface water component in there from the WHAM with a grand total out to the right. the issue last time – the only one that was left unresolved was the Kinney County one. The Kinney County district met and chose the 30 percent level for the Edwards-Trinity. I converted that over between the two river basins for the Edwards-Trinity, associated a similar amount for the Edwards BFZ and then used a similar recharge percentage for the Austin Chalk. So, the numbers you see here reflect what the groundwater district has put forth.

I think we certainly need to leave this open for discussion also. Why don't we go ahead and clear this table first before we go to the second table.

Jonathan: Can you go over the groundwater columns again to make sure that I understand exactly what each of those columns say?

John: Okay, under groundwater – if you’ll see, there’s a “Footnote C” for groundwater down there at the bottom. This is basically the definition used that the planning group had put forth is that groundwater availability represents a conservative quantity of aquifer withdrawal which results in an acceptable on water levels.

So, to come up with that we look at it in terms – if there is a GAM available – and the primary one that was available was the Edwards-Trinity. So, under groundwater there is a recharge column that is used to give an availability for the Trinity aquifer here in the hill country and also for the Frio River Alluvium in the Austin Chalk.

The recharge column represents a percent of average annual rainfall. You'll see down there under "Footnote D" that for Bandera and Real Counties, that represents 2 percent of average annual rainfall. For the Trinity and Kerr Counties, it's 1 percent of average annual rainfall. And for the Austin Chalk, it's 0.6 of 1 percent of average annual rainfall. The ET GAM – remember – we had put up those 10 percent maps up on the wall and each county took a look at that and accepted a percent level that they felt comfortable with – a certain amount of aquifer decline that would be allowable that would have an acceptable level of impact on the springs and surface water flow from the aquifer. Right – just to the right of the ET GAM column, you see that percent. That's the percent that was chosen.

So, the groundwater total just adds the recharge to the ET GAM to come up with the total groundwater availability, and then next to that is the surface water availability.

Jonathan: On the footnote C – groundwater availability represents a conservative quantity of aquifer withdrawal which results in acceptable impact on the water levels. Can we add to that, "to maintain adequate spring flow?" To me, the reason for that was that spring flow was the driving force behind it. Anybody else agree or disagree?

Male Speaker: I agree.

Male Speaker: I agree.

Male Speaker: In Kerr County did you use – since we're talking about spring flow – did you use mostly Edwards data for your recharge?

John: Well, in Kerr County, it's divided between Edwards-Trinity which is basically the western part of the Plateau area. That part is based on the GAM.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

- Male Speaker: Is that about a 50/50 deal?
- John: Well, the group picked 20 percent.
- Male Speaker: No, what I meant was a recharge in Trinity is very different in a recharge in Edwards in Kerr County.
- John: Yeah, the recharge in the Trinity is basically a carryover from the first plan where we basically said, "Half of annual area." Most the work that's been done in the hill country area basically says that recharge represents 4 percent of average annual rainfall. To equate that back to more of a drought condition, we cut that in half for Bandera County and by 1/4th in Kerr County. So, it represents 1 percent in Kerr County for the Trinity.
- Jonathan: And the recharge portion for the Edwards Trinity is built in to the GAM?
- John: It's built into the GAM.
- Male Speaker: John, this might be a mathematical error, but shouldn't that be a whole number for this percent?
- John: Yeah. I had to make that change down at the footnotes at one point. Yes, we're going to use that percent sign. Actually, once we get into the plan, that percent doesn't even show up. In fact, what we report in the plan itself is groundwater availability. What I provide to you is how it's developed. But in the plan, it won't be that detailed. It'll just say, "groundwater availability for this aquifer is this." But that is a good point.
- Jonathan: Wouldn't it be better to head that column as what that percent is as opposed to say "percent?"
- John: It is and if you go down, I got a footnote under the "ET GAM" column – footnote E – that basically shows that formula: GAM availability = percent of average recharge – year 2050 pumpage. Then you add that – those 10 percent increments above the 2050 level.
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Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: I would put E in that column as a heading for percent and then E as a footnote there so people know that that's where that comes from.

John: Okay. I think also, if you look at footnote A, it's kind of critical to put that in there because this is the Water Development Board's definition of what this table means. This comes right out – this is word-for-word out of guidelines.

Male Speaker: It reads well!

John: So, it's basically not saying this is all the water there is. It basically says that it's the amount of water available under dry conditions taking into consideration whatever you want to take into consideration.

Male Speaker: Can I ask a question? That acre-feet per year would be under total availability?

John: Yes, all these numbers are acre-feet per year.

Jonathan: So, for Bandera County for example – it says it's 35, 896 acre-feet per year is available.

Male Speaker: Can I ask a question, please?

Jonathan: Sure can.

Male Speaker: In Real County, John, the surface water figure there of 2162 – are those existing water rate permits or is that what the model is showing will be available as additional surface water?

John: This is the WHAM three run which basically looks at the water rights and looks to see how much water is available to meet those rights under drought or record condition. So, that's not the total amount of water rights in the basin. It's the total amount of water that they predict will be available to meet those rights.

Male Speaker: I have a follow-up on that. When the WHAM model is looking at what's available in Real County or any county for recharge – is it looking at only the impacts of using that water – on existing water rights between the point-of-use and the recharge zone or is serving water rights all the way down the basin?

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

John: All the way down the basin.

Male Speaker: And they're saying 2500 acre-feet of available water that's out there. That's surprising to me. I thought the basin was over appropriated.

John: Well, it could still be over appropriated but that's what the model shows as being available. If they're senior water-right holders in the basin, they certainly would get that water first.

Male Speaker: The question I had is – are we taking a straight run three then or is there any modification?

Jonathan: John, we need a motion to approve.

John: I think we've already approved everything except Kinney County.

Male Speaker: Are you gonna talk more about Kinney County? Your 30 percent – for example – your GAM for the Edwards-Trinity – that's 30 percent of what number? How did you derive that number? Strictly from the GAM?

John: On the Edwards-Trinity portion, yes. It's strictly from the GAM.

Zach: If I understood you correctly, the GAM isn't real reliable.

John: Yeah, I'll have to say that. We're looking at the age of the model and we're looking at a part of the model that doesn't have a lot of data to back it up. But as I said before, the GAM does contain all available data that's out there. So, I'm not sure that – obviously, anybody can make an attempt at looking at availabilities and every single time it'll come up with a different number. But in this case, the GAM – we were required to use the GAM if we felt comfortable with it.

Now, obviously, if you're not comfortable with it, we'll have to choose a different methodology that we feel is superior to it and be able to convince the Water Development Board that this methodology is superior to it. For the Edwards-Trinity, the consultants had looked at the amount of water that was physically there. We had reported that in the first plan as far as a storage

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

number – volumetric number – which is very large. What the GAM allows us to do is actually make a projection into future use and look at scenarios of how the aquifer reacts based on different pumping levels. So that’s kind of the benefit of using that methodology. I am certainly not gonna stand here and say that this GAM number is absolutely correct.

Jonathan: I share a little bit of Zach’s concern – not necessarily for Kinney County specifically, but for the whole region and I think it’s probably worse for Kinney and Val Verde Counties – if a footnote was added that says that the Edwards-Trinity GAM is a regional GAM and there’s a – it’s not – on a county-by-county basis, it’s not very accurate. I think because tables are used so much, maybe that will put a little pressure on the Water Development Board to do a little more work on the GAM and do their new GAM – the Kinney and Val Verde County one – speed that up a little bit.

I think it is a problem. I think people will look into this – that GAM – it is not accurate based on a county basis, and certainly not in Kinney and Val Verde counties because there’s some unique geology out there.

Male Speaker: I know – John, you and I have talked about this for 40, 45 years – there’s been periods of a lot of forums in Kinney County. The groundwater district a couple years ago hired **Steve Walthire** to come and act as their general manager, and he’s the professional. I’m not. When he disseminated all the information, what he came up with was nearly double what the groundwater district – I mean, it’s kinda gotten into a political issue, as we all know. But this guy did on-site studies and analyzed it. so, when you come out and say there are 36, 000 acre-feet available there, I have a problem with it.

Jonathan: I don't think it says that. I think if you look at footnote A, it says what that number means. It says “consideration of legal constraints, management philosophies –” those two things right there say the legal constraint is the water district in Kinney County and the management philosophies go back to those percent issues that they’ll try to keep the spring flow. I think if you add the additional footnote that there are some severe problems with this GAM that we are basically required to use.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

I think we have to come up with a number. I think this is a better approach and a better number than we came up with last time which was purely volumetric. But I agree that it should be noted that it's still a shot in the dark.

Male Speaker: In every one of these – no matter what county it's in – it's just the best guess. It's not so much that – every county is in the same situation. Next time next year – our next planning site, our numbers may be a lot different.

Jonathan: Right – probably will be.

Feather: But I don't think that this body needs to be made part of any kind of political forum for this. John's made recommendations – he's studied and had them done. The town water district has made their 30 percent and I think that's what we need to go with.

John: Let me comment gentlemen. First of all, let me take back my remark – this is your plan. Robert – I have to write back to him after the last meeting – he also talked over this with Jon. He is very comparable with the process that this group is going through looking at the drawdowns and the whole analysis, the separate workshops – so, as far as the process goes, this is as good as it gets. In terms of accuracy and GAMS, this is the level of the science that we're at now – any technology, technique, method can be improved – we know that. That brings us up to – at least all the regions are working with this GAM tool – we at least can get that level of consistency as well as accuracy, even though it may not be the accuracy we may want to achieve later on. That's all I have to say.

Zach: Well, what I'm saying I've got a problem with John is when somebody like Walthire comes in here and assesses this and studies it and recommends 51, 000 acre-feet – he got something subsidized there that he looked at and we're not recognizing what his –

Male Speaker: Do you think Zach – I'm looking at these numbers from Bandera County and it's about double the number we have here which makes me comfortable. I think that's fine. You're referring to Robert's estimate to Kinney County – wasn't that 63, 000 acre-feet?

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Zach: 69,000.

Male Speaker: So, these numbers might just equate to about half of what is available long-term.

Jerry: I have to comment here. We're not comparing apples to apples. You're looking at annual recharge in a drought condition. The pumping is looking over – as I understand it – a 43-year window. So, you could've had somebody pumping 40 years ago that is a valid pump, but you go over that 43 years – there never was that volume extracted in one year. So, if you use this overall number, we're in trouble – big-time trouble. So, I don't think we can endorse that. I think we better take the most conservative approach based on the GAM – and as we go forward, we can adjust it. I've looked at it hard. When you mix and match them, and you go back that far, the numbers don't equate to – using that is not correct because a very low percentage was pumping all in one year. The last few years, as I understand, was 13,000 or so.

John: These numbers reflect what it would be in a record drought situation. So, half is about right.

Jonathan: Jerry, what are you speaking specifically at?

Jerry: When you're reporting that the pumping over – there could be permitted to growers – that pumping did not take place in one year. It took place over a timeframe of 43 years, starting in 1960 up to 2003.

Male Speaker: It's an accumulation.

Male Speaker: No, no, it's not an accumulation. I think you will find that we were all under the same weather circumstances from about '65 to '80 was when the big pumping was in Kinney County. One farmer over here didn't pump more this year. They were all operating under the same conditions.

Tully: I think what Jerry's point is that over that 40-year period, you might have had farmers that only farmed for six, seven or eight years whereas then you'd have a different farmer on a different piece of property – he farmed eight or ten years. But you lump all

those together and you come up with a large volume of water. The historical process – you have a huge amount of applications of over 110, 000 acre-feet that people want to be permitted for in Kinney County, Texas. I think if we're going to plan ahead, we need to plan conservatively. I think Feather's right. he's made his comments in Del Rio. We need to be conservative in our projections. We're using the latest technology that we have before us, and I move that we approve this.

Male Speaker: I agree with being conservative, I do. But I disagree with your analysis that you're saying, "Well, we're accumulating years here." Steve Walthire studied this and cut it in half of what was – he looked at all these years. It wasn't bringing them all together. I disagree with that analysis.

Male Speaker: All farmers use a lot in the historical –

Jonathan: Do we have a motion?

Tully: Yes sir.

Male Speaker: Second.

Jonathan: We have a motion and we have a second. Now, we can go into a little more discussion if we want to. John's point is that we're not that far off. The 37, 000 is half-way between the two numbers on this handout from Zach.

Female Speaker: Mr. Smith and I didn't even address anything that had to do with anything that was going on in the permitting process. It was our understanding that this chart deals strictly with recharge and availability of water. I'm a little confused with all the discussion on –

Jonathan: It's input on historical use and –

Female Speaker: Does that have a bearing on Val Verde and the GAM –?

Jonathan: Potentially, yes. The point is that historically, there is data to show that a lot more has been used in the past and it's too conservative a number.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Female Speaker: Is that includable in the recharge numbers that are based on that percentage of rainfall?

Jonathan: It's under the percentage – under the E column which is the 30 percent for Kinney County – it has a bearing on that column. I don't think the actual numbers are any question. basically, if the increase went up, you could far surpass the information that Zach provided. If you went up to 50 percent, there would be far more water. Then there's – it has to be somewhat arbitrary as to what that percent number is and is based on the best science that we have at this time. I think it will be – as Tully said – will be modified at our next planning session. We took a very different approach this time.

I don't think that what we're doing – the number of the draft of Kinney County is really any different conceptually or policy-wise than it is for any other county we have here. Every county is extremely conservative. I think as Feather said, Bandera county has possibly double what's on here. So, I think because it's drought record and because of footnote A – it set out here that these numbers are very conservative numbers in the way they tie back to spring flow which is an area that we need a lot more study region-wide on exactly what the relationship is between levels and spring flow.

Male Speaker: I just felt with unreliability to GAM – here's Val Verde County going with 50 percent – 50 in Kinney would've been much more compatible. But I'm one vote, so –

Jonathan: I think the important reason to put that column in here is that it shows – that very point shows that the two counties are side-by-side and different numbers were chosen. They're somewhat arbitrary – somewhat political. It goes back into a legal constraint in management philosophies. I think John possibly wrote it down about the unreliability of the GAM – I don't know how he worded it. He probably said it a little bit nicer than I did. But a new footnote is gonna be added there – is justified – we have been told by the model that the GAM is not very accurate, especially in Val Verde and Kinney Counties but even throughout.

Male Speaker: What is the uncertainty? This is a very unquantifiable discussion when you say it's not accurate and –

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: I think to try to paraphrase his comments related to Kinney and Val Verde Counties, I think basically that's why it's not accurate at all.

Male Speaker: If they take care of the percentage problems –

Jonathan: And the Water Development Board is very aware of that and are planning to do a specific study on those two counties that will be available for our next planning. It's not available right now. While that's frustrating – especially to the residents and the members of the board from Kinney and Val Verde Counties – to hear that, it's better than it was last planning time because we didn't have anything except biometrics, which we know isn't a good way to look at water availability necessarily. So, I think it's improving region-wide, but those two counties still have a long way to go to come up with accurate numbers. Any further discussion?

Male Speaker: Would it be fair to say that we have no idea whether using this much groundwater in those two counties would, in fact, protect spring flow?

Jonathan: Based on the GAM and the drawdown that's projected, it should not. But again, it's the same thing – it's a big unknown. I think the important point on that is the philosophy chosen by the region is the intent to have sustainability defined as the amount of withdrawal from the aquifer that allows spring flow to stay at a certain base-level for all the rivers.

Male Speaker: Does this do that?

Jonathan: Yes. It's intended to do that.

Jerry: I don't know that it does because I think in the plan, you're not – when you project out 50, 60 years, you're not cranking in the anticipated pumping. You didn't factor that in there because it's not permanent when you did it.

John: Well, in Val Verde County if you assume 50 percent, you're looking at that equivalent amount of pumpage over the anticipated pumpage. So, it does add those two together and says, "Okay, for

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

the next 50 years, if pumping is at that level, this is the impact it has on the aquifer.”

Jerry: But you do it backwards. You take the recharge down to equate to the pump, right?

John: Well, we used full recharge as sort of an upper limit of the evaluation. As you all saw on the chart, if you were to allow pumping at the equivalent of full recharge, it has a drastic effect. So, that was a statewide philosophy that a lot of people were being jolted with was thinking that recharge is a sustainable pumping level when it essence, it isn't. so, that's what we back away from – recharge.

Male Speaker: Jerry, jumping horses here a little bit, but I read in the Del Rio paper Monday where you said that when we pumped in Western Kinney County it affects your San Felipe Springs. Where is the study that shows that? For 40, 45 years, we've been farming over there but no one's ever come crying that we're affecting your springs.

Jerry: The reason I used is that we know by data on the Edwards side that water moves from higher to lower locations. I think anybody in the Edwards knows that the water moves east towards the main spring discharge points – likewise on the Edwards-Trinity. Wherever that divide is in Kinney County, the groundwater elevations are at a higher level. We know that the water moves to the lower levels. San Felipe Springs is the lower level. So, I think hydraulic-wise, the water moves the water moves from the higher elevation to the low with the main discharge being San Felipe Springs. So, I'm comfortable making that statement. I did check with some hydrologists on that.

Male Speaker: Well, all I'm saying is I don't think it's all one big bathtub, is it John? We all know water flows towards the equator. But, all I'm saying is that – I thought you said the impact Lake Amistad has on San Felipe would be very difficult to even tell – what we do and how it's affecting you all.

Jerry: Lake Amistad is the lower elevation in the groundwater in the east and western Kinney County, so I don't think the lake has any effect on Kinney County groundwater. It does on Del Rio.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: I'm not saying on groundwater, I'm saying on your springs. That was just the first time I'd ever heard that my pumping is affecting your springs.

Jerry: I think as we get into the analysis of the spring flow, we'll find out more about that. I think my opinion will be proven that the water is moving from the higher to the lower elevations.

Jonathan: One good thing – before we get to the vote – three or four years ago – I remember last time we were talking about the Trinity. Now we're talking about the Edwards-Trinity, so we're moving a little bit. It's a new thing we're debating this time. Last time we didn't even talk hardly about the Edwards-Trinity. Tully, does your motion include the slight amendments we discussed, such as adding the footnote to the problems with the GAM and the language on C to maintain adequate spring flow being added – then changing that heading.

Tully: I don't like adding that. I can understand – I heard Dr. May say what he said, but every one of these figures are just a good guess. You can't really – there's more data, but it's all a good guess. If you're gonna say it for one, you need to say it for all of them.

Jonathan: It would be for all of them – it wouldn't be a Kinney County footnote.

Tully: That's fine.

Male Speaker: You could have G and just say it's a good guess!

Jonathan: It's about what it says! No, it's for all counties.

Tully: You gotta go for something and this is the best science.

Jonathan: Okay. So, are those amendments okay with you for modifying the chart presented, John?

John: That's fine.

Jonathan: Any further discussion? All in favor, raise your hand. All opposed? Motion passes.

John: All right. The second chart on the second page – it's front and back – again, you had adopted all the numbers other than Kinney County. I got all but the Kinney County irrigation portion. The numbers I put in there so far in red represent the amount of water that's been permitted through the district up to this time. It's my understanding there is still one more meeting to go. As of April 3rd, there will be three more permits allowed which will add to these numbers slightly. You'll see that the irrigation has a footnote E down there at the bottom: Kinney County irrigation based on Kinney County groundwater conservation district year 2005 permitted allocation.

That's what these numbers represent and we need to open that up for discussion as to whether or not that's what we're basing these numbers on. Irrigation in all the other counties is based on the highest irrigation use over the last ten years. So, Kinney County is the only one – in this case – is handled differently. If you use that same methodology for irrigation in Kinney County, the number goes significantly further down. So this is a higher number than what would appear using the other methodology. Again, the footnote A gives you definition of what this table means – straight out of the Water Development Board's direction: Water supply capacity is the volume of water, a portion to a water user group from each current existing, connected and accessible water source during drought of record conditions taking into consideration all constraints that limit the supply amount.

In this case, for Kinney County irrigation, it's that district constraint that limits the supply amount that's taken as being the basis. Basically, this is the table that's used to compare against demand. These numbers are important because that's what we compare. The objective of the regional water planning is to try and determine how much more infrastructure needs to be put in place to meet future needs. This basically is an infrastructure availability table. It's saying that the wells are in place; the reservoirs are built; whatever. It says that this is the amount that's currently available based on today's infrastructure capacity.

[End of Audio]

Duration: 63 minutes

TAPE 1 – SIDE B

- John: Those are probably still there. I didn't go a whole lot further because if you go back 30 or 40 years, those wells may no longer be there. They may have caved in. there's no guarantee that the infrastructure is there. Even if I were to pick the highest number in the last ten years – and that happened to be nine years ago – there's still no guarantee that that infrastructure is still operable. But really, that's all there is to use for the other counties. Your county – Steve Walthire did do a survey of irrigation wells in the area. The district has looked at all requests based on historical use. So, I think it's a logical place here under Kinney County to use the permitted amount –
- Male Speaker: You're gonna have meters on wells so next time you'll actually be able to tell how much was used. That should add to the accuracy of our reports next time.
- John: Sure.
- Male Speaker: Maximum deficit of Kinney County is gonna be very high – higher than any other number we have in any other counties.
- Male Speaker: I still think, John, you gotta rely on what Walthire gave you. he made these inspections and analysis – his recommendations were based on infrastructures past. The district hired him to do this. We should go with his recommendation. That's my opinion.
- Male Speaker: I also feel that we need to wait until everything is settled on permits before we make a decision.
- John: Yeah, I certainly agree with waiting another month on the permitted amount. I want the Planning Group members to know that I did try my best – we had a meeting with Steve Walthire and he just – he was supposed to provide a lot of information to us and he never did. We called back twice asking for it. We never got it. So, I'm sorta having to rely on the information that he had provided to the district at this point. I assume that his numbers probably represent the 51, 000 that you have on your sheet. Is that –?
- Male Speaker: That was his recommendation, yes.
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Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Tully: I think we need to realize that – things keep being brought up about Steve Walthire and his recommendations to the board. I want everyone here to know that all Steve Walthire's recommendations – almost all of them were contested. He has hardly any notes that he made. He hardly took any pictures. One of the consultants – the water – a lot of the applicants took all the pictures. But Mr. Walthire's recommendations – all of them were contested. And all of them contested based on averages, no meters on wells – things of that nature. This group needs to know that. Even though he made recommendations, you can tell if you read that sheet, the water district didn't follow a lot of them.

Jonathan: I don't even know who this guy is, but because of the historical issue, I don't think anywhere in the state they have – the data is very vague on irrigation because it's never been reported properly. There haven't been meters on most wells across the state. I think the complaints you're making about his study would be made against anyone that did a study on irrigation wells in the state. It doesn't make any difference. I'm just saying – I don't see that much difference between his numbers and the numbers in the red. It's gonna be about 10, 000 acre-feet which, I guess, is a lot of water. But it's not like we're miles and miles apart on these two things. It's at 30, 000 right now. We're real close to 30, 000. he's at 51, 000.

You're gonna add more from what everyone's saying – there's more permits before the board.

Female Speaker: Excuse me, where are you getting this 51, 000 number? What Mr. Walthire proposed for existing use – this is his proposal – was 20, 079 acre-feet. That was his total proposal for existing use over the last ten years. I don't know where you're getting –

Male Speaker: We're talking historical and existing.

Female Speaker: But the rest of the region is going with the ten-year period. I would assume that that's what you wanted to do if you didn't use the actual permitted amounts. Mr. Walthire's proposal on existing usage is more than the last ten years. I don't know where you're getting the 51, 000.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: That's historical –

Female Speaker: That's not district record. The district record for permitted historical is 49,415. Thank you.

Male Speaker: This came out of district records.

Female Speaker: No, I have the district records.

Zach: Well, tell me – you say, Mr. Walthire handled all the permitting for all the Edwards, did he not, John?

John: I understand that he is an employee of the EAA and that he does this as a –

Zach: And our district hired him to come in and handle permitting for the last few years. I don't know Tully – he cut me back 35 percent – or the board did – for what he recommended to me. How they handled you –

Tully: Well, the difference is I think ten and twelve acre-feet in your applications. I can tell that and Jonathan, I don't want to get into – this is not the forum to present all this. We got business to take care of. I don't want to debate Walthire – I'll be glad to debate all this. But the facts speak for themselves. When I applied for – I got three acre-feet. It's now been reported all over town that we got seven. It's just –

Jonathan: I don't really care what you got or what Zach got.

[Crosstalk]

Male Speaker: We don't need to hash Kinney County now, but Tully did get considerable more than I did! My farm's been there 45 years!

Jonathan: Well, that doesn't make any difference one way or another. But I look at the numbers and I don't see that these are that far off. It seems like we're debating a relatively small amount of water.

Male Speaker: Well, once again, I recommend that we wait until all the permits –

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: Well, that's the recommendation of the consultant to hold off on Kinney County but the methodology is important that we get done with that today – that we're using what's permitted as a methodology for Kinney County. The total number would be the final number.

Male Speaker: Just a matter of note to the board, though, on my permits – I have three farms on my place in addition to my irrigated farming. What I was allocated by the district – now, I gotta make a decision: Either I farm or I dry up my pond, but I can't do both with the amount of water they allocated. So, that's kind of a side note.

Jonathan: Okay. Methodology-wise, is everyone in agreement on the Kinney County – on how we're gonna use the permitted amount? The question I have to move on is to Kerr and Bandera Counties. It shows that in both those counties, an awful lot of irrigation water is coming out of the Trinity. I will look to Feather. Is that reasonable? Most irrigation – it appears to me – comes from right along the river in the alluvium area.

Feather: In Trinity, too.

Jonathan: Is there that much deep irrigation?

Feather: I honestly don't think there's that much.

Jonathan: John, where'd you get those –?

John: Again, these come from the state records – the annual amount reported – and it does break it out between groundwater and surface water. So, these are the numbers directly out of the states.

Jonathan: But the groundwater – does it say that the groundwater's coming out of the Trinity? Does it say it's coming out of –?

John: It just says "groundwater." There's not a whole lot of choice. It's either Edwards-Trinity or Trinity in these two counties. I'm assuming that up there on the hard-rock plateau, there's not a whole lot of irrigation. It's mostly down in the –

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: The wells that are irrigating in eastern Kerr County are generally within a quarter mile of the Guadalupe River and they're 50 to 100-foot wells, and that's not in the Trinity.

Male Speaker: There are some Trinity wells in Kerr County, though.

Jonathan: Right, there are some. But that amount – 428 acre-feet seems like an awful lot of water coming out of the Trinity for irrigation for Kerr County. But I agree they're coming out of their wells. I know those wells are all on the Guadalupe River. It's just the point that if you –

John: Well, we would have to make a choice here of actually assigning another aquifer system to the plan or you can put a footnote that basically says that shallow wells in the Guadalupe River alluvium are hydrologically connected to the Trinity and I'll report it as part of the Trinity.

Jonathan: That is at least –

[Crosstalk]

Male Speaker: There are some places –

Jonathan: I say we offer that footnote for Bandera and – well, Kerr County, but –

Male Speaker: Bandera County is being recharged to some degree and that's true of Kerr County, too, but there's very little exposure of the lower rows of Kerr County – very, very small amount – and it's mostly right in the riverbed itself. It gets pretty complicated.

Jonathan: To me, I think this note will take care of that.

Male Speaker: I have some questions on the Kerrville deal – we have a maximum deficit of 2222 and if you use – you pass the 6625 instead of being a minus 2222, it would be a plus 1513. I'm on the city council there and not a water expert, but if somebody got a hold of this – the 2222 maximum deficit – what would my reply be to him John?

John: You've got to go back to the definition of what this table means, it's under drought or record conditions where you've got some

limitations on how much surface water is available to the city of Kerrville. Because we show it as a deficit in chapter four, we're going to have some wonderful strategies we're going to talk about here in just a few minutes that basically says how the recommendations from this planning group Kerrville as to how to make up for this deficit.

Male Speaker: Okay, you're gonna cover that later on? I see.

Jonathan: Also, on the infrastructure side of that number is a treatment capacity number correct? Aren't there also some limitations on the infrastructure side that the city doesn't currently have the infrastructure in place to distribute maybe all that water?

Male Speaker: No, we have the infrastructure. If you read info the 2890 acre-feet, that is because of the limit – it's no input –

Jonathan: Okay.

[Crosstalk]

Jonathan: Any other comments? We need a motion to approve this table.

John: Based on approving these at the next meeting with the final –

Jonathan: With the understanding that the Kinney County irrigation numbers will be supplied based on permitting at our next meeting and the footnotes discussed will be added to the table.

Howard: Motion.

Jonathan: Howard Jackson.

Tully: Second.

Jonathan: Second, Tully Shahan. Any further discussion? All in favor say "aye."

Everyone: Aye.

Jonathan: Opposed? Unanimous. Okay. That takes care of that. Item seven is "Consider and Discuss Water Management Strategies."

John: I'm not sure we're gonna get through this topic before lunch, but let's get a start on it. The first sheet I gave you was the flow chart. It was adopted early last year on how this strategy process works. We have basically now developed our availability numbers and our demand numbers. We are now comparing them to see which water user categories have deficits and what Stephen and I are going to do today is present to you a number of strategies that we see as available to meet these deficits. We can take some more. We can discuss that to start with. But then, by the end of this discussion, what you all need to do is tell Stephen and I exactly which of these strategies you want us to now take forward and do the in-depth evaluation on.

Now, the next handout I gave you – the stapled one – basically shows by county and water user category – it shows that comparison between supply and demand by each decade. I have highlighted in the shaded areas the particular water-use categories that had a deficit and during what decades those deficits occurred. Under Kinney County, that area for supply is still in yellow because that's what we're waiting on in the final district's permitted numbers. It should not end up with a deficit there. That one should be covered. But as you can see from this table, there are going to be three municipalities – municipal uses – that are going to require strategies. There are two counties – Bandera and Kerr County – that have irrigation deficits.

So those are the five that we are going to need to look at. The next handout on front and back – Stephen has helped prepare this. This is kinda based on some discussions we had on the last planning group meeting for the three municipal entities: Kerrville, Kerrville South and Camp Wood. You can see out to the right there a number of strategies that are being suggested. On the back you see some of the evaluation process that we will be required to go through on those strategies that you select.

So what we need to do here this morning for the municipal strategies is to go through this list, pick and choose or add additional ones if you want, but we need to come down to a final decision on your part as to which of these you want us to evaluate. The evaluation is fairly detailed. It's fairly time-consuming. I'd like to suggest that you don't pick frivolous ones – that you pick

ones that you really think that you as a group would be willing to go to that entity and say, "This is what we think you need to do."

Again, this is just a recommendation. These strategies are just recommendations. The final sheet that I've given you on this is entitled "Best Management Practices for Agricultural Water Users." This comes out of the state's conservation task force that Tully was sitting on. The part of that document that deals with agriculture, I've put out all the best management practices – I've just listed them out by title. The document itself has a nice – on the average, about a two-paged detail analysis of each one of these best management practices. But that's how I'm going to suggest that we handle the strategy – if you would go through these and find which of these best management practices best fit the particular situation in Bandera and Kerr Counties.

At the same time, as we're talking about strategies we are required to take care of strategies for our entities, or our water-user groups, with deficits but just like last time, I suggest that we make suggestions about region-wide alternative strategies. Mike has brought one up that fits right in here. You'll find it on this list and that is "Land Management," proper land management. I think that those things fit in very well in discussing things that we feel that the general populous in our region need to know about – ways of conserving water, making more water available just through good land-management practices. Some of them deal strictly with agriculture. Some are just general.

I think this list kinda has some good ideas for our general philosophies.

Jonathan: John, how do you wanna approach this? To me, it's simpler to – is agriculture first? Is irrigation first? Then municipal or vice versa?

John: I'd do either one, whichever you want to go first.

Jonathan: Let's do agriculture/irrigation first. It's probably easier.

Male Speaker: Are these agricultural best management practices?

John: They are the only ones that we are required –

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: Because they have deficit?

John: Yeah, because they have deficit. Now, this planning group can select strategies beyond that for the entities that don't show deficits. If you choose to show them there also –

Jonathan: Do you have analysis on those that don't have – or the detailed analysis?

John: Well, the Water Development Board guidelines aren't real specific about that. I tend to think that the Water Development Board – they have recently put out a document where they have discussed alternative strategies. To them, an alternative strategy is one that you set in a separate category – you set them aside – and you have your specific strategies to meet your specific deficits. But if for some reason those strategies don't work out, the water development board could go back to your alternative strategies and say, “Well, here are some others that are also available,” and make those available for that particular entity. So, that is one set of alternative strategies.

I'm kind of reaching out for another terminology beyond “alternative strategies,” and all I can think of is “regional general strategies” that basically says, “Here are some strategies that make common sense. For those, we don't have to do the detailed analysis. But for the alternative, I think the board wants us to go in as much detail – try to do the same amount of detail. Ernie, does that sound right?”

Ernie: I think you caught the discussion, Jonathan, at the chairs' meeting. This is a proposal though. Some groups are going ahead and doing this with alternative strategies and doing all the technical work for the alternative strategies in the hopes that change will come and we can operate that way because it's really a good technique. Things happen, things change, and you get a better contract from one entity or another. So, there are very good reasons to switch out. The technical work would be done and ready but you still have to come back to an open meeting and actually adopt it and put it into a plan. So, it would be an expedited process for that. But we need new legislation to do that.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: Can I ask a question about your first-time agricultural irrigation water use – what’s the difference between two and four?

John: I would have to refer – this is a document that was sort of supplemental to the overall statewide conservation document. It contains only the agricultural parts and I’d have to go in there to really break it out. I tried to read through a few of these that I thought were probably gonna be picked. One of them really talks about actually doing the measurement – the actual flow measurements – measuring exactly how much water is being used. The other one – I believe – has more to do with the overall farm operation of – is water being used judiciously?

Some of it has to do with using soil moisture blocks to make sure you’re not actually applying irrigation until the soils actually need it.

Male Speaker: When these reports are made at the state, who makes those reports out? The farmer – the irrigation people – the owner itself or –?

John: There’s a – each one of these is actually broken up into categories starting – applicability, description, implementation, schedule, scope, documentation, determination of water savings, cost effectiveness, considerations.

Male Speaker: If I was a farmer, I would inflate my numbers.

John: A lot of this is indeed dependent on – again, these are recommendations that go out and they’re really intended to assist irrigators. If they’re concerned about what they report back to the state, sure, they might inflate them. But it’s really intended to help the irrigator – the water user himself – potentially save money by implementing water conservation. If not saving money, stretch out that water supply so that he continue to irrigate for more years.

Jonathan: Irrigation is not a big issue in our region. I don't think we need to spend a great deal of time on this. Looking at this list – to me – irrigation scheduling, biometric measurement, irrigation use and low-pressure center pivot irrigation systems are kinda the ones that jump out at me that make sense that there’s a chance that people are gonna use them. I look at this as kind of an education tool for

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

those who irrigate to say, “Hey, here are some things that you can do that will lower your water costs which saves you money.”

John: Yeah, as I was going through it and looking into the document, these first two categories I see as being reasonable: The agricultural irrigation water-use management and land management systems. Beyond that in the next one, those who are using sprinkler systems ought to look at the equipment itself – this LEPA system – the low pressure center pivots – it certainly saves a lot of water because it’s not throwing it way up in the air and you’re losing half of it on a windy day. that probably makes sense. A lot of the water being distributed to grow crops, water district delivery systems – I don’t think we have any water districts.

Male Speaker: Yes, we do.

John: Oh, yes we do! We have on in Val Verde County. So maybe that’s appropriate there.

Male Speaker: It is.

Male Speaker: They just have a problem with irrigation with the deficiency there. It goes to dry land. They don’t have the water. Don’t put in another well – it just goes to dry land. They may have the need there but they just don’t use it.

John: One of those is on here as a consideration of going to dry land – whether or not it’s economical for the farmer.

Male Speaker: The one farmer would probably just go to a subdivision!

Jerry: I move that we accept this Best Practice recommendation list.

Feather: Second.

Jonathan: I don’t know if we want to do the whole list. Don’t we need to pick which one to do the study on?

John: Well, Ernie – let me ask the Water Development Board because I’m not real clear on a water user category like irrigation – where you’re not talking about a specific entity. You’re talking more on

a global scale. Is it the board's intent to use this document in answering the strategies of irrigation?

Ernie: No, the document – this is conservation task force – whatever – that is actually a guide. You can pick any other guide that you want. You can pick and choose from that one. It's just for a reference.

John: If we use the information in here solely and not much else, would that be acceptable as a strategy?

Ernie: Yes.

John: Good.

Jonathan: So, then a motion is okay and then we can pick and choose between the best management practices as are –?

John: Yes.

Male Speaker: This covers everything, doesn't it?

John: This is the entire agriculture document. It's everything that's in here. So, if some of these are not applicable, I'd strike them out.

Jonathan: We strike them out now or you strike them out?

John: The sooner you strike it out the less work I've got to do to prepare the chapter!

Jonathan: Let's just go down then. Which ones – everyone should know their counties – strike out the ones that really are not applicable.

Male Speaker: I've got a question. we've met these recommendations, I guess, for best management practices. When it comes to irrigation, where is that recommendation – in the plan – but who is gonna implement it?

Jonathan: How do the people get told that need to know?

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

John: That probably needs to be built into the recommendation is that the strategies from this will be delivered to the extension agent in the local community or something like that.

Male Speaker: The water master if they're in charge –

[Crosstalk]

Male Speaker: If we have a concern about the insufficiency about some of the irrigation systems we see in our county.

Jonathan: That's a good point. You need to look to the groundwater district, the river authority and the extension office – those three.

Male Speaker: We can't be mandating anything to anybody.

Jonathan: Right.

John: In order to make sure that we get things in the plan the way they need to be – if we can make a list of the ones that are appropriate for Bandera and Kerr Counties to start with – because I need to put that in separate. For those that we want to use as a global education, tell me which additional ones – so, let's go through this first just for Bandera and Kerr Counties.

Jonathan: I would say Irrigation Scheduling and Biometric Measurement which I would say as metering.

Male Speaker: In my opinion, I think the soil irrigation audit covers everything you'll ever probably put in it – if my idea of – because what I've seen of any business audit, you've gotta consider that you've got to have been measuring your water, how much went where, what your unit cost, what your unit – you know – the whole thing. I don't know exactly what's in this audit, but when I hear the word “audit,” it means everything in the book!

Male Speaker: I've spent most of my career in agricultural conservation doing planning and I don't see anything in here that I don't think would be appropriate for some part of region J. each one may not fit each county or each farm, but as a whole, I don't see anything there – I think John selected a good list there.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: One thing that's not mentioned is the use of treated water for golf courses. If you'll look out the window here, you'll see this golf course is not using treated water, it's using well water.

Male Speaker: Right. I think this was aimed at agriculture which would totally be the same thing, but there are some cases where it's used in agriculture, too, for irrigating – if that can be done, that should be explored. Some towns are doing that.

Male Speaker: I think we ought to do it here right here in Bandera on this golf course!

Male Speaker: If it's appropriate, it should be listed and be considered for agricultural use where appropriate.

Jonathan: This golf course comes under municipal use.

Male Speaker: It does? They don't have municipal wells here. They have their own wells.

John: The way golf courses work – if it's municipally owned, it falls in as part of the municipal water demand. If it's privately owned, it becomes part of irrigation.

Jonathan: Oh, it's irrigation then.

Male Speaker: This is the biggest user of irrigation in the county, very likely.

[Crosstalk]

Male Speaker: Something we're pushing in West Texas is to have irrigators in irrigation districts look at alternative crops that are lower water users. We've got some areas that may be growing alfalfa or cotton – high water-use crops – could be substituted with a crop that makes money and uses less water.

Jonathan: In our region, it's 100 percent – in Kerr and Bandera – it's 100 percent coastal fields for people that want it to look nice.

Male Speaker: Kinney does not, right?

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

- Jonathan? Kinney does not have a deficit. This is strategies to meet deficits so we have to address Kerr and Bandera because they have deficits and they're kinda –
- Male Speaker: Conservation right?
- Jonathan: Right, but it's an anomalous – I think we can go through – I think when you said it earlier that it was also correct – there's a high likelihood that as property values increase, a lot of this is gonna go into subdivisions. If we pick three, four, five – I'd rather spend our consultants' money elsewhere than beating this to death.
- Male Speaker: I'd like to get in the treated water though because we could use that here in Bandera.
- Jonathan: I wonder where the golf course – it's privately owned in –
- Male Speaker: There are two golf courses that are privately owned with private wells.
- Jonathan: So, I think for golf courses irrigation –
- Male Speaker: You could put that under miscellaneous, couldn't you? Put it on number one under miscellaneous because it's not on farm type things.
- Jonathan: Right. other than the irrigation schedule – I agree on the comment on farm audit. If it's broad enough, we could just have that and include the first three above that. That'd be about the –
- Male Speaker: It's very difficult to do the farm audit – a good one – if you do not have volumetric measurement of the irrigation water –
- Jonathan: Right, but it'd be included under the strategy for an audit. You'd have to have that.
- Male Speaker: To do a good audit, right.
- Jonathan: I think brush control needs to be a general strategy but I don't think it fits – it doesn't help the irrigation deficit necessarily. Is that enough John?
-

Male Speaker: Is it regional?

Jonathan: I think brush control needs to be regional. I think it also needs to be – probably for the two municipalities that have deficits – it should be listed for a strategy for those municipalities also because it helps – if you rely on surface water or anything – I really think it's important to have brush control as a specific strategy somewhere because even though it's nice to list it, if it's not on a table I think it gets lost. I know it's hard to quantify, but it'll get a lot more focus if it's on a table.

Male Speaker: If you have a specific strategy, how do you turn the costs –?

Jonathan: That's why we have consultants! I think that's enough data to come up with a benefit. If it comes in by increase in flow in the river, then –

Male Speaker: I agree.

Jonathan: I think who pays for it – you have to get into a – you can't ask the city to pay for it. but brush control is a general strategy, as well. All right John, do you have enough for the irrigation side? Can you read back what you have?

John: For Bandera and Kerr Counties, you're basically saying beyond farm irrigation audit is gonna cover all of it?

[Crosstalk]

John: Okay.

Jonathan: Also, under miscellaneous – the renew system for golf courses. That could probably go to Kerr and Bandera, too, because there are private golf courses.

John: Are most of the grass fills irrigated via sprinkler?

Jonathan: Yes.

John: Do you wanna add the low-pressure center pivot sprinkler?

Jonathan: Yes, add that in.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: Believe me, I get calls!

Male Speaker: Alternative crops –

Jonathan: Quit irrigating your golf course!

[Crosstalk]

Jonathan: We had a motion awhile back from Jerry and Feather. The question is, is it acceptable to narrow it down to those three items? The motion is on farm audit, low-pressure center pivot sprinkler system and reuse water for Bandera and Kerr County irrigation deficit strategies. Any further discussion? All in favor, say, “Aye.”

Everyone: Aye.

Jonathan: All opposed? None.

I’m gonna take a break for lunch.

John: Yeah.

Jonathan: You’re gonna do a brief talk during lunch, I believe, John? We’ll be back at 1:00.

John: Yes, we’ll be back at 1:00.

Jonathan: Okay, we’ll reconvene at 1:00.

[End of Audio]

Duration: 40 minutes

TAPE 2 – SIDE A

Jonathan: Meeting back to order. We’re on item seven, “Consider and Discuss Water Management Strategies,” and we are partway through that agenda item.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

All right John, so we're on municipal strategies, correct? Do you want to do the municipal strategies or the regional strategies first – or do you care?

John: Let's maybe do the municipals first because the regionals are kind of a whole different concept. Again, we'll go back to the sheet with three municipalities – Kerrville, Kerrville South and Camp Wood. These are the strategies that Stephen and I sat down one day and just came out with. Plus, we had discussed this a little bit over at Del Rio and you all had thrown out some ideas. So take a look at those. If any of them are definitely something that you don't think is practical, let's mark through it. Also, make suggestions of any others – when we finish this conversation, we need to have a set of strategies that you're telling Stephen and I to proceed on. That's gonna be our work effort over this next month.

Jonathan: John, on the list do you want us to differentiate at this point whether they're alternate strategies or strategies?

John: Yeah, that'd be a good idea. And let me say on other thing. If you'll notice on each of the three, conservation is there. That one's nonnegotiable. We have to do the conservation one.

Male Speaker: Yesterday, I think, they were building a little pipeline – a company out of Louisiana – and they burned their office down – arson .

Jonathan: Wow.

John: So be careful what we say or do! What we recommend.

Jonathan: But the group that supposedly did it said they didn't do it.

Male Speaker: It's mysterious!

[Crosstalk]

Jonathan: On that list, the new one to most people here is probably the water from Canyon Lake. That's something I talked to John about adding back in. That's based on talking with UGRA. There is a memorandum of understanding between the county and GBRA and it's been kinda sitting in the background. UGRA is looking to possibly revive that memorandum or pursuing that memorandum

and that's why that's here. But I think it's an alternate strategy at this point. I don't think anybody's gonna – but I do think it's something we need to keep on the list.

I don't know what “riverbank filtration and intake is.”

Howard: It's something we're looking at. They've been doing it in Europe for quite a while. You actually drill – instead of having intake in the river like we do now, you get into that alluvial gravel a certain distance away. One of the reasons we put it in there – well, twofold – one is that we have a disinfection byproduct with putting chlorine and messing with organics and we're told it causes cancer. And they found that it reduces your organic considerably. Plus the fact that normally – particularly our organic structure – we have to shut down because there is just too much debris and we can't do it. If we have this, we could more fully utilize the existing rights when we have them and put that into ASR.

Jonathan: Okay. Howard, from the city's standpoint are all of these primary strategies or would some of them be better off on the alternate strategy list?

Howard: I think the additional water rights could probably be an alternative because I really don't think – the reliability is not there on any of them. I think that would probably fit a little better.

Jonathan: As an alternate? Okay.

Howard: The unappropriated water right – that looks a little funny because everybody – the water's appropriated. But the idea there is sort of a permit where you're in a flood or those instances when there's way more water going down the river than there are rights for, at that time you could use that. Again, that goes back to ASR.

Jonathan: Okay. Any other comments on Kerrville?

Male Speaker: Has anybody evaluated the strategy of the last recommendations we were given at the last planning? Have we gotten any closer to achieving or has anybody implemented any of those strategies or are any of those strategies from last time appropriate today?

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: We're increasing our treatment capacity now. In fact, they'll be starting any day now. We did a study on additional water rights and found that there's very little there to start with and what there is, is not real reliable.

Jonathan: I think you're right. The ASR expansion was last time. It's been going to – treatment plan capacity issue was last time and it's being done. Reuse was last time, remote well field was last time and this is being carried over.

Male Speaker: Well, good!

Jonathan: I think the same ones are included and it's been expanded. I think some of them that didn't – like purchase additional water rights – was higher on the priority list last time and it's not viable to us now. We're coming up with some newer ideas.

Male Speaker: There might be some more available brackish groundwater practice down the road 50 years if you could get at it in Kerr County. We got a couple of wells that we know about – we got some well protection which – I don't know if you –

John: I didn't bring our first plan with me but I think we did have a discussion about brackish groundwater use in the first plan which we don't have on here now. I'm glad you brought that up, it's making me think because I hadn't really thought this through here this past week, but basically what the Water Development Board has said when they set up our budget was that they're going to fund evaluation of any new strategies or any old strategies that require an update – if something has changed that requires that it be updated. But they do not fund the general evaluation of an old one. The old ones were not being evaluated to the extent that they are this time. So, I think I need to go back and we need to take a look at our old strategies and see how to incorporate them in here or not.

But we'll be discussing this at the next meeting again anyway. You'll begin to see the big picture on it.

Jonathan: I think it wouldn't hurt to put a strategy that the brackish groundwater desalination on – because that's a statewide project to

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

see how desalination would work on brackish water in smaller settings.

Male Speaker: That's not even a big source of water down the road in Kerr County. There's a primary source of water in Gillespie County.

Jonathan: It is or it will be?

Male Speaker: It is. It's not brackish. It's freshwater. But it all falls down into Kerr County and we know that the water is brackish.

Jonathan: Do you have any problem of adding that as a Kerrville strategy? Brackish desalination.

John: Okay.

[Crosstalk]

Male Speaker: Jon, can I ask you a question?

Jonathan: Sure.

Male Speaker: Is a strategy supposed to offset the deficit? I guess – some of these things – I don't know how they would offset a deficit if you've already got – you've got more capacity than you've got water, so it wouldn't –

Jonathan: If you can treat more, if you have better treatment capacity then you can use the ASR more efficiently. If you use ASR, you can –

Male Speaker: We're not focused in on drought record irrigation because –

Jonathan: That's where ASR comes in. you put it in when you don't have the drought and then you withdraw it when you do have the drought.

Male Speaker: ASR has a finite limit.

Male Speaker: Nobody has told me what that is yet and we haven't reached it.

[Crosstalk]

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: I don't think it says that ASR is gonna solve the deficit. It's just one of the components of solving the deficit.

John: Yeah, we take all of the strategies together. But another key component about these strategies is that if is an intent for one of our communities to actually borrow money or need a permit to do something within this planning period, it needs to be in this plan. So, if there's any – even for our communities that don't have deficits. If there is intent – say a year from now – to go to the Water Development Board and borrow \$100, 000 to put in another well, it really needs to be in this because the board will come back and look in the plan to see if it's there.

So, as we think of these three communities, also be thinking in general elsewhere any other community that you know of that already knows for sure that they're gonna do it. that way, they don't have to come back to us after the Water Development Board notifies them that they're not in compliance with the regional plan. They come to us asking us to adopt a new plan.

Male Speaker: What about the unincorporated communities? How would they access money?

John: They might not be eligible.

Jonathan: I think I can give you an example of how they may benefit from the water from Canyon Lake using that pipeline that – the idea that UGRA would be talking about is extending that pipeline to Kerrville. To do that, you go through Comfort and Center Point and these other areas. They would benefit and they'd certainly be part of the sales to get that funding.

Male Speaker: Some of these little bergs have gotten grants from somewhere to drill a deep well.

John: And if it's a grant, that's different.

Male Speaker: Where do these grants come from?

John: Rural Water Association maybe.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: USDA does some sometimes. There are quite a few different sources.

Jonathan: So that's it from the city of Kerrville? I think also we need to add brush control as a way to target being, specifically, the watershed of the Guadalupe River which would conceptually increase flow in the river which would then increase availability for water.

John: Do you want that to be a main strategy or an alternative?

Jonathan: As long as we do the study and it's on the chart. I think it gets lost if it's not listed somewhere specifically. It doesn't make that much difference to me if it's an alternate strategy or a strategy.

John: Let's just make it a regular strategy. I really don't have a problem with it because you all said from the very beginning that you wanted to make brush control one of your main objectives, so here we are.

Male Speaker: You're putting this under Kerrville as one of their strategies? They have to –

Jonathan: Not necessarily. Their strategy may be funded by the USDA – doesn't mean they have to pay for it. It means that it's a strategy. Someone has to pay for it. I think it's a good argument that it could be a regional – but I think if it's not a strategy specifically, it won't get any attention at the state level. Also, there are other areas of the state where there is more funding for brush control going into Kerr County and Guadalupe Basin right now. It's a way to try to get funding into other –

Male Speaker: For a long time, there has been selective brush management on a watershed that's been considered by several cities. We were funding research studies on watersheds up on upper Guadalupe because we were interested as an end beneficiary any increased recharge. So at that point, any city downstream in the watershed has a vested interest in additional recharge. It might be appropriate that they help fund that work or that research.

Jonathan: Yeah, so it's good to keep it on the front burner. Kerrville South area.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

John: Stephen, you actually visited –

Stephen: Yeah, I talked with Kerrville South and really indicated to them that we determined that there was a need based on their capacity to serve the infrastructure capacity that you see on your previous charts. They didn't necessarily agree that that's why they had a need and actually disagreed that there was long-term need for them. But I told her that we were going to go ahead and continue to assume that there was a shortage in their system and then suggested these strategies to them. Their primary strategy for meeting any shortages is to buy additional water from AquaTex or AquaSource – she wasn't sure which one it was gonna be. But that was what she told me.

There is an existing interconnect with the city of Kerrville that was put in place eons ago and hasn't been used forever.

Male Speaker: So, it's no longer connected.

Stephen: Yeah, so –

Male Speaker: I can tell you this, if we have a shortage, we won't be selling water to anybody else.

John: That goes into it. it's part of the analysis.

Stephen: Yes, it is part of the analysis. We will be looking at that as well and then the final strategy for them outside of conservation was to drill an additional well. They claim that they already have an additional well that they're not using currently, so that may not be necessary either. But we are going to look at that.

Male Speaker: I remember when Edwards gave them a permit they had far more availability than they do now. They own acreage that gives them a surplus of water based on any foreseeable –

Stephen: That's the impression she gave me. I told her that the calculations that we have on our end is that it's more of an infrastructure issue that they don't have the capacity to distribute their water. It's not necessarily a supply issue.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Male Speaker: You don't happen to know if they have a continuing strategy for the AquaTex system in the future – I know they're going to drill a well at Ingram.

Stephen: AquaTex?

Male Speaker: Yes, big wells. We don't know what their strategy is either. We'd like to find out.

Jonathan: No one knows. I think utilizing existing wells or drill additional wells.

Stephen: For Camp Wood, I have not been able to speak with someone directly for Camp Wood. They show up as having zero supplies available because the water availability model shows that there is zero surface water available during drought of record so that would drop their current supplies to zero. They would need to drill an additional well, do some sort of conservation measures or – as I drove through Camp Wood on my way back home from our last meeting, I realized that nearly $\frac{3}{4}$ of the town has tin roofing already. So they certainly would be very much prepared for doing rain water harvesting. It may be something else to look at.

Male Speaker: What about Rock Springs and those communities? I know Rock Springs is planning on putting in a new well next spring or maybe even later this summer. Could they incorporate that into the strategy as well?

Jonathan: They don't have a deficit. They can go into strategies in the next section when anyone else has things they need to do. This is just deficit-only right now.

Male Speaker: Do you whether or not they've been purged for that by Texas Water Development Board?

Male Speaker: I don't think they have. As far as Rock Springs, it's something that they've been – I didn't know anything about it until I was up there a month ago and was talking to the guy up there and he said they were fixing to put in a new well to expand their capacity.

Male Speaker: This is outside of county. Utopia and [inaudible] have also considered doing this and they are being encouraged to do so.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: Do we need a motion to approve these? We're not ready to finalize anything yet, so –

John: Yeah, they're not finalized. However you want to handle it. The Planning Group just needs to direct the consultants to pursue the ones you've selected.

Jonathan: I think based on the discussion and the notes, just pursue –

Male Speaker: What about ASR for Kerrville South. If we get that recommendation out there that they can improve on that too or that they consider – if it's effective for the city of Kerrville and they have an existing well out there –

Jonathan: Where will they get the water from for the ASR?

Male Speaker: I guess the same place. Like he was talking about the unincorporated water rights during times of higher need, you'd probably get enough in the –

Jonathan: It seems to me it'd be more efficient to do that under the city's ASR – handle that under the city of Kerrville rather than try to do another ASR system. Hopefully, if they could figure out an agreement, maybe they could bank water in that city's well or something like that. If they're willing to help pay for it, but I think it could be covered.

John: Me, I think I need to just go out – and maybe if you'd go with me – to Camp Wood. I'd like to see the spring and whoever runs the utility.

Male Speaker: Yeah, I'll introduce you to him.

John: We can tell him what we're doing. We hate to recommend strategies that are gonna be a waste of time because they're just gonna throw it out the window.

Male Speaker: I think they'll realize at some point that they need to develop a way of – they're kind of in a financial crunch and have been for several years. There's a potential that they can hook on – there's a subsidy put in a well and it's actually very close to the city storage where

they could interconnect with that and use in emergency. That's kind of what they planned on but it's not a sufficient well. It's only about a 90 gallon-a-minute well. That would get them by in an emergent situation but not an extended – so, we definitely need to look at that.

We were talking about some of the non-incorporated municipalities – the Barksdale Water Corporation – there's another one in summer that gets over peak capacity already. It's a small system with about 60 connections. The storage and the pumps won't keep up with the demand.

John: Yeah, I think Barksdale didn't make our list because it's not big enough.

Male Speaker: No, but it is something that probably needs to be addressed. In fact, it may soon get big enough because they're fixed to put in a fairly large subdivision right there and there's a big contentious fight of subdividers trying to force them into furnishing water for the subdivision. They're trying to avoid it. So, it's something that probably needs to be addressed there if we can. Even though they don't show up as a deficit, the city of Leakey has a problem. They're furnishing water to a lot of little outlying areas and they often don't have the pressure or capacity to meet the requirements.

Male Speaker: Those subdivisions, do they require water availability studies?

Male Speaker: No. In fact, it wasn't until about six months ago that we finally got – at least to be recorded – about the water district and the requirements for permitting just wells. We talked to them about doing water availability studies and if they could be a part, and both commissioners kind of tabled it indefinitely to who would do the study and they felt the expense of one of those studies might stop the subdivision from happening and bringing in more people, more revenue, etc. We didn't want to get into that. They could've turned it over to us, but we didn't want to do that because we aren't set up to do that.

Jonathan: Okay.

John: Gene, you had questions earlier about Kerrville. Have those questions been answered?

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Gene: Thank you, pretty well.

John: Okay.

Jonathan: Okay, so if we could get a motion we will work on these as our strategies and come back with that on our next meeting. Is that all we need on that agenda item?

John: I think that's gonna cover us for now. It will come up on the agenda next time to continue on, but I think we've covered enough of it for now.

Jonathan: All right. Let's go on to item eight: Consider and Discuss Regional Water Planning Policy Issues and Recommendations.

John: In our existing plan, there's a chapter with your recommendations in your packet. It says "Chapter Six." I don't know how many of you all still have your original plan. I'm sure you read it each night along with the Bible, but I went ahead and xeroxed that just so you could see what was recommended last time. We actually broke these out between legislative, state funding and study needs of planning. We broke it out under different categories. If you spent some time between now and the next planning meeting looking at what's in here and deciding what needs to stay in here, what needs to come out, what needs rewording – this is also the chapter that our unique stream segments discussion is gonna go into, also.

But we've already covered that issue. The second aspect is our plateau region policy issue which is also in your packet. I took the original survey and rearranged each one of these in priority order as you scored them. I think we need to kind of compare what's in here as to what you all identified as being important to this region and what you've already put together as recommendations and meld the two together into a single set of recommendations. Another alternative I can throw out is that we can actually take your survey document and turn it in as a statement for how you all feel about these different issues. It can be a standalone statement.

Male Speaker: Do you know what's going to go into Centerville Three?

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

John: No, I do not.

Male Speaker: A lot of these recommendations might end up in Centerville Three.

John: That's why I'm not looking to finalize this just right now. But we're gonna need to turn something in on June first. We need at least a fairly decent attempt to look at our recommendations. After the legislative session is over, we can go back into it and manipulate it. But I think that by the next planning period, we need to have a list of what you all want in this chapter. It's an awful lot, I think, to go over right now page-by-page. But it's gonna take some serious looking at for you all to be able to come back here and discuss this fairly rapidly and get it to where I can get it all written up in the chapter.

Jonathan: John, can you summarize what the plan requirement is by law for this chapter?

John: It's pretty wide open on the recommendations. There's not a real requirement here other than saying "yay" or "nay" to unique stream segments and unique sites for reservoir construction. Other than that, this is one of these places where the board just says, "Okay, here's your place where you can complain, discuss, recommend, whatever."

Ernie: It is pretty open.

Male Speaker: Why do we not – we talked about it just a few weeks ago – why is there not a single mention on innovative strategies on rainwater harvesting? There's nothing in here about it at all. Yet, you have it as a strategy, so shouldn't it be addressed in here?

John: I think that we had it in our first plan. I don't know. Is it listed in this chapter six? I gotta admit that I didn't look at it. I know we discussed it during our first planning period.

Male Speaker: Rainwater harvesting would take a lot of pressure off the county if you could actually implement it on subsidy, but I don't know if the county can do that.

[Crosstalk]

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

- John: Under 6.3.8, alternative sources of water, it's a very brief statement – we probably need to beef that up – especially if we're discussing it as a strategy.
- Male Speaker: You've got in here that rainwater harvesting was used domestically for irrigation and livestock – it's actually a way to take a load off some of the municipal demands, too, if it's done correctly. You've got more large buildings in cities than you do in rural areas.
- Jonathan: So, John, I don't know where we're going – is the plan that we're gonna relook at chapter six and we'll discuss that – have a new draft – at our next meeting? Anyone that has any input or comments should coordinate that with you prior to the next meeting. At the same time, the survey results – some of those or all those items need to be incorporated into the chapter, you think? I wouldn't say all of them, but I would say the top two or three from each category are the higher priority ones.
- John: We can actually incorporate them into the text or the alternative is to put this in as a table with a statement that says, "The Planning Group looked at all of these statewide planning issues and ranked them. This table shows how they were put in priority order."
- Male Speaker: I would refer to that table in your text.
- Jonathan: I think it's good to put the table in, but I think you need to – like, under environmental spring-flow protection, we've spent so much time on that that certainly the top two in every category need a fair amount written about them.
- Male Speaker: You could put on the table, "Refer back to," and it would list the whole thing.
- Male Speaker: John, how sophisticated is rainwater harvesting become anywhere? I know Kerrville has a requirement to have a certain sized building, you have to have rainwater harvesting but all they do is gather it. are any areas – do they have rainwater harvesting to the extent that it's reintroduced into the municipal supply or is it just something that's a nice idea but really has no practical value?
- John: I'm not aware that it's been reintroduced into the distribution system. I think that may be a pretty nice idea. I think it's mainly
-

used at the end-user – it just lowers the amount of water needed at the end.

Male Speaker: Kerrville, I guess, is watering the plants around their structure which is kind of a horrible expense for nothing, from my point of view.

John: What I think I need to do is talk to some of the local rainwater harvesting gurus in the hill country because my understanding – especially out in the rural areas – it's caught on pretty big.

Male Speaker: Well, I can see out there but Kerrville has this law that requires its buildings – but I don't see any value in it.

Male Speaker: Like you said, it reduces the irrigation use but that's it.

[Crosstalk]

Male Speaker: They had to figure out the cost per gallon for water for the few little trees they have around. It's ridiculous.

Male Speaker: I'll give you an example. They're using it in households for drinking water, bathing, everything else – that's at Boot Ranch out in Fredericksburg. It's gonna be in their restrictions that each house have enough rain harvesting capability because these are multimillion dollar homes – that they will absolutely just cut out the amount of water they will have to buy – or plan to buy if they have to – from the city of Fredericksburg. We've calculated it – they don't have to buy any water for these houses.

Male Speaker: You ought to look around Austin. A lot of people found that it's easier and cheaper, it's more economical to put in a rainwater harvesting system than it is to drill a well.

Male Speaker: And the clubhouse and everything, it all goes –

Feather: A lot of it is that right now, yeah, they may just use it to water some trees and the lawn and stuff like that in the city, and it's more expensive perhaps than being able to obtain that water from the city. But we're looking at conservation trying to stretch the resources out; if they want to have those trees and they want to

have that lawn, then let them pay more for that water. If it's there, let's make use of it.

Jonathan: Feather, is that system north of Fredericksburg, is that going into each home self-contained or is that going into a system?

Feather: It's all self-contained.

Jonathan: That's more like a rural setting – even though it's a subdivision – it is very efficient, but –

Male Speaker: To do the same thing in Kerrville, you could self-contain a lot of those if they wanted to and then supplement it through purchase from the city by –

Male Speaker: That water's filtered. It goes through a filtered system before it goes back to the house.

Male Speaker: It's pretty expensive to do it initially, but if your spread that cost over 20 or 30 years –

Male Speaker: I can say from an operational standpoint, though, I'm not going to have a distribution system sitting there on standby. That just doesn't do –

Male Speaker: No, you're never gonna be where everyone's just self-sufficient, but all I'm saying it'll reduce their use of city's water for part – but only part – of their water and maybe a little bit of their household use. It's not gonna entirely take them off your system. It's just not likely to happen. But if we're talking about water conservation and preaching that it's a mandatory deal, and we're looking at all this stuff – yeah it's there. Why not do it? In the rural areas, we have some areas in Edwards County – there is just not any groundwater or surface water.

Male Speaker: I think it would be great for the state to actually force counties to put in big restrictions on new subdivisions that rain harvesting be used. The counties can't do it themselves. It would have to come from the state.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jerry: I think this is something that needs a little investigation. So, if we can investigate it and find out – if I understand what Howard says, if they harvest rainwater, he’s not gonna provide a standby –

Male Speaker: It’s an operational thing. If you run a rainwater harvesting system, then you’re not gonna run a tap to them.

[Crosstalk]

Male Speaker: No, that’s not what I’m saying. If it’s something like he’s talking about, if it’s a large percentage of it, I’m still required by state to put in a certain size of land and all this stuff; but if I’m not gonna sell the water, it’s just not economical for me.

Howard: In this case, the subdivision is paying for a line in the city.

Male Speaker: But even so, if you get a line with no usage in it, it’s a maintenance nightmare.

Jonathan: I think John has enough direction to get this to the next meeting. I think rainwater harvesting is gonna be discussed, right?

John: Right.

Jonathan: All right, is that it for item seven? I would say that we’re getting ready to get into this item and some other items – I’m not sure when our next meeting’s gonna be, but it’s not gonna be too long. People are gonna have to get more involved in between the meetings on reading and getting information back one-on-one with John. We don’t have the time to do these chapters word-by-word at these meetings. People really have to start – if you have – under chapter six, if there are some things you really think should be in there, they have to be done before we get to next meeting.

“Consider and Discuss Regional Water Plan Draft Chapters.” That was a good segue!

John: Speaking of draft chapters, you have before you chapter two. Another reading assignment: See if this is – assess population water demands numbers via tables and graphs and pie charts – discussions on how the numbers are tabulated statewide and locally. I put wording in there about your concerns about

undercounts on population. Just please read this and see if I have caught everything that we had discussed having to do with population and water demand and get back with me.

Jonathan: Okay. I think that's it. We will hopefully approve that chapter at our next meeting. Item ten: Consider and Discuss Completion and Adoption of Initially Prepared Plan and Setting Public Hearing.

John: All right, the last thing in your packet is a schedule. When I presented this to region E, a young lady said, "John, is this your schedule or our schedule?" It kind of caught me by surprise and I had to think about it. It's probably more my schedule, but my schedule depends on you all following through on it. But as you can see, March, April and May – by the end of May, we certainly have to have the draft copy finished. Now, the draft needs to be as finished as we can get it. It doesn't mean that the following six months we can't go back in and make some changes, but the Water Development Board is gonna take that draft and going through it telling us where we did not meet the requirements. So, we need to try to make it as complete as possible.

Chapter nine – I have asked about the infrastructure finance report and I've told the board that I didn't see any reason for us to even start that until after we were absolutely sure that our strategies were finalized. I don't want to go to a community and say, "How are you gonna pay for this?" Then have to come back three months later and say, "Well, we changed your strategies on you." So, put a check for nine in there and I'll say basically what we're going to do but it will not have the response at that time. The board told me that was okay. Did you tell me that or did somebody else? I'll have to write that down!

June first is our deadline to turn in our plan. That means that it has to be adopted. We need a meeting in May that we actually adopt this plan – this draft plan. Then in June, we need to have a public hearing. We need to send out all the notices – just like we did in the first planning period – and make sure that we have it in a large room that the general public can come in and we'll make the presentation to them as to what's in the document. We have to put the document out for display for 30 days. We'll try to make that available electronically also. Then the public will be giving us comments also.

So, in our final plan we have to actually list all of the comments – both from the Water Development Board and from the public – and say how we handled them. So, we’re gonna have to keep real close track of that. That’s something we’ll deal with when we get to that point. But do anticipate the need for a June public hearing.

Jonathan: Okay. We can discuss that right now. Last time, I believe we held one public hearing region-wide. I wouldn’t recommend doing more than two. They’re expensive. To go through the notice and all that stuff –

Male Speaker: Did we have one or two last time?

Jonathan: I thought we had one in Bandera.

John: We’d got a public hearing for the initial plan but then we have another one at the end in December. I was trying to remember – one of them we had two.

Jonathan: So we had two.

John: I don't remember if we had two both times.

Jonathan: Del Rio and Kerrville? Maybe we had one in Del Rio and one in Kerrville and the final one was in Bandera.

Male Speaker: That might be.

Jonathan: I know we did it in Bandera because we did it in the Bandera Coop which was the only time we met there.

Male Speaker: I think we did two to get the public comments and then just did the one at the end.

Jonathan: Do you want to do it the same way, one in Del Rio and one in Kerrville during June? Is it better to do them back-to-back days? We can keep that in mind. We can take some dates later on at our next meeting. It takes some time for you to make sure we get the billing and then it’s a 30-day notice for the hearing, I believe.

John: Um-hum.

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

- Male Speaker: Should we plan on being at both of the meetings?
- Jonathan: No. Well, you can but I'd say no, you don't need to. The purpose of the hearings is to receive the presentation and –
- John: Yeah, the way we handled it last time – we received the comments but we didn't respond to them. We just noted it down and said thank you.
- Jonathan: But if you feel like you need to be in Del Rio –
- Male Speaker: Kerrville's fine!
- Ernie: This was the advice for the other groups that want to have “more than one public hearing,” you could advertise it – and this is done – as one public hearing at two locations. So you open it at Del Rio, for example, and then you don't close it until your second location. So you can do one notice and it would save a little bit of money.
- John: Good idea.
- Jonathan: So start one public hearing on Sunday in Kerrville –
- Ernie: You have two locations – the first day would be in Del Rio and the second day in Kerrville.
- Jonathan: Okay, that's a good idea.
- Ernie: The other thing is that it's not mandatory that you have two public hearings. You certainly just have that option.
- Jonathan: We just want to make sure we get as much opportunity for public input.
- Male Speaker: I think last time, that's what the deal was – there were two population centers on opposite ends of the region – that's why it was split – to maximize input.
- Jonathan: Okay. John, we have one out of the eight chapters in draft-form as of today.
-

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

John: Yeah, I'm going to be working on them hard. If I finish a chapter more than a week in advance of our next meeting – one, two or three chapters – I'll go ahead and send them out electronically so that you can be looking at them that way also.

Jonathan: Oh, probably we'll send them electronically and then Karen will send them out in hardcopy as well. Some people tend not to print them – me being one of them.

John: I'm trying to avoid too much color, but it sure helps to have some of it in color.

Jonathan: Okay. Then schedule – it looks like we have another meeting scheduled in April and one in May?

John: I think so. Definitely one in – well, we have to have one in May to adopt it.

Jonathan: Yep. April 28th?

John: 21st.

Jonathan: Nope. I'm gone the 20th, 21st and 22nd.

John: Can you do it early in the week? I'd like to have at least that amount of time – or even right here – just to be able to get the work done.

Jonathan: How about Tuesday the 26th. Does that work?

Male Speaker: Not good.

Jonathan: Wednesday the 27th? Okay. We'll meet Wednesday, April 27th.

Jerry: Neither David nor I can be at the meeting on the 27th. That whole week is shot for us.

Jonathan: How about Monday the 18th? Does that work all right, Jerry?

Jerry: As long as you're there.

[Crosstalk]

Male Speaker, John, Stephen, James, Tommy, Perry, Charles, Homer, Mike, Zach, Paul, Gene, Jim, Mr. Baker, Kyle, Duke, Don, Ernie, Dick, Howard, Otis, Tully, Feather, David, Jerry, Jonathan, Female Speaker

Jonathan: Rock Springs.

Male Speaker: So, we need to make arrangements. I'll need to see what's available for that day up there.

Jonathan: Probably it would not be good to – what we'll need to do is change our meeting time to 10:00. Right during lunch would be chaos.

Male Speaker: We might be able to use the library or –

[Crosstalk]

Jonathan: I can't believe we've never met in Camp Wood.

Male Speaker: I'll see what's available for 10:00 a.m. I've got a little map I've drawn out to it and I'll send it.

Jonathan: That'll be a pretty drive.

John: Yeah, in the dark from Austin!

Jonathan: All right, next meeting will be April 18th at 10:00 in Camp Wood.

John: Did you say Camp Wood or Rock Springs?

Jonathan: Camp Wood.

John: Boy, I almost showed up at the wrong place!

Male Speaker: That would've been a short meeting!

Jonathan: Any other informational items from anybody? We're adjourned. Thank you.

[End of Audio]

Duration: 55 minutes

May 5, 2005 – Tape 1 – Side A

Male Speaker: [Inaudible] Wheaton, [Inaudible].

Perry Bushong: Perry Bushong, [Inaudible].

James [Inaudible]: James [Inaudible], Kerrville.

Charles Wiedenfeld: Charles Wiedenfeld representing utilities.

Scott Loveland: Scott Loveland with **UGRA**.

Dick Lipke: Dick Lipke, Texas Parks and Wildlife.

Tommy Qualia: Tommy Qualia, Del Rio.

Feather Wilson: Feather Wilson, [Inaudible].

Ernest [Inaudible]: Ernest [Inaudible] for [Inaudible].

Male Speaker: [Inaudible] for [Inaudible].

John **Ashford**: John Ashford, [Inaudible].

Jonathan Letz: And Jonathan Letz, **Kirkannon**. We have any public comment from anybody? Okay, no public comment. Approval of minutes. We have good news, but no minutes. The machine is in. The invoice was approved last time to do the transcriptions. The problem with the machine is that it doesn't do quite what they represented it to do. It's great on the transcribing side. It does not record properly though. Or it records, but it doesn't records meetings. It only records off of Dictaphone, so we're continuing to use the machine for the time being.

The former administrative assistant for the commissioner of Kerr County who is retired, **Thea Salvo**, is doing the transcribing. She hasn't quit yet, so I guess I presume she's still working on it. If it gets to be too much workload for her, the administrative assistant for the city manager of the City of Kerrville recently retired, Pat **Rhinehart**, and she's also interested in doing this as a part time, so we have two people that are very knowledgeable, able to do it, understand minutes. I think by our next meeting in two weeks, we'll have something to approve.

Under reports, report from the chair, I don't have anything, I believe, really, other than I think everyone hopefully received all

the chapters and ready to get through this meeting without too much delay.

[Crosstalk]

Male Speaker: How many chapters did we **[inaudible]**?

Male Speaker: I'm thinking seven.

Male Speaker: Four, five and eight are missing, I'm thinking.

Male Speaker: Yeah, you should have everything but four, five and eight.

Male Speaker: Or three.

Jonathan Letz: Three.

Male Speaker: Three, four and eight **[inaudible]** looking for.

Jonathan Letz: Yeah, three, four, eight and seven.

Male Speaker: We don't have seven.

Jonathan Letz: Three, four, seven, eight.

[Crosstalk]

Male Speaker: I've got seven.

Male Speaker: Yeah, we do have **[inaudible]**.

[Crosstalk]

Jonathan Letz: I missed seven somewhere.

Male Speaker: Seven was boring.

[Crosstalk]

Jonathan Letz: Going down the agenda. Report from secretary. I don't think Ronnie has anything because I was **[inaudible]** trying to find the person. Scott, anything from UGRA?

Scott Loveland: No. John Washburn, I guess, being the political entity, we're doing the billing, such as the invoices and everything.

Jonathan Letz: Right. We have – one thing I wanted to get through too – one of them. But **[inaudible]** I think they've worked out the process. I think y'all are more current than you used to be.

Scott Loveland: Yes.

Jonathan Letz: And I appreciate the work that – John I know spent a lot of time working with TWDB and helping to get everything to where everybody wants it. Finance committee, the balances are the same as they were last time, excluding the \$400.00 and some odd we spent. Actually, that's still in the bank account too because I haven't been able to check. I didn't know that was approved. We will have the minutes, the full financials, at our second meeting this month. Since we're gonna meet again in two weeks, we thought we'd just do it once. Report from liaisons?

Female speaker: Coming down from **[inaudible]** today **[inaudible]**.

Jonathan Letz: Right. I've got a copy of their agenda, and they're doing the exact same thing we are. They're maybe a little bit ahead. They have one area that we haven't really approached yet, which I think we're gonna talk about, being the policies and recommendations. They're a little bit ahead of us on that. Ernie?

Ernest **[Inaudible]**: Yes?

Jonathan Letz: TWDB report?

Ernest **[Inaudible]**: Jim and I talked yesterday, and he asked that I give you a short summary of **[inaudible]**, but **[inaudible]**. My point is this: I'm just trying to prepare to sign. It's too close. Senate Bill 3 did not stand. It's about the same size as **[inaudible]**, so it's 65 pages. It's already been through the senate. The senate approved it last week and on the third, two days ago, it was referred to **[inaudible]** committee **[inaudible]** natural resources.

Let me just – I'll just find a couple of things. Well, actually, I have about five or six things here. I won't really go into any detail, but just things that I think may be of interest particularly to this region. One, they show a preference in here to conjunctive use, and that's **[inaudible]** to Kerrville, where if we try to get anything else for you, they're gonna get some preferential treatment in a **[inaudible]**. That's more a **[inaudible]** issue than a work issue.

There was a provision in the first draft on interference with domestic or **ag** wells, and there was some concerns. There is still

some language in there. It's been amended part of it, but it now talks – the only area it talks about – these are not areas outside groundwater conservation districts. There is a process that's been set up for that, so it's a [inaudible] well, maybe a manufacturing well [inaudible] interference with a domestic well through some process that's being set up.

Three, the [inaudible] systems are still in here. It's directed to the groundwater management councils and groundwater management areas, but and also the groundwater conservation district. So that is still in there. I know Feather raised a question earlier, what if there's no money left? So the fee that was in there – and right now, [inaudible] per thousand gallons at the retail level, there's a mechanism in there for the setting up of a committee of sorts to look at the fee and report back by August of 2006. So that framework is there, but there's no money in fact because the fee is set at zero basically at this point.

And there's just gonna be more study. There's probably a bit of feedback, not any of it positive, on that provision. So what do we do now? Well, Buford has told the board that they will try to give us a little bit of general revenue with all of this other stuff stays in to help us get started with some of these programs.

The last things I'll mention are very pertinent to [inaudible] planning. Both are still in – I have proposed as drafts is the expedited [inaudible] process. You have the basics here. I can't tell if there's any for Jay, but in quite a few other regions, things happened. They have new subdivisions go in and new municipal water districts. They've been having to come back and amend the plan. The process for amending the plan is the same as having it for the first time, which requires public hearing and really is quite [inaudible].

The [inaudible] one is directed to those like the new municipal utility district, a fairly small kind of activity, that we could run through and really just approve it at a record meeting like this, as opposed to having a full public hearing and [inaudible]. That is stipulated in the original language.

The other provision that was [inaudible] worth planning is the alternative strategies. This is – in other words, you come along, and you pick your – you've got the set of strategies for a user [inaudible], whether it's Kerrville, Bandera County, whatever. Then, what end up is come up with also some alternatives that [inaudible] at the same time.

But sometimes it's a close call. You may have an office that's buying water from a couple of different suppliers, so you maybe choose one that you think you want to go with, but you put the other on an alternative list. As Senate Bill 3 has that provision, you could trade those off, swap them out, adding **[inaudible]**. There is some flexibility that we have needed in recent water plans. And that's all, unless there's some questions. I did have a copy here if you want to read it.

Male Speaker: Let me ask you about the council of groundwater management. How is that gonna be funded? How is this council gonna be set up? Are they gonna be volunteers or **[inaudible]**?

Ernest **[Inaudible]**: Is groundwater management council **[inaudible]** members?

Male Speaker: Yes.

Ernest **[Inaudible]**: It will be appointed by the **[inaudible]** on the board, and it would be basically a volunteer type of thing. I think – I'd have to look at the compensation. I'll take a look at that for you, but I think it's no more than like a per diem type of thing. There's no salary at all.

Male Speaker: **[Inaudible]** this follows the boundaries of the groundwater management area?

Ernest **[Inaudible]**: Exactly. It's a step up, building on that foundation.

Male Speaker: Groundwater management areas are set up based on geological boundaries **[inaudible]**.

Ernest **[Inaudible]**: Pretty much. We've made some smoothing. Sometimes, in **[Inaudible]** County, we'd drop into another aquifer, but it's 99 percent **[inaudible]**.

Male Speaker: **[Inaudible]** don't have any legal standing.

Ernest **[Inaudible]**: The groundwater management **[inaudible]**?

Male Speaker: Well, as far as – what authority do they actually have as far as legal standing?

Ernest **[Inaudible]**: Which one? The council's **[inaudible]**?

Male Speaker: Yeah.

Ernest **[Inaudible]**: It's basically trying to get some consistency, if you would, between groundwater management plans. So each district does their own

management plan, but if you're in the same [inaudible] outside, you should have consistency. You don't want one drawing the water [inaudible] and leaving the other –

Male Speaker: Basically, it's another step of the state saying, "You're gonna do it this way." We don't even agree with the projections, how do we agree on something like that?

Ernest [Inaudible]: Projections? Specifically [inaudible]?

Male Speaker: Well, what I'm saying is it appears to me that this is just another step or a level of bureaucracy that's going to say, "You have to do it this way," regardless of what factors you've got.

Ernest [Inaudible]: I'll agree one, it is another level of management, bureaucracy, name your term, and it's not – I didn't propose this.

Male Speaker: No, I [inaudible].

Ernest [Inaudible]: And it is – and whether or not it's the best way to go about it or [inaudible] generally for the legislature to go about things in [inaudible]. I don't know, but does add another layer, and I'm not sure what the recourse would be to have greater state of [inaudible]. This is a separate entity that, again, [inaudible]. The positive of all this is trying to have a [inaudible] system of management on [inaudible] cases as opposed to having it county by county or if it's two counties in your case.

Male Speaker: Let's say the funding comes through from Texas Water Development or [Inaudible] or someplace else, is it gonna be funneled through [inaudible] groundwater management [inaudible]?

Ernest [Inaudible]: No, nuh, uh.

Male Speaker: What percentage [inaudible]?

Ernest [Inaudible]: Not necessarily. All I know of for sure is the technical assistance I'm referring to, which is the action staff that would be working for the board, and they're looking for about 16. It turns out I have one for groundwater management here [inaudible]. I'm not sure that it would appear exactly that way. Those staff would be funneled through the water [inaudible]. The [inaudible] is not administrative in the sense that [inaudible]. I'm pretty sure that the board will be paid with per diem, but it's not [inaudible].

Male Speaker: The reason why I'm wondering if there seems to be money available for studies in these groundwater management areas **[inaudible]**. That money would be coming and approved through the council or would it be approved on a local basis for groundwater districts?

Ernest **[Inaudible]**: Let me look further. I'm not familiar with **[inaudible]** either. I'll take a look at it. It may have been on an amendment, but it may have been – you have to realize to just get to the senate really is amazing. **[Inaudible]** committee substitute bill pretty quickly. It may have not been exactly 100, but **[inaudible]** numbers, they had 100 amendments to work through in pretty rapid order. It went to the floor and **[inaudible]**.

Male Speaker: It was over 100. I think it was 104 altogether.

Ernest **[Inaudible]**: So it was 104. That means they won with 70, and it kept going up.

Male Speaker: I read the first draft, and I **[inaudible]**.

Male Speaker: It changed a lot.

Ernest **[Inaudible]**: That's true. It's kind of a moving target. Every **[inaudible]**.

[Crosstalk]

Male Speaker: It lost about 40 pages.

Ernest **[Inaudible]**: I think everybody has to be clear around the table that the house isn't gonna just rubber stamp this. I think they may make an amendment too.

Male Speaker: May?

Ernest **[Inaudible]**: Some of the enemies have been laying back. They figure they could have more success with the house. Also, the clock is ticking. We're getting near the end of the session to get through the house and before a **[inaudible]** committee. We're getting real close to the end of the session.

Jonathan Letz: Ernie, can you go over it a little bit. I have tried to be vaguely familiar with SB3 and trying to read the whole thing and follow what they're saying is absolutely impossible, in my mind, unless you really understand the water code. Is there gonna be any impact on the regional water plant about this? Because a lot of the environmental flows and all that taken into account – obviously, it starts out talking about environmental flows, and they're talking

about really changing a lot of the way water routes are used and can be amended and things of that nature.

And the thing is, as soon as you get into the river basins, it starts changing water rights and potentially changing this region's, and every other region's, surface water and potentially, all the lands as well.

Ernest **[Inaudible]**: I was hoping to avoid that question. You read section one. Jon really makes an excellent point. There is – I think it's down the road. Maybe not even like at the next cycle, but on down the road there, some of the environmental work we've done that's laid out that really **[inaudible]** too and there's additional language here that has ramifications for the turning of profits. We're respectful **[inaudible]** because that's hurting profits. There's a good chance it'll be somewhat more specific in terms of the amount of flow **[inaudible]** stream and stream flows and so forth. We're not affected by it, but also flows from basin estuaries. I definitely see that framework in there, I'm just not sure how it's gonna –

[Crosstalk]

Male Speaker: All right, so it sounds like if you had water rights that were in the place during the last 20 years, and you don't you them, you're gonna lose them. **[Inaudible]**.

Ernest **[Inaudible]**: They don't **[inaudible]**. They do more **[inaudible]**.

Male Speaker: And the other very interesting thing that when I read it and when I interpreted it, the version that I read, unless it was taken out, clearly says they're gonna stick with the rule of **[inaudible]**. It's **[inaudible]**. The version I read is about as explicit as you can make it.

Female speaker: They had that phrase in there, but then they turned around and said, "But the people who have **[inaudible]** wells will be liable to stay inside **[inaudible]**," so you can interpret it two ways.

Male Speaker: But it looks –

Ernest **[Inaudible]**: The basic exclusion is –

Male Speaker: It seems like to me that they're following the oil industries historically. If you owned the surface, you initially owned the groundwater, but you can't drain it.

Male Speaker: **[Inaudible]** four and five **[inaudible]**.

Ernest **[Inaudible]**: The reason that the **[inaudible]** capture is gonna stay – and I'm using words and **[inaudible]**, the state is taking that policy way back in **[inaudible]** that the preferred way of managing groundwater is through the local groundwater district. Now they're adding some bureaucracy, as he pointed out, but they don't want to get too far from that concept. What incentive do you have for the groundwater **[inaudible]** district if you throw away rural **[inaudible]**? That's your biggest incentive for it, really, so they want to preserve that.

Jonathan Letz: Going back to environmental flows, Dick, do you have any comment on I guess SB3 and what's in there? Obviously, I'm reading it. I don't know if I have to read the paragraph, but one of – Justin Fitzsimmons, one of the commissioners of Parks and Wildlife, has nothing but praise for Chairman **Arnold**, **[Inaudible]** and I think Edward **[Inaudible]** for what they've come up with in SB3 because of the environmental protections.

Dick Lipke: My understanding is the reason for the excitement if you will, for lack of a better term, is Senate Bill 3, for the first time, is attempting to include wording that essentially guarantees flow into the basin estuaries. Specifically, my understanding is, without having studied the guidelines, it's in there. That's sorely, sorely needed.

Jonathan Letz: I think that as the Parks and Wildlife liaison, I think the – if you haven't, I hope that you send it up the chain of command of Parks and Wildlife the way we're looking at sustainability and spring flow and everything else for all the rivers in our region. That we are probably – I can't think of any regions that I'm aware of that as **[inaudible]** as we are on the environmental side of protecting the rivers. I think that hopefully you'll get that up into the Parks and Wildlife and certainly, we'd have some good connections with the – what do they call the head of y'all – director? Managing director? Who's the –

Male Speaker: Commissioner?

Male Speaker: Not the commissioner.

Male Speaker: **[Inaudible]**.

Male Speaker: Yeah.

[Crosstalk]

Male Speaker: **[Inaudible]**.

Jonathan Letz: But it's also obviously coming from spending a lot of time in Kerr County and Kerrville and the hill country, and I think that in the future, if you could personally get this word out to them. Because probably **[inaudible]** acquired this, but we've probably got a little bit of reputation of being a little bit of anti-environmentalist region, and I think we look at it a little bit different. We were more of a private environmental region.

Male Speaker: The word environmentalist has become a bad word.

Male Speaker: Right. We're – the region is –

Male Speaker: Really, I believe that for lack of a better term, I think it means to just be good stewards of the land.

Jonathan Letz: I think that's a good way to phrase it. I think this region's probably – we understand land stewardship and think it should be done on a private basis. Okay, I'm off my soapbox for a minute.

Male Speaker: Okay. Anyone else on any of the reports? Under Item V, consider and discuss approval of invoices. We're gonna pass on that. There will be no invoices this meeting. We'll do them all in the meeting on the 19th. Item VI, consider, discuss and approve draft chapters of the Regional Water Plan. **Jon**, how do you want to handle this?

Jonathan Letz: Does anybody need a set that has not picked up a set or didn't bring a set with you? I made a few extra copies.

Male Speaker: Let me have a sec.

Male Speaker: I'll take a set.

Male Speaker: I gave you mine.

Male Speaker: Yeah, I didn't get it last time. Y'all's is all nicely **[inaudible]**.

Male Speaker: I don't have my notes **[inaudible]**.

[Crosstalk]

Male Speaker: **[Inaudible]** go to waste.

Male Speaker: Well, I have most of them. My wife is so cheap, she said, "If I print all those, look at all the black ink it'll waste." I think I can afford to buy black ink.

Jonathan Letz: Probably the easiest thing for me, if you've got simple things that need to be corrected, if you can just mark up your copies and get it back to me or e-mail me with either send a chapter with cross outs and underlines or just whatever you want to do so that I'm not sitting here trying to correct it here at this meeting, but that I have it back in the office, so I can make sure it gets done correctly.

I think we need to probably go through each chapter here that's been provided, and if there are some topics in there that need to be discussed as to how they're currently written or whether they should even be there or if there's additional issue concerns that need to be addressed in the chapter, now's the time to do it. Basically, by our next meeting, you'll have the rest of the plan and hopefully, we can adopt it at that time, contingent on any last minute changes you want me to make to it. That's sort of where we stand.

A number of the regions have already requested extensions. I personally don't want us to. I think we're far enough along to where we can turn in our initially prepared plan. It's not gonna be 100 percent, but I think it's got the vast majority of all the required material. Then, we can continue to update it throughout the rest of the year and clean it up and do what we need to. Ernie, you have a comment on that?

Ernest **[Inaudible]**: Yes, I have. The deadline has passed. Any extensions had to be requested 30 days before **[inaudible]**.

Male Speaker: Okay, so we're locked in.

Ernest **[Inaudible]**: We're locked in.

Male Speaker: Can we request an extension to request an extension?

Male Speaker: See, for anyone else, I'd say yes.

Jonathan Letz: Any comments on the process before we jump into the chapters themselves? I've received just a very few. Got a little bit from Scott. Got some things from Lee that I've tried to already put in there, so everything else, it's time to really get very active with your reviews and get them back to me. It does take time for me to

get it all put back in there and get the wordings in their smoothly and put into the right chapters.

Male Speaker: Jon, I understand the need and that you want to get this stuff up front, but I am a little reluctant to have people give you changes that the board hasn't approved as a whole and for you to make those changes. Just because I want something in there or Bob does doesn't mean **[inaudible]** change my mind.

Male Speaker: What he's talking about is just like typos and stuff like that.

Male Speaker: Right, but there's – and I have some. As an example, it's almost a typo type thing in my mind, but it's also a little bit **[inaudible]**. I'll just go to page 1.1 on the first page. This is an example **[inaudible]** so we can decide if we want to discuss these type of things or not. Last line, I don't think we should say the word, "all." I think the word, "all," should be deleted out of the last line. This comprehensive water management plan is accessible to all who reside here.

Male Speaker: That may not be acceptable.

Male Speaker: Yeah, that's not the intent. So I don't think we do that. I think that the word, "all," should be deleted. That's a pretty – that's certainly not a substantive change.

Male Speaker: But it is –

Male Speaker: But it's a philosophical change, and I don't know – is that the type of thing we want to go over today? Typos clearly –

Male Speaker: I've got some stuff that are similar to that too. Word changes that does change some of the meaning.

Male Speaker: Okay, then we'll go through those type of changes. **[Inaudible]** typos and get them straight to Jon, so he can –

Male Speaker: While we're on page 1.1, **[inaudible]** along the top, back up in the paragraph before that, and this is just because I just don't like the way this sounds. It says, "For this reason, the current plan **[inaudible]** but rather an evolutionary modification of the predecessor plan." That doesn't sound real good.

Male Speaker: Previous plan?

Male Speaker: I would like to say the initial or the previous plan. That's just a semantic deal, but –

Male Speaker: Okay. So let's just go down through Chapter 1 while we're already on it?

Male Speaker: Sure, I was just about to tell you.

Male Speaker: All right. And a lot of it is just typo, but on Page 5 –

Jonathan Letz: Let's go through it page by page, that way we don't jump around. Anything else on Page 1? Any changes to Page 2? Page 3? On Page 3, should we define here "recharge and sustainability?"

Male Speaker: Probably.

Ernest **[Inaudible]**: My comment is **[inaudible]** definition.

Jonathan Letz: I like the definitions, and I think they're kind of probably addressed later on, or would be, but I think it's good probably just to define those terms at this point.

Male Speaker: What about farm yield?

Jonathan Letz: Farm yield.

Male Speaker: The big debate we've got going with the EGRA is that those permits are based on farm yields and sustain, so.

Male Speaker: But if y'all **[inaudible]**, that's kind of what –

Male Speaker: Farm yield from a surface water perspective?

Male Speaker: Yep, um-hum, yep.

Jonathan Letz: I think that as the more we can define those type terms, the better off we're gonna be.

Male Speaker: What was the other one?

Jonathan Letz: Recharge, sustainability and farm yield. Anything on Page 4?

Male Speaker: It's just a simple typo, but I think it's got Del Rio spelled wrong.

Jonathan Letz: Del Rio?

Male Speaker: Where?

Male Speaker: There in the [inaudible].

[Crosstalk]

Jonathan Letz: Okay, Page 5.

Male Speaker: The only thing I had on Page 5 is the compilation of things [inaudible]. While that may be again the official census, it brings up my point about tourism. You can't to [inaudible], no matter what time, without seeing 800 people on the sidewalk. I'm saying it again, we need to – and it goes back later as far as the need to include other factors besides just [inaudible] protecting water use.

Jonathan Letz: I agree. I have that same comment. We probably ought to have a second paragraph right above the land use talking about the non-permanent population. I think it got brought up here again.

Male Speaker: It's mentioned in here, and Jon's done well in putting it in a few places, but I'd still like [inaudible] to see it.

Jonathan Letz: Yeah, I think the more – I agree with that. There's some other areas that –

Male Speaker: And we're seeing it more and more here. We're getting more and more tourism here and more and more people coming in, so [inaudible].

Male Speaker: What do you call that, Jon? You won't call it transient, will you?

Male Speaker: Non-permanent or recreational. Jon used some terms elsewhere, and I think that same – you can almost duplicate that other paragraph in the population section. I think you can't say it too many times because I think it – the other reason for him to use it again is I want to add some additional language when we get to that section about our disagreement with the population demand and the whole process they're using right now. I think it's totally ridiculous for our region, but we'll get to that when we get to that chapter.

Male Speaker: I've been coming to that too [inaudible].

Jonathan Letz: Anything else on Page 5? Page 6? Page 7? Page 8? Page 9?

Male Speaker: Yeah, on [inaudible] natural resources 2.8, the first sentence where it says, "[Inaudible] sheet with be a tally sheet [inaudible]

production, including **[inaudible]** mohair and **[inaudible]** angora.”
Well, that’s one and the same. Just pick either mohair or angora.

Jonathan Letz: Take out mohair, wouldn’t you? Isn’t angora the type of goat?
[Inaudible] mohair goat **[inaudible]**?

Male Speaker: Also, I don't know if you want to –

Jonathan Letz: On Page 9, it’s no longer the Kerrville Shriners State Park. It’s the
Kerrville Shriners City Park.

Male Speaker: I knew **[inaudible]**.

[Crosstalk]

Male Speaker: There were some other things on there.

Male Speaker: Actually, the official name is Kerrville County Park.

Jonathan Letz: Not Kerrville Shriners Park? I didn’t –

Male Speaker: It doesn’t have city in it. All they did was take the state out.

Jonathan Letz: Okay. Kerrville Shriners Park.

Male Speaker: I saw the name of the Park Hills Research Station has changed.
Now, it’s Park Hills Nature Science Center.

Jonathan Letz: Called what?

Male Speaker: Park Hills Nature and Science Center.

Jonathan Letz: Nature and Science? Anything else on Page 9? Page 10? Page
11?

Male Speaker: **[Inaudible]** the security system where these per capita man figures
came from? I don’t have any disagreement necessarily
[inaudible]. I just wondered where they came from.

Jonathan Letz: Well, it’s just strictly taking the water demand and divided it by
the population of the county. Now, it – my other region, Region E,
really had problem with talking about per capita because some
communities that have a lot of industry where the cities supply the
water, the per capita number goes way up, and it’s not really
indicative of what a single person’s actually using. If these don’t –
if that paragraph is not meaningful, I would suggest taking it out.

Male Speaker: The reason I'm bringing it up – another reason I'm bringing it up is Perry handed me, and I'm sure most of y'all got a copy of this, this letter from the National Wildlife Federation. They **[inaudible]** their thoughts about municipal water conservation potentially **[inaudible]**. This is talking about 140 gallons, so **[inaudible]** when you look at our projections, our figures, there isn't any one of us in there that's anywhere close to 140 gallons, so I think that all we're doing by leaving it in there is having to take **[inaudible]**.

Jonathan Letz: But when you really look at what they mean by 140, they mean truly per capita, and that probably is not including industrial use or any other supplies to cities.

Male Speaker: No, no commercial.

Jonathan Letz: Yeah, commercial. So it does skew it.

Male Speaker: I'm just curious because I thought it was a little high myself. I'm just kind of curious if you have any separate numbers for Kerr **[inaudible]**? I'm just curious if those numbers would be a little more maybe **[inaudible]**.

Jonathan Letz: What's Kerrville's number, Howard?

Male Speaker: Well, I'd have to agree too because –

Male Speaker: What they're saying on this is Del Rio's **[inaudible]**. That's the number I got from the Wildlife Federation.

Male Speaker: Those numbers are, in my opinion, they're meaningless because just like the city of Kerrville, our population probably doubles every May because of the people that work there, the tourists, all those people that you see, they don't live there. So I bet our per capita, instead of being 150 or so, which is about average for us, is probably closer to something less than 100. But there's no way to quantify it because you don't know how many of those people **[inaudible]**. See, **[inaudible]**, they've got 500 employees every day that come from elsewhere. Per capita numbers to me, yeah, you can use them for trending maybe or something, but they don't really mean per capita. Not even close.

Male Speaker: So we just strike out that?

Jonathan Letz: Delete that paragraph?

Male Speaker: Either delete that paragraph or –

Male Speaker: If you're gonna use per capita, you're gonna have to define what it means. You have to know the two or three **[inaudible]**.

Male Speaker: That would be an entirely **[inaudible]** is to try to quantify **[inaudible]**.

Jonathan Letz: All right. I'll put a qualifier in this paragraph saying that this based on some other type of criteria.

Male Speaker: I think you need to delete it, probably.

Male Speaker: Is it possible to make a recommendation that per capita information is more itemized in the future plans? Isn't the water development board kind of going that route right now?

Male Speaker: Yeah, they're already actually revising their surveys to do that, so there is already an interest at the state level to refine **[inaudible]** numbers **[inaudible]** conservation levels in the future.

Male Speaker: I just wanted to chip in a recommendation in our plan that **[inaudible]**.

Jonathan Letz: I don't know if you need to recommend it. Just plan on doing it next time. It's an action of what we need to do here, not so much what the board does.

Male Speaker: But I think that the – I don't know. I think that the state's involved because a lot of these numbers come off reporting and **[inaudible]**. I think there's this – I agree it's Charlie. I think it ought to be under the recommendations section, but this – the per capita. If it's gonna be discussed on a per capita basis, they need to figure out a way to do it uniformly.

Male Speaker: Yeah, **[inaudible]** per capita is still gonna be the bottom line of the best way to judge efficiency and conservation and all that. So when you start lumping apples and oranges in there, industrial water conservation is different than municipal. Our whole accounting or **[inaudible]**.

Male Speaker: We still need studies on rural consumption too.

Male Speaker: Right. **[Inaudible]** has to be part of that. I think we need to study rural consumption. We need to look at – ask the municipalities if they can to come up with a way to come up with a true per capita usage, not a –

Male Speaker: It's gonna be pretty hard to **[inaudible]**.

Male Speaker: **[Inaudible]**.

Male Speaker: The way they are, it's hard to know what they –

[Crosstalk]

Male Speaker: Yeah, it's **[inaudible]** use per capita. Is that the hang up?

Male Speaker: Right, because they don't mean anything. It's like you look at these numbers, and no one really thinks that in Del Rio, they're using the double the amount of water per capita than they do in Kerrville. The reason is that they have some leaks in the system, and they have some industry down there that uses a lot of water.

Male Speaker: Or else they're all trying to **[inaudible]**. There's really not a true picture because they're **[inaudible]**. That's why I'm saying just need to do something, some way to define it or delete it.

Male Speaker: But do you define per capita use somewhere else in the plan?

Male Speaker: Not that I saw.

Jonathan Letz: No, what we can do – **[Inaudible]** was also mentioning it to me as well. We're talking about conservation. In the conservation chapter, we can kind of get into more detail about per capita use and breaking it out by actual categories.

Male Speaker: I'm just afraid when it says here **[inaudible]** right here that it's gonna look like we aren't doing what we should be doing as far as conserving and trying to cut down on **[inaudible]**.

Jonathan Letz: People like numbers. They can pull them out.

Male Speaker: If you can put some in there with disclaimers, "These numbers are predicated on transient use, municipal use." At least people would know the numbers have some skew built into them.

Jonathan Letz: If you leave this in here, you definitely need to do that. But I'm not sure these numbers really mean anything anyway, to tell you the truth.

Male Speaker: Okay.

Male Speaker: Well, if **[inaudible]** is challenging what we're doing based on a per capita deal, if we would ignore it completely, it would make us look bad, so I think we need to say something about per capita, but it's a variable depending on transient people, etc. Mention it, and then more or less disregard it by your comments.

Male Speaker: You could even use some kind of statement saying while these figures are put here, it's extremely hard to define. **[Inaudible]** based upon **[inaudible]**.

Jonathan Letz: I disclaim it first then, and put the numbers second.

Male Speaker: I wouldn't even put numbers in there. I'd say it could vary between this and that, and let it go.

Jonathan Letz: Put the average for the region at 221? Or a range? **[Inaudible]** put something in there.

[Crosstalk]

Male Speaker: **[Inaudible]** read by the higher ups and say, "Well, we've got a problem here, and it needs to be addressed."

Male Speaker: I don't know. It just needs to be fixed. That's what we pay Jon to do.

Jonathan Letz: Come up with a new – I'm hearing leave it in, but put some disclaimers, and get rid of the details.

[Crosstalk]

Male Speaker: Yeah, it's **[inaudible]**.

Jonathan Letz: All right. Page 12?

Male Speaker: I just have a comment. I was looking under irrigation down here, and I was looking at **[inaudible]** 11,478 acre feet. That sure seems awful little considering they're expanding **[inaudible]** 70,000 acre **[inaudible]**. Again, I'm just wondering where did this actual figure come from?

Jonathan Letz: Well, there was significantly more irrigation back in the 70s and 80s. It's nowhere near that right now. This number's based on the Water Development Board's year 2000 irrigation survey. That's actual use as of the year 2000.

Male Speaker: That was more of just a little barbed comment, really. But I just –

Jonathan Letz: I think – does it say where that number comes from? I think you ought to say where that number comes from there then – where all those numbers come from – because it is – if you look at that number, then if you look at the other table and you’re 50,000 acre feet apart with a 600 percent difference, someone may say, “Why?”

Male Speaker: Do we have any **[inaudible]** from Del Rio when the guy that was almost threatening to sue us if we used to **[Inaudible]** County figures?

Male Speaker: **[Inaudible]**.

Jonathan Letz: Anything else on Page 12?

Female speaker: **[Inaudible]**.

Jonathan Letz: Page 13? 14? 15?

Male Speaker: Fifteen, all I saw was a typo down on 1.4 in one of the last lines. I guess **[inaudible]** that should be **[inaudible]**. We feel insignificant already.

Jonathan Letz: For which section?

Male Speaker: Should be groundwater 1.4, I believe.

Male Speaker: Second paragraph **[inaudible]**.

Female speaker: **[Inaudible]**.

[Crosstalk]

Male Speaker: 1.4.1, groundwater. We’re talking about the **[inaudible]** County **[inaudible]**. We all **[inaudible]**.

Jonathan Letz: Oh, I found it.

Male Speaker: Okay, yeah, Page 14, then.

Male Speaker: I don’t like the description of **[inaudible]**.

Jonathan Letz: Chapter 1 just has a very brief mention of each of these **[inaudible]**. Chapter 3 goes into a lot more detail, so that’s where you see the breakdown in Chapter 3 – you will see.

Male Speaker: Coming back to that, we're talking about this [inaudible] river [inaudible] County. I'm kind of dumb on a lot of this stuff. I have no idea what's underground. [Inaudible] I've ever been to [inaudible], but what formation or what would you say that a lot of these shallow wells that make [inaudible] this 700 acres in Edwards and Real County because we've got a lot of wells in this county that are 100 feet or less, or 200 feet deep, and they're really not in Edwards. They're really not [inaudible]. They're [inaudible] river [inaudible] is what they are.

Male Speaker: They're [inaudible].

Male Speaker: They're [inaudible] wells, but they're not defined anywhere. Probably 60 percent of the wells in my database are shallow wells like that, and we need to look at some kind of definition on [inaudible].

[Crosstalk]

Male Speaker: Where do they go? What are they called?

Jonathan Letz: That's good. I need to add that sentence in here under other aquifers. In Chapter 3, I've got a little bit more discussion about that very thing.

Male Speaker: [Inaudible] river [inaudible].

Male Speaker: The [inaudible] river [inaudible] would only be about 1,100 acres or something that it takes in.

Jonathan Letz: Um-hum.

Male Speaker: There are thousands and thousands and thousands of acres –

Jonathan Letz: That's probably the same in every county.

Male Speaker: [Inaudible].

Male Speaker: I'm using that as a model [inaudible].

Male Speaker: So you're gonna add that on Page 16 under other aquifers?

Jonathan Letz: Yes.

Male Speaker: Some of us have different page numbers, so giving **[inaudible]** chapters would be easier for us – page and chapter would be easier for us to follow it.

Jonathan Letz: Okay, we're on page –
Male Speaker: Your page number down at the bottom, does it say like 1-16?

Male Speaker: Yeah, **[inaudible]**.

[Crosstalk]

Male Speaker: The one means Chapter 1.

Male Speaker: I understand that, but –

Male Speaker: But we've got different page numbers.

Male Speaker: We're still on the **[inaudible]**.

Female speaker: We're on 18.

Male Speaker: **[Inaudible]**.

[Crosstalk]

Male Speaker: **[Inaudible]** two pages **[inaudible]** now.

Male Speaker: Two pages?

Male Speaker: It wasn't one **[inaudible]**.

Male Speaker: We might could give these section numbers too when –

Male Speaker: Or just the heading or something.

Jonathan Letz: Okay, Page 17.

Male Speaker: Yeah, that's where it **[inaudible]** river basin.

Jonathan Letz: River basin?

Female speaker: It's 18 on here about.

Jonathan Letz: Page 13?

Female speaker: Eighteen.

Jonathan Letz: Oh, 18. Page 18, okay. What about **[inaudible]**?

Male Speaker: Those are also for this **[inaudible]** 18.

Male Speaker: **[Inaudible]** Kerr County and **[inaudible]**.

Jonathan Letz: I'm just going to add some – yeah, I need to modify that first sentence and then just discuss about shadow wells everywhere.

Male Speaker: All right, so we're down to 1.416. **[Inaudible]** the river basins? Page – not Page 17?

Jonathan Letz: Again, the river basins, like the aquifers, will be discussed in a lot more detail in Chapter 3.

Male Speaker: Page 18, major springs. My comment on major springs is I think we need a little bit more language about maybe the non-major springs. We define them as – and your said how we define them, but I think that also we'd consider a lot of the springs very important springs or some of the language that –

Male Speaker: Why don't we **[inaudible]** basically going with all springs play a major role or something like that?

Male Speaker: Major role, something like that.

Male Speaker: Then, when you talk about **[inaudible]** being critical or something.

Male Speaker: Well, the major springs is a defined term in the bill.

Male Speaker: You need something.

Male Speaker: So we have to say maybe – but I think we need to talk about the other springs, and I think it's a good opportunity to talk a little bit about where the headwaters **[inaudible]** and that because of that, we view springs as critical throughout the region.

Male Speaker: We talked about the **[inaudible]** river basin to the name of our **[inaudible]**. I don't know if we talked about **[inaudible]** river, pond or creeks in the **[inaudible]** river in **[Inaudible]** County and the **[inaudible]** river in **[Inaudible]** County. It just says that the main stem of the **[Inaudible]** River forms the border between Edwards and Real Counties. But that main stem has several major tributaries that really are as big as **[Inaudible]** Creek or as big as the **[inaudible]** basin that aren't even mentioned in here. I don't

know if you wanted to even look at a listing of those that form part of the tributaries to the main stem of the **[inaudible]** or what.

Jonathan Letz: You said the main stem and its tributaries?

Male Speaker: Yeah. I would add those tributaries. Just adding the tributaries is **[inaudible]**.

Male Speaker: Okay. After 1.43 under major springs, you're gonna expand that a little bit, Jon?

Jonathan Letz: Yeah.

Male Speaker: When we talk about major springs, and this is exposing my ignorance, can **[inaudible]** be a number of springs that really make up the spring? It's not one spring. It's a series of – if it's a spring – a grouping of springs that are called the major spring? Does everybody understand that except me?

Male Speaker: Yeah. I've got some more description that's actually in Chapter 3 right now, and it may get added over here. But you're right. Usually, these springs are not just one opening.

Male Speaker: That's a good point.

Male Speaker: **[Inaudible]** like San Felipe Springs. There's several of them.

Male Speaker: It's a series of springs. Thank you.

Male Speaker: We may add that here too as well, Jon, then, under that first sentence there where we discuss major springs. On the next page, under **[inaudible]** you need river and stream segments. I think that should be expanded a little bit also in kind of the same way. We recognize the ecological uniqueness of all of the springs really in our region, and that's one of the reasons we didn't want to pick and choose because if you pick one, you have to pick it all. There's really no objective criteria that you can say, "Well, this segment of the **[inaudible]** is better than this segment of **[inaudible]**."

I think we need to say that it's not that we don't think we have, and we're turning a blind eye to our springs and rivers. It's more that we think they're all important.

Male Speaker: I'd like to ask a question. I'm still **[inaudible]**. And the reason I'm here today is for the **[inaudible]** known over the years. Y'all are **[inaudible]**, but what's got me concerned was the **[inaudible]**

was the river [inaudible]. [Inaudible] beautiful, high quality water [inaudible]. That, to me, tells me the inaccuracy of some of the information that we're being provided. Is that our fault? They call [inaudible] caverns a spring. When you see errors like that, you wonder what else is in the reports that we have to use [inaudible], but it is a concern.

You wonder about the accuracy of some of the information that we're provided. [Inaudible] use this information. But what is the bottom line? In the first regional plan, and now in this one, a lot of us are – it wasn't because of lack of [inaudible]. A lot of the problems was because I think most of us want our [inaudible] water to be clean. It really puts us in a bad position when we're refusing to identify something that's [inaudible]. And in our [inaudible], you could say it's also part of our natural resources, but water's not even listed as a natural resource. I thought water was a natural resource.

Anyway, I wanted to comment to many of y'all on I don't like the way y'all [inaudible]. We have to shout, but [inaudible].

Male Speaker: Oh, we [inaudible] a long time ago.

Male Speaker: We don't get the privilege of doing what y'all are doing over there in [inaudible], like I said. And you're an SOB if you say that where [inaudible] can hear you.

Male Speaker: We're a small region. We understand that. We fought to be a small region, and for that reason, we have a lot more ability I think to make sure our point of views are represented individually.

Male Speaker: Just to [inaudible], I hope I don't [inaudible] too much [inaudible]. I'll say something again. What is gonna be the bottom line? Most of the state [inaudible] damn sure don't say anything. Then, we get these nasty letters, and I'm just throwing this out. [Inaudible] for 67 years now, and when we get these letters from the [inaudible], and it's telling us we're wrong, and we shouldn't have done it that way. And yet, they come to our meetings – or they don't come to our meetings, and then when they are there, they don't say anything.

With Parks and Wildlife, we've got one of the best [inaudible]. We've got [inaudible]. [Inaudible] all come down here, [inaudible] out there on my lot, and I'm gonna have to clean it up, so [inaudible]. But they don't come to our meetings, and yet, we're supposed to carry out their mandates. And I don't say that

offensively. But what I'm getting at, we keep **[inaudible]** at least in our regions about this unique stream base because it never has been clarified. But in your opinion, what is the bottom line? Like Mr. Smith just mentioned, we go on the **[inaudible]** issues, just keep the same thing. What is the bottom line if we leave out **[inaudible]** streams?

Male Speaker: Not a thing.

Male Speaker: Not – we looked at – we talked. We've spent many hours on that one topic. We all have to say we also have a good Parks and Wildlife representative that does come and does contribute, but I agree with the PCQ and **[inaudible]**, we never get any attendance. But on unique stream segments, we as – again, as I think I said, is that we really view all of ours as equal.

We think that it's not probably proper to 1.) Pick one and say this segment is better than some other segment, and 2.) We're still uneasy about what that designation may mean down in the future, and there is some feedback we've received that the federal government may use this or may have some reason to use it, so we decided to be silent on actually naming them. We would prefer just to put it in the verbiage that we consider them all extremely important and a vital part of the region. That's how we handled it.

Jonathan Letz: Okay, anything else on 1.4.4?

Male Speaker: On the reuse, what are we gonna put in there? Any idea?

Male Speaker: Right now, I believe that Kerrville is probably the only one that we have information on is that it's actively has a reuse program going.

Male Speaker: By reuse, you're just talking about waste water? Reusing waste water **[inaudible]**?

[Crosstalk]

Male Speaker: Yes, actually using waste water –

Male Speaker: On the city **[inaudible]** or **[inaudible]**, so that is a reuse because **[inaudible]**.

Male Speaker: Right now, I know we've got the information, the actual quantified numbers for Kerrville, and we'll look into other communities.

Male Speaker: **[Inaudible]** find the best **[inaudible]** some idea of that.

Male Speaker: All right. Next under 1.5, water management planning. My Page 20. Comments there?

Male Speaker: **[Inaudible]**.

Male Speaker: Well, I figured he left Spring Hills in there just to see if I'd read this.

Male Speaker: We actually got that changed. I'm at 1.5.2, local water management studies and plans.

Male Speaker: That's down under Spring Hills, yeah.

Male Speaker: This is pretty much out of the first plan, and this is where I directly need y'all to tell me if any of these have been updated or if there's some new ones out there that we need to include.

Male Speaker: Kerrville is. You can go to the website and **[inaudible]**. I thought **[inaudible]**.

Male Speaker: I don't know. **[Inaudible]**.

Male Speaker: But that's this management plan. Is that –

Male Speaker: Yeah, this needs to be in the – these are really official management plans. We go into these conservation and drought contingency plans. Usually, those are all bundled together. That's going to get discussed in Chapter 6, where we actually summarize them. In Chapter 1, I just wanted to say, "These are the entities that we are aware of that have these plans," and then go to Chapter 6 to see the details.

Male Speaker: You know when you look and follow up on that **[inaudible]** contingency plans were developed by the following. Now, we **[inaudible]** drought **[inaudible]**. There's not a single one **[inaudible]** any groundwater **[inaudible]**. None of the groundwater districts show to have a drought plan under here.

Male Speaker: Yeah, I know. The groundwater districts generally, they have a district management plan, but then they have rules.

Male Speaker: **[Inaudible]** but we all have separate drought contingency plans.

Male Speaker: **[Inaudible]**.

Male Speaker: It's listed here.

Male Speaker: Lee, I think it'd be inappropriate to mention if a groundwater district actually has a conservation – other than just the management plan itself.

Male Speaker: **[Inaudible]** separate or it will be, and it'll be done by the summer. It's in the final draft stages right now.

Male Speaker: Then, on the next page.

Male Speaker: **[Inaudible]**.

Male Speaker: Yeah.

Male Speaker: Yeah.

Male Speaker: They have one that's developed some time there, but I've got to develop a new one.

Male Speaker: I guess what I was saying is **[inaudible]** plans have been developed by the city of **[inaudible]**, city of **[inaudible]**, city of Kerrville. Every one of those water **[inaudible]**, city of **[inaudible]**. It doesn't mention anything about your groundwater **[inaudible]**.

Male Speaker: I use it as – I mean all the groundwater districts have management plans.

Male Speaker: They all have management plans, but I'm talking about the drought contingency.

Male Speaker: They all have drought contingency plans, but it seems they ought to be listed under the first list and the second list to me, and then they're listed again under groundwater districts.

Male Speaker: Yeah, if you've got separate drought contingency plans, we'll mention it over here.

Male Speaker: Most groundwater districts don't. They just have a management plan.

Male Speaker: But under the new management plan, you have to develop one.

Male Speaker: Yeah, I thought that **[inaudible]**.

Male Speaker: [Inaudible] model plan and go by [inaudible] the model plan for the [inaudible] it is?

Male Speaker: Not that I've seen. I threw a request out to [inaudible], and I got very little response on that.

[Crosstalk]

Male Speaker: [Inaudible] that came up and [inaudible] groundwater [inaudible] district drought conversation model plan, and that they're not tailoring towards groundwater at all. You'd have to come up with one separately [inaudible] plan at this point.

Male Speaker: There's something on here that talks about a model plan in one of the other chapters, but I don't know what it is.

Male Speaker: Okay, but not the groundwater district. The irrigation district [inaudible].

Male Speaker: Oh, okay.

Male Speaker: Anything else on those three pages [inaudible] plans, the drought contingency plans and groundwater plans?

Male Speaker: You will change the name?

Male Speaker: Yeah.

Male Speaker: Okay.

Male Speaker: That's why I put Spring Hills down here.

Male Speaker: I didn't mark down the copy I gave you. I figured you'd do a check.

Male Speaker: [Inaudible] groundwater conservation district, I got your correct name there.

Male Speaker: Okay, [inaudible] supply [inaudible] vulnerability security, 1.5.4. My Page 22, and then my next page is [inaudible]. 1.6. Next, 1.7, state and federal agencies. And that ends Chapter 1.

Male Speaker: That's [inaudible] 400 [inaudible] the decimal.

Male Speaker: What page?

Male Speaker: Mine is 26.

Male Speaker: **[Inaudible]** down in **[inaudible]**? Yeah. At least one zero.

Male Speaker: Probably missing a zero, looks like.

Male Speaker: Oh, yeah. How much is that? 400,000?

Male Speaker: I will –

Male Speaker: Instead of 40,000?

Male Speaker: I'll check. What's a zero?

Male Speaker: Or a decimal point?

Male Speaker: Okay. Go on to Chapter 2, population and water demand. I'm gonna try to go to the next page and see if we can – again, Page 1. Page 2.

Male Speaker: **[Inaudible]** 2.2?

Male Speaker: 2.2.

Male Speaker: I think I'm missing something because I see a disconnect between the first and second paragraph. By this, I'm saying the first paragraph talks about collecting some changes to the populations **[inaudible]** Kerr County. But in the second paragraph, you talk about Kerrville and **[inaudible]** County.

Male Speaker: The decline was with Kerrville and Kerr County.

Male Speaker: Yes.

Male Speaker: And the change was in the Kerrville and Bandera because we – this goes into what I want to add because of the mandate from Austin.

Male Speaker: Mandate?

[End of Audio]

Duration: 63 minutes

May 5, 2005 – Tape 1 – Side B

Male Speaker 1: – was to take the population from another county in our region and we took it from Bandera County **[inaudible]**.

Male Speaker 2: That means it's also **Dove** County.

Male Speaker 1: Right. So what I'm saying is that the mandate from Austin forces regions to be unrealistic. We're not talking about true population then because we could not change it. We were given a ceiling for our population for the region. And that ceiling, in our case, was not reasonable and we told the Water Development Board that and I think that needs to be said in the plan.

Further, I think that if you go back to the last plan, and this plan is a total disconnect between Kerr County and the City of Kerr of a population projection, and something is wrong when a population projection, as we finally got it – it's still 20,000 less, which is 25 percent less than it was three years ago. So something has to be – is wrong with the way the population projections are being calculated when one county has an over 25 percent reduction during a period of growth. We had over 80,000 people in Kerr County under the first plan, we're under the 60,000 this time and the numbers we got from Oscar were 50,000.

Male Speaker 2: Well, part of that is because there was a census in the year of 2000 and the numbers we have for 2000 – estimated for 2000 actually were high. So that led. And, again, we don't make up these numbers, this comes from – it was a separate entity that does projections and we take those numbers.

Male Speaker 1: And my point is that the entity that you all are hiring is what the problem is.

Male Speaker 2: No, you don't have it.

Male Speaker 1: I mean, I'm just saying that if you look at Kerr County's numbers, Kerr County was right on track with our projections. We amended the first plan, we went back to the City of Kerrville and the County Board and said, "This is where we're gonna be." It was revised upward and we were right on line. So then what appeared, in my mind to be arbitrarily, when he showed **[inaudible]** growth during the '90's in Kerr County, they showed it went from 80,000 to 50,000 total population.

And something had to change and it was unreasonable, and the only way we could adjust it was to take the population from Bandera County, which was not a good solution, but it was the

only thing we could do. Otherwise, we showed a declining population in Kerr County. And I would defy anyone that goes to Kerr County and look at what's been going on that said our population is gonna decline in the next 40 years. So my point is, I want all that put in writing, or summarized anyway, because I think there's a few policies where the Water Development Board's **[inaudible]** the population.

Male Speaker 3: That was **[inaudible]**.

Male Speaker 1: And that's a **[inaudible]** every **[inaudible]**.

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 4: The Water Development Board has been in business for a long time and you can go back and look at projections made in the early plans and overall they're on target now.

Male Speaker 1: Our region?

Male Speaker 4: Individual county –

Male Speaker 1: Well, there you go. But if we're talking individual counties, Ray, how can you – we're planning for a city and a county and it's individual.

Male Speaker 2: Well, it's eight generally. We're after the best science and best methodology, okay?

Male Speaker 1: And I'm saying the methodology does not work for our region and I want that in the plan.

Male Speaker 2: And you do you have some data to back that up?

Male Speaker 1: Yes.

Male Speaker 2: That's – just get the facts, that's all.

Male Speaker 1: And I'm just saying when there's a plan that came out of 2000 that said Kerr's population was going to 80 some thousand, or 86,000, I think it was, by 2050, and then a couple years later we come out with a new number that's supposed to be 56,000, something isn't right if it shows that percentage decline in a five-year window.

Male Speaker 3: If you go back and you look on this or census **[inaudible]** building permits and the feeder connection and those kind of things show where your growth is.

Male Speaker 1: Yeah. I mean, just look at the Kerrville Airport and textile. Why was textile spending millions and millions of dollars updating the Kerrville Airport in an area where the population is going down? There's a lot of – I mean, there's other agencies obviously see that there is a huge growth coming down into the hill country, and for the Water Development Board to say there's not, there's a problem with the number jargon and that's all I'm saying.

And I think the number goes back that something else needs to be added here and what Lee's been harping on for every meeting is that we have a non-resident population, people with weekend homes, and all those people are being counted in Houston or Dallas or San Antonio or wherever they're coming from, some of them from out of state, and they have homes that are used and using water, that are totally missed. And they're being counted as Houston residents, but they're using water in our region.

Male Speaker 3: We have a lot of regions that have people that count **[inaudible]**. Well, this is – I know –

Male Speaker 5: We have a lot of people in a lot of regions that have been in that. Why are you all staying with this same really **[inaudible]** agency. It's not just for us, it's everybody that's got this problem, then why aren't you all taking –

Male Speaker 3: Don't people in **Jay** take vacations? Where do they go for vacation? I mean, San Antonio?

Male Speaker 2: We don't have the money –

Male Speaker 3: Right.

Male Speaker 1: See the problem is we don't have a major metropolitan area. People are going from the cities to the rural areas for the most part. I don't know many rural people that have second homes in cities.

Male Speaker 3: Well, since we – I mean, we've got to get into discussion, but I think we –

Male Speaker 5: Why would you want to do that?

Male Speaker 1: Yeah, really.

Male Speaker 3: First of all, I mean, you're not the only region that people visit and vacation in.

Male Speaker 1: What I'm saying is we were one of the highest.

Male Speaker 3: Well, based on what?

Male Speaker 1: Based on our total population.

Male Speaker 2: **[inaudible]** being the most popular state park in the State of Texas for No. 1. Based upon the other – the influx of all the new growth as far as the private parks and stuff that are coming in here. Based upon the hunting population, this is one of the most attractive areas of the state. Based upon the fact that we have the headwaters of most of the major rivers in the State of Texas. Yeah, based upon something like that.

Male Speaker 1: Youth camps.

Male Speaker 3: Okay. Now, this is the kind of thing I'd like to see some documentation whether or not you –

Male Speaker 5: Because of parks –

Male Speaker 3: Well, in here for your report and, I mean, you can go account. You're getting **[inaudible]**, right?

Male Speaker 2: Yeah.

Male Speaker 3: **[Inaudible]** secondary – second homes as opposed to – I mean, there's ways to get numbers together if you want to make that an argument rather than just –

Male Speaker 1: But on that point you're asking a district that doesn't have any money to go out there and do surveys and try to do a lot of the **[inaudible]** because there's no money to do the research.

Male Speaker 3: Well, we gave –

Male Speaker 2: I can show you my database, the growth, and I did and I turned those in to John the first year I put the database up, how many wells were drilled the second year, and it showed that every year the growth in that, and now you're saying we use less water. I'm saying, "What are these people doing? Just digging holes in the

ground for nothing?" **[Inaudible]** between second homes and permanent. Did you guys know that?

Male Speaker 3: No. I mean, **[inaudible]** was set up, there was no need to worry about it.

Male Speaker 2: You mention the records, I'm sort of joking here a little bit, but most of the time the design's off, **[inaudible]**, they don't drink water and they don't flush. **[inaudible]** water needs.

Multiple Speakers: **[Multiple Conversations].**

Male Speaker 1: You haven't been to my house. Our utility bill is at a **[inaudible]**.

Male Speaker 5: The facts are there as far as the number of wells, the increased number of wells.

Male Speaker 3: The number of wells, fine, but you have to understand that it's a short-term. There's bumps. All these numbers, we're looking for kind of the 50-year out date. It's not that you have to **[inaudible]** yours out, I'll guarantee that.

Male Speaker 1: I mean, their area, look at the ranches and the number of property owners.

Male Speaker 5: The subdivisions that are going in.

Male Speaker 1: The subdivisions going in. Those people are buying for short-term?

Male Speaker 3: The water level is still determined. There's the number of permits, I mean, they'll get a rash, they'll have people in and then the land will go up high and you won't sell any. I mean, it's – you can see because it's always a –

Male Speaker 5: Edwards County alone has arrived at 100 subdivisions and upward. In Edwards County, and Edwards County is a very active county right now as far as drilling. Real County has 80 some odd subdivisions, but they're older subdivisions, but they're still – more and more people move in, more and more people are buying.

Male Speaker 3: But are they retiree age? This is what happens when they do the core models and those **[inaudible]** is most of the influx is retired age, not baby producers.

Male Speaker 1: And every time they die, two more move in.

Male Speaker 2: Two more move in.

Male Speaker 1: And that's not noted for, now that's not counted for.

Male Speaker 5: **[Inaudible]** has people that when they die, they move in **[inaudible]**. That's not – they didn't **[inaudible]**.

Male Speaker 2: The model doesn't work.

Male Speaker 1: I think you're hearing it from every county here and that's what our gripe is.

Male Speaker 3: Well, you have a lot of people and a lot of records.

Male Speaker 5: We're trying to fix the way you're doing stuff.

Male Speaker 3: Well, I think you got that **[inaudible]**.

Male Speaker 5: What Ernie's trying to **[inaudible]** log state's policy, but anytime you have a broad policy on an individual basis there will be variations. So I think somewhere in here we could say that based upon the broad brush state formula, it would be a certain way, but it has to be adjusted for individual local knowledge as to what's happening there. So I don't know how you'd put it in there, but no matter what you're talking about, population or anything else, where you have a broad brush plan and individuals, there's always the hills and valleys involved in the thing. And it's – he's trying to do it for the state and it ain't working here.

Male Speaker 2: It's probably not working in other places either.

Male Speaker 4: Let me make a recommendation.

Male Speaker 3: **[Inaudible]** that's on the table on that one.

Male Speaker 4: Let me make a recommendation. The reason we have a population section in here is because you use the population to work up Municipal and County Other water demand. I mean, we're not at – this is a water plan, not a population plan. The population is part of how you derive water demand. I think during the next planning period, under County Other, we look at the Board's population for County Other, but that's only the – say the permanent population.

We come in and we got through the process of looking at hunting impact or whatever it is and we come up with another category of

water demand that's going to meet this particular situation. And we probably assign that to County Other, but next time we do quantify it in more detail and we don't rely strictly on the County Other population. I think that's how we as an individual region – that's about the only way we're gonna be able to do it.

Male Speaker 1: I say we need to just put it here. I think that needs to go into the Recommendation section. I think it needs to be said out here that we disagree with the way the population demands were done.

Male Speaker 2: Is that on 2.3, though? Isn't that statement in there?

Male Speaker 1: It's in there, but I think it needs to be – it's –

Male Speaker 5: Yeah, but it's not on the County Other. It's Municipal.

Male Speaker 1: Yeah, Municipal is where it's at.

Male Speaker 2: No, I'm talking about 2.3.1.

Male Speaker 1: Yeah.

Multiple Speakers: **[Multiple Conversations].**

Male Speaker 2: At this time, we're reaching a Water Plan. I know several people like to think that we're not. We started this in 2002.

Male Speaker 1: Right.

Male Speaker 3: But we have rules, guidelines, all the bills on the statutes that's mandatory. These are things that need to be – made a full, complete Regional Water Plan. Some choice is in there, but there is a guideline for that. We funded that and we called it the Base Funding, but we also asked the region we realized that there are specific – there's differences. There's some differences now between F and J and O and all the others. And then we gave each region the opportunity to come along and list specific studies they felt they needed to do a good Resource Plan for their region.

Male Speaker 1: But they didn't have the means in them.

Male Speaker 3: The leaders did. **[Inaudible].**

Male Speaker 2: But this doesn't matter.

Male Speaker 3: But we are **[inaudible].**

Male Speaker 1: Well, I think – I think how –

Male Speaker 3: The story was is this region chose two studies and we gave – we funded Priority Parking 1 and 2. One was springs and that ties into your comment earlier, Chapter 1, because I'm not sure we're gonna address that, but we definitely need to have more water to the springs just because we funded that specially for this region. We didn't do that for any other region. Also, there are some **[inaudible]** because that's the region, at the time, thought those are the most important things. So somehow **[inaudible]** wasn't quite up there yet. So if we do that again, if we have the funding, I mean, there's the opportunity to request a study.

Male Speaker 1: I never even really thought that there was – I was under the impression that the population meant we were not allowed – I wouldn't even think that study was allowed.

Male Speaker 3: We're having the best science, and I've always considered saying that. But we will sit back and look at, again, we have limited experience with this, but it's a **[inaudible]**. And they do their models, the models, we think, are the best science. Some assert themselves or really doesn't carry through, but we're active with that science. And if you have the opportunity, if we can fund it the same way next time that we did this last time, you don't have to do any of it.

This is the most important issue for this region. I will say, though, from a statewide standpoint, we're not really interested in the self-supplied local domestic wells. But this isn't – this **Senator One** is really directed for more major, bigger needs like the Kerr Well, the Del Rio, the **[inaudible]** Well and that whole economic base, the main attraction, that kind of thing.

Male Speaker 1: And that's exactly why I'm so adamant about the population numbers because if we – if Bandera County really wasn't willing to give us population and we weren't willing to take population arbitrarily funded, which we did, Kerrville would have had a declining population, starting at 25 plus or minus. If Kerrville has a declining population and they come to the Water Development Board for a grant for a long-term project, what's the likelihood of that getting through with a declining population?

It's a – what Gene says is true. It's a very broad bushed numbers that we're – what you're using, but we have to use it locally to get anything at the city, and if the population is going in the wrong

direction, it could affect a project that this region, and I think you know the facts there out, may need the project. And that's what the

—

Male Speaker 3: I wasn't **[inaudible]** this region either at that time and I will say this very candidly that every region I worked with directly on this issue, I flattened it out. I never went with a declined population because it just – I don't think you really **[inaudible]**. So even though the models of them keep showing decline, I left every region flattened out without taking it on the total.

Male Speaker 1: And we did that.

Male Speaker 3: I wasn't working with them.

Male Speaker 1: We've done it. We do that, but we've never had to do prime, even though the Water Development Board numbers said we should.

Male Speaker 2: Those population predictions show Bandera going up 600 percent and Kerrville going up about 20 percent. And there's something wrong there.

Male Speaker 5: But after a while, they've actually turned back down.

Male Speaker 1: Kerrville went down the other way. It went up and then went back down.

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 1: Okay. I think we've probably beat that enough.

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 1: Okay. Anything else on Page 2.3 before we get to the tables?

Male Speaker 5: 2.3.1.

Male Speaker 1: Yes, 2.3.1?

Male Speaker 5: Okay. The same issue in a way. I mean, I'm just **[inaudible]** on the word census because the way I read that last sentence, "The Plateau whatever census concerns that certain should be recommended **[inaudible]**." But the consensus – the census is not recognized in **[inaudible]**. I mean, I don't think we ought to be telling – I don't think – personally, I just want to ask, "Should we

[inaudible] tax money so the census can go and count hundreds and all that stuff?" But I really think you need a little **[inaudible]**.

Male Speaker 2: Well, that's in there because of me. It is that it doesn't – the census does not recognize, and they're using the census of the population as your long-term trend and I'm saying, "You may not be carrying about it, but this is a trend that is a long-term trend in that it happens on an annual basis. We get this influx and you're regressing – ingress and egress of population whether it be in the summer for tourists, whether it be in hunting season or whatever, and it's not reflected anywhere in the regular count **[inaudible]**."

All they're saying is that, like we were talking about just a few minutes ago, in the next round we're gonna try to come up with some way of quantifying this and adding to the County Other document like you said.

Male Speaker 3: Going off into the other discussion, what I'm really saying is that the inference here in that sentence is that you want the census to start planning those and I don't think you want to do that. If you want to say for the census numbers to be supplemented with this other stuff, and I'll have to say I agree with that, but I'm saying the way the sentence is structured you're asking the census to.

Male Speaker 2: See I don't read it that way at all. We're just saying that it doesn't recognize us in what the impact –

Male Speaker 3: Well, yeah, that's true.

Male Speaker 2: It's not just County Other either. It also affects Municipal.

Male Speaker 5: Big time. Big time.

Male Speaker 2: It just doesn't recognize it. We're not saying we don't want to do it, we're just saying it doesn't recognize it.

Male Speaker 3: The issue is, is that **[inaudible]** ever done in census and you want to do census plus other counts, not that the census – never mind.

Male Speaker 1: So you want to say – you're saying that instead of using the, "census," we should use, "population projections."

Male Speaker 3: Yeah.

Male Speaker 1: Is not recognized. He's saying the census means federal government census. So change census to population projection.

Male Speaker 5: Probably the word significant **[inaudible]** I take it that we all know that it is significant.

Male Speaker 1: Either way it fits. Okay. All right. People in 3.2, that's just citing on what the fact –

Male Speaker 3: **[Inaudible]** increases that I think that should be changed is that variations or something. It's not – **[inaudible]** increases, okay. Never mind.

Male Speaker 1: Okay. Under the tables, 2.1. Next table. Any other table? Let's go through any of the tables. And the next one, Section 2.4.

Male Speaker 5: One sentence there was total water demand, I think it's total water annual demand.

Male Speaker 1: What sentence are you –

Male Speaker 5: The second paragraph **[inaudible]**. Annual demand, water demand.

Male Speaker 2: Yeah, just specify demand.

Male Speaker 1: Regional annual demand?

Male Speaker 2: And the acre feet should be per year.

Male Speaker 5: Water demand.

Male Speaker 1: Acre feet per year.

Male Speaker 2: Yeah, something like that.

Male Speaker 1: My question was, I mean, looking at that acre foot increase, which is roughly 10,000 acre feet, we're talking about a 79 percent population increase. Do those mesh properly? I mean, to have population growing that fast as a region, yet the total water consumption is only going up 15 percent?

Male Speaker 3: It assumes that irrigation goes down pretty rapidly. You're gauged at your major use, and over time, statewide at least, the trend is down. So when you reduce irrigation by a small percent, that's still a lot of water.

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 1: Okay. Next table, 2.2. And then we have two tables after that. Section 2.4.1, Municipal. In the second paragraph, the last sentence, "The conservation adjusted per capita." The question is, "What's that adjusted?" I mean, it says we're adjusted. It says, "Conservation adjusted." How much are we adjusting per capita consumption?

Male Speaker 2: The more than 15 gallons per person over the 60-year planning cycle. The maximum of 15 gallons per person staggered throughout the planning cycle. Depends if it's anywhere from five gallons **[inaudible]**. Always the maximum for the **[inaudible]**.

Male Speaker 1: Well, whatever that amount is, I think we ought to say it.

Male Speaker 2: Yeah, because I have no clue. I though maybe I was just dumb. But I think we still need to make a statement in there that per capita numbers are not – however you want to say it.

Male Speaker 3: What are saying? Fifteen?

Male Speaker 1: Well, I don't – yeah. Here per capita, I mean, we were just saying that we're gonna – the per capita usage is gonna go down. We're not saying what the per capita is. But I guess you were saying is that –

Male Speaker 2: The term. That term.

Male Speaker 1: The term, "per capita."

Male Speaker 2: Because I don't like using per capita myself because it's not real. Unless they say it's like a building, then you can do it. You know how many people **[inaudible]**.

Male Speaker 1: Could we – is there a way to use the term, "household," and come up with a household consumption? The average household consumption. Would that be a more accurate –

Male Speaker 2: The only really term that would be actually be accurate would be a per connection. Because when we say household, then you start **[inaudible]** and it gets complicated. The only way you could really do it is to say, "per connection," at least from **[inaudible]**.

Male Speaker 1: Okay. But I think kind of – maybe that's qualifying kind of what we're talking about there.

Male Speaker 5: Do you have some more of these terms that hit the claim 800 or whatever **[inaudible]**? Do you have some like mud **[inaudible]** we can do?

Male Speaker 1: No mud.

Male Speaker 5: You don't have any water we can **[inaudible]** even a **[inaudible]** of the Kerr?

Male Speaker 1: The only one that pops into mind is **[inaudible]** and they're difficult because it's one company, but it's multiple sub-companies.

Male Speaker 2: Well, we had Kerrville South.

Male Speaker 1: And Kerrville South.

Male Speaker 5: So those – we gonna have to do projections on those, too, right?

Male Speaker 2: Kerrville South is on **[inaudible]**.

Male Speaker 5: Kerrville South? Okay. Okay, I'm going back then. Back on – we did mention utilities back on – I have 2.3. The total projected population of cities plus utilities **[inaudible]**, your county – those two come out of County Others, but if you go back into the 2.3.1, the next to the last sentence or line.

Male Speaker 1: Larry, 2 point what?

Male Speaker 5: I'm sorry, I'm backing us up, but I got **[inaudible]** when I should have. I have Page 23 with 2.3.1, the next to the last line is – the difference there for County Other is cities plus utilities minus the total county.

Male Speaker 1: 2.3.1?

Male Speaker 5: 2.3.1.

Male Speaker 2: The difference between the projected population of the cities and the total county. I think what Ernie's saying is those entities like Kerrville South should be including **[inaudible]**.

Male Speaker 5: I hadn't checked the calculations. I have to do that.

Male Speaker 1: Okay. That lost me, but he was right.

Male Speaker 5: **[Inaudible]** we're back where we're at on Municipal 2.4.1.

Male Speaker 1: I think the other – I don't know if we should say it or not, but – and this may not be the right spot on water demand, Aqua Source is a problem for our region because, I mean, it is – they probably do – are using the minimum of the water to get them into the – whatever the definition is, major water provider, but they don't cooperate, with this region anyway. I don't know if you want to ding a certain company, but they're a big player in our region, in certainly the eastern part of the region and they don't provide any information. I mean, they don't participate.

Male Speaker 2: That have to give us data.

Male Speaker 1: We have asked them to put a member on this Board and they said, "No." But, I mean, we put in the contingent they had to come and participate, and as soon as we said they had to come to a meeting, they said, "No." I don't know if you want to put that in there or not, but they are becoming more and more of a force in Kerr County.

Male Speaker 2: It does help to have them in there.

Male Speaker 5: Take the fence.

Male Speaker 1: Take the fence? You're not Aqua Source.

Male Speaker 5: **[Inaudible]**. You do it **[inaudible]**.

Male Speaker 1: Oh, that's right. That's right. He's a **[inaudible]**.

Male Speaker 2: You're out voted.

Male Speaker 5: Regarding the Board of the City, the main city or metropolitan area, when you talk about a city.

Male Speaker 2: Special mentality in the city limits.

Male Speaker 5: Within the city limits.

Male Speaker 2: Kerrville is Kerrville and Kerrville South is Kerrville South.

Male Speaker 5: **[Inaudible]** name of the –

Male Speaker 2: Okay. I just wanted to clarify that in my mind.

Male Speaker 5: I'm gonna have to go get those burgers pretty fast.

Male Speaker 1: We're almost done with this chapter.

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 5: Because I want to get to where I want to talk before I eat.

Male Speaker 1: Okay. Well, we're past –

Male Speaker 2: Well, they're trying to get rid of him.

Male Speaker 1: I'm on Page 212, Manufacturing.

Male Speaker 2: 214.

Male Speaker 1: 214? Okay.

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 1: And the question I have on this one, John, is the **[inaudible]** County's municipal water use is so high, do we need a notice to why? I mean, you're talking about a pop – it's just it's almost triple Kerr County and it seems to me that some of an explanation, considering the populations are basically the same for the –

Male Speaker 4: Water going to the air base.

Male Speaker 2: **[Inaudible]**.

Male Speaker 4: I think so.

Male Speaker 1: Okay. Because I think a comment as to that because it kind of jumped out to me as a something going on between **[inaudible]** County.

Male Speaker 5: Is that water directly to the –

Male Speaker 1: I don't know what.

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 1: What do they do with the water at the air base?

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 1: Oh, there's a golf course. I couldn't figure out –

Male Speaker 2: It's pretty nice lawns and stuff.

Male Speaker 1: I understand. I was confused.

Multiple Speakers: **[Multiple Conversations].**

Male Speaker 1: I couldn't figure out what an air base had to do with using water. But now, the golf course, I didn't think about.

Male Speaker 2: I wonder if the air base has a Draught Management Plan.

Female Speaker 1: The government asks that the city allocate a certain amount and I think most of the time the government gets what they want. They say that this is what we need and they don't have **[inaudible]**.

Male Speaker 4: The way I've seen it is the City of Del Rio sells them municipal drinking water, but they also have some wells that they actually use for irrigation purposes. But I'm sure some of the household lawns do get watered with that municipal supply.

Female Speaker 1: Well, they have their own water treatment system on base, so they do some **[inaudible]** for the lawns and then they purify it.

Male Speaker 4: Okay.

Male Speaker 1: And also under manufacturing, I had a question under Manufacturing Water Use. What is the use in Kerr County, where we use that? Do you know? And that table also looks odd because I can't imagine that there's not something equivalent in Del Rio that's using water that would qualify as manufacturing.

Male Speaker 2: **[Inaudible]**.

Male Speaker 1: Yeah. And what manufacturing is in Kerr County that we use –

Male Speaker 5: Mooning possibly is where – probably where that comes in.

Male Speaker 1: That could be.

Male Speaker 2: Do **[inaudible]** Labs count?

Multiple Speakers: **[Multiple Conversations].**

Male Speaker 4: I'll see if I can find out.

Male Speaker 1: And also it's odd that **[inaudible]** doesn't have any.

Male Speaker 2: I got a thought in my head. What about Utopia Water Sales? Utopia, is that manufacturing water?

Male Speaker 5: That closed a year ago.

Male Speaker 2: Oh. Never mind. Nothing's –

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 2: Those kind of industries, I'm saying that could happen in Kerr County, say spring flow and address anything.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 5: Basically, we're doing it – you have to put it in that classification your well has to do within what is 80 feet of the spring or something like that, to sustain water.

Male Speaker 2: I think we're doing it. I don't think we're pumping directly out of the spring, **[inaudible]** wells, shallow wells and **[inaudible]** spring water. When they sold out to **Lazar** and Lazar sold out to **[inaudible]**.

Male Speaker 5: Just for my – how much water were they producing in that?

Male Speaker 2: Well, it was some mighty good water. I don't really remember since that was back in 2000 and –

Male Speaker 5: Oh.

Male Speaker 2: No, it was innocent, but they were pumping – anything that they were shipping out for **[inaudible]** tankers was the **[inaudible]**.

Male Speaker 5: Well, I thought before I said something, I looked at county maps.

Male Speaker 1: 2.4.3 Irrigation.

Male Speaker 5: Two thousand gallons a minute is what they were capable of.

Male Speaker 1: I think that there – we just spent a good part of the meeting discuss those NRCS numbers for irrigation and the inaccuracies and positives. But I need to make a comment that we had some real concerns about how accurate those numbers were region-wide and that really affected, I think, McKinney County probably the most

because of their usage. But that was per all that conversation. Any other comments on this page? Okay. Next, under Livestock 2.4.5.

Male Speaker 2: The only thing that I've got and some of the **[inaudible]** before we get to the little table, one of them is just a wording change. **[Inaudible]** likely may equal or even exceed domestic lifestyle **[inaudible]**, I'd like to put a period and then capitalize, "it," to give it some more emphasis. And then right here, Exotic Game Ranching, where Exotic Game Ranching is –

Male Speaker 5: **[Inaudible]**.

Male Speaker 2: I don't know. And then it says, "Where future Water Plans should attempt to quantify the specific use," should is like well, maybe yes, maybe no. I think, and it's kind of like some of the other quantify, I think future Water Plans will need to quantify it, something like that. It gives it a more of, "Hey, this really needs to happen," connotation.

Male Speaker 5: Bandera and Kerr County are the two highest Exotic Game in the state. More exotics in these two counties than any other –

Male Speaker 3: Which two?

Male Speaker 5: Bandera and Kerr.

Male Speaker 2: You guys haven't been out here much lately.

Male Speaker 1: Yeah, they're catching up.

Male Speaker 2: That's the ones that have been **[inaudible]** and have to go under the fences.

Male Speaker 3: **[Inaudible]** comes out here.

Male Speaker 1: I'm not saying – under Livestock, going back to one, two – the fourth paragraph under that section, for the first underlining at Park Starts and Recent Years, when I read that, I think the emphasis is on the aesthetic value of these lakes. I don't think it's accurate. I think it's on the – that is a part of it and I'm not saying it's really a just file, I think it's more to improve the property. I think it's a – and it has livestock and other benefits to it, but it's – I don't think they're doing it to look at so they have a pretty lake.

I think they're doing it because it makes their overall ranch and package probably more valuable and makes it more flexible. And I

don't know how you say that, but I don't think they're doing it so it looks good for the most part.

Male Speaker 5: And I think you're saying the same exact thing that makes it look better so it sells better.

Male Speaker 2: It increases the property value.

Male Speaker 1: Yeah.

Male Speaker 5: It increases property value so it makes it look better and to me that's aesthetic.

Male Speaker 1: Well, I would – I mean, I think I would – my preference would be to move the aesthetic value or change it to the end of that sentence more and say, "And to improve the value of the property," or – I just don't think – I mean, when I see aesthetic, that's purely looks.

Male Speaker 2: Put aesthetic and increased property value.

Male Speaker 5: And looks increases the property value and it's just a waste of water.

Male Speaker 2: It needs to look good to increase the property value.

Male Speaker 1: See I don't – that's where Lee and I will differ. I don't think it's a waste of water.

Male Speaker 5: I think a 5,000 acre feet of water sitting out there for someone to look at is a waste of water.

Male Speaker 1: I think some of the real big ones maybe, but I think a small tank that the majority of them are, are very beneficial to the livestock, to wildlife and to the property. So I think that there's – you can't paint them with one big brush. I mean, I think there are – I don't – I'm not saying it's a good use of water to fill up a one acre stock tank out of well, but I can think of – I think that's better than putting in a golf course. So I just think that I don't want to paint that as all negative.

Male Speaker 2: Maybe you need to distinguish between, because there are a lot of – like the [inaudible] Hill, that is strictly to scenic [inaudible]. It has nothing to do with any kind of livestock and there's a lot of those. So maybe you need to –

Male Speaker 1: Right.

Male Speaker 5: And there are a lot of them that have wells, so you **[inaudible]**.

Male Speaker 2: Well, maybe we need to know if we move that from someplace over to Livestock, maybe we need to take part of it back and leave it to be **[inaudible]** in the Livestock section, back on Page – flip backwards. It doesn't really fit under **[inaudible]**, though, where **[inaudible]** from.

Male Speaker 1: What do we have after Livestock? Can you put a section on – do it under Environmental or put a section under County Other?

Male Speaker 5: Well, I think Environmental and Eco **[inaudible]** water use.

Male Speaker 1: Yeah, it fits under that.

Male Speaker 5: It all fits part of the land use for the most part.

Male Speaker 2: Yeah, that's recreation.

Male Speaker 1: Tom's pulling his hair out.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 1: Okay.

Male Speaker 2: Are we still in 2.4.5?

Male Speaker 1: Yes, we're under the Livestock.

Male Speaker 2: I have several things here. This is very speculative. **[Inaudible]** water pump and **[inaudible]** is likely **[inaudible]**. **[Inaudible]** the water demand numbers. I don't know, it sounds very vague because I think that there should be a little bit more with science or back to – back and forth, No. 1.

Male Speaker 1: Well, I think that they're – I think that they did – I would agree with that. I mean, maybe all the – I'd probably leave out all the quantified because I think that the Water Districts probably have a pretty good handle on it.

Male Speaker 2: Well, this is good. They have some data permits issued forward or anything.

Male Speaker 5: I don't have – we do not have that problem yet. We've had a couple of – in fact, one was turned down. Basically, it was just leased, it wasn't **[inaudible]**.

Male Speaker 1: Uh-huh.

Male Speaker 5: But I'm assuming that it may be a problem here for some. I've seen other people around the state talking about the tag **[inaudible]** so what can we do with them?

Male Speaker 1: I tend to not like the – I agree with you, I don't like the – although I'm not qualified to delete that part, but I would just say the amount of water that comes from wells offers purpose is likely to –

Male Speaker 3: And the reason why we're doing this, they don't want to tell anybody about it.

Male Speaker 2: But they're coming under all the criteria and they're examining the Water District Reports, which makes it tough for us to get numbers, too.

Male Speaker 3: Well, they're afraid they're gonna be shut down. They don't tell anybody.

Male Speaker 2: Well, all you have to do, is you get somebody in there to total the numbers of exotic **[inaudible]** and that's pretty speculative.

Male Speaker 1: There's actual hard data from **[inaudible]** that shows that.

Male Speaker 5: Look at Texas A&M.

Male Speaker 1: A&M.

Male Speaker 2: Well, I mean, we can reference it in here because that's not – to me, that's not obvious.

Male Speaker 1: Well, he wrote it – the statistics you quoted was from A&M?

Male Speaker 5: Yes.

Male Speaker 1: Cite this one that's there in Cook County as – you can cite the –

Male Speaker 2: Yeah, you can cite that, I mean, that's fine.

Male Speaker 5: There's a book by A&M called Exotic **[inaudible]**.

Male Speaker 2: Uh-huh.

Male Speaker 5: Recently published by Texas A&M Press and that's where I'm getting my **[inaudible]**.

Male Speaker 2: Okay. So the other side of this phrase, and that's the kind of thing that we want. I'm just gonna take, just for a moment, information **[inaudible]** around this. **[inaudible]** purposes?

Male Speaker 1: They were originally, but they're just wild now.

Male Speaker 5: Actually, they use it for two purposes. They use it for luxury and **[inaudible]**.

Male Speaker 1: Yeah, that's true.

Male Speaker 5: And they use it for hunting, yeah. So **[inaudible]** goes for \$7,500.00 a piece and I'm glad I got my kettle for \$600.00.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 1: And the thing is, these – there – now, this probably should be put in here and this is probably why we're a prude in parts of wildlife data is that many of these exotics are dominant over **[inaudible]**. They are much more adaptable to eating different things. They are grass eaters, a lot of them. So they are competing and hurting the native wildlife.

Male Speaker 5: Axis deer, you don't see any whitetail at my place. It's all axis now.

Male Speaker 2: Because they're better browsers so they push them – and I don't – you cannot be breeding with caution. Let's not put a big play on this because, again, this is not gonna be a word system. It's initially **[inaudible]** and so forth.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 5: I know a guy, he sells 2,500 deer a year and takes them to the Valley **[inaudible]**. And they're not considered guys, they're considered **[inaudible]**.

Male Speaker 2: Oh, I know, they probably like the **[inaudible]**, but if there's a drum saving in here, drum wisely livestock word and **[inaudible]** because none of them I say they don't.

Male Speaker 1: Right. Right.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 5: I'm just telling you that that is –

Male Speaker 1: Well, you know the recommendation that we could use, we need to get maybe some surveys **[inaudible]** with A&M or look at including that in the next plan. I think the data is probably here on this.

Male Speaker 5: The guy who sells his 2,500 deer a year, he's in **[inaudible]**. That's a pretty exotic operation.

Male Speaker 1: There's a lot of those around.

Male Speaker 2: Yeah, no, I want to –

Male Speaker 1: There's a whole **[inaudible]**.

Male Speaker 5: Somehow the way – the wording here was a little **[inaudible]**.

Male Speaker 1: Any 2.5 Environmental Eco Recreational **[inaudible]**? Overall, I guess that -- **[inaudible]** the comment that a lot of different things like swimming, boating, fishing, looking at birds, bird watching or whatever are listed. I think hunting should be listed in that. I think hunting is a very important part of the region and I think that it fits right in. If you're gonna list fishing, hunting should be listed right with it.

Male Speaker 2: I agree. And it goes back to additional usage.

Male Speaker 1: And I also think that it's a misconception that hunters are environmentalists. I think hunters are, for the most, are very strong environmentalists.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 1: Any other comments? On the last paragraph, the one, two, three, four – the fifth line down where it says, "Cause springs to cease flowing," I think it should say cause springs to reduce or cease flowing.

Male Speaker 2: Yeah, a reduction or –

Male Speaker 1: The **[inaudible]** levels are producing them. We don't think it's gonna cease flowing really, just we don't want it to reduce flow.

Male Speaker 2: Cause the reduction to spring flow.

Male Speaker 5: I like spring flow better.

Male Speaker 1: That's fine. Let me try to **[inaudible]**. All right, this ends Chapter 2. Do you want to take a – because them hamburgers will be here shortly, take a break or do we want to hit one of these – Chapter 9, it's pretty short. We can probably do that.

Male Speaker 2: **[Inaudible]** Chapter 9.

Male Speaker 1: It's – one page there's nothing on it. You got Chapter 9 **[inaudible]**? Okay. Does anyone have any comments on Chapter 9? You're gonna fill in all this **[inaudible]**.

Male Speaker 4: This – once we finish all of our strategies, basically go to the end of these and say, "How are you gonna pay for it?" So the Water Development Board has already said that until the plan is near an option and you're adopting strategies that you don't want to go to the entity and ask them how they're gonna pay for something when you haven't fully adopted it yet.

Male Speaker 1: And know we probably – also, before we take our break, Chapter 10, **[inaudible]** Participation and Plan Adoption.

Male Speaker 4: I had asked Karen to send me a list of the newspapers that she provides notices to, but I haven't received that from her yet.

Male Speaker 1: Okay.

Male Speaker 2: We had the Bandera Review on here, it no longer exists.

Male Speaker 1: Okay. Purple Mountain Sun is gone. Bandera Review is gone.

Male Speaker 2: It is the Bandera Currier now, the new one.

Male Speaker 1: Bandera Currier? Is it a real paper? I mean, would you –

Male Speaker 2: You asked this of the Board of Elections?

Male Speaker 4: Can you remind Karen to send me that – whatever the current list of who these notices go to? I mean, we post the notices for these meetings.

Male Speaker 1: But that doesn't – I don't think it goes – it doesn't go to the paper.

Male Speaker 2: She's sending them to us.

Male Speaker 1: It goes to the County Clerks.

Male Speaker 2: Yeah, and then we post it.

Male Speaker 5: The courthouses.

Male Speaker 1: The court – it goes to each county.

Male Speaker 5: **[Inaudible]** records and **[inaudible]**.

Male Speaker 1: Yeah, it doesn't go to the newspapers. Now, the public – now, we have – historically, we have used the Press News for our public notice as a region, as the public hearing, and probably the Colonel Paper and probably the Del Rio Paper. We didn't – we may not – I know we put it in those three.

Male Speaker 2: Yeah, **[inaudible]**.

Male Speaker 1: That's your problem, Lee. We have to put it somewhere, and the Express News is the closest thing to a regional –

Male Speaker 2: For distribution, yeah.

Male Speaker 5: If you're gonna publish in one paper, you're right, probably the San Antonio Express News.

Male Speaker 1: That's probably the biggest circulation throughout the region.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 2: John, once you have a public hearing, does anybody participate – the people that have one little grudge. It seemed like that those really are not very damned effective. It's just the law and you have to go by it.

Male Speaker 5: Turn off the tape recorder, I'll tell you what I think about it, okay?

Male Speaker 4: It's quite true that we're spending taxpayer's money, so you've got to go through the whole process.

Male Speaker 2: Well, I understand, but I just wondered if anybody ever showed up or whether it was somebody with a little grudge.

Male Speaker 1: Any other comments under this chapter?

Male Speaker 5: Yeah, [inaudible], again, I may have just asked [inaudible] work, but you might mention [inaudible] will be part of the public meeting when you start on [inaudible]. I didn't see that, maybe I missed it. The other thing is, when they talk with [inaudible], we had a couple of sets of workshops on the way those are [inaudible], and those are over now. But if you could mention [inaudible] in here.

Male Speaker 1: Oh, I do have a comment. I'm sorry. We were talking on 10.3, next page, about all these committees. We don't have any committees.

Male Speaker 2: Yeah, [inaudible] that.

Male Speaker 1: I would delete those two paragraphs. We'd never – I mean, we've divided up for workshops, but we've never had any of those committees really. Yeah, I think do away with the whole thing.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 1: All right, we're back from our lunch break. It's 12:40 and we'll start up with Chapter 5, Water Quality Impact and Impact of Getting Water from Agricultural Areas.

Male Speaker 4: You can see that the first part of this chapter deals just basically with the descriptions of water quality and about water sources, both groundwater and surface water. The second part, which is probably a little more critical, has to do with impacts on water quality due to our strategies.

And the main emphasis in this planning period, as opposed to the first planning period, is that the legislature wanted the regions to really look to see if there were water quality impacts because they were kind breezed over. There were a lot of recommendations made for strategies and no one really addressed, "Well, is anything gonna happen to water quality?" It's not a big issue in this region. In some areas where when you start pumping a lot of water, you induce saltwater flow into the aquifers. So anyway, you can take a look at how I've addressed that so far.

Male Speaker 1: Listen, John, I think you just mentioned the first 14 pages all the way to 5.5. Pretty much just talking about somewhat scientific water quality analysis.

Male Speaker 4: Really, fairly descriptive.

Male Speaker 1: Descriptive that I didn't – I mean, I –

Male Speaker 5: I had no clue about that.

Male Speaker 1: Yeah, I had no clue. That's why we have an engineer on things. **[Inaudible]**. So does anyone have any comments from Pages 1 through 14.

Male Speaker 2: Yes, sir.

Male Speaker 1: Okay, David.

Male Speaker 2: Page 5 **[inaudible]**.

Male Speaker 5: Under the drinking water standard.

Male Speaker 2: Right, could use 1,000.

Male Speaker 4: Well, I'm referencing the Water Development Board and their reports where they're classifying water, that that's the standard they use.

Male Speaker 1: Ernie, why do you all use them?

Male Speaker 5: Well, **[inaudible]** did the work for us.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 5: Yeah, but 500 – and I've had the **[inaudible]** at 600. You could never get to 500.

Male Speaker 2: **[Inaudible]** do.

Male Speaker 5: Wait a minute. Up to 1,000 actually is considered pretty much **[inaudible]**. I mean, you can use it most uses, even **[inaudible]** in front of that when you start seeing problems. The only problem is that 500 is kind of a based threshold, 500.

Male Speaker 4: Out to the right in parenthesis, I could say 500 mg/l is the drinking water standard.

Male Speaker 5: Okay, I like that.

Male Speaker 2: Then the last paragraph, **[inaudible]** applicable standards in large vicinities available for fluoride **[inaudible]**. I would add sulfate to that, too.

Male Speaker 1: Yeah, I think I gave him that comment in my – we probably talked with **[inaudible]**. He didn't hear what you said on that.

Male Speaker 4: In the last paragraph?

Male Speaker 2: Is says, "**[inaudible]** is counted as applicable standard in the large vicinities of rural or fluoride." I would say fluoride, sulfate and **[inaudible]**.

Male Speaker 5: John, what's the **[inaudible]** name? TDS is down to 500? That's what you're saying?

Male Speaker 2: Secondary standards.

Male Speaker 1: Secondary. They're not enforcing them.

Male Speaker 5: Right. But it is – oh, secondary for the 500,000?

Male Speaker 2: I would say list it **[inaudible]**.

Male Speaker 5: Not 500. Since when did they check on those? How would we get **[inaudible]**?

Male Speaker 1: That might be 66, wasn't it?

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 4: Well, that's – I'm kind of thinking it **[inaudible]**.

Male Speaker 5: Yeah, I've never heard of 500.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 4: I'll find out.

Male Speaker 5: I want to see one of those wells that makes 500.

Male Speaker 2: Page 9, first paragraph, generally from 400 to 800 milligrams. I've seen a lot of areas that are up as high as 2,500 [inaudible]. A thousand is quite common.

Male Speaker 5: Is it [inaudible]?

Male Speaker 2: No, land lower. I mean, middle at [inaudible]. But I know wells and my well is 1,000. The well just west of me is 2,500. So I thought that was a little low. The other thing, the second paragraph it says [inaudible] lower yield for water [inaudible], including wells in the Lower Trinity unless feasible. I don't think that's true because Lower Trinity often has much better quality water than [inaudible]. Much better. Most of it's below 500 parts per million. There's just not many wells and the wells are much better quality, higher quality [inaudible] than they are in the [inaudible]. In many areas. So I think it's a word problems actually is all it is. And that's all we can do for them.

Male Speaker 1: Right here, the greater depths, lower yield in Lower Trinity. And I don't need – I have no idea. I always thought Lower Trinity had better weather than Middle.

Male Speaker 2: It does in Central Bandera and Eastern Bandera.

Male Speaker 5: It does in Kerrville.

Multiple Speakers: **[Multiple Conversations.]**

Male Speaker 4: We can take that sentence out.

Male Speaker 5: It does in Kendall County and [inaudible].

Male Speaker 2: Well, [inaudible], but I'm just telling you [inaudible].

Male Speaker 4: Okay.

Male Speaker 5: The only other comment I have on [inaudible] –

Male Speaker 1: Going back to that, I mean, that whole – that second sentence, based on what you said, "Better spreads from [inaudible] in the case to be found in concentrations of 1,000." You just said – made a comment that a lot of times it's less than 500.

Male Speaker 5: That's in [inaudible]. Lower counties, it's gonna come in about – the worse water in the world –

Male Speaker 1: Is gonna be 500.

Male Speaker 5: Yes.

Male Speaker 2: Four to five hundred.

Male Speaker 1: Four to five hundred, but he says in here it's 1,000.

Male Speaker 5: I've never even seen it that high. Never. I work on a lot of wells in the Lower Trinity.

Male Speaker 2: Well, maybe in the western part of the county.

Male Speaker 1: Well, we could qualify it and say in the eastern – that paragraph **[inaudible]**. In the eastern part of Bandera County. What I'm hearing that they're saying that the Lower Trinity has higher quality.

Female Speaker 1: What is the paragraph number that you're on?

Male Speaker 1: We're on 5.3.2.

Female Speaker 1: Okay.

Male Speaker 1: The second paragraph on that page.

Male Speaker 5: **[Inaudible]**.

Male Speaker 4: I've never seen – I've just mentioned about **[inaudible]** and in southern west Bandera County, we had 395 parts per million.

Male Speaker 2: **[Inaudible]** that range. Three to four –

Male Speaker 1: Three to four hundred.

Male Speaker 5: Just draw the 1,500 **[inaudible]** in southern west Bandera. We're not to that zone yet, but I didn't think it was 400 **[inaudible]**.

Male Speaker 4: Yeah, I think a lot of this language comes from the first plan, which was done – they've done a lot of well drilling since then. So I think that your knowledge of this water quality is something that can upgrade this.

Male Speaker 5: Surprisingly good water in those **[inaudible]**.

Male Speaker 1: Okay.

Male Speaker 2: And radiology is, I think, in the Trinity is now being found. Before you had to redrill a well in north Kerrville. I know I've had elevated levels. I'm under a routine monitoring plan. **[Inaudible]**. Does it increase better testing methods? I don't know.

Male Speaker 4: Is it down above alpha and beta?

Male Speaker 2: Yeah.

Male Speaker 5: The northern part of the county we're using – we worked with Grant Wash and **[inaudible]** works from – he's coming from **[inaudible]**. Page 18 I have a question.

Male Speaker 1: Let's do Page 18.

Male Speaker 5: 5.7.

Male Speaker 1: 5.7?

Male Speaker 5: Impacts of the **[inaudible]** from agricultural **[inaudible]**.

Male Speaker 1: No, let's just go back to 5.5. Anything else up to 5.5? Okay. Anything my Page 15, 5.5 comments?

Male Speaker 2: Yeah, on 5.5 **[inaudible]**, you start getting in and you start talking about emissions from **[inaudible]** vehicles and very disruptive **[inaudible]** as much as 20 to 30 percent of the **[inaudible]** being discharged **[inaudible]** water. Then, to me, that's just the first step saying, "Okay, we're not gonna put boats on the water either because they're **[inaudible]** bottom and still do sideways and used to pump all that in the water." I think that we need to be very careful about what we're doing here.

And this is one where Scott and I are kind of friends, but we disagree as far as actually how firmly is the damage from a vehicle **[inaudible]**. I mean, that's a **[inaudible]** comes and changes the whole path of **[inaudible]**. I'm just saying that if we start talking about actual emissions and how much damage they do and discharge into the water, then we'll – before we were driving along the riverbank or **[inaudible]** water, what about boats in the water? **[Inaudible]**. See what I'm saying? I think you got to be real careful about making sure –

Male Speaker 1: This issue housed in the **[inaudible]** where there was a problem for a while, one of those two –

Male Speaker 5: **[Inaudible]** law in **[inaudible]**.

Male Speaker 1: Right, but, I mean, I just – I mean, this is a – this isn't an issue in Bandera and Kerr County I don't think.

Male Speaker 2: Well, it is in some like where we have the water **[inaudible]**. There were people driving up creeks so I put a cable across my area.

Male Speaker 1: Yeah, maybe they can just have all those – you're all right there.

Male Speaker 5: Plus the fact that when rivers get up here and you got all, what we call, little water crossings, which are basically just the gravel crossing the sand **[inaudible]** stabilize that people cross those all the time. They do it from home or **[inaudible]** whatever.

Male Speaker 2: It's against the law now to drive up these things.

Male Speaker 5: I'm saying you probably got **[inaudible]** streams where the county or the **[inaudible]** that's rebuilding those crossings or working on the **[inaudible]** motor whatever they're discharging, pollutants and stuff, too, so you just need to leave part of that out where you're talking about these emissions and pollutants because you're just opening up a door that someone can just kick open and say –

Male Speaker 1: As you all said, the emissions – and I think that's probably right because off road vehicles, I mean, that's probably technically hunting vehicles, ranch road vehicles, and those who you can't hardly **[inaudible]** ranches on real roads.

Male Speaker 2: So they could drive up these creeks at 3:00 in the morning.

Male Speaker 1: Right.

Male Speaker 2: I'm not one that says that people shouldn't be allowed to drive all the way up and down the river every time they want. My main deal was not so much the vehicles, but the tracks left behind. The **[inaudible]** specifically, not the **[inaudible]**. **[Inaudible]** and property owners, but some of the beer bottles and stuff like that, that he made. I don't think it's permanent **[inaudible]**. I don't think it's as bad as it's made out to be.

Male Speaker 1: But John is gonna delete that last sentence in that paragraph. Okay? Anything else on 5.5?

Male Speaker 5: Yes, sir. On Page 18, on the last paragraph on the –

Male Speaker 1: What number is it?

Female Speaker 1: 5.5.

Male Speaker 1: 5.5 what? The 5.5 –

Male Speaker 5: Five.

Male Speaker 1: Five. Okay. Okay. Okay.

Male Speaker 5: When we talked about **[inaudible]** wells, **[inaudible]**, I think we should have – we'll have this Water District should control a lot of this somehow. **[Inaudible]** should have a lot of responsibility **[inaudible]**. I think that's a big problem. Well, anyway, get some of you all to look at it and complete it adequately. I think David would agree with that.

Male Speaker 2: Yeah.

[End of Audio.]

Duration: 63 minutes

May 5, 2005 – Tape 2 – Side A

Speaker 1: **[Inaudible]** to the proper people that **[inaudible]** the drilling of wells that they should specify this or –

Speaker 2: Well, there is **[inaudible]** the districts plans. You know you're talking about **[inaudible]** spacing and all that stuff. It's hard to – and I think all we need to do is like Pete's saying is to put a little bit more **[inaudible]** back down to the main water districts or something else. I don't know.

Speaker 3: It's just the – it needs to be emphasized I think what we're hearing. But it's the water district's **[inaudible]**.

Speaker 1: It kinda needs for us to say something here. It – it should be emphasized that the party – the people that have the party over these procedures would take in consideration the value of the fresh water.

Speaker 4: If you just go to Austin and get the Texas **[inaudible]** rules, you know, there in Austin where the tap water is groundwater

[inaudible] – Spring Hills and, you know, they're here. They're on the ground, and they can see what's going on.

Speaker 2: And before we move off that, a guy went in, asked us **[inaudible]** question. We would be listing to a lot of things that affect the quality, and we talked a little bit about it earlier. But what about the saltwater injections wells? **[Inaudible]** you think about the potential to affect the quality?

Speaker 3: Where do we have saltwater injection wells?

Speaker 2: We got those – several in **[inaudible]** County.

Speaker 4: From –

Speaker 5: They're permitted out of the Railroad Commission.

Speaker 6: I was just gonna say **[inaudible]**

[Crosstalk]

Speaker 5: And they're supposedly monitored by the Railroad Commission.

Speaker 1: All well operations where there's saltwater, they have to get rid of it somewhere.

Speaker 5: They require tubing now in all those injection wells, so they do have to monitor it **[inaudible]**, so there is some protection there now.

Speaker 6: You know, Lee –

Speaker 2: But the reason I bring that up is to **[inaudible]** on here a couple of years ago **[inaudible]**. And my contention was – is that it's not now; it's not five years from now; it's gonna be 10, 15, 20 years from now when they get tired of monitoring that **[inaudible]** up three or four times. The perfect example is one in Northeastern Edwards County that's actually a lot of – there's a lot of spillage right out onto the ground. And not just from the saltwater, but the old diesel pump they're still using. The system's been there since the 60s, and it's just, you know –

In fact, I had a guy from the Railroad Commission there and looking at it – finally got him to look at it – and I said, "You know,

if you don't wanna do something about it, I'll go to the district court and file an injunction against you."

- Speaker 6: Lee – Lee is in – I heard about a coal gas well – a coal gas discovery, you know?
- Speaker 2: Yeah, they're – and that's the one we were fighting. They were looking at putting in 40-some odd wells **[inaudible]** that Shell – that methane **[inaudible]** that Shell pulled in at 2,200 feet – and their saltwater injection well was gonna be sitting within a quarter of a mile **[inaudible]**.
- Speaker 6: I see that it's **[inaudible]**. Coal-bed methane wells extract an awful lot of water with the gas. In fact, it becomes such a problem in some states and some areas, they don't really know what to do with the block.
- Speaker 2: Well, they were – they were – they got a permit from the Railroad Commission to inject it back into **[inaudible]** formation is where they were gonna be putting it. So –
- Speaker 6: It – it creates a lot of problems. If you get a coal bed of methane **[inaudible]** going here, it could be a hell of a big problem with groundwater.
- Speaker 2: Okay. Well, that's what they were looking at, and it – and I don't know whether it was real active, and then I haven't heard much. I'm not sure whether it was as large of a discovery as they anticipated, but I know they had initially talked about 40-something wells, then they talked as much as 60 wells, and looking at putting in a four to six – eight – injection wells.
- Speaker 6: I saw a rig come in this morning.
- Speaker 3: Do you have some language about this – that – John?
- John: Yeah.
- Speaker 3: That – just general – I mean, it's not a – a big problem yet, but we need to probably just put it in.
- Speaker 2: Affects the quality.
- Speaker 3: **[Inaudible]**.

Speaker 1: You know, I was in the oil business, and there are oil companies that direct vote. And some of these – I'm not saying they're all small people – but usually when a field becomes marginal, then they'll farm it out to some promo – some promoters. And – and they'll use the – the ecology of an area pretty damn fast, so I don't know how – I don't know what the answer is to that, but you need to – well, like I said, I don't know what the answer is, but the oil companies – the oil industry, in general, gets a bad reputation because of these – these promotional type of companies.

And I'm not saying all promotional-type people are bad. But you have to have people that protect our **[inaudible]**, and the oil industry – some people in the oil industry are pretty bad about that.

Speaker 2: I'm just – I even have concerns about a lot of these pits without – not lined and stuff – that they're discharging. And you go out there and –

Speaker 5: There not supposed to be any – turn them in.

Speaker 2: And we got out there ten years later, and you can see it was because nothing is growing there. And that's got to be leaching down and getting into the water.

Speaker 5: It is.

Speaker 6: **[Inaudible]** talk about **[inaudible]**.

Speaker 2: **[Inaudible]** we need to do that. We need to address that as a region, you know, address the water board at some point to require all those pits to be lined within the districts.

Speaker 3: **[Inaudible]** of them drilling water wells?

Speaker 2: No, I'm talking about an oil well.

Speaker 3: Oil well?

Speaker 2: Yeah.

Speaker 3: What about water wells? **[Inaudible]** drill there – I mean –

Speaker 2: Yeah, most well – honestly, most of our wells are so shallow that the coverings are – most of them are dry. They're not covered with mud that much. It's just bare. But you're right. When they start

getting on down and getting to Trinity and stuff, there are some pretty big messes made.

In fact, we had to stop one guy the other day because his drillings were fixin' to flow right back into the river. Now, **[inaudible]** you're not gonna do that. You're gonna have to, you know – you're first pit wasn't good enough. You're gonna have to do something here to stop that. I mean, **[inaudible]**, not knowing exactly what he should do. I just said you're gonna have to do something – not gonna **[inaudible]**.

Speaker 3: Okay. Anything else on Chapter 5?

Speaker 6: 5.7 – **[inaudible]** water from agriculture **[inaudible]** has not expected impacted. Well, I think it could. Look at Kinney County. I can tell you that even in Kerr County people are interested in doing – in selling water **[inaudible]** areas.

John: Well, we're – we're gonna briefly jump to Chapter 4 when we get to a **[inaudible]**, so I'm just gonna hand out our strategies that we are probably adopting that we've been working towards so far. And they had to do with the City of Kerrville, Kerrville South, and Camp Wood, so we got us specific strategies. They're not – we're not talking about just potential impacts of anything. It's potential impacts specifically to these **[inaudible]**, so –

Speaker 3: I mean, I think our – I think they're the same **[inaudible]** our strategies are not gonna impact **[inaudible]**. It is – we're not saying **[inaudible]** gonna have any impact, but we're recommending **[inaudible]**.

Speaker 2: **[Inaudible]**.

Speaker 3: **[Inaudible]** maybe I'll **[inaudible]** water management strategies **[inaudible]**.

John: **[Inaudible]** just happened. They want to **[inaudible]** agricultural **[inaudible]** maintain a way of life **[inaudible]** maintain **[inaudible]** in order to make sure all big cities have **[inaudible]** water, so that's why it has to be something addressed in here.

Speaker 2: **[Inaudible]** put a check mark there.

John: No, I put the check mark. Steve – he puts it there, then we addressed it.

Speaker 2: [Inaudible] and we still throw them aside [inaudible].

Speaker 3: Okay, anything else on Chapter 5? So do you wanna go to Chapter 4, John, or do you wanna do Chapter 6?

John: Well, we don't have four. Let me just hand out this spreadsheet that Stephen put together. It – it's a pretty way – a pretty good way of – of being able to look at strategies very – very rapidly and in being able to compare them based on the – the different aspects we have to look at. I'll wait until that goes around. We're – we're not through with this yet, but we're close.

In developing these strategies, we are working directly with these entities. Of course, Howard Jackson's working with this on Kerrville. We're – we're just now kinda getting to Camp Wood here. Stephen has been working, trying to communicate with Kerrville South, and they are being very uncooperative. They – they have basically said they don't believe in this analysis. They don't wanna be a part of this plan. They don't think they have a shortage. And we don't show them with much of a shortage. But we do, so we have to come up with this.

An option out there is that we don't force anybody to be a part of this plan. The idea is if one of these entities needs to go and borrow money from the state or get a permit from the state to do one of these strategies, they've gotta be in this plan. But if an entity decides they don't wanna be in here and they understand the fact that if they're not in this plan, they can't go to the state and – and get these services without getting the plan re-adopted, they can do that.

And so one of our suggestions is we may go back to them one more time and explain the ramifications, tell them there's no obligation here – it's just to your benefit to be mentioned here. And if they still say no, we ask them to sign a disclaimer saying that they opt out of the plan.

Speaker 7: I'd like to mention that I suspect they're for sale – and that's what they – possibly impact that sale.

Speaker 2: Interesting [inaudible].

Speaker 7: And I can almost confirm that.

Speaker 2: Did you ever touch base with the city of Rocksprings because my understanding is that we're looking at drilling another municipal well?

John: No, I remembered that now.

Speaker 2: **[Inaudible]**.

Speaker 3: What type is he **[inaudible]**?

Speaker 7: I think it was **[inaudible]**.

Speaker 8: What about Lakeview?

Speaker 5: City of Bandera.

Speaker 2: I don't know because Lakeview probably needs to be addressed, but I don't know how they're addressing **[inaudible]**.

John: Well, what – what we're gonna do for these other communities, if they've got a project and they'd like that project mentioned in the plan – they're not a strategy. It's just – it – it's – it's information –

Speaker 3: Strategy's only –

John: – so – so that the – the state recognizes they are in the plan. It is recognized there. We just don't show a shortage for them.

Speaker 2: I know **[inaudible]** and Lakeview probably does – that water system probably has some of the biggest shortages of any system around. They just don't **[inaudible]**.

Speaker 3: But remember, these strategies are only for entities that show a deficit. If you don't show a deficit, you're not gonna be listed even though you may have projects that need to be done.

Speaker 5: Well, the City of Bandera is headed for a deficit, next dry spell we've got. You know they'll be panicking, wanting to go drill a water well. If we're – they're running on their margin now.

[Crosstalk]

Speaker 3: If Kerrville South doesn't wanna make a move now – and if they don't want to, I wouldn't waste a whole lot of time, which is money, if they don't wanna be included right now. If they wanna – if they wanna decide they don't wanna sign the disclaimer, take

them out. I mean it's – because I don't think – I mean, that problem will work itself out. And it's not gonna take state funding, I don't think, to – to solve it. I mean, it's gonna – they're gonna work a deal with the City of Kerrville.

John: Do we have to have a letter saying that they opt out? Or –

Speaker 8: I think we need to describe that – if you're showing a need for them, yeah, you need to – you need to have a strategy for them to –

John: If – if they –

Speaker 8: Or they can opt out – but they can opt out.

John: I mean, can they do that verbally, or do we have to have a letter in front of them?

Speaker 8: I'm not sure. You – you should – each region **[inaudible]**. I haven't seen yours – the policy or some way of handling entities that opt out. I – I'm not sure what we require.

Speaker 3: I think probably – I don't even –

Speaker 8: There should be something in your bylaws or something.

Speaker 3: I always get a letter, but I think the letter can be pretty – if they opt out at this time, leave a back door if they wanna come back in.

Speaker 9: **[Inaudible]** three wells **[inaudible]** Texas **[inaudible]** – one in Ingham, one in San Antonio, and one between **[inaudible]**. And those are gonna be **[inaudible]** big wells. I don't know **[inaudible]** sell it or what are **[inaudible]**?

Speaker 3: We don't know, but **[inaudible]**.

Speaker 9: But it is **[inaudible]**. They're making some kinda plans.

Speaker 3: Yeah, but who knows what.

Speaker 10: **[Inaudible]** calling one of their guys and telling them that there's something that they are doing, but I've not heard back from them either.

Speaker 9: Those are the three wells that **[inaudible]**.

Speaker 10: I'll make sure that **[inaudible]**.

Speaker 3: And those are all – are three of those wells are going in – in existing systems that they have – or had. Well, the Center Point one is and the one between **[inaudible]**.

Speaker 9: It is?

Speaker 3: Yeah, it's going up there by **[inaudible]** Road, which is a –

Speaker 9: **[Inaudible]**.

Speaker 3: Chapter 6 – water conservation and drought contingency.

John: The first part of the text probably needs to be updated and really need those of you who represent entities to let me know whether or not you have drought contingency or water conservation plans that are not in here or – or that have been updated. Howard's already talked about Kerrville's – updated and it's on the website.

Speaker 2: We don't have what you call a – it's not a separate plan. We just lumped everything and called it a water management plan. It works year round, and it just deals with conditions as they happen.

Speaker 3: And this is – on this – I mean, these – like, John, it says after the entities – I mean, I don't think the – if you're not involved with those entities, you're not gonna know if this is accurate or not for each of these, so just ask that all the groundwater districts and municipalities – anyone that has a plan – drought contingency or management plan – make sure that this is accurate for that entity, and give that information to John.

John: Yeah, under the Groundwater Conservation District, 6.4, districts need to make sure that – that we're recognizing your most current management plan.

Speaker 2: **[Inaudible]**?

John: Yes. The appendices –

Speaker 3: What about 6.5 – water conservation?

John: Water conservation is a pretty major issue in this planning effort, so I've got some discussion in there about existing programs that are available. I've got websites people can go to, to learn more about conservation, and then the – the planning guidelines require us to – to put model water conservation plans and model drought

contingency plans into a – in here. So you'll see starting in – with Appendix 6b. I'm not sure I've got them all in there yet. They actually require us – each one is for a – a retail, irrigation, industrial, and privately owned, I believe – is that right?

Speaker 9: **[Inaudible]**?

John: Maybe three. Anyway, there's – there's gotta be three of each in here. So it – it's sort of a – in the text I've given a website to go to, to actually download them, but we actually have to show them in paper copy too, so they're there. That's why Chapter 6 looks kinda big.

Speaker 3: John, go back to 6.5 – the earlier part of it. I think we need to expand the language quite a bit. You have the water savings on plumbing fixture program. That's – that's fine, but then you have – you go straight to the water conservation best management practices. I think that we need to talk rather than just refer to that. I think we need to pick out brush control. I think we need to look at xeriscaping. Those are the two big areas that I really think that we need to – and when I say brush control, I'm talking about the whole land **[inaudible]** issue, not just clearing brush and –

Speaker 2: I think you need to call Lewisville.

Speaker 11: **[Inaudible]** about breeze.

Speaker 3: Breeze?

Speaker 5: Rain harvesting.

Speaker 3: Rain harvesting – I think – I mean, I think that the conservation areas are something that we should spend a little – a lot more time than we've had right now. And – and I know it's all there if you go to the – that website. But I think we need to take it and put it in here specifically, as well, in some of those main topics.

Speaker 5: And we've discussed better auditing of water usage.

Speaker 3: Water – yeah, water auditing.

Speaker 5: Water auditing was at just the – the – the area which you could possibly put that. And my comment, too, is expand **[inaudible]**. But I think we can get better metering equipment if we're gonna account for a lot more water. But better metering equipment is

needed from the agricultural all the way down to **[inaudible]**. All of our meters are just not – the accuracy –

John: Yeah, the – the – one of the Ag strategies is –

Speaker 5: The accuracy is not **[inaudible]** to measure the numbers we're looking to achieve.

Speaker 3: And I think you gotta get back into education – probably a part of this public awareness.

John: Yeah, I think I had – we had a lot of these things discussed in our recommendations section, and maybe it either needs to double up here or be moved here – one or the other.

Speaker 3: Right. But I think that's a – that topic up top needs a lot more. Anything else on Chapter 6 itself or the appendices?

Speaker 5: You did say education right?

Speaker 3: Yeah, I said education.

Speaker 9: 6a7 – that's the City of Kerrville, and it talks about **[inaudible]** to the city **[inaudible]** warning.

Speaker 3: We've looked at 6a.

John: Yeah, I've already got that taken out.

Speaker 3: And we're gonna be – at our next – well, let's finish the Chapter 6 first.

Speaker 11: **[Inaudible]**?

John: Yes.

Speaker 3: Any other comments on the appendices to Chapter 6 – either a, b, or c? Chapter 7 – plan consistency – very boring chapter, John.

John: Oh, don't – well, if – if you want to know what I have to go through to put this plan together, then you wanna read this. You know, this is where I've got to go through and make sure that I am addressing each one of these – you know, that – that it – each – each one of these things are mentioned somewhere in the plan. And that far right-hand column, we will actually put the section number – when we – when we finish this, we will go back in and

reference where you can find that we addressed that particular issue.

Speaker 2: So this **[inaudible]** water itself **[inaudible]** make sure we address this so that we **[inaudible]** –

[Crosstalk]

John: Yeah, there – there's a write-up in the very beginning of **[inaudible]** talks about making sure that your plans are – are – I can't remember the wording – are consistent with – I can't remember the term, but basically it's to make sure that when you do the plan, that you have addressed everything that is legislatively required.

Speaker 2: I have a cool idea – just put them all in, like on the right-hand side **[inaudible]**.

John: Let them find it.

Speaker 6: What'd you do to make him mad?

Speaker 5: Well, that's basically what they did the first go-around.

Speaker 2: I must say that is because I used to have to do similar things, and these testaments that people would send in on a system assessment. And I'd spend hours trying to read through, and it's like okay **[inaudible]**.

Speaker 10: This is you trying to get back, huh?

Speaker 2: Yeah, I'm gonna get even. I'm on the other side **[inaudible]**.

John: We've – I've been asking for about a year – I've asked the Water Development Board, "What in the world's this chapter mean?" What are you – what is –

Speaker 6: I wrote it up in that last memo.

John: Yeah, it is – we're – we're just now – and even the – the memo I got back still doesn't say, "Do it like this." It just says – it – it has some legislative language that says you've gotta cover these issues, but it doesn't say how you do it. So this was the easiest way out – is to say, well –

Speaker 5: I don't think **[inaudible]**.

John: Yeah, this was Josie's job in my office – to go through 357, 358, and retype all of it, so –

Speaker 5: Yeah – no I – I've been struggling with this [inaudible].

Speaker 3: All right, John, the – our next meeting regarding – back to the chapters – will be on the nineteenth, and we'll have the other chapters at that point, and then these revised by then, do you think?

John: Right, yes. You should basically have a plan in front of you including illustrations.

Speaker 3: Okay. Alternative, what are strategies? We [inaudible] read through that there's a new – for Kerr County – the discussion now – potential pipeline coming out of Canyon, Boerne, [inaudible] part of the county.

Speaker 8: [Inaudible] but they're building it.

Speaker 3: Well, they're building it in Boerne. But I mean, it's probably just listed as an alternative strategy – not sure where it'll go. They probably ought to put [inaudible] over to Kerrville, Howard. Howard's not – but it's a little bit far off, so I'm not – but I think we need to have it as an alternative because it could come in within the next five years – to avoid a plan amendment.

Where are we on brush control and all that? Is it a strategy that's gonna be listed as a required chapter somewhere?

John: It's a – yeah, under – kinda like we did last time. It – it – it falls under *Regional Recommended Strategies or Activities*.

Speaker 3: Isn't there any way we can make it more specific?

Speaker 5: It's not [inaudible].

John: Yeah, that's the problem that you – we would have to – if it's a strategy for Kerrville, we'd have to say, "Okay, where are you gonna go do the brush management? How many acres is that? How much is it gonna cost?" You'd have to actually be very detailed about how it's going to occur.

Speaker 2: The thing about it is, is it – and I don't know if it would help or not – but if we've got it somewhere in there in some stronger sense, then it might make it easier to at least [inaudible] to actually do

some of it. If **[inaudible]** regional recommendation – regional strategy – somewhere in there, then to me that would tie back in **[inaudible]**.

Speaker 3: And it's also – in that – on that funding side of it, Kerr County – or **[inaudible]** Kerr County – Guadalupe Basin is trying to be – get added. It will be added to the state funding, which has been left out up until now, and it – it's – if it's in the regional water plan, it's a lot easier to **[inaudible]** agency to say it needs to be in this basin and the other basins as well. I mean, I think it needs to be done region-wide. So I think we need a – somewhere that – you know maybe a full paragraph devoted to that topic.

Speaker 2: Yeah, and maybe some **[inaudible]**.

Speaker 5: **[Inaudible]** tied into say to maintain environments flows **[inaudible]**.

Speaker 3: I think – I think that's – you match it up to data. I think you can quantify with some of the studies that the secretary –

Speaker 5: Not quantifiable **[inaudible]**.

Speaker 3: Yeah, well, you can quantify it based on some studies. There have been studies that quantify it, and I think that we should site those studies, and then you can talk to – Warren Thigpen certainly has a lot of that information, I'm sure.

Speaker 2: **[Inaudible]**

Speaker 3: Warren Thigpen in Bandera has a lot of information on it, and **Roy Ralston** at Kerr County can probably get that information. But I know Warren knows a lot about **[inaudible]** project. **[Inaudible]**.

John: All right. I'll – I'll put in a section, and we may want to develop this further later on. You know, I'm not sure we're gonna get it all in place before June 1st, but –

Speaker 3: Let's start – this one needs to be left out, right?

John: Yeah.

Speaker 8: I think **[inaudible]** should be making sure that we change the language to that **[inaudible]**.

Speaker 3: **[Inaudible]** do on your honeymoon – **[inaudible]**.

Speaker 8: Oh yeah, yeah, don't worry.

Speaker 9: Oh, wait there's one other addition to **[inaudible]**. I know that there's two or three entities including agencies that are interested exploring Ellenberger for fresh water in both Northern Kerr and **[inaudible]** County, but that is an **[inaudible]** source of water.

John: Yeah, we're – we're mentioning them as other **[inaudible]** under our source supplies. You said other agencies?

Speaker 9: **[Inaudible]**.

Speaker 3: Bad word, bad word.

Speaker 9: **[Inaudible]**.

Speaker 3: All right – anything else on draft chapters? Item 7 is consider and discuss completion and adoption of Initially Prepared Plan and setting public hearing. I'm gonna be joining – probably at that one. Now do we have – what's the time – 30 days notice for the public hearing?

Speaker 8: You have to give notice 30 days before.

Speaker 3: And didn't we set the dates?

Speaker 8: No.

Speaker 3: We just said we're gonna have one hearing at two locations. We didn't set the date. Well, we need to set that date to – how late can that be? Can that be like in July?

Speaker 5: I think so.

Speaker 3: Okay, we can set that date in the next meeting.

Speaker 5: **[Inaudible]** 30 days after to get comments, so you – you **[inaudible]** notice 30 days in advance, **[inaudible]** hearing, 30 days out, so –

Speaker 3: So let's try to – we'll try to set that date up at the next meeting. Item 8 is consider and discuss legislation pending with the state of Texas Legislature (SB3). **[Inaudible]** sent me an email saying we should maybe put this on the agenda to discuss it if we wanted to because we have that ability. Lee, do you have anything.

Speaker 2: [Inaudible] want to know what – not only with SB3, but also the legislation on Kinney County – what [inaudible] stand we were gonna take – you know if we had any issues? Will this be free? We wanted to look at addressing – SB3 is such a changing document. I try to keep up with amendments and stuff, and I find it's hard [inaudible]. [Inaudible] keep up with it [inaudible].

Speaker 3: What – I mean –

Speaker 2: [Inaudible] Kinney County [inaudible] my primary concern that we wanna take the position on that – not necessarily get involved in the actual politics – but my – my feeling was is that I think that that starts a terrible precedent that's not – [inaudible] can affect other districts and other [inaudible] technically a precedent like this can disband over local forms of government.

Speaker 3: What we did earlier was just send a general letter saying that we hope that – that legislation related to water will reflect the – the regional water planning process and local control. And – and that's – that has been done. I really – I mean, my personal feeling is I hate to go into anything on specific legislation because I don't know what – it changes all the time, and I don't really know what they're saying.

I've never looked at 1884, and there are also other bills that have certainly – have impact. And beyond those two bills we mentioned that impact entities as part of this region one way or another, well, my personal feeling is that we shouldn't take a stand on any of them other than just a general direction that we've done. I think it's more up to the individuals in the various entities. Like, if the bill affects you, Jerry, I think that's you [inaudible]. I don't think that should be ours. But that's just my personal feeling.

Speaker 2: You know, it's like I said, we realize that there's probably three sides to the Kinney County issue. There's someone – the reason I say three is there's probably a [inaudible] side in there [inaudible].

Speaker 3: Somewhere.

Speaker 2: It's just – you know, it's any time there's always your side, my side, and somewhere in there, there is usually what's [inaudible] actually going on. What my thought is, is that – that the legislature initially said that their preferred method is through groundwater district management, and then there's some – there's kind of a

checks and balances to where if the decisions of the district are not kosher with people, they have to ability, say, to report **[inaudible]**.

Well, what they've done here is they've just – well, we like groundwater districts as preferred management except that, well, we're just gonna disband this one. And to me, that's starts a very bad precedent. Now, I'll – nothing to do with who's right, who's wrong, who's anything because, frankly, I've read so much crap on there that I have no clue **[inaudible]** –

[Crosstalk]

Speaker 3: I know. He says it all to me too.

Speaker 2: **[Inaudible]** clearing house for Kinney County, but what my deal is, is that I – I don't like the precedent it sets. And I think that – that's why I wondered if we would address that because it could be Bandera. It could be me next. It could be, you know –

Speaker 3: I think it would be Bandera before it'd be you.

Speaker 2: But you see what I'm saying?

John: Um-hum. Has **Tag** taken a position on it? I'm **[inaudible]**.

Speaker 2: Tag has pretty well come out against it based – for the same reason I'm saying – is because of the precedent that it sets.

Speaker 5: But we're trying to **[inaudible]**.

[Crosstalk]

Speaker 2: I haven't looked at this lately. Last I heard it was a **[inaudible]** bill had been filed in the house and they were having a meeting **[inaudible]**.

Speaker 8: In the house **[inaudible]**.

Speaker 6: It does sound crazy. It does –

Speaker 8: Oh, it's – it has some –

[Crosstalk]

Speaker 6: **[Inaudible]**. They're in a battle for it. Yeah, they – they're planning their long-range plans **[inaudible]** over Bandera **[inaudible]**.

Speaker 10: And then we'll be part of **[inaudible]**, right?

Speaker 2: It's my understanding that there'll be **[inaudible]** county that's technically – they will be left out of the **[inaudible]**, and we'll just be wide open.

Speaker 5: Kinney County?

Speaker 2: Yeah. So –

Speaker 5: So they're gonna distract them **[inaudible]** leave the western half alone, but – meanwhile, Kinney County district's down to **[inaudible]**.

Speaker 2: Yep – wiped out, so there's nothing there.

Speaker 5: Yeah, I – I haven't talked with **[inaudible]**.

Speaker 3: I really – I mean, I don't – that right there was first – I mean, I didn't know what the plan is. I've never looked at **[inaudible]** before, so I'm gonna sign her –

Speaker 2: And like I said, as far as the politics going on over there and what's really happening over there and who's really right and who's really wrong, we will only have opinions on that. But irregardless, I just think it's a terrible precedent, and **[inaudible]** will **[inaudible]** who's next.

Speaker 6: The reason it's precedent setting is because it just doesn't include **[inaudible]**. It includes all the **[inaudible]** Kinney County. That's never happened before, so it's gonna – it **[inaudible]**, so that's what **[inaudible]** plans to do. They wanna include the incorporated. Their **[inaudible]** for **[inaudible]**, which includes Bandera **[inaudible]**.

John: One suggestion I have on Kinney County is in Chapter 8 – and we really didn't get into this today – is recommendations. If we – if we have certain things that we feel need to be done, that's where we need to recommend them – you know, already had a discussion about needing to study tourism impact on – on water demands. If this group goes to Water Development Board requesting research funding. It really needs to be talked about in the plan.

And so one of the things in Kinney County – both the water district and those opposing the water district – the one thing they have in common is that – is the concern about good science – that the numbers that are there now are pretty much based on some recharge numbers, and that partially comes from the Water Development Board and also the GAM. So there's – there's not confidence there. Both sides would like a very good, detailed study.

Speaker 2: But the problem we've got is that you can put it in there, but by that time it never gets anywhere **[inaudible]** on Kinney County. That's all I'm saying **[inaudible]**.

[Crosstalk]

John: Well, it's gonna be made before this plan even – the draft **[inaudible]** is due.

Speaker 3: How about – how about this as a – I mean, my problem is I haven't really attended before, so I don't know what it's really saying other than the conceptual side of it. How about if, Lee – because he seem to feel the strongest on it – write a letter circulated and anyone on the board that wants to can put **[inaudible]**, type it, and we can send it off? That way it's – it's – doesn't want to – it's – it's a – can certainly do it and if certainly some – a group **[inaudible]** wanna sign it, and I may too; I just haven't read it. I'd have to read the letter, and then **[inaudible]** board and see what you're saying. So I don't have enough information myself right now.

Speaker 2: Very short, simple, and sweet **[inaudible]**.

Speaker 3: And if it's a – and if it's a majority of the board members sign off, let's say some of them go over to the board. And if it's less than majority, we'll put some of those members **[inaudible]**. The majority is – how many do we have – 18? So it's 10.

Speaker 9: **[Inaudible]**.

Speaker 3: 1557? I thought it was 1884?

Speaker 9: No **[inaudible]**.

Speaker 3: Well, whatever it is, write the letter, and I know William knows my email address.

John: He can send it email, so we can answer it right away.

Speaker 3: Yeah, you can answer it right away.

John: If you get the majority of the **[inaudible]**.

[Crosstalk]

Speaker 3: The majority.

John: The majority is all we need.

Speaker 5: We can send it – we can send it into the board.

Speaker 3: Yeah, we can send it in, and it can go –

Speaker 5: He can send it to you, and let you distribute it.

Speaker 10: I'll send it to you, and you can distribute it.

Speaker 3: Okay, I'll send it – send it to me. I'll distribute it out, and if – if we get a – so – a couple days if we get majority of the board, I'll sign up for the board. If – if not it'll be, then, just probably those that respond **[inaudible]**. That way it gets all **[inaudible]**, and I think it's probably the same impact either way. All right.

On SB3, I think we've done what we said we need to and trying to do everything **[inaudible]**. I don't know what we're even writing about **[inaudible]**.

[Crosstalk]

Speaker 2: **[Inaudible]** SB3 until we know what's going on, and – I mean, it changes on an hourly basis **[inaudible]**.

Speaker 3: Anything else on scope of work **[inaudible]**, John?

John: No. We have one more meeting June 1st – gotta have the meeting.

Speaker 3: It's the nineteenth, John. Is that a good day for you still? Or do we need to **[inaudible]**?

John: Yeah, **[inaudible]**.

Speaker 3: We – May 19th, 10:00 in Kerrville.

Speaker 2: **[Inaudible]** somewhere?

Speaker 3: Well, actually – well, if you tell how many – do you pay for this? **[Inaudible]** you probably got it out of your wallet. We give you a check at the next meeting.

Speaker 2: Our district **[inaudible]** reimburse me. I'll go pick it up. **[Inaudible]**.

Speaker 3: So Gene, that meets you have to pick up the one in Kerrville.

Gene: Okay, that's fine.

Speaker 3: Not you, Gene. I was talking to the other **[inaudible]** – but if you wanna do it.

Speaker 1: It's 50-50.

Speaker 3: Well, you – you dodged a bullet on that one. Any other informational items?

Speaker 1: Where in Kerrville?

Speaker 3: It will be at **UTRA**.

Speaker 2: How many of you all are familiar with the **[inaudible]** rivers **[inaudible]**? Anyone familiar with that?

Speaker 3: No.

Speaker 2: **[Inaudible]**. This was years before **[inaudible]**.

[End of Audio]

Duration: 45 minutes

Tape 2 – Side B

John Ashworth: It was really big in **[inaudible]**. And there final decision was that they really were not going to address it, mainly because it gave it too much credence. And they basically decided that they were going to, within the strategy chapter, they were going to make a mention that there is proposals out there, but not to address it as though it is an actual thing that's going to happen, since the majority of them are trying to encourage it not to happen. So they're trying to be politically correct with it at the same time.

Male Speaker: I'm not trying to say we should take sides. I think **[inaudible]**.

Jonathan Letz: The problem that you have is that we're – you have to look at what the charge of this group is. This group is to plan for existing needs as you know them today and then you revise it in the next plan. And we can't put a strategy together because – for Kinney County having a deficit because we don't know. It's a what if. If someone comes in and says they are **[inaudible]** 50,000 acre **[inaudible]** Kinney County, well then all of a sudden, **[inaudible]** they're taking it. Then all of a sudden, there's an actual subject that we have to address. But at this point, it's real hard to. It's just a what if. And while it appears like something is going to happen in Kinney County and maybe in **[inaudible]** County too, how do you plan for what you don't know.

Male Speaker: That's true **[inaudible]**.

Jonathan Letz: I think at some point, it is appropriate and probably in the strategies chapter to have a footnote on Kinney County that there is a – and probably on Verde County too, that their water marketing is a real possibility and would have a big impact on Kinney County and basically cause everything in – and Verde County and possibly have some you know.

Male Speaker: **[Inaudible]**.

Jonathan Letz: But it's just real hard to figure out what to talk about in any kind of specific nature because you just don't know what it's going to be yet.

Male Speaker: I would suggest if water marketing is not out of Kinney County, without any state law being passed, it will be no different than what you have here. If they want to water market out what is permitted to them, great and fine. It would not change your – this plan any at all because you use the same amount of water marketing as you are from irrigation. So it will be a wash out.

The only thing that would make that different, if the state passes laws saying Kinney County can no longer have a groundwater district and if they do that and the state takes over, you're going to have to talk to the state about the amount of water they pump. This is what, as of today, they're trying to do and say you can't have a water district in Kinney County. We're going to take it over. This is what is going on. And for god sake, if the district does not go, there's no law to pass by the state.

What you have here is fine because you could only market the amount of water you have been permitted to irrigate, which is the same thing as you've got here now. If the state does say okay, going to do away with the district, you're going to allow this much pumping, you're going to have to address the state why they did it, not talk about what happened [inaudible]. It would be a state mandated bid if they get out of more than what we have now permitted.

Female Speaker: I'm just curious. How is this state going to be taking over water and marketing? Is that what you're saying?

Male Speaker: They have [inaudible]. I believe it's 1857, I've had so many of them. I don't know what the number is now. It says the Kinney County water district is dissolved. The Edwards aquifer will take over the northeast section and the other section will be uncontrolled, the other three-quarters of the county. It is a bill that has already passed the Senate and is at the present time hung up in the House. It is not gone yet through the house. Hopefully it does not go. But if it does go through the House, then there will no longer be a water district in Kinney County.

There will only be the northeast section, which is the Edwards aquifer. BFC will be under the Edwards aquifer, whatever their rules are. If you're Edwards Trinity, you're talking about here. Your [inaudible] will be uncontrolled. It will be a state law because that's what it is right now, if it does pass. What I'm saying, if that law does not pass and the district does survive, what he's got is okay. What you'll be able to sell would be what you're permitted. And what we've got permitted is what he's got the plan at.

Jonathan Letz: Let's go on to the tables for chapter four we just handed out. John, let's go through this pretty quickly.

John Ashworth: In chapter four, it's going to be our strategy section. And it's going to start out with this table 4-1 that basically shows the comparisons between water supply and demand. The shaded areas are those water user groups that are going to have deficits, which require the strategies. So we start the chapter out by just discussing that process and identifying who the strategies are being developed for.

The spreadsheet basically, again, lists these entities and we've been going through this the last couple meetings, City of Kerrville,

Kerrville South, Camp Wood and irrigation in Bandera, Kerr Counties. I think City of Kerrville has been working with Stephan on good examples of what realistically can be done. Every entity that requires a strategy, we must at least consider conservation. So you see under each one that there's a conversation consideration in there as one of the strategies.

Male Speaker: Were we going to take out Kerrville south?

John Ashworth: What they're doing, as of yesterday, even at 5:00, we were trying to negotiate with them. Right now, Kerrville south doesn't believe that they have a shortage in the future. They don't particularly want to be mentioned in this plan as having a shortage. They really don't seem to be interested in participating in this process. We're trying to make sure that they understand the ramifications of their not participating, which is fine. That's their choice. You all need to make a decision amongst this group as to how to handle that. If they don't want to participate, you can ask them to sign a letter of release, basically saying that they don't want to be in it, so doing, we won't develop any strategies.

Male Speaker: **[Inaudible]** letter **[inaudible]** signed.

John Ashworth: That's the direction we're going. We've been trying to work with the water development board to make sure we're following the correct guidelines. My understanding is we are. This is a decision that could be made by this group for an entity that doesn't want to participate.

Female Speaker: As we all know, part of the planning process is we need to plan for any entity that has a need. But if the entity doesn't want to plan with you or does not want to be included in the plan, there's no requirement that they be in the plan. And we really – we don't have any written procedural requirements for that. But we suggest, just for your own protection and for future what have you that you include a little statement in the plan that says you contacted Kerrville **[inaudible]** water supply court and they informed you that they did not want to be included. And if you want to have a certify letter, **[inaudible]**.

Male Speaker: You have to **[inaudible]** they will come back and say y'all didn't do that. Or there will be a change in administration or something.

Male Speaker: Maybe they'll sell out.

Male Speaker: Sell out.

Male Speaker: Instead of having the plan.

Female Speaker: And just – this is a living document. We will be reviewing the plan over the next year. It will get rolled into the state water plan. And there needs to be something in your plan that says why this entity **[inaudible]**. Otherwise, our staff will be contacting your engineers and say what happened here, did you forget these guys.

Jonathan Letz: Attach a letter into the document.

Female Speaker: Yeah, so just put a note.

Jonathan Letz: John, if you'll draft the letter, we'll send it off or you can send it off. I don't know where it needs to come from. And we'll just take out that section.

John Ashworth: The two irrigation shortages for Bandera and Kerr County, we decided to handle that through best management practices, right out of the water development board guide. The appropriate ones have been selected earlier, so I've got them listed there. What we, as consultants, need to do is continue filling out the rest of this spreadsheet, the cost analysis, the impact factors and I'll have that all for you here very shortly.

Jonathan Letz: I think under alternative strategy, Kerr County, it says in connection to existing Kinney Lake pipeline. I don't know that – I'd say – I don't know if we need to be that specific right now. Just –

Male Speaker: Purchase of water **[inaudible]**.

Jonathan Letz: Purchase of water out of –

Male Speaker: **[Inaudible]** how to say that. **[Inaudible]**.

Male Speaker: Water from other sources.

Jonathan Letz: I don't know if we need to be specific enough that if it is Kinney Lake and that pipeline does happen, it's going to take state funding to do it. So that's why it needs to be listed. But you don't want to be too specific.

Male Speaker: The guidelines basically say alternative strategies or those that if your primary ones don't come through, there is a strategy that you can fall back on without having to come back, reconvene and

adopt. Have a plan amendment. You've already got a strategy available there. But for it to be that good of strategy, it's got to be pretty well detailed out, and I'm not sure y'all are saying you want to go to that.

Jonathan Letz: The construction, I don't really mind saying Kinney, but how about this, connection to existing pipeline instead of construction of pipeline from Kinney Lake.

Male Speaker: That's already actually in place.

Jonathan Letz: Right, construction of pipeline from Kinney Lake. And the other thing is alternative strategy, which maybe is working on reallocation of reclassification, I guess, of permanent.

Male Speaker: Modification.

Jonathan Letz: I know you, Jerry, the city, you're kind of looking at that too, at the same time looking at in connected to the pipeline.

Female Speaker: For any of these alternative strategies, if you do have to use one or choose to use one later, it does need to receive the same level of analysis as your chosen strategy right now. It sounds like that's what you're doing.

Jonathan Letz: I thought we didn't have to. I thought we could list it as alternative, but didn't have to do the full level of study.

Female Speaker: It needs the same level of analysis. That's how we can justify in the future that it's okay to just pick this strategy from this group, later on because it will have received scrutiny analysis.

Jonathan Letz: I thought the reason we were doing alternative strategy was so you didn't have to do the in-depth study.

Female Speaker: That may be what people wanted, but for public hearing purposes and credibility of the plan, it does need analysis. We can get back with you on the details.

John Ashworth: We may just need – we can also put these – if we don't want to go to that detail, maybe we don't need to call it alternative strategies. We can just call them future strategies to be considered or something.

Female Speaker: For what you were saying, that sounded like it – we would look at consistency with the strategy and that’s usually based on supply source. It sounds like what you’re doing.

Jonathan Letz: We’re looking at something that could happen in the next five years, but we just don’t know enough. It came so late in the process that we don’t have the time to do a whole lot of studies. The entities involved don’t want it on the radar screen right now.

Male Speaker: It’s too soon.

Jonathan Letz: It’s too soon. But if it happens, it could happen relatively –

Male Speaker: But we also don’t want to go back to square one.

Jonathan Letz: And maybe you just have to amend the plan.

Male Speaker: If we have to.

Male Speaker: That may be the way to go. It’s not that hard to do.

Male Speaker: **[Inaudible]**.

Jonathan Letz: Look at the map if you could. Okay, anything else?

Male Speaker: Just a question. I notice on the town you have conservation as an alternative for short term peak demands during a drought or something. What about something like restrictions on landscape irrigation that can get you through a short term deficiency? San Angelo’s use it, San Antonio.

Jonathan Letz: I think they already have it though.

Male Speaker: It’s built in.

Male Speaker: **[Inaudible]**.

Male Speaker: Drought management plan **[inaudible]**.

Male Speaker: Chapter 6, you’ve got the drought contingency plans.

Male Speaker: How much demand in relation to current supply.

Jonathan Letz: **[Inaudible]** already has that.

Male Speaker: **[Inaudible]**.

Jonathan Letz: Kerrville is the only one we have to have a strategy for and Camp Wood.

John Ashworth: We had talked about having a list of projects that are more or less going on right now. You see right down at the bottom of the projects, Rock Springs, Leakey. I don't know if there's a need. I've got them on the spreadsheet, but it probably doesn't fit on – they're not strategies. We just wanted to take note of it. In fact, as I'm sitting here saying this, I'm thinking this needs to go back into probably chapter three where we talked about individual municipalities, what they have and what they're doing.

Male Speaker: **[Inaudible]** another public water supply.

John Ashworth: Anything else?

Male Speaker: What is that abbreviation WUG stand for, irrigation?

John Ashworth: It's water user group. It's a water planning term, out of water development board. It represents a group category. In other words, we've not identifying every individual irrigator. We're lumping them all under one user group.

Female Speaker: It's not very graceful, but it was the best we could –

Male Speaker: A WUG.

Male Speaker: Can mining the aquifer be one of our strategies?

John Ashworth: Sure, I'll right it up.

Male Speaker: **[Inaudible]**. I mean I have yet to talk to them. I should have talked to them. With their plans like they are, this could get back to TCQ on their radar and put them then in a situation that y'all are going to run out of water. **[Inaudible]** they've probably got the hammer to say we'll do something. I don't know if **[inaudible]** realize that. I'll **[inaudible]**. I'm sure what would happen in actuality, with mining the aquifer, they would mine the aquifer if they want to buy water. And we have less room in there for mining the aquifer in **[inaudible]**.

Jonathan Letz: They can mine the aquifer, but I thought their problem was they didn't have enough acreage to meet the permit limits of the water district, was the problem. If they've got enough land, then just

drill another well. I thought the issue was they don't have enough real estate to drill another well.

Male Speaker: **[Inaudible]**.

Male Speaker: Yeah, well like I said the issue there -- they're going to mine the aquifer. Whether the district tells them to stop or not, you've still got to **[inaudible]** above the water, so mining aquifers won't happen, and hopefully they'll get the districts blessing.

Male Speaker: **[Inaudible]**.

John Ashworth: Yes, and it's contingent on that they don't decide here at the last minute to come on board.

Male Speaker: **[Inaudible]** certified letter **[inaudible]** participate and unless they come forward within whatever time you specify, they will be dropped from our regional plan.

Jonathan Letz: Do we have a second?

Female Speaker: Second.

Jonathan Letz: **[Inaudible]** Kerrville south will be sent a certified letter stating that they will be dropped from the plan, their choice, if we do not hear from them in the near future. And I'll leave it to John what the near future is.

Male Speaker: Draft the letter from you basically, from the group so it will come off our letterhead.

Jonathan Letz: Right.

Male Speaker: And recommend and having done that for years and years, along with a certified, you send a regular letter as well. Send it both ways, standard procedure.

Jonathan Letz: Okay. Any further discussion on that one?

Male Speaker: Should there be a time frame on the letter? Don't just say –

Male Speaker: No, John will **[inaudible]**.

John Ashworth: Realistically, as long as we're still in session, they probably – they don't have to meet a deadline for this draft. But basically we've got to have a deadline somewhere around fall or early winter.

Male Speaker: Just come up with a deadline that's workable and that we agree to.

Jonathan Letz: Yeah, we have a motion to do it. Any further discussion? All in favor, say aye.

Male Speaker: Aye.

Jonathan Letz: Any opposed? None. Okay.

Female Speaker: **[Inaudible]**.

Jonathan Letz: Do we have anything else, John?

John Ashworth: Don't believe so. Thank you very much.

Jonathan Letz: We're adjourned and I'll send out an e-mail related to the –

[End of Audio]

Duration: 22 minutes

Jonathan Letz: I'm counting the wrong people.

Male Speaker: Do you want a piece of paper?

Jonathan Letz: One, two, three, four, five, six, no we don't. We're two short.

Male Speaker: Does it say you have to have four voting members or just one?

Jonathan Letz: Voting members. We don't have the forms. I know Zach is on the way.

Male Speaker: Terry should be on the way.

Jonathan Letz: Scott's here. We need two more. Oh, don't dress up today.

Male Speaker: **[Inaudible]**.

Jonathan Letz: All right. Let me call to order the May 19th meeting of the Plateau Water Planning Group. It's about 10:10. We do have a requirement and we are in compliance with the Texas open meetings law. Go around the table. Roll call.

John Ashworth: John Ashworth, the group consultant.

Lee Sweeten: Lee Sweeten **[inaudible]** district.

Howard Jackson: Howard Jackson, City of Kerrville.

Tommy: Tommy **[inaudible]**, Del Rio.

Dick: Dick **[inaudible]**, Texas **[inaudible]**.

Charles: Charles **[inaudible]** representing utilities.

Mary Ellen: Mary Ellen Summerlin, visitor.

John Floyd: I'm John Floyd, visitor. I'm with the Hill Country Fly Fishers here in Kerrville.

Guy Harrison: I'm Dr. Guy Harrison. I'm with the Hill Country Fly Fishers of Kerrville.

Eric: Eric **[inaudible]**, Real Edwards Conservation Reformation District.

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- Theona Tylers: **Theona Tylers**, Del Rio.
- Gene Smith: Gene Smith, City of Kerrville.
- Scott Loveland: Scott Loveland, UGRA Political Subdivision.
- David Jeffrey: David Jeffrey, Bandera County.
- Jonathan Letz: Jonathan Letz, Kerr County.
- Mike: Mike **[inaudible]**, Texas Water Resource Institute.
- Skye: Skye **[inaudible]** with **[inaudible]** River Authority **[inaudible]**.
- Nora: Nora **[inaudible]** with Environmental Defense.
- Gene: Gene **[inaudible]**.
- John Warden: John Warden, **[inaudible]** visitor.
- Jim Hayes: Jim Hayes, Director of **[inaudible]**.
- Jonathan Letz: Okay. Thank you everybody. We do have a few members of the public here today. Does anyone from the public want to make comment under public comments or just here to listen?
- Male Speaker: I just want to know. I brought some back up material again on this watershed and **[inaudible]** storage **[inaudible]**, if you're interested in take a copy.
- Jonathan Letz: All right. Item three, approval of minutes, I thought sure we had minutes of our meeting, but we don't. I don't even know where we are. I didn't get a return call from the lady that was doing it **[inaudible]**, so we do not have that. Under reports, reports from the chair, I don't believe I have any today. Secretary standpoint, Ronnie is not here. Scott, do you have anything from Political Entity.
- Scott Loveland: The bills are in the mail for **Guyton**.
- Jonathan Letz: Okay, they're happy to hear that.
- Scott Loveland: Yeah.
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- Jonathan Letz: Especially with the departure of one of your employees who used to be handling that part of it. I know John Washburn has left UGRA. I didn't know John Washburn. He was the Chief Financial Officer?
- Scott Loveland: Mm-hmm.
- Jonathan Letz: Finance, since I did not have any minutes, Karen didn't give me any financials, so we're going to have – but we are going to meet again next week so we can hopefully get caught up on some of the subdivision, overlooking the past couple of meetings and the next meeting. Report from Liaisons? No?
- Male Speaker: Just one quick thing Jonathan. At the last meeting, I brought some DVD's of a documentary that was put together by [inaudible], and handed them out to board members. I didn't have enough for some of the [inaudible] folks and since secured some more of those. I forgot to bring them today. Anybody who would like either more copies of that or didn't get one the first time let me know and I'll try to remember to bring them next time.
- Jonathan Letz: Okay. And Ernie's not going to be here today. There is going to be – I can't remember her name.
- Male Speaker: Sherry [inaudible].
- Jonathan Letz: She's not here yet, so we'll come back to that if there are any comments from the Water Development Board. Item 5 under invoices, we do not have any today. Item 6, Consider, discuss, approve, draft chapters of the Regional Water Plan. Tom?
- John Ashworth: At the last meeting, we'd gone through all the chapters, except three, four and eight. I sent out three and eight this week. Especially eight went out yesterday afternoon, so you probably haven't had much time to look at it. But what I'd like to do today is go through three and eight the same way we did the other chapters, so that I can get your comments and get those finished up. Then the last chapter, four, is the strategy chapter. I haven't really started writing that because it's totally dependent on the final strategy. But I've got the spreadsheet, updated spreadsheet that I'll hand out. And we need to go through those and get your final feelings on these strategies, so that I can go ahead and write that chapter.
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- Jonathan Letz: Tom, do you want to get through three or eight first, or does it make any difference?
- John Ashworth: It doesn't matter to me if y'all have a preference. I think probably chapter eight you're going to want to spend a little more time on than three.
- Male Speaker: **[Inaudible]**. I didn't get a chance to bring it.
- John Ashworth: I brought a few copies of three. I've got about four copies left if any of y'all need a copy of three.
- Jonathan Letz: Are all people going to need chapter eight, or does everybody have chapter eight?
- Male Speaker: I didn't bring chapter eight either.
- Jonathan Letz: Scott, can you get maybe four or five copies run of eight? Thanks.
- John Ashworth: I've got a few eight also.
- Jonathan Letz: Oh, you do?
- John Ashworth: I've got about five copies.
- Male Speaker: We need two more here.
- Jonathan Letz: I need two eights, two of each one I think.
- John Ashworth: One thing that I did not get in to chapter eight were a couple of suggestions made by Dick Lukey. And I'd like to just pass those out. We'll consider those at the same time. I've got –
- Jonathan Letz: **[Inaudible]**.
- John Ashworth: All right. Should we go through chapter three?
- Jonathan Letz: Yeah. And the way we went through last time, I think everybody was at the meeting. We go through page by page and any comments or changes are done at that time.
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- John Ashworth: This chapter is pretty much descriptive of the water resources and it starts out with a description of the aquifers in the region. Then it goes into discussion about the rivers, Bide River Basin.
- Jonathan Letz: Go back to – start on page 3-1. I had one comment on that, the first paragraph, last sentence. I think it's probably a carry over from the far West Texas region.
- John Ashworth: Right here?
- Jonathan Letz: Yeah, I think we probably should say areas within Hill Country.
- John Ashworth: Wow, that might help. Yeah, a lot of times I'll carry over a chapter and need to go through and make the proper modifications.
- Jonathan Letz: That's the only comment I had on that page.
- Male Speaker: Where was that?
- Jonathan Letz: Page 3-1, the first paragraph, the last line. It says far West Texas. That should read Hill Country.
- Male Speaker: Probably just Plateau Region.
- Jonathan Letz: Plateau Region. Okay. And then go to 3.3-2, table 3-1.
- John Ashworth: Table 3-1 and I think we've gone through these tables before. Y'all have already – we've discussed these in details. 3-1 is the water source availability. And this is the one basically we use the **GAM** and we looked at each county, looked at impacts of water level declines on springs and surface water flow, and basically came up with a level of comfort of how much water is available without a major impact.
- Jonathan Letz: I don't have any problems with the table. We've gone over that enough. I'm concerned a little bit about the placement of the table. The reason is we're breaking new ground and defining availability. I really think we need to have either right before you get to that table, a definition of why – **[inaudible]** to why we're so different than our last plan, and that the reason is we're not talking about total availability. I think we need a pretty good discussion as to why, how we're defining it and why our numbers are so different.
- Male Speaker: Yeah.
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- Male Speaker: I thought I read that in here.
- Jonathan Letz: It's in here. It just needs to be moved.
- John Ashworth: It's in here. Put these tables farther. These tables have both ground water and surface water on them, so maybe toward the back.
- Male Speaker: You could just reference **[inaudible]**.
- Jonathan Letz: I just didn't want the first time we looked at this numbers, it before we talk about how we came up with the numbers.
- Male Speaker: A bad idea.
- Jonathan Letz: It may be easier just to move the table back to the appropriate spot.
- Male Speaker: Can you remind me how we came about discussing the **Frio** with **[inaudible]** and **[inaudible]** the supply from **alluvium [inaudible]**?
- John Ashworth: The –
- Jonathan Letz: I think the Frio.
- John Ashworth: **[Inaudible]** after that.
- Jonathan Letz: The Frio –
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: The **Frio** was done because so much of Blaklee gets water out of that alluvium. When I saw that, it could be argued that an alluvium should be counted for almost every – well it exists in every county or every river because there's a lot of wells. And I think the way that John has handled it before is that it is part of the – in Kerr County, it's part of the Trinity system alluvium. And whereas in Rio County because it is a significant part of the City of Lakeland, it was broken up.
- John Ashworth: It's actually a municipal water supply. It gives reason for why we want to separate it out. I did add a paragraph on page 311, section 3.2.6 other **[inaudible]**. We had discussion about there was a lot
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of other shallow alluvial systems out there in the rural area that have shallow well windmills in them. So we make mention of that in that first paragraph under 3.2.6.

Jonathan Letz: Right. I think that – did we say anywhere that that, specifically that water in those other aquifers is included in these numbers? It's lumped into the –

Male Speaker: And actually the last sentence of that paragraph says because **[inaudible]** water from alluvium was not made. It says it in that paragraph. It's not **[inaudible]**.

John Ashworth: It's not included separately. I would say that basically all these other shallow alluviums would become part of just the hydrologically connected other aquifer that underlies it, whether it's Edwards or Trinity. And it's – you could consider it included there. Although I suspect it would be – to tell you the truth, it would be a very lengthy, difficult task to break out every single small alluvial. There's little bends and rivers that have a ten foot thickness of gravel just all over the place, and be able to go in there and capture all that would be a huge task.

Jonathan Letz: No, I wouldn't.

John Ashworth: I think it's just important we recognize that there are a lot of wells out there in those **[inaudible]** systems.

Jonathan Letz: Any other comments on tables? On page 3.3, table 3-2, on the second page of that John, under Kerr County, county other, it shows the infrastructure capacity. It's saying over 6,084 for both the Edwards Trinity and Trinity. Is it supposed to be? Whenever I see a **[inaudible]** number, I have **[inaudible]**.

John Ashworth: Let me check. I suspect that's correct. It was just a – it was split evenly. I will check just to make sure that's right. I think the only new numbers on this is the Kinney County irrigation. If you recall, at the time, this infrastructure if you look at the Note E at the end, that infrastructure is based on Kinney County Groundwater Conservation District, year 2005 per minute allocation, as of their final permitting meeting, which happened on April 23rd. So they supplied me with those numbers, which changed things just a little bit.

But under the irrigation in Kinney County, these are the final numbers as supplied by the water district. That's the only one where we used that as the defining number. That's the only county that we actually had the permits that represent the infrastructure number. And of course, there are those that were opposed to doing that. Zach is not here to speak up, but I'm sure that he's not particularly happy with that. But that's – y'all took the vote and chose to go that route.

Jonathan Letz: What were the numbers – somewhere in Kinney County, we had a lot bigger number.

Male Speaker: **[Inaudible]** whatever that one marketing company was **[inaudible]** numbers did not take into consideration of all the stuff on the west side of **[inaudible]**.

Male Speaker: Well I think they were concerned that there was a lot of inflow coming in from the north that's not counted. And I rebutted that by saying well if you're going to count the inflow, you've got to count the outflow going out the bottom. And that pretty much equalizes that out.

Jonathan Letz: The number I was thinking of is the water district, the Kinney County Water District had almost like a 57,000. They were arguing one day. I think you brought it up Lee. Zach wanted 60,000 and the water district had 57,000 **[inaudible]**. I said what's the difference. I'm not sure where that is. It might be a different table.

John Ashworth: Originally, there was a recharge number for the county of like 69,000.

Jonathan Letz: Maybe that was the number.

John Ashworth: In our table one, which is more appropriate to that number, we don't have 69,000, but we have a percent of that 69,000 that's represented from the GAM process.

Jonathan Letz: I think the – it's a general comment on the table again, is that people who like numbers and tend not to read. **[Inaudible]** put the tables at the appendix. I think on this table, I think we need to define current infrastructure, what that means. I know it's in the – and put that definition on the table so that the understanding is everything is from the north. It can be regulatory cap. It can be – I

guess regulatory – regulatory cap or it could be pipeline ability or the number of wells, whatever is the definition there.

Male Speaker: The definition could just go under remarks.

Jonathan Letz: Either under remarks or I think I'd put it on top because you – in the table, the first thing you see is infrastructure capacity. And under the remarks, under remark B, it says Kerr County is **[inaudible]** Groundwater Conservation District has pumping limitations on Trinity aquifer wells. We need to put what that limitation is. Isn't it 25,000?

Male Speaker: 50 on the middle, 65.

Jonathan Letz: 15 and 60?

Male Speaker: 50.

Jonathan Letz: Oh, 50?

Male Speaker: 50.

Male Speaker: 65.

Jonathan Letz: I think we need to state those limits.

John Ashworth: 50K middle?

Male Speaker: Yeah, **[inaudible]** per year.

John Ashworth: And 65?

Male Speaker: **[Inaudible]**.

Male Speaker: The same would apply to Kerrville too, **[inaudible]**. We don't have any middle do we? The city doesn't anyway. If you're going to put it in one, I guess you ought to put it in –

Jonathan Letz: I think you might, maybe under C, just put subject you know – Kerrville subject to the conservation districts.

Male Speaker: I thought it said that. **[Inaudible]** conservation district **[inaudible]**.

Jonathan Letz: Okay.

John Ashworth: So y'all would prefer having these in the appendix versus at the end of the chapter?

Jonathan Letz: Well if it's in the appendix, is there an appendix after each chapter or is it at the end of the book?

John Ashworth: Well it's going to depend on the full size. The last time, we actually put the appendices separately bound.

Jonathan Letz: Put it after the chapter, at the end of the chapter.

Male Speaker: Yeah.

Male Speaker: **[Inaudible]** do that all the way, **[inaudible]** versus separating it.

Male Speaker: I'm sure it would be easier to go right where it was, here and here.

Jonathan Letz: I just want to encourage people to read straight through and understand it a lot more rather than jumping to the tables right away.

John Ashworth: Okay.

Jonathan Letz: Anything else on the tables, table 3.1 or 3.2? All right, then page 3-7.

Male Speaker: You have the figure 3-1 highlighted here. Did you have copies of those? I didn't get a copy.

John Ashworth: I think that I attached copies.

Male Speaker: Those are PDF attachments.

John Ashworth: They were PDF attachments on your e-mail.

Male Speaker: Not 3-1. I have two, three and four, but not 3-1.

Jonathan Letz: That one.

Male Speaker: We didn't get that.

Male Speaker: I've got 3-1. I didn't get any more.

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- Jonathan Letz: I think you just didn't print it right.
- Male Speaker: I'll have to fuss at **[inaudible]**. First thing you know, she'll want a raise.
- John Ashworth: I've got these highlighted in here right now because sometimes we go in and we add or subtract figures and it just helps me find them in the text to make sure that I get the right figure number in the text.
- Male Speaker: **[Inaudible]** printed together.
- Male Speaker: I got it.
- Male Speaker: I got it. I didn't get the other.
- Jonathan Letz: While we're on 3-1, does anyone have any comments on it? Is the – with the boundary questions that keep on being brought up by various groups in Kinney County, do we need to say these are profit boundaries?
- John Ashworth: Well these are – they're water development board, except for the Austin **Shock** and **Free** River alluvium because those are not on the development board aquifer.
- Jonathan Letz: It says source, okay. Any other comments on page 3-7?
- Male Speaker: John, on these figures, I don't know if it's the board, but it's one of the major branches of the river wasn't on there. I don't know if you can add it or if it's important to add. South Fork wasn't on there in Kerr County.
- John Ashworth: On 3-1?
- Male Speaker: All of them.
- John Ashworth: All of them?
- Male Speaker: It might be important in the loft. It has a **gain loft**.
- John Ashworth: I was looking on these other. Yeah, let me check. These are GIS river coverages and for some reason, maybe it's not on there.
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- Jonathan Letz: Any other comments on 3-7, page 3-7? Next, page 3-8. It seems that – maybe it’s all that needs to be said that there was not much said about the middle Trinity. You talked a lot more about the lower Trinity and **Glen Rose** and all of a sudden there’s half a sentence related to the middle Trinity. But it appears to talk more about water quality here.
- John Ashworth: One thing, you can write whole reports on each one of these aquifers. And for a planning document, which doesn’t tend to be quite as technical, I chose to kind of cut back and not get just extremely detailed on the descriptions. And what I’ve done, in the very first paragraph on page 3-7, under section 3-2, I say aquifer descriptions provided in this chapter are relatively limited and more detail hydrologic characterization of the aquifer may be obtained from the references listed at the end of the chapter. So I’m basically telling the reader if you want more detail about these from a technical point of view, we’re giving you the references.
- Jonathan Letz: I still think on the – considering that the middle Trinity probably provides more water per county than any other category, it ought to have more of a mention than half a sentence. We don’t need a page on it, but a little bit more of a description is important. I believe Jim has a comment.
- Jim Hayes: No, I was just going to say I like the way that he does keep this brief. If you get too detailed people tend to get bogged down and argue about technical data.
- Jonathan Letz: Right. I agree. I think you need to stay brief, but at least –
- Male Speaker: I don’t know if it’s important, but I’m sure if **[inaudible]** was here, he’d probably talk about the **[inaudible]** being continuous because it does pinch out and it’s argued whether it is an area between the lower and the middle Trinity. I don’t have any problems with the way it is.
- Male Speaker: No, that’s true.
- Jonathan Letz: I think it does. Later on it talks about that it’s in areas that’s fractured, I thought.
- Male Speaker: Well the shale has been truncated in several places.
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- Male Speaker: [Inaudible] saying out west if it's non-existent, there is no differentiation.
- Jonathan Letz: [Inaudible] sense.
- Male Speaker: Maybe just add something in the first paragraph about most areas or something.
- Male Speaker: Mm-hmm, yeah, that's good.
- Male Speaker: I didn't think it was a continuous [inaudible]. It's probably a little thinner than that at most places.
- Male Speaker: Yeah, and most of the work I did, especially in the Hill Country area, it was pretty consistently close to 60 foot.
- Male Speaker: Until you get up to –
- Male Speaker: Yeah, until you get to where it's pinching out to the north and west.
- Male Speaker: Along the edges.
- Male Speaker: [Inaudible] water doing some mapping of that. When their information is available, it might clarify some of these geological questions.
- Male Speaker: We'll know more [inaudible].
- Male Speaker: We developed, during the first planning process; we did the study of the lower Trinity. We developed a whole set of cross sections. And probably looking at those, you can kind of trace **hammock** throughout all that area.
- Jonathan Letz: In the last paragraph on 3-8, the greater depth, unpredictable yields in water quality at the lower Trinity. I thought that the water quality was better in the lower Trinity. And I thought where you have the lower Trinity, you tend to get good yield.
- Male Speaker: Not necessarily.
- Male Speaker: Not necessarily.
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- Male Speaker: We went down there just across the city. They tried to complete some on the south side of the river. Water quality is not there to give, just in that short of distance.
- Jonathan Letz: So it is unpredictable?
- Male Speaker: It is unpredictable.
- Male Speaker: And there's a lot of chip in it, in the [inaudible] a lot of chip beds.
- Jonathan Letz: All right, on 3-9, any comments? 3-10?
- Male Speaker: I don't know if you want to worry about nitpicky things.
- Jonathan Letz: Sure.
- Male Speaker: The second paragraph on the bottom of the page, John, it's [inaudible] source. In the middle [inaudible] of the paragraph, [inaudible] Austin. Everywhere else [inaudible].
- John Ashworth: Okay, yeah.
- Jonathan Letz: Anything else on 3-10? 3-11?
- Male Speaker: Back down to that 3.6 we talked about the other aquifer. The first paragraph [inaudible] well and then the second paragraph the water level [inaudible] of Ellenburg Bastion [inaudible]. It almost sounds like – maybe I'm just reading this wrong. When I'm reading it, it almost sounds like the first paragraph relates to the second paragraph. [Inaudible] the ones you're referring to. Could you say as well or start the sentence out a little different and show it separating between the first paragraph and the second paragraph? It's not put under a separate heading or anything.
- John Ashworth: In addition, [inaudible] have identified.
- Male Speaker: Yeah, in addition.
- John Ashworth: Yeah, okay. 3.2.7, that's a pretty critical statement. We've gone over this and we debated this. And I think this is the language that y'all have directed me to put in here. That table with the question marks afterwards on page 313, at the end of that middle paragraph, that's the original working table and I've got question marks by it. I haven't decided whether really to incorporate that part where we
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actually break out what all the – the methodology that we went through, the percentages each county accepted. I think there's got to be a place, not necessarily in the published document. We have to provide the water development board with a process that we used in detail to come up with these numbers so that they can reproduce them.

Male Speaker: Getting back to the statement I made earlier, the more technical information you put in here, the more people are going to argue about it. **[Inaudible]** water development board, it's fine to show them the process we went through. And I guess if anybody else wants to know, they can question it. That's my thought.

John Ashworth: I kind of agree. We need to have it all documented and be able to go back and show the process.

Male Speaker: Not necessarily put it right out in the middle.

Jonathan Letz: Is everybody comfortable on page 312, the underlined portion, which is our definition of groundwater availability?

Male Speaker: **[Inaudible]**.

Male Speaker: That's pretty well it.

Male Speaker: On the second paragraph, near the top part of the page, you've got percents. You've got all the rivers listed and then you put and well as. Do you mean as well as? And then **[inaudible]** all the rivers. **[Inaudible]**. And while you're at it, take the possessive away from Devils River. There's no apostrophe in it.

John Ashworth: Okay. I saw Devils River back here earlier that didn't have it. I was getting ready to ask what's the accepted.

Male Speaker: **[Inaudible]** send this stuff and proofread it.

Male Speaker: Page 3-12, the sentence after the underlined portion, the planning **[inaudible]** recognize the Kinney County Groundwater Conservation District, permitted pumping cap is as a restricted regulatory condition. Why is that sentence there?

John Ashworth: Probably it was there, basically, to state that that's the defining condition for infrastructure limitations for that table 3-2.

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- Male Speaker: I guess my problem with it is that Kerr County's limits is also restrictive. And we're talking about the definition of groundwater availability. I think that if you talk about regulatory conditions, I think we should talk about it in general, not specific to Kinney County.
- John Ashworth: Not specific, yeah.
- Male Speaker: And when you say restrictive regulatory, that just sounds bad. Do you know what I'm saying?
- Male Speaker: That's not the point I'm trying to make. If I was just reading this, I would think okay, everybody else is doing it this way, but they've got some type of real restrictive regulatory condition that nobody else has. We can make it general without attributing it to any specific entity. I don't know that I would say restrictive.
- Male Speaker: Regulatory controls or regulatory conditions.
- Male Speaker: Yeah, I'd just say that a permitted **[inaudible]** pumping cap, as a condition for those counties, not put regulatory or anything. Take out the word regulatory.
- Male Speaker: Shouldn't regulatory be left in there. You can argue about just conditions, but regulatory is defined by the bodies.
- Male Speaker: The groundwater districts are the ones that can regulate groundwater.
- John Ashworth: What I've got written down here now is the planning group also recognizes that groundwater conservation districts have regulatory controls over permitted withdrawals.
- Male Speaker: You did well.
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: The last paragraph under this section starts with and so the defining groundwater availability. To me, that paragraph should be moved right after paragraph that we just worked on.
- Male Speaker: Yeah.
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- Jonathan Letz: And then lead to that I think it gets kind of lost. I think put it at the end. But I think we also – I don't know if we need to or not, but it says in the last sentence, however the planning group also acknowledges that additional water does occur in storage within these aquifers and that a portion of that water is capable of being retrieved for desired uses. I don't like that desired uses. In my mind, what we're trying to say there is retrieve to meet short term needs. We're saying the definition is a long term, but during a drought of record, it's acknowledge those levels may have to be pulled down.
- Male Speaker: How about desires as necessary?
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: I like necessary better than required.
- John Ashworth: I think part of what went into that paragraph was the fact that we're basically setting up a scenario that your definition tends to limit how much water can be withdrawn from these aquifers, especially for water marketing purposes. And I think what we were saying here is that we recognize that there is water there that may be used beyond what we're saying. This planning group recognizes that our availability numbers aren't necessarily – don't represent all the water that's there. And somebody else may come in with a total different philosophy and want to use waters that we're not addressing here. All we're saying is that we recognize that there is other water there, beyond how we have defined it.
- Jonathan Letz: I think the point that you – it may be worthwhile to almost say that real clearly that this is not the – our definition is one that's different than last time and it is not the maximum or the total amount of water in the aquifer. I think **[inaudible]** to say that in that sentence that it's a different definition than used in the first plan and does not represent the total amount of water in the aquifer.
- Male Speaker: **[Inaudible]** said that.
- Male Speaker: I like the definition so well that I think, even though it's underlined, I would like to see it even further emphasized. And the reason I say that is because someone else can come in and say **[inaudible]** more water there. We can say yeah, well you can, but then you may impact stream flows and things of that nature. And
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then when that starts happening, then we've got a lot of big guns [inaudible].

Jonathan Letz: I agree with your overall point. When I read through it, I wish there was a way to get that underlined portion a little bit of explanation to the front of this section as opposed to buried in the middle of it at the end of a long paragraph, just because I think that is one of the most critical points in this plan, these chapters.

Male Speaker: It is a very, very key point.

Jonathan Letz: And I think that if you don't understand that paragraph, you don't understand all the tables. So if we could move that to that front part of 3.7, and it may not flow as well. I understand why you did it the way.

Male Speaker: I'd almost think you could even go back on 3.2.7 where you say groundwater availability and have it just as an introduction right there, bam. And reiterate it maybe. That's what we're saying our groundwater availability is. I don't know [inaudible]. That would be putting it right there at the point.

John Ashworth: All right. Let me see how I can do that and still make it flow.

Jonathan Letz: All right, anything else on pages 11, 12 or 13?

Male Speaker: Yeah, the very bottom of this, remaining 28 wells [inaudible] 260 [inaudible] wells, three are located in [inaudible] County, 6 in [inaudible] County. Three in Edwards County, where are those? There are two in Barksdale. I know the City of Rock Springs has more than one well. I think [inaudible] is wrong.

John Ashworth: I think that this section was brought forward from the first plan. I'd like to kind of work on this, these statistics to verify them.

Male Speaker: [Inaudible] that.

Male Speaker: I still have problems with that sentence; however the planning group also acknowledges that additional water. You're calculating some water and then all of a sudden you put something there's additional water. Well it's kind of open-ended the way it's stated there. Would you say a limited amount of additional water? You say there's more water here than we'd take. That doesn't sound logical.

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- John Ashworth: If you calculate the total volume of water in storage, which we did in the first plan, it's huge compared to how much water we're showing now. And I think we're trying to get away from wanting to endorse the use of this total volume of water in storage.
- Jonathan Letz: I think what we're saying is the planning group has made a decision that keeping the flow of the rivers is critical and that we're limiting the amount of groundwater available, based on keeping the spring flow to the rivers.
- Male Speaker: That's fine.
- Male Speaker: Someone just needs to come up with a better way of saying it. I agree. It just needs to be –
- Male Speaker: It's just so open-ended.
- Male Speaker: Put necessary down there at the last, necessary [inaudible], something like that.
- Male Speaker: Well necessary, the availability of water and the uses are completely different.
- Male Speaker: Yeah, but we're making a policy statement really, how we're determining availability.
- Male Speaker: Well it bothers me a little bit, [inaudible] just the two of us.
- Jonathan Letz: Well let John rewrite that paragraph and move it around and maybe it won't bother you as much next time.
- Male Speaker: I'm not a water expert. I lived in Louisiana. We had boo coo water down there. So I move over here. Are these other districts – we have a relatively small district. Are they as complex, John, as this district is?
- John Ashworth: This region?
- Male Speaker: Yeah. It seems like we have a little bit of everything here.
- Male Speaker: Most of them are.
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- John Ashworth: The one thing that I feel is unique about this region is that we, even though we're small, we incorporate quite a few different river basins. A lot of the regions are really only one river basin. Like the Brazos or the Colorado. The Colorado really has two regions. But we're very diversified in our surface water aspects. We really don't have very many large communities. When you compare ourselves to the San Antonio region, the Dallas region and the Houston region, when we get to chapter four and we talk about strategies, they've got a whole book for strategies, compared to the very limited amount.
- Male Speaker: No, we don't need to take up – we've got a lot of work to do. Just every time I go through this, it seems like man, we've got a little bit of everything here.
- Male Speaker: I think because we're small, we spend a whole lot more time on details. If you go into Region L, which is San Antonio, dominated by San Antonio. Then you go to Kendall County and talk to their input and their discussion, the Trinity is as important to Kendall County as it is to Kerr County. And they gloss it over so you don't even see it in their plan.
- Male Speaker: They're operated the same. There, they **[inaudible]** it and we're just sitting there as it goes by.
- Male Speaker: Because it's from their region, Kendall County is insignificant. It doesn't mean anything to them. That's why we really spend a lot of time and go over these, probably more so than any other region.
- Male Speaker: Thank you.
- John Ashworth: Before I go any farther, I want to introduce Sherry **[inaudible]** from the water development board.
- Sherry: Hi. I just want to say I'm glad I'm here. **[Inaudible]**. But glad to be here and I'm here to answer questions **[inaudible]**.
- Male Speaker: Sherry, if you'd like to come sit up here.
- Sherry: I don't want to disrupt the meeting right now, but I have **[inaudible]**.
- Jonathan Letz: Okay. We'll **[inaudible]** at break. We'll take a break in a little bit. Okay, anything else on page 13? All right, page 14?
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Male Speaker: City of Bandera, see where John **[inaudible]**.

John Ashworth: I've only got three communities listed, Bandera, Kerrville and Del Rio. And I was really thinking that probably the other communities that make our table list probably ought to also – we need to put those in there too.

Male Speaker: I would agree.

Male Speaker: John, let me interrupt. Are y'all on three?

Jonathan Letz: We're on page 314.

Male Speaker: Of section – do you have some extras there?

Jonathan Letz: Yes.

Male Speaker: He's got three.

Male Speaker: Let me get a couple.

Male Speaker: You've got one, that's two. Harry needs one.

Male Speaker: We share.

Jonathan Letz: Those are eight.

Male Speaker: Three is what we're looking for. We'll share one.

Male Speaker: That's two.

Male Speaker: **[Inaudible]**.

Male Speaker: Are those extra ones for me?

Jonathan Letz: Those are ones I brought in.

Male Speaker: Those are scattered out.

Male Speaker: Those are eight.

Male Speaker: Those are eight over there.

Jonathan Letz: You've got that chapter.

Male Speaker: I've got it.

Male Speaker: Three is what we're –

Male Speaker: I guess there's more three's.

Jonathan Letz: Scott, can we get a couple more?

Male Speaker: Has someone got a three?

Jonathan Letz: Yeah.

Male Speaker: Three and eight.

Male Speaker: Take a break.

Jonathan Letz: We'll take a ten minute break and get two – two more copies are needed of chapter three?

Male Speaker: Go ahead and run me one too.

Jonathan Letz: Run three more.

Male Speaker: Mine doesn't have page numbers.

Jonathan Letz: We'll take a ten minute break. We have eight. We have plenty of eight. All right. Let's get going again. And let me go back under reports. Lee reminded me of something during the break that I knew I had something I was supposed to talk about during reports. The letter that everyone received a copy of that Lee wrote, related to 1858 was the bill?

Male Speaker: **[Inaudible]**.

Jonathan Letz: Whatever the bill was, seven members wanted that letter sent. It was sent with all those seven names attached to it or below it. It was sent yesterday. And there was – it was sent as Lee wrote it. I put a paragraph in front of it and just said seven of the 19 members wanted this letter sent. It is not a – **[inaudible]** is not adopted by the board and was done on an individual basis. That letter was sent to Senator **Matlin**. And I'll send out – probably e-mail a copy of it

back out. It went out on our letterhead. All right, back on page 14, I think David is about to have a question.

David Jeffrey: Yeah, the 400 foot water decline on Bandera, the second paragraph, are you sure that's 400? I've talked to the city, but they're supposed to look it up and get back with me. They haven't yet. I think the water level is at 400 feet on one of the wells I looked at.

John Ashworth: Let me check. I think this is a carryover text from the first plan, so let me check.

David Jeffrey: I'll check and let you know too.

Male Speaker: What did you say it's supposed to be?

David Jeffrey: I think the water level was 400 foot, not a 400 foot decline.

Male Speaker: Very good decline.

Male Speaker: The way he's written it is what it means. I don't know.

David Jeffrey: I think they've had several hundred feet of decline. I don't think they had 400, but I'll find out.

Jonathan Letz: Any other comments on page 14? Page 15?

Male Speaker: Yes.

Jonathan Letz: Okay, Howard.

Male Speaker: The City of Kerrville.

Howard Jackson: I think I would take, in fact I know. It says mostly lower Trinity for the City of Kerrville. It is lower Trinity. We don't have any **[inaudible]**.

Jonathan Letz: Where are you?

Howard Jackson: The first sentence.

Jonathan Letz: First sentence.

Male Speaker: Yeah, I wondered about that.

Jonathan Letz: Groundwater from the lower Trinity.

John Ashworth: Okay.

Howard Jackson: And the next sentence, **[inaudible]**, I would just take out the have and just say **[inaudible]**. The big deal is the last sentence.

Jonathan Letz: Of that paragraph?

Howard Jackson: Yeah. None of my wells are showing anything like that. In fact mine, if you do a trend line on the past six years or so, it's **[inaudible]** decreased.

John Ashworth: Take that sentence out?

Howard Jackson: Yes.

Jonathan Letz: I think we probably ought to add what you just said, that the – in the last, what did you say, six years?

Howard Jackson: Yeah, that's **[inaudible]**.

Jonathan Letz: I'd say since 1998, the water levels have remained approximately constant. Does it, somewhere in here, explain, not in this paragraph, but somewhere, that the – how the ASR water is treated from a water accounting standpoint? If it doesn't, I think it probably should.

Male Speaker: Mm-hmm.

Jonathan Letz: It's calculated as surface water, correct?

Male Speaker: **[Inaudible]**.

Jonathan Letz: **[Inaudible]** ASR, but really other than just the fact that ASR existed is what I recall.

Male Speaker: It could be accounting for surface water because that's what it is.

Jonathan Letz: Right.

Male Speaker: Surface water in the reservoir, but it's still out of the reservoir.

Jonathan Letz: It seems to me under this would be an appropriate spot to say.

Male Speaker: It's the reason why it's flattened out.

Jonathan Letz: Right.

Male Speaker: It needs to be brought up.

Male Speaker: **[Inaudible]** actually specified to maintain the yield of the **[inaudible]**.

Male Speaker: Mm-hmm.

Male Speaker: So it is a little bit of a twist. **[Inaudible]**.

Jonathan Letz: It seems that – part of that constant level is probably ASR one way or the other, whether it's replenishing it or –

Male Speaker: It is specific to the area. Once you get away from the **[inaudible]** wells, it's not the same **[inaudible]**.

Male Speaker: Howard, can't you tell the difference in the salt content and the **[inaudible]**.

Male Speaker: EDS and chlorides are just enough different if you look close you can tell, and we're still recovering. Actually the first year we did it, we put in 120 something million and pulled off at about 13 and we still get the same **[inaudible]**. So it doesn't move, but it does increase the head pressure, if you will, in the surrounding areas, even though it's not the same **[inaudible]**.

Male Speaker: If I recall, it says, the permit says that you may not withdraw **negative** groundwater.

Male Speaker: That's correct.

Male Speaker: I believe that's the term.

Male Speaker: That's correct. It's basically by **[inaudible]**.

Jonathan Letz: Okay. John, I think it would be a good point to explain ASR a little bit right there.

John Ashworth: Okay.

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- Jonathan Letz: Anything under the City of Del Rio? Anything on the balance of page 316?
- Male Speaker: Can I go back to 314?
- Jonathan Letz: Sure.
- Male Speaker: Through page 315, the last sentence, City of Kerrville, in the second paragraph. The city mixes this water with water from other wells to maintain acceptable overall quality. Aren't all the wells in the lower Trinity, or does this just mean wells other than four and 11? Or does that mean ASR wells?
- Male Speaker: The water quality is specific to well 14. That's what that paragraph is talking about. When we do use that well, we mix it from other wells [inaudible] have better quality.
- Male Speaker: Okay, so that's just water from well 14.
- Jonathan Letz: To say the city mixes the water from well 14, that way to say it again, rather than say this, take this out.
- Male Speaker: Do you not mix river water with well 14 also, John?
- Male Speaker: Correct, our system is all co-mingled.
- Male Speaker: Other sources.
- Male Speaker: Other water.
- Jonathan Letz: He's added all other sources. Okay, thank you. All right, page 16, agricultural use of groundwater. I think that we – the TWDB report, on the first paragraph, paragraph last sentence, TWDB report 347, is that the thing that came from the soil conservation?
- John Ashworth: Yeah, they're the ones that actually do the survey.
- Jonathan Letz: I think we had said earlier that we were going to add a statement that we had a lot of questions with that data because we spent time – in Kerr County, there was questions whether they were picking up. There was an issue in Kinney County, where the discrepancy was the greatest as to where those numbers came from that were used in that report.
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- Male Speaker: These numbers I'm looking at, it says Kinney County 4,865. Is this including CRP land we've got? I mean they have water, but they're not cultivating in that area because they do have – the land is there. They're under the program. They're probably going to run out in four or five years and probably going to start back irrigating again.
- Jonathan Letz: To answer your question, I don't know, and that's part of the issues that we had so many – we just had a lot of problems with the numbers that came in from that report, as I recall.
- Male Speaker: Knowing how much it would still be in Kinney County **[inaudible]**. I don't think it was in 2000. That land was not massively irrigated, so **[inaudible]**.
- John Ashworth: This is strictly land actually being irrigated in that specific year.
- Jonathan Letz: In 2000.
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: Yeah, the thing is **[inaudible]**.
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: Irrigated though.
- Male Speaker: But they don't get surveyed.
- Jonathan Letz: That's the problem. This data is bad data.
- Male Speaker: These surveys are supposed to have been field verified by the local Ag agents or soil guy. Some counties they did a good job, and some they didn't.
- Jonathan Letz: Just our recommendation. This whole way they're doing these numbers is just wrong.
- Male Speaker: And I think the – was this – you may not know the answer to this. Was this the last survey year that the board was going to use, the soil survey folks, and they were going to look at a different methodology? That's a **[inaudible]** question.
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Jonathan Letz: That would be our recommendation.

Female Speaker: If there are problems with the data, we definitely want to know.

Jonathan Letz: Tommy probably irrigates that much himself. All right. Anything else under agricultural use of groundwater?

Male Speaker: No, but I can give you the acreage, irrigation acreage that's already been permitted.

[End of Audio]

Duration: 63 minutes

TAPE 1 – SIDE B

John Ashworth: We have on gauge with historical records within our region for these rivers. So that gauge record becomes pretty important.

Male Speaker: Okay, fine.

Male Speaker: Is that spelled correctly, or should it be g-u-a-g?

John Ashworth: You know I think it's spelled both ways. I came across that to. I just wanted to make sure it was going to be consistent all the way through. I tend to spell it the way you just did. When I saw it spelled this way – let me check again to make sure we stay consistent.

Jonathan Letz: On page 20.

Male Speaker: The last sentence, HGR, who is that?

Jonathan Letz: Who is that?

Male Speaker: Yeah.

Jonathan Letz: HGR Engineering. You might put that down there, engineering company. All right, page 21, Guadalupe River Basin.

Male Speaker: **[Inaudible]** I guess it would be the second **[inaudible]**, third paragraph down **[inaudible]** river basin incorporates HGR, **[inaudible]** which some persons **[inaudible]**. I understand

[inaudible] or better or [inaudible], which has been questioned by some in both plateaus.

Male Speaker: I like the choice of the word [inaudible] river.

Jonathan Letz: I think that's a good point from a consistency standpoint to try to keep hearsay out.

Male Speaker: On 21, is this correct, Medina, at the very last of the paragraph there.

Jonathan Letz: [Inaudible] yield zero [inaudible].

Male Speaker: We go through all this and say there's no water there.

Male Speaker: That's what it looks like. [Inaudible].

Male Speaker: I think it's probably correct.

Male Speaker: [Inaudible].

Male Speaker: If you look at the tables [inaudible].

Male Speaker: Mm-hmm.

Male Speaker: Yeah, that's what I was looking at.

Male Speaker: [Inaudible].

Jonathan Letz: Okay. Anything in the Guadalupe River Basin on page 21 or 22?

Male Speaker: Page 22, the water right to the parks and wildlife, I don't know if it makes any difference or not John, but our right has two elements, if you will, to it. One is the continuous diversion. That's where that big number comes from. We don't actually use –

Male Speaker: It's a flow through permit.

Male Speaker: Yeah, we have a consumptive right for about 400 acre. I don't know if that makes any difference, but that's [inaudible]. We certainly don't use that.

Male Speaker: I saw that and I thought man, y'all use a lot of water.

Male Speaker: We get calls all the time people want to buy. They realize it's just a flow through thing. The other thing to change the fishery to fisheries.

John Ashworth: Okay. How much was your consumptive use?

Male Speaker: Gosh, now you're going to make a liar out of me. I think it's 400.

John Ashworth: Is that permitted amount, or that's just –

Male Speaker: I think it's permitted.

John Ashworth: Okay, I'll check.

Jonathan Letz: All right.

Male Speaker: Can I ask that question again?

Jonathan Letz: Okay Jim.

Jim Hayes: On the second paragraph, **[inaudible]**, how big is that water right?

Jonathan Letz: Where are you again, Jim?

Jim Hayes: The second paragraph, 22, other uses account for **[inaudible]** although one individual holds the water right to hydroelectric use. I think that's GBRA who holds that and it's a significant right, maybe 14, 15 thousand **[inaudible]**.

Jonathan Letz: I think if we could define, determine who that is. Scott, do you know? Ronnie may know that. I never had even heard of that until I was out with Harvey **[Inaudible]**.

Male Speaker: **[Inaudible]** GBA a subordinated agreement and water right. In my permit, it talks about this water right.

Male Speaker: **[Inaudible]**.

Jonathan Letz: I mean that water right; I've heard a bunch about it recently that it's sitting out there. Okay.

Male Speaker: Would it be an entity instead of an individual?

John Ashworth: It could be. We've got all those water rights. I don't have them with me.

Jonathan Letz: We can put down who it is.

Male Speaker: GBRA is the only one that I'm aware of.

Jonathan Letz: It's probably GBRA. We ought to probably say who it is. Everything else look good?

Male Speaker: 35,000 [inaudible].

Jonathan Letz: The GBRA, 35,000?

Male Speaker: 35,125.

Jonathan Letz: Okay. Anything else under 3.3.3, Guadalupe River Basin, page 21 or 22? Turn to page 23.

Male Speaker: First paragraph under the table. It's been in full operation instead of the past several years, it's actually since 1998. And the last sentence about where it said yet another special condition, it's not the level of [inaudible] reservoir. It's the level from [inaudible].

Male Speaker: It's related to the flow.

Male Speaker: Yeah, but it's talking about our reservoir.

Jonathan Letz: What's the name of the reservoir?

Male Speaker: We haven't named it.

Jonathan Letz: I thought we –

Male Speaker: UGRA and Kerrville and Darrell [inaudible], so call it anything.

Jonathan Letz: Yeah, Darrell [inaudible].

Male Speaker: It wasn't approved.

Jonathan Letz: It wasn't approved?

Male Speaker: It's not official.

Male Speaker: City gets **[inaudible]**.

Male Speaker: **[Inaudible]** reservoir authorized 3505 **[inaudible]**.

Jonathan Letz: I think we ought to define what reservoir it is.

Male Speaker: Kerrville.

Male Speaker: Kerrville's unnamed reservoir.

Jonathan Letz: I'd say –

Male Speaker: City Lake, Kerrville's City Lake.

Male Speaker: It was officially UGRA Lake and it hasn't been renamed.

Jonathan Letz: Okay. Call it UGRA Lake.

Male Speaker: **[Inaudible]**. We actually call it the lake.

Jonathan Letz: All right. Anything else on that page? Next page, page 24. That highlighted part, is that just a note to yourself?

John Ashworth: That's a note to Stephanie. Do we know anything about it? Do we want that sentence there?

Jonathan Letz: There's a lot of discussion going on right now.

Male Speaker: Called negotiations.

Jonathan Letz: Discussions, negotiations going on between lots of entity and GBRA. But I don't think there's anything firm enough to put in the plan.

Male Speaker: Like I said, I don't think I'd call it negotiations. **[Inaudible]** discussions.

Male Speaker: Yeah.

Jonathan Letz: I think just leave it out.

Male Speaker: Just leave it out.

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- Jonathan Letz: The only reason to put something in there would be I think it needs to be a strategy somewhere for the City of Kerrville.
- Male Speaker: We had a conversation with GBRA [inaudible] so we could keep it in the alternatives.
- Jonathan Letz: Right, alternative strategy, we don't want – I think we need to have it as the alternative strategy because it's –
- Male Speaker: There's potential there.
- Jonathan Letz: Right.
- Male Speaker: But there's nothing concrete.
- Jonathan Letz: It allows it to go forward on a state level easier. So take out that. Anything else on page 24? Page 25?
- Male Speaker: When it talks about [inaudible] River Basin, I thought we'd talked about this. Maybe it was somewhere else where we were going to broaden and mention more about all the other tributaries that make up this. When I read that, it just sounds like the only tributaries on the Pesos River is the [inaudible] creek in Bandera County in West Mesas. That's not true. You know there's multiple, multiple names of streams that make up part of those tributaries.
- Female Speaker: Two of them are on your map, [inaudible].
- Male Speaker: They should just draw the map somehow to include all.
- John Ashworth: Yeah, I had that in my notes from the last meeting. It just hasn't made this iteration yet.
- Female Speaker: You know I think we talked about this before, but there is a substantial underflow in the streams. It's not measured. It's not on gauges. We're just now starting to try to measure it with some electromagnetic processors. One stream that we have data come out on [inaudible] flowing within banks underflow. It could be a lot of [inaudible] and the flow that we know. We know that when we have [inaudible] a big rainfall, especially after it's been dry for a long time, it takes a long time to charge that thing. You have to fill up all those little spaces in all that gravel before the thing will flow. Especially in the west [inaudible], it just seems like it's a
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different enough kind of stream bed that maybe that warrants more.

Male Speaker: That's worth saying.

Female Speaker: Some surface flow remains unmeasured or undocumented.

Jonathan Letz: All right. Anything else on page 25 or 26? Page 27, Colorado River Basin? John, it makes more sense to me to put 3.35 **[inaudible]** reservoir on the Rio Grande, right before the Rio Grande basin, just move that instead of having it stuck between the Colorado and Oasis. See what I'm saying?

John Ashworth: Mm-hmm.

Jonathan Letz: Just reorder it in the paragraph. This right here, whoever does all this move it around. Say it wasn't my idea.

Male Speaker: That makes sense.

Male Speaker: **[Inaudible]**.

Male Speaker: I know it.

Jonathan Letz: All right. Anything else on page 27, the Colorado or Rio Grande Basin?

Male Speaker: The last sentence on that section, 3-28, says that realistic estimate of drought of record **[inaudible]** river within the **[inaudible]** is zero. I'm curious if we've got continuous flow, I realize you don't have much data, but do we have **[inaudible]** information to suggest that it actually quit flowing? **[Inaudible]** zero questions again.

John Ashworth: Yeah, and I suspect that probably the **[inaudible]** is showing zero supply availability, which means zero supply to meet water permits. And that does not necessarily mean there's no water in the stream. I'll check that one out.

Female Speaker: On 28, **[inaudible]**. One thing we **[inaudible]** as things dry up in our stream beds and this is a significant stream bed, those are **[inaudible]**. Maybe that warrants **[inaudible]**.

Jonathan Letz: So livestock and wildlife.

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- Male Speaker: [Inaudible].
- Jonathan Letz: Anything else on page 28?
- Male Speaker: On the water quality [inaudible] here, at the bottom of 27, one of those paragraphs talks about the water quality, the lower [inaudible]. Is that a true statement? I thought it improved like 100 percent from Independence Creek on down, both flow and quality.
- John Ashworth: I know in my Region E plan, which incorporates Independence Creek, we've got a big discussion about how that improves the quality.
- Male Speaker: Supposedly about 100 percent and the quantity as well. Of course they're really – the irrigation problem there is you've got a 60 foot canyon wall on both sides. There's no farming. Just have [inaudible] station [inaudible].
- Male Speaker: Yeah, it's way up there.
- Male Speaker: Out of the district or out of the region. It makes it sound like it's in the region.
- Jonathan Letz: Yeah, it makes it sound like the **Gurbin**. I have no idea where the Gurbin station is.
- John Ashworth: Yeah, I've been a little uncomfortable with this whole right up on the Pecos because so much of it deals with the **Pecos** in region F and not the limited part.
- Male Speaker: There's a tremendous difference. We've got that Pecos River study going. The lower part of the Pecos is a totally different river, much better than down here.
- Jonathan Letz: Look at the Pecos section here. I don't see a reason to talk about the parts that are in region F.
- Male Speaker: See, it almost sums it all up with the last sentence of the second paragraph [inaudible].
- Jonathan Letz: It is kind of –
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- Male Speaker: Nothing else really pertains to it.
- Jonathan Letz: Right. Okay. Anything under page 28, San Felipe Spring or Old Faithful Spring?
- Male Speaker: See if we can try and see if we can get a little bit more information **[inaudible]** spring **[inaudible]**. I appreciate the last sentence in there.
- John Ashworth: Yeah, it's issues from Glen Rose limestones. Most springs out there issue really out of the Edwards. But I looked on the geologic map and that's Glen Rose.
- Jonathan Letz: Page 29, surface water rights.
- Male Speaker: Under 33-12, it says navigable streams; you might want to take that out. It's all public waters, not just navigable.
- Jonathan Letz: Where are you?
- Male Speaker: The first sentence in 33-12, **[inaudible]**, navigability doesn't have anything to do with permit.
- Jonathan Letz: Water from streams.
- Male Speaker: State water.
- Jonathan Letz: But delete the words navigable.
- Male Speaker: Yeah or however you want to do it, whatever sounds good.
- Female Speaker: **[Inaudible]**.
- Male Speaker: The second bullet, capitalize **[inaudible]**.
- Male Speaker: Navigable basically means state water.
- Male Speaker: Well there's a lot more state water in this county non-navigable than navigable.
- Male Speaker: Yeah, probably to the general reader that navigable might be a little confusing.
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- Male Speaker: Go back to the original definition; it talks about navigable streams and their tributaries or something like that, back in 1918, somewhere back in there.
- Male Speaker: Navigability has to do with who owns the bottom of the river.
- Jonathan Letz: Right, not who owns the water.
- Male Speaker: It's automatically to be considered. Navigability, it's automatically state waters.
- Male Speaker: Good thing [inaudible] three week's research.
- Male Speaker: Oh, is that right? Yeah.
- Jonathan Letz: Anything else on 3.3-12? Page 30, groundwater surface water relations.
- Male Speaker: Should it say relationship? Relations sounds like a weird word.
- Male Speaker: Yeah.
- Male Speaker: X-rated section.
- Male Speaker: [Inaudible], but we've mentioned it consistently through here and it is a covered water supply, not necessarily water spring. See what I'm saying?
- Jonathan Letz: I think you could list Old Faithful as a separate sentence. I don't think you would put it as one of the largest. I think you could say significant or Old Faithful.
- Male Speaker: Yeah, there's some springs on the Guadalupe that were awfully big water springs up there.
- Male Speaker: Other water supply springs.
- Jonathan Letz: If you tie it to the public water supply, then you can mention it.
- Male Speaker: John, [Inaudible] Morris [inaudible].
- John Ashworth: Oh yeah, okay.
- Male Speaker: Do you – is there any [inaudible] springs?
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- Male Speaker: Tommy would know [inaudible] springs.
- Male Speaker: Springs and [inaudible] monitored by international water. They do monitor the flow.
- Male Speaker: They send divers down to check the flow.
- Male Speaker: I know there have been studies down there.
- Male Speaker: I think the second largest springs in Texas [inaudible]. We never mentioned it and I know people on these boats don't even realize it's there.
- Jonathan Letz: Are they under the lake?
- Male Speaker: Yeah, they're under the lake.
- Male Speaker: Yeah, they were the first or second largest springs, and they're still going to be a huge amount of water.
- Male Speaker: If you fly over, you can tell where they're coming out. I don't know if we need to know.
- John Ashworth: That's a good idea. I like that. Reality, when we're looking at all this water flowing through the aquifer systems and saying it's basically discharging from these springs along the southern edge of the plateau, and that's one of the biggest discharges. Basically, the entire Pecos Basin above the Armistead probably flows into that good enough discharge. So that's where that water is going.
- Jonathan Letz: Going back to the second paragraph, the third sentence, it says numerous smaller springs. How about saying numerous other springs?
- Male Speaker: That takes care of your large and your small.
- Male Speaker: Change smaller to other. That way it doesn't have a negative connotation. I almost think you could highlight in that same paragraph. Halfway down, these discharge springs are the primary source of continuous flows river downstream. That could almost be underlined in my mind. That goes back to protection and then the next sentence.
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- Male Speaker: [Inaudible] discharge and protections in one large sentence [inaudible].
- Jonathan Letz: Anything else on page 30?
- Female Speaker: Are we talking about the spring map in the same one?
- Jonathan Letz: Spring map? Yes.
- John Ashworth: We can.
- Female Speaker: You have all these little black dots without a river on them. There's several out there. Some of them have rivers [inaudible] and some of them don't.
- John Ashworth: Yeah, basically what I've got on this map are the roads and not the rivers. It looks like the first order –
- Female Speaker: With four rivers on them.
- John Ashworth: Yeah.
- Male Speaker: You need to add the rivers back on the previous.
- Jonathan Letz: And it kind of really makes the South Fork [inaudible] stand out. You know where the South Fork is based on these dots.
- Male Speaker: That previous page has that.
- Female Speaker: At the bottom of page 30, the last word there, do you mean l-o-o-s or l-o-s?
- John Ashworth: Losing, okay, good.
- Jonathan Letz: Please go to, maybe I'm misreading this, but on page 31, second paragraph. I think it's the second sentence. Most of the well production in the Hill Country in the Middle Trinity aquifer, some additional from the Lower Trinity, only small domestic stock wells are [inaudible] Upper Glen Rose or Plateau Edwards limestone, therefore have a minimal impact on spring flow. I don't think that's right. That's what we're worried about the problem being is in that Edwards.
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- John Ashworth: Well that's what I'm saying right now, the wells out there are pretty much small capacity wells. We don't have any large capacity wells in the Hill Country, up on the plateau.
- Jonathan Letz: True, capacity wise, but we're getting an increasing number of –
- Male Speaker: Enough of those small ones in there.
- Jonathan Letz: I don't have a problem with the first part of that as much as I do had a minimal impact on spring flow. I think we need to almost say increased number of wells may have an impact. We don't know that it will, but I think put may in there. And also I think it goes back to future studies on a modeling of the Edwards.
- Male Speaker: That just reinforces our way of **[inaudible]**.
- Jonathan Letz: Right.
- Female Speaker: Do we have the spring study recommendations **[inaudible]**? Are those studies that were already planned?
- Jonathan Letz: Where is that paragraph?
- Male Speaker: All studies related to this body.
- Female Speaker: All of **[inaudible]** needs more information on getting out there. **[Inaudible]**.
- John Ashworth: Yeah, the spring studies are ongoing, but we're talking specifically gain loss studies. It's different. It's associated with it, but it is different.
- Male Speaker: Yeah, much more detailed.
- Female Speaker: Candidates, are these candidates already in the study?
- John Ashworth: No, I think we're saying they need to be.
- Female Speaker: Have we identified anything in the **[inaudible]** that should also be?
- Jonathan Letz: I think the comment is that maybe you should broaden it and say that we need to do gain loss studies throughout all the headwater areas in the region.
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- Male Speaker: What you've got there, I know a lot of that is because we sort of came in late on some of this and didn't get our voice in Edwards and [inaudible] counties. That's why a lot of times it doesn't mention. So broaden it out. You can include whatever you want to.
- Jonathan Letz: I think it's that last sentence that causes a problem. I don't want to pick on Bandera County, but we're listing a bunch of creeks in Bandera County, which I don't object to those creeks. I think if you're going to list those, then you have to list all the other creeks. You'd be better off saying throughout.
- Male Speaker: Throughout the region.
- Jonathan Letz: Anything else on page 31?
- Male Speaker: Yes. The bottom here, page 31, springs located west of [inaudible] region, out of the Edwards limestone cause a little use of groundwater and wells [inaudible] area. San Felipe springs has not had to compete for source water. A significant increase to groundwater pumping immediately [inaudible] springs [inaudible] water. Historically, greater rates of irrigation north of **Pinto** springs in Kinney County have had some effect of spring discharge.
- John Ashworth: That's not right.
- Jonathan Letz: He just said it's not right.
- Male Speaker: [Inaudible]. I don't think there's any historic anything on that.
- John Ashworth: I don't even remember writing that sentence.
- Male Speaker: What time of night was it?
- John Ashworth: I'll find somebody to blame it on. Who is not here today?
- Male Speaker: I've never thought anybody bothered doing that. [Inaudible].
- Female Speaker: That's the last [inaudible].
- Jonathan Letz: Which part, the sends a significant increase in groundwater pumpage immediate [inaudible] springs would likely lower water table. That seems pretty definitive, a may in there. But the next
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one here is whether that likely should be may lower. It may lower water tables sufficiently.

Male Speaker: **[Inaudible]**.

Male Speaker: Nobody has records of it. **[Inaudible]** you can't say that.

Jonathan Letz: Okay. What?

Male Speaker: Up hill.

Jonathan Letz: Up hill?

Male Speaker: Up hill of a dip.

Male Speaker: I always thought dip was down here, so what part **[inaudible]**.

John Ashworth: Most geologic formations are kind of like this and it just means the direction.

Jonathan Letz: Up.

Male Speaker: Call it uplift.

John Ashworth: Uplift means this.

Male Speaker: Up dip. Down dip is going the other way.

Male Speaker: **[Inaudible]**.

Jonathan Letz: Anything else on page 31 or 32?

Male Speaker: 32.

Jonathan Letz: Under water reuses.

Male Speaker: In that second paragraph, it says very soon the golf course at **Comanche Trace**. That is existing. It's already going. Take the very soon out.

Jonathan Letz: Right after that, it is anticipated that the initial project would yield approximately one mgd. Is that million?

John Ashworth: Million gallons per day.

Male Speaker: Million gallons per day.

John Ashworth: We can spell that out.

Jonathan Letz: Spell that out. If you just put one and mgd, it kind of –

Male Speaker: The first time using it, spell it out. The second time, you abbreviate. Everybody else talks [inaudible], but us city guys talk [inaudible].

Jonathan Letz: Why don't you convert it to [inaudible] per year?

Male Speaker: Because we operate daily. We don't [inaudible] year.

Jonathan Letz: Okay. All right. I think it's lunchtime as well. I believe we have, or shortly, will have lunch set up in the cafeteria, break room, not cafeteria, the dining room is right next door. I think we have sandwiches from somewhere. Let's try to get back in 30 minutes so we can plow through. I know several have to leave for another meeting.

[End of Audio]

Duration: 39 minutes

TAPE 2 – SIDE A

Jonathan Letz: Before we go on to chapter three, a little bit of directions for today, and we're going to have a meeting next week. Chapter three, we have here. Chapter four, is that our other chapter we haven't done?

Male Speaker: Four and eight.

Jonathan Letz: Four and eight, four is the strategies, which that chapter is not prepared yet. But we will go over the strategies worksheet today. Be thinking about whether we want to meet as a full board next week, and approve everything, whether the full board – and if we don't do that, the other option – this is what we did the first plan. It makes no difference to me one way or the other.

First, if we don't do that, we could approve the plan today while we have a quorum and then delegate to a smaller group, whether we can name the individuals, who we want, and then let those

work over the final version with John between now and the first of June. If we go that route, we would not meet next week as a full board. If we don't go that route, we will meet next week as a full board, and we have to have a quorum at that meeting, absolutely have to. Be thinking about it. You don't need to decide right now.

Male Speaker: Where will the meeting be, if we have the meeting?

Jonathan Letz: Brackettville, I say to the side because I'd rather not drive to Brackettville, but **[inaudible]**.

Male Speaker: We can't get there from here.

Male Speaker: **[Inaudible]**.

Jonathan Letz: The good thing about Brackettville is a great place for lunch, whatever the little place is across the street from the courthouse. Anyway, we can go ahead. You want to hit chapter eight first, John? Let's do chapter eight. I have to leave at probably no later than 2:15, 2:30 and I think – I know Zach already had to leave. We need to make sure that we don't get below a quorum level, so we can vote if we decide to vote. All right, chapter three.

Male Speaker: You think you ought to vote on that position for the meeting next week before people disappear?

Jonathan Letz: Well we can do it. We can make a decision now. It doesn't make any difference.

Male Speaker: I think it would be wise to do it. People have a habit of **[inaudible]**.

Jonathan Letz: Five, six, seven, eight, nine, ten, actually nobody can leave before we vote. We're down to ten board members here.

Male Speaker: You want a motion?

Jonathan Letz: Well, yeah.

Male Speaker: Well I make a motion that we cover as much as we can today and then name a group to finalize and have the authority to give the approval of our finalized water plan. That's supposed to be in a motion.

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- David Jeffery: I'll second it.
- Jonathan Letz: Okay, and a second by David Jeffrey. So as I understand it, the motion is that we – the votes that we will approve the plan today, and give the final approval to a smaller group of the –
- Male Speaker: Editorial committee.
- Jonathan Letz: Editorial committee to approve it and we will not have a meeting next week. I know who – **[inaudible]** doesn't want to drive to Brackettville.
- Male Speaker: If it's not on my golf day, I'll be there.
- Jonathan Letz: Any other discussion?
- Male Speaker: I understand what we'll going to do is give the approval to approve, to finalize, like some of these things that we have pointed out, they will be –
- Jonathan Letz: Make sure that those corrections – nothing is going to be changed. Basically it will just be a matter of making sure the changes were made.
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: And let me point out again. There is another round for this to go through everything. This is the draft that we'll go to public hearing on and then we'll receive public comment. And then we'll change it again, as needed, after the public comment period. So this isn't the last crack at it.
- Female Speaker: When is the public hearing?
- Jonathan Letz: We have not set that yet, and it's something we need to do as well. I'll probably do that right now, well after we vote on this one, because that needs to be voted on to set those dates. The way we had talked about doing that is to have – post one meeting and have back to back days in Kerrville and Del Rio, the two locations, I believe. Any other discussion on the motion to approve the plan today and then designate a group to do final approval between now and the first of June? All in favor of the motion raise your hand. All opposed? Carries. Now who do you want to do it, to be the group designated to review it?
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- Male Speaker: I can do it.
- Male Speaker: **[Inaudible]** represent Kerrville.
- David Jeffery: I can go.
- Male Speaker: It depends on where it's going to be at.
- Jonathan Letz: I'm trying to think the way we did it. How did we do it last time? Did we have two groups last time? It seems like we had – my memory tells me that last time we did this, we had a group that met out in – that Jerry Simpton kind of put together in Del Rio area. And there was another one done in Kerrville.
- Male Speaker: Why would we have two groups?
- Jonathan Letz: That's just the way we did it last time.
- Male Speaker: If all we're doing is insure that the changes that we discussed and already approved are actually in there, then you really only need one small group.
- Jonathan Letz: Do you want to come to Kerrville? Is there anybody – and if we meet in Kerrville, I don't want to exclude somebody from the western area, but also I'm not sure they want to drive to Kerrville to try to get together next week.
- Male Speaker: Do it halfway.
- Jonathan Letz: Or we could do it halfway. We can do it somewhere towards **Leakey** too.
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: **[Inaudible]** is not half.
- Male Speaker: It is halfway **[inaudible]**.
- Male Speaker: Go to Rock Springs. Rock Springs –
- Male Speaker: Exactly halfway between here and **[inaudible]**.
- Jonathan Letz: It sure doesn't seem like.
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- Male Speaker: It is. It's 70 miles either way. It's actually 77 to Del Rio and 70 to Kerrville.
- Jonathan Letz: It doesn't make any difference to me. I will be part of that group.
- Male Speaker: I don't mind coming here.
- Jonathan Letz: Or we can go to Leakey or anywhere. That can be decided. C.C., you're the only one here from way west. Do you think anyone from way west or yourself want to –
- Male Speaker: **[Inaudible]**. I'm going to be tied up next week. We're having the **[inaudible]** reunion **[inaudible]** outfit. I'm going to be all tied up myself.
- Jonathan Letz: I'll tell y'all the other thing is the chapters have all been supplied. I think John can re-e-mail out everything so people can make comments that way as well.
- Male Speaker: Yeah, we can receive e-mail.
- John Ashworth: Yeah, as I finish up the final version of these, I'll be sending them out.
- Male Speaker: If we have any or anybody has any **[inaudible]**.
- Jonathan Letz: Why don't – Gene, since you made the first motion, why don't you make the motion to have me put together the group to review it. That way, I'll send out an e-mail. We're missing quite a few members. In absence of some other people coming back, it will be Howard and myself, David and Lee. And if somebody else wants to join the group, I'll set the meeting based on who wants to be involved with that.
- Male Speaker: **[Inaudible]** Jerry Simpton to represent the west.
- Jonathan Letz: Yeah. I'll send – that's what I'm saying. Jerry, if he wants to come to the meeting, it's great. We'll try to set it more out in the middle area. If he doesn't want to, we'll probably set it more in the Kerrville area.
- Male Speaker: Like you said, everybody has an opportunity to comment once you put it on – send it to everybody. **[Inaudible]**. And a public
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hearing, in my opinion, is just like taking a test. You take it and you grade it and make your changes. Look at it in one big format helps me if I see all the chapters all laid out.

John Ashworth: Probably, realistically for me, a week from tomorrow, the 27th is about as late as I can take something and be able to get it in this thing and get it bound from water development board for the 1st.

Male Speaker: **[Inaudible].**

Jonathan Letz: Okay.

Male Speaker: Well I amend my motion to say that a committee would be appointed by the chair.

Male Speaker: I'll second the motion.

Jonathan Letz: Okay. Let's just make it a new motion. We already voted on the first one.

Male Speaker: All right, new motion. We already voted on the other. Okay. I make a motion that the editorial and finalized committee members be appointed by the chair.

Male Speaker: I'll still second that.

Jonathan Letz: All in favor, aye. Any opposed? We'll either meet – what are you doing on the 24th? Is that pushing too much? Either 24th or 25th, we'll talk to – I'll send an e-mail out to those.

Male Speaker: 24th we have –

Jonathan Letz: Council meeting on the 24th.

Male Speaker: No, there's some kind of workshop.

Jonathan Letz: Oh yeah, that's here. Let's go ahead –

Male Speaker: 10:00, 1:00?

Jonathan Letz: 1:00.

Male Speaker: You still have chapter four to complete, don't you?

John Ashworth: Yes.

Jonathan Letz: Maybe 10:00, I'll let everyone know. We also need to pick the time before we lose anybody and set the dates for the public hearing. They need to be between June 1st and what the final.

Male Speaker: You have to have what is it, 30 day notice?

Jonathan Letz: 30 day notice?

Male Speaker: 30 day notice from the time they're put into – the plans our set out for public. How does that work?

Jonathan Letz: So it will be 30 days –

Female Speaker: 30 day notice before the meeting date.

Jonathan Letz: So we can't do the notice until we have the actual plans. It's going to be after June 1st when we can do the notice, so we're talking about a July meeting. And to give a little flexibility, let's say the second half of July.

Male Speaker: **[Inaudible]** public meetings at least two days.

Jonathan Letz: What's the latest we can – when's the next – when's the final plan due, September?

John Ashworth: The final plan is January 6th.

Jonathan Letz: So we could do – the public meeting can be in August then. It doesn't have to – I'm just trying to get away from your – I mean if you're – Thursday is a good day for us. So we could do it the first part of August.

Male Speaker: **[Inaudible]** public hearing **[inaudible]** so many days **[inaudible]**.

Jonathan Letz: We can.

John Ashworth: You could. What we did last time, we accept written or verbal comments.

David Jeffery: You'd get in trouble if you took them after the hearing.

Female Speaker: There's a period that you do have comment after.

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- Male Speaker: [Inaudible].
- Male Speaker: John, do you want the list that have [inaudible] e-mailed it back in April.
- Male Speaker: [Inaudible].
- Female Speaker: After your first public hearing notice until at least 60 days after the public hearing is held, that's for written and oral comments. So 60 days after the public hearing, you can still [inaudible].
- Male Speaker: [Inaudible].
- John Ashworth: Probably August.
- Jonathan Letz: Does that work better for you?
- John Ashworth: It doesn't matter to me, as long as it just don't conflict with those two days.
- Jonathan Letz: I'd probably rather get them out of the way in July. It's busy for a lot of people in August. Can you do it like the 13th? Well we're only going to have one – two back to back days is what we're going to do, to save on posting. Do one and recess. Why don't we do like the 12th and 13th? Let's do July 12th and 13th. Do the 12th in Del Rio, 13th in Kerrville. Then we can spend the night on the way back.
- David Jeffery: 7/12 in Del Rio, 7/13 in Kerrville.
- Jonathan Letz: It doesn't have to be in Del Rio and Kerrville. We could also move it to Brackettville and Bandera too.
- Male Speaker: Why do you look at me when you say that?
- Jonathan Letz: We'll do it in Del Rio and Kerrville. You have comments. I was waiting for your comment. What time, 7:00 in the evening, 6:00? What time are you doing the ones there?
- Male Speaker: I'm going to have to be back in Austin to catch this flight. So I need to be able to – whatever we do on the 13th, [inaudible], that works, yeah.
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- Jonathan Letz: Del Rio is on the 12th. Kerrville is on the 13th. At what time?
- Male Speaker: I think we held them in the evening last time, thinking more people would show up and no one really did.
- Male Speaker: **[Inaudible]** public hearing **[inaudible]**.
- Jonathan Letz: I don't think anyone is going to show up. 5:00?
- Male Speaker: That does allow for people to get out of work if they're going to show up.
- Jonathan Letz: Okay. 5:00 both days. Okay, can we have a motion to set those dates?
- Male Speaker: I'll make a motion.
- Jonathan Letz: Okay, motion, second **[inaudible]** second?
- Female Speaker: **[Inaudible]**.
- Jonathan Letz: Okay, motion second to have – set our public hearing dates for July 12th in Del Rio at 5:00 pm and July 13th in Kerrville at 5:00 pm. Any further discussions? In favor, say aye.
- Male Speaker: Aye.
- Jonathan Letz: Any opposed? Okay.
- Male Speaker: We have to place a copy of this draft plan in each county courthouse, I believe.
- Jonathan Letz: Each courthouse.
- Male Speaker: Are you going to make it available online as well?
- John Ashworth: It will be online at the water development board.
- Female Speaker: When we receive it, it will take a while, but we will post it on our web page.
- Male Speaker: **[Inaudible]**.
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- Jonathan Letz: That goes to each municipality, each county. I think that's it. There's a list of who we have to send hard copies to. Gene, your first motion a while back had approved all the chapters. I can't remember what your actual motion was. To make sure we have a motion to approve the plan.
- Male Speaker: I think that was the first motion to approve the plan.
- Jonathan Letz: Okay, I want to make sure the motion approved the plan. Now if anyone has to leave, I don't think it will affect us. Chapter three.
- Male Speaker: Eight.
- Jonathan Letz: Eight, chapter eight.
- John Ashworth: Chapter eight's the recommendations. That just got out yesterday. I've also passed out this single front and back page that Dick **Lukey** had provided earlier that I did not get integrated into the chapter eight text. So we need to consider those items also. This chapter is, at least for right now, I still have it, the recommendations divided into the same formats we did before, where we had legislative recommendations, state funding recommendations, Plane-ing recommendations and then needed studies of data.
- And then the last two sections are the two that are actually – the only part of this chapter that are required. 8.6 is consideration of ecologically unique river and stream segments. And 8.7 is consideration of unique sites for reservoir construction. Of course both of those sections y'all have already chosen not to select anything. We had to at least have a section in here explaining that we did go through the process.
- Male Speaker: **[Inaudible]** do the job on 8.6. **[Inaudible]** worded that.
- John Ashworth: I do have – there's two appendices. Appendices 8A is that policy issue survey that we did several months ago, where I've ranked in priority order as how y'all voted on those. And then there's an appendix 8B, which is the parks and wildlife suggested ecologically significant river and stream segments.
- Male Speaker: John, maybe I missed something, but I could not find in the text where appendix 8A **[inaudible]**, 8B was.
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- John Ashworth: I may not have.
- Male Speaker: **[Inaudible]**.
- John Ashworth: Yeah, now that you say that, that's right. That will go up here in this introductory, under 8.1. I'm going to have a section on the fact that where this survey originated, what we did, and here's the results.
- Jonathan Letz: Let's go ahead and go through this page by page, quickly. Turn to page one. Under the first one, establish one state water agency, was this – we had that in the last one?
- John Ashworth: Right. Some of these, if it's real obvious that it no longer was appropriate, I took the section out. Otherwise, I left it in here for y'all to decide whether you wanted to leave it in there or not. Yes, that's certainly one of them from last time.
- Jonathan Letz: I guess I have mixed feelings on that.
- Male Speaker: I do too.
- Jonathan Letz: Because the one agency, if it ever is done, if it's ever found as going to PCDQ, I think it is probably one of the worst examples of bureaucracy I've ever seen.
- Male Speaker: There's good individuals there, but overall the agency **[inaudible]**.
- Male Speaker: EPA is worse.
- Jonathan Letz: EPA is worse. So I mean I almost hate recommending that because I think the water development board, to me, has always been very responsive and their charge is totally different, science oriented. I personally would probably take that recommendation out.
- Male Speaker: I think I tend to agree because they sort of act as a check and balance mechanism.
- Jonathan Letz: Delete 8.2.1.
- Female Speaker: Thank you John.
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- Jonathan Letz: This area, we've been fighting Aqua Texas or whatever they're called, through some hearings. The most bureaucratic mess and don't do what they're supposed to be doing. I think page two, requires agencies involved to participate, I think that should stay in there.
- Male Speaker: I would question the word every in that middle sentence.
- Male Speaker: Yeah, I was getting ready to say that.
- Male Speaker: You're the only one that's ever been at every meeting that's here. It just seems –
- Jonathan Letz: Right, okay.
- John Ashworth: I think it would be appropriate to recognize that parks and wildlife has certainly been very active in – played a very active role.
- Jonathan Letz: I would agree with that. I think probably delete the amend open meetings act. It's not going to happen.
- Male Speaker: And you've got less important **[inaudible]**.
- Jonathan Letz: Well and it will probably go ahead and post them whenever we get together next week.
- Male Speaker: We can do it.
- Jonathan Letz: Yeah. But I think we can delete 8.2.3, in my opinion.
- Male Speaker: Legislations **[inaudible]** definitions **[inaudible]** use and waste. I'll be the first to say that needs to happen, but do you really want the legislature to **[inaudible]** without having some kind of suggestion to start with? I can see that becoming a real nightmare. I'm thinking that if we, what we consider doing on a regional level is creating our definition of **[inaudible]** or maybe management or management area wide definitely should **[inaudible]**. We've got the authority to do it in the rural water district anyway **[inaudible]**.
- Male Speaker: If we're going to make that recommendation, we're going to need something to go with it.
- Male Speaker: Yeah.
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- Male Speaker: If you [inaudible] up there [inaudible].
- Male Speaker: I just really have a problem with turning much of anything over to the legislature.
- Jonathan Letz: I don't disagree at all.
- Male Speaker: Have things in there like large and small. What's large and what's small? You'll have somebody tell me what large and small is.
- Jonathan Letz: I'd just as soon delete that one as well probably.
- Male Speaker: It looks good on paper.
- John Ashworth: Well we reacted last time to this because of the concern about filling the ponds out there with groundwater.
- Male Speaker: I'm still the same way, but I think we can do that on a regional level.
- Male Speaker: I think the [inaudible] districts can do that.
- Male Speaker: Not really, not until the definition is changed. You can't do anything, except in a courthouse.
- Jonathan Letz: I think it goes back to if you're going to do it; you need to have a way to define it. Until you have that, you should take it out.
- Male Speaker: Are you going to take out 8.2.3 and 8.2.4, both of them?
- Jonathan Letz: Yes. The next one I think should stay in.
- Male Speaker: And maybe it's just because I'm [inaudible] comprehending as I used to be, but groundwater district should not [inaudible] management resource, the fees [inaudible] magnitude of which are determined at the local level with preservation, conservation, groundwater within the district. What the hell does this mean? I know what I read. Is there some way you can clarify, do away with magnitude or something, through fees or pumping limitations, which [inaudible]? Pump limitations that should be determined at local level.
- Jonathan Letz: But don't they do that? It says but allowed to manage. I thought they did use fees in pump limitations.
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- Male Speaker: The fees are limited, two and a half cents per thousand for transport out of district. That's in chapter 36. I guess all I'm saying is the magnitude of, I don't like that. That bogs the whole sentence down. You should just say fees or pumping limitations that should be determined at the local level. Take out the magnitude of is all I'm saying there. It simplifies and still states what you want to say.
- Male Speaker: Establish uniform aquifer light rules. Rules for what?
- Jonathan Letz: I don't think we want that any more because I think the more we learn about the Trinity, the more that I don't think we want uniform rules.
- Male Speaker: You can't even do that in Kerr County.
- John Ashworth: Are there any other legislative recommendations?
- Male Speaker: On that one on 8.2.5, what was you going to take out of that, magnitude, is that what?
- Male Speaker: Yeah, take out magnitude of, those three little words.
- Male Speaker: Change with to that.
- Male Speaker: Change with to that and make it grammatically correct.
- John Ashworth: This is where we ought to take a look at Dick's two suggestions. Dick I think you had suggested in an e-mail that these were just your thoughts that it needed to be reworded.
- Dick: Yes, I just wanted to **[inaudible]**, nothing magical about the wording.
- Male Speaker: **[Inaudible]**.
- Male Speaker: Yeah, I don't like that word. That's a four letter word with only three letters.
- Skye: These recommendations are to go under 8.3.5?
- John Ashworth: It's under 8.2. It will be another section in the legislative recommendations.
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- Skye: You have **[inaudible]** under 8.3.5.
- John Ashworth: Yeah, funding aspect of it. Yeah, Skye, that's one thing we may be overlapping some here. Yeah, if we're talking subsidies, that falls under the funding aspect.
- Jonathan Letz: I think the second one; require all state owned land to be managed in ways to enhance water conservation. That needs to be in there. You must have just got back from a drive. You saw a lot of cedar on that one.
- Male Speaker: Pay attention **[inaudible]**.
- Jonathan Letz: Your comment about cedar the right of ways. You must have just seen that and said I'm going to write this down.
- Male Speaker: **[Inaudible]** recommendation to our agency all the way up to **[inaudible]**, recommend this as a cooperative arrangement. He gets together with the executive branches from the other agencies as well.
- Male Speaker: The thing about it, you're exactly right, it rakes in thousands of pounds.
- Jonathan Letz: Right. You had a second one?
- John Ashworth: The second one will be put under the legislative. And I think the first –
- Male Speaker: **[Inaudible]** the first one.
- John Ashworth: Yeah, the first part incorporated into 8.3.5.
- Jonathan Letz: And I don't know. I think that the portion, the middle of that second item, where it starts a classic example are not being managed. I don't know that we need to say that. I think you could probably stop after you – right before **[inaudible]**. It inconsistent with the way we're doing the rest of the plan. Up to that point, I think it's more generic.
- Male Speaker: **[Inaudible]**.
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- Male Speaker: On the first part and on 8.3.5, to me there could be considerable wordsmithing going on there to make that better, a little more accurate.
- John Ashworth: Right, and that's the part that y'all were talking to me about earlier. Yeah they had some really good wordsmithing ideas.
- Male Speaker: Would you want me to do a draft of it and e-mail it to you.
- Jonathan Letz: Just get it to John.
- John Ashworth: Sure.
- Jonathan Letz: And we'll look at it next week.
- Male Speaker: On the second one, being a state employee, I think it's a great idea, but it's pretty broad. You start to throw in – I've been trying to get that on our university campus and I just get stonewalled. That also includes there's an awful lot of cedar, on park lands, other state areas. We could do prescribed burning or whatever. Some do and many don't.
- Male Speaker: I can take it broader now. **[Inaudible]**.
- Male Speaker: It's a great idea.
- Male Speaker: We can say okay, you're going to sell water off your public lands, you better have ways to make sure **[inaudible]**.
- Male Speaker: What I'm saying is there's other examples besides tax dollars.
- Male Speaker: Yeah, there's lots of them.
- Male Speaker: Yeah.
- Male Speaker: University lands could probably use some help.
- Male Speaker: **[Inaudible]**.
- Male Speaker: No, I know. I don't want to touch that. I'm just saying. I agree with you. I see the same thing.
- Jonathan Letz: Okay. It will work.
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- John Ashworth: Mike, you'll incorporate Skye's.
- Mike: Yeah.
- John Ashworth: You'll work together on that?
- Mike: Yeah
- Jonathan Letz: Under state funding, all right, 8.3.2, remember that in our bylaws, individuals that are not reimbursed by their entity they represent are eligible to get reimbursed for their mileage cost. In other words, if you're coming here and paying for it out of your pocket, if you can get that – you can get reimbursed for your mileage. If you're coming here from – Scott's driving a UGRA truck. You can't turn that in and get money for it. Anyway, we – not many have done that. That's because people choose not to. Any on 8.4? 8.5?
- Female Speaker: 8.3, 8.3.2, that second sentence reads very awkward. It will have to be polished, changed around to make it a more direct way. **[Inaudible]**.
- Jonathan Letz: Okay. You'll work on that sentence, John?
- John Ashworth: Yeah.
- Jonathan Letz: I think starting a sentence with that is generally not a good idea. Okay. I need – best management practices, that second paragraph about brush management, I don't know that we need to ask them to spend more money on studies. I think they spent money on studies in the past. They need to spend money on doing it.
- We're asking for more studies, basically, and I think that they need to start funding it. They've got the state mechanism to do it. They just need to add – I think we need to name all the river basins that are in our region need to be added to the Department of Agriculture. Because it's done by river basin, I believe, right now. You have to be within the river basin. They're trying to get the Guadalupe Basin included into that list.
- Male Speaker: So we need to reword that to get **[inaudible]**.
- Jonathan Letz: List all the river basins, and then I don't think we need an additional study.
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Male Speaker: To just throw this out John, but that's something within my field. When I was at [inaudible], we were funding some stuff. But there's actually been very limited good research studies on that. There's been some work done, a lot of it done up on North Pancho. But those are not studies. That was a political deal, [inaudible] founded. But to keep from having other mistakes like that, I think there is some cases where we do need to study the basins with geologists involved, hydrologists because we really don't know when and where it works or why it works all the time.

The basins would have to be selected very carefully to have a 50 or 75 percent chance of success. It's far from a sure thing. There were some studies on Senoia experiment station. Seco Creek had some small, but those were like eight acre watersheds. You don't expand eight acres to thousands. Honey Creek, down on the lower Guadalupe, they're doing some studies now. The studies are not finished. It's been pretty limited. It really has, scientifically.

Jonathan Letz: So we do need more studies?

Male Speaker: That's my opinion.

Jonathan Letz: Add these studies and –

Male Speaker: Or if we do a project, it needs to be good scientific team selecting the site, not a legislator.

Male Speaker: Am I crazy? In that first cycle, wasn't there some information presented? I mentioned it in here. Wasn't there some information presented? I seem to recall maps that showed certain – it was color-coded somehow or other, certain areas within our region that were better candidates for high rates of percolation than others. And that kind of goes with what you're saying to target the areas where you want to do it.

Male Speaker: Right, you don't want –

Male Speaker: As opposed to everything that's not [inaudible].

Male Speaker: [Inaudible] control is agriculture. This is different. This is watershed [inaudible].

Jonathan Letz: Scott, where is UGRA on their study that they were participating?

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- Scott Loveland: Completed. Remember, I gave a talk at the end of it?
- Jonathan Letz: That's done?
- Scott Loveland: Yeah, it was a small part of a real big one that Dr. Owens did. That had to do with interception.
- Male Speaker: That was on **geo** for interception.
- Male Speaker: CRA was doing some work too. Do you know anything about how they progressed?
- Scott Loveland: Who?
- Male Speaker: CRA.
- Scott Loveland: They're actually going out and funding brush.
- Male Speaker: I thought they had some study. Maybe not.
- Scott Loveland: But they're actually funding it. I think everybody realizes there's a big need for it, for healthy watershed period. You're not going to make more water.
- Male Speaker: Maybe it would be worthwhile to suggest gathering – bring all the information together. It looks like there's bits and pieces of it here and there and everywhere.
- Male Speaker: There's a publication being put together now, doing that.
- Jonathan Letz: Okay. Anything else under best –
- Female Speaker: **[Inaudible]** add this under study. **[Inaudible]**. There are a lot of little pieces about **[inaudible]**. We're talking about best management land practices. That's a bigger thing. That's a lot more than **[inaudible]**. What hadn't been done **[inaudible]** land sat, vegetative cover analysis, how the change **[inaudible]** headwaters tare going to impact water resources. Things are changing on the surface, so somebody needs to be looking at that, whether it's from satellite or from an airplane, and calculating and prescribing a bigger set of tools. And so if you're going to recommend a study, you might look at recommending something that would investigate changes in landscape.
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- Jonathan Letz: Vegetative changes.
- Female Speaker: That could affect or that are impacting and you could tie it back to measurements **[inaudible]** stream. Try to make some correlations there, see where those are occurring over time, where they're the highest density and therefore where, maybe if you're going to do outreach for encouraging people to do best management practices, whether it's in an urban or an urbanizing area or a housing, small tract housing area or a large tract farming and ranching area. You could target that if you had some kind of a bigger picture of where those changes were occurring and how those changes are impacting the water. Nobody is really looking at that. They've done a lot of measurements under **[inaudible]**.
- Male Speaker: **[Inaudible]** a number of years ago a **land sat** study created habitat zones and zones across the state based on habitat. So there is something.
- Female Speaker: I was thinking about it from **[inaudible]** because they could read those things from **[inaudible]** to tell you how many cedar trees, how many **[inaudible]** trees, how much of it is **resat**. So you're not just out declaring war on one species or using a tool everywhere that only works in one place.
- John Ashworth: So far we have not really addressed land management, other than our recommendations. And on looking through where, in this organization, we have a chapter six, which is basically the water conservation chapter. Maybe we need to develop a section in there that just kind of addresses land management.
- Male Speaker: **[Inaudible]** gave you Bandera addressed that.
- John Ashworth: Now this is something we're going to have to add after June 1st. I can't put it in now.
- Jonathan Letz: I think we should look at adding it there. I think you probably should add it again in the strategy section.
- Male Speaker: A lot of what Skye is saying is true. People look at brush and treating brush as a cure all. Brush is **[inaudible]**; it's the symptom of something deeper that's wrong ecologically. It's like you have a severe headache. Just taking aspirins maybe isn't going to cure what is causing that headache. What's causing that headache lots
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of times on rangeland has either been a combination of drought, loss of spire, and land management practices combined.

Jonathan Letz: I think we can address that whole land use too much. And the reason – we rode to a **camp wood**. The amount of this cedar covered hills is phenomenal. It's scary almost if you get really west of Kerrville. It's all you see. There's no clear land.

Skye: There's a reason, but it's only a cedar tree growing there. Like this one statement in here, which I know is the last one, so thank goodness we're learning **[inaudible]** removal. Well it's more than removal. The **DMP** is more than removing. The reason is **[inaudible]**.

Male Speaker: If you don't manage after you remove it, it will be back in ten years.

Jonathan Letz: Right.

Skye: Topsoil that has accumulated for the small piece of cover that it has generated, so I think it's hazardous to prescribe broad brush **[inaudible]** to natural systems.

Male Speaker: Natural systems, cedars come in there and **[inaudible]** tree system's been messed up either by overgrazing or something from years ago. That's the problem you get into. When you take that cedar out, you have nothing left there because the topsoil is often eroded. You're going to get a lot more erosion.

Skye: Quicker floods, changing the stream **[inaudible]** downstream.

Jonathan Letz: You get that initially. After about a 12 month period, you get the grass cover comes back and it will start mending itself very rapidly. I think the maintenance issue is an issue that needs to be brought up at the – what caused it was overgrazing, and that's not a problem any more, for the most part. Most of the property doesn't have any grazing on it, hardly, any more.

Male Speaker: **[Inaudible]** more.

Jonathan Letz: And a lot of them don't want a lot of livestock because the change in land use. I think we need to put it, probably at least, in the conservation section, probably in the strategy section as well.

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- Male Speaker: So you also have a problem.
- Male Speaker: **[Inaudible]** private land and there may be insufficient number of people that will buy into brush management.
- Male Speaker: But do you need brush management over the upper Glen Rose? There's no recharge there. So all you're doing is increasing run off.
- Male Speaker: Anything to do with any water cycle, I think the best management practices are out there and people know them, if you talk to the Kerr Wildlife Management people and some other people. They'll tell you. The studies have been done, whether they're big or global, whether it recharges or it trickles and filters through to the – it's not just the groundwater. It's the surface water quality and everything about the water cycle. Getting good funding, private land owners don't have the funding. So recommending to get them the funding, most of the money is funded through the NRCS or through a state agency that helps them with the best management practice. So I think recommending that we – to get more money, that's right on target.
- Male Speaker: **[Inaudible]** one shot application and one shot at the chemical application or even **[inaudible]**.
- Jonathan Letz: Probably better to get more like a CRP type.
- Male Speaker: We can talk all day about what's good, what's bad. It's already been done. They need money to do it and an agency to oversee it to implement it, whether it's Donnie **[inaudible]** with the Kerr Wildlife or Joe Franklin with NRCS or whoever.
- Male Speaker: **[Inaudible]** got to talking about that. When I was with **SAWS**, we were discussing some of the people in the headwaters of the watershed and the possibility of downstream water users, such as SAW or the Edwards Aqua **[inaudible]**, GBRA, LCRA. And since they would be the primary recipients, that there could be a cost share formula set up for them to participate in the control.
- Jonathan Letz: Cecil. You've got a phone call. Okay. Well we'll rework this.
- John Ashworth: Got lots of notes here.
- Jonathan Letz: Page 6, 8.3.6, municipalities.
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- Male Speaker: Should you put something in municipalities about water quality. Modernize, isn't that one of the issues that we need in municipal government to control the quality of the water? That's something that –
- Male Speaker: Drinking water or **[inaudible]**?
- Male Speaker: Drinking water, yeah.
- Male Speaker: I think there's regulation on that.
- Male Speaker: Okay.
- Male Speaker: Now **[inaudible]** that's a whole different animal.
- Male Speaker: I'm not sure what we're saying there. **[Inaudible]** modernize water and water systems, **[inaudible]** education **[inaudible]** and the need to upgrade or improve systems in the **[inaudible]** for what? What's the reason, for conservation or what? We talked about conservation.
- Male Speaker: That's the point I was trying to make. Is it to increase the quality of the water?
- Male Speaker: Or is to increase their capacity or is it to improve systems in order to get rid of a lot of their waste and a lot of, what do you call it, unaccountable water.
- Male Speaker: They've already addressed that.
- Male Speaker: It's addressed somewhere. So what's the actual purpose of this statement in here?
- Male Speaker: That's now a requirement.
- Jonathan Letz: I think that the –
- Male Speaker: It's a good statement, but what's it for?
- Male Speaker: You know, like the filtration system we're putting in, that's something. You talk about funding here.
- Male Speaker: My basic question is why are **[inaudible]** modernize.
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- Male Speaker: To me, it's almost incentive.
- Male Speaker: In reality, I don't think the legislature needs a recommendation. That's what this planning process is all about, to find out what needs to be – what funding needs to be developed out there.
- Jonathan Letz: So delete municipality, okay. Conjunctive water use?
- Male Speaker: That one needs to **[inaudible]**, basically that's what **[inaudible]** now **[inaudible]**.
- Jonathan Letz: I'm not sure – I mean I understand conjunctive use, but the landowners claim repairing and rights.
- Male Speaker: I don't recall why we had that.
- Male Speaker: **[Inaudible]** work.
- Jonathan Letz: If most landowners have riparian rights are probably doing conjunctive use because most of them have wells. Some are using the water in the river at the same time.
- Male Speaker: Hell, I don't even know what riparian rights are.
- Male Speaker: What does that word mean?
- Male Speaker: Free water.
- Male Speaker: What?
- Male Speaker: It means free water. A property owner that fronts a river is allowed to take a certain – I mean he doesn't have an actual permit. But he can take a certain amount of water out, as long as it's only for domestic and livestock.
- Male Speaker: Domestic and livestock.
- Male Speaker: Y'all will educate me yet.
- Jonathan Letz: So delete that one as well. I just don't see the – I don't understand.
- Male Speaker: **[Inaudible]**.
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- Jonathan Letz: Alternative sources of water. I guess I have a problem. This is more philosophical. Roy was asking – I encourage rainwater harvesting modification, things of that nature, but I really don't want the state to pay for it.
- Male Speaker: I think it needs to be a tax relief in there. You do get relief for sales tax now, but there's also property tax, other taxes
- Jonathan Letz: I think with this one, and also going back to some of the brush control issues, local tax relief or something like, if you change it. It goes back to the property tax system as being used to fund everything.
- Male Speaker: Do we always have to say they have to be funded? Why can't we have a [inaudible] educational programs to enhance [inaudible], something like that.
- Jonathan Letz: I agree with that. I think that we should encourage it, but I don't think the state should pay for it.
- Male Speaker: The state pays for nothing now. When you really look at the bottom line, who has to pay what the state pays for?
- Jonathan Letz: It comes back to you.
- Male Speaker: [Inaudible].
- John Ashworth: Do you want me just to sort of change this to say programs, such as weather mod and rainwater harvesting should be encouraged by the state through educational programs, something like that?
- Male Speaker: Yes.
- Jonathan Letz: That's good.
- Male Speaker: Something similar to that.
- Male Speaker: Is there a – would it be appropriate to have a section or something dedicated to public education? It crosses over all kinds of different lines, obviously.
- Jonathan Letz: I think in the conservation section we could add it. And there may be a section on education in there. That would be where it would fit the best.
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- Male Speaker: The only reference, specific to education in here, was planning and process. That doesn't address – I don't believe it addresses educating the public regarding all the stuff we talked about.
- Jonathan Letz: Actually I think on the – I almost think that the state is doing a good enough job on education, getting that information out to the public. There's out there on that bulletin board that UGRA has, there's pretty good little handouts.
- Male Speaker: **[Inaudible]** information **[inaudible]**.
- Jonathan Letz: And try to find it.
- Male Speaker: I'm beginning to see a little bit more on the TV, the public service announcements and commercials and things like that, people don't read much any more. They don't. They're down to the 30 second click.
- Male Speaker: We've got a lot of that same stuff where you pay your water bill and stuff. It gets restocked maybe once a year. **[Inaudible]**.
- Jonathan Letz: I don't know how you – I think you need to change the way we educate, figure out a new way to educate.
- Male Speaker: Work on the kids in the school.
- Male Speaker: We do that right now. We encourage tours. **[Inaudible]** You get more results that way than you do any other. They go home and bug mom and daddy. We've actually gotten phone calls from people asking more questions.
- Jonathan Letz: I think the traditional way of brochures is not very effective any more. Okay, 8-7. I think we can delete that first one. We did that. We don't have any sites for our reservoir. You need reservoir site studies. Second study should be funded to evaluate properties that are the most promising sites. That's been done. We've evaluated it. We don't have any.
- Male Speaker: **[Inaudible]** strike that. I'm thinking here there's not any sites capable of actually a reservoir, but there's a lot of potential sites for small dams to recharge, hold back water and recharge.
- Male Speaker: Yeah, that's somewhere else.
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Male Speaker: I thought I saw it somewhere. **[Inaudible]**.

Jonathan Letz: All right.

Male Speaker: Where **[inaudible]**?

Male Speaker: Page 18.

Jonathan Letz: Page 8-6, the last paragraph of that first section, above municipalities.

Male Speaker: **[Inaudible]**.

Jonathan Letz: Now you could –

Male Speaker: Split that out and make it separate.

Jonathan Letz: How about making that a separate paragraph.

Male Speaker: **[Inaudible]**.

Jonathan Letz: Recharge.

Male Speaker: Recharge **[inaudible]**.

Skye: You've got recharge **[inaudible]** back under the **[inaudible]**.

Jonathan Letz: Take that paragraph out and make it its own heading.

Male Speaker: So strike it out on 3.9.

Jonathan Letz: And break it out of the other one. Under 8.4 Planning we probably – well leave it in as groundwater conservation districts, not management districts.

Male Speaker: I thought they already did.

Jonathan Letz: No, they don't. Counties do not have the authority to set lot sizes and period.

Male Speaker: As far as well spacing regulation, we're dealing with the water districts.

Jonathan Letz: Right, but counties immediately – counties do not have authority to set lot size.

Male Speaker: No, but they have authority to approve plats.

Jonathan Letz: You cannot deny a plat [inaudible]. A lot of counties do it. I'm not saying it's not being done a lot. We have our rules, but our rules are based on headwaters. But I think the – there is – I don't know if you need this. I would be happy deleting this paragraph, personally. I don't think – that is a county government issue. It's not really a water issue.

Male Speaker: Yeah, because see, it says county and groundwater management districts encourage and enable to establish lot size in wells and well space and regulation. Well I wouldn't necessarily want to establish lot size because then we get into dealing with real estate and codes and stuff like that. But as a groundwater district, we can already set the well spacing [inaudible] rules.

Jonathan Letz: I think the purpose of this was probably the last sentence. Rules should include both individual lots that are not required to be plat. There's not ability for counties right now to set lot size. I'm not saying that I want –

Male Speaker: [inaudible].

Male Speaker: Well you can't set well spacing.

[End of Audio]

Duration: 63 minutes

TAPE 2 – SIDE B

John Ashworth: It was really big in [inaudible]. And there final decision was that they really were not going to address it, mainly because it gave it too much credence. And they basically decided that they were going to, within the strategy chapter, they were going to make a mention that there is proposals out there, but not to address it as though it is an actual thing that's going to happen, since the majority of them are trying to encourage it not to happen. So they're trying to be politically correct with it at the same time.

Male Speaker: I'm not trying to say we should take sides. I think [inaudible].

Jonathan Letz: The problem that you have is that we're – you have to look at what the charge of this group is. This group is to plan for existing needs as you know them today and then you revise it in the next plan. And we can't put a strategy together because – for Kinney County having a deficit because we don't know. It's a what if. If someone comes in and says they are **[inaudible]** 50,000 acre **[inaudible]** Kinney County, well then all of a sudden, **[inaudible]** they're taking it. Then all of a sudden, there's an actual subject that we have to address. But at this point, it's real hard to. It's just a what if. And while it appears like something is going to happen in Kinney County and maybe in **[inaudible]** County too, how do you plan for what you don't know.

Male Speaker: That's true **[inaudible]**.

Jonathan Letz: I think at some point, it is appropriate and probably in the strategies chapter to have a footnote on Kinney County that there is a – and probably on Verde County too, that their water marketing is a real possibility and would have a big impact on Kinney County and basically cause everything in – and Verde County and possibly have some you know.

Male Speaker: **[Inaudible]**.

Jonathan Letz: But it's just real hard to figure out what to talk about in any kind of specific nature because you just don't know what it's going to be yet.

Male Speaker: I would suggest if water marketing is not out of Kinney County, without any state law being passed, it will be no different than what you have here. If they want to water market out what is permitted to them, great and fine. It would not change your – this plan any at all because you use the same amount of water marketing as you are from irrigation. So it will be a wash out.

The only thing that would make that different, if the state passes laws saying Kinney County can no longer have a groundwater district and if they do that and the state takes over, you're going to have to talk to the state about the amount of water they pump. This is what, as of today, they're trying to do and say you can't have a water district in Kinney County. We're going to take it over. This is what is going on. And for god sake, if the district does not go, there's no law to pass by the state.

What you have here is fine because you could only market the amount of water you have been permitted to irrigate, which is the same thing as you've got here now. If the state does say okay, going to do away with the district, you're going to allow this much pumping, you're going to have to address the state why they did it, not talk about what happened [inaudible]. It would be a state mandated bid if they get out of more than what we have now permitted.

Female Speaker: I'm just curious. How is this state going to be taking over water and marketing? Is that what you're saying?

Male Speaker: They have [inaudible]. I believe it's 1857, I've had so many of them. I don't know what the number is now. It says the Kinney County water district is dissolved. The Edwards aquifer will take over the northeast section and the other section will be uncontrolled, the other three-quarters of the county. It is a bill that has already passed the Senate and is at the present time hung up in the House. It is not gone yet through the house. Hopefully it does not go. But if it does go through the House, then there will no longer be a water district in Kinney County.

There will only be the northeast section, which is the Edwards aquifer. BFC will be under the Edwards aquifer, whatever their rules are. If you're Edwards Trinity, you're talking about here. Your [inaudible] will be uncontrolled. It will be a state law because that's what it is right now, if it does pass. What I'm saying, if that law does not pass and the district does survive, what he's got is okay. What you'll be able to sell would be what you're permitted. And what we've got permitted is what he's got the plan at.

Jonathan Letz: Let's go on to the tables for chapter four we just handed out. John, let's go through this pretty quickly.

John Ashworth: In chapter four, it's going to be our strategy section. And it's going to start out with this table 4-1 that basically shows the comparisons between water supply and demand. The shaded areas are those water user groups that are going to have deficits, which require the strategies. So we start the chapter out by just discussing that process and identifying who the strategies are being developed for.

The spreadsheet basically, again, lists these entities and we've been going through this the last couple meetings, City of Kerrville, Kerrville South, Camp Wood and irrigation in Bandera, Kerr Counties. I think City of Kerrville has been working with Stephan on good examples of what realistically can be done. Every entity that requires a strategy, we must at least consider conservation. So you see under each one that there's a conversation consideration in there as one of the strategies.

Male Speaker: Were we going to take out Kerrville south?

John Ashworth: What they're doing, as of yesterday, even at 5:00, we were trying to negotiate with them. Right now, Kerrville south doesn't believe that they have a shortage in the future. They don't particularly want to be mentioned in this plan as having a shortage. They really don't seem to be interested in participating in this process. We're trying to make sure that they understand the ramifications of their not participating, which is fine. That's their choice. You all need to make a decision amongst this group as to how to handle that. If they don't want to participate, you can ask them to sign a letter of release, basically saying that they don't want to be in it, so doing, we won't develop any strategies.

Male Speaker: **[Inaudible]** letter **[inaudible]** signed.

John Ashworth: That's the direction we're going. We've been trying to work with the water development board to make sure we're following the correct guidelines. My understanding is we are. This is a decision that could be made by this group for an entity that doesn't want to participate.

Female Speaker: As we all know, part of the planning process is we need to plan for any entity that has a need. But if the entity doesn't want to plan with you or does not want to be included in the plan, there's no requirement that they be in the plan. And we really – we don't have any written procedural requirements for that. But we suggest, just for your own protection and for future what have you that you include a little statement in the plan that says you contacted Kerrville **[inaudible]** water supply court and they informed you that they did not want to be included. And if you want to have a certify letter, **[inaudible]**.

Male Speaker: You have to **[inaudible]** they will come back and say y'all didn't do that. Or there will be a change in administration or something.

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- Male Speaker: Maybe they'll sell out.
- Male Speaker: Sell out.
- Male Speaker: Instead of having the plan.
- Female Speaker: And just – this is a living document. We will be reviewing the plan over the next year. It will get rolled into the state water plan. And there needs to be something in your plan that says why this entity [inaudible]. Otherwise, our staff will be contacting your engineers and say what happened here, did you forget these guys.
- Jonathan Letz: Attach a letter into the document.
- Female Speaker: Yeah, so just put a note.
- Jonathan Letz: John, if you'll draft the letter, we'll send it off or you can send it off. I don't know where it needs to come from. And we'll just take out that section.
- John Ashworth: The two irrigation shortages for Bandera and Kerr County, we decided to handle that through best management practices, right out of the water development board guide. The appropriate ones have been selected earlier, so I've got them listed there. What we, as consultants, need to do is continue filling out the rest of this spreadsheet, the cost analysis, the impact factors and I'll have that all for you here very shortly.
- Jonathan Letz: I think under alternative strategy, Kerr County, it says in connection to existing Kinney Lake pipeline. I don't know that – I'd say – I don't know if we need to be that specific right now. Just –
- Male Speaker: Purchase of water [inaudible].
- Jonathan Letz: Purchase of water out of –
- Male Speaker: [Inaudible] how to say that. [Inaudible].
- Male Speaker: Water from other sources.
- Jonathan Letz: I don't know if we need to be specific enough that if it is Kinney Lake and that pipeline does happen, it's going to take state funding
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to do it. So that's why it needs to be listed. But you don't want to be too specific.

Male Speaker: The guidelines basically say alternative strategies or those that if your primary ones don't come through, there is a strategy that you can fall back on without having to come back, reconvene and adopt. Have a plan amendment. You've already got a strategy available there. But for it to be that good of strategy, it's got to be pretty well detailed out, and I'm not sure y'all are saying you want to go to that.

Jonathan Letz: The construction, I don't really mind saying Kinney, but how about this, connection to existing pipeline instead of construction of pipeline from Kinney Lake.

Male Speaker: That's already actually in place.

Jonathan Letz: Right, construction of pipeline from Kinney Lake. And the other thing is alternative strategy, which maybe is working on reallocation of reclassification, I guess, of permanent.

Male Speaker: Modification.

Jonathan Letz: I know you, Jerry, the city, you're kind of looking at that too, at the same time looking at in connected to the pipeline.

Female Speaker: For any of these alternative strategies, if you do have to use one or choose to use one later, it does need to receive the same level of analysis as your chosen strategy right now. It sounds like that's what you're doing.

Jonathan Letz: I thought we didn't have to. I thought we could list it as alternative, but didn't have to do the full level of study.

Female Speaker: It needs the same level of analysis. That's how we can justify in the future that it's okay to just pick this strategy from this group, later on because it will have received scrutiny analysis.

Jonathan Letz: I thought the reason we were doing alternative strategy was so you didn't have to do the in-depth study.

Female Speaker: That may be what people wanted, but for public hearing purposes and credibility of the plan, it does need analysis. We can get back with you on the details.

- John Ashworth: We may just need – we can also put these – if we don't want to go to that detail, maybe we don't need to call it alternative strategies. We can just call them future strategies to be considered or something.
- Female Speaker: For what you were saying, that sounded like it – we would look at consistency with the strategy and that's usually based on supply source. It sounds like what you're doing.
- Jonathan Letz: We're looking at something that could happen in the next five years, but we just don't know enough. It came so late in the process that we don't have the time to do a whole lot of studies. The entities involved don't want it on the radar screen right now.
- Male Speaker: It's too soon.
- Jonathan Letz: It's too soon. But if it happens, it could happen relatively –
- Male Speaker: But we also don't want to go back to square one.
- Jonathan Letz: And maybe you just have to amend the plan.
- Male Speaker: If we have to.
- Male Speaker: That may be the way to go. It's not that hard to do.
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: Look at the map if you could. Okay, anything else?
- Male Speaker: Just a question. I notice on the town you have conservation as an alternative for short term peak demands during a drought or something. What about something like restrictions on landscape irrigation that can get you through a short term deficiency? San Angelo's use it, San Antonio.
- Jonathan Letz: I think they already have it though.
- Male Speaker: It's built in.
- Male Speaker: **[Inaudible]**.
- Male Speaker: Drought management plan **[inaudible]**.
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- Male Speaker: Chapter 6, you've got the drought contingency plans.
- Male Speaker: How much demand in relation to current supply.
- Jonathan Letz: **[Inaudible]** already has that.
- Male Speaker: **[Inaudible]**.
- Jonathan Letz: Kerrville is the only one we have to have a strategy for and Camp Wood.
- John Ashworth: We had talked about having a list of projects that are more or less going on right now. You see right down at the bottom of the projects, Rock Springs, Leakey. I don't know if there's a need. I've got them on the spreadsheet, but it probably doesn't fit on – they're not strategies. We just wanted to take note of it. In fact, as I'm sitting here saying this, I'm thinking this needs to go back into probably chapter three where we talked about individual municipalities, what they have and what they're doing.
- Male Speaker: **[Inaudible]** another public water supply.
- John Ashworth: Anything else?
- Male Speaker: What is that abbreviation WUG stand for, irrigation?
- John Ashworth: It's water user group. It's a water planning term, out of water development board. It represents a group category. In other words, we've not identifying every individual irrigator. We're lumping them all under one user group.
- Female Speaker: It's not very graceful, but it was the best we could –
- Male Speaker: A WUG.
- Male Speaker: Can mining the aquifer be one of our strategies?
- John Ashworth: Sure, I'll right it up.
- Male Speaker: **[Inaudible]**. I mean I have yet to talk to them. I should have talked to them. With their plans like they are, this could get back to TCQ on their radar and put them then in a situation that y'all are going to run out of water. **[Inaudible]** they've probably got the
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hammer to say we'll do something. I don't know if [inaudible] realize that. I'll [inaudible]. I'm sure what would happen in actuality, with mining the aquifer, they would mine the aquifer if they want to buy water. And we have less room in there for mining the aquifer in [inaudible].

Jonathan Letz: They can mine the aquifer, but I thought their problem was they didn't have enough acreage to meet the permit limits of the water district, was the problem. If they've got enough land, then just drill another well. I thought the issue was they don't have enough real estate to drill another well.

Male Speaker: [Inaudible].

Male Speaker: Yeah, well like I said the issue there -- they're going to mine the aquifer. Whether the district tells them to stop or not, you've still got to [inaudible] above the water, so mining aquifers won't happen, and hopefully they'll get the districts blessing.

Male Speaker: [Inaudible].

John Ashworth: Yes, and it's contingent on that they don't decide here at the last minute to come on board.

Male Speaker: [Inaudible] certified letter [inaudible] participate and unless they come forward within whatever time you specify, they will be dropped from our regional plan.

Jonathan Letz: Do we have a second?

Female Speaker: Second.

Jonathan Letz: [Inaudible] Kerrville south will be sent a certified letter stating that they will be dropped from the plan, their choice, if we do not hear from them in the near future. And I'll leave it to John what the near future is.

Male Speaker: Draft the letter from you basically, from the group so it will come off our letterhead.

Jonathan Letz: Right.

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- Male Speaker: And recommend and having done that for years and years, along with a certified, you send a regular letter as well. Send it both ways, standard procedure.
- Jonathan Letz: Okay. Any further discussion on that one?
- Male Speaker: Should there be a time frame on the letter? Don't just say –
- Male Speaker: No, John will **[inaudible]**.
- John Ashworth: Realistically, as long as we're still in session, they probably – they don't have to meet a deadline for this draft. But basically we've got to have a deadline somewhere around fall or early winter.
- Male Speaker: Just come up with a deadline that's workable and that we agree to.
- Jonathan Letz: Yeah, we have a motion to do it. Any further discussion? All in favor, say aye.
- Male Speaker: Aye.
- Jonathan Letz: Any opposed? None. Okay.
- Female Speaker: **[Inaudible]**.
- Jonathan Letz: Do we have anything else, John?
- John Ashworth: Don't believe so. Thank you very much.
- Jonathan Letz: We're adjourned and I'll send out an e-mail related to the –

[End of Audio]

Duration: 22 minutes

Male Speaker 1: It's gonna take time. You can't do it when the aquifer is completely full. It's gonna be – we're gonna have to have some up and downs to get some sort of a – corrugate the two together to see [inaudible] reading X number of feet; it's slowing down the springs. For the last year, we've got quite a bit of water fill and I think we may have a little difference now, but this is what we're trying to do out of the Water District [inaudible] to try to coordinate this well, the monitoring well, with the flow of the springs and see what we come up with there because if there's no affect whatsoever – we're also trying to get a – start going down to find out where the springs come from.

Do they come out of the **Edwards BFC** or do they come out of the **Edwards Trinity Section**? We have, and it's in a big turmoil there, one company will tell you that it comes out of the BFC and the other company tells you it's coming out of the Edwards Trinity. We have reports that the water is running backwards [inaudible] in the well. It's according to who wants to market the water is what we're getting pumped into us.

We have – and we do need – we need – we probably need at least two more wells in this section in the – to get – to really get a reading and what will make sense, we are – have a – possibly if we can get some wells guide and come up with where the springs come out of and that way we can more or less know what our monitor – because we really don't know whether our monitoring wells is telling us if it's coming out of the Edwards BFC, then our monitoring well is in the Trinity portion, it's not gonna tell us nothing about the flow of that. We got to get a determination of where these springs come from.

Once we get that, then we'll know what our monitoring well is telling us. But that's got – we've got to get that done before we can really get a handle on the system waste.

Male Speaker 2: Gene or Ray, aren't you all working – aren't the UGRA and Edward working together with the monitoring base of the river flow instead of spring flow, maybe correlating that information with the wells?

Male Speaker 3: We talked to both about doing that; I don't think we started that. But we've been collecting – I know they're collecting the water levels and we're collecting spring flow, but we're actually talking about a coordinated effort.

Male Speaker 2: It really would help. I mean, I think it would be – that that's what needed and then we can get that information into the model through Bill or whoever has the model [inaudible].

Male Speaker 3: We're also in the process of selecting Edwards' wells out in the wildlife [inaudible] area [inaudible] basis.

Male Speaker 2: All right. Okay. Don, [inaudible] some and a – this is an old [inaudible]. But this is a big – this is one of the first studies I think that was done of the wet – in that area. We did one in the Kerr [inaudible] during his last [inaudible] process and whether we get one done this time in the west area and I think we can go a long ways to long term help that area and answer a lot of the questions that [inaudible] was talking about. Anything on this report?

Male Speaker 4: Anybody else have anything else?

Male Speaker 5: The comment on ground water ratibility [inaudible] at the end, that's also included in the main text for the –

Male Speaker 4: Yes. The third project that we were funded for was something similar to this in western Kerr County. We've got the draft report, which I have not handed out today. It's pretty complete. I've given a copy to UGRA Headwaters to take a look at first since I was kind of working with them on this project, to see – get any comment from them. How this one really differed is that basically the Upper Guadalupe in the western part of the county is divided into three sub basins: the South Port, North Port and Johnson's Creek.

Within each one of those, there are separate sub drainages in there, and each one of those drainages basically are supplied from spring flow. So the process that we did here was to go in and take a cumulative flow measurement at the – right where each one of those little sub basins contributed into that main branch so that basically we could take a look at each of these sub basins and kind of rank them as to how critical each one of those were as far as the overall flow in the Upper Guadalupe. I'll present this at the next meeting, but if you all can just kind of see this chart and the different colors.

Each one of those colors is a separate flow ranking of how much is being contributed. So I think that this has been pretty

informational. One of the issues that was presented when we asked for this particular study – we had to base it on the various strategies we had in the first plan. When we had the Kerrville Strategy that basically said they might go out here into western Kerr County and put in a well field, and the issue was, "Well, if you put in a well field out there, is that going to impact springs?"

And in so doing, is that going to impact surface water quantity since Kerrville is also dependent on the surface water aspect?" Kind of like robbing Peter to pay Paul. So that's basically what went into this report and we'll have that finalized and presented to you at the next meeting.

Male Speaker 2: That is no longer a strategy as I recall, correct? The well field?

Male Speaker 4: Yeah, it's still in there, but we're not specific to where it is. It just says that potentially additional wells might be needed. And we'll go over that here in a minute in Chapter 4.

Male Speaker 2: I think it gives a point that if the strategy that may be a little bit off the wall and may not probably come about **[inaudible]** funding to do what the effect of those strategies are and I can see where there was a lot of water marking issues. It's not all bad to have strategies there that people may not like just so you can get the study and the science done on paper and say, "Well –" And that wasn't the intent here at all, but as a result the strategy has moved down probably on the priority list, but we're able to get some really good data that's gonna help here in the quarry.

Male Speaker 4: And there is beginning to be new threats out there, more development, potential highway corridor going through there. There's a lot of other issues where I think it's critical to understand that western part, and this is probably sort of a lead off step to what UGRA Headwaters are gonna be doing looking at that correlation between the spring flow and the surface water flow.

Male Speaker 5: A question, John. In from the **[inaudible]**, look on Page 34 and with the injunction I assume to sign **[inaudible]** District, this is an area that we've been having a lot of problems with **[inaudible]**. I'd like to move to propose this **[inaudible]**. The reason we've established what's being underlined there is the definition of **[inaudible]** looking at **[inaudible]**. The next paragraph then will discuss ramifications to the **[inaudible]**. And I think that is very significant. If you go forward, you can set it once there's so much

water in the whole town. Some of the [inaudible] in the quarry and know it will be adjusted as we go.

That doesn't define what happens when you have a concentrated [inaudible] in your spring. That's the whole part of what we got to focus on for the future and it's a war when you get to that point. But I would seek to, and I think to have some of this discussion included in what we're talking about when we're getting sustainable use [inaudible].

Male Speaker 4: I think a lot of that, especially that definition that's underlined, that's our founding definition from water availability back in Chapter 3, so if you all can help me as we finalize this thing. I've added a lot to these discussions, especially with a lot of environmental discussion that hadn't been placed in there. So let's make sure that we are stating what we want to say there.

Male Speaker 2: I think it's time for the new [inaudible].

Male Speaker 4: All right. The next thing that I want to go over are our responses to our [inaudible] Board and public hearing. Now, I'm not sure that I handed those out. It should have an Appendix 10(a) and 10(b). You don't have those?

Male Speaker 2: No.

Male Speaker 4: Okay.

Male Speaker 3: John, before you get to those, let me just – before you get into those specific ones, let me just briefly go over all that's mentioned [inaudible]. I don't know a lot of these reports that I normally get copies or John and I, of course, talk and back and forth to make sure that we do. But these are the ones that the only written comments that I've received and John has a copy of. If anyone else wants a copy of this, we can certainly make some and send them on out. These are gonna really be addressed in the final at our next meeting. We have a comment from the National Wildlife Federation and Sierra Club, we have a comment from the URS.

Male Speaker 2: What's URS?

Male Speaker 3: URS is –

Male Speaker 4: They're the consulting company basically working for **lower** Texas.

Male Speaker 3: We have a – and these are pretty much more generic, this group that's here, but it's from the Texas Wildlife Association. And then we have a report coming from lower Texas itself. I don't know about that. I don't know if this stuff was sent to all members or just the ones here. If everyone wants copies of all of them, we can make copies of the whole package and send them out. But that's what we pretty much – the discussion or Don will be addressing these at our next meeting.

Male Speaker 2: It would be a good idea. We would like one.

Male Speaker 3: Okay. Some of them we just got. I mean, they've been – and they still – they were coming in up until the point that our -- **[inaudible]** October/November. There've been a range where we hardly have comments and when we're **[inaudible]**. Okay, John, I just wanted to make sure I got that out.

Male Speaker 4: Okay. Well, I've given you an Appendix 10(a) and 10(b). There will also be an Appendix 10(c), which covers the responses to those comments that Jonathan just talked about and basically I've come to summarize the comments and I haven't put the response in yet. But that will be there at our next meeting. Appendix 10(a) is probably the most critical. This is the ones that are important to make sure that we are administratively complete with our contract of what we had to do for this plan. There is a lot of comments. For the most part, I think they're good. Most of them I knew.

We're going to **[inaudible]** because we hadn't really addressed them yet. Some of them are very, very simple to make. It may be just a very simple change or an addition of a footnote. I'm going to do my best and you all may take your time. You didn't get these in advance, so I know you still – this is something we can continue to discuss at the next meeting once you all study these. But if there's anything in there that's really going to change what I think you all's philosophy is in this plan, I'm gonna bring it to your attention.

Otherwise, most of these are kind of filling in the blanks. And certainly some of these sections are a full section write-up, so you're gonna need to look at that and that's what we'll be going over in the next set of things with these handouts that were sent to you. I don't know if there's any need to go through these one at a

time, there's not a lot of them. And in some cases, I'd just say, "Correction made." What I'm doing is I took out our June 1st Initially Prepared Plan, made a copy of it and I'm going back in and I'm revising every chapter.

And any place I make any change at all, I'm leaving it in red. So at this point, I've got a documentation of what's new from the June 1st part, and some of this is what we're handing out to you, but some of it, if we're unsure of how it fits in here, I can show you in this document how it relates. I tried to keep all these section numbers appropriate to where they are. Appendix 10(b) contains our response to both the Del Rio and Kerrville public hearings.

And those of you that attended those, if you might look to make sure that I covered basically what was – what the comment was and how we responded at the time. I know, Jonathan, do you want to just answer any questions on any one of these or do you want to go through any of them or how do you want to answer that?

- Male Speaker 3: I think it would be easier to go through the chapters as opposed to going through the – I mean, the public hearings are pretty self-explanatory.
- Male Speaker 2: I mean, we weren't dealing with any really earth shaking **[inaudible]** created in the **[inaudible]**.
- Male Speaker 3: But none of the – I think the responses to the TWDB comments are pretty much addressed in the handouts that we have or the corrections that you made. We can go through those and spend more time on there **[inaudible]**.
- Male Speaker 2: I might just say **[inaudible]** a couple of comments. If anything, I'm just looking through, you're just addressing to what they're pointing out and anything that causes a major problem or there's something you guys are really worried about?
- Male Speaker 4: No, I don't think so. In most cases, it was – there's a number of comments in here about our tables. The Board requires that we develop our water demand, water supply and basic water shortages by basin, by county and river basin. So a lot of our tables had this information by county totally. So we had always gone through, because we knew that we had to divide all of these out. And this is where we go into the Water Development Board's DB07 database
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and actually we fill that in. And within that, it basically breaks everything out and makes sure that it all balances.

But one of these comments said that basically they wanted to see all this in the tables. So I had the discussion with them and we came to a compromise that for the main part of the chapter, we can leave the county totals because when you divide it up into basins per county and seven different basins, it gets really complicated and it's not that meaningful to most of the people reading this document. But elsewhere in an Appendix, we're going to have to provide this by river basin also. So it is gonna duplicate the information, but I think we're gonna keep the more reader-friendly part upfront.

Male Speaker 2: What was their purpose in wanting that done that way? What do **[inaudible]** having it that way?

Male Speaker 4: The Water Development Board's statewide database basically is capable of totaling an entire river basin, not just ours, but how it impacts the entire river basin. And in so doing, it probably has impacts on plan models.

Male Speaker 2: But wouldn't these **[inaudible]**?

Male Speaker 4: No. It has always been this way. In our first plan, it was all divided out by river basin. And to be quite honest, in some cases for some of these numbers, it's a pure guess. We just had a total number and we just had to kind of proportion them out by area of the basin and with our knowledge and whether or not that's a populated area or not. So take that with a grain of salt.

Male Speaker 2: **[Inaudible]**.

Male Speaker 4: It's better than nothing, but it's –

Male Speaker 2: It looks good on **[inaudible]**.

Male Speaker 4: All right. I think what we'll do now is go through the material that had been mailed out to you.

Male Speaker 5: Most of you fact takers open 1.1, can you give us more of a **[inaudible]** to depend on **[inaudible]**. Jerry, it's up over on that far –

Male Speaker 2: [Inaudible] sat down and [inaudible] after it's all put together. [Inaudible] to sit there.

Male Speaker 4: Everything that you have in front of you is basically new material that's in red here, and in some cases we needed to add it. We have the intentions to add some of this discussion anyway, but a lot of it's the result of the Water Development Board comments that said, "Where do you discuss this?" And there's a lot of things in here that get to be repetitive, discussions about agricultural natural resources and environmental water needs. It ends up in a number of different places so if you see it in one place, don't think that that's the only place you're gonna see it.

So I guess let's just go through each section at a time and if anybody has a question or suggestions on any one particular part, let's go ahead and go through them. Okay. The 1.1.1, this is where we were supposed to talk about anything new that was available since the last planning period, new information available. There's probably other information out there, but I tried to get the major parts. Again, before I get too much farther in here, we don't have much time left, so if we're talking about major, major revisions, kind of be thinking about how much time this could take to do it also. Anything on that?

Male Speaker 2: Yes.

Male Speaker 4: Okay.

Male Speaker 2: Is this 1.11 Chapter, is that replacing all that was – we had before?

Male Speaker 4: No. No. It is a –

Male Speaker 2: And that will be generated throughout the whole –

Male Speaker 4: Right. Almost anything you see here is – it may be if you had your June 1st version and you can look, and if it was blank to start with, you'll know that this is total new. Otherwise, this is just additional wording that's gonna go in there.

Male Speaker 3: Under the – I didn't bring my June 1st booklet because it's in there. I think we need to say while the 2000 census may be more accurate, we still have a lot of problems with it. Commitment problems especially in the Kerr – probably Kerr more than any other county, but probably in other counties. And also the whole

methodology about how that census number is used to determine demand because of the transient population we have. I think we addressed that.

Male Speaker 2: We addressed it in a couple places, but since we're being required to be repetitive about things, they want us to be repetitive about things, we want – this looks like a real good spot right in this book to do that.

Male Speaker 5: Right, I agree with that. I think that's a really important point for this reason is the transient population and the – I think Kerr County is really the only one that gets really zinged on the population based on what we think is gonna realistically happen. I think Bandera County and [inaudible] Bandera is putting Kerr [inaudible]. But the thing is if we do it without any problems, highlight it where we talk about it somewhere else in the plan and just copy it over here again.

Male Speaker 2: The second sentence is the one that you could use. 2000 census provides a more accurate estimate of the population at this time. It may provide a more accurate estimate of the population in some places, but it doesn't provide any kind of accurate estimate on real water demand.

Male Speaker 4: When you get to the Chapter 4, there is some wording in there about Kerr County that's very strongly about that. You'll see that it covers the Kerr County issues quite strongly.

Male Speaker 5: But I think the whole rural issue that [inaudible] that takes Edward and McKinney County probably, because they're probably ahead of you all. Their populations are so small that it doesn't – I mean, a percentage increase – even if you increase the population 20 percent, it won't make any difference compared to what comes in on a weekend.

Male Speaker 2: [Inaudible] or it doubles [inaudible].

Male Speaker 1: I guess the only in McKinney would be your Fort Clark, your wintertime population is – it probably goes up 50 percent, probably 1,200 people come in there and spend a – when you [inaudible] 3,400 for the whole thing, you've got at least a third more. But, of course, these people are taking – their water's coming out of Fort Clark anyway, so I guess –

- Male Speaker 3: That is the process – it should – that should be accounted for by a lot of the plans in the more rural areas and the range is certainly being met.
- Male Speaker 5: Some of them I heard – in Edwards County and McKinney County, we have migrants and they'll [inaudible] us, too, but in the wintertime we have a little influx of migrants. They come in August.
- Male Speaker 2: [Inaudible].
- Male Speaker 3: Anyway, that whole – and I think it goes back to the methodology. I don't think we're gonna change it, but we might as well keep saying that the way – there is not a direct correlation in our population and water demand.
- Male Speaker 1: I think that if we do do another thing, we're actually looking at in our [inaudible] water management [inaudible], but if we wanted to stay in the same basic groove. So if we get enough people staying and maybe at some point, someone up there will take notice.
- Male Speaker 4: Anything else on that section? Next section 1.2.8 is another paragraph added to it talking about natural resources. We are including a species list in Appendix 1(a) that comes from Parks and Wildlife's Natural Diversity Database. So that helps basically identify what we're talking about when we're talking about natural resources.
- Male Speaker 1: Is this a required thing?
- Male Speaker 4: Natural resources must be identified by the group as to what it is and throughout the plan we have to talk about – you'll see way at the end, there has to be specific language about how this plan protects natural resources.
- Male Speaker 1: I think this [inaudible] from the book endangered species and actually list the [inaudible] my –
- Male Speaker 3: I don't know the reading on a whole of noise [inaudible], I'm the least talked about zone [inaudible] the last plan for not doing it, and so did other reasons, and it was a more – there was a lot more requirements this time statewide to address environmental issues.
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- Male Speaker 1: Right. We can't – I understand that we may have to include that paragraph, but do we actually have to include **[inaudible]**? I would like to –
- Male Speaker 4: We could probably get –
- Male Speaker 1: I would like to table it at least.
- Male Speaker 4: Yeah, I'm not positive if we could get away without it, but I think most regions are putting it in. I think the Board is really wanting to have a real strong understanding of how the plan is basically protecting all the environmental issues that we discuss in here. I think it helps beef that up, and possibly we can get out. I mean, it'll just be you all's call.
- Male Speaker 5: What's your objection to it?
- Male Speaker 1: My objection to it is that I see certain repercussions down the road and the same reasons that you decided not to identify certain **[inaudible]**. I kind of see that **[inaudible]**.
- Male Speaker 2: **[Inaudible]** I agree with those. It's so potentially kind of getting involved in their stuff. I think the issue pretty much stands on itself, doesn't it?
- Male Speaker 1: You know what I'm saying? If you got a statement in here that there's endangered species here, why do we need to go and list each one separately out? It gives people more reason to come in and try to get more control.
- Male Speaker 5: But the list – I don't know if I'm defending **[inaudible]**, but the list doesn't – I don't – does it list them as endangered or does it list species?
- Male Speaker 3: Endangered **[inaudible]**.
- Male Speaker 4: Rare, resident and endangered.
- Male Speaker 2: It lists which one they are. Because some are threatened, some are endangered. Some are on the state list, some are –
- Male Speaker 5: We don't have lists.
- Multiple Speakers: **[Multiple conversations]**.
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- Male Speaker 5: We're just supporting what's there.
- Male Speaker 3: But I thought were were – I mean, if the list reports all the species that are found, I don't have a problem. If it's saying this is a danger because I have – I think those lists are politically crazy.
- Male Speaker 1: John, if this lawsuit has got **[inaudible]** I guess McKinney County and **[inaudible]** counties, that they are wanting to do on the endangered species and I know you've got one of them listed in here. And if I don't have a lawsuit written down, but it's been all over and I read it in the San Antonio paper that it has been filed and I guess it's against – I know it's got Pinto is listed as one of them. I believe that they also got **[inaudible]** that I believe is listed in it and some more. But I know that they got already these two have been – I guess it's gonna go to a federal court and I guess that whatever they say is what we'll have to abide by.
- Male Speaker 4: Is that the one where the Fish and Wildlife Service was sued by an environmental group?
- Male Speaker 1: They had about four or five different outfits that went together and I believe one of them is out of Del Rio or something about a – it's different and they are private organizations, but they have filed the lawsuit.
- Male Speaker 4: I think that was because the Fish and Wildlife Service was reluctant to designate critical habitats, I believe. And, of course, we're trying our best – Parks and Wildlife is trying our best to see if we can't get the situation fixed without having to – because that's a more restrictive – so I don't **[inaudible]**.
- Male Speaker 1: Oh, I intend to meet in the Del Rio that this was a – that they had in there that the Parks and Wildlife Guild, and I understand what they're trying to do. But I think whatever they were trying to do I guess is gonna be the only defense in this lawsuit because they already filed a lawsuit. So somebody is – I don't know who's –
- Male Speaker 3: **[Inaudible]** get back to the general deal for the –
- Male Speaker 4: Meaning what's listed.
- Male Speaker 2: But I think you'd need a **[inaudible]**.
-

Male Speaker 3: I guess the problem comes to the part where you get some of the manner of things that are usually maybe listed, but I think everyone knows that you have to – if you go hard enough and start looking at any spot, you're gonna find the **[inaudible]**. And I think that a lot of different minnows and salamanders **[inaudible]** on our property that's in there. One of the salamanders on the deal watershed versus the **[inaudible]** are a different species probably, you know what I mean? Just where do you draw the line? So to me, I don't have a problem listing all the species.

I mean, **[inaudible]** white tailed deer on down to **[inaudible]**. No, I think if you're gonna talk about natural resources, I think you should talk about all the natural resources.

Male Speaker 2: There's a very similar list to the same one you got here, probably that state one.

Male Speaker 4: Yeah. This is 32 pages long, so it's – there's reptiles and all the mammals, insects, fishes, birds. This is –

Male Speaker 5: Who generated that list?

Male Speaker 4: Parks and Wildlife.

Male Speaker 3: But is it always endangered? My issue is if it lists all species, I don't have a problem with it. If it doesn't –

Male Speaker 1: If it walks, crawls, breathes and craps, okay. If it doesn't –

Male Speaker 3: If it lists these specific ones –

Male Speaker 4: It lists what they are calling rare, endangered and threatened. And then in the right hand column it has a federal status and a state status code as to where it falls in those.

Male Speaker 2: Could Parks and Wildlife generated a list of all species that are **[inaudible]**?

Male Speaker 1: I imagine they could.

Male Speaker 2: If you we could do that, we could probably get better results **[inaudible]**.

Male Speaker 5: That's gonna be pretty big.

- Male Speaker 1: That's gonna be big.
- Male Speaker 5: That's gonna be huge.
- Male Speaker 3: Yeah, that would be huge. I think the statement that we've got right there, the way it's written, and it talks about the **[inaudible]**, it talks about endangered and rare and threatened. We may have to mention it **[inaudible]**.
- Male Speaker 1: I don't want to have to put a 32-page list in here. We'll kill – how many trees did we kill after putting 32 pages in there **[inaudible]**. You want to be green, let's be green in other directions and let's save the trees.
- Male Speaker 4: Robert, do you have a feeling for whether or not we need to have that in there?
- Male Speaker 3: Let's try to work and compromise that. What about reference to it? Would that be acceptable and some language that discusses your – that takes into account your consideration in those comments?
- Male Speaker 4: Well, my – I mean, I don't know that you –
- Male Speaker 1: I wouldn't like the reference. We could can say that we can change the language in here if you want to make it – to me, it's a good, broad statement the way it is already. It talks and it says, "The natural resources also include the **Great Diversity Plant** and the wildlife inhabit using **[inaudible]** that includes everything under there." Texas Parks and Wildlife Natural **[inaudible]** Databases conference as far as the information on rare **[inaudible]**.
- Maybe I can just take that basically out and we could say **[inaudible]** there is instead of putting in something about the database, you could just say there are known to be rare, threatened and endangered species of plants and animals within this area of Texas as there are in other counties.
- Male Speaker 2: Something general.
- Male Speaker 5: Just refer to that. Once you get down to plants and endangered plants and animals, just refer to where the Texas Parks and Wildlife Department database can be found.
-

- Male Speaker 3: **[Inaudible]**. I mean, I don't have a problem referring to the database. It is their part of our **[inaudible]**.
- Male Speaker 2: If we do that –
- Male Speaker 1: Did you already consider the **[inaudible]** with regards to **[inaudible]**.
- Male Speaker 4: Yeah, we're looking at –
- Male Speaker 1: Certain spring flows and **[inaudible]**.
- Male Speaker 3: Basically, our whole – we're probably the most –
- Male Speaker 1: Did you evaluate them?
- Male Speaker 3: We're one of the most probably environmental plan in the state, but it sounds like **[inaudible]** looking at the big picture. I'm not trying to **[inaudible]** looking at trying to keep the spring flows going and throughout the region and now identifies certain springs that are more important than the other springs because they're all important. But I think – I mean, I can imagine that we're gonna get things in an environmental standpoint in explaining the **[inaudible]** environmentally friendly and trying to – I think everything we're doing is supporting rare and endangered species.
- Male Speaker 1: But I just don't think we need to just come right out and open doors for **[inaudible]** generate this.
- Male Speaker 3: I basically **[inaudible]** referring to the list.
- Male Speaker 1: It would be your call. I think we have a state agency that will recognize these species as a natural resource that needs to be considered. And you have Chapter 4, you **[inaudible]**. You've put that into consideration already.
- Male Speaker 2: Referring to **[inaudible]** there's hundreds on the list that they can notify from **[inaudible]** to get the list. I mean, what I'm saying is that if you've got the **[inaudible]**, you didn't do it.
- Male Speaker 3: Make reference to it.
- Male Speaker 2: If you want us to generate a list, we'll be here for the rest of the year.
-

- Male Speaker 4: All right. Do you all need to vote on it or do you think – just go ahead and work it up?
- Male Speaker 2: I think we've voted on every other time we've reviewed something. **[Inaudible]** do we more or less agree or don't agree.
- Male Speaker 4: Okay.
- Male Speaker 2: The vote comes at the next meeting when we put it on the final plan.
- Male Speaker 4: Okay. We're gonna take that last sentence out and then delete the Appendix.
- Male Speaker 5: And you're gonna refer to the **[inaudible]**.
- Male Speaker 4: Yes. We'll say that that **[inaudible]** is there. Okay. Jumping to Chapter 3 –
- Male Speaker 5: Do you want to go to this 1.45 you handed out?
- Male Speaker 4: Yeah. If you all haven't seen that, we can go ahead and talk – well, we might as well. That first group of stuff is the packet I handed out to you, you've already seen before. It's 1.4.5 and water quality issues. This is an entirely new section. I think you just had a – I'm not even sure we have a place order for it. You gave me this stuff from the Board comments and wanting to see what our quality issues are, and these are further discussed back in Chapter 5.
- Male Speaker 1: I thought the legislature passed a law in the middle paragraph where it looks bigger. Traffic **[inaudible]**.
- Male Speaker 3: We did and –
- Male Speaker 2: Saw it on the bill on this.
- Male Speaker 3: Yeah.
- Male Speaker 1: Put something talking about the legislation that had been passed for **[inaudible]**.
- Male Speaker 2: Do you remember the number reference? Because I don't see it on **[inaudible]**.
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- Male Speaker 3: No, we had to take the style number.
- Male Speaker 5: It's in the riverbeds, it's in the banks is really the only thing it has **[inaudible]** to see with. They went through that in McKinney County down at the court, the Commissioner's Court.
- Male Speaker 4: We did a presentation **[inaudible]** and we wrote a Letter of Recommendation and I think it was passed there just can't be big traffic in the streambed.
- Male Speaker 1: In the streambed. I know they was wanting to build some sort of a thing to run around to all the banks and I know that they were already talking about – they were trying to have and they voted it yes because I know the – this was in the County Commissioner Court.
- Male Speaker 2: There's some legislation that prevented it, that's all I'm saying.
- Male Speaker 5: Yeah.
- Male Speaker 1: Since it's already been addressed with legislation –
- Male Speaker 5: If I read this, though, I wouldn't have any clue that somebody's taking action.
- Male Speaker 1: I wouldn't either. I was – so I'm thinking if we leave that particular paragraph in there, and I remember having a pretty good discussion about this paragraph **[inaudible]** and we were talking about it to **[inaudible]** favor of having it in there. That maybe we need to change the wording and just mention the **[inaudible]**. **[Inaudible]** concerns the **[inaudible]** you can just change that **[inaudible]**.
- Male Speaker 4: Yeah. **[Inaudible]** what the law is and how – what it states. Okay.
- Male Speaker 2: John, it wasn't the **[inaudible]** the issue. Maybe if we have issues with ground water or **[inaudible]** issues with surface water and I guess they're different. I'm just looking for the **[inaudible]** grab the **[inaudible]** just an organization **[inaudible]** good work quality. I mean, if you got it under the same section as water supply sources, where you do is ground water **[inaudible]** and all these other circumstances. We may need to **[inaudible]** and reorganize that section.
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Male Speaker 4: Well, Chapter 5 is the chapter that really deals with water quality and we've had discussions in Chapter 5 about ground water and surface water issues and specific issues, such as the vehicular traffic, [inaudible] in [inaudible] springs, urban run off. So originally I tried to keep all of that pretty much in just Chapter 5, from an organizational point of view. But the Board wanted to see some recognition of water quality issues up in the very first chapter also.

Male Speaker 1: When you [inaudible] and we reviewed Chapter 5 and talked about that, but one of the things that was just – that I just kind of thought of just looking through this second paragraph [inaudible] think about anything in the future, we're talking about some are contaminants and I notice you're looking at some [inaudible] and bacterial [inaudible]. There are getting to be so many of these large hunting camps. I mean, large hunting camps with ten, 12, 14 travel trailers pulled out there and running sewage out on the ground, just putting it out there. No septics, no nothing.

So that's something we may want to just briefly mention in rural areas is a concern – when you talk about some of the urban run off and waste, you might want to talk about some of the rural areas as well because it impacts this. [Inaudible] is definitely a problem, especially since we're having more and more of these [inaudible] left out in subdivisions and well water becoming [inaudible] and there's year round homes and more people. More people [inaudible] camps out there like [inaudible]. That's something that I don't know if we can even get in here any way, but if not, we definitely need to address it.

Male Speaker 4: The tanks [inaudible].

Male Speaker 1: They don't.

Male Speaker 4: Oh, well that's [inaudible] guidelines.

Male Speaker 1: Yeah, and so is the county [inaudible].

Male Speaker 4: County's the one, I guess, that should be eating it.

Male Speaker 1: Well, they should be doing it, too, but I'm just telling you it's not happening and it ends up potentially running a contaminant in the ground water in a lot of those real rural areas as far as [inaudible]

because some of those wells are pretty shallow wells. It's something that needs to be addressed and [inaudible]. If we mention it, then it gives people more bite to do something about it.

Male Speaker 2: Well, I think that the general study is gonna kind of cover that in this [inaudible]. The [inaudible] over region run into smaller tracks, probably more development would cause more pollution throughout the region. I mean, that's what we were saying that's kind of how the side issue is. Hopefully, though, it's a [inaudible] or a design that takes it, but a more rural kind of thing is where [inaudible]. We're probably further along than most counties because we have a little more [inaudible], a little more exposed, but it's reasonably [inaudible]. I mean, you knew that was going on when I moved to [inaudible].

Male Speaker 5: But it doesn't address what's sensitive about [inaudible] on the surface. That probably is the issue.

Male Speaker 1: But the whole private thing is an issue and is the [inaudible]. I think in itself, you use more and more due to [inaudible]. But it's some of kind general [inaudible], that language that addresses the [inaudible] necessarily this [inaudible], but this [inaudible] record whether you [inaudible].

Male Speaker 2: No, but that's just – that is one of the [inaudible] means an example.

Male Speaker 4: Anything else on 1.4.5? A 3.2.7 –

Male Speaker 1: For State Farm?

Male Speaker 5: Yeah, it just talks about Route 30 back to west 40.

Male Speaker 4: Right, that –

[End of Audio.]

Duration: 48 minutes

TAPE 1 – SIDE B

Male Speaker 4: – same results in here.

- Male Speaker 3: Can you [inaudible] the turning point to – I was thinking that – what I've wondered was to shut off the plant for TDS because 1,000 – was it five 100 [inaudible]?
- Male Speaker 4: That's the limit that they would like for it to be, but I think they allow all the way up to 1,000.
- Male Speaker 3: I'll tell you I've got a well that's a little over 1,000, there's no way in heck you could drink that water.
- Male Speaker 4: Yeah, it depends what that 1,000 is. It's all sulfate, no.
- Male Speaker 3: That's not real good. That's 106 feet deep. Just a question.
- Male Speaker 4: Okay, 3.2.8.
- Male Speaker 3: So those were just the ones you couldn't go over that –
- Male Speaker 4: Right. There was no write up on them, they're pretty brief. I think if you all are dramatically working with these [inaudible] and want to say something more, they're pretty brief. I wasn't trying to draw those out too terribly much.
- Male Speaker 2: John, is the city right, though? In the last line you've changed impact to [inaudible].
- Male Speaker 1: And that's absolutely what it's worth.
- Male Speaker 4: Impacts?
- Multiple Speakers: **[Multiple conversations]**.
- Male Speaker 4: Yeah. Okay, good. Spellchecker didn't get them all.
- Male Speaker 3: I thought that the – isn't there a plan for the city to pick up and to do the city [inaudible]?
- Male Speaker 1: They just passed that.
- Male Speaker 5: Wastewater.
- Male Speaker 3: But some of the water also in the – I know the elementary schools aren't under city water, city wastewater.
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- Male Speaker 5: It's just wastewater.
- Male Speaker 2: I'm gonna – the last one there that says **[inaudible]** wells and thus may be somewhat impacted, that way probably should be may.
- Male Speaker 1: And one other thing.
- Male Speaker 4: I must have some kind of guard over my M key.
- Male Speaker 1: Talking about the ranking, two ranking over rural seats, do we get a local systems reposition **[inaudible]** recommendation to the original plan from **[inaudible]**.
- Male Speaker 4: Yes, uh-huh.
- Male Speaker 1: They did a **[inaudible]** study just recently. You might want to mention that having that study done to compete it.
- Male Speaker 2: The project that was done by the city?
- Male Speaker 1: What happened was it was the city, the county and a subdivision that went and go to the **[inaudible]** for having this study done because there was one drill up really not all that past the well's **[inaudible]** in the well and then the subdivision is afraid it would disturb their spring flow. **[Inaudible]** and it didn't.
- Male Speaker 4: Do you have a copy of it? **[Inaudible]** can you get that to me?
- Male Speaker 5: Yeah.
- Male Speaker 4: Yeah. Kerrville South – but I was gonna wait until we got to Chapter 4 to get into that. Yeah, we'll go into detail on that because that's gonna take some action. Okay. 4.6 is a new section that we had that – to add. It's required that we at least look to see if desalination is intentional.
- Male Speaker 1: I know they work from what I've heard. I don't know anything about **[inaudible]**. I thought that Lower Trinity and Eastern Kerr County work pretty good for the few wells that was in there. If you were to talk to them today, it's only the second time that somebody's look at it. **[Inaudible]** Bandera County's a little different, but I thought – aren't **comfort wells** and **Z wells** on the Lower Trinity?
-

- Male Speaker 2: I'm not sure.
- Male Speaker 1: Because I thought they were in there. Didn't **[inaudible]**, didn't they go to Lower Trinity?
- Male Speaker 5: Did Beau?
- Male Speaker 1: Beau go? Because the Lower I thought was pretty good and you can't get much further east than that. I mean, it's – there may be some areas that are – as it is when you get further towards Bandera, but I thought some of the Z wells kind of at Lower Trinity and Eastern Kerr were set up with fairly decent water.
- Male Speaker 2: How far does that go east?
- Male Speaker 1: Lower Trinity?
- Male Speaker 4: It goes all the way to San Antonio.
- Male Speaker 2: Roughly. Because I've got a son-in-law and he's seven miles up 281, he tells me he's into Trinity and he's got everything. And there's several – ten or 12 wells in there.
- Male Speaker 1: That area out there is a different Trinity and it's real good. This is like in our area, some of the Trinity wells you get down in the Lower are pretty good water, but **[inaudible]**. Since I saw that at that point, that maybe the areas are –
- Male Speaker 4: I think in Chapter 3 we kind of describe Trinity in a little more detail. This I was trying to leave it pretty global and I didn't break it out into Upper, Middle or Lower. I'm just saying the only place where we really have brackish water is in the Trinity, and not that I'm trying to say that it's all brackish. But that's just the only source for the potential **[inaudible]**.
- Male Speaker 1: Yeah, now the Upper Trinity does have pretty brackish water and it's pretty deep and **[inaudible]**.
- Male Speaker 4: The main concern is the low productivity may made desal – it's not eating ours **[inaudible]**. May or may not. All right, 5.1.
- Male Speaker 5: John, on the third line of the first paragraph, you didn't space after the papers.
-

- Male Speaker 4: Okay.
- Male Speaker 5: And then on the one, two, three – on the fourth line in the second paragraph, that word should be if not available.
- Male Speaker 4: **[Inaudible]**.
- Male Speaker 5: And then the last sentence of 5.7, does that make sense to you?
- Male Speaker 4: Yeah.
- Male Speaker 5: It does?
- Male Speaker 3: It does to me.
- Male Speaker 5: This one here?
- Male Speaker 3: It's implemented on the recommendation –
- Male Speaker 5: Recommendation that could minimize, is that what I'm reading?
- Male Speaker 3: Yeah.
- Male Speaker 5: Okay.
- Male Speaker 1: It's a very wordy sentence, but it does make sense.
- Male Speaker 5: I kind of got lost in it, but I guess Lee can understand.
- Male Speaker 1: Hey.
- Male Speaker 5: No harm, **[inaudible]**.
- Male Speaker 4: This is one of these statements where you're given the charge, and the charge is are there any impacts of moving water to agricultural areas? So you think, "Okay. How do I say it?" And get that thing in there. This thing right here is going to result in a suggested recommendation, which when we get to Chapter 8 – I think that's where it is. Okay, anything else on 5.1 or 5.7? Okay, Chapter 6. Land use or watershed best management practices, this whole chapter kind of goes into more detail about all the different practices you might look at. One of our write in comments from – what was it?
-

The Texas Wildlife, they're the ones that discussed sustainable land use. There may be a little bit of language that we can take out of there. Let's talk about it. I've got my numbers wrong on the next page: 6.1.4.1. That 3.1.4.2 should be a six and Brush Management should be 6.1.4.3.

Male Speaker 1: Oh, okay, you got 6.1.4.2.

Male Speaker 4: Yeah. Some of these chapters I rearranged, so I was having to go back in and change section numbers. We could write a whole book on this one particular subject. I'm just trying to –

Male Speaker 3: John, is there a group – can we put Brush Management as the first one? I think the reason it's the most important. I know you're gonna separate this Fan and Brush Management a little bit. But I think the other two are fine. But I know that UGRA and **DBRA** and Headwaters and **[inaudible]** are all putting the big push right now in Austin trying to get this area as the more Brush Management funding. So I think we ought to have it as a little bit more of a higher –

Male Speaker 4: Go ahead and make it a 6.1.4.1?

Male Speaker 3: Yes.

Male Speaker 4: Okay.

Male Speaker 3: I think 6.1.4.1 and move the rest of them on down.

Male Speaker 4: There's a recent report out from A&M that kind of looks at all the brush management studies that have been done in the state and kind of assesses them and summarizes them. I think I might could get some good wording out of there and apply it to this section.

Male Speaker 3: Did you do the study?

Male Speaker 4: It basically says that all these studies primarily were done under a very dry period and that there wasn't a whole lot of water to work with to start with. So some of the studies remain somewhat inconclusive. But it kind of goes into what areas and probably more like would have good results from brush management.

Male Speaker 3: I mean, whatever –

Male Speaker 1: As long as it reflects it in a positive light. As long as it's more on the positive than the weak.

Male Speaker 4: In a positive light. I like that. 6.2.1, again, these numbers don't correspond directly with the draft since we rearranged this chapter. One thing that we had left out was discussion about draught triggers and just for this meeting, what I had done was I went back into our first plan and took that whole section where we had talked about draught triggers – well, surface water triggers and groundwater triggers and just dumped it over here. I think most of it is still probably appropriate. However, when we get way back here toward the back, there's a table, "Suggested Groundwater Trigger Wells By Source."

These are still the same wells, same table we had in the first plan, and I think that it needs to be revised. We need at least one well basically in each county and we're supposed to have at least one well in each water source, each aquifer source. So I know talking with Cecil and Darlene in [inaudible] County, we're gonna come in with some more appropriate wells in McKinney County. I also want to talk with David in Bandera County about some of those observation wells. What we need to be doing now is taking these new recorder wells and making those our draught trigger wells because now we have something continuous to look at. So we want to update this to maybe fill some of that in.

Male Speaker 1: And you'll get with Gene?

Male Speaker 4: Yes, and I'll get with Gene [inaudible].

Male Speaker 2: Originally, where did this list come from? The information? What I'm saying, one hour just says, "70, four to five days for one –"

Male Speaker 4: What we did – this was five years ago when we found out we had to do this. We basically – to try and find some wells that we thought were meaningful, we went into the Water Development Board and printed out their entire water level database and we tried to find some wells that were completed in the appropriate aquifer that had information on the well so that we knew what the thickness – what the depth of the well was, and also that it had multiple water level measurements.

And a lot of these were probably Water Development Board's annual observation levels, which don't mean diddley squat when it comes to looking at a draught trigger. And we talked about this. This section's kind of long and I griped about it during the first plan.

Male Speaker 2: **[inaudible]** the information.

Male Speaker 4: I think now we can come back in with some more appropriate wells and get closer to what the Water Development Board is lacking. My issue with this, and we have to have it in here, so we'll put it in here, but to me, this is not the Regional Plan Group's responsibility to be telling people when they reach draught periods. It's the Groundwater Conservation District's role. So the closer we can start moving this over toward a district collection, the better in my mind.

Male Speaker 2: I would think so because you're talking -- **[inaudible]** that well, BFZ Well, which is -- mine is a BFZ, is eight to nine miles from the BFZ, but it says the average depth during the '90's was 24.6 from the surface. Apparently it was monitored by somebody and now if we could find out where this well is, even though it's in the Edwards Trinity, it could be a lot of information that's useful if we find out which well they're talking about. But these well numbers and -- our complaint was the well numbers do not match where they're supposed to be. They got different aquifers than what you see here.

Male Speaker 4: Cecil, I will get with you all specifically and we'll go -- we'll pick the wells we want -- that you all want in here.

Male Speaker 2: Very good. That'd be excellent.

Male Speaker 5: John, two pages before that page on the third paragraph -- third paragraph down there on the seventh line it says, "Uneconomic."

Male Speaker 4: Uh-huh.

Male Speaker 5: I believe that word should probably be, "Uneconomical."

Male Speaker 4: Okay.

Male Speaker 3: Yeah, I just had a basic hydrological question and I don't know the answers I wanted, but 6.2.2.2 Groundwater Triggers, that statement

– the second sentence, "As far as this is the trigger **volted** rapid response for stream discharge and reservoir storage, the short term change in the climatic conditions within a region within adjoining areas where surface water originates, and typically slower response in groundwater systems that recharge the process.

And I'm gonna reference the next sentence, but what comes to my mind is the Edwards Plateau Aquifer, which contributes 90 percent of the spring flow, or the Guadalupe River above the city of Kerrville. The next sentence that you have in that section, "Although climatic conditions over a period of one or two years might have a significant impact on the availability of surface water, aquifers for the same area might not show comparable levels of response for much longer periods of time."

There's a direct correlation to the rapid recharge of that Edwards Plateau Aquifer and spring flow and I'm not sure that it's clear in this section because you kind of lumped all the aquifers together. Did I articulate that clearly so that –

- Male Speaker 4: Yeah, I think I know – tell me, again, where you're finding this?
- Male Speaker 3: I'm sorry. 6.2.2.2 Groundwater Triggers. There's no page number on here. The last sentence on the bottom paragraph reading over to the first paragraph of the following page.
- Male Speaker 5: But it's the whole first paragraph.
- Male Speaker 3: Yes, sir. And I think typically that statement is true for everything but the Edwards Plateau Aquifer.
- Male Speaker 4: Yeah, I couldn't find the water table aquifer. Okay.
- Male Speaker 5: Down on that table where you've got the list of those wells.
- Male Speaker 4: Uh-huh.
- Male Speaker 5: You might want to just include a column for **Latlaw**. That way – I mean, that'll never change. Maybe change the casino or even the county boundaries might change because that stuff could happen, but the Latlaws are never gonna change there.
- Male Speaker 1: Basically isn't that what's in the well? I don't know if it ever gives you that **[inaudible]**.
-

Multiple Speakers: **[Multiple Conversations].**

Male Speaker 4: No, if the well number – if the last three digits are a full three digits, then that's a specific well in the Water Development Board's database. Only the Water Development Board creates these numbers. So if it's a full number, it's a specific well and you can go in their database and click on it and it'll give you its latitude and longitude.

Male Speaker 1: Well, these are probably all specific numbers. A lot of times their **[inaudible]** and they numbered by degree **[inaudible]**. If they had them in a grid, it would be 123 **[inaudible]** after the grid.

Male Speaker 4: Well, the first four numbers, like the 69-14 refers to a grid. And then the first number of the last three is still basically a grid number, so the very last two numbers that are the consecutive numbers.

Male Speaker 1: And the consecutive numbers are where it is on the grid.

Male Speaker 4: Yes.

Male Speaker 3: **[Inaudible]** depends on **[inaudible]** wells –

Male Speaker 4: Yeah, we'll get that to you.

Male Speaker 3: As long as it's not a bad idea, that way people look there and not actually go and find it.

Male Speaker 4: All right.

Male Speaker 2: Do you want to take a break for lunch or do you want to –

Male Speaker 5: No, let's go through.

Male Speaker 2: Okay. Go over and tell them ten-minute break and then start working.

Male Speaker 3: Okay, Chapter 7.

Male Speaker 4: Okay, Resources Reflection Requirements. This is the chapter originally that we just had a lot of confusion on how we were gonna handle it because we didn't exactly understand what the

Board wanted. And I said, "Okay. Let's put together this Appendix 7(a) Plan Consistency where we basically stated the rule number and then what the rule is, and then we were gonna say where in the plan we covered that specific rule." Well, now that things have evolved a little bit longer and we've gotten Water Development Board responding to everybody's regional plans, probably this doesn't have to be done like this.

They're not requiring it like this. What they are requiring is pretty much the way I put it here under 7.1, 7.2 and 7.3 and 7.4. Basically the requirement says, "How does this plan protect water resources, agricultural resources and natural resources?" So I've written up a section for each one of those as to how within the plan referred to certain sections where we've addressed these things, and I'm hoping that that's going to be satisfactory to what the Board really wants. I don't think that they wanted just to see this correlation **[inaudible]**. I think they would prefer to see something written out like this.

I'll get – I don't know. Robert, if you could respond to that now or if you want to wait and see how – what we've written up and whether that's accurate as opposed to this lengthy document here that we unfortunately spent an awful lot of time doing.

Male Speaker 2: I think you're right. The list was a good start, but they would like use some **[inaudible]**, generalized statements that refer back to the **[inaudible]**. **[Inaudible]** about doing that stuff. From what I've seen comparatively speaking, that's on the Regional Report, this seems to be correct.

Male Speaker 4: Any comments on any of those sections?

Male Speaker 1: Producing 7.4 **[inaudible]**.

Male Speaker 5: Got on the Board.

Male Speaker 1: I think on 7 point –

Male Speaker 5: Or 7.3 is.

Male Speaker 4: 7.3?

Male Speaker 5: I have about 7.3, Section 9 Inactive. I would spell it E-N-A-C-T-E-D I would think.

- Male Speaker 4: Oh, yeah. It's amazing how some of these things get past.
- Male Speaker 5: And on the third line in the next paragraph, treats. Go up four lines. Above that. The third line, "Potential treats." "Potential threats."
- Male Speaker 4: Yeah. Okay. Lee, did you have something on 7.4?
- Male Speaker 1: Well, yeah, just since we're taking that table out on the Endangered Species Appendix, you may want to take the records out of here in 7.4.
- Male Speaker 4: Okay. Okay, good.
- Male Speaker 1: Why did we – and through the ecological significant rivers and stream savings, we didn't recommend the –
- Male Speaker 4: Because you all chose to use that as an information package. Parks and Wildlife – during the first plan, there was a lot of discussion about the other state agencies weren't pulling their weight and helping and Parks and Wildlife [inaudible] and decided, "Well, for educational purposes –"
- Male Speaker 1: I remember that now. Just trying to see if we can [inaudible] something back here right now.
- Male Speaker 2: Oh, I would do that.
- Male Speaker 4: Okay. Let's see. Then 8.3.6 – oh, wait a minute. Wait a minute. We had one more on the last page here. This is a new recommendation for you all to consider. I talked to Gene about this. Gene thought that this was a good recommendation since it impacts their district. You all tell me whether you'd like to add that as one of your recommendations.
- Male Speaker 5: I support it.
- Male Speaker 3: Let's look at that a little bit here.
- Male Speaker 1: As well as all counties.
- Male Speaker 5: I think that ought to be in there, as well as all counties.
-

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 5: The spring longest to maintain surface water flow.

Male Speaker 3: We're looking at – three or four reasons why Edwards Groundwater Conservation District should consider management rules for the Edwards Plateau Aquifer. Well –

Male Speaker 4: This is – excuse me for interrupting. The reason it's written this way is because right now, the Headwaters Groundwater Conservation District does not have the Edwards in part of their management plan, and there's real issue that they need it there. So this was written very specific to western Kerr County. Now, if we want to – I have to look at all of the other recommendations and see if we didn't cover that. If not, we can have a recommendation that's more global that says the same thing, that basically says, "Management of all aquifers that support springs should be protected by the local Groundwater Conservation Districts."

Male Speaker 3: And I don't have a problem with this being written specific even for them except when you say, "Management rules for Edwards Plateau Aquifer," hell, that goes way out into west Texas.

Male Speaker 4: Okay, let's say in Kerr County.

Male Speaker 3: Yeah, that was what I was gonna say. But I agree that I think it's a pretty good recommendation for all districts to have. We're having – not major problems, but I can see some problems arising because our rules don't really address it like they should. And Gene and I talked a little bit about getting together to work on that.

Male Speaker 5: I think this is probably a good recommendation for all of – I know it is. It helps counties **[inaudible]** rule that has some **[inaudible]** that bend that rule because just those kinds of **[inaudible]** with management have a little bit more **[inaudible]**. Probably because the reason what I'm saying is subject to rules and the wording.

Male Speaker 2: And it's not gonna force a district into doing it if they don't want to, it's just that the –

Male Speaker 5: It's putting it on – it's the district's decision.

Male Speaker 2: Right, but it's something that's – and it gives a district that does want to a little bit more power to do it.

- Male Speaker 5: Now, 8.3.6. I like the sentence the way it was. The date should be right in front of it.
- Male Speaker 1: **[Inaudible]**. Yeah, but we said, "It's recognized in it's division in Title 31 in the Texas Administration Code 3 for simplified plan and a substantially reduced cost," but why aren't we doing it that way?
- Male Speaker 5: What is Title 31 **[inaudible]** 7.5?
- Male Speaker 2: **[Inaudible]** if there are no administrative needs.
- Male Speaker 5: So what's the purpose of **[inaudible]** identified needs.
- Male Speaker 3: How about we take out the line with the statement, "Provided by **[inaudible]**?"
- Male Speaker 4: The Water Development Board has a comment that basically – let me see if I can find it. Unless you can – the end funded mandate comment. They'll have a comment in here as to why –
- Male Speaker 3: That they didn't like it.
- Male Speaker 4: Okay. What they say is TWD Comment No. 68, if you want to look at it. "Please note that there is provisions in Title 31 through 57.5(j) for simplified planning at the substantially reduced cost compared to a complete regional water plan. Simplified planning is available to planning groups that have sufficient supplies that meet their needs for the 50-year planning period." They're basically saying that if you have a problem with the cost provisional planning, there is a process in place to where it could be done much cheaper.
- Male Speaker 3: But we don't have sufficient supplies to meet our 50-year plan. So that doesn't apply.
- Male Speaker 1: And probably a lot of other places are in the same boat. And this is a general statement that if they're gonna require these without trying to be dumb, then maybe it doesn't apply. To me, if you have to take out that sentence, you might want to take out the whole **[inaudible]** mandates because of the rest of the paragraph and the second paragraph – because you might as well just blow it all. I mean, I don't know. We can reference that or if you're gonna
-

comment back to them, I would say that that only applies to those that have sufficient water and have no means. Yeah, if we didn't need it, then we wouldn't need the plan.

Male Speaker 5: Yeah, if you leave those sentences underlined there **[inaudible]** the plan. However, that does not apply to this region. We don't have sufficient supplies.

Male Speaker 1: It is a Level 2 comment. It's just asked to be considered, we don't have to –

Male Speaker 5: I'll leave our sentence in and have –

Male Speaker 2: While it's recognized, we might change that to, "While it's recognized," then it's to, "It is recognized." "While it's recognized there is a provision," blah, blah, blah **[inaudible]** this region does not meet the criteria of that chapter.

Male Speaker 5: And leave the state funding in?

Male Speaker 2: Yeah.

Male Speaker 4: Okay. All right.

Male Speaker 5: We'll take a sort of lunch break in about ten minutes. Then we'll come back and we'll beat as we're continuing to get this discussion –

Male Speaker 4: Yes. I think there's just one other table, which is Appendix 3(c), that we're going to include in Chapter 3, which lists all the surface water rights in the region, along with the amount of water that they reported to use from 1990 through '99.

Male Speaker 1: '99 is the latest data we can **[inaudible]**?

Male Speaker 4: Uh-huh.

Male Speaker 2: So how do we know –

Male Speaker 4: This should be **TCQ**.

Male Speaker 2: Should cover all –

Male Speaker 3: **[Multiple Conversations]**.

- Male Speaker 4: Of anyone who has rights within our region.
- Male Speaker 5: It's reported. Just reported. I think you've got a lot of them out there that – well, I know we got a lot.
- Male Speaker 4: Yeah, this is the reported.
- Male Speaker 5: Yeah, that's –
- Male Speaker 4: There's a lot that's not accurately recorded.
- Male Speaker 2: But that's not within our region.
- Male Speaker 1: No, that's not [inaudible].
- Male Speaker 4: Oh, you're right.
- Male Speaker 1: That's just the more [inaudible] recorded.
- Male Speaker 4: I must not have gotten the full –
- Multiple Speakers: **[Multiple Conversations].**
- Male Speaker 4: Yeah, there must have been a page that didn't come through.
- Male Speaker 2: Because there's [inaudible] out of three and then I know [inaudible] Springs is using dated water rights below the spring.
- Male Speaker 1: Including the [inaudible]. [Inaudible] about 20 until rights.
- Male Speaker 4: Okay.
- Male Speaker 3: And those are the [inaudible] bought up all the way through [inaudible].
- Male Speaker 1: Does this boat take you to the Rio Grand also?
- Male Speaker 4: Yes.
- Male Speaker 1: We got buku coming out of the Rio Grand that use it. Out in McKinney County there's about [inaudible], and I mean, [inaudible]. Now, [inaudible] or ages there that comes out about 50 feet wide and about ten foot deep.
-

- Male Speaker 4: I'll get Stefan to look through this and verify it, but these definitely have, I think, water rights that fall within our counties, not necessarily where the water used, but we've got water rights. Assuming that that's a deployment diversion.
- Male Speaker 1: Yeah, because the **[inaudible]**, I believe, is widening and probably into Alberta County, right? Out of Alberta County and comes in down through McKinney and then to Maverick and dumps back into the river in Maverick.
- Male Speaker 3: John, do we keep up with the phrase MIN and IND, mining – is that mining?
- Male Speaker 4: Yeah.
- Male Speaker 3: Is that industrial?
- Male Speaker 4: Yeah, I think IND is industrial.
- Male Speaker 5: **[inaudible]** rights you're talking about. I don't know where they come, but it diverged in McKinney County.
- Male Speaker 1: Okay. I know it's right on the line.
- Male Speaker 5: It's diverged below Sycamore.
- Male Speaker 1: That's right, it does. It's right below Sycamore, so it would be McKinney County where it comes out at that dam they got across the river **[inaudible]**.
- Male Speaker 3: Can we get the formatting of the decimals the same for all the – wherever there's numbers. Sometimes in some of them we have three decimal places, in others we refer to whole numbers and it makes it look real – some of them you can't see anyway. I can't tell if we're talking about 300,000 or 347.
- Male Speaker 4: I didn't have time to clean this thing up, so, yeah, we'll get the formatting.
- Multiple Speakers: Is water usage a voluntary thing to report? Is one of our recommendations, not just with this report, with Groundwater Production Reports, there that we could be – have that information a little more current to six years?
-

- Male Speaker 4: I'll ask that question. I'll see what the deal is there.
- Male Speaker 1: And one other question, John, do we have a bunch of permits – permitted water that is not being used? Are you wanting us to report all permit – the amount of permits we got out or just our water usage at the time?
- Male Speaker 4: Well, this is strictly purposed water permits through TCQ. These don't add – yeah, these are not Water District permits. This is strictly TCQ Surface Water Permits.
- Male Speaker 2: No, that's not the way I read it. It's the amount of water they've reported that they used under their permit. I mean, I'm –
- Male Speaker 4: Yeah, I'm wondering if this is the right table because I'm not sure if we want to show the use anyway. The requirement is that we basically show our property permits, the water permits that we have a listing of due to permitted water.
- Male Speaker 5: My knowledge needs to be based on those permits because they can use that up at any –
- Male Speaker 2: Kerr County has a hundred and some permits.
- Male Speaker 3: When we send out permit queue, 137 we sent out. We have to send one to the – we have to send one to every one [inaudible] there's 137 sent out.
- Male Speaker 2: And so these are just the ones that are reporting.
- Male Speaker 3: And this is primarily certain –
- Multiple Speakers: **[Multiple Conversations]**.
- Male Speaker 3: But, I mean, there's a whole lot of them. **[Inaudible]**.
- Male Speaker 5: Some of them report using when they're not just because they're **[inaudible]**.
- Male Speaker 2: If you would make this for one of our recommendations, you can get TCQ to enforce it because they're the water main ruler. I mean, how can we budget and plan the water planning if this is all we get?
-

- Male Speaker 3: Did you get it through the Water Master's Office within the TCQ?
- Male Speaker 4: I got them through Stefan and he's not here to defend himself so I've got to refer to him.
- Male Speaker 3: I've got a **[inaudible]** because there's a **[inaudible]** in the Water Master's Offices are more complete than even those in the county listings from the federal government. They're still gonna be lapses in the negative on this. I'm sure you'll find something better.
- Male Speaker 4: Yeah, but we have to get something **[inaudible]**.
- Male Speaker 3: All right. We know that we need to rework – do more work on that. **[Inaudible]** attendance to discuss the approved additional Water Management Strategy.
- Male Speaker 4: Okay. Have I handed out any Chapter 4 stuff?
- Male Speaker 1: The Appendix is all set to go.
- Male Speaker 4: Next time I'll –
- Multiple Speakers: **[Multiple Conversations]**.
- Male Speaker 2: He said he had one where he's gonna give us.
- Male Speaker 3: **[Multiple Conversations]**.
- Male Speaker 4: Do you have these already?
- Multiple Speakers: **[Multiple Conversations]**.
- Male Speaker 4: Take it just in case you don't.
- Multiple Speakers: **[Multiple Conversations]**.

[End of Audio.]

Duration: 47 minutes

TAPE 2 – SIDE A

Multiple Speakers: **[Multiple Conversations]**.

Male Speaker 4: Okay. This was really the crux to the whole plan is just we need to get it all correct and that's where we were really short in the first – in the draft plan back in June as far as all these evaluations go. In addition to what we had in place for strategies before, since then UGRA has come forward and suggested some strategies that they are involved, which we'll present here. Some of their suggestions are incorporated into the text that I handed out to you. From the tables, where basically Table 4-2 is the most important one. It basically lists the strategy for each of the required entities and then the comparative items that we have to look at.

Male Speaker 3: I'm not sure, but isn't **[inaudible]**?

Male Speaker 4: Yeah, you're right. That's –

Male Speaker 2: Maybe it shouldn't.

Male Speaker 5: Yeah, that should not **[inaudible]**.

Male Speaker 4: Yes, you're absolutely right. I think I was talking about something else. We'll go back through these tables, too, in just a minute, but I'm just giving you an overview. 4-3 is the cost analysis that's required. And then 4-4 is the impact on the environment. There's a number of different things that we're required to look at as far as environmental impacts. So if we go back to Table 4-2, under Impacts of Strategies On, you'll see that there's one column that says, "Environmental Factors," and refers back to Table 4-4. Same way with Costs **[inaudible]** Per Foot, referred back to Table 4-3.

So these tables will now be the comparison tables that we're required to show and that really intended to help you look at these strategies and determine just how feasible they are.

Male Speaker 3: **[Inaudible]** other than Kerr County and **[inaudible]** in the City of Kerrville for **[inaudible]**. There are off and on conversations with **GVR** about whether they **[inaudible]** converted to eastern Kerr County. I know UGRA has been in discussions at this time. Is that easier to list than the separate costs for this strategy? Because if it ever comes close to happening, it's gonna be a huge cost and it's gonna require all kinds of funding as I recall if we don't have lists to do with the funding. Or could that be the list included under the contract of UGRA? Under the list in both counties **[inaudible]**. It's not gonna be done –

- Male Speaker 1: That was our idea, John, it happened just like that. In fact, one of the strategies that we kind of had an idea that it might be a little premature to you, but court dates in the – the part about the water with the county, your permit or your MOU with UGRA helping it to [inaudible]? So we got us all that lumped under contract with UGRA.
- Male Speaker 3: Do we need to be more specific or somewhere about what all is included in that, John?
- Male Speaker 4: I think probably so and that would probably –
- Male Speaker 3: Because I think the – one of the driving forces of it is to basically get water [inaudible] in Kerr County, which is really coming probably through the McKinney County Water Conservation District. But who's gonna oversee this project if it ever does happen? It's not gonna be the county. It's either gonna be UGRA or GVRA or something.
- Male Speaker 1: We see ourselves as doing that. We're working on firming up all water values as well as trying to help the city in that issue.
- Male Speaker 3: I've not had a chance to meet with the new City Manager yet, though I met with Gene Smith. Anyway, I think that we need to make sure that that contract with UGRA refers and is brought up in the discussion that we're talking about water coming from all kinds of sources.
- Male Speaker 1: Firming up water supplies, additional water supplies.
- Male Speaker 3: And we probably should simply mention that the Memorandum of Understanding that we have with UGRA because that – even though it's not a [inaudible] as it is, we need to keep it in writing and keep referring to it.
- Male Speaker 2: Do the region [inaudible] Management Plans have something recognizing you all's Memo of Understanding?
- Male Speaker 3: I don't know. Yes. Yes. The answer is yes. In spite of – inside [inaudible].
- Male Speaker 4: Yeah, this is all really fresh. Stefan and I met with Drake just a few days ago trying to get all this fleshed out properly. So we
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probably still have a little more to get cleaned up [inaudible] and think of everything. The Table 4-5 has our Irrigation Best Management Practice Strategies and it's a little confusing as to what the Board has come to expect from these. I think that they would like to see them somewhat evaluated on the same level as the other strategies, but being the Best Management Practices, you just really can't.

But I've gone into the Water Development Board Report 3.6.2 and developed this Table 4-5 with a little bit of language that covers both water savings and cost considerations. So I'm gonna let Robert think about this and work with him a little bit to see if this is adequate enough to cover these irrigation strategies or if we have to develop them more fully.

Male Speaker 2: I'm looking for Table 4-5.

Male Speaker 4: It's a single page like this. It should have been [inaudible].

Male Speaker 5: I think another one of the – I don't know if this is for Best Management, but one of the issues that I see is the – getting the farmers, if we want to call them farmers, the people who water – the irrigators, which in Kerr County they're not farmers for the most part, or real farmers, bound to some of these practices. But I think the only person that can do that is the Water Master. I don't think the [inaudible] ain't really in control over there. It's really probably Holmes. But if you get people that are irrigated and [inaudible] and you can bring along on the ballot and say, "Hey, there's things you can do that are gonna help."

And I don't know that they've ever been told that and they don't literally think that way. They have water rights and they're gonna use them for whatever they want and it's an education that needs to go to those folks, but it's –

Male Speaker 2: It's gonna be a [inaudible].

Male Speaker 5: Yeah, it's got to be a little bit of – the incentive of a brochure isn't gonna cut it. They got to have something PC. If you have say, "Hey, you have to do something." And I don't know how we can do that.

Male Speaker 3: Are we talking underground water or surface water?

- Male Speaker 5: Surface. Or either one really. The Water Master is involved with one, which has some control of the – the underground water, I think, is with the –
- Male Speaker 1: Oh, the district's –
- Male Speaker 2: **[Inaudible]** can't decide unless they own that land **[inaudible]** per acre for irrigation and that's it. So you either raise **[inaudible]** crops without any sprinklers or you're gonna raise a whole crop where you're gonna have to buy the irrigation equipment. And that's what they do and that's what **[inaudible]** district –
- Male Speaker 5: I think the economics are gonna drive everything quicker than anything. Because once it becomes too expensive to farm and they're gonna have to cut back, they're gonna have to figure out what's the best conservative way to do it.
- Male Speaker 2: I think it's true under **[inaudible]**, but on the water rights along the river, I don't think it's **[inaudible]**, I don't know what you'd do there. They've got their permit and they feel they can use it whenever they want if they run it on **[inaudible]**. And there's no mechanism to get this to them there's anything **[inaudible]**. I don't think it would stop to some degree **[inaudible]**. And I don't know if they don't pay anything, how do you give an incentive? But that's – it's nice to list these things, but it ain't gonna happen.
- Male Speaker 4: So I could have a sentence under 4.5 Irrigation Strategies as sort of the introduction to the Irrigation Strategies, add a sentence that says something like suggest that Government Conservation Districts and Water Master encourage irrigators to implement these. Okay. I guess the main thing is the look at these new strategies and you all need to basically accept them or not accept them so we can keep them in this table or not put them in this table. Under City of Kerrville, basically it's the first one, Contract with UGRA.
- Male Speaker 1: Sure, I think that needs to be in there. I mean, look at –
- Male Speaker 3: And I think all of those really **[inaudible]**. But I'm not aware of **[inaudible]**.
- Male Speaker 4: Those are written up from using Stefan **[inaudible]** and my work table. I had them written just a little differently so that's why I'm trying to break them down a little bit. Yeah, and the two under –
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well, County Other, again, these are gonna be written out individually so that you can see what they actually say. So we may need to kind of go back over these. The new strategies under UGRA at the next meeting so you'll see here on the back. The other issue is Kerrville South. As we've been saying all along, we can't get Kerrville South to participate. They won't acknowledge it basically.

From their approach they – they just don't show any interest. We finally – you all made a decision at one point that we would not include them, that that's allowed. We showed that they have a deficit, but we don't develop strategies for them if they are a non-participant. In order to make sure that we're covered, you all suggested that we had a letter from them saying that they opt out of this process, that they've been informed about it, but they opt out. Stefan and I have just bent over backwards trying to get them to sign this letter.

We went and finally knocked on their door unannounced to their office the other day, couldn't get past their clerk at the front door. She said, "We got your letter, got your request, the lawyers have it, we'll respond whenever." Well, whenever's pretty much run out. So I think you all maybe need to give me guidance if you want to just list them as a non-participant.

Male Speaker 1: Yep.

Male Speaker 2: Yes.

Male Speaker 4: And if we get the letter, we'll put it in there. If we don't –

Male Speaker 3: Right. And I'd also document the contacts that have been made. Yep.

Male Speaker 1: Are they gonna stay in Table 4-2?

Male Speaker 4: No. They would – actually, we may have to list them, but out to the right we'll just have to say, "Non-participant."

Male Speaker 2: Do we have strategies for them?

Male Speaker 4: No, we would not show their strategies. What's really interesting is as Stefan and I tried to figure out what's going on there, we went to – basically our water supply by entity is based on the TCQ

documents that if they have on each entity that says what their water source is and how much they are capable of generating, but when we pull up Kerrville South it says that they're dissolved.

Male Speaker 3: So in the plan, they're gonna have a need but no recognized strategy?

Male Speaker 4: Yeah. I think we still have to show that there's a need in our Table 4-1.

Male Speaker 3: Can we recommend a strategy?

Male Speaker 4: That's up to you all as to how you want to handle it. Since they're not participating and they're not agreeing to these strategies, whether you want to just give them a strategy or not.

Male Speaker 1: How are you gonna find – without knowing what you need, how can we recommend anything?

Male Speaker 2: We know their shortage.

Male Speaker 3: We know their needs.

Male Speaker 4: Yeah, we know what their need is.

Male Speaker 3: We just don't know what their solution is gonna be.

Male Speaker 5: The thing we run into there, if they're not willing to participate, why should we go out to do this –

Male Speaker 1: Right. That's true.

Male Speaker 5: We've given them plenty of opportunity. We list the strategies and there's still a potential where **[inaudible]** whatever. If we don't list it, they're just SOL. **[Inaudible]** SOL.

Male Speaker 1: Well, we'd like to offer up UGRA as their supplier.

Male Speaker 4: What if we go in there and we say something to the effect that they're not participating, therefore their demand falls under County Other. It's not being added under County Other because it's still a separate line, but we can say it may be assumed under County Other Strategies, something like that.

- Male Speaker 2: Because they're not in that municipality.
- Male Speaker 5: Don't they **[inaudible]** work?
- Male Speaker 2: John, on the strategies that involve installing the wells, because it recognizes importance of spring flow for maintaining surface **[inaudible]**, would it be appropriate you think maybe to specify where that well is gonna go to? In other words, if you take it out of Trinity, specify that.
- Male Speaker 4: I believe that we've got some documents that we don't have finalized where we go into each one of these strategies and I think we do, we identify the source. And under Environmental Impacts, anything that has to do with the groundwater strategy, a water well strategy, we do make the statement for a potential water well that defines that could impact spring flow.
- Male Speaker 2: But not necessarily in this region if you're going to Trinity.
- Male Speaker 4: Well, we're being very specific. If we don't think it is, then we probably don't say something. But that's detailed – we talk about – we have to say that there's a potential for water level decline, and then we look – there's two different things we look at. Can it possibly impact other water users, other water wells in the area? And can it impact environmental needs? So we look at both of those and we get a yay or nay to vote that way. Yeah, if it's in the Trinity, then probably it would –
- Male Speaker 2: Trinity, I could see it could possibly impact nearby wells, but it's not going to impact the nearby environment because it won't have an impact on the spring flow.
- Male Speaker 4: Our strategies are pretty environmental friendly, but we do have to make sure that in our write-ups we show that we did consider environmental impacts. The other issue is up until now, we weren't talking about any change in water rights or impacts to water rights and all of a sudden now we're talking about water permits under the UGRA stuff. So Stefan and I are looking – one of our requirements is if there is a strategy where a surface water right is involved or impacted, then we have to consider environmental flow assessment. Excuse me for stumbling over that, I'm trying to use the right words.
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And so for those particular strategies, we don't think we have to because it's our understanding at this point we're not really changing the amount of water that can be altered from that particular permit in quantity. So from an environmental perspective, it probably does not involve any, but we may have to say that.

Male Speaker 5: I have a question. Is this a contract with UGRA, which they have only rights to surface water, but this is based upon the draught of record, right? Having water available for draught of record? If they don't have – the river is not gonna be flowing in a dry record, so how in the contract with UGRA – it ought to be more specific if it's gonna be a contract that got drainage water from Canyon Lake, which may have water – I don't know if it has water available in the dry record.

But I think we need to be a little bit more specific because on – when I look at it, there's no water available in the Guadalupe River during the dry record. And where would UGRA get the – having to contact UGRA, where would they get the water?

Male Speaker 1: We have a handout, Jonathan, that lists some specifics if you all would be interested in it now or I can give it to Jonathan.

Male Speaker 3: I mean, this area is gonna be reworked a bit more, we just drew this up that way. I think Charlie has a good point, but I think way you may be able to handle it, though, that if we – the more we can get off on the surface water when we can during dry records, there's a lot more **[inaudible]**.

Male Speaker 2: Well, then we ought to be more specific, do more ASR.

Male Speaker 5: **Ferment** Amendment. Ferment Amendment, ASR.

Male Speaker 2: Please hand this out to everybody, this is what –

Male Speaker 5: Yeah, we can't do anything with that.

Male Speaker 2: We're handing this out. This is something that has been around that Cody and I reviewed. I think because of the **[inaudible]**.

Male Speaker 4: Yeah, almost all that wording's already been incorporated in here.

- Male Speaker 2: And specifically this 8.4.7, Table 4-2 we talked about today. We had five different recommendations that address some of the things we talked about. Ferment, Amend the Ferment. And so –
- Male Speaker 4: I guess anybody can go dig a well out in West Kerrville County where there's groundwater. I mean, you can contract and maybe go through UGRA, but I'm just saying you need to be more specific. I would think we'd need –
- Male Speaker 2: Are we talking about Kerrville South?
- Male Speaker 4: Well, with any of the strategies, we're saying contract with UGRA **[inaudible]** Kerrville. I know you all have surface water rights, but they're not gonna be available.
- Male Speaker 5: **[inaudible]** currently.
- Male Speaker 4: Currently, oh, okay. Well, the river is scheduled not to have anymore. You can't – well, yeah, you can and **[inaudible]**. I guess, that's from –
- Male Speaker 2: John, what were you saying you could do? No backlash on the economy?
- Male Speaker 4: No. I think I'm already **[inaudible]**. I changed – let me bring my copy of this. I changed a little bit of wording here and there, but not the meaning. What I'm gonna do at the next meeting is basically bring you an entire Chapter 4, not in pieces but all together.
- Male Speaker 2: John, can we get into the **[inaudible]** bill you're talking with the last phase of the sheet? These oil records, wells, the grants, the small **[inaudible]** stock well, .2 20 times **[inaudible]**. True, there's one well that's right. Basically, in **[inaudible]** in city limits, it's a Trinity well where it's a \$100.00 a minute well. In the second paragraph.
- Male Speaker 4: Second paragraph.
- Male Speaker 2: On the last page. And where do you get the inclination that the **[inaudible]** is having a **[inaudible]**. Where is that coming from? Basically, that **[inaudible]** anything to conclude that. In fact, if you go back here in the records, **[inaudible]** river. So that's **[inaudible]**. So do you think that that's sort of **[inaudible]**?
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- Male Speaker 4: Yeah, I hadn't heard that. It certainly comes out of Trinity outcrop, I mean that's where the spring is, sitting on that outcrop. And whether it's under flow and where does the origin of the under flow come from, again, don't know how far upstream. But if we went out there and we looked at it and I didn't – looking upstream, I can't – it's hard to see.
- Male Speaker 2: You really can't say [inaudible] see there, but I'm thinking basically branching [inaudible] since it's got [inaudible]. It's not – unless I'm mistaken. I don't know [inaudible].
- Male Speaker 4: No, Lee, I'm concerned about not calling it a spring. If we call it surface water, we may run into some problems.
- Male Speaker 2: No, no, no, no. I'm fine. I want it to be called a spring, I'm just saying, looking at the source, when you say it's a Trinity [inaudible]. From what I have been told all these years [inaudible] piggybacking it and it's always considered to be just –
- Male Speaker 4: let me look at my descriptions and maybe we can alter that a little bit and still be able to call it a spring.
- Male Speaker 3: I'm wondering if it would be better to wait until the meeting when we have it before we talk about it, it's kind of hard for me to get into [inaudible] without reading the whole thing to see the [inaudible].
- Male Speaker 4: Are you satisfied with these table formats as far as putting these tables – putting them in the plan?
- Male Speaker 5: What's on the tables or –
- Male Speaker 4: No, not what's in it, but basically the format. I think on Table 4-3 Strategy Talks, we don't necessarily need the supply deficit. That's does not help in any way. I might pull those columns out of there because what we just really want to look at is the cost. We also are going to have a document that probably goes in the Appendices that explains how the costs are established, the criteria of cost of well, the cost of a pipeline, et cetera.
- Male Speaker 1: Does that include the [inaudible]?
- Male Speaker 4: Yes.
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- Male Speaker 2: That reminds me, do you have a progress report or anything on the Chapter 9 questions, the Structure of Finances?
- Male Speaker 4: No. Stefan and I talked about that last week also and just as soon as these – these strategies don't cover – basically it's City of Kerrville, UGRA and Camp Wood. So it takes very, very little time for us to create that document.
- Male Speaker 5: Other than the other tables address Kerrville South, do you want to just pull the data off of there?
- Male Speaker 4: Yes.
- Male Speaker 2: **[Inaudible]**?
- Male Speaker 4: Or make it 300.3 maybe.
- Male Speaker 2: 300.3 **[inaudible]**.
- Male Speaker 3: Our next meeting, is it worth the expense for us to reprint the whole draft book? I don't think so. Can we just go off the old one and then page through the transcript.
- Male Speaker 2: Yeah. Once we sat through one, we probably can go through these chapters without **[inaudible]**. I don't see the need to print a whole new – do you?
- Male Speaker 3: Because they're expensive, yeah.
- Male Speaker 2: **[Inaudible]**.
- Male Speaker 3: Unless they're **[inaudible]**.
- Male Speaker 5: Anything else?
- Male Speaker 4: I think that's it. What I'll do is I'll go integrate this into our document here and prepare a good clean Chapter 4 we can look at next time.
- Male Speaker 3: **[Inaudible]**. We'll probably – Thanksgiving is early this year, so we would meet the last weekend in November or the first weekend of December. What do you think?
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- Male Speaker 2: Well, I'm thinking what is our time period. **[Inaudible]** it's on the 29th of November then there's **[inaudible]** also.
- Male Speaker 3: First through that one, then the 4th or 5th and then **[inaudible]**.
- Male Speaker 5: Does Mike take **[inaudible]** collection?
- Male Speaker 3: What was the last Thursday of November, John?
- Male Speaker 4: The 24th, Thanksgiving. The last – I'm sorry, Wednesday?
- Male Speaker 3: Last Thursday.
- Male Speaker 4: The last Thursday in November is the 24th, Thanksgiving.
- Male Speaker 3: What's the first Thursday in December?
- Male Speaker 4: The 1st.
- Male Speaker 3: The 1st? So we should probably do it that – the 8th would probably work then. December 8th, will that be enough time **[inaudible]**?
- Male Speaker 4: I think so, Jake. It looks about pretty good around then.
- Multiple Speakers: **[Multiple Conversations]**.
- Male Speaker 4: And at that point in time, I don't know if you've seen this clearly enough to feel that you want to adopt the plan at that meeting or if you need one more meeting, but at the end of December – or two things in January that are actually a topic. And while we're sitting, it requires a full two-thirds.
- Male Speaker 3: I think we're going to adopt this at that meeting, right?
- Male Speaker 1: I think we go through this and we consensus it and put the **[inaudible]**.
- Male Speaker 3: I think we adopt it in the meeting and if there's some changes we can pull out **[inaudible]**.
- Male Speaker 5: **[Inaudible]** look is Chapter 4 **[inaudible]** make sure there's pulled out of one thing and pulled out **[inaudible]**, but that shouldn't take four, five, six to eight hours to do it.
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Male Speaker 3: Both of you really [inaudible] it's very hard to get four more hours in. There is [inaudible].

Male Speaker 4: Ray, excuse me for interrupting you. Is there – and I'm just kind of thinking ahead, in – I don't think I can do it. I was trying to think of whether or not I could actually put this entire plan on you all's website so people could come in and take a look at – but I'm not sure I could have it all done before this next meeting for you all to look at it anyway.

Male Speaker 3: I would love it. It still works. You all can do that.

Male Speaker 4: I may talk to you about it just because it depends on the timing.

Male Speaker 3: Okay.

Male Speaker 2: It's such a [inaudible] because the future [inaudible].

Male Speaker 5: Robert, do you [inaudible] through the Legal Department?

Male Speaker 2: We have a [inaudible] suit. [Inaudible].

Male Speaker 3: Yeah, I don't think -- [inaudible] but I don't want us to be caught buying them. I'll look.

Male Speaker 2: I'll have to get the [inaudible].

Multiple Speakers: [Multiple Conversations].

[End of Audio.]

Duration: 36 minutes

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION 'J'
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
July 25, 2006 at 1:30 p.m.
Camp Wood, Texas**

MINUTES

Notice having been duly given, a Regular Meeting of the Region 'J' Regional Water Planning Group was held at the AHMATA Building, Leon Klink Ave., Camp Wood, Real County, Texas on Tuesday, July 25, 2006 at 1:30 p.m. Present: Jonathan Letz, Kerr County; Ronnie Pace, Kerr County; Jerry Simpson, Val Verde County; Feather Wilson, Strata Geological Services; David Jeffery, Bandera County; Gene Williams, Headwaters Groundwater Conservation District; John Ashworth, LBG Guyton; Perry Bushong, Real/Edwards County; Tully Shahan, Kinney County; Thomas Qualia, Val Verde County.; Cecil Smith, Kinney County; Charles Wiedenfeld, Water Utilities Kerr County; Zach Davis, Kinney County and Kevin Kluge, TWDB and Ray Buck, Jr., UGRA.

Mr. Letz introduced Item II. Public Comments. There were no comments from the audience.

Mr. Letz introduced Item III. Approval of the Minutes from Previous Meeting. Mr. Letz stated that there are no minutes to approve.

Mr. Letz introduced Item IV. Reports. Item A. Report from Chair Jonathan Letz. Mr. Letz stated he has been dealing with Mr. Kluge from TWDB. He reported that the next two

meetings will be dealing with housekeeping items and reviewing the minutes for changes. Also the election of officers, two administrative, will be taking place. Mr. Letz stated that they have made the transition of the Upper Guadalupe River Authority acting as administrative office. He reported that at the last meeting, they voted to clean up the life cycle and approved tapes. UGRA will be taking minutes from now on which will be posted on their website and Region J's.

Item IV B. Report from Secretary. There was no report.

Item IV C. Report from Political Entity. Ray Buck, Jr. from UGRA had no comment.

Item IV. D. Report from Finance Committee. Mr. Letz stated they have not spent much money. He will have bank statements at the next meeting.

Item IV E. Report from Liaisons. No comments.

Item IV F. Report from TWDB. Mr. Kluge from TWDB introduced himself to the board. He informed the board members that contracts for this round of water planning will end on July 28, 2006 and all bills will need to be paid by that date. Invoices can be sent in up to thirty days after the July 28th date. Mr. Letz stated that they are working on those right now. Mr. Kluge reported that the State Water Plan is being worked on. In August, the staff will take the draft they have now to all the boards to ask them to approve it and put it out for public comment. In September, the board staff will be going around the state to sixteen locations to receive public comment. Mr. Kluge stated that the closest location for Region J will be in Del Rio, Texas on September 14, 2006 and in San Antonio the following week. He said they will take in comments and make any needed adjustments to the State Water Plan by November and ask their board to approve the final draft. It will then be taken to the Legislature by January 5, 2007.

Mr. Letz introduced Item V. Consider and Discuss Approval of Invoices. Mr. Letz had two invoices from Karen Letz which wraps up her time as Administrative Assistant. He stated one is for telephone, faxes, supplies and postage in the amount of \$27.23. The other is for her time in the amount of \$166.25. He also reported that they have one invoice from LBG Guyton for printing of the plan in the amount of \$5,232.00. Mr. Letz stated that he and UGRA received bids locally in Kerrville and from San Antonio. They felt confident with LBG Guyton. Plans were provided for everyone. Mr. Letz asked for a motion to approve the three invoices. Mr. Pace made the motion to approve the three invoices and Mr. Simpson seconded. Mr. Letz called for a vote. Item V. Consider and Discuss Approval of three Invoices passed unanimously.

Mr. Letz introduced Item VI. Certification of Allowable Administrative Expenses to be Submitted to the TWDB for Reimbursement. Mr. Letz reported that earlier this year, it became apparent that there were some funds available for the expenses concurred that could be reimbursed by the TWDB. He stated printing and administrative expenses will be minimal and postage will be high. He said once copies come together, they will submit them to TWDB to receive the reimbursement. He anticipates somewhere in the neighborhood of \$10,000. He mentioned that the board members who are not affiliated or not being reimbursed for travel to the Region J meetings by an entity or representative, those amounts are available for reimbursement. Mr. Letz stated the amounts will go into their group fund and then checks will be written for the individual. He asked that members submit their total amount as one invoice and he will then send it in to the TWDB. Mr. Letz

asked for a motion to submit, giving Mr. Buck, Jr. and himself permission to go through all the invoices to submit to the TWDB. _____ made the motion to submit and giving permission to Mr. Letz and Mr. Buck, Jr. Mr. Shahan seconded the motion. Mr. Letz called for a vote. Item VI. Certification Allowing Administrative Expense to be Submitted to the TWDB for Reimbursement passed unanimously.

Mr. Letz introduced Item VII. Announcing Vacancy in the "Municipal Interest" – Kerr County (Gene Smith). Mr. Letz announced the vacancy in municipal interest in Kerr County. Mayor Gene Smith of Kerrville is unable to serve on the Board. He stated that the City Council has appointed Councilman Carl Meek to be nominated to fill that vacancy. Councilman Meek is not present. Mr. Letz said that this is just an announcement of the vacancy and they will have someone fill the vacancy probably by the September meeting.

Mr. Letz introduced Item VIII. Consider, Discuss and Approve Filling Vacancy for "River Authority Interest" – Kerr County (Formerly Greg Etter). Mr. Letz reported that the vacancy was posted in January. UGRA filled that spot with Mr. Buck, Jr. He stated that they do need to approve that nomination. Mr. Pace made the motion that the members approve Mr. Buck, Jr. as the River Authority Interest Representative for Kerr County. Mr. Jeffery seconded the motion. Mr. Letz called for a vote. Item VIII. Approval for filling the vacancy of the River Authority Interest with Mr. Buck passed unanimously.

Mr. Letz introduced Item IX. Consider, Discuss and Approve Filling Vacancy for "Municipal Interest" – Kerr County (Formerly Howard Jackson). Mr. Letz reported that the

slot has two nominations. One is for Howard Jackson, Mayor of Ingram and the second is for Stuart Barron from the City of Kerrville. Discussion followed. Mr. Letz pointed out that Mr. Barron represents the City of Kerrville from the staff point of view and it is important that the region coordinate with the City of Kerrville. He also stated his pros on Mr. Jackson. Mr. Bushong asked if there was any way down the road the board could at least do a permanent rather than an alternative voting member. Mr. Letz stated that Judge Sampson has failed to qualify as a member and that he will send him a letter. Mr. Wiedenfeld stated he would rather see someone here that is not going to be gone after two years. In choosing, he would go with Mr. Barron because most of Kerr County's water goes through the City of Kerrville. He also believes both are very qualified.

Mr. Letz asked the two nominees if they would like to make a statement. Mr. Jackson stated that there is a plan in the works for the City of Ingram to take the water system away from Aqua Texas and the city will then be in the water business. He also explained that he has served as a member in the past and has attended most of the Region J meetings. Mr. Barron stated that representing the City of Kerrville with staff allows the board to know what is happening within the city and that they are the dominate user in Kerr County who is also looking to expand. Discussion followed with the members. Mr. Pace asked if it is possible to get Councilman Meek to not take a slot. Mr. Letz responded yes and that Councilman Meek could serve as a liaison and not a voting member. He also stated that there is a liaison spot open. Mr. Davis made the motion to nominate Mr. Jackson to fill the vacancy of Municipal Interest at the meeting and that Mr. Letz can discuss with Councilman Meek as having him fill as a liaison. Mr. Qualia seconded the motion. Mr. Letz called for a vote.

Item IX. Approve filling the vacancy of "Municipal Interest" with Howard Jackson passed unanimously.

Mr. Letz introduced Item X. Consider and Discuss Where We Want to go as a Regional Water Planning Group and Where or Not We Really Individually Want to be Here. Mr. Letz informed the members that they are getting ready to start another five year plan. A five year commitment from everyone is needed. He stated that they are looking at trying to come up with science to help certain areas with studies taken place. He asked that if anyone did not want to commit to please resign so that they may fill their slot. Discussion followed with questions on the GMAs. Mr. Kluge stated that the GMAs have to set the desired future condition for the groundwater in their areas and give to the water development board so that the models can be ran. With Region J's plan due in 2011, he suspected that the GMAs will have to submit their desired future conditions by December 2007 if they want those conditions reflected in the regional water plans. Discussion followed. Mr. Letz asked for a presentation at the next meeting on the GMAs from Robert Bradley. He informed the members he will commit for another five years. Mr. Pace stated he will also stay on. Mr. Letz asked if the other members are willing to commit. Yeses were made around the table.

Mr. Letz introduced Item XI. Consider, Discuss and Approve Designation of "Political Subdivision" and Administrative Office for the Next Regional Water Planning Period of 2006 - 2011. Mr. Letz discussed the first part as reappointing UGRA as the Political Subdivision. He stated that on the administrative side, it makes it easier to have the Political Subdivision and Administrative Office in the same location as apposed to two. Mr. Letz

recommended that they appoint UGRA as Administrative Office as well. Mr. Simpson motioned to approve UGRA as the Administrative Office and Political Subdivision. Mr. Shahan seconded the motion. Mr. Letz called for a vote. Item XI. Approve UBRA as Political Subdivision and Administrative Office for Regional Water Planning Period 2006 – 2011 passed unanimously.

Mr. Letz introduced Item XII. Consider, Discuss and Approve Authorizing the “Political Subdivision” to Apply for Financial Assistance from the TWDB for Regional Water Planning Activities. Mr. Letz reported that part of the rule is that they need to apply for the grant which is financial assistance. This item is authorizing UGRA to make that application. Mr. Letz called for a motion to authorize UGRA to apply for financial assistance. Mr. Wilson made the motion and Mr. Jeffery seconded the motion. Mr. Letz called for a vote. Item XII. Approve Authorizing the Political Subdivision to Apply for Financial Assistance for Regional Water Planning Activities passed unanimously.

Mr. Letz introduced Item XII. Consider and Discuss Hiring a Consultant to Assist With the 2006 – 2011 Regional Water Plan. Mr. Letz stated that they would like stronger guidance on surface water than they have had in the past. He said one concern they had are the potential conflict of interest with LBG Guyton representing too many entities. They work with pretty much every entity as well as Region J. He stated that it is very important that they understand what Mr. Ashworth’s other responsibilities and what he is doing with other entities. He said he would like LBG Guyton to keep them aware of who they are working for and what they are doing. Mr. Simpson asked if Mr. Ashworth would provide the

members with a summary of the projects they are working on so that they can have an idea of any conflicts of interest. Mr. Ashworth stated he would provide that summary and list of regions he is working with for the members at the next meeting. He stated that he is planning to cut back on his workload so that he is able to focus on projects like Region J. Discussion followed. Mr. Simpson made a motion to hire LBG Guyton for the next cycle and authorize the Political Subdivision to negotiate that contract in a form mandated by the TWDB. Mr. Jeffery seconded the motion. Mr. Letz called for a vote. Item XIII. Approve the Hiring of LBG Guyton for the 2006 – 2011 Region Water Planning Period passed unanimously.

Mr. Letz introduced Item XIV. Request Public Comment and Announce Public Meeting to Receive Comments from the Public on Issues Concerning the Development of the Scope of Work and the 2006 – 2011 Planning Cycle. Mr. Letz stated that they have to announce that the group is receiving public comment and it must be published as a public announcement. It is necessary to have at least one meeting for public comment. He suggested that it would be easiest to have the meeting at UGRA in Kerrville on August 30, 2006 at 5:00 pm. He stated they will receive written and oral comments. Mr. Letz said that there can be another meeting which could take place in Val Verde County that same day. They just needed to decide on a location within that county. Discussion followed. Mr. Wiedenfeld asked if they should advertise more. Mr. Wilson commented that he would like to see the TWDB there to answer questions. Mr. Letz suggested they should have some sort of forum to advise the public and get input. He stated that he would like to have a round table discussion prior to August 30th. A guest asked if the group could publish the public announcements in the local

newspapers in the region. Mr. Letz informed her that the costs to publish the announcements are very expensive. They are required to publish the announcement in a regional paper but they also post a notice in all court houses, municipalities and in the newspaper. Mr. Letz suggested that they could do a generic press release that they could send to board members and that could be tailored to the different counties. The board members could get the press release to their local newspaper. Discussion followed. Mr. Letz called for a motion to set the public meeting on August 30, 2006 in Kerrville at 5:00 pm. Mr. Smith made the motion and Mr. Wilson seconded. Item XIV. Request Public Comment and Announce Public Meeting to Receive Comments from the Public on August 30, 2006 at the UGRA in Kerrville at 5:00 pm passed unanimously.

Mr. Letz introduced Item XV. Consider and Discuss Regional Priorities and Other Items to be Included in the 2006 – 2011 Planning Cycle Scope of Work. Mr. Kluge stated that they are breaking up the cycle in two year period. The TWDB has 6.6 million dollars for regional funding. He reported that approximately fifteen percent will be given to the regions, which is called Administrative Funding. The region will receive \$32,000 over the next two years for Administrative Funding. Mr. Kluge stated that before September 14, 2006, the regions will meet with consultants and come up with studies they would like to do in the two years. They will have individual scope of works for these studies. TWDB will rank the different studies of the regions. The other eighty-five percent will go to the regions with the highest ranking studies. Mr. Kluge provided a handout for members that discussed the things that were competitively funded last year. Discussion was followed over the handout. Mr. Wilson provided information to the members on his model that he is currently

working on. Further discussion followed on the different studies that could be done. Mr. Letz stated that no action will be taken at this time.

Mr. Letz introduced Item XVI. Consider, Discuss and Approve Grant Application to the TWDB to Revise or Update the Plateau Water Planning Group Regional Water Plan. Mr. Letz asked Mr. Kluge if the item was the same as Item XII. Mr. Kluge informed him that it seemed to go beyond that. Mr. Letz stated that no action will be taken at this point.

Mr. Letz introduced Item XVII. Consider and Discuss Informational Items from PWPG Members. Mr. Simpson asked about counties not participating in GMAs and where that process is at right now. Mr. Wilson stated that they have had several meetings so far. Mr. Shahan asked if you do not have a groundwater district in your area, isn't the Judge suppose to appoint two committee members to serve on a GMA. Mr. Smith stated that they were invited to the last meeting. Discussion followed.

Mr. Letz introduced Item XVIII. Set Next Meeting. Mr. Letz stated that at the next two meetings they will set priorities and outline tasks. Mr. Letz set the next meeting to take place on Thursday, August 17, 2006 at 11:00 am in Del Rio, Texas. He set the second meeting to take place on Thursday, September 7, 2006 at 1:00 pm in Bandera, Texas.

There being no further business, Mr. Letz adjourned the meeting at 3:45 pm.

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION 'J'
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
August 17, 2006 at 11:00 a.m.
Del Rio, Texas**

MINUTES

Notice having been duly given, a Regular Meeting of the Region 'J' Regional Water Planning Group was held at The Bank and Trust, Board Room, 1200 Veterans Blvd., Del Rio, Val Verde County, Texas on Thursday, August 17, 2006 at 11:00 a.m. Present: Jonathan Letz, Kerr County; Jerry Simpson, Val Verde County; Feather Wilson, Strata Geological Services; David Jeffery, Bandera County; Gene Williams, Headwaters Groundwater Conservation District; John Ashworth, LBG Guyton; Perry Bushong, Real/Edwards County; Tully Shahan, Kinney County; Thomas Qualia, Val Verde County.; Cecil Smith, Kinney County; Charles Wiedenfeld, Water Utilities Kerr County; Zach Davis, Kinney County; Kevin Kluge, TWDB; Raymond Buck, Jr., UGRA.; Gary Garrett, TPWD; Carl Meek, City of Kerrville; Howard Jackson, City of Ingram; T.J. Merit, Devil's River Association; Otila Gonzalez, Val Verde County ; Alejandro Garcia, City of Del Rio; Jay Johnson, West Texas Springs Alliance; Scott McWilliams, The Nature Conservancy; Lee Sweeten, RECRD and Stefan Schuster, Freese & Nichols, Inc.

Mr. Letz introduced Item II. Public Comments. Mr. Scott McWilliams updated the members on the research The Nature Conservancy is performing that deals with both the Edwards and Trinity Aquifers. He provided a hand out defining the projects. Discussion followed.

Mr. Jay Johnson with the West Texas Springs Alliance stated they would like Region J to consider the practicality of protecting this region from exploration water. Ms. Laura Marbury with the Environmental Defense in Austin, Texas commented on the proposed works of Region J. She stated that Val Verde County should be included in the proposed works. Ms. Marbury added that she did not see any item of reassessment on the aquifer in this region. She commented that it had been addressed in the last planning cycle and should be readdressed in the new PWPG planning cycle.

Mr. Loren Baxter with Grass Valley Water introduced their water project in Kinney County focusing on dye testing. The testing is to determine if the oil fields are connecting into the springs. Mr. Baxter introduced Tom Aley who designed their tracer study. Mr. Aley informed the members on groundwater tracing that uses harmless detection dyes. He defined the process and travel rate of groundwater tracing. Discussion followed on the cost of the study.

Mr. Letz introduced Item III. Approval of the Minutes from the July 25, 2006 meeting in Camp Wood, Texas. Mr. Letz stated that a few corrections were made. He asked if there were any questions. Mr. Cecil Smith made the motion to approve the minutes. Ms. Otila Gonzales seconded the motion. Mr. Letz called for a vote. Item III. Approval of the Minutes from July 25, 2006 passed unanimously.

Mr. Letz introduced Item IV. Reports. Item A. Report from Chair Jonathan Letz. Mr. Letz stated there was no report.

Item IV B. Report from the Secretary. Mr. Ronnie Pace was not present therefore there was no report.

Item IV C. Report from Political Entity. Mr. Raymond Buck, Jr. stated that UGRA is working with Mr. John Ashworth on developing strategies.

Item IV. D. Report from Finance Committee. Mr. Letz reported a balance of \$12,782.82. He stated that there will be a reimbursement for printing of the water plan.

Item IV E. Report from Liaisons. No comments.

Item IV F. Report from TWDB. Mr. Kluge reported that a draft of the State Water Plan had been submitted to the State Board. He said they will be accepting public comments at a meeting on September 7, 2006. He informed the group that there has been no answer on combining the TWDB and the Region J public meeting on the same date. Discussion followed.

Mr. Letz introduced Item V. Consider and Discuss Approval of Invoices. There are no invoices to be approved.

Mr. Letz introduced Item VI. Consider, Discuss and Approve amending PWPG Bylaws.

Mr. Letz reviewed the sections of the Bylaws that had been amended. Section 5.2 Terms of Office amended to read: 'Outgoing voting members shall be given the opportunity to fully participate in the selection process for their successors and shall serve until their successors take office. Terms of office for voting members shall be five years.' Section 5.4. Selection of Members; in 5.4.1, the statement "within thirty calendar days" was deleted from the paragraph. 5.4.1 (a) shall read 'Announce such vacancy at the next regular or special called

meeting.’ 5.4.4 has been amended and should read: ‘ All nominations shall be forwarded to the Chair. The Chair shall place an item on the agenda of the next meeting after nominations are submitted. The voting membership shall not be bound by nomination and may consider any person who meets the conditions of membership as a nominee.’ In 5.4.5 and 5.4.7, the wording “the Executive Committee” has been deleted.

In Article 7, Section 7.1, the term was changed to 2 years and amended to read: ‘Voting members of the PWPG shall select from the voting membership a Chair, Vice Chair and Secretary to serve as officers. Each officer shall serve a term of two calendar years. Except as provided under Section 7.4 of this Article, an officer shall serve until his or her successor takes office.’ 7.2.2 of Section 7.2 has been deleted. Mr. Letz stated that Section 7.6 Executive Committee should be deleted. In Article 8, Section 8.2, the first sentence has been deleted. Article 11 Subgroups on page 12 has been deleted completely. Mr. Letz recommended deleting Section 13.2 Budget under Article 13. Discussion followed. It was decided to leave Section 13.2 in the bylaws. Mr. Tully Shahan stated that he would like to change the advance notice from three calendar days to seven calendars under Article 8 Section 8.2. Mr. Feather Wilson made the motion to approve the amendments of the PWPG Bylaws. Mr. Garcia seconded the motion. Mr. Letz called for a vote. Item VI. Approval of amendments to the PWPG Bylaws passed unanimously.

Mr. Letz introduced Item VII. Consider and Discuss Regional Priorities and Other Items to be Included in the 2006-2011 Planning Cycle Scope of Work. Mr. Kluge gave a summary report from the last Region J meeting for those who were not present. Discussion followed.

Mr. Ashworth outlined the studies proposed for the scope of work. Discussion followed on which studies are more important.

Meeting broke for lunch at 12:30 p.m. and reconvened at 1:02 p.m.

Discussion continued on forming the Scope of Work. Mr. Ashworth stated that the members needed to get down on paper how many projects they want and the major points of each one. Mr. Letz said the fewer the better. Mr. Wilson suggested focusing on gathering data. Mr. Letz commented that one item deals with gathering data and determining what can be done. Discussion followed. Mr. Ashworth discussed grouping together the studies that tie into each other. Mr. Letz talked about both the water markets and the water districts needing to work together. Discussion followed on collecting data and building a model(s). Mr. Letz asked Mr. Ashworth to provide a guide on building models at the next meeting. Discussion followed on isotope and dye tracing studies. Mr. Ashworth stated the different study ideas that are on the table. Mr. Letz suggested that the members encourage the counties and cities to have meetings to receive comments and ideas.

Item VIII. Consider and Discuss Informational Items from PWPG Members. No discuss on this item.

Mr. Letz introduced Item XVIII. Set Next Meeting. The next meeting will take place on Thursday, September 7, 2006 at 11:00 am in Bandera, Texas.

There being no further business, Mr. Letz adjourned the meeting at 1:54 pm.

Dated this ____ day of August, 2006.

Region J Regional Planning Group

Attest:

Jonathan Letz, Chairman, PWPG

Ronnie Pace, Secretary, PWPG

**PLATEAU WATER PLANNING GROUP
PUBLIC COMMENT MEETING
Kerrville, Texas
August 30, 2006**

Notice having been duly given, a Public Comment Meeting of the Region 'J' Regional Water Planning Group was held at the Upper Guadalupe River Authority Class Room, 125 Lehmann, Kerrville, Kerr County, Texas on Wednesday, August 30, 2006 at 5:00 p.m. Present: Jonathan Letz, Kerr County; Ronnie Pace, Kerr County; Ray Buck, Jr., UGRA; Howard Jackson, City of Ingram; John Ashworth, LBG-Guyton; Carl Meek, City of Kerrville; Feather Wilson, Bandera County; Stuart Barron, City of Kerrville; Catherine Fox, Private Citizen; Doug Hill, Hunt, Texas; Bill Williams, Kerr County; Dr. Guy Harrison, Hill Country Fly Fishers; Charlie Hastings, City of Kerrville; Ray Smith, Grass Valley Water, LLC.; Bonnie Arnold, Hill Country Community Journal; Mary Hart Frost, Hunt, Texas and Danny Wheat, Kerrville, Texas.

Mr. Letz opened the meeting at 5:00 p.m. for public comment on the scope of work for the next Plateau Region Water Plan. Mr. Letz began the meeting by explaining the function of Region J. He introduced himself and the Board members. Mr. Letz then reviewed the last planning cycle. He explained the current five year cycle by discussing what the first two years will be focusing on and where they are right now. Mr. Letz went over the list of projects being considered for the scope of work. He defined each study on the list. Mr. Letz then explained how the money funded by the Texas Water Development Board is being divided up for the two year cycle. Region J will be receiving \$32,000 and the rest of the available money will be divided up between regions on a competitive basis. He then

discussed the idea of matching funds that an organization or city can provide on projects. Mr. Letz then opened the floor up for public comment.

Mr. Ashworth explained in depth the proposed projects and the ideas behind them. He stated that the idea is to have activities that will improve the strategies from the second planning cycle period. Mr. Danny Wheat of Kerrville, Texas asked what was proposed in the second planning cycle and if any of these proposed projects are carried over from that cycle. Mr. Ashworth answered that Items three, five and six are related to permits that actually takes it a step further. He stated that the studies will provide additional data needed and are the next step in feasibility. Discussion followed.

Mr. Ray Smith of Grass Valley Water expressed his views on evaluating groundwater data in Kinney County. He presented to the audience the project he has been working on in Kinney County. He provided information on the wells that he has drilled and what he has discovered about the groundwater. Mr. Smith stated that he is interested in spending money on these sorts of studies on groundwater in Kinney County. He supports Region J's strategies. Mr. Ashworth discussed what Region J is proposing to define the water availability in the Kinney County area. Discussion followed on the tracer testing project. Mr. Howard stated that Region J will be looking at it as a regional analysis and how the counties are all interconnected. Mr. Pace asked why the City of Kerrville is left out of Item 1. Discussion followed on why Item 1 is specifically focuses on Edwards and Kinney County.

Ms. Catherine Fox of Kerr County expressed her concern on the collection of science. She asked how Region J intends to apply the science to the models and the drought plan. She also expressed her disappointment that there was no designation on the river and streams. Ms. Fox asked if 133-12 Reservoir was no longer in the plan as it was in the first water planning cycle. Mr. Letz answered that there has not been any discussion on stream designation for the first two years, but there will probably be in the next three years. Discussion followed. Ms. Fox asked what they meant by no technical deficit in Kerr County. Mr. Ashworth defined that if the supply is greater than the demand then there is no technical deficit.

Mr. Stuart Barron stated that he is interested in Items three, four and five. He said that he believes the list should be re-prioritized to where it focuses on Canyon Lake's water availability. Mr. Letz commented that the matter is trying to figure out how to firm up that availability. He stated that it is also a separate item. Mr. Barron commented that identifying the volume for the drought of record should be on the list for the scope of work. Mr. Letz said that he did not question that it needs to be done, but questioned whether it should be on the list. He also stated that it is all negotiable and a discussion needs to take place.

There being no further discussion or comments, Mr. Letz closed the meeting at 6:24 pm.

Dated this ____ day of August, 2006.

Region J Regional Planning Group

Attest:

Jonathan Letz, Chairman, PWPG

Ronnie Pace, Secretary, PWPG

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION 'J'
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
September 7, 2006 at 11:00 a.m.
Baudera, Texas**

MINUTES

Notice having been duly given, a Regular Meeting of the Region 'J' Regional Water Planning Group (PWPG) was held at the Flying L Guest Ranch, Hwy. 173 at Wharton's Dock Road, Bandera, Bandera County, Texas on Thursday, September 7, 2006 at 11:00 a.m. Present: Jonathan Letz, Kerr County; Raymond Buck, Jr., UGRA; Feather Wilson, Strata Geological Services; Gary Garrett, TPWD; Kevin Kluge, TWDB; Otila Gonzalez, Del Rio/Val Verde County; Alejandro Garcia, Del Rio/Val Verde County; David Jeffery, BCRAGD; Stephen Smith, RECRD; Lee Sweeten, RECRD; Gene Williams, Headwaters GCD; Charlie Widenfield, Utilities-Kerr County; Howard Jackson, City of Ingram; Tully Shahan, Kinney County; Stuart Barron, City of Kerrville; Cecil Smith, Kinney County; Perry Bushong, Real-Edwards CRD; Carl Meek, City of Kerrville; Robert Bradley, TWDB; Homer Stevens, Bandera County; Stefan Schuster, Freese & Nichol, Inc.; John Ashworth, LBG Guyton and Lindsay Brandt, UGRA.

Mr. Jonathan Letz called the meeting to order at 11:00 am. He requested for a roll call. Mr. Letz introduced Item II. Public Comment. No comments were made.

Mr. Letz introduced Item III. Approval of Minutes of the August 17, 2006 meeting. Mr. Alejandro Garcia asked for a correction in the spelling of his name. Mr. Letz decided to move the approval to take place after lunch.

Mr. Letz introduced Item IV. Reports. Item IV. A Report from the Chair. Mr. Letz stated he had attended two meetings related to Kinney County. He expressed his concern of all the groups needing to agree. He felt that there will be no funding for Kinney County if the groups do not agree. He reported that matching funds can be made. They will have to go through Region J to UGRA to TWDB back to UGRA and then out. Item IV. B, Report from the Secretary. Mr. Ronnie Pace was not present to comment. Item IV. C, Report from Political Entity. Mr. Raymond Buck reported that they are making some progress. Item IV. D, Report from Liaisons. There was no report. Item IV. E, Report from TWDB. Mr. Kevin Kluge stated that he brought copies of the State Water Plan. He reported that the TWDB will be having public comment meetings in San Angelo, Texas on September 12 and in Alpine, Texas on September 14 at Sul Ross State University. He commented on the issue of having combined meetings. He stated that he did not know how that would work.

Mr. Letz introduced Item V. Consider and Discuss Approval of Invoices. Mr. Letz stated that there no invoices but three checks written to pay bills. Mr. Buck went over the three checks which are \$52.15 for a sandwich tray, another sandwich tray of \$6.73 for a meeting with a Kerr County group and office supplies for \$247.48. Mr. Letz asked for a motion to approve the bills paid. Mr. Lee Sweeten made the motion to approve. Mr. Shahan Tully

seconded the motion. Mr. Letz called for a vote. Item V. Consider and Discuss Approval of Invoices passed unanimously.

Mr. Letz introduced Item VI. Consider, discuss and elect PWPG officers for the period from January 1, 2006 to December 31, 2007. Mr. Letz stated that he, Mr. Jerry Simpton and Mr. Pace all agreed to stay on in their positions. He said the current slate will continue if everyone agrees. Mr. Sweeten made the motion to stay with the current slate of Mr. Letz as Chairman, Mr. Simpton as Vice Chairman and Mr. Pace as Secretary. Ms. Otila Gonzalez seconded the motion. Mr. Letz called for a vote. Item VI. Election of PWPG officers passed unanimously.

Mr. Letz introduced Item VII. Consider, discuss and take appropriate action on the removal of Judge Sansom as a PWPG member per bylaws Section 5.5 and 5.7 due to excessive absenteeism. Mr. Letz said he sent Judge Sansom a letter stating that his removal would be on the agenda. Judge Sansom made no response. Mr. Letz called for a motion to remove Judge Sansom as a PWPG member for excessive absenteeism. Mr. Howard Jackson made the motion for the removal. Mr. David Jeffery seconded the motion. Mr. Letz called for a vote. Item VII. Removal of Judge Sansom as a PWPG member passed unanimously.

Mr. Letz introduced Item VIII. Consider, discuss and take appropriate action on the proposed budget for 2006 – 2007 to begin October 1, 2006. Mr. Letz reported that they are not ready to take action yet because the budget is not prepared. He stated that there are a couple of issues that need to be discussed before preparing the budget. Mr. Letz suggested

that Region J pay UGRA a monthly fee for the administrative work. He came up with a monthly rate of \$300. Mr. Letz said that the amount should cover labor, basic telephone, supplies, etc. If the board agrees to that amount, then they can move on with preparing the budget. Mr. Letz addressed a seconded issue. He stated that he was trying to figure out whether the group needed one or two budgets. Region J has money they receive from the state and money in their own pool. He said that most of the administrative expenses are paid out of Region J's pocket. Mr. Kluge stated that there are no specific regulations on the budget. Mr. Letz suggested doing one simple budget. Discussion followed. Mr. Letz stated that they will work on the budget and have it ready at the next meeting.

Mr. Letz introduced Item IX. Consider and discuss regional priorities and other items to be included in the 2006 – 2011 regional water planning cycle. Mr. John Ashworth discussed the projects proposed in his handout. He based them on those proposed at the Del Rio meeting. He stated that the board needs to go through each one and then prioritize them. Discussion followed on each proposed project. Mr. Ashworth stated Project 0 focused on the administrative fund. It is required that the administrative fees be referenced in the application. Discussion followed on the tasks listed under Project 0. Mr. Letz asked what the cost will be for the scope of work. Mr. Ashworth stated that they are trying to keep it in the \$5,000 range. Mr. Letz said that it needed to be defined who is doing what tasks. Discussion followed. Mr. Letz went over Task 2 – Travel. He stated that members still have time to submit their invoices in for reimbursement. Discussion followed.

Mr. Ashworth introduced Project 1. Project 1 came out of the discussion in Del Rio. He said that the project is the first phase of looking at data collection and then applying it to the model or build a new model of the Edwards unit. Mr. Ashworth stated that each project has subheadings of a description, relevance and beneficiaries. He suggested having a peer review committee of scientists who have no involvement in the projects to take a look at the data. He stated they could give Region J some guidance on the projects. Discussion followed on the review committee. Mr. Letz suggested that Region J keep Region L and M informed of what they are doing in Kinney County. Discussion followed on the studies going on in Kinney County. Mr. Shahan stated that the studies also affect Val Verde, Edwards and Uvalde County. Mr. Ashworth said Task 2 of Project 1 is to gather data, look at recently completed studies, then going out and finding what has not been entered into the TWDB database. Task 3 is the tracer test. Mr. Sweeten stated that Edwards County should be put into Task 3. Mr. Ashworth said he will add Edwards County. He also moved the committee review back into Task 1 instead of Task 3. Mr. Ashworth introduced Task 4 – Performing a synoptic water-level measurement activity. He state that it is not just taking water levels over a year. It is taking them over a specific period of time. Discussion followed.

Mr. Ashworth touched on Project 2 before going into Task 5 of Project 1. He explained that they may want to integrate Project 2 into Project 1 since it is dealing with the collection, analysis and evaluation of groundwater isotope studies. Mr. Wilson commented that the isotope study covers all the aquifers in Region J and not just the Edwards. Mr. Ashworth said that he could integrate the results from Project 2 into Project 1. Mr. Letz asked if he

was going to make Task 5 an isotope study but refer it to Project 2. Mr. Ashworth answered yes. Task 5 became Task 6. Mr. Ashworth took out the first sentence in Task 6. Task 6 changed to Task 7. Mr. Letz commented that Task 7 is done on all Projects. He stated that they need to strike it out under the costs and put it under administrative funds.

Mr. Ashworth stated that he would like to add a line item for potential matching funds. Mr. Letz said that he believed they needed to list potential matching funds and then look at what amount of money is out there. Mr. Kluge replied that what the TWDB needs is a letter of memorandum of matching funds submitted with the application. Discussion followed on what counties may put up funds.

Meeting broke for lunch at 12:30 pm. Mr. Robert Bradley's presentation is expected at the return of the meeting.

Mr. Letz called the meeting to order after lunch at 1:35 pm. He introduced Item XI. Consider and discuss presentation by Robert Bradley, TWDB's GMA liaison, on the GMA process. Mr. Bradley provided a handout going over his presentation. He defined the Plateau Region Groundwater Management Areas. The area consists of three GMA's PWPG deals with. They are GMA 7, 9 and 10. He reviewed the joint planning in a GMA, the desired future conditions and timelines for the GMA groups. Discussion followed with board members asking questions. Mr. Wilson commented that the water districts will have to change some rules to go forward with the GMA planning districts. That is what water districts are doing at the moment.

Mr. Letz introduced going back to Item IX the Scope of Work. Mr. Ashworth presented Project 5, Evaluation of Groundwater Contamination from Oilfield Practices in Edwards and Real Counties. He stated that this idea was suggested by Mr. Sweeten at the Del Rio meeting. Mr. Ashworth went over the tasks listed in the project. He asked if there were any comments on Project 5. Mr. Wilson suggested another task focusing on salt water contamination from non-properly abandoned wells. He stated that it is far more serious than oilfield contamination. Discussion followed. Mr. Letz recommended that they leave Project 5 as is and do something about salt water contamination later in the planning cycle.

Mr. Ashworth reviewed Project 2, Collection, Analysis and Evaluation of Groundwater Isotope Chemistry Data. He stated that this project is aimed at tying into water quality projects in Kerr and Val Verde Counties. He said it is basically to use isotope analysis to get a better handle on how water is flowing, the point of origin, the age of the water and how rapidly it recharges. Mr. Ashworth suggested that Region J's best bet getting the project approved is by tying it into what Mr. Wilson is working on with the water districts. He stated that the project is looking at all six counties. He reported that the estimated cost per sample ranges from \$200 to \$300. Discussion followed.

Mr. Stefan Schuster reviewed Project 3, Feasibility Analysis of Water Rights Acquisition for Municipal Use from the Upper Guadalupe Basin and Canyon Lake. He stated that it would be an inventory of the existing water rights and what has been done already in Kerr County. It would be an expansion of that inventory and adjusting the water availability model. Mr. Schuster stated that Project 3 has been broken down into several different tasks.

The tasks listed are municipal supply analysis, county-other and rural water supply, infrastructure cost, availability models and public participation and public meetings. Each have subheadings within them. Mr. Letz suggested adding the MOU agreement with the City of Kerrville and what they have invested in this project. Discussion followed on the changing of wording.

Mr. Ashworth reviewed Project 4, Evaluation of a Preferred Remote well Field Location for the City of Kerrville. Mr. Ashworth stated that Project 4 is an existing strategy in the current plan. He asked if the board would like to add more detail to the description. He asked if they would rather leave the location out of the wording at this time. Discussion followed. Mr. Wilson stated that he believed mentioning the location would draw attention. Mr. Sweeten suggested not listing the location. Mr. Letz asked if there were any more comments. No one commented.

Mr. Letz introduced Item X. Consider, discuss and approve Scope of Work for the next two years of the 2006-2011 regional water plan and authorize UGRA to submit the application (which will include the scope of work for prioritized projects) to the TWDB for funding. Mr. Wilson stated he did not see anything wrong with the way the projects are listed as they were presented. Mr. Sweeten said he would like to see Project 5 moved up in the list. Mr. Letz stated that they could flip Project 4 and 5. Discussion followed. Mr. Letz stated the proposed priority of the projects to be listed in the order of Project 1, 2, 3, 5 and 4. Mr. Simpton made the motion to approve the proposed priority list. Mr. Wilson seconded the

motion. Mr. Letz called for a vote. Item X and the proposed Scope of Work to be listed in order of Project 1, 2, 3, 5 and 4 passed unanimously.

Mr. Letz asked the members how the finalization of the scope of work should be handled. Mr. Buck stated that the application must be submitted by next week. Mr. Letz mentioned there will not be enough time to have a meeting to review them. He stated that he did not see anything wrong with the proposed works besides a few typos. He suggested letting Mr. Ashworth and Mr. Buck finalize the work. Mr. David Jeffery made the motion to approve Mr. Ashworth and Mr. Buck to finalize the Scope of Work. Ms. Gonzalez seconded the motion. Mr. Letz stated that Mr. Ashworth will make the corrections and get with Mr. Buck to finalize the submission. He called for a vote. The approval to allow Mr. Ashworth and Mr. Buck to finalize the Scope of Work passed unanimously.

Mr. Letz introduced Item XII. Consider and discuss informational items from the PWPG members. Mr. Sweeten stated that the Nueces River Authority will be having a Stewardship Conference discussing conservation and easement that will be held on November 14, 2006. No other comments were made.

Mr. Letz introduced Item XIII. Set Next Meeting. Mr. Kluge suggested that the group could wait until early January to have the next meeting. Mr. Letz stated that the next meeting will be held in January of 2007 in Kerrville, Texas.

Mr. Letz went back to Item III. Approval of the Minutes. Mr. Sweeten asked for the minutes to specify that Section 13.2 of Article 13 was keep in the bylaws. Mr. Tully mentioned that everyone listed in the beginning of the minutes was not listed on the sign-in sheet. Mr. Letz called for a motion to approve the minutes with the suggested corrections. Mr. Wilson made the motion to approve. Mr. Tully seconded the motion. Mr. Letz called for a vote. Item III. Approval of the Minutes as corrected passed unanimously.

There being no further business, Mr. Letz adjourned the meeting at 3:09 pm.

Region J Regional Planning Group

Attest:

Jonathan Letz, Chairman, PWPG

Ronnie Pace, Secretary, PWPG

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION 'J'
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
June 21, 2007 at 10:00a.m.
Kerrville, Texas**

MINUTES

Notice having been duly given, a Regular Meeting of the Region 'J' Regional Water Planning Group (PWPG) was held at the Guadalupe Basin Natural Resources Center, 125 Lehmann Drive Suite 100, Kerrville, Texas on June 21, 2007 at 10:00 am. Present Jonathan Letz, Kerr County; Raymond Buck, Jr., UGRA; Feather Wilson, Strata Geological Services; Gary Garrett, TPWD; Kevin Kluge, TWDB; Otila Gonzalez, Del Rio/Val Verde County; David Jeffery, BCRA GD; Lee Sweeten, RECRD; Gene Williams, Headwaters GCD; Charlie Wiedenfield, Utilities-Kerr County; Howard Jackson, City of Ingram; Tully Shahan, Kinney County; Stuart Barron, City of Kerrville; Perry Bushong, Real-Edwards CRD; Homer Stevens, Bandera County; Stefan Schuster, Freese & Nichol, Inc.; John Ashworth, LBG Guyton; Sky Lewey, Nucces River Authority; Geary Schindel, Edwards Aquifer Authority; Jerry Simpton, Del Rio/Val Verde County; R Spears, Kerrville, Texas; Diane McMahon, Kerrville, Texas; and Tina Meyer, UGRA.

Mr. Jonathan Letz called the meeting to order at 10:00 am. He requested for a roll call. Mr. Letz introduced Item II. Public Comment. No comments were made.

Mr. Letz introduced Item III. Approval of Minutes of the September 7, 2006 meeting. Motion was made by Lee Sweeten for approval of September 7, 2006 Minutes as written.

Second was made by Ms. Otila Gonzales. Approval of Minutes passed with a unanimous vote.

Mr. Letz introduced Item IV. Reports. Item IV. A Report from the Chair. Mr. Letz spoke of the five proposed projects only two were granted funding. Kinney County funding being one of the projects denied. General Discussion followed. Item IV. B, Report from the Secretary. Mr. Ronnie Pace was not present to comment, but summary was made by Ray Buck, Jr. Item IV. C, Report from Political Entity. Mr. Raymond Buck reported that progress has been made. Item IV. D, Report from Liaisons. At this time there was a power point presentation made by Kevin Kluge on Senate Bill 3. General discussion followed with questions being answered by Mr. Kluge. Also, a power point presentation was made on Water Tracing by Geary Schindel from the Edwards Aquifer Authority. General discussion followed with questions being answered by Mr. Schindel. Item IV. E, Report from TWDB.

Mr. Letz introduced Item V. Consider and Discuss Approval of Invoices. Motion made by Howard Jackson for Approval of Invoices second was made by David Jeffrey. The Approval of Invoices passed by a unanimous vote.

Mr. Letz introduced Item VI. Consider, discuss and announce vacancy in the Municipal Interest, Kerr County, Texas. Possible member will be nominated and voted on at a later date. General discussion followed. No action required.

Mr. Letz introduced Item VII. Consider, discuss and take appropriate action to announce vacancy in the "Water District Interest, Kinney County, Texas". Possible members will be nominated and voted on at a later date. General discussion followed. No action required.

Meeting broke for lunch at 11:40am and reconvened at 12:10pm.

Mr. Letz introduced Item VIII. Consider, discuss and approve Scope of Work, as revised and approved by the TWDB for the next two years of the 2006-2011 regional water plans. General discussion followed. Motion for approval of Scope of Work as revised was made by Lee Sweeton. Second was made by Feather Wilson. Approval of Scope of Work as revised was passed by unanimous vote.

Mr. Letz introduced Item IX. Consider and discuss the political subdivision to execute contract with the TWDB for the next two years of the 2006-2011 regional water plan. General discussion followed. Motion for approval to execute contract with the TWDB for the next two years of the 2006-2011 regional water plan was made by Lee Sweeton. Second was made by Jerry Simpton. Approval of contract with the TWDB for the next two years of the 2006-2011 regional water plans was passed by a unanimous vote.

Mr. Letz introduced Item X. Consider and discuss informational items from PWPG members.

Mr. Letz introduced Item XI. Set next meeting. It was decided late August at Kinney County, Brackettville would be the next meeting with exact date to follow.

There being no further business, Mr. Letz adjourned the meeting at 12:40pm.

Region J Regional Planning Group

Attest:

Jonathan Letz, Chairman, PWPG

Ronnie Pace, Secretary, PWPG

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION "J"
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
September 6, 2007 @ 1:00 p.m.
Brackettville, TX**

MINUTES

Notice having been duly given, a Regular Meeting of the Region "J" Regional Water Planning Group (PWPG) was held at the Kinney County Courthouse, Brackettville, Kinney County, Texas on September 6, 2007 at 1:00 p.m. Present at the meeting were: Jonathan Letz, Kerr County; Ronnie Pace, Kerr County; Charlie Wiedenfeld, Kerr County; Gene Williams, Kerr County; Thomas M Qualia, Del Rio, Val Verde County; David Jeffery, Bandera County; Perry Bushong, Real and Edwards County; Lee Sweeten, Real and Edwards County; Otila Gonzalez, Del Rio, Val Verde County; Zach Davis, Kinney County; John Ashworth, Consultant; Howard Jackson, City of Ingram, Kerr County; Kevin Kluge, Water Development Board; Stefan Schuster, Consultant (Freese & Nichol, Inc.); Stuart Barron, City of Kerrville, Kerr County; and Tully Shahan, Kinney County.

Mr. Jonathan Letz called the meeting to order at 1:00 p.m.

Item I. Roll call was taken

Mr. Letz introduced Item II. Public Comment. No comments were made.

Mr. Letz introduced Item III. Approval of minutes of the June 21, 2007, meeting. The minutes of the June 21, 2007, meeting were unavailable today and will be approved at the next meeting.

Mr. Letz introduced Item IV; Reports.

- (a) Report from the Chair, Mr. Letz. No report from Mr. Letz.
- (b) Report from the Secretary, Ronnie Pace. Mr. Pace reported that UGRA has worked with Kevin Kluge and TWBD to develop a draft agreement which will go before the UGRA Board September 19th. Mr. Pace stated there is a balance of \$14,083.85 in the Rejoin J account. There is one outstanding invoice in the amount of \$900.00 from UGRA for Administrative fees. He stated that UGRA had approved a match in the amount of \$25,000 and would discuss at their board meeting next week if they will pay \$25,000 this year or split it between this year and next year.
- (c) Report from Political Entity. No report given (Ray Buck was not present).
- (d) Report from Liaisons. No reports given.
- (e) Report from TWDB. Kevin Kluge informed the planning group that the contract between our consultants and UGRA is being finalized. The contract between the

TWDB and UGRA has been signed. TWDB will be starting another contract with the Regions later this year which will take the Regions through the end of the 5 year cycle.

Mr. Letz introduced Item V; consider and discuss approval of invoices. There was one invoice from UGRA for \$900.00 for administrative services. Motion made by Zach Davis for approval of invoices; a second was made by Otila Gonzalez. The motion passed by a unanimous vote.

Mr. Letz introduced Item VI; consider, discuss and take appropriate action to change PWPG Administrative Office from UGRA to Kerr County Commissioners' Court. Kerr County Commissioners' Court approved the change at one of their meetings in August. The rate charged to Region J will remain the same at \$300.00 per month. Motion made by Charlie Wiedenfeld to change PWPG Administrative Office from UGRA to Kerr County Commissioners' Court; a second was made by David Jeffrey. The motion passed by a unanimous vote.

Mr. Letz introduced Item VII; Consider, discuss and take appropriate action to appoint member to fill vacancy in the "County Interest, Real and Edwards Counties, Texas. One nomination was received, for Lee Sweeten. Motion made by David Jeffrey to appoint Lee Sweeten to fill the vacancy in the "County Interest, Real and Edwards Counties, Texas"; a second was made by Howard Jackson. The motion passed by a unanimous vote.

Mr. Letz introduced Item VIII; Consider, discuss and take appropriate action to appoint member to fill vacancy in the "Municipal Interest, Kerr County, Texas". One letter of nomination was received for Stuart Barron. Motion made by Lee Sweeten to appoint Stuart Barron to fill the vacancy in the "Municipal Interest, Kerr County, Texas"; a second was made by Gene Williams. The appointment passed by a unanimous vote.

Mr. Letz introduced Item IX; consider, discuss and take appropriate action to appoint member to fill vacancy in the "Water District Interest, Kinney County, Texas". One nomination was received for Diana Ward. A motion was made by Lee Sweeten to appoint Diana Ward to fill the vacancy in the "Water District Interest, Kinney County, Texas"; a second was made by Ronnie Pace. The motion passed by a unanimous vote.

Mr. Letz introduced Item X; consider discuss and approve Scope of Work, as revised and approved by the TWDB, for the next two years of the 2006-2011 regional water plan. Mr. Letz stated that he, John Ashworth, Ray Buck, Kevin Kluge and Stephan Schuster talked about the different options, ranging from changing consultants to making no changes at all. The end result was: (1) the WAM run for Kerr County was taken out of the scope of work. (2) UGRA will do the WAM run themselves a pay for it 100% at a cost of \$25,000.00, the amount of the UGRA match. The results will be available to everybody, including the City of Kerrville. Mr. Ashworth reviewed Project 0, Project 1 and Project 2 with the planning group and addressed the changes that were made to each of the Projects. Discussions ensued regarding the various changes. Minor changes were

made to the wording of the proposed Projects. The planning group concurred that open discussions needed to occur between all agencies involved in the study. It was stated that with regards to the tracer studies SRP would coordinate with other entities including EAA. A time frame of the work was provided to the members as follows: a contract for the consultants is scheduled to be signed this month and work will get started immediately. The draft project reports must be turned in by December 2008, and final reports are due by April 2009. A motion was made by Lee Sweeten to approve the Scope of Work, as revised by the TWDB, for the next two years of 2006-2011 regional water plan; a second was made by David Jeffery. The motion passed by a unanimous vote.

Mr. Letz introduced Item XI; consider, discuss and authorize the political subdivision to execute contract with the TWDB for the next two years of the 2006-2011 regional water plan. A motion was made by Tully Shahan to execute contract with the TWDB for the next two years of the 2006-2011 regional water plan to include a new scope of work and amendment to contract if needed, and give UGRA authority to sign contract amendment; a motion was made by Tully Shahan and second was made by Lee Sweeten. The motion passed by a unanimous vote.

Mr. Letz introduced Item XII; consider and discuss informational items from PWPG members. No items were discussed.

Mr. Letz introduced Item XIII; set next meeting. It was decided that the middle of January, 2008 at Camp Wood, Texas, would be the next meeting with exact date to follow. It was suggested that representatives from each Groundwater's Management Area's come to the next meeting to talk to the planning group.

Item XIV: There being no further business, Mr. Letz adjourned the meeting.

Region J Regional Planning Group

Attest:

Jonathan Letz, Chairman, PWPG

Ronnie Pace, Secretary, PWPG

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION "J"
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
April 22, 2008, 10:00 A.M.
Kerrville, TX**

MINUTES

Notice having been duly given, a Regular Meeting of the Region "J" Regional Water Planning Group (PWPG) was held at the Upper Guadalupe River Authority, Kerrville, Kerr County, Texas on April 22, 2008 at 10:00 a.m. Present at the meeting were: Jonathan Letz, Kerr County; Ronnie Pace, Kerr County; Charlie Wiedenfeld, Kerr County; Gene Williams, Kerr County; Thomas M Qualia, Del Rio; David Jeffery, Bandera County; Lee Sweeten, Real-Edwards County; John Ashworth, Consultant; Howard Jackson, City of Ingram; Kevin Kluge, Water Development Board; Stuart Barron, City of Kerrville; Ray Buck, Kerr County; Jerry Simpton, Val Verde County; Homer Stevens, Bandera County; Diana Ward, Kinney County; William Feathergail Wilson, Bandera County; Scott McWilliams, Del Rio; Gary Garrett, Texas Parks and Wildlife; Diane McMahan, HGCD; Connie Townsend, Texas Water Development Board and Dan Opdyke, Texas Water Development Board; Tully Shahan arrived at 11:45 a.m.

Mr. Jonathan Letz called the meeting to order at 10:00 a.m.

Item I. Roll call was taken

Mr. Letz introduced Item II. Public Comment. No comments were made.

Mr. Letz introduced Item III. Approval of minutes of the June 21, 2007, and the September 6, 2007 meeting. Lee Sweeten made a motion made for the approval of the minutes; second by Howard Jackson. The motion passed by a unanimous vote.

Mr. Letz introduced Item IV; Reports.

- (a) Report from the Chair, Mr. Letz. No report from Mr. Letz. Mr. Letz stated there was a balance of \$13,183.25 in the Region J account.
- (b) Report from the Secretary, Ronnie Pace. No report from Mr. Pace.
- (c) Report from Political Entity. Ray Buck stated they were working on an amendment to the scope of work. He also informed the group that they had paid invoices from LBG-Guyton.
- (d) Report from Liaisons. No reports given.
- (e) Report from TWDB. Kevin Kluge informed the planning group that there were 3 new board members. He also discussed and gave an update on the GMA's, as well as spoke briefly about Desired Future Conditions. Mr. Kluge informed the group that he had taken another position with TWDB and that Connie Townsend would be his replacement. Connie Townsend introduced herself and gave a little

background about herself. There was a general discussion regarding GMA's and the relationships they have with Water Planning Groups. TWDB will try to coordinate getting representatives from GMA 7 and GMA 9 to attend the next meeting to give updates on their projects.

Mr. Letz introduced Item V; consider and discuss approval of invoices. There was one invoice from LBG-Guyton for the Kerr County / Bandera County Study in the amount of \$874.50. There were two invoices from LBG-Guyton for the Edwards/Kinney/Val Verde study in the amounts of \$2,200.56 and \$1,272.00. The group approved the payment of an invoice to Jonathan Letz, upon receipt of it, to cover the expenses for lunch today. Motion made by Ronnie Pace for approval of invoices; a second was made by David Jeffery. The motion passed by a unanimous vote.

Mr. Letz introduced Item VI; consider, discuss and elect PWPG Officers for the period of January 1, 2008 to December 31, 2008. Motion made by Lee Sweeten to accept the current officers; second by Ronnie Pace. The motion passed by a unanimous vote.

Mr. Letz introduced Item VII; consider, discuss and take appropriate action to announce vacancy in the "Public Interest, Val Verde County, Texas". Jerry Simpton will find another representative and send the name to Jonathan Letz, to be addressed at the next meeting.

Mr. Letz introduced Item VIII; consider, discuss and approve contract amendment to Task 1 of the Scope of Work, as revised and approved by the TWDB, for the next two years of the 2006-2011 regional water plan and authorize the political subdivision to execute contract amendment. Lee Sweeten informed the group that this had already been done. Motion by Lee Sweeten to approve the contract amendment to Task 1 of the Scope of Work; a second was made by Howard Jackson. The motion passed by a unanimous vote.

Mr. Letz introduced Item IX; consider and discuss status of the current Scope of Work of the 2006-2011 regional water plan. John Ashworth gave an update on the status to the Scope of Work. He stated that the Scope had been reorganized and that LBG-Guyton and Freese and Nichols had been working together gathering data from TCEQ. He briefly spoke about the Bandera County ASR and informed the group that the model of the lower Trinity had been completed and scenario runs had begun. Many more runs should be completed by the end of summer. Mr. Ashworth also spoke about Edwards County and the data gathering they had done there. A massive run started in the Spring and another run will be done in the Fall; so a comparison can be made between the two seasons. He also stated the there will be considerable budget savings due to TWDB agreeing to measure some wells in Val Verde County. Mr. Ashworth informed the group that he is searching for material that was not found in the past, including material that pre-dates the lake being there, and stated that unfortunately, there is no good place for dye tracing. He stated that he would try to have a handout prepared for everyone by the next meeting. Mr. Ashworth gave a quick update regarding Kerr County and how they can make better use of their water rights. There was a brief discussion regarding forming a Scientific

Review Panel. Mr. Ashworth informed the group that one needs to be in place to ensure there is a non-bias review. Mr. Ashworth will have a substantial report and water level maps completed in May or June, with the final report done by the end of summer. There was a brief discussion regarding dye test and water flow.

11:00 a.m. – Recess declared at 11:00 a.m.

11:25 a.m. – Meeting resumed

Mr. Letz introduced Item X; consider discuss and take appropriate action on Scope of Work for Phase II of the third planning cycle January 2007 to January 2010. Application due June 13, 2008. Kevin Kluge reviewed handout entitled “Overview on Request for Applications (RFA) for Phase II of the 3rd Round of Regional Water Planning; copies of which were dispersed to the group.

12:00 p.m. – Recessed for lunch

12:20 p.m. - Meeting resumed

Mr. Letz introduced Item XI; consider, discuss and take appropriate action to set public meeting to receive comment on Scope of Work for Phase II of the third planning cycle January 2007 to January 2010. John Ashworth reviewed the timelines that needed to be met, then reviewed his handout entitled “Plateau Region Water Plan – Draft Scope of Work – Phase II of the 3rd Round of Regional Water Planning”. Mr. Ashworth informed the group that the chapters did not need to be re-written, they merely needed to be brought up to current conditions. He stated that a public hearing must be set in order to hear public comments regarding the scope. The deadline for the Scope of Work is June 13, 2008. Suggestions were made by various individuals with regards to each chapter. The group proposed planning a rural population study as well as a livestock population study. There was a request by Jonathan Letz to have Texas Parks and Wildlife give estimates on animal units within the counties. Stuart Barron informed the group of the proposed population projection for the City of Kerrville. He referred to a handout entitled “Proposed Population Projection for the City of Kerrville – Presented to Comprehensive Plan Update Committee – April 14, 2007”. The group agreed that the population numbers used in the Scope of Work are flawed. Ronnie Pace and Ray Buck suggested that footnotes be added to the Scope stating that the population numbers being used are done so because they are required to be used, and that PWPG does not agree with those numbers. A suggestion was also made to have one table using the numbers that are required to be used, and another table using the numbers that PWPG agrees are correct; as well as providing material from a study which correlates with the PWPG numbers. Mr. Ashworth will work on figuring out a way to get accurate population numbers. There was a brief discussion regarding water rights and the need of the City to purchase more rights. Ray Buck informed the group that there are 5 entities (UGRA/City of Kerrville/City of Ingram/Kerr County/HGCD) that have agreed to, and signed an MOU regarding water rights. Kevin Kluge informed the group of new legislation that had been passed which could help fund various projects, but stated that only items that are included in the capital costs of the plan could be funded. Mr. Ashworth will make

the appropriate changes to the Scope of Work and send out an update prior to the next meeting.

Mr. Letz introduced Item XII; consider and discuss informational items from PWPG members. No items were discussed.

Mr. Letz introduced Item XIII; set next meeting. The next meeting will be on May 28, 2008 at 10:00 a.m. in Camp Wood. Lee Sweeten will make arrangements for a meeting place and lunch. There will also be a Public Meeting on that date.

Item XIV: There being no further business, Mr. Letz adjourned the meeting at 1:45 p.m.

Region J Regional Planning Group

Attest:

Jonathan Letz, Chairman, PWPG

Ronnie Pace, Secretary, PWPG

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION "J"
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
May 28, 2008, 10:30 A.M.
Camp Wood, TX**

MINUTES

Notice having been duly given, a Regular Meeting of the Region "J" Regional Water Planning Group (PWPG) was held at the Arts, History, Music, and Theatre Association (AHMATA) Building, 104 Leon Kluck Ave., Camp Wood, Real County, Texas on May 28, 2008 at 10:30 a.m. Present at the meeting were: Jonathan Letz, Kerr County; Charlie Wiedenfeld, Kerr County; Gene Williams, Kerr County; David Jeffery, Bandera County; Lee Sweeten, Real-Edwards County; John Ashworth, Consultant; Howard Jackson, City of Ingram; Kevin Kluge, Water Development Board; Diana Ward, Kinney County; Gary Garrett, Texas Parks and Wildlife; Perry Bushong, Edwards/Real County; Zach Davis, Kinney County; Connie Townsend, TWDB; Kevin Kluge TWDB; Tully Shahan arrived at 10:45 a.m.

Mr. Jonathan Letz called the meeting to order at 10:30 a.m.

Item I. Roll call was taken

Mr. Letz introduced Item II. Public Comment. No comments were made.

Mr. Letz introduced Item III. Approval of minutes of the April 22, 2008 meeting. Motion made for the approval of the minutes; (Perry Bushong/Howard Jackson). The motion passed by a unanimous vote.

Mr. Letz introduced Item IV; Reports.

- (a) Report from the Chair, Mr. Letz. Comm. Letz gave a status report
- (b) Report from the Secretary, Ronnie Pace.
- (c) Report from Political Entity, Ray Buck.
- (d) Report from Liaisons.
- (e) Report from TWDB. Review by Kevin Kluge and Connie Townsend given

Mr. Letz introduced Item V; consider and discuss approval of invoices. Motion made by Howard Jackson for approval of invoices; a second was made by Lee Sweeten. The motion passed by a unanimous vote.

Mr. Letz introduced Item VI; consider, discuss and take appropriate action of approving Resolution in support of Kinney County Groundwater Conservation Districts request for funding through the USGS. Motion made by Tully Shahan to approve the Resolution; a second was made by Lee Sweeten. The motion passed by a unanimous vote.

TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION “J”
PLATEAU WATER PLANNING GROUP
REGULAR MEETING – Del Rio, Texas
October 30, 2008 at 11:00 am
MINUTES

Notice having been duly given, a Regular Meeting of the Region “J” Plateau Water Planning Group (PWPG) was at the Bank and Trust, 1200 Veterans Blvd., Del Rio, Val Verde County Texas held on Thursday, October 30, 2008 11:00 a.m. Present at the meeting were: Stuart Barron, Kerr County; Perry Bushong, Edwards/Real County; Dennette Coates representing Zach Davis, Kinney County; Otilia Gonzalez, Val Verde County; Thomas Qualia, Del Rio County; Jerry Simpton, Val Verde County; Homer Stevens, Bandera County; Lee Sweeten, Real/Edwards County; Diana Ward, Kinney County; Charles Wiedenfeld, Kerr County; Gene Williams, Kerr County; William Feathergail Wilson, Bandera County; Gary Garrett Texas Parks and Wildlife; Scott McWilliams, Del Rio County; Ronald Burton; E. Henry Garcia, City of Brackettville; Greg Velazquez, City of Del Rio; Mitchell Lomas, City of Del Rio; Connie Townsend, Texas Water Development Board; Tully Shahan; David Jeffery, Bandera County; Stacy Jensen; and John Ashworth, consultant.

Item I. Mr. Simpton called the meeting to order.

Item II. Public Comment. No public Comments.

Item III. Approval of Minutes. No minutes were presented for approval they will be approved at the December meeting for approval.

Mr. Simpton introduced Item IV; Reports

- a. Report from Chair - Jonathan Letz. Mr. Letz was not present at the meeting Mr. Simpton circulated the bank statements from June, July, August and September. He noted that nothing had been paid out recently. The most recent bank statement shows a balance of \$13,057.20
- b. Report from Secretary - Ronnie Pace. Mr. Pace was not present at the meeting
- c. Report from Political Entity – Ray Buck. Mr. Buck was not present at the meeting
- d. Report from Liaisons. No reports from any of the Liaisons
- e. Report from TWDB. Connie gave an update regarding the revised expense budget which is on today’s agenda. Once approved she will redistribute the final contract. The contract execution date is November 23rd.

Mr. Simpton introduced Item V; Approval of Invoices

Invoices were presented from LBG Guyton for:

Alternative Water Supply Analysis for Kerr and Bandera Counties - \$8,064.79

Acquisition of Groundwater Data for Model Development in Edwards, Kinney and Val Verde Counties - \$13,312.31

Acquisition of Groundwater Data for Model Development in Edwards, Kinney and Val Verde Counties - \$1,083.35

Acquisition of Groundwater Data for Model Development in Edwards, Kinney and Val Verde Counties - \$2,238.26

Alternative Water Supply Analysis for Kerr and Bandera Counties - \$7,302.07

Alternative Water Supply Analysis for Kerr and Bandera Counties - \$2,197.92

Alternative Water Supply Analysis for Kerr and Bandera Counties - \$2,864.16

Motion made by Tully Shahan for approval of the invoices; a second was made by Lee Sweeten. The motion passed by a unanimous vote.

Mr. Simpton introduced Item VI. Consider, discuss and take appropriate action concerning the PWPG filing an appeal to the TWDB as to the reasonableness of the “desired future conditions” set by Groundwater Management Areas (GMA-9 Edwards-Trinity). This item was passed until the next meeting to allow Jonathan Letz to give an update on the matter.

Mr. Simpton introduced Item VII. Consider, discuss and take appropriate action on updating PWPG on matching fund issues concerning Special Studies under Phase I of the current 2006-2011 Regional Water Plan. John Ashworth gave a report regarding the matching funds for the projects; the City of Del Rio and the Kinney County Groundwater Conservation District have pledged funding to support the Water Development Boards funds for Project I – the Val Verde, Kinney, Edwards Project. Invoices have not yet been sent to either entity. Diana Ward told Mr. Ashworth that the money they pledged is there, they are just waiting for an invoice. Mr. Ashworth informed the group that Del Rio initially committed \$50,000.00; to be divided into \$25,000.00 over 2 budget years. The budget years they had set that money aside had expired so the request was made again. John Ashworth met with the City Manager and explained the project again, she felt the they had money in the budget but indicated it would need to go through City Council and she requested John attend a meeting. He attended the meeting this past Tuesday. He informed them that the project could probably be completed for \$25,000.00. They approved the request. They can be invoiced now.

Mr. Ashworth said the City of Kerrville devoted funds for Project II in Kerr County; that money was sent and has been moved over to the planning funds. Everything is in line so they will move forward. He informed the group of conversations he had with the Water Development Board regarding funding. They said if the local funding pulled out, they would likely reconsider their funding also. Since most of the funds are there, the project will continue and be completed. Things are ready to move forward. A spectator informed Mr. Ashworth that UGRA was planning to put money towards this but had not yet received an invoice. Mr. Ashworth informed the group that he didn't believe any invoices had gone out with the exception of Kinney County. The gentlemen will call Ronnie Pace or Jonathan Letz regarding the invoices. It was suggested that Del Rio be invoiced now since the City Council just approved the funding. Mr. Ashworth informed the group that the City of Del Rio was very supportive of the project but expressed interest in having a local representative on the planning group. A spectator informed the group that there is a vacancy; the City Engineer, Alejandro Garcia, was a representative and he has retired from the City now. Mitch Lomas with the City of Del Rio has an interest in being a

representative, so they will go back to the City Manager and see if it is acceptable to the City and hope that by the December meeting they will be in a position to make that nomination.

Mr. Simpton introduced Item VIII. Consider, discuss and take appropriate action on the proposed draft of the Phase I Special Studies of the current 2006-2011 Regional Water Plan. John Ashworth informed the group that Project I is the western counties and Project II is the Eastern counties. Project II has been broken down into two separate reports; one for Bandera County and one for Kerr County. The hope is to have a first draft ready for planning group and public viewing by the 3rd week in November. He also stated that all water level measurements have been completed for Project I including the Spring and Fall measurements and the comparisons have been completed and mapped out. A little more data collection is needed. A review committee is in place. There have been logistical problems with getting the dye-tracer test going. One will be in Del Rio. Mr. Ashworth went over the procedures they intend to use for the dye tracking. They were trying coordinate with EAA's dye tracing program in Kinney County. The EAA's testing is lagging so they have decided to go forward without them. Dye should be in the ground by the 1st of December. The results will not be ready for the first draft of the report, but the project will be written to include where the dye is going in, where the receptors are etc. The report will state that the results will be made available to the public and will tell them where to find the results. Project II, the ASR analysis in Bandera County is almost complete, there is one more model run to do in it. There are 2 issues in Kerr County: looking at available water rights/surface water rights that might be available and looking at the feasibility of an ASR project, probably in the Center Point area. They are close to completion. A spectator requested the meaning of the acronym ASR – Mr. Ashworth informed him that it meant Aquifer Storage and Recovery, it's a process where you take treated water, generally from a surface water source, you treat it all the way to drinking water conditions, you inject it in the ground and store it there until it's needed at a later time, then you are able to pump it back out. The only thing necessary after that would be to chlorinate it and you can put it into your system; the idea is that you take water when it's plentiful and bank it so it's available during your drier periods. It has been done very successfully. At the request of a spectator, Mr. Ashworth explained the dye tracing methods and projects. He explained that a dye tracker test is the only means of very accurately tracking direction and rate of speed in the ground. Everything else is estimates. Dye tracing is the one way to measure it. The limitation is that it's only covers the area from where you put the water in to the point of the inceptor. It doesn't necessarily equate to a mile away. The next time we may be able to put in 2 different dyes with different signatures in 2 different places and then when analyze the receptors we can see which one of those dyes, or if both of them, show up. There's a possibility to widen the corridor that we look at. Mr. Ashworth informed the group that the EAA has done some on the Edwards Springs in New Braunfels and the dye showed up pretty rapidly. A lot depends on the water level of the aquifer at the time; if it's fairly high, things are being flushed through very rapidly. They've been doing dye traces in Austin also. If the dye is put in fairly close to the receptors it can be picked up within hours, but it's typically days or weeks and sometime months. In our case out here, he is expecting to see results within a month's period. There was a brief discussion regarding San Felipe Springs. Mr. Ashworth said the distance they are trying to inject above San Felipe Springs is as far as the Agarita Well, a distance of approximately 3-4 miles. There was another discussion regarding San Felipe Springs.

Mr. Simpton introduced Item IX. Consider, discuss and take appropriate action to set public meeting to receive public comments on the Phase I Special Studies. Motion made by Lee Sweeten to set the public meeting on December 11, 2008 in Bandera; a second was made by Tommy Qualia. The motion passed by a unanimous vote. There was a request to do have a teleconference or video conference. A spectator said if there was interest in doing it he would try to coordinate it. Mr. Ashworth said the next meeting is a fairly critical meeting in which the breakdown of the projects will be given and votes will be taken. It was decided that it couldn't be done prior to December anyway, but if anyone has an interest in doing it, the spectator would look into it. A different spectator informed the group that the Texas Workforce Center in Del Rio has an excellent set-up for video conferencing and arrangements could be made to reserve the facility and if there was any kind of charge it would be minimal. They will speak to Jonathan Letz about it.

Mr. Simpton introduced Item X. Consider, discuss and take appropriate action to review the final Phase II Scope of Work of the current 2006-2011 Regional Water Plan. Mr. Ashworth informed the group that Phase II is the development of the revised plan for next year. He stated that the TWDB has reviewed the plan and have chosen not to fund the following items:

- (1) Chapter 2 under population and water demand, items 2C, 2D and 2E which was discussion of alternative population growth patterns for the City of Kerrville and discussion of new water demands in Kinney County as a consequence of recent permit requests and a survey and quantify unaccounted non-transient water use by absentee land owners.
- (2) Chapter 3 funding was requested to drill and core up to 5 wells in the Edwards/Trinity Aquifer and the Trinity Aquifer that did not get funded.
- (3) Chapter 4, revision and discussion to include concerns of declining land management stewardship activities in the region.
- (4) The exploration of potential benefits of cloud seeding.

Overall, everything else was funded. Mr. Ashworth said the TWDB had originally suggested a baseline budget of \$122,340.00. We requested additional funding to a total of \$189,000.00. The final budget authorized by the TWDB is \$180,340.00. A spectator discussed the costs and procedures involved in coring of wells. There was a discussion regarding CMR's and one spectator suggested that CMR's be considered in the future as an cheaper alternative approach to getting the information they are seeking. Mr. Ashworth feels it's worthwhile technology to look at but since the TWBD has approved the contract, we would need to renegotiate the contract if we did that, which would throw things off significantly. Connie Townsend informed the group that negotiations were over and the contract was ready to be signed. Mr. Ashworth agreed that it was a great idea and should be kept on the table for future discussions. Mr. Ashworth said the TWBD has research funds outside of the regional water planning process and believed it would be appropriate for the planning group to look at those research funds and make recommendations on how those funds might be used within our region. There were additional discussions regarding CMR's. Ms. Townsend believed that other funds were available but that Region J would not be able to apply as an entity for those funds, but that one of the entities within the group, the groundwater district, could apply for the funds. It was suggested that the region make a recommendation for the CMR's which would give it more emphasis to the grant when TWDB

is considering it. At the request of a spectator Connie Townsend informed the group that the Facilities Planning Group within the TWDB would be the proper people to speak with about the grant information. Motion made by Lee Sweeten to approve the Scope of Work for Phase II of the Regional Water Plan; a second was made by Otila Gonzalez. The motion passed by a unanimous vote.

Mr. Simpton introduced XI. Consider, discuss and take appropriate action to approve the Phase II contract of the current 2006-2011 Regional Water Plan. Motion made by Lee Sweeten to approve the contract and request \$180,340.00 from the Water Development Board; a second was made by Otila Gonzalez. The motion passed by a unanimous vote.

Mr. Simpton introduced XII. Consider, discuss and take appropriate action to authorize UGRA as the public entity to execute the Phase II contract of the current 2006-2011 Regional Water Plan and execute any other related documents. Motion made by Diana Ward to allow UGRA to represent the Region in this contract process; a second was made by Perry Bushong. The motion passed by a unanimous vote.

Mr. Simpton introduced XIII. Consider and discuss informational items from PWPG members. Mr. Ashworth informed the group they are ready to go on this next regional plan and that it will be a short period, about a year, to revise this next plan. Contracts will probably be signed in November. Connie Townsend informed the group the deadline was November 23rd but informed them it could occur before that; TWDB will be moving forward with the contract. Mr. Ashworth said the Phase I final reports will be presented at the next meeting for approval to send unto to Water Development Board. Connie Townsend said the deadline for the special studies is December 31st. Public comment will be taken at the next meeting, as well as comments from the group. Mr. Ashworth informed the group copies of the Phase I final report will be sent to the members at least a week before the next meeting to allow them time to review the report.

There was a discussion regarding the August bills. Mr. Ashworth informed the group he did not think they had been paid yet, but he was certain about that. A discussion ensued regarding the process of paying the invoices.

There was a discussion regarding the City of Kerrville drilling another ASR the first part of next year and that they have discussed using the CMR process.

Mr. Simpton introduced XIV. Set Next Meeting. Motion made by Tully Shahan to set the next meeting on December 11, 2008 in Bandera County; a second was made by Lee Sweeten. The motion passed by a unanimous vote.

Adjournment.

TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION “J”
PLATEAU WATER PLANNING GROUP
REGULAR MEETING – BANDERA, Texas
December 18, 2008 at 10:30 am
MINUTES

Notice having been duly given, a Regular Meeting of the Region “J” Plateau Water Planning Group (PWPG) was at the Flying L Guest Ranch, 566 Flying L Drive, Bandera, Bandera County, Texas held on Thursday, December 18, 2008 10:30 a.m. Present at the meeting were: John Ashworth, consultant; Stuart Barron, Kerr County; Ray Buck, Kerr County; Perry Bushong, Edwards/Real County; Zach Davis, Kinney County; David Jeffery, Bandera County; Jonathan Letz, Kerr County; Thomas Qualia, Del Rio County; Tully Shahan; Jerry Simpton, Val Verde County; Homer Stevens, Bandera County; Connie Townsend, Texas Water Development Board; Charles Wiedenfeld, Kerr County; Gene Williams, Kerr County; William Feathergail Wilson, Bandera County; Diane McMahon, Kerr County; Gary McVey, Kerr County; Mary Ellen Summerlin, Kerr County; Sonja Klein on behalf of Lee Sweeten, Real/Edwards County and Paul Tybor, Hill Country UWCD.

Item I. Mr. Letz called the meeting to order.

Item II. Public Comment. No public Comments.

Item III. Approval of Minutes. The minutes from the May 28, 2008 and October 20, 2008 were presented. **Motion made by Jerry Simpton for approval of the minutes; a second was made by Perry Bushong. The motion passed by a unanimous vote.**

Mr. Letz Item IV; Reports

- a. Report from Chair – No report from Mr. Letz
- b. Report from Secretary – Mr. Pace was not present. Mr. Letz circulated the bank statements from October and November. He noted that nothing had been paid out recently. The most recent bank statement shows a balance of \$13,057.20
- c. Report from Political Entity – Ray Buck informed the group that they were working on one contract and the second contract was just approved. UGRA maintains a different bank account than the statements that were circulated earlier; their account is down to about \$5,000.00 and they have asked for another advance. They met with LBG-Guyton staff earlier and everything has been worked out with the first contract, so the second contract has started.
- d. Report from Liaisons – No reports were given.
- e. Report from TWDB. Connie Townsend stated that the special studies presented today will be submitted by December 31st; one of the studies will have an extension, and will be

submitted January 31st. That will move the Phase I contract final timeline back from April 30th to May 31st. Mr. Letz asked if anything further needed to be done on that now that the Public Hearing had been completed (at 10:15 a.m today) and no public comments were given. Ms. Townsend informed him that she believed nothing else needed to be done; the public meeting had to be conducted in order to make it available for public comment, then if comments were received those comments could be incorporated in the studies.

Mr. Letz introduced Item V; Approval of Invoices

Invoices were presented from LBG Guyton for:

Acquisition of Groundwater Data – Edwards, Kinney and Val Verde - \$18,894.38 (10/1/08-10/31/08)

Alternative Water Supply Analysis-Kerr/Bandera - \$ 2,563.08 (10/1/08 – 10/31/08)

Alternative Water Supply Analysis – Kerr/Bandera - \$ 3,256.61 (8/1/08 – 8/31/08)

Acquisition of Groundwater Data – Edwards, Kinney and Val Verde- \$2,742.76 (8/1/08 – 8/31/08)

Acquisition of Groundwater Data – Edwards, Kinney and Val Verde \$3,706.84 (4/1/08 – 4/30/08)

Motion made by David Jeffery for approval of the invoices; a second was made by Ray Buck. The motion passed by a unanimous vote.

Mr. Letz introduced Item VI; Consider, discuss and take appropriate action to authorize the Political Subdivision (UGRA) to execute contracts with sub-contractor(s) of our Consultant (LBG – Guyton). Mr. Letz informed the group that LBG-Guyton hired someone to help with the tracing studies, the question was whether the Planning Group needed to authorize that or whether the Political Entity could do that on their behalf. It was stated that it had already been done, it just needs to be authorized that the sub-contractor could be hired. Mr. Buck (??) stated that it was not covered in the contract with LBG-Guyton and asked if the sub-contractor was paid. Mr. Letz stated it was a gray area and that’s why it was put on the agenda to make sure there would be a clean audit trail. Mr. Buck wanted to clarify that it was not the intention to have URGAs have a separate pass through agreement with LBG-Guyton. Mr. Letz said that was not the intention, it was just to authorize things for payment purposes. Mr. Ashworth stated that any sub-contractor with them is not directly contracted with the Planning Group, they just pass through all the agreements with them and the Planning Group; but they would notify the group when they hire a sub-contractor to make sure no one has a problem with that sub-contractor. Mr. Letz stated that in the instance that has already been done, all parties were notified and no one had a problem with the sub-contractor. **Motion made by Charles Wiedenfeld to authorize the Political Subdivision (UGRA) to execute contracts with sub-contractor(s) as needed; a second was made by David Jeffery. The motion passed by a unanimous vote.**

Mr. Letz introduced Item VII; Consider, discuss and take appropriate action concerning the GMA process and the possibility of the PWPG filing an appeal to the TWDB as to the reasonableness of the “desired future conditions” set by Groundwater Management Areas. Mr.

Letz said this item specifically relates to the Edwards/Trinity. Mr. Letz read portions of the minutes from the August 29th GMA-9 meeting. He stated that at that meeting there was a discussion regarding possible action on the Blanco-Perdenales Groundwater Conservation Districts proposal to set desired future conditions (DFC) for the Edwards Plateau – Trinity - Glen Rose – Upper Trinity Aquifers in GMA-9. The vote was 8-1 with Headwaters voting against doing it at that time; but GMA-9 did pass it. Mr. Letz said there were 50-100 people there, and everyone present on all spectrums asked the GMA to not vote on anything that day, and to wait longer, but the Board decided to vote anyway. The problem Mr. Letz sees with that, with regards to the Edwards Trinity, is that it would set it at “no net increase in average drawdown”; and the problem is determining what no net increase in average drawdown is. He went on to state that in conversations with the TWDB (Bill Mullican, Robert Mason and Connie Townsend) he found there to be no objection at all to the PWPG filing an appeal and stated that they have “almost encouraged us to file the appeal”. Mr. Letz believes that it needs to be done to clarify the process and clarify what they are talking about. He also stated that Kerr County will file an appeal as well. There was a brief discussion regarding how soon the appeal must be filed. Connie Townsend stated that it must be filed within 120 days of the formal DFC proposal. Mr. Letz expressed his concern about the time frame because he doesn’t see that written anywhere, it isn’t defined when the 120 days starts; his preference would be to file an appeal stating the basics of the appeal in a one page letter prior to December 29, 2008. The letter would state that the DFC’s are not quantifiable. Mr. Letz believes that Headwaters is between a rock and a hard place: they voted against setting the DFC, yet it may cause problems for one of the members of the GMA-9 to file an appeal against the GMA-9 they are working with; they have to work together. Three members of Headwaters Board, their consultant and their General Manager are present at today’s meeting. The consultant abstained from voting today because he works in these other GMAs as well as being a consultant for Headwaters. He also mentioned there are 3 GMAs in Region J. There was a brief conversation regarding whether the vote in GMA-9 included the Edwards or the Edwards/Trinity. Mr. Letz stated that what the paperwork stated was the Edwards group of the Edwards/Trinity Plateau. After a brief discussion about what was voted on, it was stated that the vote only included the Edwards group of formations and did not include the Trinity at all; the Trinity is not part of the Edwards. There was a brief discussion regarding the difference between the Edwards and the Edwards Plateau, and it was stated that Headwaters already prohibits the drilling of wells big enough to take a permit in the Edwards. Mr. Letz stated that the problem is not knowing what the baseline is, and that must be determined before anyone can start monitoring wells in that aquifer. A discussion ensued regarding whether or not a baseline had been used in the model and Mr. Letz stated that the motion is for a “no net increase” and it doesn’t talk about any well, or refer to any model. Another individual stated that it’s Mason’s (??) wording and it is the baseline in the model that it’s tied to; there’s no increase off that baseline which takes in all of the decline over the 60 years; and it can change next year; it can change at any time. There was a brief discussion regarding how it could be determined whether or not the DFC’s have been met. It was stated that the GMA has not discussed any quantifiable well or baseline; no baseline has been set by the GMA as to where to start. There was a discussion regarding people in GMA-7 and their desire to have a bigger drawdown than zero. It was asked if, as part of the protest that Kerr County, could it be requested to get out of GMA-7 and get put in the one to the West, when it comes to the Edwards Aquifer only. Mr. Letz stated another reason for the appeal is with Headwaters voting against it, you now have the area that really doesn’t care about the Edwards deciding the

Edwards. He stated the same thing could happen with the Trinity. The ability to have your local Groundwater District have authority over the groundwater could be lost. He stated that this is a good opportunity, because it's unclear, to have the TWDB Board evaluate this and make sure it's what they intended to do; to take away authority from the local level. Mr. Letz said Bill Mullican said the only thing needed at this point was a letter, Mr. Letz said he would write the letter, so there would be no cost for the appeal. Connie Townsend said, to her knowledge, this would be the first challenge to any DFC in the state. There was a brief discussion as to whether to file the appeal or not. Ms. Townsend stated that part of the criteria for the appeal is questioning the reasonableness of the DFC's. Letz stated that the reasonableness is that there is no understanding of what the zero drawdown means. There was a discussion regarding whether or not to delay filing the appeal. Mr. Letz stated that his only concern with waiting was if the 120 days period expires, he'd rather have a one page appeal filed, and have them request more information than to have them say it wasn't filed in time. It was agreed that the definition of "zero drawdowns" needed to be clarified. Mr. Ashworth (?) defined what a water table was and gave a definition of water table aquifers. It was agreed by a majority of the members that the baseline needs to be given in writing and the only way to clarify it is to file an appeal. Ms. Townsend explained the petition process and stated that before making a formal petition to the TWDB, an informal petition must be made to the GMA itself stating what is being objected to, and gives it a chance to get solved at that level. Ray Buck stated he would like today's motion to state that the GMA will be approached first, then authorize the rest of the process with the TWDB. There was further discussion regarding the 120 day timeline. It was stated the next GMA-9 meeting would be around January 19th. There was discussion regarding whether it was better to have the Region file the appeal, or if it should be done independently by the City and the County. Mr. Letz informed the group that the County would be filing an appeal also, independent of this one. Mr. Letz recommends that anyone who has a standing and wishes to file an appeal should do so. Someone voiced a concern that since the letter was coming from the Plateau Water Group that we should be considering the GMA's decision that's going to be to the West too; this may set premature precedent. He believed that the letter should represent everybody. Mr. Letz said he would send a copy of the letter to everyone. **Motion made by Zack Davis to authorize Jonathan Letz to prepare a one page letter appeal and sign it, then submit it to the Members of this Board for approval; a second was made by Ray Buck. The motion passed by all members except Sonja Klein who opposed it and Feathergail Wilson who abstained.**

Mr. Letz introduced Item VIII.; Consider, discuss and take appropriate action to discuss, review and approve the Phase I Special Studies of the current 2006-2011 Regional Water Plan. Mr. Ashworth presented a slide show. He reminded the group about Project I which included Edwards, Kinney and Val Verde counties and was looking at new data acquisition to support models whether existing or old. Project II looked at water rights analysis and ASR feasibilities in Bandera and Kerr Counties; which were written up in separate documents because they were so dissimilar. Andre (??) Salazar with Freese and Nichols was present to help present the information. Freese and Nichols did the WAM runs for the look at surface water availability analysis and calculated infrastructure costs for ASR facilities (water treatment facilities to support the ASR). Mr. Salazar explained what they did in Bandera County during the slide presentation. (See draft of "ASR Feasibility in Bandera County" handout). John Ashworth explained how they looked at ASR in Bandera County. He stated they had to assume the ASR

would have to be built within the city limits, basically in the center of the cone of depression. A slide was shown of water wells in Bandera going back to 1950 which shows the amount of water level decline; very significantly. Mr. Ashworth stated the assumption is that the ASR will be in the Lower Trinity. Other assumptions were made on how much water will be put underground and how much pumping is occurring. Mr. Ashworth went through a few scenarios based on the Lower Trinity Model. He stated the Lower Trinity Model that was used was supplied to them by the Bandera County River Authority and Groundwater District; and thanked them for the use of it.

One scenario was based on putting 2.54 million gallons of water a day underground, within the vicinity of Bandera, using the 3 wells that they already have and not building new wells. Starting out with full availability, potentially be taken out of Medina. The slides presented showed the water levels. He stated that by putting 2.54 million gallons a day underground the water level line (at 2000 feet) would put it above ground; which is basically too much, the aquifer can't handle that much water as it doesn't spread out fast enough. Even with the full amount, it is not recommended that that amount be injected. You can take that amount of water and treat it and move it directly into your distribution line, but you don't have to access it. (see draft of "ASR Feasibility in Bandera County", Page 5-3, Figure 5.1)

The second scenario looked at only putting in .5 million gallons of water a day underground. Mr. Ashworth stated that this appears much more reasonable amount. He stated that when running the models, you must look at what you are putting in and how much is coming out. Injection at this level is feasible. (see draft of "ASR Feasibility in Bandera County", Page 5-4, Figure 5.2)

Mr. Ashworth stated that the numbers for the 2 scenarios is based on the water demands that are in the Region J plan for this area. Bandera feels that the growth potential for the future is much greater than what is in the water plan, they actually have some other numbers that Mr. Ashworth did not have with him.

The same scenario was run again based on a higher water demand, that there would be more water pumping coming out. He showed a slide which demonstrated an injection of 2.54 MGD based on Bandera's expectation of withdrawal. He stated 2.54 is much more reasonable (a 200-300 foot rise) if there is a full build out over the next 50 years that Bandera is expecting. (see draft of "ASR Feasibility in Bandera County", Page 5-5, Figure 5.3)

Mr. Ashworth stated that a couple more scenarios reducing those amounts to .64 MGD based on the full build out and again the water level change was in the 100-150 range. (see draft of "ASR Feasibility in Bandera County"; Page 5-6, Figure 5.5). He believes those amounts to be quite reasonable. Mr. Letz asked if they do the ASR, and the population grows as projected that the ASR, will it keep depletion from the aquifer. Mr. Ashworth agreed that it would. There was a brief discussion regarding the possibilities of Bandera treating more water and sell it areas to the South. Mr. Ashworth pointed out that on the last page of the report there were some conclusions and recommendations, one of which stated that they could have injection wells for treatment for water that is in excess of water that the City of Bandera might need which might be available for sale. Mr. Ashworth stated these were just scenarios' that they ran and that there could probably be 100 different scenario's that could be used, but they tried to show the gammit of the potential

there. Someone asked if they used the pumping from the Flying L at the same time for these; Mr. Ashworth stated he wasn't the modeler for these, but he assumed that it was.

Mr. Ashworth estimated an infrastructure cost for the water treatment facility would have an annual cost which would include a capital cost, O and M and debt service of 1.8 million dollars; from the unit cost perspective it's approximately \$600 per acre foot (see draft of "ASR Feasibility in Bandera County", Page 6-1). He stated that the estimate included a water well, 16" diameter, 12" casing, 10" screen down at the bottom part of it at approximately ½ million dollars. Mr. Ashworth stated that the use injection well has to meet supply water specifications so it's not just a simple recharge well. There was a discussion regarding cost estimates of the equipment as well as what other counties are charging for water. It was stated that the river had already been allocated and it was being bought from the BMA the Irrigation District Center (?), and it has to be purchased at fair market value. The water is set aside for Bandera, but it still must be purchased. Mr. Ashworth stated that the operational costs were included in the model, but not the cost to purchase water. Currently it costs approximately \$65 an acre foot to the farmers. Mr. Ashworth stated that the extent of the project did not go all the way into whether or not the City could actually buy it. He stated that if it were to become a full strategy during the next, or the following planning period it would be flushed out even more. Mr. Letz stated that the study that was done shows that it was doable strategy, geologically, that needs to be explored.

Mr. Ashworth then went on to review the Draft of the "Water Rights Analysis and ASR Feasibility in Kerr County". He stated that Kerr County also has 2 components. The first half was to look at water rights above Canyon Lake to see what's there and do some analysis on what might be available for purchase by the City of Kerrville or UGRA or anyone else that might need it. He stated that the results of that lead into the second part of actually looking at ASR feasibility that would fall under the guidance of UGRA, and would help relieve the water supply needs in Eastern Kerr County, in the community of Center Point. Mr. Salazar spoke regarding the water rights aspect. He stated they did analysis for water rights availability that are within the Guadalupe River base and whether or not surface water is available. (see draft of the "Water Rights Analysis and ASR Feasibility in Kerr County", pages 3-10 to 3-13). Since water rights are not reliable enough he stated there was a need to increase the water availability. One way to do that is purchase, or lease, some of the water rights that are within the vicinity of Kerrville. He showed a summary of the water rights for Canyon Lake. He stated they are looking at purchasing most of the irrigation water right, the amount being 10,000 acre feet, which represents all water rights for Canyon Lake. There was a discussion regarding the chances The City of Kerrville has of buying more rights. Mr. Salazar stated they analyzed how reliable the water rights are based on different factors and put them in 5 groups. Group 1 is the most reliable and Group 5 is the least reliable. They came up with quantifiable parameters for those water rights. Mr. Salazar described the parameters used included: volume reliability during drought of record (see Draft of the "Water Rights Analysis and ASR Feasibility in Kerr County", page 3-6); Minimum Annual Diversion (see draft of the "Water Rights Analysis and ASR Feasibility in Kerr County", page 3-7) and the 75/75 Criterion (see Draft of the "Water Rights Analysis and ASR Feasibility in Kerr County", page 3-7). Mr. Salazar stated they used those parameters for each individual water rights and then we divided them into the different groups, Groups 1 – 5 (see draft of the "Water Rights Analysis and ASR Feasibility in Kerr County", page 3-7). Mr.

Salazar went onto explain the different groups in greater detail. A discussion ensued regarding the various Groups and the price fluctuation between reliable water sources and those that are not as reliable (see draft of the “Water Rights Analysis and ASR Feasibility in Kerr County”, page 3-14). Mr. Letz stated that the intent of this study, and the Bandera, and the Western Kerr County was to focus on our strategies before the next planning process; they aren’t trying to get specific information, it’s more global.

Mr. Ashworth talked about looking at the potential of having an ASR facility. He stated assumptions needed to be made one of which was that the facility would be built at Center Point, in lower elevations, close to the river; but stressed that it can be placed anywhere. He also stated they are assuming strictly what the Region J water demands are for the region; it’s not being boosted to any higher expectations for this model run. Mr. Ashworth said that within the area of an ASR you must look at what wells are currently there, that might be impacted by an ASR. He went on to explain that impacted means that water wells would likely go up in some of these wells. It also means that if you are trying to secure that water for your facility, you have to look at other wells that might be also taking it away from you. He reviewed a diagram which showed the wells that are in the water development board data base within the general facility of Center Point. (See draft of the “Water Rights Analysis and ASR Feasibility in Kerr County”, page 4-2). Mr. Ashworth reviewed where they were planning to perform the injections and went over the next steps in the feasibility analysis. There was a brief conversation regarding HGCD’s monitoring well #7 and #1. Mr. Ashworth went on to state that they showed putting the 2.54 MGD’s in the ground which brought the water levels up close to 200 feet in the near vicinity of the injection wells and 100 feet a little bit further out; 200 feet keeps it barely in the ground, so that’s a maximum reasonable amount. He did not think they would want to go more that that. They went to the maximum amount to make sure that the higher amount works, thus any lesser amount will work also. Mr. Ashworth reviewed the assumptions that are used in groundwater models.

Lunch break

Back in Session at 1:00 PM

Stuart Barron requested, and received, clarification on various items in the Draft of the “Water Rights Analysis and ASR Feasibility in Kerr County”. There was a brief discussion regarding the Water Master and how he is the one to monitor what permits are being used and what permits aren’t being used.

Mr. Letz suggested that the Draft of the “Water Rights Analysis and ASR Feasibility in Kerr County” be approved subject to incorporating the comments made by Stuart. **Motion made by Ray Buck for final approval of the Phase I Special Studies of the current 2006-2011 Regional Water Plan for Bandera and Kerr County; a second was made by Charlie Wiedenfeld. The motion passed by a unanimous vote.**

Mr. Ashworth spoke regarding the project in Edwards, Kinney and Val Verde County (Draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”) that was done to gain more hydrologic data in support of the existing Water Development Board

Edwards-Trinity Plateau dam, or potentially for a more site-specific model in the future. They tried to gather data that is available that is not correctly in the Water Development Board data base and is not used in the existing dam. He looked at what the IBWC (International Boundary and Water Commission) had done looking at Amistad; they looked at water levels and spring flow before inundating the reservoir, then did it again after their reservoir was inundated. He stated studies were done to show how the filling of the reservoir impacted both streams and downstream surface water flows in the near vicinity. They downloaded all the new water levels that are in the WDB, TCEQ data base, from the drillers. Mr. Ashworth stated the wells do not have state well numbers, they are strictly driller reports. He reviewed the current process used for drilling wells. Mr. Ashworth reviewed the Las Moras Springs Discharge 1938-2008 graph (see draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”, page 3-6, Figure 3.2) and the Las Moras Springs Discharge 2001-2008 (see draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”, page 3-7, Figure 3.3), which displayed the dry spells and the recharge periods. He then reviewed the Devils River Flow Measurements Chart (provided by the Texas Nature Conservancy) (see draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”, page 3-9, Figure 3.5) which displayed the stream flow measurement that was taken in September of 2006 and the Annual Flow in Las Moras, Pinto and Mud Springs chart (see draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”, page 3-10, Figure 3.6). He pointed out the difference in volumes that flow and how they responded, or did not respond, to the same recharge event. Mr. Ashworth went on to explain that they then partnered with TWDB, TX Nature conservancy, measurements from IBWC and the Real-Edwards Groundwater district in Edwards and did was their own water level measurement measure the wells. (see draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”, page 5-2, Figure 5.1 for the locations of the wells used.) He discussed the diagram that showed the 2008 Water Level Measurements (see draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”, page 5-3, figure 5.2). He stated the wells were measured around February 2008 and then again in September 2008; and only the wells that we were able to get a measurement for both periods are shown on the graph. It was noted that there was a slight water level rise throughout the area, but there were a few negatives, especially in Kinney County; there was no one trend throughout the whole area. Mr. Letz noticed it was odd that with the dry year we’ve had that there wasn’t more of a decline in the water level. Discussion ensued regarding the reservoirs, aquifers, the difference between the Edwards, Trinity, Edwards-Trinity Plateau Aquifers, and the various water zones. Mr. Ashworth informed the group they merely review work quality work that has been done recently, and did not do any new water quality work. Mr. Ashworth stated a couple of other reports were used, including one from the Grass Valley Corp report which covered monitoring wells that were drilled and pumping tests they had done on them in parts of Eastern Kinney County as well as the green report that was written for Southwest region. He discussed a diagram which showed the water level map that came out of that region for water levels that were measured in Jan. – Feb. 2006. (see draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”; page 5-10, Figure 5.5). He noted the trend was of water levels moving toward the Rio Grande to the South and Southeast. Mr. Ashworth then reviewed another map which showed a greater regional perspective that captures the Rio Grande and Del Rio which capture the U.S. and the Mexican side. (see draft of “Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas”; page 5-11, Figure 5.6). There was a brief discussion regarding

if the water was flowing the way it was due to the dip of the rock due to erosion, and the water finding its way out. Mr. Ashworth stated that on a large regional scale the surface streams are flowing in the same direction as groundwater. A discussion ensued regarding the impact of topography on water flow. Mr. Ashworth went onto discuss a map which showed water quality (see draft of "Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties, Texas", page 6-2, Figure 6.1). He stated that well locations where samples had been taken between 2004 and 2007, that were in the Water Development Boards database, were downloaded and analyzed. Mr. Ashworth stated the last aspect of their research is Tracer testing, and a one month extension was granted in order to give time to report on the tracing. He stated dye was in the ground at both locations: one was inserted on the North part of the city of Del Rio with the monitoring samples all along the San Felipe Creek and Indian Springs, and a few other wells; the other project is in Kinney County and the dye was injected in the Dooley Well. Mr. Ashworth stated they are working in conjunction with the EAA on the Kinney County project. They are injecting different dyes, so when they are detected at these monitoring sites we will know from what position they came from. He stated some of them have detectors that take a sample every hour and the rest of them are charcoal maps(???) that are manually changed in and out; which is done quite often in the beginning then after 2, 3 or 4 weeks it trails off. Mr. Ashworth stated the plan was to have the dye tracer portion of the report completed by the second week of January and ready to be turned in by January 31st. A discussion ensued regarding whether the report should be turned in as is, minus the dye trace test section, and that portion provided by itself at a later time, or waiting to turn it in the entire report in at that time. Ms. Townsend said the 30 day extension had been given for the whole report. It was agreed that the report would be approved with the provision that the dye tracer study be put in there and summarized within it. **Motion made by Tully Shahan for final approval of the Phase I Special Studies of the current 2006-2011 Regional Water Plan for Plateau Region (J) subject to the inclusion of the tracer study, to be submitted by January 31, 2009; a second was made by Jerry Simpton. The motion passed by a unanimous vote.**

Mr. Letz introduced Item IX; Consider, discuss and take appropriate action to discuss, review and approve the Phase II Scope of Work of the current 2006-2011 Regional Water Plan. Mr. Letz stated that he believed this item had been approved, and put it on the agenda as a discussion item in case anyone wanted to discuss it. Mr. Ashworth said he didn't have anything to discuss; they already knew what their scopes and budgets are. He stated they were trying to get our contract between LBG-Guyton and UGRA in place. A draft had been given to Ray Buck and once they get everything in place, and the contract signed, they'll be ready to go. No other comments.

Mr. Letz introduced Item X; Consider, discuss and take appropriate action on TWDB Population/Demand Change Chart. Mr. Letz said TWDB sent out a chart on population demand and was annoyed that they were talking about population because that was not to be looked at this round. He also stated he had a problem with asking John Ashworth to submit things without the PWPG looking at them; whether it was critical information or not. Ms Townsend stated that the chart was only a template, to use as a set-up for when information does come. She said the chart was made as a template for TWDB to use and they invited Mr. Ashworth to use it also so there would be a consistent template. She stated she was not asking for information to be resulted and given to her today. Mr. Letz said that given that explanation no further action was required.

Mr. Letz introduced XI; Consider, discuss and take appropriate action on request for a contract extension for a Special Study (Kinney and Val Verde Counties). Mr. Letz stated that he believed this had already been done. Another individual stated that it had been submitted contingent upon approval; therefore formal action to approve our political entity going forward with the extension request was needed. **Motion by Charlie Wiedenfeld to approve a 30 day extension on the Special Study; a second was made by Tully Shahan. The motion passed by a unanimous vote.**

Mr. Letz introduced XII; Consider and discuss informational items from PWPG members. Someone stated that there was a vacancy for the Val Verde County interest, and they believed there was a nominee. Mr. Letz said they had not formally gone over the nomination process. He informed the group that the nomination will be put out in the next few days in a formal letter, and that they must accept them for a period through January 31st. He stated it would be made formal at the next meeting, assuming it was January 31st. There were no other items to discuss.

Mr. Letz introduced XIII; Set Next Meeting. There was a discussion regarding whether or not the group would need to meet again to re-approve the drafts once the TWBD gets the comments back and changes are made. It was agreed that the next meeting would be in March and notice would given regarding nominating officers.

Meeting Adjourned

TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION “J”
PLATEAU WATER PLANNING GROUP
REGULAR MEETING – Camp Wood, Texas
July 9, 2009 at 10:00 am
MINUTES

Notice having been duly given, a Regular Meeting of the Region “J” Plateau Water Planning Group (PWPG) was at the Arts, History, Music, and Theatre Association (AHMATA) Building, 104 Leon Klink Ave., Camp Wood, Real County Texas held on Thursday, July 9, 2009 at 10:00 a.m. Present at the meeting were: Lee Sweeten, Real/Edwards County; Perry Bushong, Edwards/Real County; Thomas Qualia, Del Rio County; Otila Gonzalez, Val Verde County; Gene Williams, Kerr County; Connie Townsend, TWDB; John Ashworth, consultant; Jonathan Letz, Kerr County; Ronnie Pace, Kerr County; Ray Buck, Kerr County; Feathergail Wilson, Bandera County; Tully Shahan; David Jeffery, Bandera County; Jerry Simpton, Val Verde County; Zach Davis, Kinney County; Howard Jackson, City of Ingram; Stuart Barron, Kerr County; Charles Wiedenfeld, Kerr County; Gary Garrett, TPWD; Diane McMahon, Kerr County; Scott McWilliams; Sky Lewey; and Roland Trees.

I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.

II. Public Comments.

Lee Sweeten welcomed everyone to the new Camp Wood facility.

III. Approval of Minutes

The minutes of the 12/18/08 Public Meeting and Regular Meeting were approved. **Motion made by Lee Sweeten for approval of the minutes; a second was made by Howard Jackson. The motion passed by a unanimous vote.**

IV. Reports.

- a. **Report from Chair.** No report from Jonathan Letz.
- b. **Report from Secretary.** Ronnie Pace reported that there were no outstanding minutes for the group.
- c. **Report from Political Entity.** Ray Buck stated that there are currently 2 contracts in place with the Water Development Board and he distributed two spreadsheets to the group (Texas Water Development Board – Research and Planning Fund – Regional Water Planning – Upper Guadalupe River Authority (Region J) – TWDB Contract No. 0704830695 AND TWDB Contract No. 0904830869). He stated everything was on track and we are doing well with the expenditures. He briefly discussed the spreadsheet. He noted that in some of the areas of Contract #0704830695 the “percent budget remaining” was a

negative number and he stated that he will get together with John Ashworth to work on those. He informed the group that TWDB allows them to amend a task funding budget by up to 35% without approval of the Board. Mr. Buck noted that Contract #0904830869 had just begun therefore the “percent budget remaining” numbers remain high.

- d. **Report from Liaisons.** No reports at this time.
- e. **Report from TWDB.** Connie Townsend informed the group that she talked with John Ashworth about working with spreadsheets that contained milestones of things we needed to be mindful of and stated that this contract has a few provisions it in that we didn't have in previous plans. She stated those provisions were as follows:

In task 1.12, in Chapter One, will have a discussion this time around on Water Loss Audit Results for the rejoin and there's a report that will have all the results for the State for public water suppliers and TWDB is trying to put the data into the spreadsheet so they can easily get a hold of the data instead of having to look through the reports.

In Task 4 this time around Alternative Water Management Strategies are will be fully evaluated.

In Task 6 (handout “Drought Management in the Texas Regional and State Water Planning Process”) it's specific for regional and state water district issues. She stated it was a good report and they are available on-line.

Ms. Townsend informed the group that there will be a meeting on July 21, 2009, in San Antonio with the North American Development Bank (NADB) and the Border Environment Cooperation Commission (BECC). She stated the BECC does funding for border review issues on the U.S. side and the Mexico side. At that meeting the Directors want the public to come to talk about border issues and community issues. Ms. Townsend believes this would be a good meeting to attend for those people that live along the border.

Mr. Letz thanked Ms. Townsend for the work she has done and commended her efforts as the Region J's project manager.

There was a brief discussion regarding the Alternative Water Source. Ms. Townsend was asked if the Regional Planning Water Group would be considering those as potential water strategies. She stated that was up to the group to decide. Mr. Letz stated that the GMA process will require the group to redo the water planning process because GMA9 and GMA7 are coming out with numbers that are very different than what has been used in the planning criteria in the past cycle. He stated the group will have to be more imaginative in what it considers in strategies the next time. Ms. Townsend said she could have representatives from TWDB's innovative technology group, in the

groundwater section, come and talk about the different topics and things the group would like to know about to the groups meetings to give them ideas, all the group has to do is let her know what they can do to help. John Ashworth stated that the Board does have a state wide report on groundwater supplies.

V. Consider, discuss and approve invoices.

The following invoices were approved:

11/1/08-11/30/08 \$8,390.70 (Alternative Water Supply Analysis for Kerr and Bandera

Counties)

11/1/08-11/30/08 \$4,277.10 (Acquisition of Groundwater Data for Model Development

in Edwards, Kinney and Val Verde Counties)

12/1/08-12/31/08 \$27,338.30 (Acquisition of Groundwater Data for Model Development in Edwards, Kinney and Val Verde Counties)

12/1/08-12/31/08 \$21,717.88 (Alternative Water Supply Analysis for Kerr and Bandera

Counties)

4/1/08-1/31/09 \$10,000.00 (Phase II Update of the 3rd Round of Regional Water Planning Update to the 2006 Plateau Region Water Plan)

1/1/09-1/31/09 \$6,660.46 (Alternative Water Supply Analysis for Kerr and Bandera

Counties)

2/2/09-2/31/09 \$22,672.81 (Acquisition of Groundwater Data for Model Development

in Edwards, Kinney and Val Verde Counties)

2/1/09-2/28/09 \$13,659.21 (Acquisition of Groundwater Data for Model Development

in Edwards, Kinney and Val Verde Counties)

2/1/09-2/28/09 \$1,109.03 (Phase II Update of the 3rd Round of Regional Water Planning Update to the 2006 Plateau Region Water Plan)

3/1/09-3/31/09 \$1,057.36 (Phase II Update of the 3rd Round of Regional Water Planning Update to the 2006 Plateau Region Water Plan)

3/1/09-3/31/09 \$2,750.70 (Region J – Alternative Water Supply Analysis for Kerr and

Bandera Counties)

4/1/09-4/30/09 \$1,669.50 (Phase II Update of the 3rd Round of Regional Water Planning Update to the 2006 Plateau Region Water Plan – Contract #0904830869)

5/1/09-5/31/09 2,093.55 (Phase II Update to the 3rd Round of Regional Water Planning

Update to the 2006 Plateau Region Water Plan – Contract #0904830869)

There was a brief discussion regarding the invoice that was sent to the City of Del Rio in the amount of \$25,000. The group had been told the check was forthcoming, but it has not yet received it. Mr. Simpton informed the group that the problem is due to the funds being budgeted in one year, but not invoiced to them in that same year. When the invoice arrived there were no funds in their

budget for it. It was stated that the original commitment was \$50,000 then it was discounted to \$25,000 to try and get things worked out. It was stated that they are trying to adjust, like a lot of entities are, and there is no guarantee they are going to put the \$25,000 in the 2010 budget. The City did indicate they will, and that they have the funds. Mr. Letz stated that if it is to come from the next budget year it will not help under the current contract. Mr. Simpton said they should be able to do it from this year's budget, but they aren't sure. Mr. Buck stated if the money is not received then LBG-Guyton will not get paid as UGRA won't be able to pay the bill if they don't have the money. Mr. Ashworth stated he is trying to hold off the billing until the money is received. Mr. Simpton said he would call again see what he can find out. Mr. Buck asked Ms. Townsend what would happen to the contract since it was a matching grant. Ms. Townsend stated she was not sure what all the ramifications are because we went into these contracts matching local funds. She stated there should have been contracts done with the entities that you are doing local funds with, which would bind them. She stated that she would check with their contracts department and find out. Mr. Letz stated that the minutes from the City of Del Rio's meetings state that they approved it and the Region J minutes show it was approved so it seems as if it would be a contract. Ms. Gonzalez and Mr. Simpton agreed to work on it. There was a brief discussion regarding the City of Del Rio's budget. Mr. Letz suggested that if the issue can't be resolved then LBG-Guyton could send them an invoice telling them they are in arrears because they didn't pay a contract. He also thought that maybe TWDB could get their legal department to send the City of Del Rio a letter. Mr. Letz believes it should be paid by the City, especially in light of the fact that LBG-Guyton has reduced it 50%, which shows a good faith effort on their part. **Motion made by Lee Sweeten to pay the invoices; a second was made by Jerry Simpton. The motion passed by a unanimous vote.**

VI. Consider, discuss and approve financial report.

Ronnie Pace informed the group that Contract 95 has \$21,408.73 left to pay on that contract and contract 69 still had \$8,072.16 left to pay. He stated the local contribution account at Wells Fargo account is staying pretty steady at \$13,057.20 since December. He stated there is money in all the checking accounts and we are in good shape. He informed the group that Jody has taken over the local account (from UGRA) last year. Mr. Letz informed the group that mileage reimbursement for the meetings can come out of the local account, but stated that most people have not been seeking reimbursement. Reimbursement is available to those people that aren't being paid by an entity to attend the meetings.

VII. Consider, discuss and approve filling vacancy for Municipal Interest, Val Verde County.

Mr. Letz informed the group that this is the vacancy that was left by Alejandro Garcia. Mitch Lomas was the only nomination that was received to fill that

position. He stated the agenda item should read “Other Interest” and not “Municipal Interest”. **Motion made by Lee Sweeten to have Mitch Lomas fill the vacancy left by Alejandro Garcia; a second was made by Jerry Simpton. The motion passed by a unanimous vote.**

VIII. Consider discuss and announce vacancy for Water District Interest, Kinney County.

Mr. Letz informed the group that right after the last meeting Diane Ward left this position, so we needed to announce the vacancy. He also stated that Jody is ready to send out the vacancy notice so we can receive nominations. No motion was required.

IX. Consider, discuss and approve the Water Management Strategy Identification and Evaluation Process as set out per Water Planning Rule 357.5(e)(4).

John Ashworth informed the group that today’s meeting is a transition from the interim project aspect for this planning period into completing the plan for 2011 for this Region; so he will be going back and forth between interim discussions and new plan discussions. Mr. Ashworth first addressed the “New Plan” discussion. He stated that there are certain things that need to be set up in advance before we really get working on it; the strategy evaluation process being one of them. He handed out a 2 page sheet entitled “Plateau Water Planning Region Strategy Evaluation Process”. Mr. Ashworth proposed that the group stay with the same planning process that they have for the last 2 planning periods; basically after we determine what entities need a strategy we then compare the demands and supplies of those entities with deficits, then we develop strategies for those. He stated that the first process is to go and look at every potential strategy there is out there and do a preliminary level of evaluation, while at the same time talking to the entity about any ideas they may have as to what they are intending to do in the future in terms of providing sufficient water. Once that is completed the group would then make a decision on what the final strategies they want to go into the plan. He went on to explain that at that point in time they go in and do an evaluation by looking at all the items that are bulleted (referring to the handout) for each one of those strategies; then they bring that information back to the group and if the group is still in agreement that that makes sense, and that’s the recommended strategy, then it goes into the plan. He stated that the update for each strategy will be a new cost analysis to bring it up to today’s dollars; plus we’ll consider whether or not some of those strategies even need to be there anymore. Mr. Ashworth informed the group that some interim work was done for Bandera and Kerr Counties. He stated that at this point it can be just a discussion or we can take a vote as to whether or not this is the logical strategy process that you feel comfortable with. **Motion made by David Jeffery to approve this process; a second was made by Ronnie Pace. The motion passed by a unanimous vote.** Mr. Ashworth stated that as we do this we can change the wording as to how it appears in the plan.

X. Consider, discuss and approve comments received from public on draft reports and how they were addresses in final reports.

Comments were discussed individually in agenda item's XII and XIII (see below)

Motion made by Lee Sweeten to approve comments received from public on draft reports and the responses to the comments made by the TWDB as to the Final Project Report "Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties" (Edwards - Kinney - Val Verde Counties, Texas); a second was made by Charlie Wiedenfeld. The motion passed by a unanimous vote.

Motion made by Lee Sweeten to approve comments received from public on draft reports and the responses to the comments made by the TWDB as to the Final Project Report "Water Rights Analysis and ASR Feasibility in Kerr County" and "ASR Feasibility in Bandera County" (Bandera and Kerr Counties, Texas); a second was made by David Jeffery. The motion passed by a unanimous vote.

XI. Consider, discuss and approve specific methodologies utilized to determine groundwater availability for this round of regional planning.

Mr. Ashworth reviewed how they arrived at their groundwater availabilities and said they were a little antiquated at this time but when they ran the groundwater models each county was allowed to look at the impact of pumping on the water tables for these aquifers and come up with a decision of how much water level decline they felt comfortable with without impacting spring flows to the headwaters of the surface water streams. That is basically what's in place right now. He stated that what's come along since then has been a MAG determination by GMA9 which impacts Bandera and Kerr County and the managed available groundwater number is strictly for the Edwards portion of the Edwards Plateau. He handed out, and discussed, a one page document entitled "Table 1. Estimates of managed available groundwater for the Edwards Group of the Edwards-Trinity (Plateau) Aquifer by Geographic Subdivisions". He stated that in Bandera County the MAG number is 619 acre feet per year where as in the water plan number 17,310. In Kerr County the MAG shows 1, 211 whereas the plan shows 16,410. So you can see that those numbers are reduced significantly. Why? Both the numbers were based on computer runs, but the 2006 Plan number assumed a certain amount of water level decline in our runs. Mr. Ashworth pointed out that if you read through what was given to the Board as the desired future condition it says there would be no amount of level water level decline beyond average conditions; so that reduces significantly how much water is made available. He stated that he started to do an analysis on how that impacts the plan and said he would share that at the next meeting. He said that the Edwards portion of the Edwards-Trinity Plateau in Kerr and Bandera County is not a heavily used aquifer

and is not depended on for our strategies very much; he does not believe there will be a whole lot of impact there. For Real, Edwards and Val Verde Counties, they are using that, but that is not part of the MAG run so it is not impacted by that at all. That's going to fall under a different GMA. Ashworth said that at this point in time we are at a point in our schedule that if that official number has not come out from the Board then it will be too late to be used in the 2001 Plan.....(inaudible). Lee Sweeten stated the GMA7 has had a lot of problems with their MAG runs and they have been put on hold. He stated that he isn't sure where they stand at this point and said they did one in January but there wasn't enough data. He said he will know more after the GMA7 meeting. Mr. Ashworth suggested keeping all the groundwater availability numbers for all of the other aquifers based on the same process, other than this Edwards number for Bandera and Kerr counties. He stated he would need to look to the Groundwater District Managers in those areas to know whether or not they are comfortable with those. Mr. Ashworth stated that he is not presenting numbers at this point in time, only methodologies, so that's what the discussion needed to be about. He stated they would be talking about, and accepting, numbers at the next meeting. Mr. Letz stated that strategies for the numbers for Kerr and Bandera must be done, because based on the numbers they will say that no more wells can be drilled, and Kerr County definitely has had an increase in population. John Ashworth said the 1200 acre feet for western Kerr County is a good amount, maybe not enough to cover all the domestic and livestock use in that particular area, but agreed that the number we had before was probably a little bit of an overkill. Lee Sweeten asked about the process since they are working with 5 different districts and wanted to know if that will change the way we're looking at the water for his area. Mr. Ashworth stated that the whole plan changes during the next go round, that all the demand numbers and supply numbers are different. He stated that because this plan needs to be completed by the end of this year, we need numbers now; we need to keep it simple with the understanding that things are going to get modified immediately after that. Lee Sweeten said they should have the figures before to long. He said they ran projections based on wells and not many were doing as much as they could do. They found the average well used less than one acre foot per year, actually about 1/3 of an acre foot (inaudible). Diane McMahon made a clarification regarding Kerr County, stating that they would like to have the exempt wells registered, but many people have not registered them. They have some guesses as the quantity used, but don't know for certain. She stated that there are no permitted wells on the Edwards. Lee Sweeten stated they've been working for many years to get existing wells permitted. A brief discussion ensued re: permitted wells. Mr. Letz informed the group that they are not required to use GMA7 or GMA9 numbers. He recommends that we go on the confrontation side where they are(??) and leave GMA7 and GMA9 numbers where they are and work this out into the future. If John Ashworth doesn't think our number was right last time we can adjust it to where he thinks it is right, but if we go back to our first plan we would quadruple this number. Ray Buck asked for clarification of the MAG and the DFC. Mr. Letz explained that the GMA's set the Desired Future Conditions, and based on that DFC, the Water Development Board runs

their model and comes up with an amount of water you have. Mr. Buck asked if that had been done yet. Mr. Letz stated that GMA9 has done it and the results are stated in the summary of Kerr and Bandera Counties document. Those numbers have been approved for the Edwards, and he believes the Trinity numbers will be worse. Mr. Letz said even if the DFC is approved, it can be appealed. He stated that one of the problems is whether or not people have confidence in the model. If the numbers are right and everyone has confidence, that's one thing, but when the model is such that a lot of people don't have confidence there's a problem. He said that GMA7 really doesn't have confidence in the numbers because the models were never made for that kind of area. The models were not made to determine how much water is in small area; they are regional models. Mr. Buck stated that by adopting numbers from a model that that we don't have confidence in gives the model, but default, a form of legitimacy. Mr. Letz agreed and said that is why at this point he suggests we not adopt their number, we adopt the number that we had last time, the one that was put in the plan, and fight this battle next time. Lee Sweeten said models are only as good as their data and that TWDB admitted there were errors. (inaudible) we can work on it, but we have a time line of September 2010 for the DFC's and MAG's. Mr. Letz said the issue must be resolved in the next plan, but it can be avoided in this plan. He stated the numbers we can be ignored, even though we know what they were, which his recommendation is; keep our 2006 numbers, with the realization that there's a big difference in the numbers. (inaudible discussion). David Jeffery stated that he has no problem using Mr. Ashworth's numbers for this next round. Another individual stated that in the next 5 years the numbers will change. Mr. Ashworth made it clear that the consultants did use the TWDB models, they just used a different scenario as to how they were applied. Charlie Wiedenfeld asked for clarification as to why the numbers were so different? John Ashworth said they allowed a certain amount of drawdown in the model by increasing pumpage all the way up to a full recharge number in 10% increments, with each increment producing a water level contour map showing the impact on water level elevation. Then you allowed representatives from each county to look at those pumping numbers and related contours, and determine at what % level of pumping would begin to affect base flow in streams. So you did allow a certain amount of pumpage, whereas now with this DFC it significantly lessens the number. Mr. Wiedenfeld asked for further clarification based on the large difference in the numbers; we allowed a 20% pumping, but 20% of 17,000 is only 14,000, and we considered having little or no impact to the stream flow, which translates into no drawdown. Mr. Letz said he believes the big difference comes in that they are using no drawdown's from the average and the group looked at keeping the river flow at a base level, and the average. If there are a lot of wet years then there's a lot of storage in the aquifer, and the DFC doesn't allow for that, it captures that and says it's not usable. Where we say it is usable because we are working on spring flow. We weren't trying to keep the spring flows at a high level, we were trying to keep them at a base level. Under the DFC, as it's written right now, we are already below that point because the spring flows are so low right now we are below the average level. Gene Williams stated they had only one well they were

monitoring, so they will never have an exact number. Charlie Wiedenfeld stated that the MAG should be seasonal or yearly, because a year like this would be devastating to the stream. Mr. Letz said for the Edwards, spring flow – not the aquifer - is a better measure as to what the allowable should be; because the spring flow is a critical part to keeping some water in the river. A brief discussion ensued regarding wells and water usage as well as what was being monitored and what wasn't being monitored. Feathergail Wilson stated that GMA7 is not using the GAM model, they are going to use the analytical model which is now being prepared by the TWDB. The analytical model vs. a GAM model is more of a geology model where they consider not just the layers but the thicknesses, they are still making up numbers as to storability and transmissivity. Mr. Wilson believes the analytical model will be more realistic than the Edwards-Trinity model. He was told the numbers were supposed to be finished any day, but he's been told that for over a year. Ronnie Pace (?) stated that he would rather adopt the 2006 number, and asked John Ashworth if a footnote would be needed if they did that. Mr. Ashworth stated they would have to spell out how we developed our availability number; what it's based on, sort of define what groundwater availability. Mr. Ashworth was asked if he was comfortable with the 2006 number and he stated he was comfortable with whatever the group voted on. It was stated that at some point the group would need to state why they didn't go with the numbers and Mr. Ashworth said the reasoning would be because we need to see the full picture before we accept this and right now we are getting little piece meals. (inaudible discussion). Ashworth stated that the plan had to be finished by the end of the year and then we have to turn in a draft by March 1st so we need those couple of months to finalize it. He said he wouldn't wait to long because the plan is full of tables and every number in every table inter-relates with every number in the other tables. Lee Sweeten said he's not comfortable using the 2006 numbers for another 5 years when we have the GMA model because the 2006 model is not what's best for their district. (inaudible) He wanted to know how much time they have to get the figures in. (inaudible). Mr. Ashworth said the next meeting should be around October 1st and water supply numbers need to be a major part of that meeting. He stated that if people had something different to propose they needed to do it at that time. Lee Sweeten stated that he would prefer not to lock the numbers in until October 1st because GMA7 should have something by then. Mr. Sweeten stated that he is not comfortable using the 2006 numbers in the 2010 plan when there's all these other things to rely on. Mr. Ashworth suggested that at the next meeting that any county that has a proposal change to the previous number, to present them at that time and be ready to provide the back up information that has to go into the plan as to exactly how that number is calculated. Feathergail Wilson stated that some of the minor aquifers in GMA 9 are now being looked at with an analytical model rather than a GAM model because they don't have a GAM model for those. He stated that some of that is coming out right now, just North of the Kerr County line. Mr. Wilson said he just drilled a well up there which it looks like we have an Ellenberger well up there, so Kerr county, and therefore Region J, could consider the Ellenberger as one of our minor units; which is kind of a major unit

in Gillespie County. He suggested that it be looked at in the next go round; he wasn't sure whether or not the Ellenberger had ever been considered. Mr. Ashworth said they had deleted it from actually creating numbers, but believed that somewhere in the text they said that Ellenberger probably extends under there but there weren't a significant number of wells to make it worth us actually adding that. He said that maybe during the next planning period it may be something to look at. Mr. Wilson thinks it is.

Mr. Ashworth said they will have a number for river alluviums and reminded the group that as part of this current contract work we are looking at river alluviums in all the counties except Val Verde and we'll have an availability number for it so that will be a new aquifer number.

Mr. Letz said the agenda item is about approving the methodology and I think the methodology is that we are going to use the 2006 numbers, except where we have different data, and that data will be discussed at our next meeting in October. An individual asked of the vote today was to either proceed with the MAG or the 2006 number. Mr. Letz, said we weren't deciding on the number today, we were only telling our consultant that the methodology to be used is the 2006 number, unless there is some reason to change them, and we'll decide that at our next meeting. Charlie Wiedenfeld believes that the MAG number is better than the 2006 number. Stuart Barron stated that the MAG number doesn't represent all the aquifers, just the Edwards. Another individual added that it wasn't even the entire Edwards is represented just part of it. Mr. Wiedenfeld said that the Headwaters District has taken the position that they want no permitted wells in the Edwards therefore they are saying they don't want any pumping in that area, other than exempt wells, and they don't want any drawdown to the aquifer. Mr. Letz said that Headwaters voted against the GMA9 but it was approved by the other counties; Headwaters did not vote for the DFC. Mr. Letz believes the number is somewhere in between the two numbers. His main concern is that the model GMA9 used didn't consider a large part of the Edwards. Ray Buck clarified that they are voting the methodology, not the number; that the number is derived from the methodology, so today we are looking at which one do we have more confidence in. Mr. Letz agreed. He stated that there are only a few of them that we have significant information in, we would be using the 2006 number unless someone wants to change and has the basis for it. Lee Sweeten believes that since we have until October, we should table the item and come back with numbers in October. Mr. Ashworth stated that he wants to be prepared to present something to the group and he doesn't want to go down an alley they aren't interested in which is why he needs some direction from the group, so he can develop numbers to present to them. Mr. Letz said he believes that it's unanimous on how to proceed, so there is no need to take action on this item

XII. Consider, discuss and approve the Final Project Report "Groundwater Data Acquisition in Edwards, Kinney and Val Verde Counties" (Edwards - Kinney - Val Verde Counties, Texas) and submittal of same to TWDB.

John Ashworth stated that all 3 reports had been presented to the TWDB and they have come back with their comments. Based on the comments received, the reports have been modified. The most current reports can be found on the UGRA website; they contain the comments, responses to the comments, and all the corrections. Mr. Ashworth stated that he does not intend to present them again, he just wanted to give a jest of what TWDB was asking, share their comments, and how that impacted things. None of the numbers or the data on the maps were impacted. TWDB was mostly asking for more explanation on certain items. They wanted to know things like how we worked with the science review panel and how we determined the go and no-go strategy on the tracer test. None of the action items in the project itself were changed. He stated that there were no major item changes TWDB wanted us to add to our recommendations in terms of how this data potentially improves the water availability model, so there's more language about that. Mr. Ashworth stated that there was language about the next steps. An example of that was the tracer test where you try to determine what direction water is flowing and those kinds of test will tell you how it's flowing from the point it's injected to where it was monitored as coming out; but it takes a lot of those before you can get a full regional sense. So this is sort of the first step, first time it's done, so next time it's going to be studied this will be a stepping point. He stated that we don't necessarily answer a lot of issues in this report, we set the stage for developing the data. That can certainly be helpful in area's like Kinney County in understanding what they need to do when they have this data, what kind of maps they can put together, what kind of traces they can do and what they can expect from them. There are some issues in terms of the groundwater divide in Kinney County between the water in the Rio Grande Basin vs. the West Nueces Basin, and whether or not Amistad reservoir impacts flows across the divide. This report really doesn't answer that. There's information in there about other studies that have been done. Mr. Ashworth stated that he tried to make sure the reader had a background on other projects. He included historical data from the IBWC. They basically said there is no flow of water from the reservoir into the West Nueces Basin; however there are a lot of locals that think there is but this report doesn't answer that for sure. What we tried to do with this report was set a standard for additional work that needs to be done. I feel that we've done that. Mr. Ashworth asked if there were any comments. Someone asked if anything was learned in Kinney County. Mr. Ashworth said they took 2 sets of water level measurements in the study area, one in the spring and one in the fall to determine if there was a regional seasonal trend. They found that throughout the entire area, drainage basins within each one of the creeks, has more control over what is happening with the water levels in that particular part of the aquifer than it is having an effect on the entire aquifer in that region. Feathergail Wilson referred to Table 6.1, which is the isotope age dates, and asked how those age dates compare with the dye testing, because the age dates are looking at 2800 to 8130 years. Mr. Ashworth said they didn't try to, mainly because the TWDB did not fund them money to try and make any sense out of the water quality isotopes. They gave just enough funding to report what new data was collected and what other people had reported which leaves the data open for interpretation by other

researchers. Another individual stated that he hadn't learned a thing, and that he needed to go on that website and look at the report. He also stated that he knew about the Dooley well and they supposedly injected dye into that well, but he's half a mile below it and it and dye never showed up in his well, or the well below him. He stated that he heard they were putting the dye in right at the pump and it mystified him as to whether it actually got down in there. Mr. Ashworth stated that he wasn't totally involved with that so he's not sure how to answer. Mr. Letz asked if the dye showed up in any of the tests. Mr. Ashworth stated that it did, by giving them a general corridor of movement direction; but that's just based on the injection at that one sight. If you move over just a little bit, it might have shown up in yours (referring to the gentleman that just spoke). Mr. Ashworth stated that in this type of report we aren't trying to come to the grand conclusion that this is the direction water is flowing throughout Kinney County. There needs to be quite a few more dye tests spread out so that you can tie all of this together. It's the same thing as measuring water levels in one well and saying this is the level of the aquifer in Kinney County. An individual asked Mr. Ashworth if they injected some into caves. Mr. Ashworth said the EAA did that, and that his group attempted to inject some into caves in Val Verde but couldn't get landowner permission, so it didn't happen. Charlie Wiedenfeld stated that in that report some of the dye showed up in the stream downstream faster than it did in some of the wells. Mr. Ashworth stated that in a large aquifer like the Edwards in Kinney County the direction water is flowing at the base of that aquifer might be different than the direction it is flowing at the top, so exactly where that dye gets injected is indicative of that particular horizon in the aquifer. Mr. Letz asked if the dye was injected in different ways. Mr. Ashworth explained that some were injected in caves at the top of the aquifer. He said in a lot of cases the injection depth depends on the well infrastructure that you have in place as to how you can get the dye in there. Lee Sweeten talked briefly about how it was done in the Dooley well. Jonathan Letz inquired as to whether or not any issues were being resolved on how the water is moving if you look at the EAA test vs. our test. Mr. Ashworth stated the he didn't believe that enough tests had been conducted to make regional flow conclusions. He said the EAA is still attempting to do more tests. He believe we are a few years away from getting all of that data completed and studies done before someone will make an interpretation of the data. A brief discussion ensued regarding where the EAA was doing their testing. Mr. Sweeten said he knew the people that were working on that and he would find out the status of the full project and notify John Ashworth and Jonathan Letz of that status via email. Mr. Ashworth believed it would be good information to the group to have. Feathergail Wilson asked if the Edwards Aquifer Authority or the USGS are doing age dating also. Mr. Ashworth said he hadn't heard that they were doing that. Mr. Sweeten said he had looked at the initial plans and didn't recall seeing that. Mr. Letz asked what the importance of age dating would be. Mr. Wilson explained that if there was water coming in from 38,000 square miles out, into the Edwards, which is the Edwards Plateau area, age dating would help determine then how long it take to get to the springs, how long it take to get to the wells and how fast it is running through the Edwards. Then that information could

be put in the model and future models. He stated they were very surprised at some of the age dating that's been done in GMA9. Mr. Letz stated that with regards to age dating, it would depend on the aquifers being uniform; some of the water might be that old but it may move through a fissure relatively quickly from point A to point B. Mr. Wilson agreed, he stated that they have seen some spring flow in Bandera County where the age dates are very young but not very far away we have age dates that are 2000 or 3000 years old. Sky Lewey (in audience) requested that some of the language in the reports be tempered, especially the language that's quoted directly from the IBWC reports, and she gave suggestions on what she would like the wording to be. She requested that a disclaimer be made on page 3.2 where it talks about the Mud Creek. She requested that the report not say "there is no groundwater movement". There was a brief discussion as to how the wording should be changed. A brief discussion then ensued regarding Mud Creek, Mud Creek Stream and Mud Creek Springs and how the water level effect with a change in precipitation. There was a discussion regarding the aquifer levels and their effect on Amistad Lake. Zack Davis stated that currently we have a really unique scenario with our drought conditions. A discussion ensued regarding the Amistad, the drought and water movement. Sky Lewey stated that based on the way things are stated in the report that it could be misleading and it might preclude future studies that might disqualify the information. Mr. Letz believed it could be included in the public comment section. Mr. Ashworth informed the group that he would add any language the group directed him to. It was suggested that a sentence be added stating that there is some local disagreement. **Motion made by Howard Jackson to add a disclaimer that some view that there may be an impact; a second was made by Tommy Qualia. The motion passed (not by a unanimous vote??).** Inaudible conversation. Mr. Letz asked if there were any other comments on the report itself. Feathergail Wilson made one comment regarding the recommendations. He stated that it made reference to the Trinity not being economic, and agreed that it probably isn't in that area, but believes it is economic outside Region J. He suggested that the report might say that "it may become economic in the near future". It was agreed that in "at this time" would be added to the language. Mr. Letz stated that no public comments were received other than the comments made by Ms. Lewey at today's meeting. Mr. Ashworth said the group needed to approve his responses to the TWDB's comments. **Motion made by Charlie Weidenfeld to approve report and authorize submittal to TWDB; a second was made by Jerry Simpton. The motion passed by a unanimous vote.**

XIII. Consider, discuss and approve the Final Project Report "Water Rights Analysis and ASR Feasibility in Kerr County" and "ASR Feasibility in Bandera County" (Bandera and Kerr Counties, Texas) and submittal of same to TWDB.

Mr. Ashworth explained that both reports appear on one agenda item because they are covered under one contract. When they started working on the project they decided it covered two separate issues, which is why there are two separate

reports, one for Kerr County and one for Bandera County. Mr. Ashworth discussed the Kerr County report first. He stated there were no major changes to the numbers or figures in the report and the TWDB comments dealt mainly with making sure that everything was coordinated correctly in the report. He informed the group that they did end up running some additional model runs since the first time it was presented to the Group. If you look at the Kerr County report it considers two main issues. One was availability of water rights on the upper Guadalupe, including Canyon Lake. The other issue was a UGRA consideration of an ASR project around Center Point where they looked at the hydrology potential and the ability obtain a water supply source that could be injected. Mr. Ashworth asked if there were any comments people had on the final addition or the responses to the TWDB comments. Mr. Letz and Mr. Barron stated that they liked the report. Mr. Barron's only comment dealt with a statement that said that the City of Kerrville or UGRA needs to work out a subordination agreement with GBRA. He stated that they have evaluated that and he's not sure if it's a viable option or not. There was a brief discussion regarding a contract and the cost of yearly maintenance. Ray Buck spoke briefly about the option of a trading MOU instead of a subordination agreement. Mr. stated that he visited with Representative Hildebrand on the matter two sessions ago, so he'd prefer to leave that option in there. Mr. Barron said he was not adamantly opposed to leaving it in there. There was a brief discussion regarding the fees involved in a contract. Mr. Buck stated that they had presented the report to the UGRA Board and they were very pleased with it. He said the Board thought the ASR analysis would be a little more in depth but he said John explained it best as a recognizance-level evaluation that's going to compliment our facility plan that we are developing now for water supply in Center Point. He stated that UGRA accepted the report. Mr. Letz believes the reports are a good base report for both; a good overview of the water rights available or not available and on the ASR. He thinks both of those tie into a long term project for Easter Kerr County that the county and UGRA are working on; to divide water and waste water from surface sources. Mr. Letz asked if there were any other comments on the Kerr County report. There were none.

Mr. Ashworth proceeded to talk about the Bandera County ASR Report. He stated this was more of a straight ASR analysis. Water rights in the Medina River were addressed briefly, but the main issue was the modeling of the ASR physical process. David Jeffery stated the only problem he had was the shock factor that the City got for its cost. He stated they are interested in looking into ASR but would like it staged in a little differently. A brief discussion ensued regarding the drop in water level in their monitoring well. Mr. Ashworth stated that as they develop this into a planning strategy, they can certainly go in there and redo the cost estimates. Another individual stated that they had talked about that, but that the report really needs to get out. Mr. Letz stated the cost analysis shows that it's an expensive project and it should be included for consideration, at least from the government side. Feathergail Wilson stated that the per acre foot cost wasn't bad. There was a brief discussion regarding what water is currently being purchased

for. Mr. Letz asked if there were any additional comments on the responses the TWBD comments. Mr. Letz stated they have not received any public comments on the report, other than what was discussed here at the meeting. **Motion made by Charlie Wiedenfeld to approve the report and authorize submittal to the TWBD for both reports; a second was made by David Jeffery. The motion passed by a unanimous vote.**

XIV. Consider, discuss and take appropriate action on other required actions concerning submittal of final reports and/or regional water plan to TWDB

Mr. Letz stated there was no action on this item.

XV. Consider, discuss and take appropriate action concerning the GMA process, managed available groundwater (MAG) numbers from TWDB and the possibility of the PWPG filing an appeal to the TWDB as to the reasonableness of the “desired future conditions” set by Groundwater Management Areas.

Mr. Letz stated this agenda item addressed the GMA9 report that was handed out and the difference in the numbers they had versus the numbers in Region J’s Plan. He stated that the Group needed more clarification from the TWDB as to when this appeal has to be submitted, if submitted. Mr. Letz stated the conservative way of looking at it would be using the date of the GMA9 meeting was it the 9th of September or the 29th. Another individual stated it was the 29th. Mr. Letz continued by saying the appeal has to be submitted to the groundwater districts 30 days before we go to the TWDB so the appeal has to be filed by August 28th. The question is, do you have one year from the date that it’s approved, and does that mean approved by the GMA’s or the Water District? The conservative way to look at it would be the GMA’s approval on the 29th of September. Mr. Letz stated the main reason the appeal should be filed is because there are a lot of problems with the GMA process; and the Edwards Trinity highlighted that. There was a brief discussion regarding the Ellenberger and Hickory aquifers and whether or not to file on all of them. Mr. Letz stated there are a lot of problems with that GMA process and how they are calculating some of these things. He believes the group needs to try to get the models improved. Mr. Letz stated the Groundwater Districts are being forced to use models that are not made for what they are being forced to use them for and we need to appeal it and say we disagree with it. He informed the Group they would have another meeting to approve the appeal, because it has not yet been prepared. Mr. Letz suggested that the representatives from the Region J Group, that represent Bandera and Kerr counties, which really are the only two counties that are effected by it, meet and see if they can come to an agreement on the appeal, then bring it to the full Group; or the Region J Group could authorize those members to approve it. There was a brief discussion regarding the DFCs in GMA7. Mr. Letz stated that GMA7 hasn’t voted on anything yet. Mr. Sweeten said they were supposed to take some action at their

August meeting, but they had problems with their models. There was a brief discussion regarding the territory GMA7 covers as well as base flow in the springs there. It was stated that GMA7 could set different DFC's for different parts of the aquifer and that might be the way they do it. Mr. Letz asked if anyone knew what GMA9 plans to do with the Trinity. Feathergail Wilson stated that GMA9 is still working on them. Another individual stated they have a GAM run to look the Lower Trinity. Mr. Letz asked if there would be information later this year. Mr. Wilson stated that on a drought of record, we also have a drought of record GAM coming out which is a disaster problem. (Inaudible conversation by other people). Mr. Letz stated that it sounds like it will be a while for the Trinity. David Jeffery believes there is a small chance that it will be in 2010. Mr. Wilson believes that is true of many of the other GMAs. Mr. Letz agreed and stated that he believes GMA9 pushed the Edwards Trinity quicker than it needed to because it only affected 2 of the 9 counties they represent. If it would have been all the counties they represent, they wouldn't have been able to get to it so quick. Mr. Letz believes the Group needs to do an appeal and stated unless he hears otherwise he will meet with the Kerr and Bandera representatives as a committee and see if we can come to some sort of an agreement as to what should be in an appeal, if an appeal is filed. He then stated the Group will have a special meeting the end of August to discuss the appeal. Lee Sweeten stated he was working 3 sides of the process; the district side, regional side and GMA side and feels like he is filing an appeal on himself. He stated that he didn't totally agree with those figures that were done in GMA9, because I wasn't a participant, but he did recall that the counties representatives of the GMA were part of the planning process. Mr. Letz said that they were, but the problem is it takes a majority vote. Kerr County, who is the biggest one impacted by the DFC that was set, voted against the DFC voted out. Mr. Letz stated that he believes part of Mr. Sweetens comment is right. He stated that he thinks the whole process needs to change, and an appeal will hopefully point some of that out. The appeal has to be very specific as to what is wrong with it. The two biggest problems he sees is that the Edwards Trinity as a whole was not considered based on the model that was run and also spring flow really wasn't incorporated directly into the decision, with the model the way it is. They are using a groundwater model on an aquifer that we set here based on spring flow. The other issue, that we talked about earlier, was that they averaged, and we don't live in the average. We live extremes – wet and dry years – I think you have to have a plan of a DFC that accommodates that. Feathergail Wilson stated that he asked some attorneys in GMA13 what they thought was going to happen in the final analysis and they said it would be settled by litigation. So he believes there is going to be a lot of litigation put forward next year as it gets closer and closer to the deadline which means the whole process is going to be delayed for years to come. Mr. Letz said that would be fortunate and unfortunate; if it gets models done better than its good, if it just delays everything then it's bad. There was a discussion regarding the use of all the data that's available, not just taking sections of the data. Gene Williams stated there is no credible way to have oversight on the whole process. Mr. Letz agreed that was part of the problems with it and it needs to be dealt with. A brief discussion

ensued regarding whether or not the state or groundwater districts could get sued. Mr. Letz stated that he believes the groundwater districts can get sued and, unfortunately since they are the front lines, they are going to be the ones that get sued. Another individual stated that some groundwater districts are trying to build up funds just for that right now. A brief discussion ensued regarding groundwater districts being sued. Mr. Letz stated they would proceed to Item 15.

XVI. Consider and discuss informational items from PWPG members.

Letz asked if anyone had addition items they wanted to discuss. None were mentioned.

XVII. Set Next Meeting.

There was a brief discussion regarding the date, time and location of the next meeting, **Motion made by Lee Sweeten to set the next meeting on October 8, 2009 at UGRA at 10:00 AM; a second was made by Ray Buck.**

An individual asked if a motion was needed to appoint a committee to work on the appeal (item XV). Mr. Letz stated that he could appoint the committee and it would be representatives from Bandera and Kerr counties. (inaudible conversation - people talking over each other). Mr. Letz stated after the appeal was written the Group would have a special meeting to approve the appeal; he did not think the final appeal should be delegated to a committee. There was a brief discussion regarding the process of using the DFCs once adopted. Mr. Letz stated the districts would have to manage the aquifer based on that criteria. David Jeffery added that they would need to do it for 50 years. Jerry Simpton asked that in this particular case, if it is based on an average, what do you do in the drought times if you've already permitted that water. Someone stated that you let it go dry. Mr. Letz stated that Charlie Wiedenfeld had a good point during the break on that. The problem, especially for Headwaters and Bandera River Authority and Groundwater District, is that all these wells are exempt wells and they have no authority to regulate them, so all of a sudden they are being told that they have to use the DFCs to set the maximum water they can permit, but they have no authority to regulate it. David Jeffery stated that I would be reviewed every 5 years, so that zero turns into 1, 2, 3 etc. and you start taking numbers to cover what you've taken out; so it's going to change as we go through. Feathergail Wilson stated that it's still unclear also as to whether or not your managed available groundwater should include exempt wells. There was a brief discussion regarding exempt wells.

Adjournment.

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION “J”
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
August 18, 2009, 10:00 A.M.
Kerrville, TX**

MINUTES

Notice having been duly given, a Regular Meeting of the Region “J” Regional Water Planning Group (PWPG) was held at the Upper Guadalupe River Authority, Kerrville, Kerr County, Texas on August 18, 2009, at 10:00 a.m. Present at the meeting were: Jonathan Letz, Kerr County; Ronnie Pace, Kerr County; Charlie Wiedenfeld, Kerr County; Gene Williams, Kerr County; David Jeffery, Bandera County; Lee Sweeten, Real-Edwards County; Howard Jackson, City of Ingram; Stuart Barron, City of Kerrville; Ray Buck, Kerr County; Homer Stevens, Bandera County; Scott McWilliams, Del Rio; Diane McMahan, HGCD; Connie Townsend, Texas Water Development Board; Perry Bushing, Real-Edwards County; Ronald Fiesole; Kenneth Brooks; Lee Kneupper; Neil Binford; John Elliott. James Hannah and Jody Grinstead.

I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open

Meetings Law. Roll call was taken. Mr. Letz noted that in addition to the people listed above there were 3 designees: David Jeffery is representing Feather Wilson, Jonathan Letz representing Jerry Simpton and Jody Grinstead representing Zack Davis. He stated that according the bylaws that can be done. The main purpose of appointing designees is to ensure there is a quorum. It was noted that even without the designees a quorum is present.

- II. Public Comments.** Mr. Letz asked if there were any public comments. Mr. Lee Kneupper from Bandera County stated that he thought it was a mistake to file the appeal. He said it boils down to one state agency questioning the actions of another state agency. Mr. Kneupper questioned the institutional interest Region J had in the DFC set by GMA9. He stated the he did not believe that Region J owned any water, land or had use of any water ah in the GMA9 area and didn’t understand how Region J has any stake in the DFC process; specifically any kind of a legally defined interest in water in the GMA9 area. He also asked if any sort of legal expertise was sought in putting together the appeal. Mr. Kneupper stated that he understood that the DFCs that are set for the Edwards aquifer by GMA9 will impact the Region J planning process, but believes that is what’s supposed to happen; that was the legislative intent of the DFCs being set by the GMAs. He stated that there seems to be an underlying issue of questioning that legislative process and he believes that if there is an issue with the legislative process the party that needs to be addressed is the legislature not TWDB. Mr. Kneupper went on to state that this appeal will involve an expenditure of time and money by Region J and he wondered if that would be an appropriate use of the Region J resources. After stating the procedural issues he had with the appeal, Mr. Kneupper went on to state some of the “substance” issues he had. He stated that the while Hill

Country Trinity model hasn't been updated in several years, there's been a new version put together that should be formally implemented sometime in the next month or so. Therefore, the statements about the model being out of date are no longer true. He stated that a lot of references were made about the differences between some of the analysis that was done by Region J and the analysis that was done by GMA9. He added that the appeal talked about 3 different model runs: an initial analysis by Region J in 2001 that used the Edwards Trinity model which did not consider other conditions and comes up with one set of available water numbers; there was another run in 2006 by Region J, again using the Edwards Trinity model, but this one generated some lower availability because of the additional constraints – so called spring flow constraints; then there were runs made by GMA9 using the Hill Country Trinity model, but the runs done with that model were based on a different set of assumptions characterized as no net drawdown's. Mr. Kneupper said he was not surprised by the fact that these 3 different runs would have 3 different results because they are based on 3 sets of assumptions; and the issue at hand is whether the right set of assumptions were made and whether the right premises were used for setting the DFC. Mr. Kneupper stated that based on the reasons he outlined, that that appeal should not be filed. Mr. Letz asked if anyone else had comments to make. There was no response, so Mr. Letz stated they were going to take the agenda items slightly out of order and go to Item 4 first.

- III. Consider, discuss and approve Region J – PWPG filing and appeal to the TWDB on the Desired Future Conditions (DFC's) set by GMA9 for the Edwards-Trinity, Ellenberger and Hickory aquifers.** Mr. Letz started by giving a brief background on the appeal before answering some of the questions that were raised. He stated that HB1763 says that the Regional Water Planning Group is one of the 2 entities that have, by law, a legally defined interest in the DFCs that are set. They do not have to prove any interest; their interest has been written into the law. Mr. Letz stated that he wanted to make it very clear that the appeal is not really against GMA9 and is not intended to be written that way. GMA9 set the DFC so they are obviously a part of the appeal process. He further stated that the intent is to appeal the process that the TWBD has created and to get this issue before the TWBD Board. Mr. Letz said there are a lot of problems in what HB1763 did including the timeline that was set and that information needs to be brought out. He stated that this is the first GMA to set a DFC. He also said the appeal shouldn't have been a surprise to anyone after the meeting GMA9 had where at least 20 people spoke out against it. Mr. Letz said he wrote a letter to TWBD telling them an appeal would be filed. He stated that Kerr County has expressed an interest to file an appeal from the county government stand point and that he would have filed an individual appeal if he had to. Mr. Letz stated that he went to Austin and met with Robert Mace, Connie Townsend, (inaudible), Rick Mays, Reba??, and has visited with others on the Water Development Board and they understand clearly what the appeal from the Planning Groups standpoint was. He stated there are some real problems with it and once these numbers get published it will have an impact on the public, counties and populations and he's not so sure it this has all been really thought out. We are using models that were never written nor intended to be used to set conditions for a small regional or geographic area, even a whole county. Mr. Letz stated that Robert Mace has said at numerous public meetings that this model was never intended to predict actual

groundwater availability in certain areas; that's not their purpose. The TWDB had to react to HB1763; they were told what they had to do, so they wrote the rules. They do have an issue and I think they need to be held accountable. They are the ones that HB1763 instructed to come up with the rules to accomplish what the legislature was saying, and they did it based on what they had. They were told to do something and use models that they created that weren't intended to be used in this purpose. So I think to use these models for a specific DFC is a problem, inherently. Mr. Letz then addressed the question about the different numbers. He stated that the LBJ-Guyton & Associates and John Ashworth were the ones that came up with the numbers that we used in the 2001 Plan and the 2006 Plan. He stated they are certainly a knowledgeable group, most of that group came from the TWDB, they know the Trinity and they know the Edwards and they know modeling. Mr. Letz went on to say that he didn't believe any model was used in 2001 plan; Mr. Ashworth used the best science we had available at the time. In the 2006 the Hill Country model and/or Edwards-Trinity model may have been used. But the issue is that the models are being used for something they were not intended to be used for. The other part of the issue which is in the appeal is that groundwater districts are being asked to do something, to enforce and implement these DFCs that they don't have the ability to do. Probably the best example of it, which Mr. Letz believes was stated at the GMA9 meeting, is that when you put in the "Drought of Record", the model will crash. That is the biggest red flag - if you put in accurate conditions, and probably current conditions, the model doesn't work. So, why are we using it to set a desired future condition? It doesn't make sense. He went onto state there are fundamental flaws in the process. Mr. Letz stated he didn't believe we had any, or possibly very few, permitted wells in Kerr County in the Edwards Trinity. There are no regulations for exempt wells. How will they report a DFC when they have no ability to enforce it? By law they have to but there is nothing currently under the books to allow that. Austin needs to be told that there is a problem with this, that's the intent of the appeal. Mr. Letz informed the group that John Ashworth had been on vacation for the last month and has not had an opportunity to read the draft and he really think that it's important that Mr. Ashworth read it before it gets submitted. He would like Mr. Ashworth to look over the technical portion of the appeal and verify the numbers that were used. He stated that he's received comments primarily from the people that attended the meeting the Region J authorized a few weeks ago and has tried to incorporate the feedback he has received. Mr. Letz said GMA9 was referred to many times, because the appeal needs to get filed through them, that's the process. He stated he would just as soon write the appeal to the TWDB if he could and he was not intending to be critical of anything more than the issue that GMA9 set this DFC when they did and they could have waited. That was a decision they made and that's the only thing he really faulted GMA9 with. Mr. Letz stated he was trying to outline the problems in the process more than anything else and hoped everyone in GMA9 will take that way.

Mr. Letz responded to Mr. Kneupper's comment about the update of the Hill Country Trinity Model by saying that he agreed there was a new version being rolled out, and that information needs to be footnoted in the appeal, but the reality is that there were no updates available for the model runs that the DFC was based on.

Mr. Letz corrected the date in the second paragraph of item 4 to reflect August 29, 2008.

Mr. Sweeten stated that in the GMA process in GMA7 the Edwards Trinity model is basically trash. They have been working on and it will be sometime early next year before they will have anything that can be used to work through the DFC process with. He did not believe the appeal should keep alluding to it as though it were a better way of modeling. Mr. Letz stated that Region J, through John Ashworth, thought the Edwards Trinity model was better for the region. It may not have been better for Kerr County or Bandera County, but John had to look at it as a regional approach. Mr. Letz stated the he couldn't say which model is better but thought that both models need to be considered. He said the biggest problem he had was the difference in the numbers. The Edwards Trinity model showed 17,000 acre feet where this model is a little different with zero drawdown showed 1200. That's a large difference that needs to be reconciled by somebody. Another issue Mr. Letz had was that the Hill Country Trinity model doesn't cover about 30% of Kerr County. He stated that he doesn't intend to say anywhere in the appeal that one model is better than the other, he believes they both should be looked at. He further stated that spring flow should be looked at, which is a problem with both models; spring flow is critical. The drawdown isn't as important as if we keep the spring flow in the Guadalupe River where it is because that is vital to Kerr County's water supply. He stated that consideration of spring flow as a gauge is allowable, as stated in the paper written by Robert Pace about this whole process. That needs to be considered, especially in this kind of an aquifer where if it rains out in West Kerr County and Edwards County and Kimble County, and they get 10 inches of rain, this aquifer is going come up fast, and it may also go down fast. It's not a traditional aquifer, it's not like the Trinity Model or the Trinity Aquifer, it's an aquifer that fills up and drains out quickly. Mr. Letz stated that he believe any DFC needs to account for spring flow as an integral part of the DFC. Mr. Buck stated that one of the concerns that UGRA has is to maintain that spring flow. He stated they are not saying the model is wrong, they are arguing with the number; they have concerns with the process. Mr. Buck stated that he worked with models when he worked at the Edwards Aquifer Authority and said the Edwards Plateau is also a karst aquifer therefore it is hard to model. He believes things were rushed into, and a lot of assumptions were made. One of the concerns he had was isolating a piece of the Edwards; if you are going to model an aquifer you need to model the entire aquifer, not just a piece of it and then make inferences. Another concern Mr. Buck had to do with coordination between the GMA's. He noted that there has to be coordination between those that are modeling the Edwards in another GMA and what's being modeled in GMA9. The final concern he had was the practicality of implementing this managed available groundwater in the Edwards. He believes that would be a serious concern to the Kerr County residents because the only way you are going to be able to manage a DFC in the Edwards is if all our unpermitted wells have a meter put on them or to permit those wells. Mr. Buck said he would support the appeal and offered the attorney services of UGRA to review it because they intended to put together a resolution on behalf of UGRA. Ronnie Pace stated that he agreed they needed to be mindful of spending tax payer's money for the appeal, but state that it won't cost anything to file the appeal. Mr. Letz stated that he wasn't getting paid for it, but in a way it is costing the taxpayers some

money. He stated that if an appeal is filed the Groundwater Districts have to respond, or at least evaluate it, and they are going to have to go and put their case forward, and that's tax dollars. Since the appeal is really a process appeal, and a question on the ability to use these models in that way, not a lot of scientific data is needed. He stated that someone needs to step back in Austin and say that while HB1763 is law, and it has to be followed, there needs to be some guidelines written that back off a little bit; and he believes that the TWDB has that ability and that's really the intent of the appeal. Ray Buck stated that they are not arguing against the concept, just the process. Mr. Letz agreed. He stated that when he talked with Robert Mace, Connie Townsend, and the others at the TWDB, that while they didn't encouraged the appeal, they certainly didn't discourage it; because they think there's a problem too. There was a brief conversation regarding the Ellenberger and Hickory aquifers, and how a DFC might be set for the Ellenberger based on one well. Mr. Letz stated that the process doesn't make sense and sometimes those in government have a responsibility to go to others in government when there's a problem with a process; let them know that it doesn't make sense, it can't be enforced and it can't be quantified. Mr. Letz stated that he feels very strongly about this issue and he believes that a lot of the people in Region J feel the same way. Mr. Ronnie Pace asked what the process was. If this appeal is approved, what happens next? Mr. Letz stated the appeal, based on calculation he received from the TWDB, has to go to all GMA9 Headwaters by the 28th of this month. Ms. Townsend agreed that it had to go to all of them. Mr. Letz stated that as he read the law, the appeal has to go to all members of GMA9, then he's not sure what action they take at that point, but 30 days later the appeal can be filed with the TWDB. It then goes through a process that is set up by law; they evaluate it and go through it. Mary Ellen Summerlin stated that at the GMA meeting yesterday they were given a handout entitled "How is a Petition Filed to Appeal the Approval of a Desired Future Condition of an Aquifer?" Ms. Summerlin went on to quote the following excerpt from that handout, "the affected groundwater conservation districts have 10 business days from their receipt of the TWDB's acknowledgment of the receipt of a petition to request the Executive Administrator of the TWDB to postpone Board review of the petition for 60 days. The intent of the 60 day delay is to encourage consultation and resolution of the petition by the petitioner and the groundwater conservation districts." Ms. Summerlin stated that they expect the Planning Group and GMA9 to do some consultation with each other, but we don't have to. Mr. Letz stated that he hoped that GMA9 would potentially join in the appeal and he believes that would be to their benefit. They, through their members, are really at the front of this thing; they are the ones that have to figure out how they are going to implement it. Mr. Letz stated that he doesn't see how it can be done on the Edwards-Trinity for Kerr County, or how the Edwards can do it under the current data we have of one monitor well and 600 square miles in a karst aquifer. He said he's talked with Gene Williams and they don't have a definite idea as to how they are going to implement this DFC; but once that DFC is through, by law, they have to implement it. That's the problem, and it's the same with all the other aquifer, the Hickory and the Ellenberger. Mr. Letz stated that he believed the Hickory and the Ellenberger should be appealed from the standpoint the process also. Those would be easier because he didn't think there was even a model for those. Howard Jackson stated that if there was any data that it would have to be even less data than these do, which isn't much. Mr. Jackson stated that his problem was that the decision was based on virtually no data, it's all about

emotion. They need to start doing things logically. Lee Sweeten started a brief discussion regarding the DFC set by GMA9 being 1200 acre feet, the Edwards Trinity Model number being 17,000 acre feet, and the difference in numbers being based on drawdown and/or spring flow. Mr. Sweeten then went on to speak briefly about the drought of record. He quoted a portion of the appeal that talked about the constraint and the “maximum level of aquifer withdrawal that results in acceptable level of long-term impact such that the base flow in the rivers and streams is not significantly affected beyond a level that would be anticipated due to naturally occurring conditions.” He stated that there was some discussion on that particular issue and in his mind the only way you can have that literally is to say no more wells for anybody; no more exempt wells, no more permit wells, none, because we’ve already affected the naturally occurring conditions. Mr. Sweeten stated that the DFC setting by GMA9 would do more to protect the springs and streams in Kerr County than our basic assumption of 16,000 acre feet. Mr. Letz agreed that it could. Mr. Buck stated that he don’t totally agree with that, because we don’t know how many wells are out there. A brief discussion ensued regarding ways to find out how many wells there are in a given area. Mr. Letz said the question he had was with regards to zero drawdown being that we have 600 square miles. Mr. Sweeten stated that they aren’t going to be able to have zero drawdown in some parts and they will in other parts. Mr. Letz agreed, but said it can vary depending on where you are monitoring and where you are checking. You may have impact on spring flow with zero drawdown. If you are in a karst system and this area is kind of isolated where the monitor well is you can say we’re not having any drawdown so we are going to keep on pumping. There was a brief discussion regarding what would be considered zero drawdown. It was agreed that some things needed to be clarified.

Mr. Sweeten stated he disagreed with the quote in number 5 that said exempt wells are not subject to pumping limits. He stated they were subject to pumping limits, and those limits were 17.34 gallons per minute. Mr. Letz agreed that that information needed to be added. Mr. Sweeten stated that he had some concerns about the DFC process to but also understood all the work that goes into a GMA putting this information together and dealing with models that aren’t necessarily the best. Mr. Letz agreed and stated that is the reason that he has sympathy for what GMAs are asked to do, but they are asked to do it by law, and that’s why the appeal is necessary. There was a brief discussion regarding what would happen if the state took over water rights. Mr. Letz stated that the state is taking over right here by mandating how the models are going to be used. (inaudible conversation) Mr. Sweeten disagreed. He stated GMA7 has shown some of the problems with the Edwards Trinity model and they are going back looking at an analytical type model to be used to see the variance. Mr. Letz and Mr. Sweeten agreed that they wanted to keep the controls close to home, and Mr. Letz sees the process as being dictated by the state. Mr. Letz went on to talk about how SB1 set up Regional Planning Groups in order to get it out into the local areas and allow people that weren’t scientists to have a say in how water planning is being done. Then the state spent hundreds of millions of dollars to do this for 10 years. Now the legislature comes in with the GMAs and tells the regional planning groups they aren’t going to use the groundwater modeling data they done, they want the GMAs, to do the numbers and then the planning groups are forced to use those numbers. From a groundwater standpoint there is basically no reason for the regional

planning groups to exist. Ray Buck stated that there was more representation in the planning groups. He stated that he understood when the DFCs were voted on, Kerr County had the lone vote in opposition, yet counties without a stake in the Edwards voted yes. Once again, Kerr County citizens got the short end of the stick. He stated that was just part of the process, not that anybody did anything wrong, it's just part of the process and that's what needed to be appealed. Charlie Wiedenfeld stated that, by their vote, that just subjected the groundwater districts to having to fund the drilling of more monitoring wells in the Ellenberger, Hickory's and Edwards to try to get a handle on what zero drawdown is going to be in the aquifers. Mr. Wiedenfeld also stated that other GMAs as may have the same situation GMA9 does, where the aquifer doesn't cover the entire region of that GMA and other counties are voting on something that doesn't affect their county. Mr. Letz stated GMA9 did a good thing by setting this aquifer first as it will pave the way for the "politically hotter" aquifers like the Trinity and the Lower Trinity. This appeal is a lot easier because there's a lot more evidence and things that should have been looked at. Mr. Letz stated that based on his conversations with Gene Williams and David Jeffery, that there are a lot of problems with the Hill Country the middle and lower Trinity models also. What's being done is basically modeling with political interest; basically saying the model isn't going to work the way everyone wants it to so let's just move water around a little bit. That's ludicrous to do regional planning on a basis like that. Mr. Lee Kneupper stated that while he heard a lot of good points being made, he still believes they are talking about problems with the law, while they are real and they certainly exist, he stills question if this is the venue to use to deal with that issue. Mr. Letz stated that he didn't see any other venue. Mr. Kneupper stated that he thought the law is what needs to be questioned and the appeal should be directed to the law makers. Ronnie Pace stated that he believes the appeal should come from the Region J Board. Mr. Perry Bushong agreed. Mr. Stuart Barron complimented Mr. Letz on the way the appeal was written. The only suggestion he had was to add a better definition of what was being appealed. That we are in opposition to setting the desired future condition. Another individual suggested a summary paragraph. A brief discussion ensued regarding the format of the appeal. It was agreed that a summary would be added stating they are appealing the process and requesting GMA9 to delay setting the DFC until additional information is put in. (inaudible conversation). Mr. Barron gave the following suggestion for some optional wording, "Plateau Region Water Planning Group is in opposition to the process used to set the Future Desire Condition. The local Groundwater Management Area 9 used the Water Development Board's model to assist them in setting the DFC to zero draw down. This is an acceptable recommendation, but the process is flawed. How can an aquifer that does not have a constant level be measured for zero draw down? We respectfully request that Water Development Board to redesign or update their model with enough sophistication to allow the aquifer level to fluctuate under normal conditions. As such, using as much other real world data as possible should be included. The Texas Hill Country's climate is extremely variable with long periods of drought like conditions, interrupted by severe flooding. These extreme weather conditions effect in our aquifer and are continuously changing. The availability of our groundwater should also fluctuate". Mr. Barron stated the appeal just needed something that sums up what we are appealing. **Motion made by Ray Buck to file the appeal subsequent to review by John Ashworth and legal counsel; a second was made by Ronnie Pace.** There was

a brief discussion regarding if the appeal could be filed after the review by John Ashworth and legal counsel without having another meeting. It was decided that a Committee comprised of Howard Jackson, Jonathan Letz, Ray Buck, Ronnie Pace and Stuart Barron would finalize the appeal after an executive summary was added then the appeal review by John Ashworth and legal counsel. **Ray Buck made an amendment to motion to include an addition of the executive summary, review by John Ashworth and legal counsel and final approval of the appeal by the Committee prior to submission; a second was made by Ronnie Pace.** There was a brief discussion regarding the deadline. Mr. Sweeten informed the group that he had reservations on both sides of the issue and when it came to a vote he would politely abstain. Mr. Letz asked if there were any further discussions. Charlie Wiedenfeld asked if any responses should be taken from the GMA members in the audience before a vote was taken. Mr. Letz asked if any members had comments. Mary Ellen Summerlin stated that some things that were mentioned were factually inaccurate. One was that no one ever said that the model crashed when we put in the drought of record because we've run several drought runs that included the drought of record. She mentioned that it also sounded like the Mr. Letz said 30% of Kerr County didn't get any water apportioned to it which wasn't accurate. Ms. Summerlin went on to say she did not appreciate the "scary talk" the Group was doing regarding meters on wells or huge amounts of money being needed to drill new wells, that was something that was way out of today's discussion. She said there has never been a discussion with regards to how to implement this. Mr. Letz clarified that that information was not in the appeal. Ms. Summerlin agreed it wasn't in the appeal, but it has been discussed today. She continued by saying there was some confusion about availability of water from the aquifer and the managed available groundwater. She said that nobody says that there is only 1200 acre feet of water in the Edwards. That number is how much you can safely take without drawing the Edwards down, not to forget that draw down is directly related to spring flow. If that water table goes down the spring flow goes up, that's how that works. Ms. Summerlin said her final, most important point, was that the appeal has to be based on the reasonableness of the DFCs. She stated that no one is more aware of the deficiency of the models than the people who've worked on the GMA; but they had to use what they had. They had to state the DFC (inaudible). Ms. Summerlin said that all the concerns of the Group pertained to the way the law is written and she doubted that TWBD could fix any of them. She believes the resources the energy, and the passion would be better directed to the Legislature who can fix it. Ms. Summerlin said her final point was that Texas has not had many restrictions on the pumping of the groundwater up to now; we've only had GCDs doing it. She believes we are kidding ourselves and putting our heads in the sand if we think that the choice is between continuing with the status quo or advancing to some kind of regional restrictions. She stated that some kind of regional restriction has to come because of the nature of aquifers and the fact that there's (inaudible) for natural water. Ms. Summerlin believes that if nothing else, the people who want to sell water have got to figure out who it belongs to so they can get about (inaudible) their piece of the market. That's those very rich, resourceful folks in Austin who are pushing for something. She is concerned that if we pursue this with the legislature they are not going to do away with the idea of regional restrictions; we are just going to get a Water Master in Austin, with no grass roots (inaudible). Ms. Summerlin believes that all of regulations should to be made as close to

the regulated area as they possibly can. She believes that the GMA process is better than having somebody in an Austin office decide how much we are going to draw out every year. Mr. Letz stated that Ms. Summerlin's point about a global water master and water marketers and money handling it that was no more alarmist than the criticism just made about having to drill monitor wells and meters on wells. He stated that those are both alarmist things and shouldn't be on the table. Mr. Letz stated that he had read a large part of the 76 pages of HB1763 and the issue to him was that the Bill says that you have to use these models. Mr. Letz believes that a lot of latitude is given to the TWBD to determine how they are going to set these DFCs. He thinks that the TWBD has internally created these rules that say the models must be used. If that mandate is going to stay, the Legislature needs to fund these models to be redone. (Inaudible) Mary Ellen Summerlin asked how he could argue that he wanted more science and then say that he would rather have a guesstimate than the model. She believes that the models, even with all the defects, are more scientific than an analytical model where you just look at the precipitation, then attach a percentage to it and make a guess. Mr. Letz responded by saying that the models, as bad as they are, are (inaudible) as a number we pulled out of the sky, in reality. Ronnie Pace agreed. Mr. Pace said he wanted to address one comment Ms. Summerlin made about the Legislature not going to change anything. He stated that the only way they can change something is if somebody calls attention to what they are doing, which is what we are doing today. Ms. Summerlin said she disagreed. The TWDB does not have the power to change what the Group is wanting changed, but the Legislature does. (Talking over each other- inaudible) Mr. Pace asked Ms. Summerlin what she thought their choice was and she responded by saying the Group needed to go Legislature. Mr. Pace stated that's what they we doing, that this is the process the Group is using to go to the Legislature. (Talking over each other). Mr. Letz stated that he's worked with the Legislature a lot and while the TWDB can't lobby, they can present facts back to the court. If the TWDB goes back to the Legislature and says there's a problem, the Legislature will fix it. However, if we go in there as citizens or groups and try to get a bill through then we are fighting the lobbyists that Ms. Summerlin talked about. The appeal is the way to get it out of the lobbyists, to do an end run around the water marketers and go through the process set up by the state government. The TWDB can report back to the Legislature and let them know that they have done something in HB1763 that has caused a problem. Mr. Letz stated that believes the people at the TWDB are good people and they're biggest problem they have with the process is they don't have the funds to hire the modelers to do these models at a level that there's some level of confidence to them. Ray Buck stated that the Group is following the established process. He stated that the appeal must be in place for that interim report, and then they start working with our Legislator; without this first step the other is moot. Mr. Letz stated that you need a state agency to support you when you are working with the Legislature. Mr. Letz asked if there was any further discussion on the matter. He than asked for a vote on the motion. **The motion passed by a vote of 10 Ayes, 0 Nays and 1 person, Lee Sweeten, abstaining.** Mr. Letz stated that he hoped GMA9 would join in the appeal. Ron Fieseler stated that they would be in it. Ray Buck stated that members of GMA9 had noted that the models they are working with have deficiencies, and they are doing the best they can. Mr. Buck agreed with that and suggested that GMA9 merely

state that they are setting numbers using models they have an issue with, because the models are deficient.

- IV. **Consider, discuss and approve contract budget amendment to Phase 1 contract with TWDB (#0704830695).** Mr. Letz stated that Ray Buck put this on the agenda at the request of Connie Townsend. Mr. Letz stated that Mr. Buck needed flexibility, as the Groups' political entity, to move funds around between some of the categories. Connie Townsend stated that it wasn't so much to moving funds around as it is to take care of City of Del Rio issue. She stated that if the City of Del Rio does not come through with the matching funds the budget numbers need to be adjusted. She said that the way that the contract is written is such that the TWDB share was based on getting the local matching funds and the pro-rata share. Without the Del Rio funding the contract will be \$25,000 short. Ms. Townsend said the TWDB will lower the local entity contribution but not theirs. She stated that LBG-Guyton has provided a modified budget to take care of the difference. Mr. Letz informed the Group that an email was received stating that the City of Del Rio had mailed the check, but no one had received it, so they were looking into it. **Motion made by Lee Sweeten to authorize the political subdivision to make a budget adjustment based on not receiving the local match and the details of the amendment to be provided by LBG-Guyton and Associates; a second was made by Howard Jackson. The motion passed by a unanimous vote.**

V. **Consider and discuss informational items from PWPG members.**

Mr. Letz asked if there were any informational items to share. Lee Sweeten stated they received some good news from TWDB, their Management Plan that was due in October, and sent in June, was approved by TWDB and they will get official notice in the next few days. He informed the Group that once he received official notice he would send it out to all members of the GMA, the Planning Group and the surface water entities. He said he had been told by some people that it was the first one to actually get approval without being kicked back.

VI. **Set Next Meeting.**

Mr. Letz asked Ms. Townsend if there were any other deadlines that needed to be met. Ms. Townsend stated that the October deadline for getting this contract executed needs to happen (inaudible) the contract is October 31st. Mr. Letz stated the next meeting would be on October 8th and that since today's meeting was in Kerrville the next meeting will be Brackettville. (Inaudible conversation).

VII. **Adjournment.**

Mr. Letz adjourned the meeting.

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION “J”
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
October 8, 2009 at 10:00 AM
Brackettville, TX**

MINUTES

Notice having been duly given a meeting of the Plateau Water Planning Group was held at the Kinney County Courthouse, District Courtroom, at the 501 S. Ann Street, Brackettville, Kinney County Texas on Thursday, October 8, 2009, beginning at 10:00 am. Present at the meeting were Ray Buck, Upper Guadalupe River Authority, Kerr County; Jerry Simpton, Val Verde County; David Jeffery, Bandera County; Feather Wilson, Bandera; Howard Jackson, City of Ingram; Lee Sweeten, Real-Edwards; Tommy Qualia, Del Rio; Connie Townsend, Texas Water Development Board; Gene Williams, Headwater Groundwater Conservation District; Zack Davis, Kinney County; Ronnie Pace, Kerr County; John Ashworth, Planning Group Consultant; Jonathan Letz, Kerr County; Tully Shahan, Kinney County; Dennett Coates, Kinney County Groundwater Conservation.

I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.

Mr. Letz called the meeting to order.

II. Public Comments.

No public comments.

Mr. Letz informed the Group that a nomination was received for Dr. Kent Lowery to fill the vacancy from the Water Districts, Kinney County, but that item was inadvertently left off the agenda, and that it would be placed on the next agenda. He noted that Ms. Dennett Coates was present to participate on behalf of Mr. Lowery at today’s meeting, but she would not be able to vote.

III. Consider, discuss and take appropriate action concerning matters related to the PWPG appeal of the DFC set by GMA9 for the Edwards-trinity (Plateau) Aquifer.

Mr. Letz verified that everyone had received copies of the final version of the PWPG appeal of the DFC set by GMA9 for the Edwards-trinity (Plateau) Aquifer. He stated that there was a question as to the timing of the appeal and there was conflicting information as to when the appeals had to be filed. As a result of that Kerr County, Region J and UGRA all filed requests for waivers from the Texas Water Development Board to ensure they were in compliance with that provision. The waivers were granted by Kevin Ward, on the recommendation of their chief legal counsel. They concurred that the language should have been clearer as to when the appeal

needed to be filed. Mr. Letz explained the timeline that the Group is under now that the appeal has been filed. He stated the Water Development Board now has 120 days to make a report to their Board; which will be done at the January 21, 2010, meeting. Prior to that meeting there has to be a Public Hearing. The Public Hearing has been set for November 2nd in Kerrville, from 10:00 AM – 3:00 PM. He stated that the format of that hearing would be the Petitioner's (Plateau Water Planning Group, Kerr County and UGRA) will have an hour and a half to present their side and then the GMA9 Water District will have up to an hour and a half to present their side. There will be no questioning back and forth, no cross-examination; just presentations of the case. He stated that the attorney for the Water Development Board, Joe Reynolds, would be there to make sure everyone is in compliance and that a court reporter will be present also. Mr. Letz stated that he believes after the meeting a report will be produced and given to the Water Development Board's Board. Mr. Letz briefly spoke about the appeal and stated that Kerr County also appealed the Ellenberger and the Hickory DFC's. The basic reason for that portion of the appeal is that there are no producing wells of either of those formations in Kerr County. Therefore there is no reason to set a DFC. He stated it was a short appeal on those two aquifers and was based on the process more than anything else. Someone asked Mr. Letz if any type of quantitative analysis would be done. Mr. Letz stated that he and Mr. Buck had talked a lot about that and were working very closely together on this appeal. He stated that the three entities generally agree on the appeal but are not in total agreement all the time on the appeals, so there may be some differences in what each entity says. He stated that Kerr County and Region J will probably be more similar to each other than UGRA would be, but they would all be pretty close in their statements. He stated that he and Mr. Buck feel that getting an outside consultant to address the modeling issue would be a wise idea. He stated one of the main issues they have was models being used for things there were not originally meant to be used for. Another issue Mr. Letz had was why one model (Trinity or the Hill Country Trinity) was chosen and not the other. Mr. Letz stated he and Mr. Buck were very uncomfortable talking about modeling and are not qualified to do so. So they have made an arrangement with Dr. Charlie Kreitler who is with LBG Guyton and Associates, to bring him in as a consultant to talk about the modeling issues, as an expert witness. Mr. Letz stated that Dr. Kreitler will talk about the modeling issues and they have talked to attorney Anthony Corbett (UGRA's outside counsel) to address HB1763 and the rules and regulations that were drafted to enforce it. Mr. Letz stated that Kerr County and UGRA will help fund part of the appeal and he believes that Region J should also contribute some funds out of the Administrative account, but it was up to the Group to decide. Mr. Letz stated that Dr. Kreitler would look at the models and see if they were used the way they were intended to be used. Mr. Buck stated that the importance of the appeal can't go unrecognized and that they are not just looking at Region J; the process applies throughout the GMA process and the modeling has been what's been faulted throughout the state. Mr. Buck said that is why a modeler is needed. These models were done for regional availability not specific countywide aquifer availability. Mr. Pace stated that the Board should put in some money to pay for the consultants if this is going to benefit UGRA, Kerr County and Region J. Mr. Sweeten said this was a statewide issue and depending on which side you are on it will either be beneficial or it have a negative impact on you. He believes that when you deal with the Legislation on the solution it almost invariably makes things worse and is fearful that people in the water marketing industry will support that water control be done at the state level. Mr. Sweeten stated that his main concern was the large difference between the two numbers (1,200 feet and 16,000 feet) using the same model. He stated that the models are not good on a localized basis. Mr. Letz

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stated that he thought different models were used. Another individual stated that the Edwards Trinity was used to produce the Region J numbers. Mr. Letz stated that GMA9 used the Hill Country. So while two different models were used, the issue is the same; two models developed by the same person shouldn't be that far off. Ray Buck stated that two of the Districts in GMA9 protested the Groups request for a waiver and that TWDB denied those requests based on the fact that this whole process should be open to dialogue. Mr. Sweeten said he understood that and that he was not dead set against the appeal, he just has issues on both sides. There was a brief discussion regarding the date of the meeting with the TWDB and GMA9. It was stated that the meeting would be held on November 2, 2009. A brief discussion ensued regarding who would benefit from the appeal. Mr. Letz stated the importance of the appeal was to get the Water Development Board to relook at this process because it doesn't work well the way it currently is set up and that it's basically a huge unfunded mandate. Mr. Letz stated that he'd heard, from the GMA, that the number can change every year if you have a good reason to change it. Mr. Letz believes you have to have a reason to set it the first time. He also stated that he agrees that it's questionable as to whether or not some of the issues should be opened, including the issues of exempt wells. One of the big problems is that there's no mechanism, which is in the appeal, for Groundwater Districts to do anything with exempt wells yet and that has to be included as part of the DFC. How do you quantify something that you have no control over? That leaves the door open for either lower limits on exempt wells or meters on exempt wells and that is something he's very much against. Someone asked if the appeal would address the legal side including people's property rights. Mr. Letz stated they would address a little of that, but not much. Another individual asked about Dr. Kreitler's technical criticism and what approach he'll use regarding recharge. Mr. Ashworth stated that at this point Dr. Kreitler hasn't even met with the prospective clients and there's no contract yet so he was in no position to make any comment on this yet. Mr. Letz said they intentionally didn't think it was appropriate to use John Ashworth as an expert witness as they thought there would be a conflict there. Even though they used the same firm they intentionally went to a different person because they didn't want to put Mr. Ashworth in a bad position. Mr. Buck stated that Dr. Kreitler is very well recognized in the field as a modeler. A brief discussion ensued regarding Dr. Kreitler's fees. Mr. Buck stated that he was given a contract that stated the fees would not exceed \$20,000, but at this point he didn't know the scope of the work yet. Mr. Letz stated he would be very surprised if the fees are that high. There was a brief discussion regarding what percentage each entity should contribute. A brief discussion ensued regarding GMA7 and they fact they are being required to rely on the models they don't believe give good information and that Water Development Board needs to rewrite the process. Mr. Letz stated that was the intent of the appeal. The appeal was not an anti-modeling appeal, the appeal is saying that the models need to be used for what they are designed for. Mr. Letz gave the example of Kendall County which has a little of Edwards Trinity Plateau, and said there is a little strip of land on the very Southern portion of Kendall County where Champee Springs is that can't be more than 20 square miles, and there is no monitored wells that he's aware of in that, yet they've set the DFC for that; which doesn't make sense. Mr. Sweeten stated that you can set different DFC's in your own district from one part of the district to the other, based on your local data. There was a brief discussion regarding things happening in GMA15. Mr. Sweeten said the good thing about this whole process is that it has people in different GMA's and Regional Planning Groups talking to each other, people are networking and thinking and planning across. A brief discussion ensued regarding GMA7 and GMA9. One individual pointed out that part of the problem is that this comes to fruition on September 1st

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2010 but the State Legislature doesn't meet in 2011; so the Texas Water Development Board has to obey the law (HB1763) so they are not sure what the Texas Water Development Board can do, even if they agree. Mr. Letz agreed that may be part of it but at least it will be raised it to the state level. He stated that Senator Fraser is on board. One problem is that once DFC's get set its unknown what the districts do; what authority they have or don't have. A brief discussion ensued regarding the Water Code and whether they had authority to enforce things regardless of what the DFC says. **Motion made by Ronnie Pace to contribute to 15% of the technical consultant fees, using the PWPG Administrative Fund, not to exceed \$3,000; a second was made by Lee Sweeten. The motion passed by a unanimous vote.** Mr. Letz stated that a motion was needed to address who would speak on behalf of the PWPG for the appeal going forward. He stated that his recommendation would be himself and Ray Buck and he welcomed others to participate. **Motion made by Lee Sweeten to authorize Ray Buck and Jonathan Letz to handle the appeal on behalf of the Plateau Water Planning Group; a second was made by Thomas Qualia. The motion passed by a unanimous vote.**

IV. Consider, discuss and take appropriate action to approve the current contract with the TWDB for regional water planning and authorize the political subdivision to sign same.

Ray Buck stated that the Group needed to amend the budget in the first study contract due to the City of Del Rio match being decreased. There was a brief discussion as to whether or not it had been done before. Mr. Buck stated that \$25,000 was taken out of the local match. He stated that the contract amount was \$135,000 and we've been billed a little more than \$134,000. **Motion made by Howard Jackson to approve amending the budget as presented in the handout today which reallocates some funds and adjusts the funds based on the match from the City of Del Rio; a second was made by Tully Shahan. The motion passed by a unanimous vote.**

V. Consider, discuss and take appropriate action on TWDB water loss audit report.

Mr. Ashworth informed the Group he had been working UGRA to set up a Regional Water Planning Group website, which can be accessed now, to review previous plans, meeting agenda's, meeting notices and other important documents. He gave the Group the website address (www.ugra.org) and explained how to access the Plateau Water Planning Group information. He thanked Ray Buck and his staff for volunteering to put the website together. Mr. Ashworth reviewed his handout entitled Plateau Region Water Loss Audit (2005). He stated that the Water Development Board paid for a consulting study to be conducted to look at water loss and that they consider water conservation as one of the main objectives of providing water in the future. Therefore, municipal water loss could potentially be a very key factor. He stated the handout he printed out was a condensed version of the Report and that the entire report could be viewed on the TWDB website. He stated that the survey was done in 2005 when it was legislatively mandated that every entity turn these numbers in. Mr. Ashworth informed the Group that since the Water Development Board is not a regulatory agency all they could do is request entities to do it but there was no enforcement so not every entity did. They believe this is an excellent tool for water planning if you are developing a conservation strategy for an entity. However, they do say that these numbers now are somewhat dated. He stated there are potentially some errors in them at this point. Mr. Ashworth believes this is not necessarily

(though it could be) a real important tool for this plan; but it would be for the next plan especially if they can come up with new revised numbers and develop the technique better. He believes these are going to be great numbers for the 2016 Water Plan and certainly will recommend them at that time. For the current plan he doesn't necessarily think these numbers should be used. There was a brief discussion regarding the various numbers on the chart.

VI. Consider, discuss and take appropriate action on Chapter 1 revisions.

Mr. Ashworth informed the Group that Chapter 1 has been on the website, but realized a lot of people hadn't seen it. He reviewed the changes he had made (written on his handout entitled "Plateau Region Water Plan – Significant Changes to Chapters 1, 5 and 6") He stated that in Chapter 1 he updated the language to refer to 2011 Plan instead of the 2006 Plan. He stated that they referenced the interim projects in Chapter 1 and then the summaries or conclusions and put each of those back in the appendices. He informed the Group that there's a link back to the website for anybody who wants to see the complete interim report. He stated they were adding a whole new section and a link back to the Water Development Board on the GMA process. In Chapter 1, under the planning process, they explained the process that's in place now and that's coming into being. Mr. Letz stated that with regards to the GMA process one of the problems he sees is that currently the GMAs are setting basically all the groundwater limits, which could be contrary to Senate Bill 1, because you now have Groundwater Districts doing that total evaluation. Whereas under Senate Bill 1 you had all of the interests represented; and the Groundwater Districts don't necessarily have all those interests. If you look at Kerr County Groundwater District, there isn't anybody on that Board that has any agriculture experience, yet that's a potential big user. So you have interest groups that are being left out of the process when they were intentionally brought into the process under Senate Bill 1; there's a conflict there. Mr. Letz doesn't believe we should be setting the limits either, but that there needs to be a coordination between the two, which is left out of the process right now. Mr. Letz thinks this would be a opportunity to state that there needs to be some coordination between the two entities, which HB1763 essentially removed. Mr. Ashworth suggested that a very lengthy discussion on whatever the Group considered any pros and cons be placed in Chapter 8 under Recommendations. He suggested that the Chapter 1 discussion on the GMA process be kept very general without any comments on pros and cons. Mr. Letz said that another item he wanted to address in the Recommendations section is coordination between the Regions. He briefly described how he was informed that Region L is doing a study on Cedar clearing in Kerr County, yet never notified anyone in Kerr County or Region J. Mr. Letz stated that the Water Development Board should not have allowed funding to a project that covers property in another Region without the other Region even being advised of it. Ms. Townsend informed the Group that normally with a Cross-Region Project, the Region that's doing the project is supposed to inform the other Region, especially when it's a water management strategy that is supposed to occur. Mr. Letz said that didn't happen this time and that Ray Buck found out about it from Dr. Wilcox who is heading the feasibility study for Region L. Mr. Buck was told there were two years into the project and that bulk of the planning area is in Kerr County. There was a brief discussion regarding the funding source for the project. Mr. Letz reiterated that the Recommendation section needs to address Regions contacting each other if they start studying things in another Region. Ms. Townsend asked if whole petition process that Region J is going

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through would be noted in Chapter 8 since it may not end before the IPP is due. Mr. Ashworth stated they would probably devote an entire section to that. He stated that Chapter 1 is an introduction to the Planning Process and a quick summary of the plan. Mr. Ashworth informed the Group that he was not asking them to adopt Chapter 1 at this time, he is just looking for comments at this time. He stated the Chapters would be adopted early next year before the draft is turned into the Board. Mr. Sweeten stated the he wanted to mention population demands and projections and look at the absentee landowners and the transient populations because they are beginning to impact more and more. Mr. Ashworth said he hadn't taken any of the old language out; he'd mainly been adding new language and updating dates. He encouraged the Group to read through all of it. Mr. Letz believes the whole issue needs to be emphasized a little more than it was last time; maybe an entire chapter or sub-chapter. Mr. Sweeten stated it was a rural problem that affected a lot of people in this area. Mr. Letz stated that for the next plan we need to compile more data on population projections. He stated that he didn't see any change in the trend of population from this year when the numbers come out so he anticipates the Group will appeal a lot of them. Mr. Ashworth asked the Group to review the plan and inform him of any changes they would like to see. He stated that Chapter 1 is nowhere near being considered a finished product.

VII. Consider, discuss and take appropriate action on Chapter 2 population and water demand revisions. Discussion to include TWDB population revision memo and mining (petroleum) water demand.

Mr. Ashworth informed the Group that the Water Development Board sent out a memo to the Planning Group Chair on December 3, 2008, after they looked at the state demographer's projected 2007 population and compared that to where our projected population stood. He said Region J's projection was fairly close. He read the following comment from the text of the memo: "the Texas State Data Center estimates indicate that current population growth is falling significantly short of projected growth for Region J as a whole. It will be extremely difficult to justify increased regional projection totals for this region, thus request to increase projections for selected water user groups should in most cases be offset by decreases for others subject to TWDB approval". Mr. Ashworth said that is basically what they had to do last time; if we added one over here we had to take it from somewhere else. Mr. Ashworth stated that with the new Census coming up next year the Group is probably just as well off sticking with the road we are on now. Someone asked Mr. Ashworth if the Census will be available before the final product is done and Mr. Ashworth said it would not. Mr. Letz said that the letter basically says the Group will have a hard time changing these numbers for this round. Ms. Townsend stated that if something significant stood out it would need to be addressed. She stated that in Region M there were many cities that exceeded the expectations of the projections that TWDB felt that it wasn't realistic or fair. It has to be something significant or everything else goes to the next round where you actually use the Census and do the whole thing over again and look at all the pieces. Mr. Ashworth stating that one of the tasks that on the scope for Chapter 2 was to look at mining water demand, based on increased pumping for oil and gas recovery in Kerr, Real and Edwards. He stated that they looked at the entire region. He reviewed his handout entitled "Region J – Oil and Gas Freshwater Demand Estimates". Mr. Ashworth said they used the data base from the Railroad Commissions as well as a technical study that is currently being done looking at water use in the oil field industry. He said they broke the water use down into 3 different functions;

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hydraulic fracturing, general drilling & completion and enhanced recovery. The hydraulic fracturing is what was going to be the process for any wells drilled down into the Barnett Shale. Mr. Ashworth said the main concern was Barnett Shale wells that were going to require a lot of hydraulic fracturing. He said they looked at a 10 year period from January 1, 1999 to December 31, 2008, and we found that there were no registered Barnett Shale wells in any of these counties. So therefore we have had no reported hydraulic fracturing use in any of these counties for Barnett Shale productions. Mr. Ashworth went onto explain the “general drilling and completion” area of his chart. He stated they were assuming a million gallons were needed for actually drilling the well and completing it. He then went on to explain the “enhanced recovery” portion of the chart. He stated that was for fluids that are injected to try to move the oil and gas front and concentrate it to where it is easier to pull it out of the ground. He stated they only had reported numbers to use. Based on the study that was done assumptions were made that only 1% of the water that was used was fresh water. There was a brief discussion regarding whether fresh water or salt water is used to drill wells. Mr. Sweeten believes that the enhanced recovery number needs to be quite a bit higher. Mr. Sweeten told Mr. Ashworth that he appreciated his work on this chart as it was the first time something like this has been put together. Numerous people in the audience agreed. Mr. Ashworth stated that mining includes activities other than just oil and gas; it includes mainly gravel mining. He said he needed to work more with Lee Sweeten and Feather Wilson on the enhanced recovery numbers to see if they should be increased. It was agreed that the Edwards County numbers would be updated after Mr. Ashworth worked with Mr. Sweeten There was a brief discussion regarding work TxDOT was performing North of Leakey and the amount water they used on it, as well as where the water came from – fresh water and stock tanks. A brief discussion also ensued regarding the City of Kerrville selling water and how much water was used during a runway extension at the Kerrville Airport. Mr. Ashworth stated he would like to get as many numbers approved as possible today, but agreed that the mining demand numbers would have to be updated. Mr. Ashworth went on to talk about the Population Water Demand portion of Chapter 2. He stated that one of the things the Water Development Board provides in this plan is a socio-economic impact analysis for any unmet water needs. In order for them to do that they need to have our Population Water Demand and Water Supply numbers so that they know what entities we are going to be showing as having needs. He stated that it takes them approximately 60 days to run that analysis which is why we need to get these numbers to them as soon as possible; so we can incorporate it back in our plan. Mr. Ashworth reviewed his handout “Table 2.1 – Plateau Region Population Projection”. He stated these numbers are straight out of the last plan and none of the numbers had been changed. He asked the Group whether or not it was their desire or intent to change any of these numbers. There was a brief discussion regarding the belief that Texas is expected to double in size and population in the next couple of years and whether or not our figures would be too low if that happened. Mr. Ashworth stated that he believes the big population changes are occurring in the major cities and that the rural areas in some cases are declining. Mr. Sweeten pointed out that those people then decide they don’t like the city so they buy property in the rural areas, drill a well on it, and become absentee land owners. Mr. Ashworth stated that it would need to be stated in the population discussion that these numbers do not account for those transient populations. Mr. Sweeten said it could be addressed in the Recommendations in Chapter 8 and he’d also like to address the fact that they need to take into consideration other methodology to compute their water projections besides population. He would really like to see that issued pushed. Mr. Letz agreed that was the plan, but did not see any reason to change any of the numbers. He stated that

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what really needed to be done was to attack the methodology. Mr. Pace questioned how there could be a 43% rise in population and an 18% rise in water demand. Mr. Ashworth stated that the experts basically say that as time goes on more and more conservation efforts are going to go have an effect on lessening the water used per capita. There was a brief discussion regarding whether or not that would actually occur. Mr. Ashworth stated the Group did not generate these numbers, they come out of the Water Development Board's process and they look at per capita water use projected over time as well as irrigation use and they project all of these based on putting in a level of conservation in all of it. Mr. Ashworth suggested that the methodology they look at next time, in terms of making sure we account for this water, is that for the municipalities that actually gauge the amount of water that goes out and has a definite population, you divide one to the other, and get a per capita number. However in the rural area, they assign a certain per capita per your county other population, that's where you may want to try to argue the case, that per capita number assigned to each person. He pointed out that it could be said that there are twice as many people than are actually there than (absentee landowners/transient people) then what shows on this number and while you may not be able to change this number, you can double your per capita to take care of it. That takes care of the water use issue but not your desire to have the plan show what the true population is. Mr. Letz and Mr. Sweeten stated they would be fine with that idea and that was an issue that definitely needed to be addressed in the plan. Ms. Townsend explained that the water use rate was set up by the Board as one of the mechanisms used to help see how well water conservation methods were working. She stated the Group should explain what went into the rate and state that it's not a real per capita, it includes all these transient issues that happen. Ms. Townsend went onto talk about the Water Conservation Advisory Council (WCAC) and their efforts in water conservation. She asked if the Group would like to have a link to their website on the webpage. The Group agreed that it would be a good idea to have that link. Mr. Pace asked what the correlation between population rise and water demand rise was. Mr. Letz stated that conservation is the correlation and it was mandated by the state. There was a brief discussion regarding water conservation and how currently it is completely voluntary. A brief discussion then ensued regarding the water being wasted in distribution lines in the cities and what a reasonable number for distribution loss would be. There was a brief discussion regarding what the City of Kerrville has done to lower their distribution loss numbers. Mr. Sweeten suggested that the Edwards County mining number should be brought up to at least 81 and possibly even higher. **Motion by Jerry Simpton to accept the Population and Water Demand Projections with the exception of adjusting the mining numbers for Edwards County; a second was made by Howard Jackson. The motion passed by a unanimous vote.** There was a brief discussion regarding the DB12 data. Mr. Ashworth stated a meeting has been set up for the following week with the TWDB staff to look at the DB12 entry and that these will be the first numbers to go in there. Mr. Ashworth asked the Group to authorize Jonathan Letz to sign a letter requesting that this socio-economic impact analysis be done by the Board. Mr. Ashworth said the motion could be made when they talk about Chapter 4.

VIII. Consider, discuss and take appropriate action on Chapter 3 hydrologic assumptions used in developing water supply availability.

Mr. Ashworth stated that Chapter 3 talks about all of the supplies, whether they are ground water, surface water, livestock local supply. He informed the Group that the Water Development

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Board wanted the Group to make sure they had the hydrologic assumptions used in developing each one of these down pat. Mr. Ashworth reviewed his handout entitled "Source Supply Hydrologic Assumptions". In that document he listed each one of the sources by County. There were brief discussions regarding Bandera County and the Sabinal River as well as Hondo Creek and the numbers that were assigned to each of them. Mr. Ashworth said the numbers came from water availability model runs; the WAM that the TCEQ developed. He said they do these runs on every major water body, in the state and we are required to use their number. Some people had concerns with the Hondo Creek number being so high and figured it could not be the correct number. Mr. Ashworth said he would have Freese and Nichols verify the number. There was a brief discussion regarding the Bandera County, Edwards-Trinity Aquifer, number of 17,310 acre feet per year. It was asked where that number came from and Mr. Letz said it came from the same model that we are appealing which is the problem and one of the reasons for the appeal. Both groups are using the Water Development Board's model and we came up with different answers for some reason. That's the reason there is such a concern with the two sets of numbers; they shouldn't be that far apart. We aren't using the GMA numbers because they're not approved yet. We are using the numbers we got when we ran the model. At some point, in the next planning session, the numbers will have to be the same. Mr. Ashworth stated that one of the main reasons our numbers in the plan are a good bit higher than the GMA numbers is that we actually allowed a certain amount of drawdown in our scenario and the GMA's are having no drawdown or minimal. Someone stated that it was no longer a mystery why the numbers were so far off, it was driven by different assumptions that were made by each group. Mr. Letz stated that they were both based on the same basic assumption of spring flow and that's where the problem comes in. He stated that GMA9 says their reason for zero drawdown is to keep the spring flow up and we did a spring study and it said ours is to keep the spring flow at base level. Mr. Letz believes the numbers should be a lot closer than they are. Another individual stated that the spring flow numbers should be the same, the drawdown numbers should be the same, and they should line up. Mr. Letz agreed. There was a brief discussion regarding livestock and the water stored in stock tanks. A brief discussion ensued regarding the figures being based on droughts of record. Mr. Ashworth stated he was very open to discussion about the numbers. A brief discussion ensued regarding the livestock local supply numbers. Many Group members were not satisfied with the numbers on the chart, especially those in Bandera County. Mr. Ashworth will re-look at the surface water in Bandera County and the livestock local supply in all counties. A brief discussion ensued regarding the Frio River Alluvium in Real County. It was agreed that the Water Source would not be approved today. Mr. Ashworth went on to review his handout entitled "Appendix 3A, Water Source Availability". He stated it was similar to the hydrologic assumption table, he just combined in any county if there was multiple. He stated that handout 3A is reported by River Basin and 3B looks at the amount of water that each one of the water user groups are capable of actually capturing. He stated this was the number that's actually used in the needs analysis. Mr. Ashworth said it was an important table and urged the Group to review it for accuracy. Mr. Ashworth said they would be adding another source; most likely it would be river alluviums and calculating supply from them. He stated he would hopefully have that ready for the next meeting. He stated they would develop a bi-county availability number to add to this table for river alluviums. Mr. Ashworth stated the chart doesn't list water rights it lists how much water (inaudible...) He stated the model runs were done for drought of record conditions to see how much water would be in the river to meet those water rights.

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IX. Consider, discuss and take appropriate action on Chapter 4 water supply needs identification.

Mr. Ashworth reviewed the table entitled “Table 4.1 Water Supply Capacity and Water Demand Comparison by River Basin” with the Group. He stated this Table was a combination of the water demand table and the water user group capacity. He pointed out that the highlighted areas are the ones that don’t meet the demand at some point in time over the 50 year planning period. He stated the groups that showed shortages were the ones that strategies needed to be developed for. Mr. Ashworth suggested that we develop our strategies for the entities that we have to; we also need to look at a situation like Leakey where we are totally opening this plan to put anything beyond what’s in the guidelines. He stated that the guidelines give us a minimum of what has to be done but we can add anything else. Mr. Sweeten suggested that is something that really needs to be looked at and spoke briefly about a sewer project in his area and the problems they are having with their water supply. Mr. Sweeten said it had always been his understanding that if there was a strategy in place and if money was available, that the entity that needs assistance has better chance of getting it if they’re listed in this strategy. Mr. Letz suggested that we need to figure out a way to split out the supply and the demand on various parts of the county in Kerr County. There was a brief discussion regarding the fact that most of the water supply in Kerr County was not where the highest concentration of the Kerr County population is. Mr. Letz said UGRA and the County are working with the Water Development Board right now on a distribution system; using hopefully surface water to supply a lot of Eastern Kerr County. He stated it would not look good for the Water Development Board if we do not show the need for the project because they have already funded the first 2 phases of that project. Someone mentioned the easiest way to handle things would be to separate the areas somehow. Mr. Letz agreed; possibly split them into Kerrville or the Guadalupe Basin East of Kerrville and West of Kerrville because that will greatly change that. He also suggested that a note should be added to say the quality of the Trinity varies greatly in Kerr County. There was a brief discussion regarding the water demand in Kerrville and their water permits. Mr. Letz asked if there was anything else that needed to be addressed. **Motion by Lee Sweeten to authorize Chair to write a letter to the Water Development Board requesting socio-economic impact analysis be done; a second was made by Tully Shahan. The motion passed by a unanimous vote.** Mr. Ashworth stated after readjusting the numbers things may change a little bit but this information is basically what is going to be entered into the DB12 very soon. He stated the Group needs to weigh very heavily on the strategies at the next meeting. He stated that he hopes to have these tables finalized by then and we’ll know exactly which strategies. He asked the Group to review Chapter 4, looking at the existing strategies, before the next meeting to determine if any of them are no longer of any use. He suggested that the City of Kerrville’s well field ?? out on the Edwards Plateau is probably one that could be deleted. He suggested the Group may want to consider, based on our interim projects, entering strategies for ASR in Center Point and Bandera. Mr. Ashworth stated he would visit with the City of Kerrville to have them look at our strategies and see how they want to revise the ones that are there now. Mr. Letz suggested that another item that might be added is that the County, as part of the whole Eastern Kerr county project, is looking at the quarries right by the airport. He said there are huge pits right there and a possibility of doing off-channel reservoirs right there. There was a brief discussion regarding rock quarries and different types of filtration. There was a brief discussion regarding the City of Kerrville application to TCEQ for a CCN for the entire ETJ

X. Consider, discuss and take appropriate action on Chapter 5 revisions.

Mr. Ashworth suggested the only change that needed to be done to Chapter 5 was to revise Section 5.7. which talks about implications of moving water from an agricultural area; moving it out of an agricultural area is what they are shooting for. Therefore we had to have a statement in there that one of our strategies was Kerrville's potential well field out on the Plateau and what the impact would be in moving that water into town, what impact it would have on agriculture. However, if we decide to remove that particular strategy, or modify it, it will either change or remove that particular discussion. **Motion by Lee Sweeten to approve the modification to remove the strategy of developing a remote well field for the City of Kerrville; a second was made by Thomas Qualia. The motion passed by a unanimous vote.**

XI. Consider, discuss and take appropriate action on Chapter 6 revisions.

Mr. Ashworth stated that Chapter 6 is the conservation chapter. He said he is going to add a discussion in length as to the Water Development Board's conservation report that they put out in conjunction with the Texas State Soil and Water Conservation Board. It's sort of their statewide assessment of conservation that's been going on in the state. He stated it was a good report and we need to identify it in Chapter 6 and put a link to it. He stated that the report recognized that the City of Del Rio had a water conservation plan but it wasn't available yet so all we could do in the current plan is say that they had one in the works. He stated they did have one that's recently been approved which he has asked for but hadn't yet received. An unknown individual stated they would have a conservation plan by the end of the year. Mr. Ashworth stated there is a section regarding Groundwater Conservation District management plans in Headwaters, Kinney County and Real Edwards have new management plans approved in 2008 and 2009 and Bandera's is in the works(???). But yours is not approved yet. So we'll just retain the date of your existing one in the plan. Mr. Ashworth stated this would be another place to add a discussion regarding the GMA process. He stated the Chapter could be viewed on the UGRA website and encouraged the members to review it. Mr. Ashworth went on to review the schedule stating that the next meeting needed to be next month and they would need to work very heavily on strategies and also finalizing our numbers. He stated the draft Water Plan that the Water Development Board calls the IPP, Initially Prepared Plan, is due March 1st so the draft plan needed to be finished by January or very early February. He stated the Group would adopt the draft then there would need to be a public hearing to take public comments. The public hearing can be done before the draft gets submitted to the Board or it can be done shortly afterwards.

XII. Consider, discuss and take appropriate action to authorize submission of any items approved at this RWPG meeting to the TWDB.

It was determined that no action was required for this agenda item.

XIII. Consider and discuss informational items from PWPG members.

Ms. Townsend asked if the Group would be interested in receiving a summary of the activities of the other GMA's; what they are doing and when they have their meetings. The Group agreed that they would appreciate that information. Mr. Buck stated that he would also like to know what the

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other Regional Planning Groups are doing. There was a brief discussion regarding a meeting someone attended in which a presentation was done by a hydrologist on geology of the movement of water and how recharging affects it. Gene Williams asked Connie Townsend if Bill Hutchison (TWDB GW Division Director) would give his presentation to a public group in Kerrville. Ms. Townsend said she believed that he would. She asked if they would like him to attend the November meeting and the consensus was that it would have to be done at a separate meeting. It was agreed that the best time for the presentation would be some time after IPP has been submitted.

Mr. Ashworth introduced James Beach, from LBG-Guyton, and informed the group Mr. Beach had been doing the modeling for him and was the head sub-consultant for Regions F, D, I and M.

Mr. Letz reminded the Group to turn in travel vouchers if they would like travel reimbursement for attending the Region J meetings. He stated the contract is about to expire and the Group is getting ready to return \$17,000 that is left in the contract if it is not used. Mr. Buck stated that the funds can only be used for travel reimbursement to any posted meeting for those that are eligible.

XIV. Set Next Meeting.

Mr. Letz stated the next meeting would be November 19, 2009, at 10:00 AM in Kerrville.

XVI. Approval of Minutes

Motion by Lee Sweeten to approve the minutes from the 7/9/09 meeting in Camp Wood and the 8/1/8/09 meeting in Kerrville; a second was made by Howard Jackson. The motion passed by a unanimous vote.

XVII Reports. Letz - Reports

- a. Report from Chair – No reports were made by Mr. Letz.
- b. Report from Secretary. Mr. Pace stated their was approximately \$12,800 in the account and stated copies of the bank statements were available to anyone who wanted to see them.
- c. Report from Political Entity. No reports were made by Mr. Buck.
- d. Report from Liaisons. No reports were made by Liaisons.
- e. Report from TWDB. No reports from Ms. Townsend, she stated everything would be covered on the agenda

XVIII. Consider and discuss approval of invoices

Mr. Letz stated there were 5 invoices from LBG Guyton to be approved and stated they had all been approved by himself and Ray Buck. **Motion made by Lee Sweeten to approve the Invoices; a second was made by Howard Jackson. The motion passed by a unanimous vote.**

XV. Adjournment.

PLATEAU WATER PLANNING GROUP

REGULAR MEETING – Kerrville, Texas

November 19, 2009 at 10:00 am

Notice having been duly given, a Regular Meeting of the Region “J” Plateau Water Planning Group (PWPG) was held at the Upper Guadalupe River Authority (UGRA, 125 Lehmann Drive, Kerrville, Kerr County, Texas on Thursday, November 19, 2009 at 10:00 a.m. Present at the meeting were: Lee Sweeten, Real/Edwards County; Perry Bushong, Edwards/Real County; Thomas Qualia, Del Rio County; Otila Gonzalez, Val Verde County; Gene Williams, Kerr County; Connie Townsend, TWDB; John Ashworth, consultant; Jonathan Letz, Kerr County; Ray Buck, Kerr County; Feathergail Wilson, Bandera County; David Jeffery, Bandera County; Zach Davis, Kinney County; Howard Jackson, City of Ingram; Stuart Barron, Kerr County; Charles Wiedenfeld, Kerr County; Mitch Lomas, City of Del Rio; Dr. Kent Lowery, Kinney County; Homer Stevens, Bandera County; Susan Lowery; Darwin Ockerman; Diane McMahon, Kerr County; Scott McWilliams; Diana Ward; Jon Albright; Les Ferguson; Mike Mecke; Jody Grinstead.

I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.

II. Public Comments.

There were not public comments.

III. Approval of Minutes.

Motion made by Lee Sweeten to approve minutes of the October 8, 2009, minutes; a second was made by Howard Jackson. The motion passed by a unanimous vote.

IV. Reports.

a. Report from Chair - Jonathan Letz.

Mr. Letz gave an update on the DFC appeal and the Administrative Hearing that was conducted by the Texas Water Development Group. He informed the Group that Kerr County filed an appeal regarding the Hickory and Ellenberger aquifers with the basic argument that these aquifers were not relevant in Kerr County and under the rules they should not be set because there are no producing wells in either of those aquifers. He stated that the County Attorney found an Open Meeting violation with the GMA9 posting for the meeting at which they adopted the DFC. The posting stated it would be adopted for Blanco County only yet their motion included it for all of GMA9. That point was raised at the Administrative Hearing and the Water Development Board notified GMA9 that they felt it was a violation and suggested that a new meeting be held to clarify the intent of that motion; that the motion only covered Blanco County and that the aquifer was not relevant in all the other counties in GMA9. Mr. Letz stated that Ron Fiesler, with GMA9, concurred with that and they've scheduled a meeting in Kerrville, next Monday, with the intent to clarify that the DFC will only cover Blanco County. After clarification of their motion Kerr County will withdraw its appeal to those two aquifers. Mr. Letz stated that the GMA9 motion will also say it is a non-relevant aquifer that does not need to be monitored in any county other than Blanco County. Mr. Letz went on to talk about the two basic points that were made at the hearing with regards to the Edwards Trinity Appeal. The first dealt with the technical side of the appeal which was a geologic presentation by Dr. Charles Krietler and his

argument that there are better ways to set a DFC for the Edwards Trinity; that spring flow needs to be a consideration. Spring flow cannot be monitored based on drawdown in a single monitor well; or possibly even from multiple wells. Dr. Krietler believes that prior to making that assumption a study needs to be done to prove that there is a correlation between spring flow and a given monitor well. The other side of the appeal was the legal analysis. The law states that three criteria that need to be met and one is not more important than the other. The law also states that the DFC must be reasonable, the MAG set by the DFC has to be quantifiable and it must be implemented; implemented meaning enforceable by the Groundwater District. At the administrative hearing, Headwaters Groundwater District stated that they cannot enforce this DFC and it cannot be implemented as written. The main problem Headwaters has is that a majority of the wells are exempt wells and they have no authority over exempt wells. Mr. Letz believes if a DFC cannot be implemented then by definition it is unreasonable because that's a required in the law. Mr. Letz stated that it was now up to the Water Development Board to make the determination. The record has been closed and all data that's been submitted by both sides is being reviewed by the Water Development Board staff and they will make the recommendation to the Texas Water Development Boards' Board. Mr. Buck informed the Group that the written testimony has been put on the website for anyone who was interested in looking at it. Mr. Williams informed the group that the GMA9 meeting will be November 30th at 10:00 AM in the UGRA Board Room.

b. Report from Secretary - Ronnie Pace.

Mr. Pace was not available for today's meeting. Copies of the current bank statements were distributed to the Group.

c. Report from Political Entity – Ray Buck.

Mr. Buck informed the Group that there were two contracts for the studies for this portion of the plan. The first contract ended on October 31st but they were still making amendments to the contract due to some revenue that wasn't received and four mileage refund requests had been received by members of the Group. He stated they are currently working on the second contract. Ms. Townsend stated the Water Development Board was currently in the process of making a time extension in order to stay within the contractual rules of the contract; anything that is done must be done when the contract is open. She informed Mr. Buck that he will receive an amendment regarding the contract expiration date.

d. Report from Liaisons.

There were no reports from any of the liaisons.

e. Report from TWDB.

Ms. Townsend informed the Group that the Water Development staff will have their analysis report on the DFC appeal ready on January 14, 2010 and that the staff will present the entire petition to the Water Development Board at their Board Meeting on January 21, 2010. She stated that she believed the decision on the appeal will be made at that Board meeting. Mr. Letz asked if time will be allotted for either side to make comments at the meeting. Ms. Townsend said she wasn't certain but that she would check on it.

Ms. Townsend stated that hard copies of the Water Developments Cost Memorandum were mailed out which give extra guidelines for infrastructure projects that will be eligible for the WIF

funding (Water Infrastructure Funding). She stated that infrastructure will be a new category of water management strategy that can be put into plans; and it will be the criteria used to determine eligibility for WIF funding. Ms. Townsend stated that the Water Infrastructure Fund was created by the Legislature to implement projects from the Regional Water Plans; and in order to request funding for a project that project must be listed in the Regional Water Plan. She stated this past year was the first year it was done and Regions who had projects that they wanted to apply for funding for this past year amended their 2006 Plans to include these projects so that they would be eligible. From this point forward Regions will be able to put projects in their plans and plans can be amended as projects come up that would be eligible for WIF funding. Since previous plans never had strategies with that kind of detail, the Water Development Board has provided extra guidance to illustrate the amount of detail that needs to be in the plan. Mr. Letz asked if there would be funding for LBG-Guyton's to do this kind of analysis, as it would be more detailed. Mr. Ashworth stated that he wasn't sure because none of the strategies have been fully finished as of yet. Ms. Townsend stated that it shouldn't cost more because there will be a sponsor for the project and it will be their burden, to a certain extent, to provide that detail. Mr. Letz asked if the WIF funding was a grant or a loan. Ms. Townsend stated that it was a loan with a very low interest rate.

Mr. Barron asked Ms. Townsend if the Board would make a decision on the appeal at the January 21st meeting. Ms. Townsend stated that she believed they would since they will have the staff's recommendations prior to the meeting and there has been no mention of future meeting dates. Mr. Barron asked if copies of the staff report would be provided to the Group. Mr. Letz stated that both the petitioners and respondents will receive copies a week before the hearing and he would get them posted as soon as he receives them. Ms. McMahon asked if the meeting was a public meeting and Ms. Townsend informed her that it was their standard monthly meeting and was open to everyone. She stated the meeting would consist of the Finance Committee, the Audit Committee and then the Main Board Meeting which usually begins at 11:00 AM. She said the agenda would be posted on the Water Development Board's website closer to the meeting date. There was a brief discussion regarding the Board members and their dedication to their positions.

V. Consider, discuss and approve invoices.

There were no invoices to be approved.

VI. Consider, discuss and approve filling vacancy for Water District Interest, Kinney County.

Mr. Letz informed the Group that this item was inadvertently left off the previous meetings agenda. He stated that that only nomination received was for Dr. Kent Lowery from Brackettville. **A motion was made by Lee Sweeten to appoint Dr. Kent Lowery to the Water District Interest, Kinney County; a second was made by Howard Jackson. The motion passed by a unanimous vote.**

VII. Review final water demand revisions.

Mr. Ashworth briefly reviewed the schedule stating they are at the very end of the planning period for updating the 2006 Plan. He reminded everyone that the plan could be viewed on the UGRA website. Mr. Ashworth stated that at the last meeting the population and water demand

numbers that were approved included a change to the mining demand number in Edwards County. He said the request to change that demand is ready to be sent to the Water Development Board. He distributed a memorandum explaining exactly what went into the development of the demand change and stated the new number was 89 acre feet instead of the 5 to 6 acre feet that was reported earlier. Mr. Ashworth informed the group that he just became aware of the fact that Kerrville South Water Company was listed as a water user group in Kerr County and that entity no longer exists. It was bought out by Aqua Texas which supplies a lot of small rural communities in Kerr County. It was suggested by the Water Development Board that Kerrville South numbers be moved into County Other category. He stated he would revise the table and move the population and the water demand numbers before sending it into the Water Development Board. There was a brief discussion as to why there is a large difference between the Kerrville numbers and the County Other numbers on the tables; despite the populations being relatively the same size. A brief discussion then ensued regarding water use differences between City and County residents; Mr. Letz stated that in the next plan more time should be spent trying to figure that out. It was agreed that the water usage factor in the county has changed in the last 10 or 15 years and that was something that should be looked at; possibly trying to quantify how much water is being used through some sort of survey. The Group agreed that kind information would be beneficial to the groundwater districts. Mr. Wiedenfeld believes the difference is, at least in part, because most people in the County don't realize how much water they are using. He said that he hooked up approximately 20 customers to water this summer when their wells went dry and every one of them used 40 to 100% more water than the average city customer. Mr. Sweeten suggested that the county other figures might be off also. Mr. Letz agreed and stressed that it was something that needed to be looked at because the county other is a large portion of this region. Mr. Ashworth stated that it needed to formally put into the plan as a recommendation so that the Board is more likely to recognize any request for any study money.

Mr. Ashworth stated that one of the Groups concerns has been the numbers reported for livestock use; and that funding for a study was requested. He stated that study was in progress and any new numbers coming out of the study would be very useful in generating better numbers for the next planning period. He then introduced John Albright with Freese and Nichols who gave a report on the study they are conducting. Mr. Albright introduced himself and briefly stated his background. He stated his presentation would include showing how the Water Development Board calculates livestock water use in the area and then looking at some approaches to potentially quantifying some non-traditional animals in the livestock category such as exotics and other things. Mr. Albright said the Water Development Board has very specific criteria for revising all kinds of demands but they are not quite as specific for livestock. He informed the group that the Water Development Board uses the USDA Agricultural statistics historical data for populations of different kinds of livestock animals; then those populations are multiplied by some standard assumed water use for these animals. He briefly described the water usage numbers for free range cattle, sheep, goats and horses in the Plateau Region. He stated the calculations are based upon what the water use was in the year 2000 and they are assumed to be constant over the planning period. Mr. Albright went over the trends since 1974 and noted that there is not as much livestock in the region as was in the past. There was a big decline until about 1990 and then a slow decline, and another fairly significant decline in 2000. Mr. Albright distributed a handout which showed trends for all the counties. He stated they were a little

different in the detail, but the trends have been about the same. He believes one of Groups concerns to be the under reporting of exotic species because traditional livestock operations are being replaced by game ranching. Another concern he believes that Group has deals with the high fences around the gaming ranches; as the high fences have cut off not just the exotic wild life but also the other wildlife from the natural water sources. As a result more groundwater is being used to feed and supply water not just for the game species but also all species within these high fenced areas. The Group agreed that those were some of their concerns. Mr. Albright stated there were no agricultural statistics for estimating water use for exotic species and various kinds of wildlife. He stated the first step would be to select a dominant species then determine what the water use is per animal. After that they would need to estimate the population; which he believed would be the hard part. Once that information has been determined the water use can be calculated. Mr. Sweeten asked why feral hogs were not considered in the population. Mr. Wilson agreed that they needed to be considered. Mr. Albright agreed there is a problem with feral hogs throughout the state. He explained that the chart he was using was prepared in the mid 90's by the Parks and Wildlife Department; they tried to quantify the population of various animals but it did not include feral hogs. There was a brief discussion about including whitetail deer. Mr. Sweeten asked if the chart was for statewide population and Mr. Albright stated it was a statewide survey but the portion he provided was for the 6 counties in the Plateau Region. There was a brief discussion regarding the population of fallow, axis, whitetail and sika deer. The Group discussed all species on the chart and whether or not the population percentage numbers were correct. Mr. Albright stated that he had been trying to locate specific information, like the information used by the Board, for traditional livestock and he couldn't find any studies with much information. He stated that he's been told the information is out there but no one knows where it is. He spoke to Dr. Fred Bryant at A&M University in Kingsville and Dr. Urs Krueter in College Station and both of them recommended that we come up with an estimate of water usage based on the average weight of the animal. Dr. Bryant suggested the number would be .005 gallons of water per day per pound and Dr. Krueter suggested using .008 gallons of water per day per pound. Ms. Townsend asked if they were studying different species to get the numbers. Mr. Albright stated that Dr. Bryant believed the exotic species were about the same size as a goat, so he took the typical water use for a goat and divided it by the average weight of a goat to reach his number. Dr. Krueter's number was based on research done by a colleague whom concentrated on animals that are native to South Africa. Mr. Wilson suggested that Mr. Albright contact the processing plant in Divine, Texas, which processes about 5,000 feral hogs a month and see if they have an estimate on the feral hogs population. There was a brief discussion regarding water usage for feral hogs. Mr. Letz suggested that the number would be 1/2 the amount used by domestic hogs. A brief discussion ensued regarding the size of feral hogs and how large they can get. Mr. Albright agreed that based on today's conversations he did not believe the current approach would be the best way to deal with the feral hog population. Mr. Albright then went on to talk about whitetail deer. Mr. Sweeten stated that they use about a gallon of water per day. Mr. Albright stated that, if it was something the Group wanted to do, including whitetail in the projections that would be fairly easy to do. He stated that there is very little compiled information regarding population; he's certain that there are people out there who know but there has been no effort from the state to compile this data since the mid 90's. To date he has been able to identify two surveys: one was the Texas Parks and Wildlife census in 1994 and the other survey was prepared in 1996 by the Exotic Wildlife Association. However the Exotic Wildlife Association survey states that they quit the survey before they completed it so

the data is incomplete. Another problem with that survey is that it wasn't done by counties, they merely divided the state into 4 different regions reported the data that way. Mr. Albright said that he's been told that the Exotic Wildlife Association may have done a more recent survey, and he's made many attempts to contact them but cannot get them to return the phone calls. He asked members of the Group, if they had any relationship with the Exotic Wildlife Association, to please let him know and maybe they could work together to get the information. Mr. Albright said that he spoke Ray Aguirre, the wildlife biologist with the Parks and Wildlife Department in Kerrville area, who estimated that there are 8,000 to 10,000 axis deer in Kerr County and 6,000 each in Real and Bandera counties; but he cautioned that his estimate is probably low. Mr. Albright said that Lee Sweeten contacted Ryan Schmidt with the Parks and Wildlife Department who estimated the amount of space you need for an animal. Mr. Schmidt estimated that whitetail deer need a minimum of 11 acres per animal, with 15 being the max; axis deer needed 20 acres and feral hogs needed 10 acres. Mr. Sweeten stated that based on those figures, in Edwards County, the axis population would be 67,840, which he believes to be closer to being right. In Real County that number would be roughly 29,000. The whitetail numbers for Edwards County would be 123,000 based on 11 acres and 90,000 based on 15 acres. Using those same figures Mr. Sweeten calculated the feral hog population in Edwards County to be 93,000. Mr. Letz agreed that approach works fairly well for Edwards County and Real County because it's more rural, but he believes due to the population density in Kerr County, that number would probably be higher. One individual stated that calculation would not work for Kinney County because the population there was no where near the populations in Edwards, Real or Kerr counties. Mr. Sweeten stated that the calculations were based primarily on Edwards County, and that Mr. Aguirre believes that the further West you go the density lessens. There was a brief discussion regarding deer population in small track subdivisions. Mr. Sweeten said it was important to come up with a realistic number because if each whitetail consumes a gallon of water a day and you have 100,000 of them in the county; that adds up to quite a bit of water over a year's time. Mr. Wilson stated the he's noticed over the past few years that the axis population has doubled whereas the whitetail population has not grown as fast. There was a brief discussion regarding the kind of terrain various deer prefer, whether or not they like people and what they prefer to eat. A brief discussion ensued regarding the aoudad sheep and elk populations. It was agreed that the populations weren't big enough to be considered. Mr. Buck wanted to know if the process included picking one or more dominate species. Mr. Albright stated the Group could pick as many species as they wanted but he suggested they name only the ones that are significant. Mr. Wilson suggested that Mr. Albright obtain a copy of a book published by Texas A&M that spoke specifically about exotic animals in Texas. He said the book stated what exotics existed in each county and that Kerr and Bandera counties have the most exotics of any of the counties. Mr. Barron stated that cattle and horses would be the biggest consumers of water, and it was more important to get accurate numbers for those animals. Mr. Letz suggested that 5 dominant and an "other" category be picked, along with whitetails and feral hogs. There was a brief discussion regarding whether feral hogs are native. Mr. Letz suggested that for water usage that the Group should use the average of the two numbers suggested by Dr. Krueter and Dr. Bryant, that number being .0065. Mr. Albright asked what categories the Group wanted to use as the dominant species. Mr. Letz suggested that the following categories could be used: Axis, Fallow, Sika, Blackbuck and Other. Mr. Sweeten suggested that feral hogs be listed. There was a brief discussion regarding the different categories that should be used. It was agreed that native whitetail and feral hogs would replace the "Other" category and there wouldn't be an

“other” category. Mr. Barron asked if livestock would be included. Mr. Letz said livestock would use a different number. Mr. Letz asked if the Group was comfortable with the water use number of .0065 gallons of water per day per pound of animal. Mr. Barron stated that would calculate as a water use of 1.3 gallons per day for a 200 pound animal. Mr. Sweeten spoke about a fact sheet he acquired that stated water requirements for livestock which was done by the government in Ontario Canada. A discussion ensued regarding the report. Mr. Sweeten stated that the information is out there it was just a matter of what the Group decided to choose. Many members of the group agreed they were comfortable with splitting the numbers suggested by Dr. Kreuter and Dr. Bryant in half and using .0065 gallons per day per pound of animal.

With regards to population estimates it was agreed that each person would look at their own county and adjust it if needed. There was a brief discussion regarding the exotics number in the various counties. Mr. Barron asked Mr. Albright if he could get the number of whitetail in each county and Mr. Albright said he believed it would be an easy number to get. Mr. Barron suggested that if that number were obtained then most of the Group members could determine the difference between whitetail versus exotics; Kerr County may be 50/50 and as you go South it may be 60/40. Then once Mr. Albright had the percentage breakdowns he could come up with the population estimates. Mr. Albright stated that he had a conference call with Connie Townsend and Kevin Kluge from the Water Development Board (who is in charge of all these use numbers) and Mr. Kluge seemed to be very receptive to talking about the exotic species for the game ranchers but was not so receptive to including whitetails or feral hogs in the predictions. An individual asked why Mr. Kluge felt that way and Mr. Albright said he wasn't sure, he just wanted to inform the Group of the conversation and let them know it was up to them on how they wanted to approach it. Mr. Sweeten stated that sometimes the Water Development Board needs to be challenged on things, just as the Group is challenging the DFC. Mr. Letz stated that he believes the whitetails need to be included because they are an important part of the economy and the whitetail are managed in this region; whereas in East Texas they are not. Mr. Albright agreed that those are good reasons to include them. He stated that in Region F they increased the livestock projections by 10% for more wildlife, so there is already a precedent. Mr. Albright asked if the Group wanted to keep the traditional livestock projections where they are since there seems to be a historical decline in traditional livestock use. Mr. Letz stated that it should be left the same based on the assumption that everyone under reports, or doesn't report, to the USDA. Many members of the Group agreed. Mr. Albright informed the Group that based on today's discussion he had enough direction to proceed. Mr. Albright completed his presentation by reviewing a chart entitled the “Board's Revision Criteria” which the Group will use when asking for revisions for the next round of planning.

VIII. Review and consider revision of existing and potentially new water management strategies.

Mr. Ashworth explained that during this process they look at what the water demand for all water use categories (livestock, irrigation, municipal, domestic use etc.) for the next 50 years and make projections of how much water is needed; then they look at how much infrastructure is out there to capture that water. If it is determined that an entity, or a water use category, does not have enough infrastructures in place to provide sufficient water for the next 50 years then we recommend some alternatives to consider; those alternatives are called “water management

strategies”. Mr. Ashworth stated that they are required to develop these strategies for any entities that show shortages over that 50 year period. However, if we are aware that any of these entities are beginning to develop some projects and we want those projects in the water plan we can go ahead and add those as strategies even if that entity is not indicating a shortage. He informed the Group that legislative language states that if an entity is developing an infrastructure project which will require state permitting or will request state funding that project must be included in their Water Plan.

Mr. Ashworth reviewed his handout entitled “Proposed Water Management Strategies” with the Group. He stated that the management strategies with a J number next to them were carried over from the 2006 Plan. He stated that he would like the Group to inform him of any known projects, or any proposed projects, they are aware of that are out there and are likely to occur. Mr. Letz spoke briefly about Flat Rock Lake being cleaned out, should the proper permits be obtained, and how that will increase the volume of water in the lake. There was a brief discussion regarding the current permits and the amount of acre feet of water it contained. A brief discussion ensued regarding water discharge, reuse and the four lakes in Kerr County: Center Point Lake, Flat Rock Lake, Ingram Lake and City Lake. Mr. Letz spoke briefly the possibility of surface water storage at the existing gravel pits along the river between Kerrville and Comfort. There was a brief discussion regarding the logistics of converting the gravel pits to a water storage area, and the ability to capture water here before it goes to the coast. A brief discussion ensued regarding whether or not existing permits would allow for that kind of water capture.

Ms. McMahon asked if rainwater catchment could be considered as a management tool. Mr. Ashworth explained that the evaluation of a strategy looks at impacts, costs, and how much water would be generated to meet some of the deficit supply needs. He stated that rainwater catchment wouldn't be considered as an actual strategy in the table but would be listed as recommended practices along with land management and brush clearing issues. There was a brief discussion regarding various types of rainwater catchment systems and whether or not they have any effect on the overall recharge for an area. Mr. Ashworth stated it wouldn't have much of an effect because the percentage of impervious cover that's capturing the rainfall is probably a very tiny percent of the total rainwater within the county. Mr. Ashworth pointed out that strategies are basically engineered projects and everything else would fall under a recommended practice. He did agree that the discussion regarding rainfall catchment should be enhanced in the plan. Mr. Letz suggested that the recommendation also include a request to get the Legislation to allow some sort of tax a credit for installing rainwater catchment systems. He stated that Kerr County tried to at the local level with a credit to property taxes and were told they didn't have the authority to give property tax breaks. Ms. Townsend said she heard that they are considering stimulus funds to do this kind of thing. Mr. Wilson told Mr. Albright about an 88 page rainwater harvesting guide that he should try to obtain. Mr. Albright said that they did a study for Region F to find alternative ways for rural residents to come up with water supplies and one of the things they evaluated was rainwater harvesting, so they've already put together some information on that. There was a brief discussion regarding the drainage at the Kerrville Airport and how Sid Peterson Hospital recaptures the condensation from their air conditioning units.

Mr. Sweeten suggested looking at the Barksdale Water Corporation as a potential strategy due to potential need to expand system.

Mr. Wiedenfeld suggested that strategies be based on something other than the drought of record. He said he would like to see strategies based on situations similar to those experienced this past year; a significant drought which impacted every public water supply but wasn't considered a drought of record. Mr. Wiedenfeld suggested that the planning process should identify these 2 and 3 year droughts that we are currently having. He also suggested that the water availability problems be addressed on a localized basis. Mr. Sweeten agreed not everything should be based on the drought of record; though he pointed out that the current drought is almost as bad as the drought of record. Mr. Wiedenfeld suggested, and Mr. Sweeten agreed, that maybe the definition of drought of record needs to be readjusted. The drought of record occurred for a longer period of time but there was not near the same water consumption at that time. Mr. Wilson stated that the state climatologist described this previous drought as the most intense drought we've ever had due to the much higher temperatures. Mr. Wiedenfeld pointed out that conditions have significantly changed since the 50's drought including: population, aquifer levels are so much lower. Mr. Buck agreed that water availability needs to be addressed on a localized basis and stated one of the problems they ran into while looking at a facility plan for water supply in Center Point is that the plan shows that there's no shortage there yet we know there is. While there isn't countywide shortage, there is a localized shortage. There needs to be a way to explain that issue in the plan.

Mr. Wiedenfeld stated that in looking at the plans from the other regions he noted that they put reuse down as management strategies; and was worried that Region J was not getting the reuse categories in the state water plan again. A brief discussion ensued regarding the well field located outside the city limits in Mountain Home. Mr. Barron discussed some of the costs of the projects and stated it wasn't something the city could afford.

Mr. Letz asked if the "Surface water acquisition, treatment and ASR" listed under the Kerr County Other category was the Center Point project and Mr. Ashworth confirmed that it was. Mr. Letz stated a major reason for doing that project is because it's known as area where groundwater is more limited than a lot of other areas on the county; yet if you look at the amount of water in the county, we say is available there; we don't break it up by area. Another individual stated that water availability should be done regionally for different areas of the county.

Mr. Letz suggested that the items discussed today should be part of the recommendation section in the next plan. Mr. Ashworth suggested that a section be placed in the next plan to discuss impacts of this current drought and include some actual case examples of what's happening right now. Mr. Jackson stated that, based on all the conditions and all the different variables that Charlie Wiedenfeld brought out, that the drought of record might need to re-evaluated. Mr. Ashworth agreed and said that he believes the increased population has had more of an impact on water demand than the 50's drought.

Mr. Ashworth spoke briefly about the ASR analysis and the water rights analysis that were done this past summer in the City of Bandera and the Kerr County. He stated he was working directly

with David (Jeffery??) to alter some of the conclusions in the Bandera report to make it more realistic and something that the City of Bandera can use. He is also working with Ray Buck, and a sub-committee, looking at strategies on how best to report UGRA's progress. Mr. Ashworth informed the Group that he was also working with Lee Sweeten regarding the City of Leakey. He stated that Leakey is not listed as a community in our tables, (possibly due to a population issue) but it needs to be recognized. Leakey is currently going through some growing pains in terms of water development, so he will continue working with Lee on developing that strategy. Dr. Lowery asked noted that neither Kinney nor Brackettville is mentioned and told Mr. Ashworth that he would get some information to him regarding those areas. Dr. Lowery asked if Fort Clark was considered in the Brackettville numbers. Mr. Ashworth stated that Fort Clark is listed separately because it has its own water supply. There was a brief discussion regarding how Spofford was accounted for as well as the prison located near Spofford and their water usage. Dr. Lowery stated that they have asked for some projections because there is some projected growth at that prison. It was agreed that the prison would have a big impact on Kinney County due to the small population of the county and the high water consumption used at that kind of facility. Dr. Lowery briefly informed the Group about his challenging the Texas Water Development with regards to the future water usage charts; part of the problem being that no one accounted for the affect of transportation of water. Mr. Ashworth stated that would become part of the plan when there is a buyer for the water. Mr. Sweeten said that he agrees that the Texas Water Development Board needs to be challenged on their charts and projections because they don't take any of the transient population (tourists, hunters, absentee landowners) into consideration. There was a brief discussion regarding the drilling of new wells and unregistered wells. Dr. Lowery said that numbers are showing water decreasing on an agricultural use and he believes that to be a misnomer. Mr. Ashworth said that the greatest weakness in this 2011 Region Plan is the fact that we are still projecting population and water demand off the 2000 census. He stated that the Board recognizes this and they understand that it's a weakness and said and have advised the Groups to revise the 2006 plan up to known changes that have occurred. He stated the next plan would have the 2010 Census very early in the planning process and the Group needs to jump on the population and water demand issue if they are going to challenge the Board; because it needs to be documented. Mr. Ashworth believes that the next round of planning is going to be a major step forward in this regional plan because groundwater districts, and all the districts, are doing so much more work to locate wells (registered and unregistered) than they did 10 or 15 years ago so the data will be much better.

Mr. Ashworth said he believes that conservation issues should be hit hard in the next plan; with water audits, actually visiting the towns and getting some good hard data to go in the plan. Dr. Lowery expressed his belief that conservation is a group of small issues that need to be addressed under one umbrella. He went on to quote a statistic that stated that 25,000 to 40,000 gallons of water is run down the drain every year per household waiting for hot water. He said in a small town like Brackettville that adds up to an acre foot a year; so you can imagine how much it would add up to in a town the size of Kerrville. He stated a big part of conservation issue is public information and public education; the problem is funding them. Mr. Letz said those were very good points to put in the new plan, but currently they are at the very end of this plan, and while the population numbers and demand numbers aren't perfect, they can't be changed. In the next round there will be an opportunity to bring in a lot of the ideas that haven't been addressed as thoroughly in the last plan.

Mr. Sweeten stated that the Group needed to do expand their horizon, and begin to work with other planning groups and the GMA's to get the Water Development Board to stop using their archaic methods of looking at the projections and look at factors other than population. If other regions support it then maybe the GMA's will support it also. Mr. Letz pointed out that the problem is that PWPG is a unique region because of the demographics. The bigger regions do not care about the population projections, and that's where all the legislative power is; so it's a very difficult path for the Group to take. Mr. Letz stated that some coastal areas have similar issues but they too are small regions. Hopefully we can get a chance and build some alliances and get a change in the Water Development Board. Mr. Letz believes the Group has made progress but it's a difficult thing to challenge because a lot of the other regions don't care; it's not a problem to them. There was a brief discussion regarding the demographics of the region. Mr. Ashworth stated that while some of the things the Water Development Board does may appear to be archaic a lot of things happen behind the scenes that we probably don't know; and they are extremely open to anything the Group does as long as there is backup data on it and it can be documented.

Mr. Lomas informed the Group that he believed the City of Del Rio was at or near completion of their water audit.

IX. Review and discuss Recommendations and Policy Issues section of Chapter 8.

Mr. Ashworth distributed copies of the recommendation section of the plan. Mr. Sweeten spoke briefly about trying to find ways to fund studies for the exotic game issue. Mr. Ashworth informed the Group that the report on how best to manage the Frio River Alluvium aquifer (referenced on page 8-11 of the recommendations section) was almost complete and he will have that report at the next meeting; therefore it wasn't necessary to recommend that study anymore. Mr. Ashworth asked if the Group wanted to address each section and stated that some regions were establishing a sub-committee to make initial changes then bring it back to the Group for review. Mr. Letz didn't believe it would be productive to go through it page by page. Mr. Sweeten stated that unless there was a particular area that needed to be discussed he believed it looked good and are still right on target with most of the things. He did suggest adding information about the exotic and domestic wildlife and things of that nature. Mr. Letz suggesting changing the heading on page 8-3 from "Best Management Land Use Practices" to either "Brush Management" or "Brush and Grazing Management". He said he agreed that other than that he thought most of the things were covered. There was a brief discussion regarding using the gravel pits by the river as recharge structures. The Group then discussed recharge area maps. There was a brief discussion regarding the recharge analysis currently being done at the VanBerger Ranch in Blanco County. Mr. Ashworth asked if the Group would like to keep the section regarding "Reasonable Expenses Incurred by the Planning Group" (section 8.3.7); and inquired if the state was now providing better funding for these expenses. Mr. Letz stated that Region J does not spend much money. Mr. Buck said some of the administrative costs were not budgeted properly so money was being returned to the state. Mr. Sweeten asked if the excess funds could be transferred to another contract and Mr. Buck said he was told that could not be done.

It was agreed that section 8.3.7 and 8.3.6 were no longer needed.

A brief discussion ensued regarding section 8.3.5 “Training for New Regional Water Planning Group Members”. Most of the Group members were unaware that the Water Development Board now sends out packets to new members and offers training seminars new and current members. They were informed that training is available they just needed to ask for it. Ms. Townsend stated that the Water Development Board has put together many training modules on various topics and she would supply the Group with a list of them at the next meeting. She said staff members would also come to meetings and give presentations and training. It was suggested the list of training topics be obtained prior to deleting this section to ensure that the training covers all items that Group believes to be relevant. Mr. Ashworth stated a new member training could be set up for Region J all they needed to do was ask and Ms. Townsend said she would be more than willing to do it. She said it would be helpful to new members and could be a refresher course for those who have been members for a while. The Group agreed that the training would be valuable for every one. It was agreed that section 8.3.5 should remain, with minimal changes to the wording.

After a brief discussion it was suggested that the title in section 8.4.6 be changed from “Development of Educational Programs by the State for Regional Water Planning Groups” to Development of Educational Programs by the State to assist Regional Water Planning Groups”.

Mr. Ashworth confirmed that the Group was still comfortable with sections 8.7 and 8.8 and the Group agreed that they were.

Mr. Letz suggest that the members review Chapter 8 and send any additional comments they have to Mr. Ashworth then the Group could review the changes at the next meeting.

X. Discuss status of DFC appeal of Edwards-Trinity (plateau) Aquifer approved by GMA9

No action was taken on Item 10 as it had been discussed in Reports section (Item IV), Report from the Chair.

XI. Set Next Meeting.

Ms. Townsend stated that the IPP’s are due March 1, 2010. The Group decided meetings would need to be held in January and February. Meeting dates were set for January 12, 2010 at 10:00 AM in Real County at the AHMATA building in Camp Wood and February 11, 2010 in Del Rio. Mr. Ashworth said the Group would need to adopt the draft plan at the February meeting; adopting the draft plan does not mean that it has to be totally final but final enough to turn into the Water development Board.

XI. Adjournment.

The meeting was adjourned at 12:20 PM

This notice is published pursuant to the Texas Open Meeting Act, (TITLE 5, CHAPTER 551, GOVERNMENT CODE AND TITLE 5, CHAPTER 552, GOVERNMENT CODE) and the Texas Water Code Chapter 16.053(h)(1), 31 TAC Chapter 357.12(a)(1)

Dated this _____

Signed/ _____ */RJP*
Ronnie Pace, Secretary, *PWPG*

PLATEAU WATER PLANNING GROUP
REGULAR MEETING – CAMP WOOD, TEXAS

January 12, 2010 at 10:00 am

Notice having been duly given, a Regular Meeting of the Region “J” Plateau Water Planning Group (PWPG) was held at the Arts, History, Music, and Theatre Association (AHMATA) Building, 104 Leon Klink Ave., Camp Wood, Real County, Texas, on Tuesday, January 12, 2010 at 10:00 a.m. Present at the meeting were: Lee Sweeten, Real/Edwards County; Thomas Qualia, Del Rio County; Gene Williams, Kerr County; Connie Townsend, TWDB; John Ashworth, consultant; Jonathan Letz, Kerr County; Feathergail Wilson, Bandera County; David Jeffery, Bandera County; Zach Davis, Kinney County; Howard Jackson, City of Ingram; Stuart Barron, Kerr County; Charles Wiedenfeld, Kerr County; Dr. Kent Lowery, Kinney County; Susan Lowery; Diane McMahon, Kerr County; Jerry Simpton, Val Verde County; Tully Shahan, Kinney County; Ray Buck, Kerr County; Sonja Klein; Stephen Smith; Bob Burditt and Jody Grinstead.

Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.

Public Comments.

There were no public comments.

Approval of Minutes.

Motion made by Lee Sweeten to approve the minutes from the November 19, 2009, meeting; a second was made by Charles Wiedenfeld. The motion passed by a unanimous vote.

Reports.

a. Report from Chair - Jonathan Letz.

Mr. Letz informed the Group that with the new planning cycle starting soon and when budgeting time gets closer each of the entities will be asked to participate financially. He stated in the past that the following amounts were contributed: Kerr County - \$5000; City of Kerrville - \$5,000; Del Rio - \$5,000; Val Verde County - \$5,000 and Bandera was either \$2,000 or \$3,000. Mr. Letz stated that Jody Grinstead would send out invoices to all the entities the first part of May and will send them directly to the PWPG Members for them to forward to the appropriate personnel. This funding should take the Group through the next 5 year planning period.

b. Report from Secretary - Ronnie Pace.

Ronnie Pace was not present. Mr. Letz stated the bank balance as of December 31, 2009 was \$12,654.39. He informed the Group that there were a few outstanding checks, amounting to approximately \$3,000.00 that are set to be approved under the invoice section of this agenda.

c. Report from Political Entity – Ray Buck.

Mr. Buck informed the Group that everything was on track with the contracts.

c. Report from Liaisons.

Ms. Townsend informed the Group that the IPP (Initially Prepared Plan) process was going well. The Initially Prepared Draft Plan would be approved at the February

meeting for submission to the Water Development Board. She stating hearing notices for the Public Hearing for the IPP needed to be set up.

Mr. Letz asked Ms. Townsend why the Group was not made aware of a meeting that was to be held January 20th and 21st, which was partially sponsored by the TWDB, regarding DFC's, how they are set, what the implications are - including the implications to Regional Water Planning Groups. Ms. Townsend stated she was not made aware of the meeting either. Other members of the Group informed her that it was a 2 day workshop that was to be held in Austin and seemed as if it would be an extremely beneficial workshop to attend. Mr. Letz stated that two of the presenters are Regional Chairs, C.E. Williams and John Burke. Mr. Letz stated that this conference is what lead to a lot of the problem with the appeal that they had; the Groundwater Districts are taking the dominating role in groundwater planning anytime it has to do with groundwater. He stated that it used to be a partnership and it bothered him that this conference is being sponsored by the Water Development Board. Ms. Townsend apologized for not knowing about the meeting. She agreed that the Group should have been made aware of the meeting.

e. Report from TWDB.

Ms. Townsend informed the Group that the hearing regarding the DFC Appeal will be heard at 9:00 AM on January 21, 2010.

V. Consider, discuss and approve invoices.

Motion made by Howard Jackson to approve payment of the following invoices: LBG-Guyton - \$11,341.71; UGRA to Evaluate GMA9's DFC's - \$2,889.56; Jody Grinstead for reimbursement for digital recorder - \$162.36; a second was made by Tully Shahan. The motion was passed by a unanimous vote.

VI. Presentation and discussion on River Alluvium Aquifers study.

Mr. Ashworth reviewed the Alluvial Report entitled "Draft – Occurrence of Significant River Alluvium Aquifers in the Plateau Region". He stated this was an action item on the Scope under Chapter 3 to evaluate river alluviums. Mr. Ashworth explained that in the previous plan we showed the Frio River Alluvium with an availability number. This time we looked into a little more detail along with the other alluviums in this region including Val Verde County. He stated the short report involved no field work other than the knowledge that the Groundwater Districts provided. Gene Williams, David Jeffery and Lee Sweeten provided a lot of insight into whether or not there is water in these alluviums, whether or not there are wells in them and whether or not the districts are actually managing those. That information lead to the decision as to which ones were appropriate in terms of developing an availability number that would actually show up in the plan. He stated the first thing they did was to map the alluvium based on the surface geology to see the extent. We're basically looking at the entire surface extent of each one of these alluviums, even up the tributaries, as long as the alluvium was in direct contact all the way through. They took out the little splotches of alluvium on the tributaries that were not directly connected to the main body. The next step was to look at the number of

wells that were there. He reviewed the graph marked “Table 1 – Alluvial Wells Used for Analysis per Basin” which shows how many tables they were able to identify out of the Water Development Boards data base. The only exception was the Frio; that information was obtained from Lee Sweetens data base. Mr. Sweeten stated their district has worked primarily on the Frio but was getting ready to start a project on the Nueces. He believes there are several hundred alluvial wells in Real County and he believes there are at least 150 or 200 more that they haven’t been able to get registered or identified at this point. Mr. Ashworth believes there are many more wells out there, but because of their very shallow nature, they just have not been recorded. Mr. Letz asked Mr. Sweeten if he knew how the alluvial wells on the Nueces and the Frio responded during the last drought. Mr. Sweeten stated that a lot of the wells on the Frio went dry. He stated they had to pass an emergency order for the City of Leakey to allow them to get a permit to drill last summer because some of their wells were going dry. He went on to describe problems some of the other public water suppliers had during the dry summer months. Mr. Sweeten stated that a lot of wells on the Nueces went dry also but they don’t have as many records on those wells. Mr. Letz stated that the reason he asked the question was because that total numbers, region wise, added up to a pretty significant number. He wanted to know if a strategy was needed for those wells because these have been neglected in previous plans. Mr. Sweeten stated they have a district strategy to try to get as many of them registered as possible; which needs to be done to implement the DFC. Mr. Wiedenfeld inquired about river flow near these wells. Mr. Sweeten stated some of wells are ¼ mile or further away from the river. He said when looking at the Frio and the flood plain area, there are spots where there is nothing in the upper reaches, there is no alluvial to speak of, but when you get in the area North of Leakey where that flood plain extends way out, a few spots the river went dry. He said that’s happened before so you have to go back to the associated wells and see which of those wells went dry, and unfortunately people do not like to share that information with them. Mr. Sweeten stated that it would be hard to go back and see if this well went dry and the river went dry at the same point. Mr. Wiedenfeld added that it would also be hard to tell if the well was actually as deep as the base of the river. Mr. Sweeten said that would be a good study to have done if the funds were available.

Mr. Buck stated that the primary source of water in the study was rainfall and asked Mr. Ashworth if any leakage from other aquifers or the river was indicated. Mr. Ashworth stated that, generally, in the hill country the alluvium is elevated flood plains above the river, so you don’t have water from the river leaking back in except right at the edge. So if you are looking for the source and you do a water quality analysis normally you see it’s from direct precipitation; whether it’s directly right on the alluvial footprint itself or drainage coming off the hills to the side, just draining onto it laterally then seeping in. Mr. Sweeten stated that the study showed that North of Leakey the Frio is primarily a losing stream; but that’s where all of the big springs are coming into feed it so he can’t see how that could be a losing stream. Mr. Ashworth stated that most of the springs are coming out of the bedrock formations rather than the alluvium itself. He said if the alluvium is full and you get a good rainfall, it’s going to be leaking out slowly, which creates a base flow for the rivers and allows it to maintain. Therefore, the base flow graph wouldn’t look like it’s extremely spiked. Mr. Wilson stated 2 alluvium wells in Bandera

County went dry, but not until the very end of the drought. Mr. Sweeten said they had some on the Nueces side around Barksdale that made it through the drought in the 50's and went dry this time.

Mr. Ashworth explained the assumptions they made in coming up with an availability number. He stated that if you vary these assumptions the numbers would change also. One assumption that was made is that only a percent of that outcrop area actually contains water. He stated the assumptions made were: the Guadalupe river alluvium was set at 70%; the Nueces was set at 70% and the Frio was set at 90%. Another assumption made was the percentage of pore space below the water table, which is called the specific yield, basically is at 15%, which is an average for alluvials. He went onto explain that they had to average water levels based on the few bits of data we had. They had to look at the reported water levels to come up with an estimate. They also had to look at the attached drillers logs on this data to come up with a total thickness. Once all the data was put together they ended up choosing 3 alluviums to do an analysis on; the Guadalupe, Nueces and Frio. He said he was sure the other ones have water in them but there was no well data and nothing to indicate it was an aquifer. In terms of availability Mr. Ashworth stated that he chose to use recharge as being the availability number + 10% of the volume of water that's in the alluvium. He explained that one might think that's over and above recharge, so you are beginning to mine. Mr. Ashworth agreed that under that particular one year, yes you may be mining it, but the next year if you have above average rainfall you are going to fill that 10% up again. So he believes we are fairly safe in saying recharge + 10% of volume is your availability number. The 3 availability numbers being used are: the Guadalupe is 1,795 acre feet per year, Nueces is 3,574 acre feet per year and the Frio is 2,145 acre feet per year. Mr. Ashworth stated that Mr. Sweeten wants these numbers in the plan; he wants them to be workable, manageable numbers. However David Jeffery and Gene Williams believe that at this time the information is not relevant enough for them to want it shown up in the plan. He suggested that the Group adopt the Nueces and Frio numbers and hold off on the Guadalupe numbers for further analysis based on the Groundwater Districts' decision on how they want to handle it. There was a brief discussion regarding whether or not the groundwater availability numbers were based on the drought of record. Mr. Ashworth suggested that the Group not list the Guadalupe River Alluvium as a source in the plan until we can back it up with more data. Mr. Williams agreed, stating that they have no metered alluvium wells and very few registered ones. They basically have no water level data. Mr. Letz stated he had no problem using the Nueces and Frio numbers but would like to see the Guadalupe study go through also, even as superficial as it may be, because right now when you look at our numbers and our balancing we used to assume that everything came out of the Trinity; we know that's not true, a lot of it is coming out of different spots. While it may not be a big number when you start looking at the drought of record it does have an impact because our population numbers are so low. It clearly has a huge impact for the Nueces and the Frio. Mr. Sweeten stated that they figure that over 40% of the wells in Real County are under 75 deep; so when you are looking at that information these studies must in the plan. He stated they went through their data and did a lot of research to put these numbers together, and he feels that they have to be in there. Mr. Letz agreed. He also had no problem with what Mr. Williams stated with regards to the Guadalupe, but he

would like to include a footnote that shows that a study was done, that it is a sources source of water for Kerr County, and more studies need to be done. There was a brief discussion regarding whether or not to include something that couldn't be quantified. Mr. Wiedenfeld stated that the Alluvium Aquifer is the same as the Plateau, they are both water table aquifers and they both vary depending on rainfall. He believes if we say we have no storage capacity in the water table aquifer in the Plateau then we shouldn't be counting on any in the alluvial either. All this is considered already in the flow of the Guadalupe or the flow of the streams; which is being accounted for down the way. He stated he had a problem with devising plans based on drought of record. He believed the strategy should be that in drought of record we can't count on this, some other supply is necessary. Mr. Letz stated he didn't have a problem with that, except on the Plateau. He disagrees with that because during the drought of record all of those wells didn't go dry. A brief discussion ensued regarding well capacity now versus well capacity during the 1950's drought. Mr. Letz stated that they had the drought of record planning but at the time they didn't know these numbers were used for a lot of other things as well. He believes the plan, at least in Kerr County, needs to state that all the water is not coming out of the middle and lower Trinity which is what was being shown, at least regionally. Mr. Williams pointed out a discrepancy, which is happening in Kerr County, in that 2 different kinds of wells are being called alluvial wells. Mr. Wilson stated that at one time in order to get their water permit that the City of Kerrville had to prove to the TWDB whether or not the alluvial well water was coming from the alluvial itself or coming back from the river. In order to do that they had had to drill 3 monitor wells to determine radiant direction. There was a brief discussion regarding the definition of groundwater and surface water. **Motion by Lee Sweeten to approve the River Alluvium Study with the reservation that additional studies be completed on the Guadalupe Basin numbers and on the Loss/Gain studies; a second was made by Howard Jackson. The motion passed by a unanimous vote.**

- VII. Consider, discuss and take appropriate action on Chapter 4 Water Management Strategies.** Mr. Ashworth reviewed his handout entitled "Chapter 4 – 4.0 Water Management Strategies". He said more work needed to be done on it but he wanted to ensure that all the strategies the Group wanted to include, along with their descriptions are in place before he works on the impact analysis and finish the cost analysis on them. He explained that each of these sections are text discussions about management issues and management plans for each one of these public supply entities. He reviewed Table 4.1 which compared the supply and demand needs for each entity over the next 50 years. He pointed out that the City of Kerrville and the City of Camp Wood show deficits, which were carried over from the last plan, and were the only two areas's the Group is required to do strategies for. There was a brief discussion regarding the Kerr County Other category and the need for that area to show a deficit for grant purposes. It was agreed that the reason that area did not show a deficit was due to the numbers begin averaged. Mr. Buck asked to include a footnote to indicate that when using the population of Kerr County and dividing it by the amount of water available that no deficit is shown; however, that water may not be located where it is needed. Mr. Sweeten stated that Edwards County also has a problem with the population not always being where the water is. Mr. Jackson had an issue with the population numbers showing a decline in

almost every area other than Kerrville, which he believes is incorrect information. Mr. Letz believed that might be true in other counties as well. A brief discussion ensued regarding the numbers being amplified in drought of record and how many years of data must be calculated in order to obtain a true average. Mr. Ashworth suggested adding a paragraph to section 4.4.4 saying the reason Kerr County Other does not show up with a need is that there are pockets of needs which is why we are developing the UGRA strategies; to take care of the areas where there definitely are needs. Mr. Letz suggested that wording should also be used in the front of the section stating the problem is county wide, then reiterated in each specific area when it's addressed. If it's not addressed, and grants funding is being sought, it cannot be obtained if the area is not addressed in the plan. It was agreed that a new section, after the introduction, would be added to the strategies chapter stating that all the numbers are averages and while they may reflect that there's water available in the county that water isn't necessarily where the population density is. A brief discussion ensued regarding the radon problem in the wells in various areas throughout Kerr County and whether or not it was becoming a water quality issue. Mr. Letz would like language in the strategies chapter that would help UGRA get funding for the radon problem. It was stated that there was a problem with radon and radian. Mr. Williams asked if the numbers that were adopted would be set until the next planning period and Ms. Ashworth said they were set for 5 years; until the next planning period. That being said the Group agreed that they that plan definitely needed to emphasize that there are highly populated area's that are experiencing inefficiencies in water availability and quality. Mr. Barron suggested that the information be added as footnotes on the graphs also.

Mr. Ashworth asked the Group members to review the municipal write up's that pertained to their areas and let him know if they wanted anything else added. He stated a lot was written under UGRA with the information Ray Buck had provided. Mr. Sweeten stated that he'd done a study on wells in Leakey, Camp Wood, Barksdale and Rock Springs and had the actual amount of pumpage they used that he could supply to Mr. Ashworth. Mr. Ashworth agreed the information would be helpful and asked him to submit it as soon as possible. Mr. Lowery noted that Kinney County is mentioned on the chart but there were no strategies listed. Mr. Ashworth stated the reason no strategies were done was Kinney County is not showing a need so there is no requirement. He stated the Group could put in as many strategies as they wanted to in the plan. If the Group knew of communities that needed TWDB funding or TCEQ permitting to get wells drilled then those things need to show up in the plan. He stated the strategies are intended for infrastructure development. Mr. Lowery stated they are fairly certain there is a leakage problem in the city of Brackettville and they are seeking funding to fix the problem. He asked if it would assist the city in getting funding if that project was listed in the plan and Mr. Ashworth assured him it would. **Motion by Kent Lowery to add a strategy for the City of Brackettville for leak detection; a second was made by Lee Sweeten.**

There was a brief discussion regarding the inclusion of the MOU Kerr County has with GBRA and where it should be located in the plan. Mr. Letz said the intent of the MOU is to use water obtained from Canyon Lake for city needs or county other needs.

A brief discussion ensued regarding whether or not rainwater harvesting should be listed as strategy. The Group concluded that it needed to be listed as a recommendation and not a strategy. When listed as a recommendation it will include requests for someone at the state level to study rainwater harvesting and determine what the cost would be to implement those kinds of programs, including allowing a tax credit for those that participate.

Mr. Ashworth suggested that each member review the section of Chapter 4 that pertains to their area and let him know if any changes need to be made. He stated table 4.3 listed all the strategies that are currently in place right now. He noted that we are required to look at certain aspects including impact, reliability, cost, and quantity. He stated he has set up the impacts using a rating of 1 to 5.

Mr. Letz stated that under Section 4.6 “Brush Management and Land Stewardship” that the NRCS programs really needed to be emphasized. He stated that due to the stimulus and the Farm Bill they have more funding available. He went on to describe various programs that they offered including the GRP and the CLA. A brief discussed ensued regarding the programs they offer and the funds they have available as well as what percentage of each project they will fund.

Mr. Ashworth informed the Group that in order to get the document in compliance for turning in on March 1st all strategies must be covered; however, the exact language used can be changed at a later date.

VIII. Consider, discuss and take appropriate action on Chapter 8 Recommendations

Mr. Letz informed the Group about a scope of work the USGS is working on regarding a very detailed study on the Trinity Aquifer. He stated the USGS previously did a study on the Edwards Aquifer. Mr. Letz attended a meeting, along with a few other Group members, and stated that it appears as if they are going to do it, but they need to show interest in the project. He stated that they are looking at doing a 3-D model of the Trinity using seismic information. It would be fairly detailed looking at 11 different layered zones, using the same technology the oil companies are using. They would go 600 feet deep using aerial images so there wouldn't be ground conflict. He stated they are working primarily with groundwater districts and will have scope of work done by summer of 2010. The project is funded 100% by the federal government and will have a big impact on regional planning. Mr. Letz believes this would be a useful tool for Region J, Region L and parts of Region K. He said a better job can be done if they get more funding he suggested the Group may want to consider allocating a portion of the funds they receive from Austin for regional planning to this USGS project. Mr. Jackson asked if the scope of worked covered only the Trinity. Mr. Letz said it did, that it was mainly the GMA9 and Gillespie County area. Mr. Barron stated the USGS is spending this first year identifying the scope of work. He reviewed a map he made using a map they supplied at the meeting which showed the area's USGS plans to work with, displayed using various boxes. He explained that they will mapping the aquifers from a helicopter to find out how deep they are, how they interact with each other and how much water you can anticipate getting

from one aquifer to another. Mr. Barron wants to propose that Kerr County get a box on the USGS map also and that the various Kerr County entities help fund the project. A brief discussion ensued regarding the USGS meeting, the map Mr. Barron prepared and options for Kerr County. Mr. Letz informed the Group that the presentation was done by Dr. Blome and George Ozuna and that he would email them the link to the presentation they gave. He suggested putting the study in the recommendation section of the plan and suggest it get funded by the TWDB in their ways and maybe some of the Groups funds be allocated also. Mr. Letz suggested that the Group approve a resolution in support of the study at its next meeting. He also stated he is trying to organize a joint meeting with Region K and Region L to have the presentation made to anyone who wants to attend. Mr. Wiedenfeld pointed out the problems he saw with the study including his belief that their (the USGS) purpose in is to see if the streams are losing or gaining water. He believes most of their interest is in the Edwards. They want to see if it's gaining or losing and how much the Trinity is losing to the Edwards Aquifer in the Balcones fault zone. Therefore, the Region that will benefit from the information is the one that should contribute, not ours. Mr. Wiedenfeld also had a problem with the fact it was an aerial study that only went down 600 feet. He stated in order to map the lower end of the Trinity they would need to go down to 1000 feet, so he did not see how effective the study would be. He recommended that if the Group gets involved it should be to suggest that the recharge zone of the Trinity be studied. He agreed it might be good to see what is happening in the 600 feet of thickness of the aquifer to see if the rivers are losing are gaining; but thinks it's unfortunate that we wouldn't have any results on lower Trinity at all. Mr. Letz stated he would like to involve Region K and Region L and one of the things that he is hoping will be answered is the recharge issue; which is why they are looking at expanding it North into Gillespie County. Mr. Lowery stated Kinney County is trying to get a water balance study, using the USGS as the prime source, but they are running into funding issues. While he agrees additional funding is needed for the USGS study, he believes the Group should concentrate on things in their own counties first. He said Kinney County expanded the study to include Val Verde and Real counties, and said the USGS was interested in doing it, however there is no funding available for the study. Mr. Letz suggested that a recommendation be put in the plan for that study. He informed Mr. Lowery that the more information that get in documents like this, the better chances the counties have in obtaining grant funds or state funding. Mr. Ashworth said he would add it to the plan. The Group continued to discuss the USGA study. Mr. Ashworth asked if anyone had access to an electronic announcement of the study. Mr. Letz informed him he would send him the information. Mr. Barron stated that he believed they've already identified their flight zone and study area and unfortunately it did not come very far into Region J. Mr. Letz stated that goes into Bandera County (the Pipe Creek area) and a small portion of West Kerr County which would probably have impacts to Edwards and Real County and parts of Kinney and Val Verde.

Mr. Sweeten suggested that a study on the contamination in the oil field wells located in Southwestern Edwards County be added under section 8.3. He stated they've tried to get funding for that in the past and haven't been able to. He also stated that with the help of the Edwards County Commissioners' Court and his District the have been able to get a signed agreement, with the oil companies, for a monitor well and samples from that well.

Mr. Jackson asked if a recommendation could be added to require cooperation between Railroad Commission and other entities. Ms. McMahon stated the recommendation should include all state agencies. Mr. Letz suggested that it be stated that they cooperate for the benefit of water resources. Mr. Wilson stated there is in the RR Commission rules that state they will abide by water district standards. Mr. Ashworth stated that he had heard that the state environmental agencies are going through their Sunset Review and one of the things they are looking at is abolishing the RR Commission and move that under TCEQ and they want to give more regulatory functions to the TWDB. The Group went onto to briefly discuss Railroad Commission.

Mr. Wilson spoke briefly about pollution problems involving hydro(parathene???) into the Shale wells. He stated it would definitely effect Edwards County and that they will use 3-5 millions gallons per well on every square mile. Mr. Ashworth stated that mining in Edwards County was the one recommended water demand change for this region.

Mr. Wilson recommended that rainwater harvesting should also be discussed with regards to what the state could do in terms of tax abatement. He suggested that the Group really encourage them to do that. Mr. Wilson also suggested adding the TWDB's Rainwater Harvesting Report to section 8.2.16.

Mr. Wiedenfeld recommended taking areas that have high population density (Ingram/Kerrville South/area between Ingram and Kerrville) out of the County Other category so they can be viewed individually for funding purposes when they are seeking addition water supplies. There was a brief discussion regarding the City of Kerrville's water availability numbers and whether or not they will be boxed in by IOU's in the future. Mr. Letz agreed that a recommendation was needed to identify the demand for the water within County Other throughout the region. Mr. Wiedenfeld asked why it had been taken out previously and Mr. Letz informed him that they were never able to get data from Aqua Texas so they had to take it out. Mr. Wiedenfeld said he would speak to Aqua Texas and try to get them more involved and see if they will help with funding also. Mr. Wiedenfeld also suggested that utilities like his own should pay an amount in proportion to what the other entities involved pay.

Mr. Letz suggested that a study of the viability of using the mining pits between Kerrville and Comfort for water storage be added under section 8.3 - "Needed Studies and Data". He stated that it was already listed as a UGRA study but there was not a recommendation for additional studies. He would like a study to determine the cost of the project and whether or not it would be feasible. A brief discussion ensued regarding what is currently happening with those pits.

There was a brief discussion regarding Regions coordinating with each other when they work on projects in another Groups region (the brush management project that Region L did that extended into Kerr County). It was agreed if it was a regional planning project

that the Region's needed to coordinate things with each other. Mr. Letz said he would speak to Con Mims regarding that issue.

IX. Consider, discuss and take appropriate action on paying to have audiocassettes from previous meetings transcribed.

Mr. Letz informed the Group that, at the request of the Water Development Board, Ms. Grinstead had been going through old records to make sure from all of the meeting minutes are on the TWDB website. There are many meetings that have not been transcribed and/or have no minutes. There is a company that will prepare the transcripts at a cost not to exceed \$2,730. We are researching where the money will come from, thus far it appears as if it will come from the state administrative funds, not the local administrative funds. **Motion by Lee Sweeten to authorize up to \$2,730.00 for transcription costs to come out of the Region J administrative contract account managed by UGRA; second by Jerry Simpton. The motion passed by a unanimous vote.**

X. Discuss PWPG Bylaws.

Mr. Letz informed the Group that this item was placed on the agenda based on a question Ms. Townsend had about meeting posting timelines. That issue has been resolved. However, Mr. Letz thought many members might not be aware of the Bylaws and wanted to ensure they each had a copy to read and review. He informed the Group the item would be on the agenda for the next meeting to review them, make any necessary changes, and complete a Resolution adopting the Bylaws, which was not done the last time the Bylaws were amended.

XI. Consider, discuss and take appropriate action to set up training for current and new Members of PWPG.

Mr. Letz reminded the Group that at the last meeting they discussed training that is available for members which explains the planning process. Ms. Townsend informed the Group she could also set up a presentation by Bill Hutchison to discuss the GMA process. It was agreed by the Group that the workshop should be done after the Public Hearing that will be set up to take comments on the IPP. Mr. Wilson asked if the workshop would include the technical aspect of things; a basic course about the geology because a lot of people come into these districts and the Boards without any knowledge about what goes on in the subsurface. Ms. Townsend said it would not be technical training, it would be primarily on the planning process.

A brief discussion ensued regarding the time frame in which a Public Hearing regarding the IPP must be conducted. Ms. Townsend stated the TWBD will allow the Group to conduct the hearing after submitting the IPP, and it can be done anytime within the 120 review process. The notice of the Public Hearing must go out 30 days in advance of the meeting, and hard copies of the IPP must be distributed to a location in each county. The notices must also include the locations of the hard copies of the IPP for review. It was agreed that the date for the workshop and Public Hearing should be April 22, 2010, in Camp Wood.

XII. Consider, discuss and take appropriate action to fill Officers' positions for 2010 – 2011.

Mr. Letz stated the appointments to the Board are 2 year terms. He informed the Group he was willing to remain as Chair. Mr. Simpton said he was willing to remain the Assistant Chair, but was not sure he would be on the Board until the end of this cycle. **Motion by Lee Sweeten to keep the officers as they are for two more years; second by Jerry Simpton. Motion passed by a unanimous vote.**

XIII. Consider, discuss and take appropriate action on PWPG membership terms.

Mr. Letz informed the Group that Ms. Grinstead is in the process of figuring out what cycle the Group has been following with regards to membership. He believes they were 5 year assignments. Mr. Letz informed the Group the issue would be addressed at the next meeting. Mr. Jackson asked if the terms were a requirement and Mr. Letz said they were, as they were part of the Bylaws.

XIV. Consider, discuss and take appropriate action regarding appeal for DFC's set for GMA9.

Mr. Letz informed the Group that Kerr County Kerr County withdrew its appeal of the DFC's set by GMA9 on the Ellenberger and the Hickory aquifers after GMA9 removed all counties except Blanco County from their DFC. GMA9 stated the original intent was only to set the DFC for Blanco County.

Mr. Letz stated that the appeal of the Edwards Trinity Plateau will be decided by Texas Water Development Board on the January 21, 2010 at 9:00 AM. Ms. Townsend informed the Group that the Board will be considering the analysis that the groundwater staff prepared in order to make their recommendation. That analysis is due to the Board on January 14th, and it should be on their website shortly after that. Mr. Letz stated that he would make comments at the meeting with regards to the fact that the law is pretty clear on the criteria you have to meet for the DFC; it must be quantifiable and enforceable by the Groundwater Districts. In Kerr County's case, Headwaters said they could not enforce that DFC; therefore, as I read the law you cannot have a DFC that can't be enforced. Mr. Letz thanked Mr. Buck, the UGRA staff, Dr. Charlie Kreidler and attorney Anthony Corbett for the work they did on the appeal. Mr. Letz informed the Group that Ms. Grinstead would forward the analysis of the TWDB staff to all PWPG members once it was received.

XV. Set Next Meeting.

Mr. Letz confirmed that the next meeting would be February 11, 2010, in Del Rio at 10:00 AM. Mr. Simpton said he would reserve the bank.

XVI. Adjournment.

JL – Meeting adjourned.

**TEXAS WATER DEVELOPMENT BOARD
REGIONAL WATER PLANNING AREA
REGION "J"
REGIONAL WATER PLANNING GROUP
REGULAR MEETING
February 11, 2010, 10:00 AM
Del Rio, TX**

MINUTES

Notice having been duly given, a Regular Meeting of the Region "J" Regional Water Planning Group (PWPG) was held at the Bank and Trust, Del Rio, Val Verde County, Texas on February 11, 2010, at 10:00 a.m. Present at the meeting were: Otilia Gonzalez, Val Verde County; Tommy Qualia, Del Rio; David Jeffery, Bandera County; Feather Wilson, Bandera County; Stuart Barron, City of Kerrville; Connie Townsend, Texas Water Development Board; Howard Jackson, City of Ingram; Tully Shahan, Kinney County; Perry Bushong, Edwards Real Conservation District; Charlie Wiedenfeld, representing utilities; Lee Sweeten, Real-Edwards, representing Counties; Bill Stein, LBG Guyton and Associates; Mitch Lomas, Del Rio; Eric Mendelman, Program Manager, Watershed Initiative, River Systems Institute, representing Texas State University, San Marcos; Kent Lowery, Kinney County; Susan Lowery, Kinney County; Zach Davis, Kinney County; Jay Johnson, Del Rio, representing the Rio Grande International Studies Center (RGISC, Laredo Junior College); John Ashworth, Planning Group consultant; Gene Williams, Kerr County; Jerry Simpton, Val Verde County; Jerry Simpton also had the proxy for Ray Buck.

I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.

Roll call was taken. Mr. Simpton noted that a quorum was present and called the meeting to order.

II. Public Comments.

No comments were made

III. Approval of Minutes

A brief discussion ensued regarding the minutes from January 12, 2010. Mr. Barron noted one change on page 5 (regarding the MOU with Kerr County. The minutes incorrectly state UGRA and they should state GBRA). **Motion by Lee Sweeten to approve the January 12, 2010, minutes once the change has been made; second by Howard Jackson. The motion passed by a unanimous vote.**

IV. Reports.

a. Report from Chair - Jonathan Letz.

Mr. Simpton stated that Mr. Letz did not give him any specific items to discuss at today's meeting. He asked Ms. Townsend if she had any comments regarding the January 21, 2010, TWDB meeting which addressed the appeal of the Desired Future Conditions set by

GMA9. Ms. Townsend informed the Group that the analysis from the groundwater section brought up the issue of exempt well use. When that gets added to the equation, the DFC would not be enforceable today; much less when more exempt well use occurred. Therefore, TWDB Staff suggested that an intermediate draw down be placed, she believed the amount was 9 feet. The Board accepted that recommendation and noted that more data would be good to have. The Board agreed that the petition stood. Ms. Townsend stated that the next step in the GMA process is that the recommendation from the TWDB now goes back to the GMA's for their consideration and they vote whether to acknowledge it or not. They still have the opportunity to do whatever they want; but the expectation is that they will take the recommendations as presented and act in favor of that. The bottom line is that the TWDB is NOT a regulatory entity; they do not make the decision. They can make the recommendation, they can suggest, they can give information, but they cannot make the decision. GMA9 will make the final decision. A brief discussion ensued regarding the DFC process, exempt wells and whether or not a precedent had now been set for other GMA's.

b. Report from Secretary - Ronnie Pace.

This item was passed because Mr. Pace was not present.

c. Report from Political Entity – Ray Buck.

This item was passed because Mr. Buck was not present.

d. Report from Liaisons.

No reports from Liaisons were given

e. Report from TWDB

No additional report was given by Ms. Townsend

V. Consider, discuss and approve invoices

Motion by Howard Jackson to approve one invoice for LBG-Guyton in the amount of \$13,553.31; second by Tully Shahan. The motion passed by a unanimous vote.

VI. Consider, discuss and approve the Initially Prepared Plan (IPP), certifying its completeness, and authorizing the UGRA to submit the IPP to the TWDB by March 1, 2010.

Mr. Ashworth stated the IPP was placed on the website approximately one week ago for review by the members. He stated Mr. Sweeten had give him input already, and that he would now go through the Chapters individually to give people a chance to comment on them or make corrections.

Chapter 1 was discussed. It was noted that in Section 1.4, which discusses the groundwater issues, there were a few places where the "Nueces River Alluvium" needed to be added to the text. Also in section 1.4.1.5 and 1.4.1.6 the availability numbers for the Frio and the Nueces River Alluvium were wrong. Mr. Ashworth stated he would update that information so those availabilities match the Chapter 3 water supply tables (Frio River being 2,145 acre feet and Nueces River Alluvium being 3.574 acre feet). There was a brief discussion regarding section 1.4.5, on page 1-36, which talks about the planning groups concern about vehicular traffic and its impact on stream beds. Mr. Ashworth stated that information was carried over from a previous plan; but since then a law has been passed regarding that same issue. He stated that Mr. Sweeten asked the question of whether or not we needed to continue to include that information

in this section. Mr. Ashworth stated the information had already been taken out of the recommendations. A brief discussion ensued. Mr. Ashworth stated that they could add another sentence stating the Group recognizes that a law has been passed and we continue to support it. Sky Lewey briefly spoke about the loss of riparian function that is largely tied to the alluvium numbers. She stated that currently they still have a functioning riparian area in the upper Nueces and Frio Rivers and that's why the alluvium is available. She went on to say that if that continues to be eroded, whether it's by vehicles, mechanical disturbances, gravel mining or other disturbances; if we continue to erode the function of our riparian areas then that water is not going to be available. Ms. Lewey suggests that the plan might add a statement a little broader in context than just vehicle disturbances; something about the importance of the riparian area would be more appropriate. The Group was in favor of her suggestions except when it affects to private property rights. Ms. Lewey stated that she didn't think the Group should advocate for any regulation; she just believed the issue needed to be raised. Another individual suggested that it be included as educational recommendations on the effect of the damaging of the riparian areas. A brief discussion ensued regarding where the information should be listed in the Plan.

The Group discussed Chapter 2. Only one change needed to be made with regards to a correction on one of the county names.

The Group discussed Chapter 3. Mr. Sweeten suggested expanding Section 3.2, where the aquifers are mentioned, to include the Nueces. He also suggested a wording change in Section 3.2.5, to say that water for the City of Leakey and several other small public water supply corporations, along with rural, domestic and livestock supplies, are derived from this small aquifer.

The Group discussed Chapter 4. Mr. Ashworth stated this was the chapter on strategies. He stated he revised the format and tried to keep all the strategy discussion attached to the entity itself. He stated the only 2 entities the Group was required to have strategies for were the City of Kerrville and the City of Camp Wood. Since the Group had other entities they wanted strategies for, they were required to do the full strategy analysis for each of those; all of which are listed on table 4-3. He informed the Group that he had revised Tables 4-3 and 4-4 by adding more cost estimates. He also stated that he was currently working with John Albright of Freese and Nicols on the engineering costs. There was a brief discussion regarding the City of Bandera costs. The Group then discussed the City of Brackettville's water system and water loss audit. One participant informed Mr. Ashworth that they City of Brackettville just received a \$350,000 grant to put in new water mains and extensive improvements to address the loss of water. A brief discussion ensued regarding the grant and what items would be covered under the grant. Mr. Ashworth asked the Group if they wanted to keep this strategy in the Plan since a grant had been received. The Group agreed that they would like it to remain in the Plan. There was a brief discussion regarding section 4-4 and the "O&M" costs for the wells. Mr. Ashworth stated he was going to review the O&M numbers. He stated that at some point the Group would have to "call it quits" and approve the Chapter with the understanding that we are going to improve these cost estimates. A brief discussion ensued regarding the City of Bandera with regards to Section 4.4. Mr. Barron informed Mr. Ashworth that he would supply him with updated information regarding the City of Kerrville since the numbers referenced were from December 2005. The Group discussed Table 4.3.

There were not comments or changes with regards to Chapter 5.

The Group discussed Chapter 6. Mr. Sweeten suggested that the Plan acknowledge that Camp Wood and their Groundwater Districts have Drought Management Plans. He said he would make sure Mr. Ashworth had a copy of both Plans. Ms. Townsend stated that one of the requirements for the Regional Group is that whenever an entity has Water Conservation or Drought Management Plan, the Regional Group is supposed to have a copy of it. There was a brief discussion regarding whose responsibility it was to ensure the Group had a copy of the plans and how that happens. Ms. Townsend stated what typically happens is the entities submit them to the TCEQ, then the TCEQ is supposed to let them know that they need to submit a copy to the Region also. She suggested a survey be done to let the entities know to submit copies of their Plans to the Region, if they have them. Mr. Ashworth said he would work on the survey. Mr. Sweeten stated that changes needed to be made to the Drought Trigger Table in Chapter 6 with regards to the water level drops for Camp Wood and Leakey. A brief discussion ensued regarding the Drought Trigger Table.

No changes were made to Chapter 7.

The Group discussed Chapter 8 – the Recommendations chapter. Mr. Sweeten suggested moving the information regarding the riparian area (Previously discussed by Sky Lewey) to this section and making a recommendation that some kind of development educational program be implemented. Another individual suggested that section 8.3.3 mention that currently a landowner has the right to take 200 acre feet per year from (inaudible) creek; and that there are only 2 maybe 3 creeks in Bandera County that have that much water. Mr. Sweeten spoke briefly about riparian use and permitted wells. He stated the he's looked at the research on that and people have the right to keep that much water impounded; so when you look at hot summer months and evaporation and what they are using out of that impoundment it gives them a whole lot more water. He believes it's an issue that may have to be looked at down the road; but it doesn't appear that the Legislature is ready to address it quite yet. Another individual suggested that it be added as a recommendation for education. Mr. Ashworth stated he would add it to the draft Plan and if the Group wanted to change it at a later date that can be done. Mr. Sweeten and another individual agreed to work on the wording with Mr. Ashworth. Mr. Ashworth stated that when the protest for the Desired Future Condition was presented to the TWDB their Board members stated more information needed to be developed, because the amount of water availability was based on a model run, and that model run was based on one observation well, which really doesn't tie spring flow back to water level change. The Board agreed that a significant study needed to be done. Therefore, Mr. Ashworth suggested that the Group should take this opportunity to document that information so that during the next planning period the Group could use that information to try to get funding to do that. Many Group members agreed that it was an excellent idea. A brief discussion ensued regarding Canyon Lake and its spring flow. Mr. Sweeten stated that for those people wanting to include a base spring flow in the Desired Future Conditions, the best way to do it is to try and tie it to matching water levels, which we don't currently have. It was agreed that the concept still applies to the entire region. Mr. Jackson asked whether or not the USGS project (feasibility study with the aerial study)

which may be done in Kerrville should be incorporated into this Plan. Mr. Ashworth stated that he would add information that the Group supports the project to the Plan. Mr. Barron recommended that the Plan include a request for the TWDB to direct the GMA's to work with the Regional Planning Groups when developing those Desired Future Conditions to allow the Planning Groups to have some input in the process before it goes to a hearing. A brief discussion ensued regarding the role Planning Groups have in the DFC process. Mr. Ashworth stated that another Group he is working with, Region E, has a recommendation that addressed the timing issues; the timing of when the Legislature is in session, when Groundwater Conservation District Management Plans are and when Regional Water Plans are due. That Group suggests that all of these things be tied together so that each of different working groups is working towards similar deadlines. Mr. Ashworth asked the Group if they would like to add a recommendation suggesting better cooperation between Regional Water Planning Groups and other entities. Mr. Sweeten suggested the wording "improved communications" be used. A brief discussion ensued regarding whether or not the Group should recommend that the Legislature change the deadline and if Planning Groups should have a vote when it came to setting DFC's by the GMA's. Mr. Ashworth asked if the 3 individuals speaking (not certain who they were???) in the Group could form a Sub-Committee and send draft language to him later in the week. They all agreed.

Mr. Ashworth explained that Chapter 9 is where the summary of the infrastructure finance reports will be. He stated surveys needed to be sent out to everybody that a strategy was developed for, not just the two required communities. He said that the information would be added later this summer after the draft comments were received. The Group briefly discussed the process of what would happen when the surveys went out. Mr. Ashworth said he would notify the members when the surveys were ready to be sent out, and possibly have the Group Members deliver them to the smaller communities; that way they would be more likely to get results back. Ms. Townsend stated that the Water Development Board's intention is that the survey process occur concurrent with the review process. That once the plans are turned in, the Group can start doing their surveys.

Mr. Ashworth informed the Group that Chapter 10 merely listed the Group Member's names, their functions, how the planning process actually works and what the public process is in the water planning.

Motion made by Lee Sweeten to adopt the Initially Prepared Plan (IPP), with the adjustments made today, certifying its completeness, and authorizing the UGRA to submit the IPP to the TWDB by March, 1, 2010; a second was made by Howard Jackson. The motion passed by a unanimous vote.

VII. Consider, discuss and approve re-adoption of one of the interim project reports that required additional comment response by TWDB, as needed.

Mr. Ashworth informed the Group that during the interim period they had three projects that they worked on. One of the projects was the groundwater data acquisition in Edwards, Val Verde and Kinney County; with the dye tracing and the water level measurements. The Group responded to

the initial comments from the TWDB and incorporated them in the July publication. The Board came back with a few more comments before they would accept it, and close out the contract. In the Scope of Work it states that they (LBG-Guyton??) would provide a technical memorandum on the water level project and the dye tracing project, and provide it to the Group. A memorandum was not done; instead, that information was incorporated it into the draft version of the Plan which was presented to the Group. Therefore, the function was met, but the TWDB wants that information to be documented. Mr. Ashworth stated that he was in the process of making a revised report. He stated that if the Group agreed, when he was done with the revised report he would re-publish 12 copies of it and send it back to the TWDB, including the CD that has the revised text. **Motion by Lee Sweeten to accept the changes, as described by John Ashworth, and authorize re-submittal of it to the TWDB; a second was made by Howard Jackson. The motion passed by a unanimous vote.**

VIII. Consider, discuss and take appropriate action to adopt a Resolution in support of the USGS Trinity Aquifer Project

The Group briefly discussed the project and agreed that they would sign a Resolution in support of it; however, no Resolution had been prepared for the meeting. Mr. Barron stated he was trying to work with the USGS on the project. **Motion by Tully Shahan to adopt a Resolution in support of the project and prepare a letter to USGS in support of that project, all of which will be approved at the next meeting; a second was made by Otilia Gonzalez. The motion passed by a unanimous vote.** Mr. Barron stated he would produce a map of the area and work with Mr. Letz on the items.

VIII. Consider, discuss and take appropriate action on review of the PWPG Bylaws, possible revisions to same and approve certification of PWPG Bylaws.

Mr. Simpton made sure everyone had received a copy of the Bylaws. He then said that he spoke to Mr. Letz about this agenda item and Mr. Letz said the Group needed to adopt the Bylaws and complete page 14. Mr. Simpton inquired as to whether or not anyone had changes they wanted made. Mr. Jackson spoke briefly about Section 9.1.1, on page 10, regarding proxies. The Group then discussed alternates, written proxies, how alternates and proxies can vote, how much notice must be given when designating an alternate and whether or not that notice can be waived. It was suggested that the Group approve the Bylaws as presented, then let Mr. Letz know if they have any problems with them as they are currently written. Any changes that were requested would be addressed at a future meeting. Ms. Townsend informed the Group of some issues with their Bylaws. One problem being that the Bylaws state that at the first meeting of the year all Officers will be elected; which has not been done. She stated there have been a few revised/amended Bylaws that are were not recorded. She also said that each time the Bylaws are changed every copy from the original to each revised copy has to be available and on file. She stated the Group had quite a bit of "cleanup and investigative work" that needed to be done. She said she would forward the investigative work she had done to the group members if they thought it would be helpful. Mr. Sweeten agreed that it would be extremely helpful to have that information. A brief discussion ensued regarding the terms of members, how long they served, and how many of the terms had expired. Another individual asked if any kind of voice conferences or teleconferences were allowed at meetings, in lieu of attendance. Ms. Townsend stated they were not allowed. She stated that one of the goals of this process is that it be a public interaction process and once

you start having teleconferences and phone conferences, people start getting more separated and that kind of interaction does not occur. **Motion by Howard Jackson to adopt the Bylaws as presented; a second was made by Tully Shahan. The motion passed by a unanimous vote.**

IX. Set Next Meeting

The next meeting is set for April 15, 2010, in Camp Wood, TX, at the Nueces Canyon Senior Citizen Center at 10:00 A.M. A brief discussion ensued regarding the amount of notice that needs to be given for the Public Hearing. Mr. Ashworth stated that he would work with Jody to ensure everything gets done timely. Ms. Townsend stated that there would also be a Workshop that day. It was determined a Regular Meeting would be posted for that day also in case there were items the Group needed to take action on.

X. Adjournment

**Plateau Water Planning Group
Regular Meeting – Camp Wood, Texas
April 15, 2010 at 10:15 am
Minutes**

Notice having been duly given, a Regular Meeting of the Region “J” Regional Water Planning Group (PWPG) was held at Nueces Canyon Senior Citizen Center, at the corner of Leon Klink and 4th Street, Real County, Texas, on Thursday, April 15, 2010, beginning at 10:15 am. Present at the meeting were: David Jeffery, Bandera County; Feather Wilson, Bandera County; Stuart Barron, City of Kerrville; Connie Townsend, Texas Water Development Board; Howard Jackson, City of Ingram; Tully Shahan, Kinney County; Perry Bushong, Edwards Real Conservation District; Charlie Wiedenfeld, representing utilities; Lee Sweeten, Real-Edwards, representing Counties; Kent Lowery, Kinney County; Susan Lowery, Kinney County; Zach Davis, Kinney County; John Ashworth, Planning Group consultant; Gene Williams, Kerr County; Jerry Simpton, Val Verde County; Sky Lewey; Tammy Thompson, UGRA; Jody Grinstead; Tyson Broad, Charles Ghormley; Jay Johnson Castro, Rio Grande International Study Center; Jake Wedemeyer; Diana Ward; Bill Hutchison, Texas Water Development Board; Lee Kneupper, Ron Green, SWRI; Ray Chong(???) BCRAGD.

I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.

Roll call was taken. Mr. Sweeten noted that a quorum was present and called the meeting to order.

II. Public Comments.

No comments were made

III. Approval of Minutes.

Motion by Jerry Simpton to approve the minutes from the February 11, 2010 meeting; second made by Howard Jackson. The motion passed by a unanimous vote.

IV. Reports.

a. Report from Chair - Jonathan Letz.

Mr. Letz was not present; no report was given

b. Report from Secretary - Ronnie Pace.

Mr. Pace was not present; no report was given

c. Report from Political Entity – Ray Buck.

Mr. Buck was not present; no report was given

d. Report from Liaisons.

No report was given

e. Report from TWDB.

No report was given.

V. Consider, discuss and approve invoices.

Motion by Howard Jackson to approve 3 invoices from LBG-Guyton in the amounts of \$10,351.92, \$16,913.42 and \$1,800.00) and one invoice to reimburse Jody Grinstead for funds spent on the IPP Notice in the amount of \$448.75; second by Kent Lowery. The motion passed by a unanimous vote.

VI. Consider, discuss and take appropriate action to adopt a Resolution in support of the USGS Trinity Aquifer Project.

Stuart Barron informed the Group that a Resolution had not been prepared. He suggested that a sub-committee be formed, including representatives from Bandera and Kerr County, and that sub-committee put together a resolution that the City Council and Commissioner Court and the Region can support and then submit that to the USGS for consideration in mapping the aquifers. **Motion by Tully Shahan to table this item until the next meeting; second by Jerry Simpton. The motion passed by a unanimous vote.**

VII. Consider, discuss and take appropriate action to approve transcripts from PWPG meetings to be transcribed by an independent company (GMR Transcription Services) at an approximate cost of \$250 per meeting; to be paid for from the State contract fund that is administered by UGRA.

Motion by Tully Shahan to authorize Region J meetings, beginning with today's meeting, to be transcribed by GMR Transcription Services at an approximate cost of \$250.00 per meeting, and the funds to pay for that transcription to come out of the Region J administrative contract account managed by UGRA; second by Kent Lowery. The motion passed by a unanimous vote.

VIII. Set Next Meeting

Motion by Tully Shahan to set the next meeting on July 8, 2010, at 10:00 AM in Bandera; second by Feather Wilson. The motion passed by a unanimous vote.

IX. Adjournment

**Plateau Water Planning Group
Regular Meeting – Bandera, Texas
July 16, 2010 at 10:00 am
Minutes**

Notice having been duly given, a Regular Meeting of the Region “J” Regional Water Planning Group (PWPG) was held at on Friday, July 16, 2010, beginning at 10:00 am at the Flying L Guest Ranch, 566 Flying L Drive, Bandera, Bandera County Texas. Present at the meeting were: David Jeffery, Bandera County; Feather Wilson, Bandera County; Stuart Barron, City of Kerrville; Connie Townsend, Texas Water Development Board; Howard Jackson, City of Ingram; Jonathan Letz, Kerr County; Perry Bushong, Edwards Real Conservation District; Charlie Wiedenfeld, representing utilities; Lee Sweeten, Real-Edwards, representing Counties; Kent Lowery, Kinney County; John Ashworth, Planning Group consultant; Gene Williams, Kerr County; Jerry Simpton, Val Verde County; Ray Buck, Kerr County; James Beech, LBG-Guyton; Ken Carver, Kinney County; David Mauk; Homer Stevens, Bandera County; Jody Grinstead; Tyson Broad; Lee Kneupper; Diana Ward; Don Sloan; Henry Garcia; Gary Garret, Parks and Wildlife;

I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.

Roll call was taken. Mr. Letz noted that a quorum was present and called the meeting to order.

II. Public Comments.

No comments were made

III. Approval of Minutes.

Motion by Lee Sweeten to approve the minutes from the April 15, 2010 meeting; second made by Howard Jackson. The motion passed by a unanimous vote.

IV. Reports.

a. Report from Chair - Jonathan Letz.

Mr. Letz gave a brief report

b. Report from Secretary - Ronnie Pace.

Mr. Pace was not present; no report was given

c. Report from Political Entity – Ray Buck.

Mr. Buck gave a brief report

d. Report from Liaisons.

No report was given

e. Report from TWDB.

No report was given.

V. Consider, discuss and approve invoices.

Motion by Lee Sweeten to approve 3 invoices from LBG-Guyton (in the amounts: \$3,494.82,

\$7,458.51 and \$10,517.57); second by Howard Jackson. The motion passed by a unanimous vote.

VI. Consider, discuss and take appropriate action on responses to TWDB and Public comments on the Initially Prepared Plan.

Mr. Ashworth discussed the responses to the comments received from the public and the Texas Water Development Board on the IPP. No action was taken.

VII. Consider, discuss and take appropriate action on Infrastructure Financing Surveys.

Mr. Ashworth briefly spoke regarding Infrastructure Finance Surveys; stating only three entities in the Region qualified for that survey; Kerrville's project for ASR and Water Treatment, Bandera's project for ASR and Water Treatment, and for Camp Woods' project for another well. He stated he was in the process of getting the surveys out. Mr. Ashworth briefly described what the surveys contained and stressed that just because a survey was filled out, it didn't mean the entity was going to make an application to the state for funding. Ms. Townsend stated that the state wanted to know which entities have infrastructure costs coming up, and how are they expect to pay for them, regardless of what avenue they pursue for funding them. Mr. Letz asked if there was a way to have UGRA do an infrastructure finance surveys for their Center Point project. Mr. Ashworth said he could send out more surveys than what TWDB was requesting. He said TWDB did not request surveys for any entities that fell under "County Other". A brief discussion ensued regarding water user groups and water management strategies. No action was taken.

VIII. Consider, discuss and take appropriate action regarding a letter of support for the USGS mapping project.

Mr. Barron informed the Group that the sub-committee that was formed at a previous meeting had put a draft letter together to support the USGS mapping program. He stated that letters of support had also been sent by Mr. Jeffrey on behalf of the Bandera area, Mr. Jackson on behalf of the City of Ingram, Mr. Williams on behalf of Headwaters and by himself on behalf of the City of Kerrville. Mr. Barron stated the item was placed on today's agenda to determine if the Group was interested in sending a letter of support to the USGS to show that their interest in getting these aquifers mapped, and having a better understanding of the geology and the potential volume of water that's held within that geology. He stated he believed it would be something beneficial for the region. **Motion by Lee Sweeten to approve the Chair sending the letter that was drafted by the sub-committee to the USGS in support of their project; second by David Jeffery. The motion passed by a unanimous vote.**

IX. Consider, discuss and take appropriate action on the Socioeconomic Impact Analyses (Chapter 9) provided by the TWDB for the 2011 Regional Water Plan.

Mr. Ashworth stated that the analysis was provided by the Texas Water Development Board and it takes a look at our areas of shortages, and gives some meaning to the economic impact that those shortages would mean in the future. Mr. Ashworth said it didn't have much impact on the plan, but may help give the Group members some forethought into the next round of planning in terms of what all this economically means. Brief discussion ensued regarding the GMA process, the role of water planning during the next round, MAG's and how to address "County Other" entities in the next round of planning. **Motion by Feather Wilson to accept the socioeconomic impact prepared by the Texas Water Development Board and include it as Chapter 4; second by Howard Jackson. The motion passed by a unanimous vote.**

X. Consider, discuss and take appropriate action to request county / municipal governmental entities within the PWPG to contribute to the PWPG administrative account.

Mr. Letz stated it was time again to request county/municipal governmental entities within the PWPG to contribute to the PWPG administrative account. He stated this will be the third time the Group has requested contributions since 1998. Mr. Letz stated he was aware that entities are going through their budgets now and that many of them have limited funds this year. The Group conferred regarding how to label the fee in each invoice; it was agreed that the fee would be called an "assessment". It was also agreed that each entity would be allowed to pay the fee over a 2 year

time period, if needed. Those entities that will receive invoices are: Kerr County, the City of Kerrville, the City of Bandera/Bandera County, the City of Del Rio, and Val Verde County, Edwards County, Real County and Kinney County. **Motion from Howard to authorize the Chair to send out the invoices and have them payable over a two-year period; second from Jerry Simpton. The motion passed by a unanimous vote.**

XI. Consider, discuss and take appropriate action regarding the bylaws which were approved at the February 11, 2010 meeting.

The Group discussed numerous issues with regards to alternates and proxy's and whether or not they needed to be voting members. Discussion ensued regarding if alternates and proxy's contributed to the number of people needed to ensure there was a quorum, as well as the required notice needed to designate an individual as an alternate or proxy. **Motion by Lee Sweeten to change section 5.5.3 on page 4 of the Bylaws to delete the following: "at least 48 hours prior to the first meeting or hearing at which the Designated Alternate will appear on behalf of the member. The Chair may waive the 48 hour written requirement"; second by Howard Jackson. The motion passed by a majority vote.**

XII. Set Next Meeting

The next meeting was set for August, 20, 2010 at 12:00 P.M. in Camp Wood, TX

XIII. Adjournment

Minutes
Plateau Water Planning Group
Regular Meeting – Camp Wood, Texas
August 20, 2010 at 12:00 P.M.

Notice having been duly given, a Regular Meeting of the Plateau Water Planning Group (PWPG) was held at 12:00 p.m. on Friday, August 20, 2010, at the First Baptist Church, 813 South Nueces Street, Camp Wood, Real County, Texas. Present at the meeting were: John Ashworth, LBG-Guyton; Ray Buck, Kerr County; Perry Bushong, Edwards Real Conservation District; Zach Davis, Kinney County; Otila Gonzalez, Del Rio; Howard Jackson, City of Ingram; David Mauk (for David Jeffery), Bandera County River Authority Groundwater District; Ronnie Pace, Kerr County; Lee Sweeten, Real-Edwards; Connie Townsend, Texas Water Development Board; Gene Williams, Kerr County; Feather Wilson, Bandera County and Jody Grinstead (for Jonathan Letz), Kerr County, Stuart Barron, City of Kerrville and Charles Wiedenfeld.

I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.

Roll call was taken. Mr. Pace noted that a quorum was present and called the meeting to order.

II. Public Comments.

No public comments were made

III. Approval of Minutes.

Motion by Lee Sweeten to approve the minutes from the July 16, 2010, meeting (with amendments, as stated on the record); second by Feather Wilson. The motion passed by a unanimous vote.

IV. Reports.

a. Report from Chair - Jonathan Letz.

No report was given

b. Report from Secretary - Ronnie Pace.

No report was given

c. Report from Political Entity – Ray Buck.

Mr. Buck informed the Group that a resolution had been reached with the Water Development Board on closing out the studies contract; and the contract had been closed.

d. Report from Liaisons.

No reports were given

e. Report from TWDB.

Connie Townsend stated that this plan will be turned in at or before September 1st; and then TWDB will spend the next year putting all the regional plans together into one state plan. Then sometime toward May of

next year, after the Legislature meets, they will provide a lot of good information for the procurement process through the scope of work process for the next contract.

IV. Consider, discuss and approve invoices.

Motion by Lee Sweeten to approve invoice from LBG-Guyton in the amount of \$9,964.30 (6/1/10 to 6/30/10); second by Otila Gonzalez. The motion passed by a unanimous vote.

VI. Consider, discuss and approve final draft of the Plateau (Region J) Regional Water Plan 2011 and adopt same.

Motion by Lee Sweeten to approve and adopt the final draft of the 2011 Plateau (Region J) Regional Water Plan [including minor formatting changes made by John Ashworth and an additional statement in Chapter 9 concerning the receipt of the three infrastructure finance report surveys (not yet received by John Ashworth)], and authorize UGRA to submit the Plan to the Water Development Board; second by Howard Jackson. The motion passed by a unanimous vote.

.VII. Set Next Meeting

No future meeting date was set.

VIII. Adjournment