

**Minutes**  
**Plateau Water Planning Group**  
**Regular Meeting - Leakey, Texas**  
**May 17, 2018**  
**10:00 AM**

Notice having been duly given the Plateau Water Planning Group (PWPG) conducted a Regular Meeting on Thursday, May 17, 2018, beginning at 10:00 A.M. at The Frio Canyon Baptist Church, 919 US-83, Leakey, Real County, Texas. Present at the meeting were: Ray Buck, Kerr County; Jonathan Letz, Kerr County; Joel Pigg, Real County; Gene Williams, Kerr County; Feather Wilson, Bandera County; Scott Loveland, Kerr County; Jody Grinstead; John Ashworth, WSP and LBG-Guyton & Associates.; Jennifer Herrera, WSP and LBG-Guyton & Associates; William Alfaro, Texas Water Development Board; Homer Stevens, Bandera County; Lee Sweeten, Edwards County; Carl Schwing; Tina Ashley, Real Edwards Conservation and Reclamation District; Chad Norris, Texas Parks and Wildlife; Joseph McDaniel, Aqua America; Charlie Wiedenfeld, Kerr County; David Jeffery, Bandera County; Roland "Tooter" Trees, Real County; Michael Redman for David Mauk, Bandera County; Genell Hobbs, Kinney County; Tony Smith, Carollo Engineering;

**I. Call to Order, Roll Call, Certification of Quorum in Compliance with Texas Open Meetings Law.**

It was determined that a quorum was present.

**II. Public Comments.**

There were no public comments.

**III. Approval of minutes from the February 15, 2018 Regular Meeting.**

**Motion by Joel Pigg to approve the minutes from the February 15, 2018 meeting with the amendments made by John Ashworth and Michael Redman; second by Tooter Trees. The motion passed by a unanimous vote.**

**IV. Reports.**

**a. Report from Chair.**

The Chair stated that the bank balance as of the end of March is \$12,317.22

**b. Report from Secretary.**

No report was given

**c. Report from Political Entity.**

No report was given

**d. Report from Liaisons.**

Feather Wilson gave an update on Region K

Joseph McDaniel gave an update on Region L

**e. Report from GMA representatives.**

Joel Pigg gave an update on GMA 7

**V. Consider, discuss and take appropriate action to approve invoices.**

**Motion by Gene Williams to pay the following invoices: WSP - \$10,272.43 and transcript reimbursement in the amount of \$235.00; second by David Jeffery. The motion passed by a unanimous vote**

**VI. Texas Water Development Board Updates. (William Alfaro, Project Manager)**

Mr. Alfaro spoke briefly regarding the interactive statewide plan. He informed the Group that the hydrologic variance request has been approved. He stated that the Technical Memorandum deadline is currently September 10<sup>th</sup>.

**VII. Consider, discuss and take appropriate action to ratify Contract Amendment No.2, Contract No. 1548301838 between TWDB and UGRA and authorize UGRA to execute the TWDB Contract Amendment Committing Additional Funds and Incorporating Updated Contract Scope and Exhibits C and D.** Mr. Letz stated these things had already been done, and needed to be ratified. Mr. Alfaro briefly explained what the amendments were – that they added additional funding. **Motion by Genell Hobbs to ratify Contract Amendment No.2, Contract No. 1548301838 between TWDB and UGRA and authorize UGRA to execute the TWDB Contract Amendment Committing Additional Funds and Incorporating Updated Contract Scope and Exhibits C and D; second by Lee Sweeten. The motion passed by a unanimous vote.**

**VIII. Consider, discuss and take appropriate action to authorize UGRA to amend the contract to mirror the consultants' TWDB Contract Amendment No.2.** **Motion by Lee Sweeten to authorize UGRA to amend the contract to mirror the consultants' TWDB Contract Amendment No.2; second by Joel Pigg. The motion passed by a unanimous vote.**

**IX. Consider, discuss and take appropriate action to post vacancy for Public Interest - Val Verde County (previously held by Tommy Qualia).**

Mr. Letz informed the Group that Mr. Qualia no longer wishes to continue on the Board (Public Interest Category). He stated that Jerry Simpton would like to nominate Dale Dickerson (he is on the Board of the Devil's River Conservancy) for the position – but the nomination would need to be considered at a future meeting as this agenda item is to post for the vacancy. **Motion by David Jeffery to post vacancy for Public Interest - Val Verde County (previously held by Tommy Qualia); second by Ray Buck. The motion passed by a unanimous vote.**

**X. Consider, discuss and take appropriate action to consider changing the interest and geographical criteria for Municipalities – Val Verde County (previously held by Mitch Lomas) and announce vacancy as appropriate.**

Mr. Letz stated that the City of Del Rio does not appear to have an interest in having someone fill the slot left by Mitch Lomas. Since the position is designated as a Municipalities Interest and Kerrville already fills a Municipal Interest on the Board, Mr. Letz believes it would be easier to change the position from a Municipalities Interest to Public Interest. He also believes it would be best to make it a regional interest (preferably from the western part of the region) instead of strictly a Val Verde County representative. The other alternative is not to fill the position at all and just eliminate it. However he thinks it would be best to keep the position because it keeps a good geographic balance. Mr. Sweeten asked if there would be any problem with changing it from a Municipal Interest to a public interest. Mr. Letz stated that the Group is required to have a Municipal Interest, which we ~~have~~have; all they must maintain is the geographical representations that we implemented in the very beginning. By changing it to a Public Interest it makes it easier to fill the spot and give the group more flexibility. He recommended that instead of making it for Val Verde County only that the language be changed to Edwards, Val Verde, or Kinney. **Motion by Lee Sweeten to change the Municipalities – Val Verde Interest to a Public Interest representing Val Verde, Edwards or Kinney Counties, and announce the vacancy; second by Joel Pigg. The motion passed by a unanimous vote.**

**XI. Consider, discuss and take appropriate action to consider changing the interest and geographical criteria for Water Utilities – Kerr County (previously held by Jerry Heffley) and announce vacancy as appropriate.**

Mr. Letz stated that this item is very similar to item 10. The City of Ingram held this slot before and we have not been able to fill it. He recommended changing this to a Public Interest representing Kerr, Bandera or Real Counties. **Motion by Ray Buck to change the Water Utilities – Kerr**

**County interest to a Public Interest representing Kerr, Bandera or Real Counties and announce the vacancy; second by Lee Sweeten. The motion passed by a unanimous vote.**

**XII. Update on regional water planning schedule. (WSP-USA)**

Ms. Herrera stated that the hydraulic variance was approved by the Water Development Board approximately two weeks ago. She said Tony has been gathering information on the surface water volumes, and she and John been working on the ground water numbers, but the Water Development Board is still waiting for data from GMA7 and GMA10. All of the work is being done in preparation of the Technical Memorandum that is due September 10<sup>th</sup>. She stated that the information that is submitted on the 10<sup>th</sup> still may evolve and change over the planning period and there'll be opportunities to go in and modify it along the way. Some of the things the consultants are looking at in developing the packet are analyzing both surface water and ground water availability in the sources and in supply with the infrastructure and the entities. That batch of data then has to be put into the board's database (DB22). That information will help show water needs or shortages. Then the Group can start looking at how to develop appropriate strategies to meet the needs.

Ms. Herrera went on to say that:

April 16<sup>th</sup> the TWDB approved all of the population and water demands statewide

TWDB is anticipating one additional commitment of funds in the fall (for 5A scope of work).

They received the updated water loss audit information, and conservation annual reports, so she and John will begin the process of reviewing that material which is required to be in Chapter One of the plan.

**XIII. Consider and discuss the Technical Memorandum requirements and Task 5A Scope of Work Notice-to-Proceed.**

Mr. Ashworth informed the Group that this agenda item addressed 2 items: the Technical Memorandum and Task 5A Scope of Work. He stated the Technical Memo is due September 10<sup>th</sup> and will include a number of tables, population water demand, source water availability and existing water supplies. Those numbers will be submitted and entered into the Water Development Board's database (DB22). In addition to the tables the consultants have to have a documented process for identifying potentially feasible water management strategies. The Technical Memo packet must include a list of these strategies so the consultants would like the Group to approve the list today. These are not the final strategies that will be adopted – just the potentially feasible ones. He suggested that they go through the current list of strategies, take out the ones that have already been implemented or those that don't apply anymore, and then add anything else that the Group is aware of and has already been discussing. That list can then be changed, if needed, at the next meeting.

Mr. Ashworth stated that with regards to ground water the ground water source data is represented by the managed ground water availabilities that come out of the Water Development Board's models following the desired future conditions from our GMAs. Two of the GMA's have not completed those yet – GMA7 and GMA10. Until we have those numbers we cannot start populating the database, and therefore, the database cannot calculate which of our WUGs are going to show shortages. Therefore Mr. Ashworth suggested preparing the letter of extension for 60 days in case they don't get the numbers in time to meet the September 10<sup>th</sup> deadline. Mr. Herrera said she believed the GMA's are projecting that they will have their numbers submitted by very late July or early August. She stated there was another item on today's agenda regarding the extension letter (Item XVI). The Group will address the matter again at that time. Mr. Alfaro briefly reviewed the process with the Group. A brief discussion ensued regarding the timeframe the GMA's had to submit their data to the Board.

Mr. Ashworth went on to speak about the Task 5A scope at work. He stated there is a specific worksheet that must be completed showing how we're developing all of our strategies and who's

being covered. He stated that spreadsheet might be presented to the Group at the next meeting for approval.

**XIV. Consider, discuss, and take appropriate action to approve the process for identifying selecting potentially feasible water management strategies for the 2021 Plateau Region Water Plan. (WSP-USA)**

Mr. Ashworth addressed his handout entitled “Process for Identifying and Selecting Potentially Feasible Water-Management Strategies to be Evaluated for the 2021 Plateau Region Water Plan”. He stated the Group needed to make any corrections necessary today so it can be approved and submitted as part of the Technical Memo. A brief discussion ensued regarding the list. **Motion by Ray Buck to approve the selection process as outlined in the “Process for Identifying and Selecting Potentially Feasible Water-Management Strategies to be Evaluated for the 2021 Plateau Region Water Plan” handout; second by Joseph McDaniel. The motion passed by a unanimous vote.**

**XV. Consider and discuss groundwater and surface water source and supply availability. (WSP-USA and Corolla)**

Mr. Ashworth stated that these numbers would also be included in the Technical Memo. He reviewed his handout entitled “2021 Groundwater Source Availability by GMA (Acre-Foot per Year)” and stated that the groundwater volumes are developed by the Water Development Board models and are based on the GMA designed future conditions. The Group discussed the handout.

Mr. Smith reviewed the surface water numbers. He stated that the surface water evaluation is very similar in context as what we do with the groundwater. they look at source availability, and then they look at infrastructure, supply, and what the WUGs can actually get. He said the key thing to remember ~~when talking~~when talking about source availability on the surface water side is drought. How much can you produce reliably, 100 percent reliably during the drought of record? He said TWDB has been very aggressive in their guidance about how to consider drought and the rigor with which you evaluate surface water rights, both municipal, industrial, agricultural, across the board. Mr. Smith went on to give a detailed presentation on surface water.

Mr. Smith stated that Hydrologic Variance Memo that was previously approved by the Group was submitted to the Water Development Board two weeks ago. The Group has obtained approval from the Board to utilize the assumptions, models, and variations that were listed in that memo.

He spoke briefly regarding both types of water sources and supplies. A brief discussion ensued regarding the drought of record.

Mr. Smith spoke regarding the various WUGs in the region and stated that they would be meeting with those WUGs soon to start inputting into the database. The information they gather ~~will help~~will help with the needs assessment and the water management strategy evaluation.

**XVI. Consider, discuss, and take action on requesting an extension for submittal of the mandated Tech Memo. (WSP-USA)**

**Motion by Lee Sweeten to send a letter requesting an extension for the submittal of the mandated Tech Memo; second by Joseph McDaniel. The motion passed by a unanimous vote.**

**XVII. Consider and discuss revised draft Chapter 2 - Population and Water Demands for the 2021 Plateau Region Water Plan.**

The Group briefly reviewed the handout entitled “Chapter 2 – Population and Water Demand”. Mr. Letz stated that it will be on the next agenda for final approval.

### **XVIII. Update on Revised 31 Texas Administrative Code Rules, Chapters 355 & 357 presentation.**

Mr. Alfaro informed the Group that the Water Development Board is working on the flood assessment. They sent out surveys, received some responses and will be taking public comments during the summer. The report is due in December. The purpose of the assessment is to assess flood risk and estimated flood mitigation costs to determine flood planning for the future.

Mr. Alfaro reviewed his handout entitled “Texas Regional Water Planning – Update on Revised 31 Texas Administrative Code Rules Chapters 355 and 357”. He went on to give a presentation regarding the recent changes to the planning rules stating that the purpose of the rule provisions is to implement legislative changes from the last legislative session. The process was done in three steps: input from stakeholders, proposing the draft provisions, and revising and adopting the final rules. Final rules were adopted on March 21<sup>st</sup> and are effective April 11<sup>th</sup>. Senate Bill 347 establishes that all Committees and Sub-Committees of Regional Water Planning Groups are now ~~subject to~~ subject to the Open Meeting Act and Public Information Act, and any meetings they have will require the same 72-hour notice as the Planning Group meetings. House Bill 2215 synchronized the process of a statewide plan in Desired Future Conditions. He spoke briefly regarding the analysis for the infeasible water management strategies. They will have a 14-day knowledge requirement and a 14-day comment period. Some entities will be required to give notice when these strategies have become infeasible, and there will need to be an amendment to remove them. Ms. Herrera stated that she was informed that the Board will provide detailed guidance on what they consider infeasible because there was some discussion about what may be feasible and infeasible in one region may not be infeasible in another. Mr. Alfaro agreed. He said the Board would be updating the approved pamphlet with more information.

Mr. Alfaro reviewed his handout entitled “Regional Water Planning: The Simplified Planning Process”. He stated that the Technical Memorandum includes the declaration of the planning group to pursue or not to pursue simplified planning. If the planning group does not declare intent to pursue simplified planning, the planning group may proceed without any additional approvals. Mr. Buck asked if they would receive any money back if they went with a simplified plan. Mr. Alfaro said they are still working on that and trying to define the process that but at this point they don’t have guidance yet.

Simplified planning would require three meetings: the technical memorandum, the hearing, and the meeting with the planning group to take public comments, address those comments, and then declare the decision of the planning group.

He reviewed the Open Meetings Act and Public Information Act (SB347), SWP and DFC Processes (HB 2215), Excluding Infeasible WMS’s (SB 1511), Excluding Infeasible WMSs Notice Requirements (SB 1511), Simplified Planning (SB 1511), Simplified Planning Hearing and Notice Requirements (SB 1511), Other Rule Amendments (SB 1511 – including adding State and Soil Water Conservation Board to the Planning Groups – as a non-voting member) as well as other miscellaneous changes. There is a new section 357.11(e)(6) which adds the Soil and Water Conservation Board as a non-voting member to each regional planning group.

Mr. Sweeten commented on the fact that there seems to be requirements for more and more public hearings/meetings but the public never attends the meetings. Mr. Alfaro agreed that more hearings would be required if the Group plans to pursue simplified planning. Basically the Group would be adopting the information in the previously adopted plan and the statewide plan so the public needs to have an opportunity to comment on that.

### **XIX. Set next meeting.**

The next meeting was tentatively set for either July 25<sup>th</sup> or August 1<sup>st</sup>.