

FAR WEST TEXAS WATER PLANNING GROUP MEETING

Thursday, July 19, 2007

1:00 P.M. (CDT)

at:

**Sul Ross State University, Espino Conference Center, Room A
East Highway 90, Alpine, Texas**

MINUTES

<u>MEMBERS PRESENT</u>	<u>NON-VOTING MEMBERS PRESENT</u>
Tom Beard, Attorney at Law/Rancher	Kathleen Ligon, TWDB
Bill Hutchison, E. Archuleta alternate	Jim Stefanov, USGS
Dave Hall, E. Cushing alternate	Zhuping Sheng, TAMU-AREC
Chuy Reyes, EPCWID #1	Billy Tarrant, TPWD
Rebecca Brewster, Town of Van Horn	Billy Finn, US IBWC
Paige Waggoner, El Paso International Airport	
Jesse Acosta, El Paso County	<u>OTHERS PRESENT</u>
Janet Adams, Jeff Davis Co. UWCD	John Jones, J. Adams alternate
Talley Davis, R. Barker alternate	Rick Tate, T. Beard alternate
Michael Davidson, Visit Big Bend Tourism Cncl	John Ashworth, LBG-Guyton Assoc.
Sylvia Borunda Firth, City of El Paso	David Meesey, TWDB
Carl Lieb, UTEP	Barbara Kauffman, RGCOG
Robert Stovell, R. Meriwether alternate	Kevin Urbanczyk, Sul Ross State University
Albert Miller, Valentine WSC	Patricia Bell, Guadalupe Mtns. Nat'l Pa
Kenn Norris, Terrell Co.	Gorden Bell, Guadalupe Mtns. Nat'l Park
Teresa Todd, Legislative Representatives	Jeff Bennett, Big Bend Nat'l Park
Teodora Trujillo, Public	Mike Landis, US Bureau of Reclamation
	Bill Roberts, Trans-Pecos Water Trust
	Sterry Butcher, Big Bend Sentinel
	Mike Mecke, TAMU
<u>MEMBERS ABSENT</u>	Conrad Arriola, Brewster Co. GCD
Ed Archuleta, EPWU-PSB	Jeff Kelsch, Alpine
Elza Cushing, Public	Jesse Moore, Alpine
Loretta Akers, Office of Sen. Shapleigh	
Jerry Agan, Presidio County Judge	
Randy Barker, Hudspeth Co. UWCD #1	
David Etzold, Etzold & Co.	
Howard Goldberg, Supreme Laundry & Cleaners	
Luis Ito, El Paso Electric Co.	
Ralph Meriwether, Double Diamond Devel.	
Jim Ed Miller, Hudspeth Co. Reclamation Dist.	

I. Roll Call and Determination of Quorum

Mr. Beard called the meeting to order, declared a quorum, and welcomed everyone.

II. Recognition of Guests and Designated Alternates

Mr. Beard requested that each member of the planning group as well as each person in attendance introduce themselves and state their affiliation for the record.

Consent Agenda

III. Approval of the Minutes of the WPG Meeting of March 22, 2007

IV. Certification of Allowable Administrative Expenses

Mr. Beard entertained a motion to approve the consent agenda. Ms. Adams moved to approve the consent agenda and Ms. Todd seconded the motion. Ms. Kauffman noted one correction to the minutes, under item 5, changing Mr. Albert Miller's former affiliation from Presidio County UWCD to Jeff Davis County UWCD. The minutes as corrected were approved unanimously.

Regular Agenda

V. Discussion and Action on Appointing Representatives for the Following Expired Terms and Open Seats on the Planning Group:

- i. Public (2 seats; 1 new, 1 currently held by Elza Cushing)
- ii. Counties (1 seat: currently held by Teresa Todd)
- iii. Municipalities (1 seat: currently held by Ed Archuleta)
- iv. Industries (1 seat; currently held by Howard Goldberg)
- v. Agriculture (2 seats; 1 new, 1 currently held by Tom Beard)
- vi. Environmental (1 seat; currently held by Carl Lieb)
- vii. Small Businesses (1 seat; currently held by Ralph Meriwether)
- viii. Water Districts (2 seats; currently held by Jim Ed Miller and Chuy Reyes)
- ix. Travel & Tourism (1 seat; currently held by Mike Davidson)
- x. Building & Real Estate (1 seat; currently held by David Etzold)
- xi. Legislative Representatives (1 seat; currently held by Jerry Agan)

Mr. Beard introduced the agenda item and reported on the recommendations of the executive committee, which had met earlier in the day. He stated that the committee recommended that all of the current members who have indicated that they wish to retain their seats be reappointed; that Dave Hall be appointed to fill Elza Cushing's public position, since he has served as her alternate from the beginning; and that Teresa Todd and Judge Agan switch interest groups, with Judge Agan representing counties and Ms. Todd representing legislative (for Rep. Gallego). Sterry Butcher was recommended for the new public seat; Rick Tate, who has served as Mr. Beard's alternate, was recommended for the new agriculture seat; Mike Livingston was nominated for small business; no nominees were received for industry, and it was recommended that the seat remain vacant until one or more nominees could be brought before the group.

Ms. Adams requested clarification on the industries representative, asking if there had been any discussion of a potential nominee. Mr. Beard reported that the executive committee had discussed the qualifications of one of the nominees to represent the public, Kate McKenna, in terms of whether her background would allow her to represent the industries interest group. It was determined that it did not. In addition, the executive committee discussed EPWU-PSB identifying a nominee from an intensive water-using industry in the region, who would better represent the interests of industry on the planning group. The EPWU-PSB has indicated that it had been in discussion with a few of their industrial customers, and would continue their efforts to locate a suitable nominee. Once a nominee or nominees was identified, the name(s) would be submitted to the planning group for their review and action. Mr. Acosta asked whether Ms. Cushing had resigned her public seat, and Mr. Beard indicated that she had, as she has taken a job in

Corpus Christi. He also asked for the WPG's authorization to send a letter to Ms. Cushing thanking her for her years of service on the group. The planning group agreed.

Mr. Acosta moved to accept the recommendations of the executive committee for appointments to the expired terms and open seats on the planning group. Ms. Todd seconded the motion, and it passed unanimously. Ms. Todd then thanked everyone who had applied for the open positions.

VI. Election of Executive Committee Secretary and Member-at-Large for 2007

Mr. Beard introduced this item by stating the Ms. Cushing had served as Secretary, and Ms. Akers was Member-at-large. Both members had resigned their positions. Any openings on the executive committee trigger an election to fill the vacant positions. Ms. Kauffman was asked to read a list of the remaining current executive committee members, and did so. Ms. Todd suggested that the current alternates move up to serving as regular members, but Ms. Brewster pointed out that the bylaws state that no two members of the executive committee can represent the same interest group. Therefore, she would not be able to move up to a regular member position, because both she and Mr. Archuleta represent municipalities. Mr. Beard suggested that Ms. Waggoner move up from serving as alternate to fill one of the at-large positions, and she and the group agreed. Ms. Adams recommended Mr. Albert Miller, but he declined. Mr. Beard recommended Ms. Todd as the second new member of the executive committee, and the group agreed. Mr. Hall volunteered for the open alternate position, and the group agreed. Ms. Todd nominated Ms. Waggoner as Secretary, and the group agreed. Mr. Beard summarized the group's recommendations: Ms. Waggoner as Secretary, Ms. Todd as member-at-large, and Mr. Hall as executive committee alternate. The group was in consensus.

VII. WPG Member Updates on Local Projects & Issues of Importance to the Planning Process

Mr. Acosta reported that Congress was considering the appropriation of \$4.3 million for the first phase of construction of the new Fabens port of entry. Other funds for highway construction are still working their way through channels. The El Paso County Commissioner's Court is also considering the approval of funds to purchase land for the port of entry. If those funds are approved, then construction is expected to start between October and December of this year. Mr. Beard noted that the rural communities support and want to encourage this new port of entry in El Paso, rather than the proposed La Entrada route which would funnel truck traffic through Presidio, Marfa, and Alpine.

Mr. Stefanov noted that the Senate had approved the appropriation of \$1 million for FY08 for the implementation of the transboundary aquifer research project. Work would focus initially on the Hueco and Mesilla aquifers, as well as two other high-priority aquifers in Arizona. After the initial research on the four priority aquifers, the rest of the funds appropriated to the program would be spent in Texas and New Mexico.

Mr. Hutchison reminded the group about the ribbon cutting ceremony and grand opening of the El Paso – Fort Bliss desalination plant on August 8th, and invited the members of the planning group to attend. He noted that the Tech2O learning center was a bit behind schedule, but the EPWU-PSB would offer to host the WPG at the center during the late fall or early winter. Everyone was excited at the prospect of being able to tour the new facility, and congratulated El Paso and Fort Bliss for bringing the world's largest inland desalination plant online.

Mr. Mecke reminded the group about Texas A&M University's efforts to increase rainwater harvesting in the state to relieve pressure on the aquifers. He noted that two new demonstration sites had recently been completed in the region, and invited everyone to stop by the site north of Fort Davis at the UT Austin McDonald Observatory. The site has a 20,000 gallon tank that will be used for fire suppression and landscape irrigation. A possible future expansion is being considered to supply drinking water for the site.

viii. Update on the Results of the 80th Legislative Session, by Kathleen Ligon

Ms. Ligon and Mr. Meesey from the TWDB provided a PowerPoint presentation which summarized the major water legislation which had passed in the 80th legislative session. They went into detail on the major provisions of SB3, the omnibus water bill, focusing on the environmental flows provisions, and the formation of the environmental flows advisory group. In regard to the provision in SB3 and the stand-alone SB 1762 regarding the requirement to conduct a study on the impact of climate change on the Rio Grande (see agenda item IX), Ms. Ligon reported that the TWDB was planning on holding a conference focused on the issue in the spring, and would coordinate with the WPG about the required study.

Mr. Bennett asked about the designation of unique stream segments in the bill, specifically whether anything else needed to be done to formally designate the segments that had been proposed in the planning region. Ms. Ligon replied that only Regions E and H had recommended unique stream segments in their regional plans. The legislative act of passing SB3, which the Governor signed, finalizes those recommendations. Other members had specific questions on issues such as funding for the Economically Distressed Areas Program (EDAP) and for Groundwater Management Areas (GMAs) to do required modeling work, which were included in the bill.

ix. Discussion and Action on the Legislative Requirement for the Planning Region to Conduct a Study on the Impact of Climate Change on Surface Water Deliveries from the Rio Grande

Mr. Beard introduced this agenda item by stating that the planning group needs clarification on its role in carrying out the mandate to conduct the climate change study. He stated that he had requested that clarification from Senator Shapleigh. Mr. Acosta also wanted to know if there was funding available from the TWDB to carry out the study. Mr. Meesey stated that there is \$30,000 available for the TWDB to hold the conference required by the legislation, and conduct the study. Ms. Ligon added that the TWDB's surface water group was in charge of following through on the requirements. Both Mr. Meesey and Ms. Ligon stated that they would obtain additional information on the requirements, and pass that information on to the planning group.

x. Discussion and Action on the TWDB Request for Input on the 2011 Regional Water Planning Process

Mr. Beard referred to the letter from the TWDB addressed to the RWPG Chairs which had been distributed to the planning group prior to the meeting. The TWDB staff is requesting planning group input on four questions which will assist staff in developing the request for applications for the third round of regional water planning, and allocating the appropriations the TWDB has received. Input was requested on anticipated regional activities that need to be accomplished to update the regional plan in 2011; region-specific issues; recommendations for allocating funding among the planning groups; and contractual issues.

Mr. Beard noted that he was unsure what unique input the TWDB was requesting from the planning groups, and requested clarification from Mr. Mullican. Mr. Meesey noted that some parts of the plan will probably not need to be changed at all. He cited population and demand numbers, and strategies, as the sections most likely to need updating.

Mr. Acosta stated that the baseline census and population data would again be a regional issue, particularly the need to update the flawed 2000 census data, and provide regional input on the numbers. Mr. Beard noted that the group would be unsatisfied if the region was forced to use the population projections generated by the state demographer again, as there was general disagreement with those numbers previously. Mr. Acosta followed up by stating that there are many different ways of arriving at population projections, and none of the methods agree. He asked at what point will the TWDB allow the region to use its own projections. Mr. Meesey replied that the planning group will need to show the data that support the region's own projections, in order to get TWDB approval to use those numbers as the basis for our plan.

Ms. Todd wanted to reiterate issues from the previous planning cycles regarding artificial boundaries placed on the planning effort that did not allow the WPG to adequately address impacts from and to Mexico and New Mexico. She stressed the interdependence of the region that cuts across national and state boundaries.

Ms. Todd stated that the regional funding allocation should be based on relative shortages. And based on regional shortages, priority funding should go to our region and to San Antonio. Mr. Meesey asked for the group's input on whether the TWDB should execute one contract for the entire planning cycle, even though the last year of the funding cycle would be contingent on legislative appropriations. Ms. Kauffman answered as the group's designated political subdivision for contracting that one contract for the entire planning cycle would be fine. All of the previous planning contracts have been contingent on legislative appropriations, and are easily changed with contract amendments.

Mr. Bennett asked whether the findings from the climate change study would be incorporated into the regional plan. Mr. Beard replied that they would, as the group would have to take into account the effects of climate change on the strategies. Mr. Meesey noted that the incorporation of the climate change study findings into the Far West Texas regional plan would probably be a precursor for the rest of the state.

XI. Update on TWDB Groundwater Modeling in the Planning Region, by Kathleen Ligon

Ms. Ligon referred to the brief email summary of groundwater availability modeling (GAM) work in Far West Texas prepared by Cindy Ridgeway, GAM Section team leader for the TWDB. The summary was distributed to the WPG prior to the meeting. Mr. Beard noted that the Brewster County GCD was still waiting for the results of the model runs for their aquifers.

Mr. Ashworth noted that work was continuing on the GAM for the second segment of the West Texas Bolsons in Hudspeth County. The conceptual model has been completed and the LBG-Guyton Associates is waiting for TWDB comments before building the model. The first report is on the TWDB website, and the model will be completed in 2008. Mr. Ashworth reminded the group that LBG-Guyton Associates would be looking for additional data to incorporate into the existing model of the Capitan Reef Complex aquifer, as part of interim project number 1. Even though this is a minor aquifer, Rio Nuevo has looked at it for potential development.

Ms. Adams noted her concern that while the Edwards-Trinity aquifer takes up a large part of Brewster and Terrell county, none of the model data are from our edge of the aquifer, calling into question the validity of the model near the edges of the model grid.

XII. Administrative & Procedural Matters

Ms. Kauffman reported that it is almost the end of the planning group's fiscal year, and only a few entities still had not paid their administrative cost share for FY06 and FY07. She noted in particular that the City of Presidio has not paid in several years, if ever, and asked the planning group for permission to remove Presidio from the next administrative cost share plan. She stated that she would be preparing the administrative budget and proposed cost share plan for FY08 and FY09 shortly, and would present it to the WPG at the next meeting. After some discussion, it was decided that members of the planning group would make one final attempt to contact Presidio and ask for their participation in the cost-sharing. The WPG directed Ms. Kauffman to include the City of Presidio in the upcoming administrative cost-sharing plan.

XIII. Adjourn

Mr. Beard adjourned the meeting.