

**NOTICE OF OPEN MEETING OF THE
SOUTH CENTRAL TEXAS REGIONAL
WATER PLANNING GROUP**

TAKE NOTICE that a meeting of the South Central Texas Regional Water Planning Group as established by the Texas Water Development Board will be held on Thursday, December 3, 2009 at 10:00 a.m. at San Antonio Water System (SAWS), Customer Service Building, Room CR 145, 2800 US Highway 281 North, San Antonio, Bexar County, Texas. The following subjects will be considered for discussion and/or action at said meeting.

1. Public Comment
2. Approval of Minutes
3. Texas Water Development Board (TWDB) Communications
4. Discussion and Appropriate Action Regarding Guadalupe Basin Water Needs Workgroup Recommendation
5. Discussion and Appropriate Action Regarding Consultants' Work and Schedule
6. Presentation and Discussion of Water Management Strategies
7. Discussion and Appropriate Action Regarding Cumulative Effect Analysis
8. Possible Agenda Items for the Next South Central Texas Regional Water Planning Group
9. Public Comment

The South Central Texas Regional Water Planning Area consists of Atascosa, Bexar, Caldwell, Calhoun, Comal, Dewitt, Dimmit, Frio, Goliad, Gonzales, Guadalupe, Karnes, Kendall, La Salle, Medina, Refugio, Uvalde, Victoria, Wilson, Zavala and part of Hays Counties.

AGENDA ITEM 1
Public Comment

AGENDA ITEM 2
Approval of Minutes

**Minutes of the
South Central Texas Regional Water Planning Group
November 5, 2009**

The meeting was called to order at 10:01 a.m. in the San Antonio Water System's (SAWS) Customer Service Building, Room CR 145, 2800 US Highway 281 North, San Antonio, Bexar County, Texas.

Twenty-five of the 25 voting members, or their alternates, were present.

Voting Members Present:

Jason Ammerman	Jay Millikin
Donna Balin	Con Mims
Evelyn Bonavita	Ron Naumann
Buck Benson for Darrell Brownlow	Tyson Broad for Iliana Peña
Rick Illgner for Velma Danielson	Chuck Ahrens for Robert Puente
Garrett Engelking	Suzanne Scott
Mike Fields	Steve Ramsey
Bill Jones	Milton Stolte
John Kight	Tom Taggart
David Langford	Bill West
Diane Savage for Mike Mahoney	Tony Wood
Michael Harris	Tim Andruss
Gary Middleton	

Non-Voting Members Present:

Norman Boyd, Texas Parks and Wildlife Department, Water Resources Branch
Matt Nelson, Texas Water Development Board (TWDB)
Ken Widenfeller, Texas Department of Agriculture
Pat Guzman, Texas Commission of Environmental Quality (TCEQ)

AGENDA ITEM NO. 1: Public Comment

Con Mims introduced Alan Cockerell, Regional Water Alliance (RWA). Mr. Cockerell announced the (RWA) meeting and invited interested parties to the November 10, 2009 meeting to be held at the San Antonio River Authority (SARA) Board Room. The Texas Commission on Environmental Quality will present on the new Groundwater Rules.

Jeanne Schnuriger, Springs Hill Water Supply Corporation, requested that in reference to item number 17 (Regional Carrizo for Guadalupe Basin) on the 2011 Water Management Strategies Progress Table, she would like to see it be expanded to include Gonzales County and Guadalupe County having a pipeline run through both Counties so that they may take advantage of the Carrizo Aquifer.

Barry Miller, Gonzales County Water Supply Corporation, expanded on Ms. Schnurigers comments, stating that there is going to be a supply project developed in Eastern Gonzales County and it will be a fresh source of water supply.

Kirk Holland, General Manager Barton Springs Edwards Aquifer Conservation District, stated that Region K has recently approved a water management strategy and desalination facility in

the Edwards Aquifer very close to Region L. Mr. Holland asked that the committee strive to remove any obstacles that exist with respect to the development of desalination.

Julie Norton, representing the Texas Farm and Ranch Group, reported on studies of Range Land Management and encouraged the Planning Group to give greater support to these studies as water management techniques. Mr. Mims pointed out that the committee is directly addressing Range Land Management as one of the potential water management strategies.

AGENDA ITEM NO. 2: Approval of Minutes

Chairman Mims asked for a motion to approve the August 6, 2009 minutes and asked that a correction be made to Agenda item 8 on page 4, second paragraph, the last sentence should be made to read: "Mr. Ramsey stated that the City of New Braunfels supports recommendation for designation as a unique stream segment that segment of the Comal River in Comal County that was previously being considered by the planning group." Ron Naumann made a motion to approve the minutes as corrected. Tony Wood seconded the motion. The minutes were approved by consensus.

AGENDA ITEM NO. 3: Status of Edwards Aquifer Recovery Implementation Program (EARIP)

Dr. Robert Gulley, EARIP, reported that EARIP hired RECON Environmental Inc. to serve as the Program Document Contractor for the development of the Habitat Conservation Plan (HCP). EARIP has also retained a group of facilitators, Collaborative Process, that will help in the decision making process. A series of four workshops/retreats have been scheduled beginning December 1st and 2nd in Kerrville, Texas. The meetings will be designed to reach decisions. The subsequent meetings are scheduled in January, February and March 2010.

EARIP also hired Dr. Tom Hardy, Texas State University to come up with instream flow modeling. The initial draft report is on the EARIP website. The final report will be out at the end of the month.

The Science Subcommittee will be coming out with the "J Charges" in early December. Initial steps have been taken by the Science Subcommittee to create flow targets and ideas on what the species need at Comal and San Marcos Springs in order to be protected. Dr. Gulley stressed that the numbers published in regards to these projects are likely to be modified due to further review. The numbers do not dictate any action, they are just a guide to the latest process.

AGENDA ITEM NO. 4: Chair's Report

- **Preliminary Stakeholder/Issues Identification Process for the San Antonio Bay System – James Dodson, Coastal Bend Bays and Estuary Program**

James Dodson provided a brief history regarding work on several estuary programs in Texas and discussed a study to determine the feasibility for the San Antonio Bay System estuary program that is being funded by the Coastal Bend Bays and Estuary Program. Mr. Dodson stated that the first step is to identify the Stakeholders and the Issues and see if there is enough interest to pursue this program. A tentative, preliminary meeting is being held in early December

in the Victoria area. Mr. Dodson distributed a handout with his contact information and asked if anyone had an interest or questions, or wanted to be invited to the meeting to contact him.

Bill Jones commented that the San Antonio Bay Foundation was established last year with the purpose of bringing focus to the protection and long term health of the San Antonio Bay. Mr. Jones stated his support for this process.

Chairman Mims commented that he can personally vouch for the great success of the Coastal Bend Basin Estuaries Program and was personally involved with development of it along with Mr. Dodson and others and stressed that if anyone would like to support this work please contact Mr. Dodson.

- **Responsibilities of the Water Planning Group - Kevin Ward, Executive Administrator of the Texas Water Development Board (TWDB)**

Kevin Ward, TWDB, addressed the Planning Group on the importance of consensus and submitting a Region L Water Plan by the set deadlines.

Chairman Mims stated that he recently had discussions with legislators and reiterated that if the group fails to submit the regional water plan on time in the future, there will not be any reprieve during the next legislative session.

Chairman Mims recognized Wendy Foster (TWDB) Director of Government Relations.

AGENDA ITEM NO. 5: Review /Approve Administrator's 2010 Budget

Steve Raabe, SARA, reviewed the proposed administrator's budget for 2010 and stated that the budget is operated on a calendar year basis. Administrative costs are funded and agreed upon through an interlocal agreement. Evelyn Bonavita motioned to approve the Administrator's Budget for 2010 at \$58,000.00. The motion was seconded. The motion passed by consensus.

AGENDA ITEM NO. 6: Texas Water Development Board (TWDB) Communications

Matt Nelson, TWDB, reported that the TWDB approved the 2006 Region L Water Plan in September. TWDB will now amend the State Water Plan in December as outlined under House Bill 3776.

AGENDA ITEM NO. 7: Status Report Regarding Designation of Ecologically Unique Stream Segments in Region L

Sam Vaughn, HDR Engineering, stated that the Comal River Segment was added and that the Region L Designation of Ecologically Unique Stream Segments will be submitted to the TWDB early next week. TWDB will conduct a review of the submission and provide comments to the Planning Group within about thirty days. At that point, the Planning Group may integrate and include that recommendation in the Initially Prepared Plan that includes five stream segments be designated by the legislature as having unique ecological boundaries. Mr. Mims asked that after the TWDB review period and comments are received, that the document be made available on the Region L website.

Chairman Mims then called on Laura Raun and Susan Hughes.

Ms. Raun, Laura Raun Public Relations, stated they are maintaining the website and public comments database.

Ms. Hughes, Ximenez & Associates, stated that they stand ready to provide facilitation services.

AGENDA ITEM NO. 8: Discussion and Appropriate Action Regarding Gonzales County Groundwater Projects Workgroup Recommendation

Kevin Janak, Victoria County Commissioners Court, commended San Antonio Water System (SAWS) on their support of desalination and asked the Planning Group to consider The Gulf of Mexico and desalination when making decisions on future Water Plans.

Tim Andruss summarized the letter from the Victoria County Ground Water Conservation District (VCGWCD). Mr. Andruss suggested that Region L include policies that offer protection for the reserve of fresh ground water to the Lower Basin. VCGWCD supports the approach not to use eminent domain to site the off channel reservoir. Regarding the Guadalupe Basin Water Needs Workgroup projects - VCGWCD does not know enough about those projects to oppose or recommend them.

Chairman Mims asks that the policy issues brought up by Mr. Andruss be added to the next meetings agenda. Mr. Mims read the Recommendation of the Gonzales County Groundwater Projects Workgroup footnote aloud, as presented in the agenda packet. Mr. Mims asks for a motion to approve the workgroups recommended footnote. Chuck Ahrens made the motion. Motion seconded by Gary Middleton. The motion was approved by majority with 21 Aye's and 4 Nay's.

AGENDA ITEM NO. 9: Discussion and Appropriate Action Regarding Guadalupe Basin Water Needs Workgroup Recommendation

Barbara Smith, Goliad County Ground Water Conservation District (GCGWCD), stated the GCGWCD does not support the Guadalupe-Blanco River Authority (GBRA) Lower Basin Storage Project until more studies have been done, costs have been determined and the protections to the previous Lower Guadalupe Water Supply Project are added to this and any future projects.

Chairman Mims briefed the Planning Group on the results that the Guadalupe Basin Water Needs Workgroup recommended, and call on Mr. Vaugh

Mr. Vaugh reviewed the recommended water management strategies with the Planning Group. Mr. Vaugh began with the 10/23/2009 Draft GBRA wholesale water provider tables which outlined all the projected demands within the Basin and addressed the sources that will meet those demands. Mr. Vaugh noted a correction to the recommended WMS found on page 3, row 30 and titled GBRA/Exelon Project. The numbers will probably increase by an estimated 7,000 acre feet and should read 49,000 acre feet. Mr. Vaugh then summarized the GBRA Upper and Mid-Basin Areas graph. Bill West distributed a handout highlighting population increases in differing counties in the State of Texas.

Chairman Mims suggested postponing an agreement on the recommended water management strategies and alternates until definite figures can be provided to the Planning Group. Mr. Mims suggested convening another workgroup to address the recommended strategies, alternate strategies and concerns coming out of the Lower Basin. Suzanne Scott proposed to keep all the same members from the previous workgroup. Mr. Mims suggested adding Tom Andruss to the workgroup.

Chairman Mims asked if there were any objections to approving Section A, item 1, item 2 and Section C of the Guadalupe Basin Water Needs Workgroup Recommendation. Mr. Vaugh suggested changing the word "only" to "primary" which is found on page 1, item 2, second paragraph, second line. Mr. Mims called for a motion to approve all of the workgroup recommendations except Section B. Bill West motioned for approval. Seconded by Garrett Engelking. The motion was approved by consensus.

AGENDA ITEM NO. 10: Discussion and Appropriate Action Regarding Consultants' Work and Schedule

Brian Perkins, HDR Engineering, reported on the status of the Proposed Workplan for Development schedule and briefed the group on the Water Management Strategies Progress Table.

Mr. Vaugh provided an update on the current schedule and also stated the steam electric demand projections are in the process of being completed and submitted to TWDB for approval. Mr. Vaugh presented a draft of the Wholesale Water Provider Table for the Canyon Regional Water Authority (CRWA). Ms. Balin requested copies of the CRWA table.

Mr. Perkins presented a Power Point presentation on Recycled Water Programs, LCRA-SAWS Water Project, and Medina Lake Firm Up Water Project.

Diane Savage asked about pre-treatment of the Carrizo Aquifer. Mr. Perkins stated that in accordance with TCEQ rules, the water is treated to drinking water standards.

Dianna Wassenich, San Marcos River Foundation, asked if chlorinated water would be pumped into the Edwards Aquifer. Mr. Vaugh stated that the water would be treated in compliance with TCEQ standards.

Mr. Vaugh presented three Power Point presentations: Wimberley and Woodcreek Water Supply Project, including Supply Concepts and Options A, B and C for pipeline routes, GBRA Mid-Basin Project (Surface Water and Conjunctive Use), and the Regional Carrizo for Guadalupe Basin. Ms. Savage expressed her concern regarding the Wimberley and Woodcreek Water Supply Project, Option B and the building of a pipeline over San Marcos Springs.

Mr. Perkins presented two Power Point presentations on Brackish Wilcox Groundwater for SAWS Project and the Brackish Wilcox Groundwater for SS Water Supply Corporation. Mr. Mims asked that Mr. Perkins and Kevin Morrison, San Antonio Water System (SAWS), confer and bring more solidified Unit Cost estimates to the next Planning Group meeting.

AGENDA ITEM NO. 11: Possible Agenda Items for the Next South Central Texas Regional Water Planning Group

Chairman Mims stated that agenda items will be determined at a later date.

AGENDA ITEM NO. 12: Public Comment

Carol Patterson, Edwards Aquifer Authority, commented on the \$3,800 cost of desalination she shared with the Planning Group. Ms. Patterson stated the number was a published number but that number may become higher due to integration costs.

Mr. Mims verified that the next meeting would be at SAWS on December 3, 2009 at 10:00 a.m. with the goal of having the workgroup work completed.

There being no further business, the meeting adjourned by consensus at 2:51 p.m.

Recommended for approval.

GARY MIDDLETON, SECRETARY

Approved by the South Central Texas Regional Water Planning Group at meeting held on December 3, 2009.

CON MIMS, CHAIR

AGENDA ITEM 3

Texas Water Development Board (TWDB) Communications

AGENDA ITEM 4

Discussion and Appropriate Action Regarding Guadalupe Basin Water Needs
Workgroup Recommendation

To: Region L

From: Con Mims

Ladies and Gentlemen:

The Guadalupe Basin Water Needs Workgroup met on November 24, 2009.

Members present were: Tom Taggart, Bill West, Bill Jones, Jerry James, Mike Fields, Tyson Broad, Steve Ramsey, Garrett Engelking, Dianne Wassenich (Alternate for Iliana Pena), Suzanne Scott, Tim Andruss, and Ron Naumann.

Members absent were: Jason Ammerman

The Workgroup met to discuss and agree on recommendations to be presented to the full planning group at its December 3 meeting in response to concerns raised at the November 5 Region L meeting about proposed water management strategies (WMS's) that may affect the lower Guadalupe Basin. The Workgroup agreed that those concerns were captured in the attached Victoria County Groundwater Conservation District (VCGCD) letter.

The VCGCD letter addresses four general issues:

1. Three broad policies for local protections
2. Modification of footnote (This was resolved at the November 5 Region L meeting)
3. Appropriateness of considering WMS's having no technical evaluation or public vetting
4. Lower Guadalupe Basin protections offered by HB 3776 (80R)

Policies

Proposed Policy 1: WMS's that are designed as surface water projects and would require transport pipelines should prohibit the inclusion of fresh groundwater supplies.

The Workgroup recommends: Rather than prohibiting inclusion of fresh groundwater in the pipelines, consider placing a statement in the description of any WMS that involves surface water and delivery pipelines that originate in the lower Guadalupe Basin saying that, if fresh groundwater from the lower Guadalupe Basin is added to this WMS, the character of the strategy will change and the WMS must be amended to remain as a recommended strategy. The reasoning is that the elements of a WMS must be clearly understood by the planning group before approving it. Adding groundwater to a WMS that included no groundwater when first recommended by the planning group is a change

that requires additional technical evaluation and may affect people who were not heard during recommendation of the original WMS.

Proposed Policy 2: *WMS's that involve the transport of surface water from the lower basin should include a reservation of at least 40% of the unallocated water volumes for associated water rights for lower basin uses.*

The Workgroup recommends: Not understanding what is meant by “unallocated water volumes for associated water rights”, it is not clear as to what water is to be reserved. However, a larger problem to consider with this policy is that of Region L reserving ground and/or surface water supplies in arbitrary amounts for unidentified, future, local uses. Doing this for one area would open the door for water reservation requests from throughout the region, and all would need to be treated equally. Demands for our consideration of these requests would overwhelm our planning process, would not be in compliance with TWDB planning guidelines, and would not be TWDB fundable. Comprehensive rules would be needed to carry out such a reservation concept. And, such actions could complicate other activities such as the TCEQ surface water permitting process, the groundwater district permitting process, the Texas Environmental Flows Program, and the Edwards Aquifer Recovery Implementation Program, since requests for water reservations could be made relative to all of those programs.

Proposed Policy 3: *WMS's that are designed to include or require off-channel reservoirs should prohibit the use of condemnation powers for acquiring the properties necessary for the reservoir.*

The Workgroup recommends: Condemnation powers are granted to governmental entities to, among other things, keep small numbers of individuals from blocking public projects or holding them hostage for higher prices. Is it appropriate for a regional water planning group to tell a governmental entity to abandon its eminent domain powers if it wants its project to be approved as a recommended WMS? Will there not be demands from the rest of the region to apply this restriction to other WMS's in the Plan? Is it within the planning group's jurisdiction to judge the merits of eminent domain?

Modification of footnote

The Workgroup agrees: This was resolved at the November 5 Region L meeting.

Consideration of WMS's

This concern involves whether two specific WMS's, below, should be considered if they have not been technically evaluated and publicly vetted.

The Workgroup recommends: All WMS's must have the same minimum level of technical evaluation that meets Texas Water Development Board requirements and receive public consideration before being recommended by the planning group. Both the GBRA Lower Basin Storage WMS and the GBRA New Appropriation (Lower Basin)

WMS are expected to be technically evaluated and presented for public consideration at the December 3 Region L meeting. TWDB will not accept WMS's that have not received proper technical evaluation and public vetting.

Protections Offered by HB 3776

This involves the matter of lower basin protections afforded by the attached HB 3776. There is concern that designating the LGWSP for GBRA Needs as an Alternate WMS could result in the loss of lower basin protection measures afforded by HB 3776.

The Workgroup recommends: Protection measures in HB 3776 apply to the LGWSP for Upstream GBRA Needs strategy found in the 2006 Region L Plan and the 2007 State Water Plan. There is no language in HB 3776 that extends those measures to any other WMS or water plan. The planning group may include those measures as conditions of the LGWSP for GBRA Needs WMS now being considered for our 2011 Plan, but the measures are not required by HB 3776. Applying HB 3776 measures to the current LGWSP project by the planning group, as opposed to the Legislature, could result in some of the precedent setting problems described, above, in Proposed Policies 2 and 3.

Other Recommendations

The Workgroup makes the following additional recommendations:

1. **The Workgroup recommends** including in the cumulative effects analysis all of the "Recommended WMS's" shown on the attached table except the "GBRA Lower Basin Storage" and the "GBRA New Appropriation (Lower Basin)" strategies. Recommendation of the inclusion of these two strategies is withheld subject to receipt of their technical evaluations and public discussion.
2. **The Workgroup recommends** approval of the placement of all of the WMS's in the categories (Recommended, Alternative, Needing Further Study) as shown on the attached table.
3. **With one member opposed, the Workgroup recommends** a statement be made in the Plan that it is the planning group's understanding that all land needed for WMS's will be obtained using a process of willing seller and willing buyer and that limited condemnation will be used only as a last resort.

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Victoria County Groundwater Conservation District



Directors:

Mark Meek
President

Jerry Hroch
Vice-President

Barbara Dietzel
Secretary

Thurman Clements
Kenneth Eller

Sent via electronic mail

November 3, 2009

Chairman Con Mims
Nueces River Authority
P. O. Box 349
Uvalde, Texas 78802-0349

Re: Workgroup Recommendations

Dear Chairman Mims,

Victoria County Groundwater Conservation District is committed to the regional water planning process and appreciates the efforts of both the Gonzales County Groundwater Projects Workgroup and the Guadalupe Basin Water Needs Workgroup. The recommendations from the workgroups represent an excellent starting point for developing a regional water plan that will identify workable water management strategies to address future water needs in the region.

The District believes that the best approach to build credibility for Region L and achieve consensus with stakeholders within the lower Guadalupe Basin for the 2011 region water plan is to recognize and incorporate reasonable policies to sustain the needs of the lower basin into the plan. The policies being recommended by the District are in alignment and consistent with lower basin protections established by H.B. 3776. In particular, the District believes that following policies should be formally documented within the plan and applied to all the water management strategies in the 2011 plan:

1. Water management strategies that are designed as surface water projects and would require transport pipelines should prohibit the inclusion of fresh groundwater supplies;
2. Water management strategies that involve the transport of surface water from the lower basin should include a reservation of at least 40% of the unallocated water volumes for associated surface water rights for lower basin uses; and
3. Water management strategies that are designed to include or require off-channel reservoirs should prohibit the use of condemnation powers for acquiring the properties necessary for the reservoir.

The District recommends that the planning group consider the following modifications to the language recommended by Gonzales County Groundwater Projects Workgroup:

~~“Part or all of the water~~ Water needed by ~~this the~~ the Water Management Strategy ~~iesy~~
(WMSs) in the 2011 South Central Texas Regional Water Plan is anticipated, in part, to

be supplied from groundwater resources located within Groundwater Management Areas (GMAs) and possibly the jurisdictions of a groundwater conservation districts (District GCDs). ~~The amount of groundwater needed for WMS identified within the plan and~~ may exceed the amount of available groundwater identified in the District's a GCD's approved management plan or the amount of available groundwater established through the GMA joint planning process (DFC/MAG). ~~, or may for other reasons not be permitted by the District. The amount of water needed by this Any WMS that requires the inclusion of groundwater amounts that exceeds the available water in the District's approved management plan or the MAG estimate of a county may not be initiated or implemented unless or until the groundwater amounts are reduced so that the required volume is less than the unused or unpermitted MAG and , or for other reasons is not permitted by the District, cannot be implemented as part of this WMS unless and until all necessary permits are received approved by from the District associated GCD. The amount of water needed by this Any WMS that requires groundwater amounts that exceeds the available water in a GMA or in the associated District's GCDs' management plans, or for other reasons is not permitted by the a District GCD,~~ introduces an added element of uncertainty to reliance upon this such a WMS and, therefore, additional management supplies may be needed for this such a WMS."

The language with suggested modifications would read as follows:

"Water needed by the Water Management Strategies (WMSs) in the 2011 South Central Texas Regional Water Plan is anticipated, in part, to be supplied from groundwater resources located within Groundwater Management Areas (GMAs) and possibly the jurisdictions of groundwater conservation districts (GCDs). The amount of groundwater needed for WMS identified within the plan may exceed the amount of available groundwater identified in a GCD's approved management plan or the amount of available groundwater established through the GMA joint planning process (DFC/MAG). Any WMS that requires the inclusion of groundwater amounts that exceed the available water in the District's approved management plan or the MAG estimate of a county may not be initiated or implemented unless or until the groundwater amounts are reduced so that the required volume is less than the unused or unpermitted MAG and all necessary permits are approved by the associated GCD. Any WMS that requires groundwater amounts that exceed the available water in a GMA or associated GCDs' management plans, or for other reasons is not permitted by a GCD, introduces an added element of uncertainty to reliance upon such a WMS and, therefore, additional management supplies may be needed for such a WMS."

The District has several concerns related the recommendation from the Guadalupe Basin Water Needs Workgroup regarding the following:

1. The designation of GBRA Lower Basin Storage WMS and the GBRA New Appropriation (Lower Basin) WMS as *Recommended WMSs*; and
2. The designation of the LGWSP for Upstream GBRA Needs WMS (with lower basin protections) as an *Alternative WMSs*.

The District believes that it is counter to sound planning practice for a region water planning group to recommend WMSs that have not been fully investigated and considered by the planning group or the public. Both the GBRA Lower Basin Storage WMS and the GBRA New Appropriation (Lower Basin) WMS are undefined in terms of the amount of water that will be supplied. The District is aware that the workgroup was concerned that TCEQ would not give GBRA's new surface water right application the necessary consideration unless Region L designated the WMS as recommended. However, the District does not believe that designating these WMSs as recommended is the appropriate solution to an administrative rule issue. Furthermore, in light of the fact that other WMSs that have been fully reviewed could supply water for future needs, the District recommends that these additional WMSs be designated as *WMS Needing Further Study Prior to Implementation*.

The District's concern regarding the designation of the LGWSP for Upstream GBRA Needs WMS as an *Alternate WMS* is centered on the potential loss of lower basin protection policies. Unfortunately, Region L was unable to approve a 2006 region water plan due to the controversy associated with the LGWSP. This situation was ultimately remedied by the Texas Legislature passing H.B. 3776 which required the inclusion of the protections mentioned above. The District is concerned that by designating the LGWSP for Upstream GBRA Needs WMS as an *Alternate WMS*, the legislative mandated protections will be undermined and benefits afforded by them lost.

The District is providing these comments in advance to the meeting in an attempt to facilitate the planning process and requests that you forward this letter to the other planning members prior to the November 5th meeting. We are confident that Region L will give these comments and suggestions consideration as it proceeds in developing the 2011 region water plan.

Sincerely,



Tim Andruss, General Manager

Victoria County Groundwater Conservation District
2805 N. Navarro St, Suite 210
Victoria, Texas 77901
Office: (361)579-6863
Email: Tim.Andruss@vcgcd.org

AN ACT

relating to the authority of the Texas Water Development Board to approve the regional water plan for Region L and include the plan in the state water plan.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) Notwithstanding Section 16.053(i), Water Code, and except as otherwise provided by this Act, the Texas Water Development Board may approve and include in the state water plan for the five-year period beginning January 5, 2007, the regional water plan that was submitted to the board by the Region L regional water planning group.

(b) The Texas Water Development Board may approve the regional water plan for Region L only if the board:

(1) strikes Sections 4C.7, 4C.8, and 4C.32 from the plan as submitted to the board; and

(2) includes Section 4C.33 in the plan as the Lower Guadalupe Water Supply Project for Upstream GBRA Needs so as to:

(A) require that the project be developed by the regional water planning group for Region L in association with the Guadalupe-Blanco River Authority;

(B) include a transmission pipeline for the diversion of up to 60,000 acre-feet per year of surface water available under the water rights held by the Guadalupe-Blanco River Authority as of December 31, 2006, from the Guadalupe River below

1 the city of Victoria to upstream points on the river to meet needs
2 identified by the Region L regional water planning group; provided,
3 however, that at least 100,000 acre-feet per year of the surface
4 water must be reserved for lower basin needs;

5 (C) prohibit the use of fresh groundwater for the
6 project;

7 (D) require the consent of the appropriate
8 property owner before off-channel storage or an off-channel
9 reservoir may be developed as part of the project; and

10 (E) require freshwater inflows in an amount
11 sufficient to meet the Parks and Wildlife Department, Texas
12 Commission on Environmental Quality, and Texas Water Development
13 Board's environmental consensus criteria for San Antonio Bay to be
14 identified and included in the project.

15 (c) The Texas Water Development Board shall amend the state
16 water plan for the five-year period beginning January 5, 2007, as
17 necessary to conform to the requirements of this Act.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 3776 was passed by the House on May 8, 2007, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3776 was passed by the Senate on May 23, 2007, by the following vote: Yeas 29, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

10/23/2009 DRAFT

Guadalupe-Blanco River Authority							
Projected Demands (acft/yr):							
Water Purchaser	Year (acft)						
	2000	2010	2020	2030	2040	2050	2060
Municipal (Canyon Reservoir)							
Upper Basin - At or Above Canyon Reservoir							
Canyon Lake WSC	4,000	6,000	6,000	6,129	8,198	10,466	12,769
City of Blanco	600	600	600	600	600	600	600
HH Ranch Properties	0	250	250	250	250	250	250
Domestic Contracts	25	17	17	17	17	17	17
Rebecca Creek MUD	130	130	130	130	130	130	130
Kerr County MOU	0	0	0	2,000	2,000	2,000	2,000
WW Sports	1	1	1	1	1	1	1
Yacht Club	4	4	4	4	4	4	4
SJWTX - Bulverde (Western Canyon)	0	400	400	400	400	400	400
SJWTX - Park Village (Western Canyon)	0	322	322	322	322	322	322
Bulverde City (Western Canyon)	0	653	1,342	2,128	2,910	3,723	4,595
City of Boerne (Western Canyon)	0	1,176	1,794	2,449	2,976	3,436	3,611
City of Fair Oaks Ranch (Western Canyon)	0	1,850	1,850	1,850	1,850	1,850	1,850
Cordillera Ranch (Western Canyon)	0	1,000	1,000	1,000	1,000	1,000	1,000
DH Invest.-Johnson Ranch (Western Canyon)	0	400	400	400	400	400	400
Kendall & Tapatio (Western Canyon)	0	750	750	750	750	750	750
Comal Trace (Western Canyon)	0	100	100	100	100	100	100
SAWS (Western Canyon)	0	4,550	3,243	1,802	0	0	0
Western Canyon Sub-Total	0	11,201	11,201	11,201	10,708	11,981	13,028
Total Upper Basin Municipal (Canyon Reservoir)	4,760	18,203	18,203	20,332	21,908	25,449	28,799
Mid Basin - Below Canyon Dam to Above Victoria							
CRWA - BMWD		3,500	0	0	0	0	0
CRWA - Cibolo		1,350	1,350	1,350	1,350	1,350	1,350
CRWA - BMWD / Cibolo		500	0	0	0	0	0
CRWA - East Central SUD		1,100	0	0	0	0	0
CRWA - East Central SUD / Green Valley SUD		300	300	300	300	300	300
CRWA - Green Valley SUD		1,800	1,700	1,700	1,700	1,700	1,700
CRWA - Marion		100	100	100	100	100	100
CRWA - Springs Hill WSC		1,425	1,425	1,425	1,425	1,425	1,425
CRWA - Springs Hill WSC / Green Valley SUD		500	500	500	500	500	500
CRWA Dunlap In District Balance		0	5,200	5,200	5,200	5,200	5,200
CRWA Dunlap Current Contract Subtotal	10,025	10,575	10,575	10,575	10,575	10,575	10,575
CRWA Dunlap Future Contract			5,000	5,000	5,000	5,000	5,000
50% of Comal County-Other	0	891	986	1,089	1,181	1,333	1,480
New Braunfels Utilities	6,720	6,720	7,627	10,764	13,871	17,081	20,640
Comal County Manufacturing		5,199	6,033	6,784	7,514	8,141	9,022
City of Seguin	3,000	1,000	1,000	1,000	1,000	1,000	1,000
Dittmar, Gary	5	5	5	5	5	5	5
Dittmar, Ray	5	5	5	5	5	5	5
Gonzales County WSC	700	700	700	700	700	700	700
Green Valley SUD	200	1,000	1,000	1,000	1,000	1,000	1,000
Springs Hill WSC	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Canyon Regional Water Authority (H/C WTP)	2,038	2,038	2,038	2,038	2,038	2,038	2,038
City of Buda (San Marcos WTP)	1,120	1,120	1,120	1,120	1,120	1,120	1,120
City of Kyle (San Marcos WTP)	589	2,957	2,957	2,957	2,957	2,957	2,957
City of Mustang Ridge (San Marcos WTP)	0	19	62	99	137	175	213
City of Niederwald (San Marcos WTP)	0	35	95	160	221	294	354
2428 Partners (San Marcos WTP)	0	3,136	3,136	3,136	3,136	3,136	3,136
Plum Creek WC/Monarch (San Marcos WTP)	0	560	560	560	560	738	941
City of San Marcos (San Marcos WTP)	5,000	10,000	10,000	10,000	10,000	10,000	10,000
Wimberley WSC (San Marcos WTP)	0	219	440	667	885	1,179	1,409
Woodcreek & Woodcreek Utilities (San Marcos WTP)	0	478	944	1,433	1,910	2,501	2,967
County Line WSC (San Marcos WTP)	0	0	0	0	0	0	0
Crystal Clear WSC (San Marcos WTP)	800	800	800	800	800	800	800
Maxwell WSC (San Marcos WTP)	0	0	0	0	0	0	0
Martindale WSC (San Marcos WTP)	0	0	0	0	0	0	0
Goforth WSC (San Marcos WTP)	250	1,050	1,050	1,050	1,050	1,050	1,050
Hays County-Other (San Marcos WTP)	0	1,344	1,344	1,344	1,344	1,344	1,344
San Marcos WTP Sub-Total	7,759	21,718	22,508	23,326	24,120	25,294	26,291
Total Mid Basin Municipal (Canyon Reservoir)	32,952	52,351	59,977	64,786	69,509	74,672	80,256

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Lower Basin - At or Below Victoria							
City of Victoria (pursuant to Canyon Amendment)	1,240	1,240	1,240	1,240	1,240	1,240	1,240
Calhoun County Rural WSC	500	0	0	0	0	0	0
City of Port Lavaca	1,500	0	0	0	0	0	0
Port O'Conner MUD	60	0	0	0	0	0	0
Total Lower Basin Municipal (Canyon Reservoir)	3,300	1,240	1,240	1,240	1,240	1,240	1,240
Industrial/Steam-Electric (Canyon Reservoir)							
Mid Basin - Below Canyon Dam to Above Victoria							
Acme	25	25	25	25	25	25	25
CMC Steel	700	700	700	700	700	700	700
Comal Fair	1	1	1	1	1	1	1
Comal Road Department	3	3	3	3	3	3	3
GPP (Panda Energy)	6,840	6,840	6,840	6,840	6,840	6,840	6,840
Guadalupe County	1	1	1	1	1	1	1
Hays Energy LP	2,464	2,464	2,464	2,464	2,464	2,464	2,464
Henk Paving	0	1	1	1	1	1	1
Std. Gypsum	258	258	258	258	258	258	258
Total Mid Basin Industrial/SE (Canyon Reservoir)	10,292	10,293	10,293	10,293	10,293	10,293	10,293
Lower Basin - At or Below Victoria							
Coletto Creek	4,000	4,000	6,000	6,000	6,000	6,000	6,000
Ineous (BP)	1,100	0	0	0	0	0	0
Seadrift Coke	334	0	0	0	0	0	0
Dow/UCC	100	0	0	0	0	0	0
Total Lower Basin Industrial/SE (Canyon Reservoir)	5,534	4,000	6,000	6,000	6,000	6,000	6,000
Irrigation (Canyon Reservoir)							
Irrigation Contracts (Upper Basin)	173	188	188	188	188	188	188
Irrigation Contracts (Mid-Basin)	736	608	608	608	608	608	608
Canyon Reservoir Total	57,747	86,883	96,509	103,447	109,746	118,450	127,384
Mid-Basin Municipal (Run-of-River)							
Lockhart	1,120	1,120	1,120	1,120	1,120	1,120	1,120
Luling	1,680	1,680	1,680	1,680	1,680	1,680	1,680
Mid-Basin Municipal (Run-of-River) Total	2,800	2,800	2,800	2,800	2,800	2,800	2,800
Lower Basin Municipal (Run-of-River, Firm)							
Calhoun County Rural WSC	356	436	516	572	609	618	632
Port Lavaca	1,658	1,769	1,877	1,981	2,079	2,209	2,345
Port O'Conner MUD	186	198	210	222	234	248	264
Total Lower Basin Municipal (Run-of-River, Firm)	2,200	2,403	2,603	2,775	2,922	3,075	3,241
Lower Basin Industrial/SE (Run-of-River, Firm)							
Ineous (BP)	2,200	3,300	3,300	3,300	3,300	3,300	3,300
Seadrift Coke	666	1,000	1,000	1,000	1,000	1,000	1,000
Victoria County Industry	0	0	2,969	5,921	8,860	11,489	14,441
Dow/UCC	15,000	15,100	15,100	15,100	15,100	15,100	15,100
Dow/UCC and Other Existing & New Industry	5,356	7,868	10,647	13,045	15,422	17,520	20,167
Total Lower Basin Industrial/SE (Run-of-River, Firm)	23,222	27,268	33,016	38,366	43,682	48,409	54,008
Lower Basin Industrial/SE (Run-of-River, Interruptible)							
Exelon	0	0	75,000	75,000	75,000	75,000	75,000
Total Lower Basin Industrial/SE (Run-of-River, Interruptible)	0	0	75,000	75,000	75,000	75,000	75,000
Lower Basin Irrigation (Run-of-River, Interruptible)							
Irrigation Agreements	8,077	15,568	13,654	12,096	11,041	10,285	9,581
Lower Basin (Run-of-River, Firm) Total	25,422	29,671	35,619	41,141	46,604	51,484	57,249
Lower Basin (Run-of-River, Interruptible) Total	8,077	15,568	88,654	87,096	86,041	85,285	84,581
Total Demand	94,046	134,922	223,582	234,484	245,191	258,019	272,014
Total Upper Basin Demand	4,933	18,391	18,391	20,520	22,096	25,637	28,987
Total Mid-Basin Demand	46,780	66,052	73,678	78,487	83,210	88,373	93,957
Total Lower Basin Demand	42,333	50,479	131,513	135,477	139,885	144,009	149,070
Total Demand	94,046	134,922	223,582	234,484	245,191	258,019	272,014

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Existing Supplies (acft/yr):							
Source	Year (acft)						
	2000	2010	2020	2030	2040	2050	2060
Canyon Reservoir	87,700	87,575	87,450	87,325	87,200	87,075	86,950
Mid-Basin Rights	0	0	0	0	0	0	0
Lower Basin Rights (Interruptible)	86,000	86,000	86,000	86,000	86,000	86,000	86,000
Lower Basin Rights (Firm)	89,501	89,501	89,501	89,501	89,501	89,501	89,501
Total Supply	263,201	263,076	262,951	262,826	262,701	262,576	262,451
Projected Management Supplies or Needs (acft/yr):							
	Year (acft)						
	2000	2010	2020	2030	2040	2050	2060
Canyon Reservoir Mgmt. Supplies / (Needs)	29,953	692	(9,059)	(16,122)	(22,546)	(31,375)	(40,434)
Mid-Basin Run-of-River Mgmt. Supplies / (Needs)	(2,800)	(2,800)	(2,800)	(2,800)	(2,800)	(2,800)	(2,800)
Lower Basin Run-of-River Firm Mgmt. Supplies / (Needs)	64,079	59,830	53,882	48,360	42,897	38,017	32,252
Lower Basin Run-of-River Interruptible Mgmt. Supplies / (Needs)	77,923	70,432	(2,654)	(1,096)	(41)	715	1,419
Total System Management Supplies / (Needs)	169,155	128,154	39,369	28,342	17,510	4,558	(9,563)
Water Management Strategies (WMS) with Estimated Firm Yield (acft/yr):							
	Year (acft)						
	2000	2010	2020	2030	2040	2050	2060
Recommended WMS							
Conservation ¹							
Wimberley/Woodcreek Project ²		4,480	4,480	4,480	4,480	4,480	4,480
Simsboro Groundwater Project ^{3,9}			30,000	30,000	30,000	55,000	55,000
Regional Carrizo for Guadalupe Basin ^{4,9}			25,000	25,000	25,000	25,000	25,000
GBRA Mid-Basin/Gonzales Project (Conjunctive Use) ^{4,9}							
GBRA Mid-Basin/Gonzales Project (Surface Water Only) ⁴							
GBRA/Exelon Project ⁶			42,083	42,083	42,083	42,083	42,083
GBRA Lower Basin Storage ⁷			TBD	TBD	TBD	TBD	TBD
Western Canyon WTP Expansion						5,600	5,600
GBRA New Appropriation (Lower Basin) ⁸							TBD
Alternative WMS							
LGWSP for Upstream GBRA Needs ⁵			60,000	60,000	60,000	60,000	60,000
LGWSP for Upstream GBRA Needs - Reduced Capacity ⁵			35,000	35,000	35,000	35,000	35,000
WMS Needing Further Study Prior to Implementation							
Storage Above Canyon Reservoir (Off-Channel or ASR)							
Brush Management Above Canyon Reservoir							
Seawater Desalination for Guadalupe River Basin							
¹ Assigned by Water User Group (WUG) based on Municipal Conservation WMS recommended by SCTRWPG.							
² Project includes facilities to deliver treated water developed by one or more existing or recommended WMS.							
³ Source of water is Simsboro Aquifer in Regions K and G with delivery to the San Marcos WTP.							
⁴ Source(s) of water include groundwater and/or a new appropriation of surface water to be withdrawn in Gonzales County and treated at the Luling and San Marcos WTPs. Sources and facilities will be determined in the formulation and permitting phases of project development.							
⁵ Project includes diversion, storage, transmission, treatment, and integration facilities necessary to deliver water available under existing GBRA/Dow water rights from the GBRA Calhoun Canal System to meet projected needs in the upper and mid-basin areas.							
⁶ Project includes diversion, transmission, and cooling reservoir facilities necessary for operations of a proposed nuclear power plant in Victoria County. Firm yield shown is equivalent to consumptive water use through forced evaporation in the cooling reservoir and cooling towers and is developed through storage of interruptible diversions of up to 75,000 acft/yr under existing GBRA/Dow water rights.							
⁷ Phased development of off-channel storage to increase the reliability of interruptible run-of-river supplies available under existing GBRA/Dow water rights.							
⁸ Project subject to senior water rights, full application of environmental flow standards adopted pursuant to Section 11.1471 of the Texas Water Code, and the TCEQ permitting process.							
⁹ Part or all of the water needed by this Water Management Strategy (WMS) is anticipated to be supplied from locations within the jurisdiction of a groundwater conservation district (District) and may exceed the amount of available water identified in the District's approved management plan, or may for other reasons not be permitted by the District. The amount of water needed by this WMS that exceeds the available water in the District's management plan, or for other reasons is not permitted by the District, cannot be implemented as part of this WMS unless and until all necessary permits are received from the District. The amount of water needed by this WMS that exceeds the available water in the District's management plan, or for other reasons is not permitted by the District, introduces an added element of uncertainty to reliance upon this WMS and, therefore, additional management supplies may be needed for this WMS.							

AGENDA ITEM 5

Discussion and Appropriate Action Regarding Consultants' Work and Schedule

AGENDA ITEM 6

Presentation and Discussion of Water Management Strategies

AGENDA ITEM 7

Discussion and Appropriate Action Regarding Cumulative Effect Analysis

AGENDA ITEM 8

Possible Agenda Items for the Next South Central Texas Regional Water Planning Group

AGENDA ITEM 9
Public Comment