

**Minutes of the
South Central Texas Regional Water Planning Group
March 14, 2013**

The meeting was called to order at 10:00 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-seven of the 29 voting members, or their alternates, were present.

Voting Members Present:

Gená Leathers for Jason Ammerman	Dan Meyer
Tim Andruss	Gary Middleton
Donna Balin	Con Mims
Evelyn Bonavita	Ron Naumann
Patrick Garcia for Rey Chavez	Iliana Peña
Alan Cockerell	Robert Puente
Don Dietzmann	Steve Ramsey
Art Dohmann	Suzanne Scott
Vic Hilderbran	Barry Miller for Greg Sengelmann
Rick Illgner	Milton Stolte
Kevin Janak	Tom Taggart
Bill Jones	Bill West
John Kight	Tony Wood
Mike Mahoney	

Voting Members Absent:

Will Conley
Diane Savage

Non-Voting Members Present:

Norman Boyd, Texas Department of Parks and Wildlife (TPWD)
Ron Fieseler, Region K Liaison
Don McGhee, Region M Liaison
Matt Nelson, Texas Water Development Board (TWDB)
Ken Weidenfeller, Texas Department of Agriculture

AGENDA ITEM NO. 1: Public Comment

There was no public comment at the time.

AGENDA ITEM NO. 2: Approval of Minutes

Chairman Con Mims asked if there were any additions or corrections to the minutes from November 1, 2012. Gary Middleton asked for a correction to the calendar year date on page 3, Agenda Item No. 7 to reflect 2016 appropriately.

AGENDA ITEM NO. 3: Election of Officers for Calendar Year 2013

Mr. Mims asked for nominations for the election of officers for 2013, beginning with Chair. Suzanne Scott made a motion to re-elect Mr. Mims as Chairman. Ron Naumann seconded the motion. The motion carried by consensus.

Robert Puente made a motion to re-elect Mike Mahoney as Vice Chair. Tom Taggart seconded the motion. The motion carried by consensus.

Mr. Mims then asked for nominations for Secretary. Kevin Janak made a motion to re-elect Mr. Middleton as Secretary. Rick Illgner seconded the motion. The motion carried by consensus.

Mr. Mims asked for nominations for the two At-Large positions. Mr. Middleton made a motion to re-elect Evelyn Bonavita as an At-Large officer. Bill West seconded the motion. The motion carried by consensus. John Kight made a motion to re-elect Ron Naumann as an At-Large officer. Mr. Middleton seconded the motion. The motion carried by consensus.

AGENDA ITEM NO. 4: Status of Guadalupe, San Antonio, Mission, and Aransas Rivers and Mission, Copano, Aransas, and San Antonio Bays Basin and Bay Stakeholder Committee (BBASC) and Expert Science Team (BBEST) and Nueces River and Corpus Christi and Baffin Bays Stakeholder Committee (BBASC) and Expert Science Team (BBEST)

Suzanne Scott, Chair of the Guadalupe, San Antonio, Mission, and Aransas Rivers and Mission, Copano, Aransas, and San Antonio Bays Basin and Bay Stakeholder Committee (BBASC), provided an update on activities for the GSA BBASC and the most recent GSA BBASC meeting. Mrs. Scott informed the Planning Group the stakeholder committee received comments from the Science Advisory Committee (SAC) on the Work Plan for Adaptive Management, which were complimentary. The Work Plan for Adaptive Management was submitted by the SAC to the Environmental Flows Advisory Group (EFAG) in December of 2012.

Mrs. Scott also informed the Planning Group the stakeholder committee received updates on activities pertaining to the Work Plan, such as GBRA's Instream Flow study they are conducting, as well as updates from Mission-Aransas National Estuarine Research Reserve and their study, "Balancing Freshwater Inflows in a Changing Environment", SARA's EDYS modeling and TWDB's potential "Synoptic Flow Measurements for Estimating Freshwater Inflow" study.

Mrs. Scott also reported in regards to the concern of the stakeholder committee for future funding of the Work Plan and the ability to move forward on getting some of the studies funded, the stakeholder committee agreed to have Mrs. Scott submit a letter to the House of Natural Resources Committee (NRC) and the others within the legislature to try to encourage some funding mechanism for the Work Plan activities.

Mr. Mims, Chair of the Nueces River and Corpus Christi and Baffin Bays Stakeholder Committee (BBASC), stated the Environmental Flows Standards and Strategies have been submitted, as well as the Work Plan for Adaptive Management, but no response to the reports

has been received to date. The Texas Commission on Environmental Quality (TCEQ) is expected to adopt standards for the Nueces in March 2014. Mr. Mims also submitted a letter, similar to the letter submitted by the GSA BBASC, regarding a mechanism for funding Work Plans, to the legislature.

AGENDA ITEM NO. 5: Status of Edwards Aquifer Habitat Conservation Plan (HCP)

Dr. Robert Gulley, EAHCP Executive Director, provided a brief report on the status of the Habitat Conservation Plan. Dr. Gulley informed the Planning Group the Incidental Take Permit (ITP) will be issued on Monday, 18th, 2013 and the Army Corps of Engineers will issue the Corps permits that will allow the work to take place in the water.

Dr. Gulley stated a ceremony, with US Fish and Wildlife officials, will be held on April 3rd, 2013 at The Meadows Center in San Marcos at 1:00pm.

AGENDA ITEM No. 6: Report, Discussion and Appropriate Action from Work Groups

- **EAHCP Work Group – Tom Taggart, Chair**
- **Eagle Ford Shale Work Group – Suzanne Scott, Chair**
 - **Presentation by UTSA Institute for Economic Development - Region L Eagle Ford Shale Population Projection Study, Dr. Thomas Tunstall, Ph.D., Research Director**

Mr. Mims asked Mr. Taggart, Chair, EAHCP Work Group, to provide a report and group recommendation on the HCP. The charge of the work group was to recommend to the Planning Group how to use the Edwards Aquifer HCP (EAHCP) as a water management strategy in this planning cycle and present a report at this meeting.

Mr. Taggart stated the work group felt it was important to get recommendation or inclination from the HCP Implementing Committee. Mr. Taggart asked HDR Engineering to provide a presentation to the EAHCP Implementing Committee on February 21st, 2013 reflecting the HCP as a water management strategy (WMS) and considered as existing supply so the committee may view both options. The Implementing Committee recommended the HCP be classified as a water management strategy with the spring flow associated with the HCP being in affect used for hydrologic modeling.

The Region L EAHCP Work Group's recommendation to the Planning Group is as follows:

The EAHCP Work Group recommends that the South Central Texas Regional Water Planning Group include the EAHCP as a recommended Water Management Strategy in the 2016 Regional Water Plan (RWP) and use the spring flows associated with EAHCP implementation¹ as a hydrologic modeling assumption for computation of existing surface water supplies and technical evaluation of water management strategies. The EAHCP Work Group further recommends that existing water supplies from the Edwards Aquifer in the 2016 RWP be those associated with EAHCP implementation and in specific amounts to be determined in consultation with the EAA.

¹ RECON Environmental, Inc., Hicks & Company, Zara Environmental LLC, & BIO-WEST, "Edwards Aquifer Recovery Implementation Program Habitat Conservation Plan, Appendix K," Edwards Aquifer Recovery Implementation Program, November 2012.

In addition, the TWDB has been apprised of these discussions and recommendation and is acceptable to this approach. The Planning Group expressed no objection to the work group recommendation.

Mr. Mims asked Mrs. Scott, Chair, Eagle Ford Shale Work Group, to provide a report on the group's activities to date. The charge was to investigate, in general, how the Eagle Ford Shale operations may affect Region L planning, with specific attention to population projections in affected areas, water demands based on population projections, the amounts and sources of water being used for drilling, including fracking and present a report at this meeting.

Mrs. Scott, Chair of the Eagle Ford Shale Work Group, provided a brief update on activities of the group to date. Mrs. Scott expressed the group's concern regarding possible population increases in the Eagle Ford Shale areas that may have not been captured in the most recent census. As water demands are tied to population projections provided by TWDB, this concern is the first item for the group's review. After researching other sources, on behalf of the work group, SARA contacted the Institute for Economic Development at the University of Texas San Antonio, who has developed several studies relating to the Eagle Ford Shale impact in South Texas. Dr. Tom Tunstall, Research Director for the Institute for Economic Development at UTSA, met with the work group and provided a presentation on his current research and a proposed study into population projections in Region L counties. After Mrs. Scott introduced Dr. Tunstall and Dr. Sherilynn Roberts, Dr. Tunstall and Dr. Roberts provided the Planning Group with a presentation reflecting their study proposal on behalf of the work group.

Dr. Tunstall provided a brief background of the research findings by UTSA in regards to the impact of Eagle Ford Shale in South Texas to date, to include the economic impact and projections for counties. Dr. Roberts provided a presentation on the methodology UTSA plans to use to update population projections for the region at a county level. Dr. Roberts will be coordinating findings with Region L's Technical Consultants, HDR Engineering, as well. UTSA will be developing three population projections calculated using standard population multipliers as well as workforce forecasts, employment figures, housing units/development, and public school enrollment. UTSA will be looking for trends, "hot spots", etc. in the Region L counties requested.

Mrs. Scott informed the Planning Group that UTSA will provide the data they find and the comparison to the State Demographers projections and HDR Engineering will then have to take those findings and break the population numbers down to water user group levels. If the Planning Group finds significant differences based on the research found by UTSA, the Planning Group will have to submit the findings to TWDB as a request to modify the population projections and/or water demands. Pending the outcome from TWDB, HDR Engineering will factor in the water management strategies. Mr. Perkins also reminded the Planning Group if differences (increase or decrease) are found, the Planning Group will have to determine how to distribute to entities within that county.

Mr. Taggart asked how transitory populations will be factored in, for example the increase in hotels, man camps and other "non-traditional" residences. Matt Nelson, TWDB, stated that water usage could be factored in through Gallons per Capita Daily (GPCD).

Mrs. Scott added if the Planning Group would like the work group to begin looking at other potential issues relevant to the Eagle Ford Shale impact, to please let her know. Iliana Peña has requested the work group consider looking at water quality issues. Mr. Mims asked the work group to look in to how the Eagle Ford Shale play may be affecting groundwater use in the Carrizo Aquifer and how will it affect municipal supplies.

AGENDA ITEM NO. 7: Texas Water Development Board (TWDB) Communications

• Presentation on Revised Regional Water Planning Rules

Matt Nelson, TWDB, provided a presentation on the revised regional water planning rules, to explain to Planning Group members what the changes are to the planning rules as a result of revisions to the planning rules in 2012. Mr. Nelson reviewed the background on the planning requirements, the purpose and nature of rule changes and the summary of specific rule changes as it affects the regional water planning process for the 2016 RWP. The presentation will also be available on the Region L website at www.RegionL.Texas.org and the revised rules are available on the TWDB website at www.twdb.state.tx.us/waterplanning under Regional Water Planning Rules and Regulations.

AGENDA ITEM NO. 8: Discussion and Appropriate Action Regarding Legislative Activities

Mr. Mims invited several entities to update the Planning Group on legislative issues of interest affecting regional water planning the entities may be watching. The first to speak was Donovan Burton, Chief of Staff, San Antonio Water System (SAWS).

Mr. Burton is tracking over 252 bills but provided update on Senate Bill 4 (SB4), House Bill 4 (HB4), as well as amendments. SAWS is following many groundwater bills, focusing on long term certainty of groundwater permitting for future projects. Mr. Burton also provided an update on bills filed on the Desired Future Conditions (DFCs) appeal process and bills regarding desalination projects.

Mr. West passed out an outline of HB4 and HB11, as well as a list of bills GBRA is currently tracking.

Mr. Mahoney provided additional information on bills regarding groundwater permit renewals and brackish water and bills regarding water usage for fracking.

Mr. Mims updated the Planning Group on SB589 and HB3260, designating unique stream segments in the Region L planning area.

Mrs. Scott addressed the possibility of a funding mechanism for SB3 Work Plans' study efforts through different sources such as State Water Implementation Fund for Texas (SWIFT), or TWDB's research and planning funds; as well as possible funding for several strategies within the Work Plans.

AGENDA ITEM NO. 9: Discussion and Appropriate Action Regarding Consultants Work and Schedule

Mr. Perkins reviewed the 2016 RWP Consultant Schedule and changes to the schedule made since the November Planning Group meeting, tasks scheduled to be presented to the Planning Group at this meeting and deadlines for proposed recommendations of those tasks by the Planning Group. In addition to the schedule, Mr. Perkins reviewed potential issues that may affect the 2016 RWP planning process. A list of potential issues was included in the agenda packet for review. The list includes items such as implementing environmental flows, Eagle Ford Shale demands, and meeting steam-electric demands in Victoria County. This listing will

continue to be included in the agenda packet and as issues are addressed, the current listing will reflect the status or action being taken to address the issue.

AGENDA ITEM NO. 10: Discussion and Appropriate Action Regarding Submittal to the TWDB of Revised Non-Municipal Water Demand Projections for Mining as a Result of the Revised Bureau of Economic Geology (BEG) Report (Task 2A) and Steam-Electric Revision Request

Mr. Perkins provided the revised non-municipal water demand projections for mining as distributed by TWDB, based on the newly revised BEG Report. For the mining projections, HDR Engineering created a spreadsheet reflecting each Region L county's projected oil and gas water use from the original 2011 BEG Report, projected use from the revised BEG Report and the difference, if any, of projected water use. Mr. Perkins reminded the Planning Group of the Planning Group's previous recommended revisions for mining projections for Goliad and DeWitt Counties. That recommendation still stands and those recommendations will, again, be submitted to TWDB. Mr. Mims asked the Planning Group if there were any objection to approving the use of the revised mining projections, with the understanding the previous recommendations for revisions for Goliad and DeWitt Counties still stands, for submittal to TWDB. The Planning Group had no objections.

Mr. Perkins presented a request by CPS Energy to request a revision to the draft Steam-Electric Demand Projections for Guadalupe County for the years 2020 and 2030 due to the recent purchase of the Rio Nogales plant in Guadalupe County. CPS Energy has requested an increase from 3,406 ac-ft per year to 5,984 ac-ft per year for 2020 and from 3,326 ac-ft per year to 4,941 ac-ft per year for 2030. Mr. Perkins added the increase will not create a need for additional WMSs. Tony Wood made a motion to accept the request by CPS Energy to revise the Steam-Electric projections for Guadalupe County to 5,984 ac-ft per year for the year 2020 and to 4,941 ac-ft per year for 2030. Mr. Naumann seconded the motion. The motion carried by consensus.

AGENDA ITEM NO. 11: Presentation and Discussion Regarding Population and Population-Related Water Demand Projections (Task 2B)

Mr. Perkins presented the draft Population and Water Demand Projections recently received from TWDB. Mr. Perkins provided a presentation of a summary of the projections, by county, to the Planning Group. The summary slides provided the differences between the projections in the 2011 RWP and the projections in the 2016 RWP through the year 2060. On the whole, Region L is growing 9% higher than projected in 2011.

Mr. Perkins presented the draft Water Demand Projections through the year 2060, as well, summarizing the differences for each county between the 2011 RWP and the 2016 RWP. Again, on the whole, Mr. Perkins stated the water demand projection for the year 2060 is 8% higher in the 2016 RWP than in the 2011 RWP. When reviewing the overall regional total of water demand projections, the difference between the 2011 RWP water demand projections and the draft 2016 RWP water demand projections is an increase of 51,562 ac-ft per year by the year 2060; 44,000 ac-ft is in Bexar County and the remainder is split over the rest of Region L counties.

Mrs. Scott asked why certain counties reflected a higher population projection but lower water demand projections, such as Hays County. Hays County reflects a higher population in the

Region L portion of the county for the year 2020, however the water demand projections for 2020 for the 2016 RWP for Hays County is less than previously projected in the 2011 RWP. Mr. Nelson stated it is possible for population to increase and water demand to decrease due to the gallons per capita per day (GPCD) TWDB uses to project the demands. Mr. Perkins added that in the 2011 RWP, the TWDB used year 2000 GPCD to develop projections but for the 2016 RWP, TWDB is using the year 2011 GPCD's and 2011 was a very dry year and drought measure efforts were instituted in several counties that may have affected GPCD numbers. Mr. Nelson reminded the Planning Group the GPCD's were also based on Water Use Surveys.

HDR Engineering created an additional breakdown of population and water demand projections by each county and water user group (WUG) within that county, for the Planning Group members' information. The more detailed tables were presented and comparisons between the 2011 RWP projections versus the 2016 RWP proposed projections were reflected, by entity (WUG) and by decade.

Mr. Perkins reviewed the steps to be taken by HDR Engineering and the San Antonio River Authority, as Administrator, to contact municipal water user groups to provide them TWDB's draft population and water demand projections. First, an online survey has been created to be emailed to each water user group. A link and unique login ID number to the entity's survey will be emailed to each water user groups' main contact person for completion. The survey will provide draft population, water demand and per capita projections provided by TWDB for use in the 2016 RWP, as well as draft contractual customer water demands of the entity (wholesale raw or treated water customers and the amount of water the entity is contracted, if any, to supply them). We are requesting each entity review the survey and, if the information is correct, the entity will submit the survey, but if the entity disagrees, they will be able to request revisions to part or all of the information from the survey. The information collected will be presented at the May Planning Group Meeting. HDR Engineering will contact wholesale water providers separately for their use information.

Lastly, Mr. Perkins informed the Planning Group one of the new requirements was the listing of emergency measures for entities with populations smaller than 7,500. Region L currently has an estimated 131 municipal WUGs, of which about 82 WUGs serve a population of less than 7,500. A portion of those 82, if they are receiving water from a single source, will be contacted by HDR Engineering to discuss emergency management measures in case of drought.

AGENDA ITEM NO. 12: Discussion and Appropriate Action Regarding Evaluation of Potentially Feasible Water Management Strategies (Task 4B), Draft Scope of Work and Budget for Submittal to TWDB and Inclusion in Technical Memorandum

Mr. Perkins presented the plan to identify water management strategies and report the strategies to TWDB and reviewed the revisions requested to the document with the Planning Group. The revisions to the document are due to the revised 2016 RWP schedule from TWDB.

Mr. Perkins reviewed the revised spreadsheet listing Potentially Feasible Water Management Strategies for the 2016 RWP. Changes had been requested at the November Planning Group Meeting. HDR Engineering broke out the WMS' by aquifer and by groundwater and surface water strategies. The revised listing also reflects the quantity of ac-ft per year, the source(s), the regulating Groundwater District, and if available, the Modeled Available Groundwater for the aquifer/county. This listing will be used to speak with each Groundwater Conservation District to figure out how much water is already allocated and how much water is available for future strategies.

Mr. Perkins asked the Planning Group for authorization to begin drafting scopes of work (SOW) and budgets for the following WMS': Water Conservation, Drought Management, Recycled Water Programs, Surface Water Rights, Facilities Expansions, Balancing Storage (ASR and/or Surface Water), and Local Groundwater Supplies. Mrs. Scott asked if HDR Engineering could also begin the draft SOW and budget for the Edwards Aquifer HCP, as stated here today. The Planning Group had no objections to the addition of the Edwards Aquifer HCP. Mr. Kight made a motion to approve HDR Engineering to begin drafting the SOW and budget for the following WMS': Water Conservation, Drought Management, Recycled Water Programs, Surface Water Rights, Facilities Expansions, Balancing Storage (ASR and/or Surface Water), Local Groundwater Supplies, and Edwards Aquifer HCP. Milton Stolte seconded the motion. The motion carried by consensus.

HDR Engineering will develop the draft SOW and budget for each approved WMS listed and bring them back to the Planning Group in May for approval to submit to the TWDB for a Notice-to-Proceed to begin evaluating the eight WMS'.

AGENDA ITEM NO. 13: Possible Agenda Items for the Next South Central Texas Regional Water Planning Group Meeting

Mr. Mims proposed the following agenda items for the May 2, 2013 Planning Group Meeting:

- EAHCP Update
- Status of SB3, Environmental Flows Process
- Report, Discussion and Appropriate Action from Work Groups
- Discussion and Appropriate Action Regarding Population and Population-Related Water Demand Projections

AGENDA ITEM NO. 14: Public Comment

Mr. Mims asked the Planning Group and public present if they wished to discuss how the recent Whooping Crane lawsuit decision may affect regional water planning in the future in the Region L area. Mr. West provided his perspective of future actions that could be taken, such as an appeal, and the timeline and contingencies that may need to be built in to the planning process. Mr. Mims stated a decision could affect flow regimes and Environmental Flow Standards in the planning area. Mrs. Scott added if a stay is not granted, we may see an immediate impact on new permits, as the judge's ruling states there would be a suspension of any new permits and some permits have already been filed that may or may not be considered new, as "new" has not been defined yet. In relation to the Edwards Aquifer HCP, Mr. Taggart stated as he understands, the biological opinion of US Fish and Wildlife may state their view of the Edwards Aquifer HCP as being beneficial to the Whooping Crane. But, Mr. Taggart added, it's whether or not the biological opinion recognizes that. Jim Murphy reminded the group everything affecting the salinity is fair game for the judge's opinion and future Whooping Crane HCP. If there isn't enough surface water, it may come from another source, such as groundwater or reuse.

Dianne Wassenich, San Marcos River Foundation, strongly urged all Planning Group members to do what they could on habitat conservation plans, similar to the HCP on the Edwards, for the Whooping Cranes and the coastal area, to include looking at solutions including handling the water we have more appropriately rather than looking for new water. Ms. Wassenich also urged the Planning Group members working on funding in the current legislation, to ask for a small

amount to start work on stakeholder groups for a possible HCP for Whooping Cranes as it takes several years to get started.

Recommended for approval.



GARY MIDDLETON, SECRETARY

Approved by the South Central Texas Regional Water Planning Group at a meeting held on May 2, 2013.



CON MIMS, CHAIR

