

**Minutes of the
South Central Texas Regional Water Planning Group
February 11, 2016**

Chairman Con Mims called the meeting to order at 9:30 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.

26 of the 30 voting members, or their alternates, were present.

Voting Members Present:

Tim Andruss
Donna Balin
Gene Camargo
Patrick Garcia for Ray Chavez
Alan Cockerell
Don Dietzmann
Vic Hilderbran
Kevin Janak
John Kight
Russell Labus
Glenn Lord
Doug McGooky
Dan Meyer

Gary Middleton
Con Mims
Robert Puente
Iliana Pena
Steve Ramsey
Roland Ruiz
Dianne Savage
Suzanne Scott
Greg Sengelmann
Thomas Taggart
Dianne Wassenich
Bill West
Adam Yablonski

Voting Members Absent

Will Conley
Art Dohmann
Blair Fitzsimmons
David Roberts

Non-Voting Members Present:

Temple McKinnon, Texas Water Development Board (TWDB)
Marty Kelley, Texas Department of Parks and Wildlife

Non-Voting Members Absent:

Dan Hunter, Texas Department of Agriculture
Norman Boyd, Texas Department of Parks and Wildlife
Ronald Fieseler, Region K Liaison
Charles Wiedenfeld, Region J Liaison
Steve Ramos, TCEQ – South Texas Watermaster Specialists

Beginning with the February 11, 2016, meeting of the South Central Texas Regional Water Planning Group, all recordings will be available for the public at www.regionltexas.org.

AGENDA ITEM NO. 1: PUBLIC COMMENT

No comments were made.

AGENDA ITEM NO. 2: APPROVAL OF MINUTES FROM THE SOUTH CENTRAL TEXAS REGIONAL WATER PLANNING GROUP'S MEETING ON NOVEMBER 5, 2016

Chairman Mims asked for a motion to approve the meeting minutes from the South Central Texas Regional Water Planning Group (Region L) meeting on November 5, 2015. Dianne Wassenich made the motion. Gary Middleton seconded the motion. There were no objections. The motion passed by consensus.

AGENDA ITEM NO. 3: ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE FOR CALENDAR YEAR 2016

Chairman Mims opened the floor for nominations to fill the Executive Committee positions for calendar year 2016, beginning with Chair. Diane Wassenich motioned to nominate Suzanne Scott to sit as Chair. Robert Puente seconded the motion. There were no objections. The motion passed by consensus.

Mr. Mims asked for nominations to fill the Vice-Chair position. Kevin Janak nominated Tim Andruss. Bill West seconded the nomination. There were no objections. The motion passed by consensus.

Mr. Mims asked for nominations to fill the Secretary positions. Bill West nominated Gary Middleton. Kevin Janak seconded the nomination. There were no objections. The motion passed by consensus.

Mr. Mims asked for nominations to fill the first of two At-Large Executive Committee positions. Robert Puente nominated Adam Yablonski. Iliana Pena nominated Dianne Wassenich. Bill West nominated Glenn Lord. Mr. Mims called for a vote where each voting member present chooses one of the aforesaid candidates. Voting was conducted by ballot. Per the Bylaws, a candidate must achieve a majority votes of total voting members (at least 16 votes) (*see South Central Texas Regional Water Planning Group Bylaws, Article VIII Section 2*). After two voting bouts, Adam Yablonski was confirmed by affirmative vote.

Mr. Mims asked for nominations to fill the second At-Large Executive Committee positions. Suzanne Scott nominated Dianne Wassenich. Bill West nominated Kevin Janak. Mr. Mims called for a vote. After two voting bouts, neither candidate reached the 16 affirmative votes required for election. Mr. Mims suggested moving the vote to the May meeting when more voting members were present. There were no objections. It was settled that Donna Balin would remain in the second At-Large position on the Executive Committee until a replacement is elected.

Newly elected officers took their positions at the head table, and Suzanne Scott chaired the remainder of the meeting.

AGENDA ITEM NO. 4: STATUS OF EDWARDS AQUIFER HABITAT CONSERVATION PLAN (HCP) – NATHAN PENCE, EXECUTIVE DIRECTOR EAHCP

Nathan Pence gave a brief update on the status of the Edwards Aquifer Habitat Conservation Plan (HCP), saying that the status is very positive. In terms of habitat restoration, the HCP has achieved all tasks required thus far. There will be future habitat restoration tasks, but the HCP is on schedule. Additionally, the spring flows protection component of the HCP is comprised of four

programs. The Critical Period Management program (stage drought reduction) is in place. The Aquifer Storage and Recovery (ASR) program still needs work before goals are met. Currently the Edwards Aquifer Authority (EAA) has 20,000 acre-feet of the recommended 50,000 acre-feet leased or under forbearance agreements as part of the ASR program. Mr. Pence noted that in the first two months of 2016, the ASR program has already accomplished more than it did in 2015. With regard to the Regional Water Conservation Program, the EAA and the San Antonio Water System (SAWS) executed a contract to repair leaks on the SAWS distribution system. The repairs will equal approximately 19,000 acre-feet of conserved water, 10,000 of which will go into to the groundwater trust thereby fulfilling the program requirement. With respect to the last of the four spring flow protection programs, close to 41,000 acre-feet have been dedicated under the Voluntary Irrigation Suspension Program Option (VISPO), thereby fulfilling the program requirements.

Additionally, Mr. Pence noted that the monitoring programs were in place, including the Modflow hydrological model, which the EAA uses for planning. The model is currently being calibrated and is still about one year from being put to use. The ecological model, is closed to being complete as well.

With regard to Refugia, Mr. Pence noted that the EAA is currently receiving bids to implement the Refugia program in compliance with its Incidental Take Permit.

Overall, the HCP is in on track, but needs focus in the areas of ASR and Refugia.

Chairwoman Scott asked whether EAA offered tours of the habitat restoration conducted in pursuit of the HCP. Mr. Pence confirmed that they did, and offered to get with the Administrator to set something up for the planning group members.

AGENDA ITEM NO. 5: 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)

Suzanne Scott briefed the planning group on recent developments with respect to the BBASC, noting that the BBASC had selected 3 studies to conduct with the biennial funding provided by the Texas Water Development Board to validate the environmental flows standards. A workgroup was chosen to develop a recommendation on how to allocate funds. The workgroup recommended continuing the funding of two studies, and funding a new study in the order prioritized below.

1. Focal species, blue crab and shrimp additional modeling (\$99,968) (continuation)
2. Instream flow studies, continued (TWDB \$215,000 / SARA contribution \$60,000 (continuation)
3. USGS flow and sediment loads at estuarine gauge (\$62,500) (new study)

Contracts with the three science teams are in the negotiation stage.

AGENDA ITEM NO. 6: TEXAS WATER DEVELOPMENT BOARD (TWDB) COMMUNICATIONS

Temple McKinnon, Texas Water Development Board (TWDB), introduced Ron Ellis as the new TWDB liaison to Region L.

Ron Ellis provided information as to his background and then gave a general update on TWDB matters. Mr. Ellis informed the planning group that Peter Lake was appointed as a Director on the TWDB Board on December 15, 2015.

Additionally, Mr. Ellis provided information specific to the application timeline for SWIFT funding and the Fifth Cycle of water planning (detailed slides are provide in the agenda packet for February 11, 2015, at www.regionltexas.org). Mr. Ellis also notified the planning group that TWDB has the opportunity to provide a training program for new planning group members. Mr. Ellis asked for input from current planning group members on what they would prefer to hear about and when a good time would be to hold such a training. Chairwoman Scott suggested holding that training at the August 2016 meeting, when a number of planning group members will be up for reappointment.

Mr. Ellis also informed the planning group that a letter detailing changes to TWDB rules is forthcoming to effectuate recent legislation, clarify current rules, and update standards. Therefore, TWDB will be seeking comments on those rule proposals in the coming months. The process by which the TWDB proposes rule changes requires an approval of any rule changes by the Board, and entails publishing those changes for public comment. Upon Board approval of any changes, a public comment period will be triggered where TWDB will solicit comments from stakeholders, including full Regional Water Planning Groups (RWPG) and individual entities.

Mr. Ellis continued, notifying the planning group that TWDB is looking at providing funding for region specific studies, but that – at this point – TWDB does not know what that type of funding will look like. There will be more information on this provided when it becomes available.

Mr. Ellis reminded the planning group of deadlines relating to the 4th Cycle of water planning. Mr. Ellis added that, under the 5th Cycle contract, the planning group still needs to hold a pre-planning public meeting and procure consultants before spending any 5th Cycle funds.

Mr. Ellis briefed the planning group on 5th Cycle projections. TWDB is changing the population and municipal water demand projections to be based on water provider service areas instead of political boundaries (called utility-based planning). These projections will be effective for the 2021 Regional Water Plan (RWP) and the 2022 State Water Plan (SWP). Additionally, methodologies currently being used to develop power generation, irrigation, and manufacturing projections are currently being peer reviewed. Any changes to those methodologies will be disclosed when those changes are implemented. With regard to mining and livestock projections, TWDB is looking at two options: either 1) a direct roll over from the 2016 RWP, or 2) using trends based on recent historical use. Regarding population projects, TWDB plans to start with final population number from Database 17 (DB17). *A full timeline for projections is provided in the agenda packet for February 11, 2016.*

AGENDA ITEM NO. 7: CHAIRS REPORTS

No update was provided.

AGENDA ITEM NO. 8: DISCUSSION AND APPROPRIATE ACTION REGARDING SUFFICIENT FORM AND LEVEL OF DETAIL FOR REGION L MEETING MINUTES

Agenda item No. 8 was moved to after Agenda Item 11.

AGENDA ITEM NO. 9: DISCUSSION AND APPROPRIATE ACTION REGARDING CONFLICTS OF INTEREST WITH RESPECT TO CONSULTANTS FOR THE REGION L PLANNING GROUP

Cole Ruiz, San Antonio River Authority, explained the purpose of Agenda Item No. 9, indicating that the issue of conflicting interests was born from the public comment period following the adoption of the Region L 2016 Initially Prepared Plan. The planning group took action at its meeting on November 5, 2015, to require future technical consultants to disclose all contractual relationships they have or enter into during the life the planning contract for the Fifth Cycle. Mr. Ruiz explained that the discussion was left somewhat open in consideration of the imminent selection of consultants for the Fifth Cycle of water planning (see Agenda Item No. 10 of these minutes). The purpose of Agenda Item No. 9 is to lay to rest any lingering thoughts related to the conflicts of interest issue with respect to the selection of consultant for the Fifth Cycle of water planning. Mr. Ruiz added that both consultant teams were prepared to discuss ongoing contractual relationships they have with current Region L members, and had submitted such as part of their proposal packages.

Dianne Wassenich briefed the planning group on a white paper written by Norman Johns that discusses the relationships between technical consultants and member entities in the water planning arena, and speaks to potential conflicts of interests.

Discussion ensued about the nature of “legal conflicts of interests” and “perceived conflicts of interest,” which involved discourse over what is legally required and what should be the ethical practice of the technical consultant with respect to any contractual relationships it may have with planning group member entities.

Planning Group members generally agreed that the best practice was to require the consultant to disclose contractual relationship with Region L member entities, and to do so throughout the life of the contract for the Fifth Cycle of water planning.

AGENDA ITEM NO. 10: DISCUSSION AND APPROPRIATE ACTION REGARDING THE SELECTION OF CONSULTANTS FOR THE DEVELOPMENT OF THE REGION L 2021 REGIONAL WATER PLAN

Chairwoman Scott provided the procedure by which the proposing consultant teams would present to the planning group. Each team was allotted 20 minutes, with an unlimited time for question and answers following. The Alan Plummer Associates, Inc. team would present first, followed by the Black and Veatch team. Each team would leave the room while the other team presented. Both teams would return to witness the deliberation and selection by the planning group after the presentations were completed.

Adam Yablonski and Steve Ramsey recused themselves from the vote for having potentially conflicting relationships with the teams.

Alan Plummer Associates, Inc. presented, followed by a questions and answer segment, as

outlined above.

Black and Veatch presented, followed by a questions and answer segment, as outlined above.

For a recording of the full discussion, please refer to <http://www.regionltexas.org/2016-rwpg-materials/>; see also: https://www.youtube.com/watch?v=Lh0h1cZvh_Y&feature=youtu.be.

After both teams presented, Chairwoman Scott called for a vote by ballot. After two voting bouts, a majority of the full planning group (16 of 30 votes) selected Black and Veatch.

AGENDA ITEM NO. 11: DISCUSSION AND APPROPRIATE ACTION AUTHORIZING THE ADMINISTRATOR TO NEGOTIATE AND EXECUTE CONTRACTS WITH CONSULTANTS FOR THE DEVELOPMENT OF THE REGION L 2021 REGIONAL WATER PLAN

Chairwoman Scott asked for a motion to authorize the Administrator to negotiate and execute contracts with the consultants for the development of the Region L 2021 Regional Water Plan.

Gary Middleton made the motion to authorize the Administrator to negotiate and execute contracts with Black and Veatch for the development of the Region L 2021 Regional Water Plan, and to negotiate with Alan Plummer Associates, only if negotiations with Black and Veatch were to fail for some unforeseen reason. John Kight seconded the motion. There were no objections. The motion passed consensus.

AGENDA ITEM NO. 8: DISCUSSION AND APPROPRIATE ACTION REGARDING SUFFICIENT FORM AND LEVEL OF DETAIL FOR REGION L MEETING MINUTES

Chairwoman Scott opened the discussion up to the group, asking Con Mims to remind the planning group of the impetus behind Agenda Item No. 12. Mr. Mims noted that the task of minutes, due to the level of detail insisted upon by some planning group members, has become extremely burdensome on the Administrator. The discussion to be had should determine what standard should apply to the Region L meeting minutes, with one extreme being a bare-bones record of actions taken, and the other extreme being a pure transcript. Recently, the minutes have been more akin to a transcript. This agenda item's purpose is to remedy the burden placed on the Administrator for completing transcript-like minutes for meetings that last nearly a full day.

Mr. Mims proposed a solution where the minutes would detail what occurred at the meetings, not what was said. Under Mr. Mims proposal, minutes would include the agenda item, the general positions of the members, the motion and second, and the result. Some exceptions may be made where appropriate. If an individual planning group member wanted their comments recorded in more detail – having access to the recording – they could transcribe that portion of the minutes, sign it, and submit the transcription as an addendum to the minutes.

Discussion ensued. Generally, everyone agreed to Mr. Mims proposal, with the addition of archiving the recording on the Region L website (www.regionltexas.org).

Con Mims motioned to adopt a new standard for the Region L meeting minutes, which would require no more detail than necessary to illustrate the agenda item, the general positions on the subject of discussion, the motion and the second, and the result. Beyond that, Mr. Mims motion

allowed planning group members to easily access the recording, which would be made available on the Region L website, and to transcribe their portion of the recording and submit it as an addendum to the approved minutes after signing it to that effect. Robert Puente seconded the motion. There were no objections. The motion passed by consensus.

AGENDA ITEM NO. 12: DISCUSSION AND APPROPRIATE ACTION REGARDING THE ADMINISTRATOR'S BUDGET FOR CALENDAR YEAR 2016

Cole Ruiz presented the proposed Administrator's Budget for Fiscal Year 2016, which is set at \$58,000, consistent with previous years. Mr. Ruiz also reminded the planning group that the Interlocal Agreement (ILA) between the contributing parties was nearing an end. Thus, a new ILA would need to be reached by the end of the year. Mr. Ruiz indicated that SARA would be soliciting participants and drafting an ILA to that effect in time for the August 2016, meeting.

John Kight motioned to approve the budget. Kevin Janak seconded the motion. There were no objections. The motion passed by consensus.

AGENDA ITEM NO. 13: POSSIBLE AGENDA ITEMS FOR THE NEXT REGION L MEETING

Chairwoman Scott identified several points of discussion for the next Region L meeting, including:

- Issues pertaining to the regional water planning process as identified during the public comment period following the adoption of the 2016 Initially Prepared Plan (IPP). (*see Appendix M, Region L – 2016 Regional Water Plan Appendices*)
- TWDB proposed rules changes
- Begin process of filling the vacant seats of terms set to expire in August 2016 for Region L.
- TWDB utility based projections update.

AGENDA ITEM NO. 14: PUBLIC COMMENT

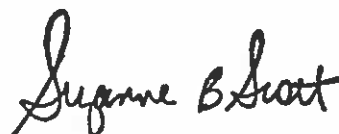
Chip Dense, Texas Association of Builders, introduced himself to the group and expressed his appreciation for discussion about reaching out to stakeholders.

Suzanne Scott adjourned the meeting.



GARY MIDDLETON, SECRETARY

Approved by the South Central Texas Regional Water Planning Group at a meeting held on February 11, 2016.



SUZZANE SCOTT, CHAIR