



**FAR WEST TEXAS WATER PLANNING GROUP – REGION E**

**REGULAR MEETING**

Thursday, June 2, 2016

3:30 P.M. (CDT)

100 N. 13<sup>th</sup> Street

Alpine, Texas 79830

**MINUTES**

<b>Voting Members</b>	
Tom Beard Chairman	Michael Davidson, Travel/Tourism
Scott Reinert, Vice Chairman	Arlina Palacios, Public
Chuy Reyes, General Manager, EPCWID #1	Mike Livingston, Small Business
Teresa Todd, Counties	Commissioner Albert Miller, Water Utilities
Becky Brewster, Municipalities	Jim Ed Miller, Water Districts
Dave Hall, Public	Charles Stegall, Counties
Janet Adams, Groundwater Districts	Rick Tate, Agriculture
Paul Perez, Industries	Jeff Bennett, Environment
Sterry Butcher, Public	David Etzold, Real Estate
<b>Non-Voting Members</b>	
Zhuping Sheng, Texas A&M	Rob Barthen, Texas Department of Agriculture
William (Billy) Finn, U.S. International Boundary Water Commission	Woody Irving, U.S. Bureau of Reclamation
Woody Irving, U.S. Bureau of Reclamation	Tom Barnett, Texas Water Development Board
<b>Others Present</b>	
Annette Gutierrez, Rio Grande Council of Governments	Kevin Gonlon, Sam, LLC
Omar Martinez, Rio Grande Council of Governments	Jennifer Herrera, LBG-Guyton Associates
Marisa Quintanilla, Rio Grande Council of Governments	John Ashworth, LBG-Guyton Associates
Bonnie Moorhouse, Horizon Regional Municipal Utility District	Jeannette Duer, Jeff Davis County Judge
Kit Thomas, Horizon Regional Municipal Utility District	Elazar Cano, Brewster County Judge
Yun Cho, Texas Water Development Board	

1. Chairman Tom Beard called the meeting to order at 3:32 P.M. CDT. Quorum was determined for execution of Far West Texas Water Planning Group (FWTWPG) business.
2. Approval of the Minutes of the FWTWPG Meeting from Thursday, April 7, 2016.

Ms. Marisa Quintanilla, Rio Grande Council of Governments (RGCOG), stated that a correction to the Minutes was necessary: "IBWD," represented by non-voting member Clifford Resengberg, will be changed to "IBWC." Chuy Reyes made a motion to approve the Minutes. Dave Hall seconded the motion. The motion passed unanimously.

3. Financial Report

Ms. Annette Gutierrez, Rio Grande Council of Governments, provided an overview of the Financial Report. Ms. Gutierrez reminded members that the FWTWPG is an endeavor funded by organizations represented in the FWTWPG. The purpose of the document is to show the current status revenues. All member entities have paid their dues, with the exception of the Lower Valley Water District (LVWD) and the City of Presidio. Ms. Gutierrez will reach out to these entities to determine if they will be paying or not. She stated that this is not the first time entities have not paid their dues, and that some will pay one year and not another. Expenditures will have to be reduced to adjust to current revenue budgets if these entities will not pay. She thanked those organizations that have paid on behalf of the RGCOG.

Ms. Gutierrez stated that 91% of the total projected revenue has been collected. The Lower Valley Water District and the City of Presidio make up the difference. She reviewed expenditure categories and stated that budget revisions will be made in July. Chairman Beard asked if there are any reasons why the LVWD and the City of Presidio have not paid. Ms. Gutierrez said she was not aware of any reason, but would reach out to these agencies to find out why. Chuy Reyes commented that these two agencies have been attending the FWTWPG meetings. Ms. Gutierrez mentioned that she will be making an appointment with the Jack Alayyan, General Manager of the LVWD, and present to their board of trustees if necessary to explain the process. She added that the City of Presidio could be having financial issues.

Janet Adams made a motion to approve the Financial Report. Dave Hall seconded the motion. The motion passed unanimously.

4. Chairman Beard prompted to advance agenda item #9, Officers and Executive Committee Elections (2016-2017).

Members applauded and recognized Chairman Beard for his long service to the FWTWPG. Teresa Todd moved to appoint Chuy Reyes as the new Chairman, Scott Reinert be appointed as Vice-Chairman, that Janet Adams be appointed the new Secretary, that Becky Brewster and Dave Hall serve as alternates to the Executive Committee and that a new position in the Executive Committee be made for an Ex-Chair, in order to achieve continuity.

Ms. Gutierrez mentioned that creating a new position in the Executive Committee for the past chair may require a revision of the Bylaws and suggested it can be addressed in the next meeting. Chairman Beard mentioned that the group could tentatively approve the officers and executive committee members until the Bylaws are changed. The existing positions in the Executive Committee are the Chair, Vice-Chair, Secretary, and two members at-large. Teresa Todd stated that there has never been a need to make such changes because there has not been an Ex-Chair in the past. The Ex-Chair position in the Executive Committee should be pre-approved until it is officially passed during the next meeting.

Chairman Beard requested that an agenda item be added for the next meeting indicating approval to make changes in the Bylaws to add the Ex-Chair position to the Executive Committee. Teresa Todd re-prompted her original motion, to appoint Chuy Reyes as the new Chairman, Scott Reinert be appointed as Vice-Chairman, that Janet Adams be appointed the new Secretary, that Becky Brewster and Dave Hall serve as alternates to the Executive Committee and that a new position in the Executive Committee be made for an Ex-Chair in order to achieve continuity. Becky Brewster seconded the motion. The motion passed unanimously.

Newly-appointed Chairman Reyes thanked all members for his appointment to Chair of the FWTWPG. He added that his priorities include seeking new funding and adding people representing new organizations in the FWTWPG. He invited other members to do the same, due to the importance of water in the region and for posterity.

David Hall discussed that Chairman Reyes was an Executive Committee Member before his appointment. Chairman Reyes now vacates that Executive Committee Member position and becomes the Chair. There is a space for Mr. Beard to be absorbed into the Executive Committee without a change in the Bylaws. Teresa Todd requested to postpone making the decision to amend the Bylaws for the next meeting. David Hall stated that there is a current vacancy on the Executive Committee based on the previous motion. Chairman Reyes requested for Ex-Chair Tom Beard to be placed temporarily in the vacant position and asked the group if they would like to vote on that decision today. In the next meeting, the decision can be made for an Ex-Chair to automatically become a member of the Executive Committee. David Hall motioned for Ex-Chair Tom Beard to be placed temporarily in the vacant position and to make the decision for an Ex-Chair to automatically become a member of the Executive Committee during the next meeting. The group discussed the Members At-Large positions, stating that a decision needs to be made whether there is a switch in Executive Committee positions or an addition to Executive Committee positions. Ex-Chair Tom Beard stated that the Bylaws should provide for the previous chair to become a member of the Executive Committee and that the Bylaws should be amended. He added that as of now, there has only been one previous chair, that there will be more in the future, that amending the Bylaws allows for continuity, and that the Bylaws should be amended during the next meeting. Teresa Todd stated that although the move would work well this time, past Chairs should not fill At-Large positions. David Hall made the motion to revisit the topic of adding the Ex-Chair position to the Executive Committee in the next meeting. Teresa Todd seconded the motion. The motion passed unanimously.

**5. Recognition of Guests and Designated Alternates**

Chairman Reyes recognized guests.

**6. FWTWPG member updates**

Mr. Reinert, Vice-Chair stated that El Paso Water Utilities (EPWU) is getting ready to drill 6 additional wells in the City of El Paso and will be upgrading its desalination plant, which includes drilling other injection wells.

Mr. Hall stated that he had been on a tour where he learned that the company EWM (Earth, Water, and Minerals) is looking to use concentrates deriving from the EPWU desalination plant. Mr. Reinert confirmed this statement, adding that in the partnership between EWM and EPWU, EWM will harvest the salt out of the desalination plant to be developed into high-purity minerals that can then be sold to different markets. Components include sulfuric acid, magnesium products, and components for batteries. Once removed, EWM will sell the cleaned water back to EPWU. This also serves as an additional injection well. Mr. Reinert added that this approach is innovative and could serve as an exemplary model for this region.

Janet Adams stated that there will be a year-end hearing in the House and Senate legislative agenda concerning water scheduled for June or July, 2016. Annette Gutierrez stated that the RGCOG will research these items and distribute the information to all members.

David Etzold stated that the project mediation for the Asarco properties will soon be complete, that the announcement will probably be made on July, and that water quality will improve since part of the construction includes a barrier that will avoid water seepage. He stated that there have been some complications with the construction of the Loop in that area of El Paso, that construction and excavation is for the Border Highway expansion, and that the connection will go under the Executive Center exit bridge, not over it, as some rendering has shown. Difficulties include finding more slab that has had to be accommodated.

Chairman Reyes gave an update on the status of the El Paso County Water Irrigation District (EPCWID #1). The region is at 30 inches of irrigation water. He stated he would be asking his Board of Directors if they will consider a proposal where the water use can be raised to 36 inches thanks to increased water availability from the dam and rainfall in areas north of the dam. This change allows the City of El Paso to plan and allows the District's farmers to extend their irrigation season, which began on April 1<sup>st</sup>. This increased water budget will allow the season to extend up to September to the second or third week of September. Full allocation is 40 inches of irrigation water. Previously, the cap was set at 24 inches of irrigation water. Increased snow and late snow also contributed to the increased availability of water.

Chairman Reyes commented that Horizon MUD, Tornillo, and Fabens are among the agencies that the FWTWPG invited to join and become more involved. Mr. Reinert commented that representation from Ft. Bliss is necessary and that Ft. Bliss had a representative in years past. David Hall stated that the group can send a letter to Ft. Bliss asking for their participation. The group discussed options for reaching out to Ft. Bliss, including using the Chamber of Commerce. Mr. Hall stated that the Garrison Commander would be the person to talk to. Ms. Quintanilla stated that there has been correspondence between the RGCOG and Ft. Bliss. Ft. Bliss had informed the RGCOG that they would not be able to attend this meeting, but that they are receiving information sent to them. Ms. Quintanilla stated that she made Ft. Bliss aware that there will be a public meeting on June 16 in El Paso and invited them to attend. Ms. Gutierrez stated that in the Board of Directors of the Rio Grande Council of Governments there is an Ex-Officio representative from Ft. Bliss.

#### **7. Texas Water Development Board (TWDB) Updates – Tom Barnett, Project Manager, TWDB**

Mr. Barnett provided an update to the group. He stated that during the last meeting, the 2017 State Water Plan was under public comments and has now been adopted by the TWDB. Any project under funding will be based on the new plan. Ms. Gutierrez added that printed copies of the Region E Water Plan are available for those that requested them. Mr. Barnett stated that the State Water Plan can be downloaded from their website now, but since the deadline to submit to the Governor is not until January 5<sup>th</sup>, 2017, a graphically-enhanced version more suitable for printing will be available later in the fall. He also mentioned that it does not take legislative approval for the plan to be adopted; the TWDB approves adopted plans and the regional water plans, which are then submitted to legislature. The version currently available on the TWDB website is an expedited version so that SWIFT applications can use the adopted 2017 Water Plan. The plan also contains acknowledgements mentioning members of the FWTWPG.

Mr. Barnett announced that the TWDB has a new Executive Administrator, Jeff Walker, who has been with the agency for a long time. Mr. Barnett also announced that they will be hosting a Water for Texas conference on January 23-25, 2017 in Austin to commemorate their 60 year anniversary.

**8. TWDB Population and Water Demand Projections – 2021 Regional Water Plans – Yun Cho, Team Lead, Economic & Demographic Analysis**

Ms. Cho's presentation focused on projection development, changes in methodology for developing such projections, and focused on projections for irrigation, livestock, manufacturing, mining, steam-electric power, population, and municipal water use.

Mr. Beard asked how the data for livestock was gathered. Ms. Cho responded that the annual Census for Agriculture (livestock) was used to calculate water use, using numbers from the last five years to calculate projections. Unlike other industries, livestock projections does not use survey data.

Teresa Todd asked what the role of the FWTWPG was in the projections process. Ms. Cho responded that once their projections are published, local groups, irrigators, and industry experts have an opportunity to review their projections, and make requests for adjustments, which are then taken into account in final water use decisions.

Mr. Barnett stated that the TWDB has reviewed the adjustment requests process in the past, and that changes in mining and irrigation were made, showing the responsiveness of the TWDB. The group discussed that change requests in the past focusing on livestock were not taken into account, and asked if the FWTWPG will have the opportunity to make changes during this process. Ms. Cho responded that adjustments requests were based on established guidelines and that requests were considered once projections are published. These guidelines are set at the state level, and the TWDB uses state-calculated totals. Local information not available to the TWDB would be helpful.

Ms. Cho stated that there have been recent improvements in the TWDB projections methodology. This methodology is publicly available, and public comments are requested once the TWDB projections are published. Livestock water demands in the Draft 2022 will provide any new per-head usage numbers to regions for revision. Mr. Beard asked if there was a better approach to projections available at other agencies with regards to livestock. Ms. Cho welcomed input on different approaches used in livestock.

The group discussed different water sources used for livestock and commented on the challenges of measuring water use. Mr. Beard opined that the numbers used by the TWDB are good, but that it would be a good idea to include different methods. Ms. Cho stated that all groups should provide input and guidance to the TWDB.

Ms. Cho reviewed hydraulic fracturing water use from 2012-2015, and reviewed hydraulic fracking estimates versus projections, showing differences in 2013-2014 that will be taken into account in future projections.

Mr. Beard commented that the TWDB can contact livestock associations in Texas that are well positioned to help, including the Texas and Southwest Cattle Association, Texas Cattle Feeders Association, and the Texas Dairy Association, and suggested that Ms. Cho initiate contact. Ms. Cho mentioned that she would contact such organizations, and welcomed additional input and information sources.

Chairman Reyes asked if there was a breakdown of water use in fracking by county. Ms. Cho responded that this information is available on the TWDB website, under the water use page, which is divided by region and county and denotes changes over time.

Ms. Cho reviewed population and municipal demands. She emphasized that utility service areas do not follow city boundaries, thereby causing problems with calculating water use and in planning. Since 2007, non-city water utilities and other groups of utilities were added. The TWDB moved to use utility-based measurements that would simplify the calculation process.

Mr. Dave Hall asked if all water sources are incorporated, and what incorporation means in the term "water supply corporation." Ms. Cho responded that not all water sources are incorporated. She added that all utilities that are publicly owned are considered. Chairman Reyes commented that another term that can be used is "water supply company."

Ms. Cho reviewed the benefits of using utility-based measurements, including better continuity of information that lead to improved water management strategies and financial assistance.

Teresa Todd asked what the consequences would be for smaller rural utilities that do not meet use thresholds to be included. Ms. Cho responded that the TWDB will work to include as many utilities as possible. Chairman Reyes asked what happens in case the city does not have a water company. Ms. Cho responded that changes will be in name primarily (e.g., El Paso will move to El Paso Water Utilities), and smaller utilities will appear as a Water User Group (WUG). This will allow them to be better represented.

Teresa Todd asked if these changes will impact the administrative share of government. Mr. Barnett said that there is no expected change for this planning group. Ms. Cho added that the number of WUGs will likely stay the same or grow for each planning group.

Bonnie Moorhouse asked about water usage in Mexico, taking into account that water use is interconnected in this region. Ms. Cho responded that their projections are limited to Texas boundaries. Ms. Moorhouse commented that she believes we have borrowed water from Mexico and New Mexico, and described the function of the Horizon MUD. She added that the U.S. has a treaty with Mexico regarding water use.

Mr. John Ashworth, LBG-Guyton Associates, commented that the benefits from the utility-based process outweigh the drawbacks, and that any community not represented in the Water Plan could be reached via a sub-WUG, allowing representation of the community. Vice Chairman Scott Reinert commented that he would like to see County WUGs delineated by region. Ms. Cho stated that water planning groups will have the option of providing input into the 2021 water plans to better delineate WUGs in their region.

Ms. Cho stated that non-municipal water user groups will not be impacted. She reviewed a

tentative timeline for projections, and described projection adjustments done at the state level and the county level.

The group discussed projections with military bases and universities, which may not be fully accounted for in water use projections. Ms. Cho responded that university populations are included in the Census as part of city populations. Universities with older independent water systems that meet the threshold criteria will be included as a WUG. The water planning group will have the opportunity to comment on how WUGs are represented.

The group discussed Ft. Bliss and commented that its water use is not entirely accounted for. Vice-Chairman Reinert stated that people working in Ft. Bliss that use water are also not accounted for. He added that the FWTWPG should have Ft. Bliss representation. It is estimated that 25% of their water is provided by EPWU and the rest is met through their wells.

The group discussed a study performed in Brewster County that suggested that tourists and visitors use an amount of water equivalent to 700 to 800 additional people living in the county. Ms. Cho responded that the population used by the TWDB is based on actual residents, and that temporary residents may leave and regions would over-plan and over-invest in infrastructure. She added the water use data from utilities is accounted for separately from population.

Teresa Todd commented that money for water infrastructure is determined by population, but that regions with small populations are at a disadvantage because tourists and by-passers that consume water that are not accounted for. She added that this group of people could be counted as a sub-group.

Chairman Reyes stated that a committee should be formed to recommend to the TWDB to add to projections the issue of water consumption by tourists and temporary populations. Ms. Cho responded that the water planning group will have the opportunity to respond to the TWDB projections. She reviewed the tentative projections timeline and emphasized that January 2018 is the deadline for adjustment requests.

Ms. Cho stated that the TWDB will adjust historical projection data to match the utility-based approach on their website, which will be available proximately July 2017.

Ms. Cho reminded the WPG that there will be a Water for Texas conference on January 23-25, 2017 in Austin.

Mr. Beard commented that there is a need to review the methodology of the Coordination Agencies (Texas Commission on Environmental Quality, Texas Department of Agriculture, and Texas Parks and Wildlife Department) and input should also be included from non-state agencies. Ms. Cho responded that the projection review process includes receiving input from water planning groups, and welcomed ideas to improve the projection process.

Vice-Chairman Scott Reinert stated that changes in the language used by the TWDB for utility-based boundaries will require a change in the processes used by consultants, which may increase costs. Ms. Cho responded that the TWDB will strive to make the transition as easy as possible for everyone involved.

Teresa Todd asked if there will be additional funding for implementing these changes. Mr. Barnett stated that there is no additional money. Chairman Reyes asked if additional money could be solicited from the TWDB. Teresa Todd asked if more money will be allocated for the FWTWPG region because the region has less data on what is needed to make adjustment requests. Mr. Barnett stated that the FWTWPG write a letter to the TWDB to petition both requests.

Mr. Ashworth stated that there are separate research funds that could be applied for. If the unaccounted water consumption problem is considered significant in Region E, it could be potentially studied through a research project. Ms. Cho stated that different regions have different studies and needs, and that payment approaches for such studies varies across regions.

Ms. Gutierrez asked Chairman Reyes if the RGCOG should set-side money for LBG-Guyton to explore this issue, in addition to requesting for additional funding from TWDB. Chairman Reyes responded that he would work with the RGCOG to prepare a letter to send to the TWDB.

Chairman Reyes asked John Ashworth for an estimate on the costs associated with such a study. Mr. Ashworth responded that cost figures are not immediately available, and that the group may need to determine if there is another contractor more qualified for the task. Chairman Reyes stated that the group already has the best.

Chairman Reyes summarized the concerns presented by the group and recommended that the group seriously consider these concerns. Mr. Beard suggested to the Chairman that the TWDB methodology should be examined all across the board, noting that people and usage may not be properly accounted for, including livestock.

Chairman Reyes requested that Vice-Chairman Reinert and Teresa Todd form a sub-committee aimed at addressing the group's concerns. Vice-Chairman Reinert requested that Ms. Cho's Power Point presentation be sent to them. He added that the information base for the sub-committee's actions will be the combination of the Power Point presentation and the meeting minutes.

**9. Update from LBG-Guyton Associates on the TWDB Consultants Technical Committee Meeting.**

Jennifer Herrera, LBG-Guyton Associates, spoke to the group about a TWDB Consultant Technical Committee meeting held on May, 2 2016 in Austin, attended by Vice-Chairman Reinert, Annette Gutierrez, and herself. The TWDB expressed interest in the concerns of each region, listening to technical concerns that come out of the five-year planning process to see what can be done to solve them.

Ms. Herrera stated that the service water availability analysis process was a hotly-debated topic. The process includes a basic template considering base yield, return flow, sedimentation, and subordination. Each region cannot very easily fit a template, and there are specific variances in each region that should to be considered. She added that LBG-Guyton Associates flagged the Rio Grande Treaty and Compact for Region 6 that should be looked at for the next planning cycle. She stated LBG-Guyton Associates recommended that water shortage development requirements should shift from the current model requiring a utility to meet 100% of that shortage all year long to a model that required meeting the shortage development only for the time the shortage lasted. Ms. Herrera mentioned that TWDB is considering adding to the definition of drought-of-record in this area to include the Elephant Butte Reservoir and its outflow.

Chairman Reyes stated that in addition to the Rio Grande Treaty and Compact, the Operating Compact between the Bureau of Reclamation, the Elephant Butte Irrigation District, and El Paso should be added because it plays an important role in the water is available at the time, how it is divided, and includes Mexico. Ms. Herrera responded that she would add that item to the list of suggestions.

Ms. Herrera informed the group that House Bill 30 passed, which gives access to identify brackish groundwater that cannot immediately impact fresh water. The downside is that there are areas that have brackish and fresh groundwater near production zones that will not be looked at.

Mr. Hall asked Vice-Chairman Reinert to define brackish water. Vice-Chairman Reinert responded that brackish water is anything over 1000 parts, but different blending techniques can be used to reduce salinity. Anything above 3000 parts goes into the desalination plant using reverse-osmosis. Mr. Ashworth stated that the purpose of the analysis is to look at water quality and try to identify areas where no surface water would be impacted in order to gain access to and quantify new brackish aquifers that could be added to the water supply. Chairman Reyes commented that these efforts are to increase brackish water development in the state.

Tom Barnett added that there will be a public meeting taking input on brackish zones on June 17, 2016, in Ft. Stockton.

Ms. Herrera stated that another suggestion provided to the TWDB was if an interactive, web-based survey process could be used. She described a costing system that could be used by all consulting firms and discussed its benefits and drawbacks.

Vice-Chairman Reinert mentioned that the concerns expressed in today's meeting should be presented in the TWDB Consultants Technical Committee meetings. Ms. Herrera responded that the change to utility-based planning could lead to concerns from water planning groups and opportunities for additional meetings.

**10. Discuss and consider a date for the next regular meeting**

Ms. Gutierrez proposed having the next meeting on Thursday, August 18, 2016. Mr. Beard suggested that the FWTWPG meet at an earlier date to address issues mentioned in this meeting and the appointments to the sub-committee. The group discussed and considered alternative dates.

A motion was made by Teresa Todd to set the next meeting to Thursday, August 18, 2016, and to have the sub-committee and volunteers meet at an earlier date to discuss the recommendations that will be sent to the TWDB. The motion was seconded by David Etzold. The motion passed unanimously.

**11. A motion was made to adjourn by Jim Ed Miller. The motion was seconded by Becky Brewster.**