

MINUTES  
 East Texas Regional Water Planning Group  
 August 3, 1999, 10 AM  
 Nacogdoches Recreation Center  
 1112 North Street  
 Nacogdoches, TX

*(Action Items In Italics)*

- I. Call to Order: Mr. Nick Carter, ETRWPG Chair, welcomed everyone and called the meeting to order.
- II. Invocation/Pledge of Allegiance: Mr. David Alders delivered the invocation. Mr. Carter led the group in the Pledge of Allegiance.
- III. Roll Call of Voting Members/Non-Voting Members: Mr. Carter asked Van Bush to call the roll.

Voting Members present were as follows (19 of 22 present):

David Alders	Chris von Doenhoff	Leon Young
Michael Harbordt	Melvin Swoboda	Dick Nugent
Monty Shank	George Campbell	Bob Gregg
Bill Kimbrough	Glenda Kindle	Edward McCoy, Jr.
Tommy Hebert	Tom Mallory	Nick Carter
Ernest Mosby	Carl R. Griffith, Jr.	Jerry Clark
Hermon Reed		

Mr. Carter had LaNell Larsen's proxy.

Non-Voting Members present were as follows:

Cliff Todd	J.D. Beffort	Robert McCarthy
Cullen Curole		

Individuals representing members:  
 Terry Stelley for Jerry Mambretti  
 William Heugel for Sabine County  
 James Alford for Trinity County

- IV. Approval of Minutes of July 6, 1999- *Dick Nugent made the motion to accept the Minutes as presented, Hermon Reed seconded the motion, and the motion passed unanimously.*
- V. Program Presentation: Mr. Carter asked J.D. Beffort to introduce Dr. Ron Kaiser of Texas A&M. Dr. Kaiser made a presentation discussing water rights law in Texas. Dr. Kaiser fielded several questions from members of the ETRWPG. In response to a question from Ms. Kindle, Dr. Kaiser discussed the WAM (water availability modeling) currently being done by the TNRCC. Judge Griffith pointed out that the

region was free to sell water without removing the junior water rights provisions. Dr. Kaiser agreed that the region would be wise to keep its water rights while leasing water. Dr. Kaiser stated he felt junior water rights reduced the value of water available for sell, and that water rights could be protected by contract. Dr. Kaiser conceded Judge Griffith's point as stated was correct. Mr. Campbell asked Dr. Kaiser to discuss interbasin transfer and mitigation, and Dr. Kaiser briefly discussed those issues. Mr. Clark noted that the value-added aspect of water should be considered, and Dr. Kaiser agreed. Dr. Kaiser responded to Ms. Kindle that the state as a whole was probably in pretty good shape for the next 20-30 years with only isolated shortages. Dr. Kaiser noted that desalination could solve many water shortage problems.

VI. Reports by Adjoining Regions Liaisons:

- a. Region C: Monty Shank distributed handouts and discussed recent meetings of the Region C Water Planning Group.
- b. Region H: Connie Slocumb and David Jenkins were not in attendance to make a report.
- c. Region D: Glenda Kindle discussed recent meetings of Region D Water Planning Group and provided a handout to Mr. Carter. Mr. Carter said he would review the material and provide a summary. Ms. Kindle stated she would like to see more interaction between Region D and Region I. She said the focus of Region D had shifted to future reservoir sites, as a result of TPWD designating most of the region as unique. Mr. Mallory asked if TWDB and TNRCC had to concur with TPWD's designations. Mr. Stelley, representing TPWD, stated the unique designations were only staff recommendations. Ms. Kindle and Mr. Mallory discussed the ETRWPG's role in designating unique stream segments. Ms. Kindle noted the MTBE issue had not been signed off on by the EPA. Mr. Swoboda requested that a formal request be made to the TPWD regarding a ranking of unique sites. J.D. Beffort stated that the consensus process between TWDB, TNRCC, and TPWD only applied to population and water use projections.
- d. Texas Water Foundation: Ms. Kindle had nothing to report on the TWF.

VII. Report from Standing Committees:

- a. Executive Committee: Mr. Carter reported the executive committee had met by phone and discussed a joint meeting with Region H. The full membership agreed with the plan and approved Mr. Carter proceeding with the invitation and arrangements.
- b. Finance Committee: Mr. Carter discussed collections for the local match administrative fund. Mr. Campbell pointed out that the entities not participating were not to be included in the planning process. Mr. Carter noted that no entities had opted out, but he agreed they needed to participate in the funding to be included in the planning process. Mr. Carter went through the list of counties which had not participated to date and

asked if anyone any updates to add. Judge von Doenhoff said he expected to hear from Judge Craig shortly, and that he would continue to try to contact Judge Goetz. Judge Griffith will be following up with the municipalities in Jefferson County who have not responded to assistance with administrative funding. Mr. Carter is following up with Tyler County.

- c. Bylaws Committee: Judge von Doenhoff reported the Bylaws Committee had not met.
  - d. Technical Committee: Dr. Young reported the Technical Committee had not met.
- VIII. Information dissemination by TWDB Staff: J.D. Beffort discussed the current thoughts at the TWDB regarding contingency funds. He stated that dispute resolution was the top priority for the funds at this time.
- IX. Report by DETCOG Staff: Van Bush reported on DETCOG's administrative budget expenses through June 30, 1999. He also noted that the contract between DETCOG, on behalf of the ETRWPG, and Schaumburg & Polk had been amended to include full funding of the planning process.
- X. Report by Schaumburg and Polk Staff: Gary Graham presented the consultant's recommendations for the population and water use projections for submission to the TWDB. Several members of the ETRWPG had questions and comments. The ETRWPG asked for the following changes to the consultants draft:
- 1. Revising Jefferson County-Other population projections
  - 2. Including Bullard in Smith County projections
  - 3. Taking prisons and nurseries into account
  - 4. Remove Lindale from projections
  - 5. Look at poultry production in Houston County
  - 6. Hold numbers constant rather than show a decrease all areas.
- XI. Discuss and take action, if necessary, on approving population and water use projections: *Judge Griffith made a motion to approve the consultants recommendations with corrections, subject to approval of the executive committee. Ms. Kindle seconded the motion, and it was approved unanimously.* Mr. Graham will submit the projections with corrections to the executive committee prior to submitting to TWDB.
- XII. Discuss and take action, if necessary, granting or confirming non-voting membership: *George Campbell made an motion to accept James Alfred (Trinity County), William Huegal (Sabine County), and Judge Floyd "Dock" Watson (Shelby County) as non-voting members, David Alders seconded the motion, and it passed unanimously.*
- XIII. New Business: Mr. Carter discussed the TWDB requesting research ideas from the RWPGs. He suggested a study on agriculture production conservation as a topic. He stated he would be in touch about the upcoming Region H/Region I joint meeting.
- XIV. Public Comments: There were no comments from the general public.

- XV. Open Discussion: Mr. Campbell asked if everyone had received the letter from the TWDB concerning comments regarding S.B. 657 removing the requirements for water management studies at 50%/75% of normal stream flow. Mr. Mallory and Dr. Kaiser discussed the process that led to that removal. Gary Graham offered to draft a letter to the TPWD requesting additional information. Mr. Carter said he and Mr. Graham would get together later in the week to discuss the letter going to TPWD.
- XVI. Adjournment: *Mr. Gregg made a motion to adjourn, the motion was seconded by Mr. Nugent, and it was approved unanimously. Mr. Carter adjourned the meeting.*