

AGENDA

RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG) (REGION M)

9:30 A.M. WEDNESDAY, AUGUST 2, 2023

LRGVDC MAIN CAMPUS
INITIATED AND CHAIRED VIA GoToMeeting & IN PERSON AT
301 W. RAILROAD ST., WESLACO, TEXAS

Virtual access is available at: <https://meet.goto.com/502774045>

PRESIDING: JIM DARLING, CHAIR

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1. Call to Order & Roll Call.....Chairman
 2. Consideration and **ACTION** to Approve June 7, 2023, Meeting MinutesChairman
 3. Public CommentChairman
 4. Consideration and **ACTION** on Nominations to Fill Vacancy in
Municipalities Category.....Chairman
 5. Consideration and **ACTION** on Petition from Voting Members to
Serve Additional TermChairman
 6. Consideration and **ACTION** to Approve Resolution 2023 – 01 for Mexico Water DebtChairman
 7. Status Reports

ACTION MAY BE TAKEN ON ANY OF THE FOLLOWING ITEMS

- A. Status on Current TWDB Contract Activities Jaime Burke
Black & Veatch
 1. Schedule and Progress Update

2. Update and Discussion on Draft Population and Municipal Demand Projections from TWDB and WUG Feedback
 - a. Consider Adjustment for Undercount of Minority Communities
 3. Discuss and Consider Approval of Population and Municipal Demand Revisions to be Submitted to TWDB Draft Projections and to Authorize Consultant to Submit Revision Request to TWDB
 4. Consider Authorizing Consultant to Continue Working with TWDB Regarding Minor Edits to Revisions on behalf of Region M Group
 5. Presentation and Discussion of Hydrologic Variance Assumptions for 6th Cycle of Regional Water Planning
 6. Discuss and Consider Approval of Hydrologic Variance Request for Surface Water Supplies and Authorize Technical Consultant to Submit Proposed Variances to TWDB
- B. Financial Report.....Chairman
1. Consideration and **ACTION** to Accept Expenditure Report
- C. Status of Joint Groundwater Area Planning in GMA’s 13 & 16Louie Pena, GMA 16
Debbie Farmer, GMA 13
- D. Reports from Other Regional Water Planning Groups
1. Reports from Liaisons with: Region J, Tomas Rodriguez; Region L, Don McGhee, and Region N, Commissioner David Fuentes
- E. Report on Water Conservation Plans and Drought Management Plans
Filed with RegionChairman
- F. Report on Notices of Applications for Funding and GrantsChairman
- G. Report on Regional Water Resource Advisory Committee (RWRAC) Manuel Cruz
RWRAC Interim Chairman

8. Reports from Federal and State Agencies

ACTION MAY BE TAKEN ON ANY OF THE FOLLOWING ITEMS

A. TWDB Michele Foss
Regional Water Planning

1. Reminder of Upcoming Critical Deadlines
2. Discussion Regarding June 27, 2023, Chair’s Conference Call
3. New One-Pager on Population Projections Revision Process Summary and Uncertainty in Regional Water Planning
4. Legislation Affecting Texas Water Planning (Bills that Passed)
5. Legislation Affecting Texas Water Planning (Bills that Did Not Pass)

B. IBWC Dr. Maria-Elena Giner
Commissioner

C. TCEQ Watermaster Georgina Bermea
Rio Grande Watermaster

1. Status of Reservoirs

9. Discussion, Consideration, and **ACTION** on Date for Next Business MeetingChairman

10. Adjourn

Agenda items may be considered, deliberated and/or acted upon in a different order than numbered above. The Board of Directors of the Rio Grande Regional Water Planning Group (RGRWPG) (Region M) reserves the right to adjourn into Executive (Closed) Session at any time during the course of this meeting to discuss any of the items listed on this agenda as authorized by the Texas Open Meetings Act. No final action will be taken during the Executive Session.

PUBLIC INPUT POLICY

Public Input Policy: “At the beginning of each RGRWPG meeting, the RGRWPG will allow for an open public forum/comment period. This comment period shall not exceed one (1) hour in length, and each speaker will be allowed a maximum of three (3) minutes to speak. All individuals desiring to address the RGRWPG must be signed up to do so, prior to the open comment period. The purpose of this comment period is to provide the public an opportunity to address issues or topics that are under the jurisdiction of the RGRWPG as outlined within final implementation guidelines of Senate Bill 1, 75th Legislative Session (SB-1). For issues or topics which are not otherwise part of the posted agenda for the meeting, RGRWPG members may direct staff to investigate the issue or topic further. No action shall be taken on issues or topics which are not part of the posted agenda for the meeting. Members of the public may be recognized on posted agenda items deemed appropriate by the Chairman as these items are considered, and the same time limitation (3 minutes) applies.”

ITEM 2.

MINUTES

MINUTES

RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG) (REGION M)

9:30 AM WEDNESDAY, JUNE 7, 2023

LRGVDC MAIN CAMPUS
VIA GOTOMEETING VIDEO CONFERENCE & IN PERSON
INITIATED AND CHAIRED AT 301 W. RAILROAD STREET, WESLACO, TX
PRESIDING: JIM DARLING, CHAIRMAN

- DRAFT -

1. Call to Order and Roll Call

Chairman Jim Darling called the meeting to order at 9:31 am and confirmed that a quorum of the voting membership was present.

The following voting members were in attendance:

<u>Board Members</u>	<u>Category</u>
Jim Darling, Chairman	River Authorities
Sonny Hinojosa, Vice Chairman	Water Districts
Frank Schuster, Executive Committee	Other
Glenn Jarvis	Other
Tomas Rodriguez	Public
Carlos Garza	Small Business
Jaime Flores	Environmental
Armando Vela	Groundwater Management Areas
Dale Murden	Agriculture
Tom McLemore	Water Districts
Jorge Flores	Municipalities
Commissioner David Fuentes	Counties
Debbie Farmer	Groundwater Management Areas
Robert Latham	Electric Generating Utilities
Steven Sanchez	Water Utilities

The following voting members were not in attendance:

Don McGhee, Secretary	Industries
Nick Benavides, Executive Committee	Small Business
Judge Joe Rathmell	Counties
VACANT	Municipalities
Dr. Neal Wilkins	Agriculture

2. Consideration and Action to Approve March 1, 2023, Meeting Minutes

Mr. Glenn Jarvis made a motion to approve the minutes of the March 1, 2023, meeting as presented. Mr. Jorge Flores seconded the motion, and upon a vote the motion carried unanimously.

3. Hear Public Comment

Mr. David Earl, Director of Legacy Water Supply Corporation submitted his public comment in writing, however he was unavailable to attend the meeting to present it. Chairman Darling

informed the Group that the written comment was in regard to the Legacy Water Supply Corporation/Legacy Water Control and Improvement District Brackish Salination Project. The comment was made available in the meeting packet for review.

4. Consideration and Action to Solicit Nomination in Municipal Category

Chairman Darling stated that Mr. Riazul Mia has announced his retirement from the City of Laredo effective April 28, 2023. His retirement leaves a vacancy in the Municipal Category. The excerpt of the bylaws regarding the process to select new members was provided in the meeting packet and requires placing solicitations of nominations in the eight (8) newspapers throughout Region M. ***Mr. Tomas Rodriguez made a motion to solicit a nomination in the Municipal Category in the newspapers in the eight (8) county newspapers. Mr. Sonny Hinojosa seconded the motion, and upon a vote the motion carried unanimously.***

5. Status Reports

Ms. Jaime Burke, Black & Veatch Water Planning Leader was recognized to address the following:

A. Status on Current TWDB Contract Activities

1. Schedule and Progress Update

Ms. Burke presented the overall schedule for the Plan Development noting that the planning process is now approximately halfway through.

2. Update and Discussion on Draft Population and Municipal Demand Projections from TWDB and WUG Feedback

Ms. Burke provided information on the county populations based on the 0.5 migration scenario, which the Group chose to use at the previous meeting. She then presented the feedback that the Water Use Groups (WUG) had provided on their population and municipal demand projections. Five (5) WUGs requested revisions to their projections, including East Rio Hondo WSC and Primera in Cameron County, McAllen in Hidalgo County, and Laredo and Webb County Water Utility in Webb County. The revisions were shown for each WUG and how their request impacts the county population. Ms. Burke presented the information for initial review and said the revision requests would continue to be adjusted and would be brought to the Group for final approval at the next business meeting.

3. Presentation and Initial Discussion of Task 4B – Identification of Infeasible WMS from 2021 Plan

Ms. Burke informed the Group that as required by SB 1511, the 85th Texas Legislature analysis must be completed prior to March 4, 2024, which is the due date for the Technical Memorandum. Planning Groups are to present results of analysis at the same public meeting where the Group also presents methodology for identifying potentially feasible WMSs in 2026 Plan. If infeasible WMS are identified, the Group must amend the 2021 Plan to remove invisible strategies, revise infeasible strategies to make them feasible, and/or incorporate new strategies. The Group's adopted amendments are due on June 4, 2024.

4. Initial Discussion of Anticipated Groundwater/Surface Water Modeling Subcommittee Activities and Request for Volunteers

Ms. Burke identified that the water availability and supply analysis task (Task 3) would be getting started soon. Part of that effort involves surface water modeling, including requesting a hydrologic variance that TWDB needs to approve. Activating the Groundwater/Surface Water Modeling subcommittee at this time would be appropriate.

Ms. Burke provided a list of tasks that the subcommittee would be assisting with and asked for volunteers. Currently the members of the Groundwater/Surface Water Modeling Subcommittee are Armando Vela, Sonny Hinojosa, and Tomas Rodriguez; however, Mr. Vela earlier announced his retirement; any other changes to subcommittee members can be made to that list. Mr. Jaime Flores and Mr. Steven Sanchez volunteered to serve on this subcommittee.

B. Financial Report

1. **Consideration and Action to Accept Expenditure Report**

Ms. Sarah Dierlam gave the Expenditure Report for the period of January 1, 2023, through May 31, 2023, and reported that from the local funds annual budget of \$22,650.00, there is a balance of \$18,926.33 remaining. The cash fund balance is \$98,037.26 which includes \$1,349.36 in interest income. **Commissioner David Fuentes made a motion to accept the expenditure report as presented. Mr. Carlos Garza seconded the motion, and upon a vote the motion carried unanimously.**

C. Status of Joint Groundwater Area Planning in GMA's 4, 5, 7, 13, & 16

Ms. Debbie Farmer, Representative for GMA 13, provided a written report. Chairman Darling reported that on May 5, 2023, GMA 13 received a copy of the Groundwater Availability Model for the southern portion of the Queen City, Sparta, and Carrizo-Wilcox aquifers from the TWDB. The GAM can be found on the TWDB website at www.twdb.texas.gov/groundwater/models/download.asp. The next GMA 13 meeting is scheduled for Friday, September 15, 2023, in Pleasanton.

Mr. Armando Vela, Representative for GMA 16 was recognized and reported that they held a meeting on March 28 and that Mr. Perez with TWDB will have a new model next meeting on June 27. At that meeting Mr. Vela stated that he will announce his retirement and GMA 16 will discuss appointing a new representative to Region M.

D. Reports from Other Water Planning Groups

1. **Reports from Liaisons with Other Regions: Region J, Tomas Rodriguez; Region L, Don McGhee, and Region N, Commissioner David Fuentes**

Mr. Tomas Rodriguez was recognized and reported that he attended the recent Region L meeting virtually. He stated that there was no major action to report, however, Region L has the same issues as Region M which is the accepting TWDB population demands going from the migration rate of 1.0 to 0.5.

E. Report on Water Conservation Plans and Drought Management Plans Filed with Region

The list of plans received was in the meeting packet for review and included recently submitted plans from Eagle Pass Water Works System, McAllen PUB and City of Primera.

F. Report on Notices of Applications for Funding and Grants

There was no new information to report.

G. Report on Regional Water Resource Advisory Committee (RWRAC)

Commissioner David Fuentes was recognized and informed the Group that the RWRAC meets quarterly, and the next meeting is scheduled on June 14. At that meeting the committee will discuss continued progress on the initiative to address the Regional Flood Planning Group which is part of the TWDB initiative to address regional flooding. The RWRAC also works with the Flood Infrastructure Funding (FIF), as well as the Freshwaters Study conducted by Dr. Fuller who provides regular updates.

6. Reports from Federal and State Agencies

A. TWDB

Mr. Kevin Smith was recognized announced that at yesterday's TWDB meeting, five (5) entities with Region M received grant and loan funding for mostly wastewater projects from the EDA program. That is the economically distressed areas program, and the total funding was about \$49 million. Mr. Smith next reported on the following items:

1. Reminder of Upcoming Critical Deadlines

Mr. Smith stated that Ms. Burke covered most of these deadlines and these critical dates are worth highlighting.

2. Revisions to Plumbing Code Savings

Mr. Smith noted that the revisions to the Plumbing Code somewhat overestimated what the *passive* savings would be, so the original draft demands increased.

3. Interregional Planning Council

Mr. Smith reported that the Planning Councils first met on November 9, 2022, again on March 9, 2023; and recently on May 30. The Councils have agreed on the outline of the report that they have submitted and talked about what priorities they would want to focus on from the last council, and they talked about the next meetings which will be in August and November.

4. Additional IPC Resource Materials Available (Provided 4/5/2023)

Mr. Smith provided the following list of resource materials: Status of 2021 RWPG policy recommendations, Active RWRPG committees, Information on TCEQ Memberships, voting membership costs, and liaison materials.

5. RWPG Additional Funding

Mr. Smith informed the Group that TWDB asked for an additional \$1.3 million per year for RWRPGs as part of the agency's Legislative Appropriations request. TWDB anticipates allocating the additional funding to Regions via a formula funding tool, as always. Details on the increased funding amount and allocations will be provided later this summer. Any increase in funding will be included in the upcoming contract amendments to increase the contract committed funds, and TWDB is anticipating

issuing the contract amendments in the fall of 2023. RWPGs will need to take action to authorize the fall contract amendments.

B. IBWC

No representative from the IBWC was available to provide a report, however, Chairman Darling stated that he would like to know when the IBWC will provide a report on the Mexican water debt and what efforts they will use next.

Mr. Sonny Hinojosa stated that we are now in the middle of a five-year water cycle and as of May 16 Mexico is in arrears by almost 550,000 acre-feet. IBWC Commissioner Maria Giner has been advocating with their Mexican counterparts of Comision Internacional de Limites y Aguas (CILA) and Comision Nacional del Agua (CONAGUA) asking the State of Chihuahua to consider releasing water because they do have it. And she is asking us to do our part by contacting our federal and state elected officials for their support in asking for the water to be released. Upon conclusion of discussion, **Mr. Sonny Hinojosa made a motion to authorize Region M Chairman Jim Darling to send letters to our federal and state legislators requesting for Mexico to release water as per the 1944 Treat. Mr. Tomas Rodriguez seconded the motion, and upon a vote, the motion carried unanimously.**

C. TCEQ Watermaster

Ms. Georgina Burmea, Rio Grande Watermaster, was recognized and provided the May 27, 2023, detailed reservoir report which was included in the meeting packet.

7. Consideration and Action to Schedule Next Meeting on August 2, 2023

It was the consensus of the Group to schedule the next meeting for Wednesday, August 2, 2023, at 9:30 am.

8. Adjourn

There being no further business to come before the Group, Chairman Darling adjourned the meeting at 11:08 a.m.

Mr. Jim Darling, Chair

ITEM 5.

PETITIONS TO SERVE ADDITIONAL TERMS



*Jim Darling, *Chairman*
Rio Grande Regional Water Authority

*Sonny Hinojosa, *Vice-Chairman*
HCID #2, San Juan,

*Donald K. McGhee, *Secretary*
Hydro Systems, Inc., Harlingen

*Frank Schuster
Val Verde Vegetable Co., McAllen

*Nick Benavides
Nick Benavides, Company, Laredo

Glenn Jarvis
Attorney, McAllen

John Bruciak
Brownsville PUB

Tomas Rodriguez
Public, Laredo

Carlos Garza, P.E.
AEC Engineering, LLC., Edinburg

Joe Rathmell
Zapata County Judge

Jaime Flores
Arroyo Colorado Partnership, Weslaco

Armando Vela
Red Sands GCD, Linn

Dale Murden
Texas Citrus Mutual, Mission

Neal Wilkins, Ph.D.
East Foundation

Jorge Flores
Eagle Pass Water Works

David L. Fuentes
Hidalgo County Commissioner

Tom McLemore
Harlingen Irrigation District

Debbie Farmer
Wintergarden GCD, GMA 13

Robert Latham
Magic Valley Generating Station

Steven Sanchez
North Alamo Water Supply Corp

***Executive Committee**

MEMORANDUM

TO: RGRWPG Voting Members
FROM: Jim Darling, Chairman
DATE: July 26, 2023
SUBJ: **Item 5 – Petition to Serve Additional Terms**

According to the Region M Bylaws:

“Section 2. Terms of Office

The terms of all initial voting members shall expire on September 1, 2001. Upon the expiration of the initial terms, all voting members shall draw lots for additional terms of five years or two years, such that half of the voting members' terms will expire in two additional years and the other half in five additional years. If there is an odd number of voting members at the time the lots are drawn, one more than half shall draw lots for the two-year terms. No later than ninety calendar days prior to the end of the two-year terms, the voting members shall initiate procedures to appoint successors for the voting members drawing two-year terms, utilizing the process set forth under Section 4 of this Article. Outgoing voting members shall be given the opportunity to fully participate in the selection process for their successors and shall serve until their successors take office. *At the conclusion of the two-year terms described above, all subsequent terms of office for voting members shall be five years, the goal of staggering the terms of office having been accomplished. All persons shall be eligible to serve a maximum of two (2) consecutive five-year terms as a voting member of the RGRWPG. (Amended 7/16/2003). Those persons completing two consecutive terms may petition the RGRWPG to serve additional terms. A two-thirds (2/3) vote of the voting members present is required for approval of a petition for additional terms.*”

Please see attached list of Member Term Lengths.

Stewards of water resources from Amistad to the Gulf

RGRWPG - REGION M - MEMBERS AND TERM LENGTHS for 2023
revised 1/2023

Name	Category	1 st Term Began	Current Term Ends September 1 st of:	5 Year Term Currently Serving	# of 5 Year Terms Completed
1. Glenn Jarvis	Other	03/25/1998	2025	6 th	5
2. Sonny Hinojosa	Water Districts	03/25/1998	2025	6 th	5
3. Donald K. McGhee	Industries	06/27/2001	2023	5 th	4
4. Mayor James Darling	River Authorities	11/17/2004	2024	4 th	3
5. Tomas Rodriguez	Public	07/30/2008	2023	3 rd	2
6. Carlos Garza	Small Business	07/30/2008	2023	3 rd	2
7. Judge Joe Rathmell	Counties	06/01/2011	2026	3 rd	2
8. Jaime Flores	Environmental Interests	08/03/2011	2026	3 rd	2
9. Frank Schuster	Other	01/04/2012	2022	3 rd	2
10. Nick Benavides	Small Business	06/05/2013	2023	2 nd	1
11. Dale Murden	Agriculture	03/09/2016	2026	2 nd	1
12. Riazul Mia	Municipalities	03/09/2016	2026	2 nd	1
13. Dr. Neal Wilkins	Agriculture	07/13/2016	2026	2 nd	1
14. Jorge Flores	Municipalities	01/24/2018	2023	1 st	
15. Commissioner David Fuentes	Counties	08/01/2018	2023	1 st	
16. Tom McLemore	Water Districts	03/20/2019	2024	1 st	
17. Robert Latham	Electric Generating Utilities	01/12/2022	2027	1 st	
18. Steven Sanchez	Water Utilities	01/12/2022	2027	1 st	
19. Armando Vela	GMA Category	10/05/2011	Term Limits do	Not apply	To GMAs
20. Debbie Farmer	GMA Category	09/29/2021	Term Limits do	Not apply	To GMAs

ITEM 6.

**RESOLUTION
2023 - 01**

RESOLUTION 2023 - 01

WHEREAS, the Rio Grande Regional Water Planning Group (RGRWPG) (Region M) is designated to create a 50-year Rio Grande Regional Water Plan ensuring sufficient water supply from the Rio Grande/Rio Bravo throughout the counties of Cameron, Willacy, Hidalgo, Starr, Jim Hogg, Zapata, Webb, and Maverick; and,

WHEREAS, the Rio Grande is the only source of fresh water for the Rio Grande Valley of Texas; and,

WHEREAS, the Rio Grande flows are greatly dependent on inflows from Mexican tributaries that flow into the Rio Grande above Amistad and Falcon Reservoirs; and,

WHEREAS, the 1944 Treaty between the United States and Mexico allots to the United States one-third of the tributary inflow from six-named tributaries that flow into the Rio Grande above the international reservoirs and this one-third shall not be less than 350,000-acre feet as an annual average over a cycle of five consecutive years; and,

WHEREAS, the only exception to the annual delivery of this water is if Mexico is experiencing extraordinary drought or has experienced serious accident to the hydraulic systems on the six-named tributaries; and,

WHEREAS, Mexico has accumulated over 2.9-million-acre feet of water in the reservoirs on the six-named tributaries since August 2022, and is an indication that Mexico is not in an extraordinary drought and there have been no reports of any accidents to their hydraulic systems; and,

WHEREAS, the current five-year Treaty Delivery Cycle commenced October 25, 2020, and Mexico is behind in their deliveries to the United States by over 550,000-acre feet of water; and,

WHEREAS, the United States ownership of water in the Amistad/Falcon Reservoir System is slightly less than one years' supply of water; and,

WHEREAS, Mexico has sufficient water in storage in the tributaries that the United States is entitled to receive water from and could release this water as called for by the 1944 Treaty.

NOW, THEREFORE, BE IT RESOLVED THAT the Rio Grande Regional Water Planning Group strongly urges Mexico to comply with the terms of the 1944 Treaty and release the water due to the United States.

Adopted and Approved by the RGRWPG Voting Membership on this the 2nd day of August 2023.

Chairman Jim Darling