

# MINUTES

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

10:30 AM WEDNESDAY, JANUARY 12, 2022

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

## 1. Call to Order and Roll Call

Chairman Jim Darling was unable to be present in person, and as per the Texas Open Meetings Act Suspension Update of September 1, 2021, paragraph (c) "A meeting of a state governmental body or a governmental body that extends into three or more counties may be held by videoconference call only if the member of the governmental body presiding over the meeting is physically present at the location of the meeting that is open to the public during the open portions of the meeting". Vice Chair Sonny Hinojosa was able to be physically present and presided over this meeting. Chairman Hinojosa called the meeting to order at 10:30 am and staff confirmed that a quorum of the voting membership was present.

The following voting members were in attendance:

### Board Members

Jim Darling, Chairman  
Sonny Hinojosa, Vice Chairman  
Don McGhee, Secretary  
Frank Schuster, Executive Committee  
Nick Benavides, Executive Committee  
Glenn Jarvis  
John Bruciak  
Tomas Rodriguez  
Carlos Garza  
Judge Joe Rathmell  
Jaime Flores  
Armando Vela  
Dale Murden  
Jorge Flores  
Commissioner David Fuentes  
Debbie Farmer  
Robert Latham  
Steven Sanchez

### Category

River Authorities  
Water Districts  
Industries  
Other  
Small Business  
Other  
Municipalities  
Public  
Small Business  
Counties  
Environmental  
Groundwater Management Areas  
Agriculture  
Municipalities  
County  
Groundwater Management Area  
Electric Generating Utilities  
Water Utilities

The following voting members were not in attendance:

Riazul Mia  
Dr. Neal Wilkins  
Tom McLemore

Municipalities  
Agriculture  
Water Districts

## **2. Consideration and Action to Approve October 6, 2021, Meeting Minutes**

***Mr. Frank Schuster made a motion to approve the minutes of the October 6, 2021, meeting as presented. Mr. Jorge Flores seconded the motion, and upon a vote the motion carried unanimously.***

## **3. Hear Public Comment**

Chairman Hinojosa recognized Mr. David Earl; however, Mr. Earl requested to reserve his comments and speak under item 6. C. – Status of Joint Groundwater Area Planning in GMA's 13 & 16.

## **4. Consideration and Action on Nominations to Fill Vacancies in Electric Generating Utilities and Water Utilities Categories**

Chairman Hinojosa stated that there is one nominee for the Water Utilities category, Mr. Steven Sanchez with North Alamo Water Supply Corporation (NAWSC), and that there are two (2) nominees for the Electric Generating Utilities category, Mr. Robert Latham with Calpine, and Mr. Daniel Lucio with AEP.

Mr. Jim Darling recommended Mr. Robert Latham, Plant Manager for Calpine to fill the vacancy in the Electric Generating Utilities category because Calpine is currently generating electricity, whereas AEP stopped generating electricity in 2002. ***Mr. Darling then made a motion to approve Mr. Robert Latham, Calpine Plant Manager to fill the vacancy in the Electric Generating Utilities category. Mr. Carlos Garza seconded the motion.***

***Mr. Don McGhee made a motion to approve Mr. Steven Sanchez, General Manager for NAWSC to fill the vacancy in the Water Utilities category, Mr. Carlos Garza seconded the motion.***

Chairman Hinojosa asked if there were any objections to these nominations. Upon conclusion of discussion ***Mr. Glenn Jarvis moved that Mr. Robert Latham and Mr. Steven Sanchez be elected by acclamation. Mr. Frank Schuster seconded that motion, and upon a vote the motion carried unanimously.***

## **5. Discussion and Action on Election of Officers**

Chairman Hinojosa stated that the current slate of officers have been contacted and all members have stated they would be willing to serve another term should the Group so desire. The current officers are:

Mr. Jim Darling Chair  
Mr. Sonny Hinojosa, Vice Chair  
Mr. Don McGhee, Secretary  
Mr. Frank Schuster, Member-at-Large  
Mr. Nick Benavides, Member-at-Large

***Mr. Carlos Garza made a motion to reelect the current slate of officers to serve in 2022. Mr. Tomas Rodriguez seconded the motion, and upon a vote the motion carried unanimously.***

## **6. Status Reports**

Ms. Jaime Burke introduced herself as the Project Manager for the 2026 Regional Water Plan. She added that Ms. Lauren Gonzalez, Deputy Project Manager and Ms. Katie Snyder who provides Technical Support are also on the call with her today.

### **A. Status on Current TWDB Contract Activities**

#### **1. Estimated Timeline for 2026**



Ms. Burke gave an overall view of the schedule for the 6<sup>th</sup> Cycle and the anticipated activities for this year. Ms. Burke next opened a discussion regarding using subcommittees to tackle certain tasks in detail and bring recommendations to the Group. She noted that subcommittee meetings must comply with the Texas Open Meeting Act. She suggested subcommittees on the following topics would be needed for this cycle: Population/Demands, Water Modeling/Availability, and Water Management Strategies.

Chairman Hinojosa stated that the Group has standing subcommittees in place and agreed that using subcommittees is a good idea. He then read a list of the standing subcommittees. Mr. Jim Darling suggested distributing the list to the voting members so they can decide which committees they would like to serve on. These committees can formally be established at the next meeting.

## 2. Overview of Water Conservation & Drought Contingency Plans

Ms. Burke went over the various aspects of what both a Water Conservation Plan and a Drought Contingency Plan are. These plans are used in Chapter 7 of Regional Water Plans to help identify conservation strategies.

## B. Financial Report

LRGVDC Director of Community & Economic Development Rick Carrera was recognized to report on the following items:

### 1. Consideration and Action to Approve 2022 Budget

Mr. Carrera informed the Group that they have two (2) different funds to work with: local funds and funds from TWDB. The balance of local funds at the end of 2021 was \$100,532.95. The 2021 budget was \$19,250.00 and the proposed 2022 budget is \$19,500.00. There has been an increase of \$250.00 for Website Maintenance for 2022. Last year, in 2021, the total expenditures amounted to \$13,835.34 from the \$19,250.00 of the total budget, that left a budget balance of \$5,414.66, and an available cash balance of \$81,032.95.

In 2021, TWDB provided \$11,000 for salaries, classified ads, printing, and postage. We were underbudget for salaries and overbudget in classified ads because of the need to advertise in the eight (8) counties for the Request For Proposals (RFP) for the consultant and other activities that required public notice. Of the \$11,000 allocation, there is a remaining balance of \$146.49.

For 2022, TWDB has allocated \$10,000 and the breakdown was noted on the budget chart. The line item for Classified Ads was reduced from \$2,000 in 2021 to \$1,000 for 2022 with the knowledge that the need to place newspaper ads will be less based on 2022 anticipated activities.

Chairman Hinojosa called for a motion on the 2022 Budgets. ***Mr. Jim Darling made a motion to approve the 2022 budgets as presented. Mr. Jorge Flores seconded the motion, and upon a vote the motion carried unanimously.***

### 2. Consideration and Action to Approve Financial Certification

TWDB Project Manager William Alfaro was recognized and informed the Group that TWDB provides guidance on submitting payment requests related to administrative



expenses for regional water planning contracts. He clarified that this is the first time that RPGs need to do this kind of certification which has led to some confusion. Water planning rules and the regional water planning contract require that the Group or its Chair certify that administrative costs are eligible for reimbursement and are correct and necessary. Mr. Alfaro reported on the specific types of costs, which can be found in the Water Planning Rules §355.92(c), that need to be certified, and asked the Group to take action to certify any eligible administrative expenses by either certifying them for the planning cycle, or by having an agenda item to certify these expenses as needed throughout the cycle with current financial reports. **Mr. Jim Darling made a motion to choose having an agenda item at each meeting to certify these expenses as needed throughout the cycle using the current financial reports; and that if there are any deviations to the budget, the Group will address them on an individual basis at regularly scheduled meetings. Mr. Tomas Rodriguez seconded the motion, and upon a vote the motion carried unanimously.**

3. Consideration and Action to Accept Expenditure Reports

Mr. Carrera provided the expenditure reports for the period of January 1, 2021, through November 16, 2021. From the local funds annual budget of \$19,250.00, there is a balance of \$5,414.66 remaining, and a cash fund balance of \$100,532.95. From the TWDB annual budget of \$11,000, there is a balance of \$146.49 remaining. **Mr. Tomas Rodriguez made a motion to accept the expenditure reports 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

Mr. Armando Vela was recognized to give the status on GMA 16 activities. He reported that GMA 16 last met on November 23, 2021, and they received a report from TWDB on well measurements. They also took action to declare that the Carrizo Jackson and Carrizo Wilcox aquifers in the western part of their area as non-relevant for now. Every five (5) years they reevaluate this situation. Their next meeting date has yet to be determined.

Next, Ms. Debbie Farmer was recognized to give the status on GMA 13 activities. She informed the Group that their last meeting was held on November 19, 2021, and the committee voted to approve resolutions to adopt their Desired Future Conditions (DFC). An explanatory report was drafted which will be presented at their January 14, 2022, meeting, and the final report will be submitted to TWDB on January 18, 2022.

Mr. David Earl, Attorney at Law, was recognized and stated that he represents the Legacy Water Supply Corporation and a number of large landowners in Webb County. His comments are regarding the report given by Ms. Farmer for GMA 13, and he informed the Group that at the November 2021, GMA 13 meeting the board was presented with a number of comments from landowners in opposition of the GMA's findings. In addition, the City of Laredo's City Council passed a resolution asking GMA 13 to increase the Modeled Available Groundwater (MAG) and DFC to reflect an additional 50,000 acre-feet of withdrawal from the Carrizo Aquifer in furtherance of the City of Laredo's water plan to begin using groundwater as a supplemental water source. Mr. Earl stated that currently Laredo is strictly using water from the Rio Grande, and that they need to move onto a supplemental groundwater source. Mr. Earl stated that there was no accommodation to the request made at the November meeting, and that as a municipal user, Laredo has a priority under the Texas Water Plan priority lists. He wanted to make the Group aware of this issue and asked that they take caution and carefully consider any action taken regarding Webb County's MAG or DFC.



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 informed the Group that he plans to attend the Region J meeting on the 20<sup>th</sup> and will report back to the Group at the next meeting. No other reports were available at this time.

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

Chairman Hinojosa stated that the current list of Water Conservation and Drought Management Plans is in the meeting packet for review.

F. Report on Notices of Applications for Funding and Grants

Chairman Hinojosa informed the Group that the current report on notices of applications for funding and grants is also in the meeting packet for review.

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

No report was available at this time.

**7. Reports from Federal and State Agencies**

A. TWDB

Mr. William Alfaro was recognized and reported on the following items:

1. Update on Interregional Planning Council Nominations

Mr. Alfaro reported that the deadline to submit Planning Council nominations was extended to April 22, 2022. Region M nominated Chairman Jim Darling and Mr. Tomas Rodriguez at the October 6, 2021 meeting.

2. Rule Amendments and Public Comment Period

Mr. Alfaro informed the Group that on December 16, 2021, the TWDB approved publishing proposed rule amendments to Regional Water Planning and State Water Planning Guidelines and the proposed rules were published in the Texas Register on December 31, 2021. Public comments on the proposed rules will be accepted until January 31, 2022.

3. Projections Presentation: Methodologies Overview

At this time, Mr. Alfaro turned the floor over to Ms. Katie Dahlberg, TWDB Manager of Projections & Socioeconomic Analysis, Water Supply Planning. Ms. Dahlberg gave an in-depth presentation that covered the Projections Process including the Projections Release Schedule, Non-Municipal Water Demand Projections Methodologies, and Municipal Projections Methodology. This presentation has been posted on the Region M website: [riograndewaterplan.org/meetings](http://riograndewaterplan.org/meetings) page as a reference.

B. IBWC

Newly appointed US IBWC Commissioner, Dr. Maria-Elena Giner was recognized and introduced herself. She stated that prior to this appointment, for twenty years she was the General Manager for the Border Environmental Cooperation Commission which merged with the North American Development (NADBank). She stated that she worked on many projects related to first time water and wastewater service in colonias as well as environmental and renewable energy projects in the region. She is familiar with many of those involved in water usage and their projects. Her appointment with the NAD Bank ended in 2017 at which time she furthered her education and earned a PhD. She informed the Group that today her focus is on listening and understanding how the planning process was going. She suggested scheduling a meeting with her staff and the Region M staff to talk about what information would be useful for the region. She thinks that the hydraulic modeling that the IBWC is doing could be useful for the planning process, and she has found interesting projections on water consumption. She reiterated that she was here to listen and to see how she can help the Group in their planning efforts.

Chairman Hinojosa thanked Commissioner Giner for her comments and for participating in the meeting today. He let her know that for water planning, Region M relies greatly on Mexico's compliance with the 1944 Treaty and asked her to provide an update on water deliveries at the next meeting; another issue is with water quality in the Rio Grande below Falcon Reservoir. The Group would appreciate any report or update on these topics at future meetings.

Commissioner Giner stated that she plans to hire a consultant to write a white paper because she understands the issue of not having timely deliveries of water. Her staff has developed a scope, and they plan to interview a wide range of stakeholders to document issues to see what potential solutions might be available. She hopes to be in a position to share more information on this topic at the next meeting.

C. TCEQ Watermaster

Watermaster Anthony Stambaugh was recognized and provided the status of water levels for both Amistad and Falcon Reservoirs.

Mr. Jim Darling commented on how in October of 2020, Mexico paid their water debt of almost a year and a half of water by giving the US all the water in Falcon Reservoir. He believes that is the first time that Mexico has paid their debt in this manner; and he stated that Falcon Reservoir is probably the least efficient reservoir in the whole system. Mr. Darling asked if there has been an analysis of the effect of that on the US, so at least it would not happen again if it does have a negative effect, which he imagines it does. He does not think this method of payment should be left alone without doing an analysis of it.

Mr. Stambaugh appreciated that comment and will take this request to the appropriate channels to make it to TCEQ Commissioner Bobby Janecka's office. Commissioner Giner stated that she will take this request to heart as well.

D. TPWD

No report was available at this time.




**8. Consideration and Action to Schedule Next Business Meeting**

After some discussion, ***Mr. Tomas Rodriguez made a motion to schedule the next meeting on Wednesday, April 6, 2022, at 10:30 am at the LRGVDC Main Campus in Weslaco. Mr. Glenn Jarvis seconded the motion, and upon a vote the motion carried unanimously.***

**9. Adjourn**

There being no further business to come before the Group, Chairman Hinojosa adjourned the meeting at 12:33 a.m.

  
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Mr. Sonny Hinojosa, Vice Chair