

MINUTES

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

9:30 AM WEDNESDAY, JULY 6, 2022

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

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:

Board Members

Jim Darling, Chairman
Sonny Hinojosa, Vice Chairman
Don McGhee, Secretary
Frank Schuster, Executive Committee
Nick Benavides, Executive Committee
Tomas Rodriguez
Carlos Garza
Judge Joe Rathmell
Jaime Flores
Riazul Mia
Dale Murden
Dr. Neal Wilkins
Jorge Flores
Commissioner David Fuentes
Tom McLemore
Debbie Farmer
Robert Latham
Steven Sanchez

Category

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

The following voting members were not in attendance:

Glenn Jarvis
John Bruciak
Armando Vela

Other
Municipalities
Groundwater Management Areas

2. Consideration and Action to Approve April 6, 2022, Meeting Minutes

Mr. Sonny Hinojosa made a motion to approve the minutes of the April 6, 2022, meeting as presented. Mr. Tom McLemore seconded the motion, and upon a vote the motion carried unanimously.

3. Hear Public Comment

No requests to make public comments were received

4. Consideration and Action on Petition from Voting Member to Serve Additional Term

Chairman Darling stated that Mr. Frank Schuster will complete his second 5-year term on September 1, 2022, and that he would like to petition the Group to serve an additional 5-year term. **Mr. Tom McLemore made a motion to approve Mr. Schuster's petition to serve an additional 5-year term. Mr. Steven Sanchez seconded the motion, and upon a vote the motion carried unanimously.**

5. Recognition of USDA Representative for Eradication of Aquatic Weed

Chairman Darling stated that an Environmental Stewardship Recognition has been prepared for those that contributed to and participated in the Arroyo Colorado Vegetation Management Project 2022 in Cameron County. He explained that the Arroyo Colorado is an important drainage floodway, irrigation source, and conduit that runs from the City of Mission through Hidalgo and Cameron Counties. This project was undertaken to address the need for removal of invasive vegetation that reduce conveyance flows and threaten flood damage to local communities while conserving existing riparian habitat and reestablishing specific native vegetation.

Chairman Darling then recognized Dr. John Goolsby, USDA ARS. Dr. Goolsby informed the Group that he is the official delegate for the US IBWC in the Valley. As part of the board, he provides advice on vegetation management and pervasive species. Dr. Goolsby then summarized this project and the effort it took to accomplish it. He then yielded the floor to Mr. Juan Uribe, IBWC Area Operations Manager, and Mr. Joel Saldivar, IBWC Civil Engineering Technician who are the project leaders.

Mr. Uribe thanked the group for this recognition and acknowledged the following individuals who participated in the project:

- ❖ Mr. Francisco Martinez, IBWC Assistant Area Operations Manager
- ❖ Mr. Kelly Blough, IBWC Environmental Protection Specialist
- ❖ Ms. Sherri Donnelly, Swift Operating Partners
- ❖ Ms. Carey Perry, NPA Specialist, Vernadero Group, Inc.
- ❖ Mr. Benito Trevino, Rancho Lomitas Native Plant Nursery
- ❖ Mr. Mike Heep, Heep Native Plant Nursery

Chairman Darling then read out loud the following excerpt from the proclamation titled "Region M Water Planning Group, Environmental Stewardship Recognition, Arroyo Colorado Vegetation Management Project". "Whereas, the Region M Water Planning Group believes it appropriate to recognize the group effort of many involved in the Project and special recognition for the leadership of the following participants... (same as listed above).

Now Therefore, The Board of Directors of the Region M Water Planning Group of the State of Texas, does hereby commend and recognize the expertise and effort of all who planned and participated in the successful completion of the Arroyo Colorado Vegetation Management Project for the benefit of our communities and our environment."

Chairman Darling then asked for a motion to approve the proclamation. **Mr. Frank Schuster made a motion to approve the proclamation as presented. Mr. Carlos Garza seconded the motion, and upon a vote, the motion carried unanimously.** Chairman Darling next presented the proclamation and the certificates of appreciation to Dr. Goolsby.

6. Discussion and Recommendation on Scheduling Subcommittee Meetings

Chairman Darling stated that subcommittees can meet informally at a location convenient to its members to make recommendations that will be brought before the Voting Membership for final action. Staff will need to be notified of any scheduled subcommittee meetings so they will be present to take notes and document any recommendations. Staff will also send the subcommittee list so their members can select a chair and schedule a meeting. He encouraged the Group to review the subcommittee list and notify staff on which subcommittee(s) they would like to serve. No action needed.

7. Report on Hidalgo County Drainage District #1 (HCDD1) Request for Amendment to 2021 Rio Grande Regional Water Plan

A. Status Update

Chairman Darling summarized the discussion and action taken at the April 6, 2022, Region M meeting and reminded the Group that HCDD1 agreed and acknowledged that all costs related to amending the 2021 Rio Grande Regional Water Plan (Plan) would be solely borne by HCDD1. HCDD1 would indemnify Region M from any cost related to that should the Group approve the contract allowing Region M's technical consultant, Black & Veatch (B&V) to subcontract with Halff Associates (Halff) to do the work on the Plan amendment. After being approved by the Region M Group, this item would go forward to the LRGVDC Board of Directors whose next meeting is scheduled for August 31, 2022.

Chairman Darling clarified that when the Group first considered amending the Plan, the decision was made to allow the amendment process without necessarily the merits of the amendment. Today's action is to consider allowing the contract to be negotiated between B&V and Halff, and for Halff to do the amendment preparation subject to approval by the LRGVDC Board of Directors.

Chairman Darling recognized Commissioner David Fuentes; he thanked the Group for their consideration of this amendment, and he reassured the Group that HCDD1 understands that they will bear the cost of the amendment, and that they are not asking Region M or the LRGVDC to bear any of the cost. HCDD1 understands the liability and appreciates the consideration because of the timeline.

Chairman Darling emphasized that the Delta Reclamation Project is very important, especially for potable water delivery. If the 2021 Plan is not amended to include it, then this project will have to wait to be included in the 2026 Plan which would be an unacceptable delay.

Mr. William Alfaro, TWDB was recognized and clarified that there is not a time limit on when the Plan amendment can be approved. The situation is that HCDD1 intends to apply for funds during the next cycle of SWIFT (State Water Implementation Fund for Texas) and that is why TWDB provided a timeline, so HCDD1 would be aware that the next cycle of SWIFT begins in December 2022.

Commissioner Fuentes added that there may be federal funds available for water resources through the Infrastructure Investment and Jobs Act. The TWDB stated that this project would need to be in the 2021 Plan in order to qualify for any of those potential grants.

Upon conclusion of discussion, Chairman Darling asked for a motion to include items 7. B, C, D, E, and F as presented below.

- B. Consideration and Action to Pursue Amendment to 2021 Rio Grande Regional Water Plan Incorporating the Delta Region Water Management Project
- C. Consideration and Action to Authorize LRGVDC and Black & Veatch to Execute Contract to Perform Tasks RE: Technical Evaluation and Preparation of Amendment Materials
- D. Consideration and Action to Authorize Formal Request For Proposals (RFP) Process for Contractor to Perform Amendment to 2021 Rio Grande Regional Water Plan Amendment
- E. Consideration and Action to Authorize Execution of Contract with Hidalgo County Drainage District #1 to Pay for Costs Associated with 2021 Rio Grande Regional Water Plan Amendment
- F. Consideration and Action to Authorize LRGVDC to Post Public Notice and Hold a Public Hearing on the Proposed Amendment

Commissioner David Fuentes made a motion to approve items 7. B, C, D, E, and F as presented, and recommends to the LRGVDC that the Region M Voting Membership has approved subject to their consideration, the amendment to the B&V contract with a subcontract with Halff as presented with indemnification coming from HCDD1 related to any costs or expenses associated to the amendment. Mr. Carlos Garza seconded the motion, and upon a vote the motion carried unanimously.

Mr. Rick Carrera noted that for the record, the subcontract will be between B&V and Halff and that the contract between LRGVDC and B&V will be separate from that with a separate scope of work. He has spoken directly with both firms to clarify this; both firms responded positively and understand this separation.

8. Status Reports

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

A. Status on Current TWDB Contract Activities

1. Schedule and Progress Update

Ms. Burke provided a conceptual / initial schedule for Region M's Plan Development that covers the entire planning cycle. As we are currently in the third quarter of 2022, the focus is on the population and water demand tasks. She provided a summary of the work tasks B&V has completed including that staff has started receiving feedback from the contact list survey and emails sent to municipal Water User Groups (WUG).

2. Discussion and Consideration of Action on Recommendations from Population and Water Demand Subcommittee – San Ygnacio MUD under Consideration

Ms. Burke informed the Group that staff reviewed the list of WUGs provided by the TWDB and found one that has a potential change request for the Group to consider. That request is to change the name of San Ygnacio MUD to Zapata County San Ygnacio and Ramireño. Essentially the Public Utility Commission has shown that it has been dissolved or absorbed by Zapata County. **Mr. Tomas Rodriguez made a motion to approve changing the name of San Ygnacio MUD to Zapata County San Ygnacio and Ramireño as recommended by the Population and Water Demand Subcommittee. Judge Joe Rathmell seconded the motion, and upon a vote the**

motion carried unanimously. Ms. Burke's presentation is available for review on the Region M website at: <http://riograndewaterplan.org/meetings> .

B. Financial Report

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

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

Mr. Carrera provided the expenditure report for the period of January 1, 2022, through June 30, 2022. From the local funds annual budget of \$22,550.00, there is a balance of \$21,834.73 remaining. The cash fund balance is \$99,744.65 which includes \$48.35 in interest income. **Mr. Sonny Hinojosa made a motion to accept the expenditure report as presented. Mr. Tomas Rodriguez 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. Andy Garza, General Manager for Kenedy County Groundwater Conservation District and GMA 16 member was recognized and reported for GMA 16. He informed the Group that GMA-16 submitted their DFC (Desired Future Conditions) Explanatory Report earlier this year. Some amendments were made due to discrepancies between the DFCs that are not in the GCD (Groundwater Conservation District), he anticipates no further changes will be needed.

Ms. Debbie Farmer, Representative of GMA 13, and General Manager of Winter Garden GCD was recognized and informed the Group that the committee met on April 22 in Pleasanton. Items discussed were the update on the TWDB GAM (Groundwater Availability Model) for the southern portion of the Queen City, Sparta, and the Carrizo Wilcox Aquifer; update on the proposed Walker Ranch Project in Webb County; and Management Plans for each district. The DFC to be adopted by resolution by each water district board is upcoming. The next meeting is scheduled for July 22 in Pleasanton.

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. Andy Garza who reported for GMA 16 was recognized and informed the Group he is also the Liaison for Region N (Coastal Bend Water Planning Group). He reported that Region N is also in the initial stages for the next Regional Water Planning cycle, similar to what Ms. Burke reported earlier.

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

Chairman Darling stated that he read a TWDB publication issued May 2022 titled "Drought Response Information, Activities, and Recommendations in Regional Water Plans". It talks about what Regional Water Planning Groups (RWPG) are responsible for relating to drought management. Chairman Darling stated that based on his experience in municipal government, that when the reservoir levels get down to 30% combined storage, that that was the trigger for watering restrictions, etc. The latest reservoir report has the combined storage at just over 26%, however, he has not seen any posts about water conservation measures being put in place. He recommends that Region M write a letter to all WUGs

recommending they review their Water Conservation & Drought Contingency Plans to ensure they are meeting the requirements established therein. He stated that Region M has no enforcement authority but does have the responsibility to bring it to their attention. **Mr. Tomas Rodriguez made a motion to send a letter to all WUGs to ask them to review their water conservation strategies and take appropriate actions as set out in their plans. Mr. Steven Sanchez seconded the motion, and upon a vote, the motion carried unanimously.**

F. Report on Notices of Applications for Funding and Grants

No new notices have been received.

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

Mr. Carrera was recognized and informed the Group that their next meeting is scheduled for July 20 at 10:00 am here at the LRGVDC Main Campus.

9. Reports from Federal and State Agencies

A. TWDB

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

1. TWDB Contract Amendment

Mr. Alfaro informed the Group that the contract amendment is anticipated to be released in July and will include the anticipated total project cost, full scope of work, and updated contract guidance documents.

2. Interregional Planning Council Update

Mr. Alfaro informed the Group that TWDB received all nominations and supporting information. Appointments by the TWDB are anticipated to happen in July 2022. The initial Council meeting will be in summer/fall of 2022, and the council's report is due to the TWDB in March of 2024.

He added that for processing payment requests, the TWDB is converting to a new accounting system. Consequently, there will be a payment processing black out from mid-July through August and they encourage continuing to submit requests during this transition.

3. Presentation on Regional Water Planning Rulemaking

Mr. Alfaro informed the Group that on April 11, 22 the TWDB Board adopted amendments to regional water planning rules (31 TAC Chapter 357) and state water planning rules (31 TAC Chapter 358). The amended rules will be effective as of May 1, 2022, and he provided details on the key rule changes. Mr. Alfaro's presentation is available for review on the Region M website at: <http://riograndewaterplan.org/meetings>

B. IBWC

No report was available.

C. TCEQ Watermaster

Watermaster Anthony Stambaugh was recognized and reported that the combined ownership of Amistad and Falcon reservoirs was 26.39% or 895,135-acre feet. Following the report there was discussion on the potential of tropical disturbances and rain events to alleviate the areas contending with severe drought and the dropping reservoir levels.

10. Consideration and Action to Schedule Next Business Meeting

It was the consensus of the Group to schedule the next meeting on Thursday, September 29, 2022, and to have adoption of the Plan Amendment as an action item on that agenda.

11. Adjourn

There being no further business to come before the Group, Chairman Darling adjourned the meeting at 10:49 a.m.


Mr. Jim Darling, Chair