

**Citizens Advisory Panel
March 20, 2007
Meeting Summary**

Attendance:

Howard Peak	Steven Green
Gene Dawson Jr.	Steven Schauer
Bob Carter	Dr. Ed Roy
Ruby Perez	Susan Albert
Jerry Green	Dr. Alan Dutton
Nettie Hinton	Tony Navarrette
Rene Cortez	Luci Cockrell
Richard Araujo	Evelyn Bonavita
Liza Gonzalez	

Excused:

Eddie Gonzalez
Lupe Landeros
Eiginio Rodriguez

Absent:

Ben Youngblood

SAWS Staff:

Calvin Finch	Janelle Okorie
Michelle Eisenhauer	Rene Gonzalez
Esther Harrah	Ismael Rosales
Kari Papelbon	

Board Member:

Doug Leonhard

Call to Order

The meeting was called to order by Mr. Howard Peak at 6:01 p.m.

Introduction of New Members

Ms. Ruby Perez, General Manager for Unison Maximus and Ms. Liza Gonzalez, Vice President Public Affairs for the San Antonio Chamber of Commerce.

Approval of Minutes

Mr. Peak asked if there were any changes to the minutes. Ms. Nettie Hinton asked about the cost per acre-foot in Ms. Harrah's presentation as compared to the cost in the benchmarking draft. A suggestion was made by Dr. Calvin Finch to amend the minutes with a note that staff provided a more accurate figure for the cost per acre-foot. The minutes were approved as amended for the February 20th meeting.

Water Resource Committee Update (Dr. Calvin Finch)

Dr. Finch provided a discussion of the desalinization/brackish feasibility study status. Test wells have been constructed and land has been identified for lease or acquisition. This project will be benchmarked later in the year. Ms. Okorie and Mr. Mike Mahoney of the Evergreen Underground Water Conservation District made presentations on the project at the Texas Water Conservation Association Conference in Austin on March 7. Outreach for the Regional Carrizo project is ongoing. Examples of recent outreach include the Wilson County Gardening Day, which attracted 200 participants, and two Open House events in Nixon and Gonzales where citizens could speak with Mr. Chardavoyne. Dr. Finch also mentioned that there is now a contested case hearing for the Regional Carrizo project.

Legislative Update (Ms. Janelle Okorie)

Ms. Okorie discussed the EAA legislation regarding the Edwards pumping cap and HB 1292 filed by Rep. Puente, which would increase the cap to equal the sum of all permits issued to date. This bill went before the House Natural Resources Committee on March 21. Currently, SAWS is anticipating support for SAWS and the EAA's interest in increasing the cap. Additionally, SAWS is advocating for developing and inserting drought stage triggers to be inserted into the bill. SAWS is requesting explicit language on the triggers and recognition on what the pumping floor will be (asking for 340,000 acre-feet). SAWS is also asking for the bill to be amended to recognize a voluntary effort in which all stakeholders in the region can come together and identify concerns regarding the availability of water for different uses and recognition of endangered species during drought conditions. A substitute bill was introduced that recommends 450- and 400,000 ac-ft cutbacks firm to be implemented in 2010 rather than 2008. The bill also recommends a different stakeholder process get together to research and discuss spring flows, etc. SAWS is supporting the proposed cap increase to 549,000 acre-feet. Mr. Peak asked if there was any expected opposition to the bill. Ms. Okorie responded that the Guadalupe Basin Coalition and the GBRA will oppose the increase in the cap, but will support the substitute bill. Mr. Peak asked which bill was likely to pass. Ms. Okorie replied that she believed Rep. Puente's bill would pass the House, but that the challenge will be in the Senate. Dr. Finch and Ms. Okorie added that Judge Wolff and Mayor Hardberger are expected to support increasing the cap. Ms. Gonzalez asked if there was discussion on speaking with Mr. Ambruster. Ms. Okorie replied that there was a previous discussion. Ms. Gonzalez asked what some of the drought restriction triggers were. Ms. Okorie responded that Rep. Puente's bill has 665 feet as Stage 1, which is about average for historical trends at J17. SAWS is advocating for 660 feet as Stage 1.

Regional Carrizo Benchmarking Review (Open Discussion)

Dr. Roy opened the discussion by explaining the process and asking the group to review the revised draft of the benchmarking from the previous meeting. He then asked the group for any comments.

1. Does this project reflect and incorporate a cooperative stance both within the SAWS area as well as with neighboring communities?

Ms. Evelyn Bonavita remarked that she thought the draft was extremely honest and was impressed with such a response. Mr. Jerry Green asked about opposition from Bexar Met. Ms. Bonavita responded that they also want to pump from the Carrizo Aquifer. Dr. Roy then introduced Mr. Ismael Rosales and Ms. Esther Harrah, Water Resources staff, to answer any questions. Ms. Harrah provided additional information to Mr. Green regarding Bexar Met's acquisition of drilling permits for 5,000 acre-feet of water, but they have not received production permits. Mr. Rosales added that Bexar Met plans to serve Marion and small communities outside of San Antonio. Mr. Green would like to see that included in the benchmarking report. Mr. Green also stated that the Carrizo Aquifer has been referred to as the Carrizo-Wilcox and asked whether they were two separate aquifers and where the Wilcox was located. Mr. Rosales responded that the Wilcox is situated below the Carrizo and that they are two aquifers in Gonzales County, but they merge at certain points. Dr. Finch also mentioned that they are separate in the Desalination project area, but echoed that the aquifers are less distinct in other areas. Ms. Nettie Hinton suggested removing the word "exemplary" from the third paragraph. Ms. Bonavita asked where SAWS has mitigated. Dr. Finch responded that mitigation is taking place in southern Bexar County based on models. Mr. Rene Cortez commented that lessees with

hydrogeologic knowledge would be advocates for the project. Mr. Tony Navarrette asked whether SAWS was aware of Bexar Met's intention to sell their wells to the City of Marion. Mr. Rosales replied that part of their permit plan was to provide water to communities outside of San Antonio, but SAWS was not aware of the deal to sell their wells. Ms. Liza Gonzales asked if there was a lawsuit for pursuing the project to which Dr. Finch replied that SAWS is hoping to avoid such action. Ms. Harrah added that the contested case hearing is not a lawsuit and the next step in the process is mediation. Ms. Bonavita asked if the Gonzales County Underground Water Conservation District was a contesting party since they issue the permits. Mr. Rosales responded that the District becomes an automatic party, but the General Manager is actually the contesting party with standing. Ms. Bonavita requested that language be clarified in the benchmarking document. Mr. Steven Schauer commented that the sentence Mr. Cortez referred to earlier regarding defense of the science in the project would not be the responsibility of the citizens, but of SAWS. Ms. Susan Albert asked at what point an independent evaluation would be conducted. Ms. Harrah explained the differences in the models and if mediation did not work out, an independent evaluation might be conducted. Dr. Finch added that both models are sanctioned by the state, which complicates the matter further. Mr. Peak asked whether an official number of workers from Gonzales County are employed in Bexar County was available. The suggestion to add "an estimate of" or "approximately" was accepted. Dr. Roy asked about the reference to the science in the document. Mr. Rosales responded that the science is predictive and that the SAWS model would be calibrated during the project. Dr. Roy asked what the other model says. Mr. Rosales and Dr. Finch both responded that the question has always been about the SAWS model and not the District's model. Mr. Gene Dawson asked if the model was based on the eventual 56,000 acre-feet and if the model becomes empirical after Phase I. Mr. Rosales responded that the model is currently being run for the 11,600 acre-feet in the permit application and that the SAWS model is more accurate (off by approximately 2-3 feet) than the District's model (off by approximately 30 feet). Mr. Cortez asked if both were based on the same inputs. Mr. Rosales explained that there is a range of generally accepted numbers to be put into the model. Ms. Harrah added that each model defines the area differently. Mr. Navarrette asked about the response and success of the outreach effort. Dr. Finch responded that there has been relatively good attendance at events, SAWS provided a Q&A ad in the local newspaper, there have been few people unwilling to lease their land, and some advocates have come forward in support of the project. Ms. Hinton asked what SAWS would compromise. Dr. Finch responded that SAWS is willing to assist with the current water infrastructure, economic development, and that SAWS is willing to work with the interested parties. Mr. Peak suggested that concrete actions be taken based on actual water levels rather than modeling. Ms. Harrah noted that there are measures in place to scale back production if and when water levels reach specific points. Mr. Dawson asked if the District used the same 11,600 acre-feet input in their model and if that showed a larger drawdown. Dr. Finch responded that SAWS used both models, but that when SAWS used their model it showed a 120-ft reduced head pressure at the Bebe well in 50 years. Mr. Dawson asked if it was known how many acre-feet SAWS could produce with the District's model and all other parties at their requested production rates. Dr. Finch responded that while it is not known at this point, legal representatives are studying that. Ms. Gonzalez asked if SAWS is running the SAWS model with the District's criteria. Mr. Rosales explained that SAWS is using the District's model at approximately 11,600 and 22,600 using actual reported production rates and well levels. Mr. Cortez asked who needs to be convinced, on the technical side, of the accuracy of the SAWS model. Mr. Rosales responded that those who need to be convinced are those who create and enforce the rules, not the technical staff running the models. Mr.

Navarrette remarked that part of the challenge is gaining the confidence of the public. He asked if SAWS has any positive references from cooperative efforts with other communities? Dr. Finch responded that few have experience with the type of project SAWS is pursuing. He provided examples of the mitigation efforts in Bexar County, the collaboration with Evergreen Underground Water Conservation District, but the process is not easy. Mr. Navarrette asked if there were other communities that have had successful business models for cooperation. Dr. Finch said there have been examples of successes in water projects, but the evolution of the power of Groundwater Districts has introduced new challenges. Ms. Bonavita asked how the Districts would affect the project with their desired future conditions and asked for a briefing on that. Dr. Roy asked Dr. Dutton to make some comments on the models. Dr. Dutton asked what documentation is publicly available about the SAWS model, was there a public committee involved in the review and development? Ms. Bonavita remarked that the State told Region L that the SAWS model could be used. Dr. Dutton asked if there was a commensurate amount of buy-in and investment in the public as well as documentation that could be reviewed. Dr. Finch replied that Region L went through a documented decision-making process that included input from TWDB, consultants representing TWDB and SAWS, and then TWDB made an official declaration of the model's acceptance. Mr. Dawson asked what the Bexar Met permit was. Mr. Rosales responded that Bexar Met has a drilling permit and 5 wells, but that they drilled their wells prior to pumping and transportation permits being passed (by the District). They believe they are grandfathered and do not need such permits. Mr. Dawson asked how much Bexar Met believes they will pump. Mr. Rosales replied that they expect to pump 5,000 acre-feet. Mr. Peak suggested using their model but if more water is available over a period of time than was projected, provided a mechanism to obtain more water. Dr. Finch suggested this might be used in mediation proceedings. Mr. Araujo asked how Bexar Met could be grandfathered. Ms. Harrah responded that they submitted their permit application prior to SAWS' submission.

2. Does this project document a reliable or stable source of water and will the water be available for the project's duration?

a. Does the project identify and quantify water sources?

Dr. Roy asked for comments from the group. He asked for clarification of "inappropriate assumptions" and suggested changing the wording of the last sentence. Dr. Finch and Ms. Harrah explained that the District required inputs of Schertz-Seguin 20,000 acre-feet of production, boundary conditions for drawdown, and projects not currently in existence. The group agreed to change the wording to "questionable assumptions."

Mr. Jerry Green asked if the numbers were supported or contradicted by Region L. Ms. Bonavita responded that the reason Region L did not approve their plan on time was because everyone with an interest in the Carrizo Aquifer wanted to be approved by Region L. The decision was made to leave approval up to the Districts because they issue the permits. Ms. Gonzalez asked what discounts the assumptions that put all the projects in the model at their full project status. Mr. Rosales responded that the District committed SAWS to include the Schertz-Seguin project at 20,000 acre-feet even though they are currently producing only 12,000 acre-feet. Additionally, SAWS is required to show Bexar Met pumping 5,000 acre-feet when they are not producing at this time. There are two additional wells that are not pumping, but SAWS is required to show production at those wells. Dr. Finch added that the planning process to meet regional water challenges is based on equal and fair treatment. If water exists, then everyone in

the region should have the same opportunity to produce water. Mr. Peak remarked that if they (Bexar Met) do not have a permit then they don't have a right to any amount of water. If they do have a permit, then that amount needs to be included in the model. Ms. Harrah replied that Schertz-Seguin has a permit for 12,000 acre-feet, but not for the remaining acre-feet. Bexar Met also must be included at 5,000 acre-feet. Instead of letting SAWS put in the permit, the District is stating there is 20,000 acre-feet ahead of SAWS. Mr. Dawson asked if SAWS agree with the District's model everywhere except in Western Gonzales County (based on the wording in the last sentence of 2a). Mr. Rosales replied that SAWS has been encouraged to go to Eastern Gonzales County. Mr. Dawson suggested changing the last sentence to say "SAWS is arguing that GCUWCD's Western Gonzales County model is based on questionable assumptions."

b. Does the project identify and quantify volumes of water from each source during average and drought of record conditions (firm yield)?

Mr. Steven Schauer pointed an inconsistency in labeling acre-feet/year. The group agreed to change the wording to include the label. Mr. Rosales explained the change in the GCUWCD's rules (from 2 acre-ft/surface acre of production to 1 acre-foot/surface acre) as it relates to the SAWS production permit and the number of acre-feet in the project. Ms. Albert asked how SAWS differs from the other entities who are permitted at a lower production rate than called for in future plans. Dr. Finch replied that SAWS does not expect other entities to put our planned 22,600 acre-feet in their models before we submit all of our permits. The SAWS model shows SAWS and Schertz-Seguin can pump without harming the resource. Mr. Dawson asked how many acre-feet from SAWS pumping in the District's model produced a 120-foot drawdown in 50 years. Dr. Finch replied 11,600 acre-feet. Ms. Harrah added that both models submitted with the application were run at 11,600 and Mr. Rosales stated that the model was also run at 22,600 acre-feet. Mr. Dawson asked if the SAWS model run at 22,600 broke the 100-ft drawdown. Mr. Rosales stated that the SAWS model did not break the 100-ft drawdown. Dr. Roy asked what the drawdown was at 11,600 acre-feet based on the SAWS model. Mr. Rosales replied about 86 feet. Ms. Bonavita asked if the eventual total for the project is 56,000 acre-feet. Mr. Rosales explained that the 56,000 is for Gonzales County and Wilson County. Mr. Cortez asked what the strategy for getting to the ultimate target goal of 50,000+ acre-feet in the permit. Dr. Finch replied that this is new ground and the District has changed the rules to limit the permit to the 11,600 acre-feet of production based on the 11,600 surface acres leased. Future permits will be based on the leasing of additional surface acres of land. Ms. Harrah clarified that the total Carrizo acre-feet in the Water Resources plan also included Local Carrizo water from Bexar County. Dr. Roy commented that we need to come to an agreement on the numbers used for the report, the planned production numbers (22,600 acre-feet in Western Gonzales County, 11,000 acre-feet in Wilson County, and 22,600 acre-feet in Eastern Gonzales County). He asked where the 11,600 come in and how do we put that into the response. Mr. Dawson commented that it is confusing to begin the paragraph with 22,600 acre-feet when the rest of the document referred to 11,600 acre-feet. Dr. Finch suggested adding a paragraph to clarify the numbers in relation to the entire plan. Mr. Schauer asked how the permits SAWS is seeking are affected by the drought of record. Mr. Rosales responded that according to those who conduct modeling scenarios and hydrogeologists the Carrizo is not truly affected by drought and has a slow recharge in the outcrop area. Mr. Schauer commented that the response to the question does not address how the aquifer responds to drought. Mr. Rosales stated that staff would clarify that response. Ms. Hinton suggested moving the last sentence to the beginning of the paragraph and adding more

information if necessary. Mr. Araujo asked how the aquifer can be classified as drought-resistant. Ms. Hinton replied that the aquifer is not a Karst aquifer, it is sand. Mr. Green commented that the question is appropriate for the Edwards and surface water projects, but not for this project or Desal from the Gulf because it would not be depleted any faster or slower due to withdrawal. Dr. Roy suggested adding a sentence to the effect of, “Due to the nature of the Carrizo Aquifer, it responds slowly to drought conditions and is therefore relatively drought-resistant.”

c. Does the project identify any conditions or constraints? If yes, identify.

Mr. Cortez asked if SAWS was taking into consideration any potential or future stakeholders who may take out a permit. Ms. Harrah replied that we are in the modeling. Mr. Peak added that it will be up to those managing the resources how many permits at what amount can be allowed. Dr. Finch stated that there is also a provision for population growth.

d. Does the project document water availability over the duration of the project?

Dr. Dutton commented that in the end the District will have to grant all the permits for all pumpers because there is no other fair solution. The only way to regulate the pumping is to have a strong depletion rule. Mr. Cortez asked what happens if the drawdown gets below 100 feet and there isn't significant recharge. Dr. Finch responded that it isn't an aquifer level drawdown, it is the pressure. The model shows that if pumping stops, the pressure will return. Mr. Dawson asked where the 100-ft drawdown figure came from. Dr. Finch confirmed that it came from the District. Mr. Dawson asked why the project started in Western Gonzales and if SAWS gets the permit in Western Gonzales, how will that affect the ability to get the permit in Eastern Gonzales and Wilson Counties. Mr. Rosales responded that he wasn't clear why it started in Western Gonzales, however since the Evergreen rules have changed, Wilson County will now require 3 wellfields as opposed to one. Part of the decision to go to Eastern Gonzales County was based on the concept study. Mr. Dawson asked if SAWS was actively pursuing Evergreen permits. Mr. Rosales responded that we do not have any leases at this point.

e. Does the project quantify water demand for the various users based on best available projections of population growth? Cite documentation.

Ms. Hinton asked if projections were taken to consider the future status of SAWS being a wholesale water purveyor. Dr. Finch responded that yes, the Board has determined that SAWS should plan for planning scenario 2, which includes the responsibility for growth needs in Bexar County.

Citizens to be Heard

Mr. Larry Hoffman commented on the two models and the amount of available water. He also asked which model prevails and when mitigation will begin.

Schedule Next Meeting: April 17, 2007.

Adjournment: With no further business to discuss, the Citizens Advisory Panel Meeting was adjourned at 8:02 p.m. by Mr. Howard Peak.