

**Citizens Advisory Panel
April 17, 2007
Meeting Summary**

Attendance:

Howard Peak	Orlando Cisneros
Lupe Landeros	Dave Barton
Bob Carter	Dr. Ed Roy
Ruby Perez	Joe Fulton
Ben Youngblood	Dr. Alan Dutton
Nettie Hinton	Rene Cortez
Richard Araujo	Evelyn Bonavita
Liza Gonzalez	Eddie Garcia

Excused:

Susan Albert
Steven Green
Jerry Green

Absent:

Luci Cockrell	Susan Wright
Tony Navarrette	Gene Dawson, Jr.
Steven Schauer	

SAWS Staff:

Calvin Finch	Rene Gonzalez
Esther Harrah	Ismael Rosales
Kari Papelbon	Gloria Puente

Board Member:

Mike Lackey

Call to Order

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

Approval of Minutes

Mr. Peak asked if there were any changes to the minutes. Ms. Liza Gonzales stated that Senator Armbrister's name was misspelled. The minutes were approved as amended for the March 20th meeting.

Water Resource Committee Update (Dr. Calvin Finch)

Dr. Finch began the update by stating there has been a change in emphasis. SAWS has launched an effort to purchase Edwards Water Rights and is now offering \$5000/acre-foot. To date, about 600 acre-feet have been purchased at that price, however SAWS has had more success with leasing. SAWS is currently offering \$100/acre-foot for short-term leases (emphasis), with an inflation adjustment for long-term (allows more flexibility in planning). Mr. Peak asked what differentiated long-term from short-term. Dr. Finch responded that more than 5 years is considered long-term. Mr. Peak commented that SAWS might want to look at how private companies are handling water rights and pricing. Dr. Finch commented that SAWS has not had the same flexibility with pricing as private speculators. Mr. Fulton asked what the recent negotiation success has been. Dr. Finch responded that there has been success with 50-100 acre-foot agreements, but not in the 1000-5000 acre-foot attempts. Mr. Youngblood commented that SAWS has always been "chasing the market" in terms of price. Dr. Finch responded that the CAP might want to add supplementary comments to the Edwards benchmarking. Mr. Cortez asked how much of the supply of water from the 50-year plan is projected to come from the leases. Dr. Finch responded that the current plan calls for purchasing rather than leasing Edwards water. SAWS now owns/leases 223,000 acre-feet. Of that figure, 25,000 acre-feet have been leased.

Legislative Update (Dr. Calvin Finch)

Dr. Finch began the Updated by stating that the Bexar Met bill is out of the House with lots of amendments, some directed to eliminate the chance that SAWS would be involved in a solution. SAWS is taking a neutral position on this issue. The main issue of concern is the Edwards Aquifer bill. Sen. Hegar is representing downstream interests, Rep. Puente is representing our area, and Senators Wentworth and Uresti are also involved. Mr. Chardavoyne and Ms. Okorie met with the Senators and downstream interests to negotiate a compromise with everyone's approval. Everyone agrees the legislation needs revision. The permitted amount may increase, which may lead to stronger restrictions for protecting the aquifer as levels fall. In terms of Region L, the desire is to have the date changed when the regional plan is accepted by the State; legislation will be accepted, but it will contain a compromise between O'Connor and GBRA interests. Ms. Bonavita stated that the original bill said if the plan had been approved by Jan. 19, 2006, nothing in the law that says the legislature approves the Regional Water Plan. It is done through TWDB. She stated that her concern is that interested parties are now trying to amend the Plan after it was approved by the Planning Group. Dr. Finch commented that the point of contention in the Edwards bill is the role of the Recovery Implementation Program (RIP) coordinated by U.S. Fish. Downstream interests want a formal structure in which state agencies would be involved, and that legislation proposes creating a separate entity alongside the Edwards Aquifer Authority (EAA). Dr. Finch stated that SAWS is not comfortable with that scenario. Mr. Youngblood asked about the issue of EAA influence over water quality. Dr. Finch responded that the EAA has made a conscious decision not to fight that battle right now.

Deleted: with

Regional Carrizo Benchmarking Review (Open Discussion)

Dr. Roy referred the group to the handouts provided by SAWS staff, especially the map of the aquifers. Dr. Roy then opened the discussion by asking the group for comments.

3. Are the project's conclusions based on sound and reliable data, scientific knowledge, and engineering capability? Has supporting documentation been provided?

Dr. Roy commented that the CAP talked about the difference in the two models at the previous meeting, that difference being the drawdown levels. He asked how the difference relates to the question and which model is correct. Is the same data put into both models and how should the CAP address that in the benchmark? Dr. Finch responded that there are two accepted models for the area: SAWS developed with Region L, more inclusive of territory covered and TWDB accepted it and the old model. The Groundwater District can choose to accept whichever model they want and they have chosen the older model that does not include the same flexibility as the SAWS model, and the Ground Water District has the option to tell SAWS what to include in the model. They want all planned pumping to be reflected in the model. The SAWS model has been more accurate with recent pumping activity. Mr. Rosales added that the SAWS model has been calibrated whereas the GCUWCD approved model has not been, although SAWS may ask to calibrate theirs. Mr. Fulton asked what the nature of the issue is. Dr. Finch responded that the rules state that after 50 years of pumping the pressure head cannot drop more than 100 feet. Their model shows a drawdown of approximately 120 feet. Another rule states that once the pressure head is reduced to 80 feet, action is taken to reduce pumping. If the pressure head reaches 100 feet, everyone stops pumping. Mr. Peak suggested using their model with the understanding that if the real data show more can be pumped, then we are allowed to pump more. He also asked if there would be a conflict under that scenario. Dr. Roy asked where the 100-foot drawdown number comes from. Dr. Finch responded that hydrogeologists raise the

same question: no one knows for sure, but it is an attempt to protect the resource. Dr. Dutton added that it arose out of a democratic process for cut-offs. Mr. Youngblood suggested the following language for the CAP recommendation in the benchmark: “The CAP recognizes that there are two models and recommends efforts be made to calibrate them.”

4. Is this project consistent with the ecological needs of the affected areas? i.e. Is the project sound ecologically?

Dr. Finch commented that the area seems to be environmentally less sensitive than the Edwards. Ms. Bonavita commented that there are more environmental factors that should be considered in addition to the endangered species, which has become the focus of ecological impact assessments. Dr. Finch commented that one of the reasons this project was chosen over the GBRA project is that there were far fewer environmental risks. Mr. Youngblood asked if the aquifer has an artesian zone. Dr. Finch responded that it does. Dr. Dutton commented that the springs of the Carrizo are much different than those of the Edwards. It is not clear whether the springs are fed from Wilcox or are a local shallow phenomenon. Ms. Gonzalez asked if there is value in keeping the Edwards comments in the benchmarking. The group agreed to remove the reference to the Edwards. Dr. Finch suggested adding a paragraph to differentiate the environmental issue. Dr. Dutton commented that there is always a question of the riparian impact and there is no data available. Ms. Bonavita stated that it should be addressed not just for the environmental concerns, but also because residents feel it is very important.

5. How does the project insure water quality – does it meet the policy of no degradation of our drinking water?

Ms. Bonavita asked if no degradation is a policy or a desire. Dr. Finch responded that it has been SAWS policy to attempt to have no degradation of the drinking water. Mr. Peak commented that there are many degrees of non-degradation. Dr. Finch stated that there are narrow parameters of water quality (which are very high). Mr. Fulton stated that the problem is with the word “no” because of the one rigid interpretation. He suggested using “reasonable limits” or similar language. Mr. Rosales commented that there are parameters in existence to match new sources of water with the Edwards water through treatment. Ms. Harrah also added that pipe-loop testing is used to ensure water quality as well. Mr. Fulton suggested stating that SAWS will ensure that the water is compatible with the Edwards water. Mr. Youngblood commented that there is a political reality left over from the Applewhite fight. Dr. Dutton asked if the water from the project will go to certain parts of the city when it comes online. Mr. Rosales responded that it will go to most parts of the city. Dr. Finch stated that SAWS staff will alert the Board about the “no degradation” language.

6. Does the project honor the long-term hydrologic balance of aquifers (recharge = discharge while maintaining the flexibility over the long-term)? How is this documented?

Mr. Cortez asked what is considered long-term. Dr. Finch responded that generally water planning is 50 years. Dr. Roy asked staff to briefly give some mitigation plan details. Mr. Rosales responded that the plan is related to the pressure and water levels. If someone’s pump is situated where it is above the water level, SAWS will lower the pump at our cost. If it is found that the pump has insufficient power to pump the water to the surface, SAWS will provide them

with a new pump at our cost. If the well has degraded to where we cannot lower the pump, SAWS will drill a new well. If the economic situation warrants and the landowner desires, SAWS can tie them to an existing water line. Mr. Youngblood recommended refraining from using “any problem” and use “SAWS has a mitigation plan for problems that occur due to SAWS pumping.” Ms. Bonavita suggested recommending that the Board define the mitigation plan. Ms. Bonavita asked if Wilson County would be included in the benchmark document. Dr. Finch replied that it would be added. Dr. Dutton commented that the question was not answered. He suggested stating “This aquifer would not be in a long-term balance where recharge equals discharge, but that the GCUWCD has said it is ok for it not to be in balance and that is why they allow as much as 100-foot decline in that pressure head and we are going to be within that allowable imbalance window.” Mr. Rosales responded that little research exists on the recharge of the Carrizo. Dr. Finch suggested researching what happens when pumping ceases. Mr. Fulton stated that the problem is that all of the questions are phrased in terms of absolutes. Mr. Cortez commented that we cannot look at the short-term status of the aquifer, but must focus on the long-term. Dr. Dutton suggested deleting the last sentence. Dr. Roy suggested deleting the last two sentences.

7. a. Does this project adversely impact the aquifers involved? Can mitigation resolve any impacts and at what cost?

Mr. Youngblood commented that this question was addressed in number 6, but suggested taking it out of number 6 and putting it in number 7. Mr. Fulton reiterated that the question is phrased in terms of absolutes. Dr. Finch recognized that SAWS staff need not answer in absolutes. Dr. Dutton suggested stating the drawdown will be less than 100 feet and not mentioning adverse effects.

b. Does this project adversely impact the surface water involved? Can mitigation resolve any impacts and at what cost?

No comments.

8. a. Is this project in accord with SAWS 50-Year Water Resources Plan?

No comments.

b. Is this project in accord with the Region L Plan?

Ms. Gonzales suggested deleting the reference to the GCUWCD Manager being “briefed” since the permit had been submitted.

9. Will this project support the economic growth of the SAWS service area in the foreseeable future?

Ms. Bonavita commented that the response to this question could be worded better. Ms. Perez suggested stating that the benefit would be from the offset of drought restrictions and critical period management. Ms. Bonavita stated the sentence is awkward and suggested removing it. Mr. Fulton suggested removing the first sentence since the question is also asked in number 11.

He also suggested stating that this project is one of a “portfolio of options.” Ms. Gonzalez pointed out that the reference to the Edwards aquifer is also in this response. Dr. Finch suggested keeping the reference, but adding Mr. Fulton’s suggested language. Ms. Hinton suggested adding the deleted language from question 4 (referring to the ecology and diversifying the Edwards) into number 9. Ms. Gonzalez asked about certainty with economic growth. Dr. Dutton asked about the reference to “short-term” in the last line of the first paragraph. Dr. Finch responded that the Carrizo project is a key part of the near future although it is part of the 50-Year Plan. Ms. Gonzalez suggested deleting the words “short-term” and stating something akin to “within the next few years.” Dr. Dutton suggested “come online quickly.” The group agreed to changing the wording.

10. Is this project in accord with Texas water law or could it be subject to litigation?

No comments.

11. Is this project equitable for all geographic areas served by SAWS?

Mr. Fulton suggested stating that the water will be injected at multiple points throughout the system.

12. a. Has benefit-cost analysis been done on this project?

Dr. Finch clarified that the SAWS reference is to constantly revised costs of the project. Mr. Youngblood stated that the definition of a benefit-cost analysis is who pays the cost and who shares the benefits, however he was unaware that SAWS had done that on previous projects. Dr. Finch agreed that there had been much discussion of the same issue previously. The group suggested using the term “limited.” Mr. Youngblood suggested stating that an economic analysis had been conducted, but not a cost-benefit analysis. Ms. Hinton asked if the firm contracted to do a cost-benefit analysis on a previous project had been contracted to do so on other projects. Dr. Finch responded that a cost-benefit analysis had been conducted on the project and could be provided to the group, however it was not the kind that Mr. Youngblood had referred to. Mr. Peak suggested using that description to answer the question. Ms. Hinton also suggested adding whatever revisions completed each year, but defining what analysis had been done.

b. Has a social and economic impact analysis been done on this project?

Dr. Finch stated that if the CAP suggested conducting one that would be taken into consideration, however at this time there are no plans for doing so. Dr. Roy stated that there is some data and background on social and economic impacts, however that is an informal analysis. The group discussed the importance of such an analysis for this project.

c. What is the cost per acre-foot for this project?

Ms. Harrah stated that there was a correction for the rate previously given to the CAP. The revised cost is now \$696 per acre-foot. Ms. Bonavita asked what year’s dollars the costs are in. Mr. Youngblood suggested using a range of costs per acre-foot. Ms. Harrah suggested showing the cost per phase. The group discussed different scenarios, factors, and assumptions that would

affect the cost per acre-foot. Mr. Rosales added that an inflation figure has been included in the costs, however that is an assumed figure.

d. What is the effect on the ratepayer?

Mr. Youngblood suggested removing the word “equitably.”

e. Where does this project (plan/policy) rate compared to other projects in regard to cost/benefit, economic impact analysis and financial feasibility?

Ms. Hinton stated that there was a different cost in 2005. SAWS staff stated that they would update the information.

13. Overall, where does this project rank compared to other projects?

Ms. Harrah stated that SAWS staff would review the response. Dr. Roy asked to include a copy of the risk-cost matrix with the next version of the benchmark document.

Citizens to be Heard

Mr. Larry Hoffman discussed his concerns with the actions that will be taken with regard to drawdown levels and water quality.

Mr. Jack Finger discussed his concerns with drought condition assumptions, junior rights, public relations, and the cost of the project.

Schedule Next Meeting: May 15, 2007 (Please note the change from the previous month’s minutes.)

Adjournment: With no further business to discuss, the Citizens Advisory Panel Meeting was adjourned at 8:01 p.m. by Mr. Howard Peak.