

**Citizens Advisory Panel
May 15, 2007
Meeting Summary**

Attendance:

Howard Peak	Steven Green
Joe Fulton	Dr. Ed Roy
Jerry Green	Susan Albert
Nettie Hinton	Eddie Garcia
Richard Araujo	Dr. Weldon Hammond
Liza Gonzalez	Luci Cockrell
Dave Barton	Gene Dawson, Jr.

Excused:

Lupe Landeros	Orlando Cisneros
Bob Carter	Ruby Perez

Absent:

Ben Youngblood	Evelyn Bonavita
Rene Cortez	

SAWS Staff:

Calvin Finch	Esther Harrah
Michelle Eisenhauer	Ismael Rosales
Kari Papelbon	

Board Member:

Call to Order

The meeting was called to order by Mr. Howard Peak at 6:06 p.m.

Approval of Minutes

Mr. Peak asked if there were any changes to the minutes. Ms. Gonzales motioned to approve the minutes, and Ms. Cockrell 2nd the motion. The minutes were approved for the April 17th meeting.

Water Resource Committee Update (Dr. Calvin Finch)

Dr. Finch provided a discussion of the desalinization/brackish feasibility study status. Dr. Finch stated the project is proceeding very well and we are much more optimistic about the results than we were earlier in the year in terms of production. He added that our partnership with the Evergreen Underground Water District, EUWD is doing well also.

Legislative Update (Dr. Calvin Finch)

Dr. Finch began the legislation update by stating that earlier today he had testified in favor of the Region L legislation. The Region L planning was late and missed the deadline by two weeks. When we are dealing with TCEQ on permits or the Texas Water Development Board on funding, we have to go through a special waiver procedure. We are very much interested in having this legislation that will accept our plan, even though it was late. There was an addition concerning the GBRA (Guadalupe Blanco River Authority) and the O'Conner ranches that was the result of a court case settlement. They managed to get the results of that settlement attached to this bill. The senators were concerned about this addition. They also were involved in a political dispute between the leadership of the House and Senate. Dr. Finch feels they will eventually pass the House bill, but they wanted us to know as a region that we need to meet our deadlines. Sen. Hegar did his best to support it. Ms. Hinton asked if it would make it out before the end of this session. Dr. Finch responded that we are hoping it will, but they made it clear that they were not

going to rush this. Dr. Finch stated that Ms. Harrah has been involved in coming up with alternative procurement methods for the brackish groundwater project and has worked hard to come up with legislative language. Ms. Harrah responded that the language that came out of the Senate and the House was favorable to SAWS. Dr. Finch stated that the biggest bill pertained to the Edwards. Mr. Peak asked what it means to the Aquifer. Dr. Finch stated that it means when the aquifer level gets down to 660 we will cut back 20% and when it gets to 630 (Stage 4) we will cut back to 40%. Dr. Finch added that 340,000 acre ft. minimum statement is in the legislation that all pumpers until 2013 will be guaranteed access to 340,000 acre ft. and after 2013 - 320,000 acre ft. The Recovery and Implementation Plan, RIP process has been an issue. Sen. Hegar didn't have as much confidence in the Edwards Aquifer Authority as Rep. Puente's version did. The RIP process was mandated in the legislation. The compromise appears to be that there will be a strong RIP process with recommendations provided to the Edwards Aquifer Authority, EAA. The EAA will be responsible for explaining why they don't take the recommendation if they make such a decision. Some of the issues addressed by the RIP Process are whether there will be a separate pool in San Marcos springs, minimum spring flow, trigger levels and the science to adjust trigger levels to be less or more to protect the endangered species and maximize the amount of water that pumpers like SAWS can utilize without hurting the resource. Dr. Roy asked who will be responsible for doing the science. Dr. Finch answered that there will be a steering committee of state agencies and eight others representing all of the interests. Ms. Gonzalez answered that it will be the Science Committee that makes the recommendations.

Regional Carrizo Benchmarking Review (Open Discussion)

Dr. Roy referred the group to the handouts provided by SAWS staff, including the Executive Summary. We have made a few changes to the Summary; most importantly is the last sentence of the Summary stating conclusions for each of the Benchmarking questions in red. Dr. Roy has asked individual members of the CAP to read one of the questions and review them. Dr. Roy asked Ms. Hinton to start with the first question.

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

Ms. Hinton remarked that she has a couple of concerns about the conclusion. The sentence that states; *The CAP has reviewed the offerings to obtain the support of area residents and finds them to be very generous. The CAP membership believes it is unfortunate that the outreach effort had not begun much earlier and rallied support from area residents earlier in the process.* Ms. Hinton's first concern is the term very generous in the second sentence; she doesn't think that this is the wording that should be used. Ms. Hinton's real concern is the sentence that states; *it is unfortunate that the outreach effort had not begun much earlier.* Because in 2004 this benchmarking had begun and has gone forward and SAWS has continually had extensive outreach to the community on this project. The difficulties that SAWS is dealing with now is that the people in the area who continue to have difficulties with accepting the Water Project. She recommended that in the first sentence to take out the word very "generous" and replace it with "extensive" or whatever word would be most appropriate. But to state that SAWS has been involved in outreach since 2004. She added that the last sentence should be removed, unless the CAP membership does believe that this outreach has been rather late starting. The CAP also

believes that a considerable part of the opposition generated from individuals who do not agree that water challenges must be addressed from a Regional perspective. Her thought is that there is opposition from individual that don't want any water exported from Gonzales County to San Antonio at all. She stated that she would like to hear the discussion about people not wanting to cooperate on a Regional basis. Dr. Finch answered that this is generally the terminology that he uses rather than say the folks in surrounding counties do not want to share the surplus water with San Antonio. Dr. Finch agreed her statement was a fairly accurate in terms of discussions about Regional responses to water needs in a big city, not just our big city, but other areas where there are water shortages. Mr. Dawson suggested that the first sentence be changed to say: *The CAP has reviewed the offerings to obtain the support of the area residents finds them to be appropriate. The CAP membership believes that it is unfortunate that the outreach effort to date has not rallied support and lessons should be learned from the early process.* He asked if that was alright with everyone.

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

Mr. Jerry Green commented that he concurred with the conclusion for question #2. With no further comments the committee moved forward to the next question.

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

Mr. Araujo commented that he concurred with the conclusion for question #3. With no further comments the committee moved forward to the next question.

4. Is this project consistent with the ecological needs of the affected are as? ie. Is the project sound ecologically?

Ms. Albert commented that the she concurred with the conclusion for question #4. With no further comments the committee moved forward to the next question.

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

Mr. Steve Green suggested that the word “convinced” in the conclusion be changed to “satisfied”. Mr. Fulton commented that the problem is with the word “no”. Mr. Dawson stated that the question implies that there is a policy of no degradation of our drinking water. Dr. Roy asked if there was a written policy that defines what “no degradation” means? Ms. Albert asked is there a standard? Mr. Dawson commented that in the Water Quality Rules it defines the definition of degradation and it is more flexible than the word “no”. Dr. Finch stated that the SAWS staff will alert the Board about the “no degradation” language. Ms. Hinton stated that if the policy is going to change then the Board needs to change it and then our benchmarking questions can reflect their change. Mr. Steve Green confirmed that everyone was alright with changing the conclusion wording from “convinced” to “satisfied”. Everyone concurred.

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

Ms. Gonzalez stated that she has a recommendation for an alternative conclusion and believes that SAWS should state that if they we pump water from the Aquifer there will be a natural short term reduction. She added that nothing is guaranteed, because we don't know how the Aquifer will react. We are advised that the Aquifer will be mostly restored; The CAP recognizes the differences between Aquifers and the nature of the recharge. The second conclusion supports the Board and its interest to be a good partner and carry the results to the County. Ms. Gonzalez believes that is all we need to say. She believes the rest of that paragraph is unofficial, and that we need to state up front if we pump the water from the aquifer there will be a natural reduction in the pressure. We can't guarantee the long term affect, but we advised it will be mostly restored. Ms. Gonzalez will provide the language.

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

Mr. Garza stated that the mitigation policy is very well stated and the conclusion is adequate. It was decided that "is generous and proven", should be replaced with, "will be effective".

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

Ms. Cockrell stated that the first response is pretty clear. Mr. Dawson suggested that the statement, "the disagreement troubles the CAP, but", be taken out of the conclusion. The CAP concurred.

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

Dr. Roy commented that he would like to take the word "hugely" out of the second sentence and change "a" to "an" in the second sentence of the conclusion. He would like to change the phrase "needs to assist", in the third sentence to "wants". Ms. Cockrell suggested that the last two lines be changed to "SAWS supports Region-wide economic growth and makes it clear that all entities will have access to future SAWS' water projects. The service area will benefit from SAWS water projects".

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

Mr. Dawson commented that he concurred with the conclusion for question #10.

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

Dr. Roy suggested that "but" be taken out of the last sentence and be replaced with "and". Everyone agreed.

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

Ms. Hinton suggested that the first two sentences be taken off and the language be changed to as follows: Based on BBC “Hydrosol” for a long term model and “Monte Carlo” for a short term model, the cost of Regional Carrizo water is reasonable in comparison to other Projects in the 2005 Water Plan, but the costs can increase considerably if SAWS is not successful in achieving full implementation of the Project.

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

Dr. Roy asked if everyone was satisfied with the conclusion on this one. Everyone agreed. Dr. Roy thanked everyone for attending and turned the meeting over to Dr. Finch.

Dr. Finch commented that the changes will be made on the Benchmarking and then it will be sent out for a final review and the next meeting we can bring them in. Mr. Dawson suggested that they be e-mailed out and brought to next meeting for approval.

Mr. Dawson asked where we are in the Wilson County well field. Dr. Finch commented that we are now negotiating with two landowners. Esther Harrah commented the way the rules have changed, if you have a well field that pumps four and five thousand acre ft. you are restricted to a 50 foot draw down. What that forces us to do is take 11 thousand acre ft. from Wilson County, because they have three well fields. So we have one possible oil field that we have identified to the other areas. We have learned a lesson in Gonzales County. We need to do everything we can to push forward and make this project happen. We need to get our permits, get our wells, at least, permitted. Because that is 11 thousand acre ft. and it is closer. The Evergreen Conservation District was interested in having us comply with the rules and they made it clear if we did they would not interfere. We went on to come up with language for the Brackish Groundwater Project that was very good and it was very positive. The rules did change that makes it harder for us to do the original Project.

Citizens to be Heard

Mr. Larry Hoffman questioned the firm yield of the project. He stated there needed to be clarification based on the 100 ft. drawdown. Mr. Jack Finger asked if there were any triggers in the contract that the G UWCD could use to limit pumping from the project.

Schedule Next Meeting: June 19, 2007.

Adjournment: With no further business to discuss, the Citizens Advisory Panel Meeting was adjourned at 7:59 p.m. by Mr. Howard Peak.