

**REGION C WATER PLANNING GROUP**  
**MINUTES OF AN OPEN PUBLIC MEETING**  
April 9, 2018

The Region C Water Planning Group (RCWPG) met in an open public meeting on Monday, April 9, 2018, at 1:00 P.M. The meeting was held at the North Central Texas Council of Governments located at 616 Six Flags Drive, Centerpoint Two Building, First Floor Transportation Council Room, Arlington, Texas. Notice of the meeting was legally posted.

Chair Jody Puckett called the Region C Regional Water Planning Group meeting to order at approximately 1:12 P.M. and welcomed guests.

I. ROLL CALL

Vice Chair Russell Laughlin conducted a roll call. The following members were in attendance:

Fiona Allen (Alt. for Kevin Ward)	Russell Laughlin
David Bailey	John Lingenfelder
Wendy Chi-Babulal (Alt. for John Carman)	Steve Mundt
Chris Boyd	Jody Puckett
Bill Ceverha	Bob Riley
Grace Darling	Drew Satterwhite
Tim Fisher	Rick Shaffer (Alt. for James Hotopp's seat)
Tom Kula	Connie Standridge
Harold Latham	Jack Stevens

Connie Townsend, TWDB, Darrell Dean, TDA, Adam Whisenant, TPWD, and David Nabors, Region D, were present. The registration lists signed by guests in attendance are attached.

II. APPROVAL OF MINUTES – December 18, 2017

The minutes of the December 18, 2017, RCWPG meeting were approved as amended by consensus upon a motion by Steve Mundt and a second by Jack Stevens.

III. TWDB BOARD MEMBER UPDATE by Kathleen Jackson

Kathleen Jackson, TWDB, made a brief presentation concerning relevant water topics. Ms. Jackson began by thanking the Region C planning group for its part in being the basis of state water planning accomplishments. Jackson spoke concerning Swift funding; the water supply bond issue promoting cross collateralization of the Clean Water State Revolving fund; the NTMWD request for approval for the first major reservoir in thirty years; and the TWDB flood survey and workshops to get stakeholder input.

Ms. Jackson also spoke on her presentation to the Dallas Water Utilities where she gave updates concerning infrastructure. Jackson also recognized Jody Puckett for being a champion in the water industry by her leadership efforts and involvement in the regional water planning process. Ms. Jackson closed by emphasizing that the TWDB exists to serve.

IV. ACTION ITEMS FOR CONSIDERATION

A. Election of Officers for 2018

Chair Puckett asked if there were any nominations for officers from the floor. Hearing none, Chair Puckett advised on behalf of Gary Spicer that the RCWPG nominating committee had decided on the following recommendation for officers to serve during the calendar year 2018:

Chair	Kevin Ward
Vice Chair	Russell Laughlin
Secretary	Tom Kula

Steve Mundt asked, and Chair Puckett confirmed that the nominees for new officers had agreed to serve.

There were no public comments on this action item.

Upon a motion by Jack Stevens, and a second by Rick Shaffer, the RCWPG voted unanimously to approve the nominees to serve as the 2018 officers effective immediately upon adjournment of the meeting.

B. Resolution Recognizing Jody Puckett

Chair Jody Puckett has submitted her resignation from the Region C Water Planning Group effective April 10, 2018. With Resolution 18-1 the RCWPG recognized Ms. Puckett for her service to the planning group as long-standing member and Chair. Vice Chair Russell Laughlin read Resolution No. 18-1, and photos of the Region C WPG with Chair Puckett followed.

C. Consider Approval of Deadline for Projects to be Considered Existing Supplies

Numerous projects are in progress during this cycle of planning. There must be a specific date by which the project needs to be completed to be considered as "Existing Supply" in the Plan. Consultants are recommending the date of August 1, 2020. RCWPG may take action to approve this deadline.

There were no public comments on this action item.

Upon a motion by Fiona Allen, and a second by Grace Darling, the Region C WPG voted unanimously to approve the date of August 1, 2020, as the deadline by which the project needs to be completed to be considered as an "Existing Supply" in the Plan.

D. Consider Approval of Letter to TWDB Requesting Specific Hydrologic Variances to Water Availability Models

Amy Kaarlela, Freese & Nichols, led this discussion asking the RCWPG to consider approval of a letter to TWDB requesting Hydrologic Variances (HV) to TCEQ's official

Water Availability Models (WAM Run 3) that are required in determining available surface water supplies. The hydrologic variances are the same as have been used in previous planning cycles and include items such as inclusion of system operations used in Region C and subordination agreements. In addition, both Tarrant Regional Water District and Dallas Water Utilities are requesting the use of safe yield (rather than firm yield) in the 2021 Plan. Safe yield was used for both entities in the 2016 Plan.

Connie Townsend, TWDB Project Manager, had suggested a few edits to the hydrologic variance request letter to Amy prior to today's meeting that included clarification of: 'WAM RUN3' as the default TCEQ water availability model; the differences between WAM RUN3 and the unpublished 2017 TCEQ WAM update for the Trinity basin; and, the full storage volume assigned to Forest Grove Reservoir. Ms. Townsend advised that the TWDB will either approve the letter or work with the RWPG to provide additional information and/or provide possible revisions if necessary. Steve Mundt asked if there is any reason the TWDB will contradict the Planning Group's recommendation. Ms. Townsend said they would not dispute if enough background information is provided and the changes are reasonable. Ms. Townsend added that the primary water science staff will initially review, but the TWDB Executive Administrator will give final written approval. The letter to the TWDB will be mailed on April 10, 2018, by Freese & Nichols.

There were no public comments on this action item.

Upon a motion by Tim Fisher, and a second by Rick Shaffer, the Region C WPG voted unanimously to approve the letter to TWDB requesting hydrologic variances to the TCEQ's water availability models with the TWDB Project Manager edits and the ability for the consultants to make minor changes to the HV request if needed.

#### E. Consider Designation of Major Water Providers

Keeley Kirksey, FNI, advised the planning group that the TWDB has developed a new category of water provider for this fifth cycle of planning. Regional water planning groups are required by rule to specifically consider three, often overlapping, planning units when developing their plans: Water User Groups (WUG), Wholesale Water Providers (WWP), and Major Water Providers (MWP). A single entity may simultaneously be designated as a WUG, WWP, and MWP.

The new category of "Major Water Providers" (MWP) was established in rules for the development of the 2022 State Water Plan in conjunction with the removal of certain reporting requirements to allow RWPGs to establish a more static list of large water providers for which they report information. MWPs are intended to reflect entities of particular significance to the region's water supply instead of reporting data for every Wholesale Water Provider (WWP) as previously required. The MWP designation may include public or private entities that provide water for any water use category. If a region decides not to designate any entities as MWPs, the plan needs to include discussion as to why the RWPG determined it does not have any WUGs or WWPs of significance to the region's water supply.

Chair Puckett suggested the MWP's be designated based on top tier providers of existing and future supplies. The following top tier providers supply 84% of Region C water and serve 94% of Region C population:

- North Texas Municipal Water District (NTMWD)
- Tarrant Regional Water District (TRWD)
- Dallas Water Utilities (DWU)
- Upper Trinity River Water District (UTRWD)
- Greater Texoma Utility Authority (GTUA)
- Trinity River Authority of Texas (TRA)

Consultants are recommending the Major Water Providers be selected from entities that have secured the most water supply for its customers. This is measured by the combined surface water, reuse, and groundwater supply owned by the entity. A discussion on potential other MWP's ensued. Chair Puckett added that the city of Fort Worth has requested to be on the list. Wendy Chi-Babulal, alternate for the city of Fort Worth, said that the inclusion of Fort Worth as a MWP would be helpful for future water management strategies.

There were no public comments on this action item.

Upon a motion by Steve Mundt, and a second by Tim Fisher, the Region C WPG voted unanimously to designate the six top tier providers plus the City of Fort Worth as Major Water Providers.

F. Consider Approval of Methodology for Determining Availability of Non-relevant Aquifers

Amy Kaarlela, FNI, led this discussion regarding the methodology for determining availability of Non-relevant Aquifers. The entire Nacatoch Aquifer was declared non-relevant by GMA8 in the most recent GMA8 Modeled Available Groundwater (MAG) report and therefore MAG values were not calculated in the groundwater availability model runs. The aquifer is used in Region C in Kaufman and Navarro Counties to supply non-municipal needs and County-Other municipal needs. Nacatoch Aquifer is also used in Region D. Ms. Kaarlela contacted GMA representatives and Region D consultants to discuss options to determine availability. The options considered were:

1. Use data from 2016 Water Plan
2. Use Region C Consultants to assimilate new data

David Nabors, Region D Liaison, commented that the Nacatoch Aquifer is a minor amount of water, and Region D is not interested in discussing further. Region C consultants are recommending that the availability be the same as in the 2016 Plan.

There were no public comments on this action item.

Upon a motion by Russell Laughlin, and a second by Tim Fisher, the Region C WPG voted unanimously to use the same availability data for the Nacatoch Aquifer as contained in the 2016 State Water Plan.

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- G. Consider Approval of Region-Specific Scope of Work for Task 5A and Request for Notice to Proceed from TWDB; Consider Authorizing TRA to Execute Contract Amendment with TWDB

Tom Gooch, FNI, advised the planning group that each region is required to develop a region-specific scope of work for Task 5A (Evaluation of Water Management Strategies). Consultants have developed a scope of work and associated fee for approximately half the work to be done under this task. The budget amount for this task is shown below:

- Total Region C Budget = \$2.4M
- Total 5A Budget for Region C = \$1.1M
- Initial 5A Scope/Fee Request = \$412,500
- Remaining scope/fee will be identified after Needs Analysis has been completed
- Similar scope to 2016 Plan, with additions

Task 5A Evaluation of Specific Large Scale Supplies will include:

- Toledo Bend
- Gulf of Mexico Desal
- Lake Texoma (Desal & Blending)
- Oklahoma water
- Neches Run-of-River
- Carrizo-Wilcox Groundwater (Region D)
- Lake O' the Pines
- Tehuacana Reservoir
- Lake Columbia
- Indirect Reuse at Lakes Hubbard & Lewisville
- Integrated Pipeline – Dallas portion
- Cedar Creek Wetlands
- TRWD Additional Reuse
- Lower Bois d'Arc Creek Reservoir
- Lake Ralph Hall and Reuse
- Lake Ringgold
- Sulphur Basin Supplies (3 scenarios)
- New Groundwater from Carrizo-Wilcox
- Aquifer Storage and Recovery (ASR)
- Reallocation of Storage in Joe Pool Lake
- Additional Reuse, multiple projects

Task 5A Evaluation of Strategies will include:

- Updating Costs
- Running WAM for surface supplies to determine availability
- Refining pipeline routing and infrastructure needs
- Environmental impacts

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- Update GIS mapping required by TWDB
- Additional items in scope:
  - Allocating supply to WUGs from each strategy
  - Documentation of the evaluation and selection of all recommended strategies & Projects (including explanation of why certain types of strategies may not have been recommended)
  - Coordination with project sponsors
  - Writing report sections
  - Entry of all data into TWDB database (DB22)
- Required Steps:
  - Initial scope posted on Region C website (4/2/18)
  - Take public comment
  - RCWPG consider approval of scope/fee
  - RCWPG consider approval of Notice-to-Proceed Request
  - RCWPG consider authorizing TRA to amend contract with TWDB

Chair Puckett asked if part of the scope will include touching base with the suppliers, and Tom Gooch confirmed that it will.

There were no public comments on this action item.

Upon a motion by Jack Stevens, and a second by Rick Shaffer, the Region C WPG voted unanimously to approve the Task 5A Evaluation of Strategies scope/fee; approve the request for Notice to Proceed from TWDB; and authorize TRA to execute a contract amendment with TWDB to include this new scope of work.

### H. Consider Appointment of Task 8 Subcommittee

Ellen McDonald, Alan Plummer Associates, initiated discussion on this action item. Task 8 involves the potential designation of Unique River Segments and Unique Reservoir Sites as well as Legislative recommendations. McDonald noted the following considerations:

- The RCWPG may designate a river or stream segment as being of unique ecological value based on the following:
  - Biological function
  - Hydrologic function
  - Riparian Conservation areas
  - High Water Quality/exceptional aquatic life/aesthetic value
  - Threatened or endangered species/unique communities
- The Legislature may designate a river or stream segment of unique ecological value for protection.
- In 2002, TPWD recommended 10 Region C segments as ecologically unique.
- Texas Water Code 16.051(f):

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- “This designation solely means that a state agency or political subdivision of the state may not finance the actual construction of a reservoir in a specific river or stream segment designated by the legislature...”
- For designated segments, regional water planning regulations require assessment of Regional Water Plan impact on:
  - Flows important to the segment
  - Unique features of the segment
- Implies greater level of protection
- Previous Region C Water Plans
  - No river or stream segments recommended as ecologically unique because of unresolved concerns regarding the implications of such a designation.
- Scenarios of concern (upstream, within, or downstream of designated segments)
  - Dams
  - Pipeline crossings
  - Intakes
  - Transport of upstream reservoir releases
  - New water outfalls
  - Treated effluent outfalls
  - Constructed wetlands

### Preparation for 2011 Region C Water Plan

- Consultants met with State Agencies, August 2009
  - Reviewed legislation and agency rules
  - Addressed scenarios of concern
- State agency meeting conclusions:
  - TPWD plans no update to 2002 unique stream segment (USS) report for Region C
  - TPWD and TWDB staff believe USS legislation only impacts public financing of reservoirs
  - TCEQ staff position is to use all available information to regulate attributes of streams without regard to USS designation
  - USS designation may influence public opinion
  - USS legislation has not been tested in courts
  - A TWDB/TPWD/TCEQ/RWPG workgroup could help address concerns

### Recommendations from 2016 RCWP

- Convene a working group comprised of representatives from TWDB, TPWD, TCEQ, and the sixteen regions to bring clarity, purpose, and direction to the legislative mandate to “identify river and stream segments of unique ecological value.”
- Working group members included: Adam Whisenant, Kevin Ward, Bill Ceverha, James Hotopp, Connie Standridge, Tom Woodward, Denis Qualls, Jim Parks and Jim Oliver.
- Echoed recommendation from the 2011 RCWP.

#### Unique Sites for Reservoir Construction

- The RCWPG may recommend sites of unique value for reservoir construction:
  - For a reservoir recommended as a water management strategy
  - Based on location, hydrologic, geologic, topographic, water availability, water quality, environmental, cultural and current development characteristics, or other pertinent factors that make the site uniquely suited for reservoir development
    - For the current planning period; or
    - If reasonably needed to meet needs beyond the 50-year planning period.
- The Legislature may designate a site of unique value for the construction of a reservoir.

#### Implications

- Texas Water Code 16.051(g):
  - “A state agency or political subdivision of the state may not obtain a fee title or an easement that would significantly prevent the construction of a reservoir on a site designated by the legislature...”

#### Recommendations from 2016 RCWP

- Continue to designate following sites as unique sites
  - Ralph Hall
  - Lower Bois d’Arc Creek
  - Marvin Nichols
  - Tehuacana
  - Fastrill
  - Columbia
- Recommend that Texas Legislature designate George Parkhouse (North) as an additional unique site for reservoir construction (Legislature has not made this designation)
- Encourage continued affirmative votes by sponsors of these reservoirs to make expenditures to construct or apply for permits to preserve the designations

#### 2021 Recommendations

- No significant actions or clarifications since 2011 RCWP
- Options available to the RCWPG to address river and stream segments of unique ecological value and unique reservoir sites:
  - Maintain the same recommendations
  - Appoint a subcommittee to review/revise recommendations

Chair Puckett discussed these options with the planning group. Jack Stevens asked if there had been any new criteria to which Adam Whisenant replied there was none. Bill Ceverha was in favor of keeping the same recommendations since nothing had changed since the 2016 designations. Chair Puckett added that the planning group does not want to hinder any duties of stream segments such as providing greenbelts. Chair Puckett also noted that she had been involved in studies on stream flows and how they can affect ecology. Whisenant said that a subcommittee would provide an opportunity to bring more information together. Tom Kula said that he supports stream

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segment review. RCWPG may consider appointing a subcommittee to review the issues and make recommendations to the full RCWPG.

There were no public comments on this action item.

Upon a motion by Jack Stevens and a second by Fiona Allen, the Region C WPG voted unanimously to form a Task 8 Subcommittee to review and revise recommendations for river and stream segments of unique ecological value and unique reservoir sites; and appoint Adam Whisenant, Tom Kula, Grace Darling, Bob Riley, Jack Stevens, Wendy Chi-Babulal, Tim Fisher, Rick Shaffer, Kevin Ward and John Lingenfelder to the Task 8 Subcommittee.

### V. DISCUSSION ITEMS

#### A. Schedule - Amy Kaarlela presented the following key dates for the 2021 Planning Cycle

- September 2018 – Technical Memo on Needs, Potentially Feasible Strategies, Major Water Providers Due to TWDB
- March 2, 2020 – Initially Prepared Plan Due
- October 13, 2020 – Final Plan Due
- Next Meetings – August 20, 2018 & possibly November 2018

#### B. Existing Water Availability (Task 3) – Keeley Kirksey, FNI, led this discussion and provided charts comparing the existing surface, groundwater, and reuse supplies in the 2016 RCWP to the proposed 2021 RCWP. Kirksey noted:

- WAM Modeling complete for all reservoirs
- Supplies are similar to those in the 2016 Plan
  - Changes from volumetric surveys
  - TCEQ changes to the WAM
  - Changes based on reservoir operations
- Existing Supplies: Reuse – Changes from 2016 RCWP (Preliminary)
  - Supplies moved from recommended WMS to existing supplies
    - DWU Lake Ray Hubbard/Main Stem Pump Station Exchange
    - DWU Lewisville Lake/Main Stem Pump Station Exchange
    - Irving Twin Wells Golf Course Reuse (part of Irving/TRA WMS from 2016 Plan)
    - Revisions to NTMWD East Fork Raw Water Supply Project to include diversions at the Main Stem Pump Station
      - Includes sale of TRA reclaimed water to NTMWD
    - Lake Weatherford Indirect Reuse

#### C. Initial List of Potentially Feasible Water Management Strategies (Task 4B) – Keeley Kirksey, FNI, led this discussion and pointed out that a draft list was provided to the planning group in the notebook handout. Kirksey noted that the draft list:

- Not all-inclusive or final
- Includes WMSs from 2016 Plan
- Includes new WMSs
- Includes changes to WMSs from 2016 Plan
- Will include additional WMSs when final

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- WMS Example Categories (not complete list)
  - Water Conservation
  - Direct and Indirect Reuse
  - Aquifer Storage and Recovery
  - Desalination
  - Connect to existing supplies
  - Purchase from provider
  - New Reservoir
  - Groundwater
  - System Operations
  - WTP Expansions
  - Modify Existing Permits

D. Public Participation Materials – Amy Kaarlela, FNI, gave the following points on this topic:

- Cooksey Communications developed materials to be used by Region C members as needed
- “Elevator speech” designed to quickly communicate the critical importance of water planning to our Region
- Printable “brochure” to be distributed at speaking engagements, etc.

Ms. Kaarlela advised that the brochure will be uploaded to website by August and can be updated as needed. Steve Mundt commented that this is a good alternative solution to a quarterly newsletter.

E. TWDB Planning Rule Revision Q & A – Connie Townsend, TWDB, provided the presentation slides to RCWPG members prior to today’s meeting as requested and advised that the new regional planning rules will become effective April 11, 2018. Ms. Townsend also highlighted information from slide #11: *Amended §357.21(c) requires 14-day notice (and 14-day comment period after) for approval of the technical memorandum.* Steve Mundt asked if there are any issues to be taken to the Legislature. Ms. Townsend replied that Task 8 includes the planning group developing their own legislative policy recommendations and regional water planning recommendations and the Task 8 Subcommittee can address these when they meet and these issues will be presented to the Legislature. Chair Puckett thanked Ms. Townsend for her attendance.

F. Next Steps – Amy Kaarlela outlined these steps as follows:

- Summer – Database entry of Existing Supplies; Determine Needs; begin evaluation of large scale strategies
- August – Next RCWPG Meeting
- September – Submittal of Tech Memo (Needs, Potentially Feasible Strategies)
- Late 2018 – Begin other Misc. Tasks; possible RCWPG meeting.

## VI. OTHER DISCUSSION

A. Updates from the Chair – Chair Puckett did not have any updates but encouraged the Region C planning members with vacant alternate positions to find alternates as soon as possible.

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- B. Report from Regional Liaisons
  - Region B – None.
  - Region D - David Nabors advised that the next Region D meeting will be April 11, 2018. Nabors added that the consulting engineers and the Region D members are on the same page.
  - Region I – None.
- C. Report from Texas Water Development Board – Connie Townsend, TWDB, spoke on the following topics:
  - Second contract amendment documents are being put together to include revised rules, revised Exhibit C, new Exhibit D, and additional committed funds..
  - April 16, 2018 – Anticipate the TWDB Board Adoption of all Regional Water Planning Projections.
  - State Flood Assessment Surveys have been sent out to receive stakeholder input.
  - Interactive State Water Plan enhancements have been made: new WMS view page that allows users to explore relationships between strategies, projects, and benefitting populations; new WMS-Type view page that allows users to explore planning data by, for example, ASR, new major reservoir, rainwater harvesting, etc; and improved help/navigation tools in the online application.
  - Technical Memo and MWPs List due September 10, 2018.
- D. Report from Texas Department of Agriculture - None
- E. Report from Texas Parks and Wildlife Department – None.
- F. Other Reports
- G. Confirm Date and Location of Next Meeting – August 20; 1pm, NCTCOG, 616 Six Flags Drive, Centerpoint Two Building, First Floor Transportation Council Room, Arlington, Texas 76011

## VII. ADJOURNMENT

There being no further business, the meeting of the RCWPG adjourned at approximately 3:25 P.M.

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JODY PUCKETT, Chair