

**The Coastal Bend Regional Water Planning Group
for the Senate Bill 1 Regional Water Planning Program
will meet on August 4th at 1:30pm**

Johnny Calderon County Building | 710 East Main St., Robstown, TX

(All meetings of the Coastal Bend Regional Water Planning Group are open to the Public)

MEETING AGENDA

I. Call to Order and Welcome by Co-Chair Scott Bledsoe at 1:32 p.m.

II. Roll Call conducted by Travis Pruski

Voting Members:

Co- Chair Scott Bledsoe
Co-Chair Dr. Pancho Hubert
Thomas Reading
Secretary Lonnie Stewart
Joe Almaraz
Aron Baggett
Chuck Burns
Gene Camargo
Teresa Carrillo
Carl Crull P.E.
James Dodson
Bill Dove
Lavoyger Durham
Gary Eddins
Andy Garza
John Marez
Esteban Ramos
Charles Ring
Donna Rosson
Mark Scott
Mark Sugarek

Representing Sector:

Water Districts
Small Businesses
River Authorities
GMA 13
Industries
Industries
Agriculture
Other
Environment
Other
Environment
Small Businesses
Counties
Electrical Generating Utilities
GMA 16
Water Utilities
Municipalities
Agriculture
Public
Municipalities
GMA 15

Attendance:

Present
Present
Present
Present
Present
Present
Present
Present
Present (Late)
Present
Absent
Absent
Present
Absent
Present
Present
Present
Present
Present
Present
Present

Non-Voting Members:

Kevin Smith
Nelda Barrera
Dr. Jim Tolan
Tomas Dominguez
John Byrum

David Fuentes

Representing Sector:

Texas Water Development Board
Texas Department of Agriculture
Texas Parks and Wildlife
USDA-NRCS
Region L-South-Central Texas RWPG
Nueces River Authority
Region M-Rio Grande RWPG
Precinct 1 Commissioner, Weslaco

Attendance:

Present
Absent
Present
Absent
Present
Present
Absent

Note: Quorum.

Guest:

Kristi Shaw
Travis Pruski
Lorie Flores
Melinda Malone
Luis Pena
Royce Carrera
Ronnie Ramirez
Diana Nichols
Brain Williams
Adrien Hilmy
George Gonzales
Frank Wilson
Daniel Bell
Pete Bell

Representing Sector:

HDR
Nueces River Authority
Nueces River Authority
Nueces Co. Emergency Management
Brush County BCGCD
Brush County BCGCD
TSSWCB
Kelly Hart
SPMWD
CBBEP
Duval GCD
Landowner
Landowner
Landowner

III. ACTION ITEM: Consider Approval of March 3rd Minutes

Scott Bledsoe asked if there were any corrections to be made. Esteban Ramos stated that on page 11 sentenced number five “Corpus Christi Authority” needed to be changed to “the City of Corpus Christi”. After corrections, motion to approve minutes as presented was made by Andy Garza seconded by Lonnie Stewart Motion carried.

IV. ACTION ITEM: Recommendation changes to by-laws from subcommittee

Scott Bledsoe asked if there are any changes to the By-Laws. After some discussion, a motion to approve By-Laws was made by Lonnie Stewart and seconded by Joe Almaraz. Motion carried.

V. ACTION ITEM: Summarize and approve municipal subcommittee recommendations on TWDB municipal water user group (WUG) list and base per capita assumptions for 2026 plan development (item V and VII will be combined) Presentation by Kristi Shaw (HDR)

1. Background

- March 3rd - Region N formed municipal subcommittee to consider draft TWDB projections related to municipal users
- March 16th - TWDB provided draft list of municipal WUGs, historical use and per capita information to RWPGs
- June 1st - Municipal subcommittee met to discuss TWDB, draft WUG list, and baseline per capita info

2. Definition Municipal Water User Group (WUG)

- a. Privately-owned utilities that provide an average of more than 100 acre-feet per year for municipal use for all owned water systems
- b. Public water systems serving institutions or facilities owned by the state or federal government that provide more than 100 acre-feet per year for municipal use
- c. All other retail public water utilities not covered in paragraphs (a) and (b) that provide more than 100 acre-feet per year for municipal use
- d. Collective Reporting Units, or groups of retail public Utilities that have a common association and are requested for inclusion by the Regional Water Planning Groups (RWPGs)
- e. Municipal and domestic water use, referred to as County-Other, not included in paragraphs (a)-(d) of this subsection

3. **Proposed Municipal WUGs for 2026 Region N Plan**
 - 41 individual WUGs
 - 11 county -other
4. **Updates to WUG List by TWDB – Two new Region N WUGs:**
 - **Old Marbach School WSC**
 - Located in George West
 - Population: 607
 - Avg water use 2016-2020: 94 ac-ft/year*
 - Max water use: 102 ac-ft/year
 - **Skidmore WSC**
 - Located in Skidmore
 - Population 632
 - Average water uses 2016-2020: 100 ac-ft/year*
 - Max water use: 105 ac-ft/year
5. **Interregional WUGs**
 - **EL Oso WSC**
 - Main Office in Kenedy (Region L)
 - Provides water to Live Oak (communities close to Three River) and Bee (Pawnee) Counties
 - Total system avg water use 2016-2022: 1,315 ac-ft year
 - In 2021 plan, water use listed within region N was 94 ac-ft in 2020
 - **McCoy WSC**
 - Main Office in McCoy (Region L)
 - Provides water to northwest Live Oak County
 - Total system avg water use 2016-2020: 1,145 ac-ft/year
 - In 2021 plan, demand listed within region N was 20 ac-ft in 2020

Summary-Municipal WUG list:

- **Subcommittee Recommendation – No changes to TWDB draft WUG list**
 - All Municipal WUGs from the 2021 plan retained
 - Accept new additions: Old Marbach School WSC and Skidmore WSC
 - Interregional Coordination for McCoy WSC and El Oso WSC
 - **TWDB deadline of July 29th for input on WUG list changes**
6. **Draft TWDB base per Capita Assumptions:**
 - a. **Baseline per Capita-TWDB**
 - Historical per capita GPCD: net use (gallons) divided by population divided by 365 days per year
 - Water use includes municipal use (indoor/outdoor), commercial, and light industrial use (not included in manufacturing, steam electric, or mining)
 - The TWDB provided historical utility based WUG population estimates, net use, and draft calculated GPCD for municipal WUGs from Year 2010-2020.
 - 2010 and 2020 population developed using utility boundaries and Census Blocks.
 - 2011-2019 population estimated using a variety of sources, including Census data, water use survey-reported connections, and growth rates.
 - RWPG opportunity to review- Baseline per capita will serve as basis for developing municipal water demand projections for the 2026 Plan
 - *TWDB draft baseline per capita:*
Base 2022 State Water Plan (2021 Region N Plan) GPCD – passive savings attributed to plumbing code savings*
 - *Carried over from previous plans based on city-based planning

7. Summary – Baseline Per Capita

- a. Subcommittee Discussed
 - TWDB draft baseline per capita recommendation *city limits-based*
 - alternative annual GPCD calculations from 2010 to 2020 based on service area extent *utility service area-based*
 - Year 2011 (dry year) GPCD *utility service area-based*
- b. Recommendation- Approve use of TWDB draft baseline per capita recommendation

After some discussion, Carl Crull made a motion to ratify the committee actions to the Texas Water Development Board and seconded by Gene Camargo. Motion carried.

VI. DISCUSSION ITEM: Update on City of Corpus Christi Sea Water Desalination Project: by Esteban Ramos Municipalities

The City of Corpus Christi has broken up the Sea Water Desalination Project into two sites that have applied to Texas Commission on Environmental Quality (TCEQ) for discharge and diversion. One site will be in the Inner Harbor City of Corpus Christi where the harbor bridge is and along ship channels. The second site is the LaQuinta Channel that point in San Patricio County. We commonly call these two-project phase 1 and phase 2. The idea is to start with the Inner Harbor location to help with demand where we stand to have drought proof water supplies. Inner Harbor is near and close to the demand center where growth is happening currently. The ideal to move forward with the Inner Harbor and then when the large volume or growth happens in the San Patricio side, we are set to go to with development to that site. These are two sites the City of Corpus Christi have applied for. In addition to that funding, request thru the Texas Water Development Board, thru Swift Funds, have been awarded up to 222 million dollars for the Inner Harbor. We have broken them into two tranches of planning and then the development phase you can use the larger sum. Currently we have taken 11 million of the 222 million dollars to continue with the easy ability, helping with permitting, land acquisition and other necessary steps in the beginning of that process for the Inner Harbor. All that said, we are moving well with the financial part and planning part. Where we stand today with TCEQ with these two applications, we will need both a discharge permit and a diversion permit. Which we have applied for both locations again. The Inner Harbor with regards to the diversion: we have gone thru the entire process. Now we are just waiting for TCEQ to place the items on their agenda. What does that mean? That means we have had a public meeting, draft permit written up and reviewed, people have commented on it and now we are just waiting to be placed on the TCEQ's agenda. As for the diversion on the LaQuinta: it is a mirror image, we have gone thru the same progress. We are still waiting also to place this item on the TCEQ's agenda hopefully this fall. I'm hoping for both the diversion water rights for the Inner Harbor and LaQuinta say that we will be going to the TCEQ optimistic in September, November, or December time frame. With regards to the discharge application, it has been declared administrate complete both the Inner Harbor and LaQuinta sites. We are waiting for comments back from TCEQ. We haven't heard anything back, but we are open to any comments they might have. The next steps with regards to the discharge permits for both is that a draft permit will be written and then we will have chance to review, then eventually public meeting for both sites. Once that is complete, it will follow the same pattern, go to TCEQ for a decision and an approval from them and that would take care of the permit with aspects regards TCEQ.

Other activities going on with the Inner Harbor: we went before the council a few months ago and they gave us the go head to move forward on land acquisition for the Inner Harbor. We are negotiating with landowners it is moving well. Hopefully sometime October, November, or December time frame, we will complete that acquisition and solidify the Inner Harbor land acquisition contracts. Simultaneously, we are also moving forward with the necessarily work needed to start the land acquisition for the La Quinta side. We are working with landowners to get everything ready for that process. La Quinta is a little behind the Inner Harbor. With regards with other permit, we are working with Freese and Nichols to complete the US Army Corps of Engineers (ACE) permit application that will be needed for this project. All major parts of both projects are moving in the right direction.

Questions from the Board Members:

On the diversion rights, what is the volume for Inner Harbor and the La Quinta? Do you have that in the permit? Esteban Ramos stated it is in the permit. The total capacity for the Inner Harbor maximum of 30 mgd. You are talking in 80,000-acre feet of sea water, for the La Quinta it's a little over 100,000-acre feet and a maximum of 40 mgd. *How far from the mouth of the channel?* Esteban Ramos: the water will be taken from deep water not surface water about a couple hundred feet from the edge of the land. *What kind of drought proof does this project provided?* Esteban Ramos: this is a great drought proofing system supplying trillion and trillion gallons of water. The water is replenished every four years by rain fall, inflow from the Nueces Basin, and by fifty percent of water the City of Corpus Christi being in from other basins. *When this was first induced to the board members a few years back, we were told we would never run out of drinking water. The Corpus Christi Port keeps bring in Industries that are mainly water base. Is it true that industries are using 80 percent of the water uses?* Esteban Ramos: No, we are about 60/40 right now. We gather here every quarter to talk about the water supply. There is always going to be a growing need for water supply as communities continue to grow. So, with the comment, "we would not need more water in future", I would disagree. Even our counter parts at Region L, Region N and water supplies managers are always looking for more water supplies. The Sea Water Desalination Project the City of Corpus Christi put together has set keys like environmental responsibilities and affordable responsibilities. This project has been echoing thru my whole leadership and we have a responsibility to the entire region. *Freese & Nichols stated they were asked about the discharge being ambient or what is the exact temperature coming out of the bay.* Esteban Ramos stated that ambient is regards to sea level. Temperature type of process will not hold addition temperature when taken out of the channel. It will not heat up the bay. *Member: what is the target date to start pumping for the bay?* Esteban Ramos: looking at a start date as middle or end of year 2026.

VII. ACTION ITEM:

Update on WUG list update to TWDB by July 29th deadline-Kristi Shaw
See agenda item V

VIII. ACTION ITEM: To authorize the Nueces River Authority to negotiate and execute an amendment to the TWDB contract to incorporate the full scope of work and total project cost for the 2026 Regional Water Plan.

Kevin Smith: The Water Board has a contract with Nueces River Authority to complete the Region Water Plan. The current contract is just for initial scope, which is task 1, task 2 and part of task 10. This next amendment will increase some of the committed funds. It would increase from \$119,000 to \$190,000. The amendment quantifies the full amount of \$524,000 and there will be \$200,000 commented for the future appropriation ledge. Texas Water Development Board approved the amendments on July 7, 2022. All amendments will be for full scope order "All Task". There are exhibit C and exhibit D guidance documents that explain how to link the region water plan and complete all data involved. Those won't be ready when amendments go out but shortly after will be on the Texas Water Development Board Website.

Mark Scott made a motion to authorize Nueces River Authority to negotiate and execute an amendment to the Texas Water Development Board contract to incorporate the full scope of work and total project cost for the 2026 Regional Water Plan and second by Carl Crull, motion carried.

IX. RWPG/TWDB Administrative and Other Issues- Kevin Smith

1. Interregional Planning Council

- Board appointed new Council in July. Welcome letter sent to members and alternates. Anticipate TWDB reaching out to Council in August/September to state discussing meeting dates and logistics.
- 2. Swift**
- Board approved commitments July 27.
- 3. Regional Water Planning Rulemaking**
- April 11, 2022, TWDB Board adopted amendments to regional water planning rules (31 TAC Chapter 357) and state water planning rules (31 TAC Chapter 358)
 - Proposed rules published December 31, 2021, in Texas Register; public comment period ended January 31, 2022; effective May 1, 2022.
 - As a result of public comments, two rule revisions originally included in the rule proposal for Chapter 357 were not adopted ((§357.34(j) and §357.42(j)). No changes to Chapter 358 as a result of public comments.
 - Board item with detailed information available on the TWDB website: <https://www.twdb.texas.gov/board/2022/04/Board/Brd04.pdf>
 - Rules available on Secretary of State's website: [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=3&ti=31&pt=10](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=31&pt=10)
- 4. Key Rule Changes to 31 TAC Chapter 357**
- New requirements added for RWPGs to discuss their process for conducting interregional coordination at the pre-planning public input meeting and summarize interregional coordination efforts in the Technical Memorandum, Initially Prepared Plan, and adopted Regional Water Plan (RWP). (§357.12(a)(1), §357.12(c)(8), §357.50(g)(1)(C))
 - Clarification provided that the Technical Memorandum include a statement if applicable, that no infeasible water management strategies (WMS) or water management Strategy projects (WMSP) were identified by the RWPG. (§357.12(c)(7))
 - Requirement for RWPGs to perform an infrastructure financing analysis is removed, and total number of regional water plan chapters is reduced to 10 accordingly. (§357.44 [removed], §357.22(b))
 - Requirement for RWPGs to prioritize recommended WMSPs and submit the prioritization with an adopted RWP is removed. (§357.46 [removed])
 - Clarification provided that specific allowances for certain limited costs associated with delivery of water within a water user group service area after treatment are permissible for direct reuse and conservation WMSs. (§357.34(e)(3)(A))
 - Several clarifications made to align the rules more closely with statute and remove non statutorily required reporting.
 - Drought response information revised to align with statute, RWPGs required to identify drought response triggers and actions. (§357.42(c))
 - An allowance is made for minor amendments to include an increase in unmet needs or new unmet needs if the amendment is the result of removing infeasible WMSs or WMSPs. (§357.51(c)(2)(C))
 - Clarification is provided that the EA will establish a deadline for RWPGs to submit amendments associated with infeasible WMSs that may be identified in the previously adopted RWP and that these amendments must include a summary of changes to unmet needs, if applicable. (§357.51(g))
 - An allowance is made for RWPGs to adopt errata to a final RWP to correct minor errors identified after adoption of the final RWP but prior to adoption of the corresponding State Water Plan. (§357.51(i))
- 5. Key Rule Changes to 31 TAC Chapter 358**

- Clarification is provided that RWPGs may, at the discretion of the RWPG, plan for drought conditions worse than the drought of record. (§358.3(2))
- The term ‘water management strategy projects’ is added through the section to align the state water planning guidance principles terminology with regional water planning rules. (§358.3(8))

Update from Travis Pruski: Coastalbend-rwpg.org website has been updated with all conservation plans, also including City of Portland updated plan.

X. General Public Comment Citizens may address the Planning Group concerning an issue of interest that is not listed on the agenda. Agenda item comments must be made when the item comes before the board. The planning group will place a time limit on all comments of 3 minutes.

Frank Wilson (landowner): Some water release down the river by TCEQ Texas Management requirements as come down the Nueces River right before the saltwater barrier dam. There has been a pipe installed back in 2008 or 2009. That water is no longer going over the saltwater barrier dam and down the mouth of the Nueces River into the Bay. It’s been diversity to 300 or more-acre feet over the last few months to the Coastal Bend Bay Estuary and not going down the river making the water stagnant. Due to the stagnant water, there has been three fish kills in the last year. Would there be any way the Coastal Bend Regional Water Planning Group and Nueces River Authority could help get some of water to flow down the Nueces River?

Board Member Establen Ramos answered with we need rainwater. Water is being released currently due to the condition we are in there are little to no inflow into our reservoir system. The release from Lake Corpus Christi is for municipals use, diversion and other wholesale for their needs. Corpus Christi has not made recon value of the pipeline you are describing for many months now. On the Nueces River Authority website nueces-ra.org you can find information about the pass thru reports that show all the data. As for the drought conditions our reservoirs system we could cut back targets below 30%, no more release into the bay estuary.

Frank Wilson (landowner) Nueces Bay Estuary was never getting that water until 2008 when that pipe was installed. Gods’ intention was for the water was to go down the Nueces River. It has been diverted against physics. You can see on google earth when the pipe was installed in 2008 and then the dam in 2009. Why does the Coastal Bend Bays estuary need so much water?

Board Member: Studies done by the Texas Department of Wildlife and others suggested some freshwater flows would enhance proactive diversion.

Frank Wilson (landowner): TCEQ said the water wasn’t safe for swimming or fishing because of the stagnant water.

Daniel Bell (landowner): The Nueces River would always have fresh water and fresh fish to eat until now. Problem is the sewer plant dump overflows, and the southwest wind blows everything up the river. The water is stagnant no flow at all. We are just asking when there is enough water if you could please release down the river. All the Nueces River has now is died fish and a brown film. The Nueces River runs through the city park. Should there be sign up to protect the people since the water isn’t safe to swim in or fish?

Members: Mr. Bell you would need to get with the Texas Department of Public Health.

Co-Chair Scott Bledsoe: we appreciate all your comments and glad everyone got to speak to the experts, but we are only a committee for planning and don’t have authority of this.

XI. Confirm Next Meeting Date: October 6th at 1:30pm

XII. Motion to adjourn by Carl Crull and seconded by Mark Sugarek. Motion carried

unanimously at 2:45 p.m.

The Region N- Coastal Bend Regional Water Planning Group Executive Committee may announce that it will go into executive session on any item listed on this agenda if the subject matter is permitted by law for a closed session. The open portions of this meeting will be recorded and made available to the public upon request.

If you wish to provide written comments prior to or after the meeting, please email your comments to tpruski@nueces-ra.org and include “**Region N. Coastal Bend Water Planning Group Meeting Public Comment**” in the subject line of the email. Additional information may be obtained from: Travis Pruski, Nueces River Authority, 539 HWY 83 South, 830-278-6810, tpruski@nueces-ra.org.