

**MINUTES OF THE
EAST TEXAS REGIONAL WATER PLANNING GROUP "I"
WEDNESDAY, October 24, 2007
Nacogdoches Recreation Center
1112 North Street, Nacogdoches, Texas**

Call to Order – Chairman Kelley Holcomb called the meeting to order at 10:15 a.m.

Invocation & Pledge of Allegiance – Mr. Ernest Mosby opened the meeting with the invocation. Kelley Holcomb led the group in the Pledge of Allegiance.

Roll Call and determination of Quorum. The roll was called by Mable Cannings and a quorum was determined as follows:

Voting Members Present: (16 of 21)

David Alders
David Brock
Jerry Clark
Josh David
Judge Chris Davis
Dr. Michael Harbordt
William Huegel
Kelley Holcomb
Bill Kimbrough
Duke Lyons
Ernest Mosby
Hermon Reed
Monty Shank
Darla Smith
Worth Whitehead
Dr. Leon Young

Non-Voting Members Present:

Temple McKinnon, TWDB
Terry Stelly, Texas Parks & Wildlife Dept.
Connie Standridge, Region C
Bobby Praytor, City of Dallas Water Utilities

Proxies

Kelley Holcomb for Jeff Branick
David Brock for George Campbell
Jerry Clark for Dale R. Peddy

Other Guests

Scott Hall, LNVA	Donna Maisel, NEDCO
Phillip Smith, Sen. Robert Nichols Office	Judy McDonald, NEDCO
Steven Albright, Sen. Robert Nichols Office	Mr. Joe English, Co. Judge
Mary Decker, Friends of Neches River	Walter Glenn, SETWD
Misty Roe, NEDCO	

4. Consideration and Approval of the Minutes of the September 12, 2007 meeting. Chris Davis made a motion to approve the minutes, seconded by Bill Kimbrough to accept the minutes as presented. The motion carried.

5. Financial Report – Rusty Phillips distributed the financial report and indicated that six counties had reported payments including Cherokee, Jasper, Shelby, Newton, Rusk, San Augustine. Kelley Holcombe reported that Sabine Co. had also submitted payment through his office which was turned over to DETCOG at this meeting.

Reports of Adjourning Regions

A. Region C – David Brock yielded to Connie Sandridge who reported Region C met and appointed Jodie Lauberburg, State Representative, Florence Shapiro, and Jim Parks. The group did not choose to make any nominations to the Bays and Estuaries Committee.

B. Region D - Glenda Kindle not present.

Region H –David Alders present. Mr. Alders reported that Region H had not met but will meet on October 30, 2007 at the San Jacinto River Authorities office and he will give a report at the next meeting.

Reports from Standing Committees:

A. Executive Committee – Kelley Holcomb reported that the executive committee had met on several occasions in person and by telephone and would make a report under Item 15C, under New Business.

B. Finance Committee – Kelley Holcomb reported that no formal nominations for the chair of the finance committee had been made and he would be making an appointment under 15C: New Business

Bylaws Committee – David Alders had no report.

Technical Committee – Mike Harbordt reported that most of the items discussed by the technical committee would be covered in the report from the consultant, Gary Graham., Shaumburg & Polk.

Nominations Committee – George Campbell not present. Appointed David Brock as his proxy who reported that the nominations committee had met earlier and would give a report in Item 14B.

Report from other State Agencies:

A. Texas Parks & Wildlife – Terry Stelly reported and responded to several questions about bays and estuaries, fresh and saltwater fish harvests.

B. Texas Department of Agriculture – Linda Parker, not present.

Report from DETCOG: Mable Cannings – No report.

Report from Texas Water Development Board: Temple McKinnon reported that the Water Conservation Advisory Council met 9/26/07 and will meet on 11/16/07 in Austin, TX. At their September meeting they elected C.E. Williams as chair. Mr. Williams is with The Pandandle GCD and Region A. She also announced that TWDB will celebrate 50 years by hosting a Water Summit in San Antonio, TX on December 2-4, 2007.

Applications for Regional Facility Plans and Flood protection planning are being accepted at this time. Facility plan deadline is Dec. 20, 2007 and flood planning application deadline is 1/4/08. Intended use plans for state revolving funds eligible projects in FY09 are open now.

A workshop on SRF financial assistance is being hosted by ANRA on 12/6/07 at the Fredonia at 1:30PM.

These meetings are going on statewide and referred to a handout for other locations. Draft rule revisions were approved for publishing for comment (through early December). These changes cover funding in Ch. 355 and planning in Ch. 357. A full power point presentation discussing other changes followed.

Report from Consultant Team – Gary Graham, Schaumburg & Polk, reported that progress was being made. Discussed scheduled will be looking at Initially Prepared Study in September 2008, Amendment of Scope of Work as discussed in last meeting related to Phase 1 and Recommendations for Phase 2. Will discuss in later in Item 15B.

Educational Presentation – Update on Sabine River Authority of Texas Water Management – Jerry Clark reported that the primary focus is on managing resources in the Sabine Basin for the betterment of the public good and the state of Texas. The three reservoirs for which planning and execution of water resources include Lake Tawakoni, Toledo Ben and Lake Forest.

Mr. Clark discussed future water rights, water needs, draught, conservation, re-use and water storage. He also discussed the relationship with the City of Dallas, long term water interests of each. Concluded that sharing water is necessary but we must take care of our region as a priority.

Public Comment. 1. Mary Decker, 2. Gene Decker - Do not sell our birth rights for a profit

Unfinished Business

A. Consideration for Tasks for the Round 3, Phase II Planning Cycle – Gary Graham. After lengthy discussion a motion was made by Mike Harbordt and seconded by Worth Whitehead to approve the list as presented with the amendments as discussed and to give the technical committee authorization to work with consultant in making minor revisions in the language as needed to be forwarded to the Water Development Board.

B. Consider Nominations for the Basin and Bay Stakeholders Committee – George Campbell was absent but appointed David Brock who reported that pursuant to Senate Bill 3:Sec 1.07 the ETRWG has developed a slate of nominees to serve on the Bay and Basin Stakeholders Committee. This committee will work with a larger group in developing environmental flow strategies and standards for Neches, Sabine, San Antonio, San Jacinto and Trinity River Basin which will impact Galveston Bay and Sabine Lake Bay. The list is due by November 1, 2007 and hopefully will result in 2-3 individuals being chosen to represent our region. Following is a list of the nominees:

Agriculture Irrigation	Mel Swoboda
Free Range Live Stock	Josh W. David
Concentration Animal Feeding	David Alders
Recreational Water Users	Charlie Garringer
Soil Conservation	Jerry Nichols
Refining	Darla Smith
Municipalities	Mike Norris
Chemical Manufacturing	Olan Webb
Electricity Generation	Dale Peddy
Paper Products/Timber	Mike Harbordt
Commercial Fisherman	Wade Butler
Public Interests Groups	John Stover
Regional Water Planning Groups	Kelley Holcomb
Groundwater Conservation Dist.	Walter Glenn
River Authorities	Jerry Clark
Environmental Interest Groups	Dr. Matthew McBrew

Motion to approve this list and submit to Austin was made by David Brock and seconded by Chris Davis. Motion carried.

The Planning Group recessed for lunch at 12:35 resumed at 1:00 pm

New Business

Consideration and possible approval of a waiver from approved Water Management Strategies for the City of Groveton – A Representative for the City of Groveton made a presentation requesting support from the East Texas Regional Water Planning Group for the City of Groveton for a waiver from approved water management strategies. He discussed several issues impacting water supply during draught conditions which makes it urgent to make changes as soon as possible.

David Alders made a motion to grant the request for support, seconded by Josh David. The board unanimously agreed to support the waiver. Kelley Holcomb requested the City of Groveton to submit the data, once it has been developed, to Gary Graham, Region I Consultant, for inclusion into future water planning and to encourage the mayor to stay involved in water planning.

B. Consideration and possible approval amending the Scope of Work for Task 1 Activity 2 – Gary Graham reported that after meetings with Sabine River Authority and the Water Planning Group a recommendation was arrived at to remove the map showing the routing of Map Station locations under Task 2: Mr. Graham further stated that it was not a good idea to show routes because it might have unintended consequences such as devaluation of property values and future property uses. Chris Davis made a motion seconded by Josh David to approve the changes.

C. Consideration and possible approval letter from DETCOG requesting their withdrawal from service to the Planning Group – Kelley Holcomb updated the committee on some issues regarding contractual arrangements between DETCOG and the East Texas Regional Water Planning Group.

David Alders said given that the executive committee has not finalized

any negotiations with a new administrative entity and thus would offer a motion that the planning group acknowledge receipt of the letter and not formally cut ties with DETCOG. Motion seconded by David Brock. A lengthy discussion ensued. The motion carried.

D. Consideration and possible approval authorizing the Executive Committee to negotiate terms of a Scope of Services Agreement with a new Political Subdivision – Worth Whitehead, seconded by Darla Smith offered a motion to authorize the executive committee authorization to negotiate a contract with a new administrative contract.

E. Consideration and possible approval of Committee Appointments -Kelley Holcomb appointed Darla Smith as Finance Committee Chairman. A motion was made by Chris Davis seconded by Ernest Mosby to approved Darla Smith to serve as Finance Committee Chair. The motion carried.

Chairman's Report: Kelley Holcomb made several announcements:

- 1) Deep East Texas Economic Development Summit, November 15, Lufkin Civic Center
- 2) State Revolving Fund Workshop - the Fredonia Hotel on December 6, 2007 at 1:30 PM.

General discussion

Proposed dates for future meetings: January 9, 2008 (later movcd to January 23).

Kelley Holcomb yielded the floor to Scott Hall with LNVA, who made comments regarding LNVA's pending application ammendment for water rights in the Neches Basin. Scott Hall answered questions from the floor regarding the application and legalities associated LNVA's submittal of the permit application. Mr. Hall indicated that there were some details of the application that he could not discuss, citing pending legal action associated with the pending contested case hearing.

Kelley Holcomb acknowledged that there is a legal process for adjudicating water rights permits. He also indicated that the data supporting this issue should be debated publically and admonished the group to confine their questions to the data supporting the application.

Monty Shank and Chris Davis requested that this item be placed on the agenda for our next meeting.

The meeting was adjoined at 1:50PM.

APPROVED THIS _____ DAY OF _____,
2008.

ATTEST:

SECRETARY

CHAIRMAN