

MINUTES OF THE  
TEXAS WATER DEVELOPMENT BOARD  
WORK SESSION  
June 26, 2014

Chairman Carlos Rubinstein called the Work Session of the Texas Water Development Board to order at 8:15 a.m. in Room 170 of the Stephen F. Austin Building, 1700 N. Congress Avenue, Austin, Texas. In addition to Chairman Rubinstein, Directors Kathleen Jackson and Bech Bruun were also in attendance, and a quorum was present.

The General Counsel announced that the first item for consideration would be an item continued from the May 29, 2014 Board meeting:

1. CONSIDER AUTHORIZING THE EXECUTIVE ADMINISTRATOR TO NEGOTIATE AND EXECUTE GRANT CONTRACT(S) ON OR BEFORE OCTOBER 31, 2014, IN A TOTAL AMOUNT NOT TO EXCEED \$1,500,000 FROM THE AGRICULTURAL WATER CONSERVATION FUND FOR FISCAL YEAR 2014 AGRICULTURAL WATER CONSERVATION METERING PROJECT(S).

Director Bruun moved to authorize the Executive Administrator to negotiate and execute grant contract(s) on or before October 31, 2014, in a total amount not to exceed \$1,500,000 from the Agricultural Water Conservation Fund for Fiscal Year 2014 agricultural water conservation metering projects as recommended by the Executive Administrator, but with the following changes:

Include the Termination clause, as distributed this morning, within each of the negotiated grant contracts; and

Allocate the \$1,500,000 grant funding in the following manner:

High Plains Underground Water Conservation District No. 1, \$617,500;  
Coastal Bend Groundwater Conservation District, \$25,000;  
North Plains Groundwater Conservation District, \$600,000;  
Mesquite Groundwater Conservation District, \$150,000; and  
Panhandle Groundwater Conservation District, \$107,500

The Motion was seconded by Director Jackson; it passed unanimously.

The General Counsel announced that the Board would now take up for consideration the following new business:

1. CONSIDER AUTHORIZING THE EXECUTIVE ADMINISTRATOR TO PUBLISH A REQUEST FOR APPLICATIONS IN THE *TEXAS REGISTER* FOR FISCAL YEAR 2015 AGRICULTURAL WATER CONSERVATION GRANTS FOR A TOTAL AMOUNT NOT TO EXCEED \$2,100,000 FROM THE AGRICULTURAL WATER CONSERVATION FUND. Cameron Turner, Water Science and Conservation, presented this item.

Director Jackson moved to authorize the Executive Administrator to publish a request for

applications in the *Texas Register* for Fiscal Year 2015 Agricultural Water Conservation Grants for a total amount not to exceed \$2,100,000 from the Agricultural Water Conservation Fund.

The Motion was seconded by Director Bruun; it passed unanimously.

2. CONSIDER APPROVING, BY RESOLUTION, A REQUEST FROM THE **OAK HILL FRESH WATER SUPPLY DISTRICT NO. 1 (WASHINGTON COUNTY)** FOR A \$500,000 LOAN FROM THE TEXAS WATER DEVELOPMENT FUND TO CONSTRUCT A NEW WELL AND LIFT STATION UPGRADES. Brenner Brown, Water Supply and Infrastructure, presented this item.

Director Bruun moved to adopt the proposed Resolution providing the Oak Hill Fresh Water Supply District No. 1 financial assistance from the Texas Water Development Fund to construct a new well and lift station upgrades, as recommended by the Executive Administrator.

The motion was seconded by Director Jackson; it passed unanimously.

3. CONSIDER AUTHORIZING PUBLICATION OF PROPOSED AMENDMENTS TO 31 TEXAS ADMINISTRATIVE CODE CHAPTER 363 RELATING TO FINANCIAL ASSISTANCE PROGRAMS, 31 TEXAS ADMINISTRATIVE CODE SECTION 353.3 OF SUBCHAPTER A RELATING TO GENERAL PROVISIONS, 31 TEXAS ADMINISTRATIVE CODE SECTION 356.10 OF SUBCHAPTER A RELATING TO DEFINITIONS, AND 31 TEXAS ADMINISTRATIVE CODE SECTION 367.2 RELATING TO DEFINITIONS, ALONG WITH THE PROPOSED ADDITION OF SUBCHAPTER M TO 31 TEXAS ADMINISTRATIVE CODE CHAPTER 363 RELATING TO THE STATE WATER IMPLEMENTATION FUND FOR TEXAS (SWIFT) AND THE STATE WATER IMPLEMENTATION REVENUE FUND FOR TEXAS (SWIRFT). Todd Chenoweth, Senior Advisor, presented this item.

The Board received comments from the following individuals:

Larry Hoffman;  
Ashley Crosswell, Environment Texas;  
Paul Weatherby, Middle Pecos Groundwater Conservation District;  
Fred Aus, Texas Rural Water Association; and  
Ken Kramer, Sierra Club

Director Bruun moved to approve the publication of proposed amendments to 31 Texas Administrative Code Chapter 363; Sections 353.3, 356.10, 367.2; and the proposed addition of Subchapter M to 31 Texas Administrative Code Chapter 363 relating to the State Water Implementation Fund for Texas (SWIFT) and the State Water Implementation Revenue Fund for Texas (SWIRFT), as recommended by the Executive Administrator, but direct the Executive Administrator to insert the following statement into the Preamble:

“The board solicits public comment on what additional efforts or processes that it might undertake to apply funding to rural political subdivisions, agricultural water conservation, water conservation and reuse. Additionally, the board solicits public comment on what additional factors, if any, should be included within the prioritization criteria, consistent with House Bill 4.”

And additionally

“The proposed rule will implement House Bill 4. To the extent that issues related to, or contained within the legislation are not fully reflected in the proposed rules, it is the intent of the Board to solicit public comment on all issues which may be germane to House Bill 4.”

The Executive Administrator may make non-substantive and grammatical changes to conform with *Texas Register* style and formatting requirements, and may insert the most up-to-date public hearing scheduling and location information.

The motion was seconded by Chairman Rubinstein; it passed unanimously.

4. No public comments were received.

Chairman Rubinstein recognized Lisa Glenn, Director, Operations and Administration, who is retiring from State service. He congratulated her on her years of service to the Water Development Board and State of Texas.

The Chairman also recognized Rusty Smith from Texas State Senator Kel Seliger’s office who was attending the meeting today.

5. The Board did not meet in closed session.

Chairman Rubinstein adjourned the meeting at 9:28 a.m.

APPROVED and ordered of record this, the 26<sup>th</sup> day of June, 2014.

TEXAS WATER DEVELOPMENT BOARD

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Carlos Rubinstein, Chairman

DATE SIGNED: \_\_\_\_\_

ATTEST:

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Kevin Patteson  
Executive Administrator