

**Brazos Watermaster Advisory Committee Meeting Agenda**

**Date: July 11, 2017 Time: 1:30 pm**

**Location: Brazos River Authority Offices,  
4600 Cobbs Drive, Waco, Texas, 76710**

**Primary Meeting Topic(s):** New BWAC Leadership Election; 2018 Fiscal Year Budget Proposal and Review

**List of Brazos Watermaster Advisory Committee (BWAC) Members:**

Morriss Barney, Texas Municipal Power Agency  
Scott Blasor, Palo Pinto MWD #1  
Brad Brunett, Brazos River Authority  
~~Sherie Burnette, Irrigator~~ VACANT  
Jonathan Dulus, City of Waco  
Timothy D. Finley, Dow Chemical Company  
Gene Fisseler, NRG Texas Power, LLC  
Robert George, Irrigator  
Tommy Hodges, Alcoa  
David Sauer, Gulf Coast Water Authority  
Gary Spicer, Luminant Power  
Rodney Stephens, Irrigator  
Kevin Taylor, Somervell County Water District  
Nicole Torralva, City of Temple  
Brent Wheeler, Irrigator

BWAC Members absent with prior notice: Tommy Hodges, Kevin Taylor

BWAC Members absent without prior notice: None

**TCEQ staff present:**

Amy Settemeyer – TCEQ, Manager, Watermaster Section  
Molly Mohler – TCEQ, Brazos Watermaster  
Kelly Mills– Asst. Director TCEQ Water Availability Division  
Guy Falzarano – Deputy Watermaster Program Deputy

**Guests present:** Robert Rudder, Wes Leiforte, Justin Ferguson, Damon Bonifire, James Kowis in for Tommy Hodges

**Call to Order and Introductions**

- Meeting was called to order at 1:35 pm. by Gene Fisseler, BWAC Chair
- All BWAC Members, TCEQ staff, and guests introduced themselves

## **Review and Approval of Prior Meeting Minutes**

- Minutes from two prior meetings were circulated for review and approval
  - July 11, 2016 meeting
  - April 18, 2017 meeting
  - After brief review and Discussion Scott Blasor moved to accept minutes, Morris Barney seconds the motion. Motion is passed by a unanimous verbal vote.

## **Watermaster Staff Update (Molly Mohler & Amy Settemeyer)**

Staff (Molly Mohler and Amy Settemeyer) reported that:

- NOV and Enforcement Summary
  - Two prior NOVs are have now been moved to enforcement
  - The prior notice of enforcement is still open but is being addressed
- Staff Vacancy Summary
  - Program currently/still has one vacant deputy position. Filling this position is, at present, constrained by state hiring freeze.
  - External hiring freeze was put in place by Governor in January due to state budget constraints and anticipated State 2017 Fiscal Year budget shortfalls;
  - Efforts were made in April to fill the position internally but job went unfilled after which an internal hiring freeze was put in place.
  - Additional efforts to fill the vacancy are expected to be delayed until September or longer if the state does not lift the hiring freeze at the beginning of the 2018 State Fiscal year. Plan continues to be to fill the position as soon as allowed. Note: Program will be competing with other state agencies for hiring as a backlog has developed as a result of hiring freeze.
- Basin Conditions Summary
  - For the most part the basin has been wet with no curtailment activities. At present the area below proctor is main concern area for curtailment.
- State Budget Approval For Watermaster Program
  - Watermaster Program received budget that was requested in 2017 legislative session. Note that this budget approval was for current staffing levels. Future staffing needs will be discussed in greater detail later in the meeting.

## **New BWAC Leadership Election (Gene Fisseler)**

- Gene Fisseler kicked off a leadership election discussion at 1:50 pm.
- The nomination team of Jonathan Dulus, Brent Wheeler and Rodney Stephens offered the following recommendation, after polling board member for interest:
  - David Sauer (GCWA) - Chairman
  - Morriss Barney (Texas Municipal Power Agency) – Vice Chairman
  - Nicole Torralva (City of Temple) – Secretary
- Board members briefly discussed candidates
- Gary Spicer moved to accept the nominating committee's recommendation as the new board leaders. Scott Blasor seconded this motion. The board voted an accepted the recommendation by a unanimous voice vote.

## **2018 Fiscal Year Budget Proposal and Staffing Review (Amy Settemeyer)**

- Amy Settemeyer kicked off 2018 budget and staffing discussion at 1:55 pm.
- The base 2018 calendar year budget at 2017 staffing levels is expected to be up a little due to a need to increase fringe benefits recovery. The 2018 budget with at 2017 staff would \$611,850.00 and would result in a municipal assessment rate of \$0.1275 per acre-foot.
  - It was noted by staff that in 2017 year, the fringe to salary recovery ratio the budget was 21% which underfunded staff fringe benefits.
  - In the 2018 budget, consistent with state policy this will need to be adjusted to full recover fringe benefits for Watermaster Program Staff. The fringe to salary recovery ratio is expected to be ~35% for 2018 Fiscal Year and beyond.
  - Board briefly discuss base 2018 budget and fringe adjustment.
- Amy Settemeyer next opened discussion on the topic of sustainable long term staffing needs. She noted that at present program staff struggled to manage all tasks required to support the program. She indicate that extra staffing resources are currently being leveraged from Austin to help cover work load. She indicated that the staffing gap created by being short one deputy is part of the issue but even with the vacant slot filled staff would not cover work load in wet months much less be well positioned to cover extra work expected during drought.
  - Board member asked question and had dialogue with staff about nature of work tasks, staff resource short falls and thought about various ideas for improving efficiencies.
  - Amy indicated that a large portion of deputy time is spent in the field and servicing the many smaller users, as well as, inspecting for illegal

pumping. Illegal pumping is identified by observing green field where they are not expected.

- Amy and Molly indicated that adjustment to deputies' regions and base locations were being made to improve efficiencies. However, it was noted that the Brazos is bigger, there are more water rights and intake point are hard to access. All of these factors make it more challenging to cover.
  - Staff indicated to the board that long term the addition of three additional staff member was determined to be necessary to sustainably cover the work load.
  - Board members asked questions and discussed options. On one hand, the need to efficiently manage water and police pumping in time of drought was viewed as the clear and critical objective of the program. And, on the other hand, concerns to keep cost as low as possible was an important and desirable objective of the board members present.
  - Various approach to stepping up staff levels were discussed.
- After fairly extensive discussion: Tim Finley moved to support the May 13, 2017 budget (\$611.85) plus addition of one administrative FTE (~ \$50 k/yr). Scott Blasor seconded the motion. The motion passed on voice vote.
  - Numerous members of the board continued to discuss the various options and wanted to consider options that did more to increase program staffing in the 2018 budget year. Among the board, there was also a strong desire by all to see the number before a decision was to be made by the board.
  - In respond to continued discussion: Gene Fisseler moved to have an e-mail up/down vote to support May 13, 2017 budget (\$611.85) plus addition of one administration FTE (~ \$50 k/yr) and field deputy FTE (~75 k/year) by e-mail after exact cost details were provided to board member by staff member later in July. Tim Finley seconded motion. This motion passed by a 10 to 3 margin.
    - Appendix A, B and C have been appended to this document to capture that details and outcome of the e-mail vote that resulted from Gene's Motion above. Support for the proposed FY2018 budget of \$717,527.45 and resulting municipal assessment rate of \$0.1399 per acre-foot was support by a 9 in favor and 6 opposed vote.

### **New Business**

- Board members requested that Brazos Watermaster program staff prepare and share a 3-5 year plan for the program at an upcoming meeting.
- Board recommended that we schedule the next meeting before the end of the year and that we discuss long term planning.
- Board member request staff to share results of investigation to expand the program to the upper Brazos at the next meeting.
- Several Board members suggested that we have Kirk Kennedy or sponsoring parties review the finding of recently published studies for the Colorado River which explored possible causes for unusually low inflows into the Highland Lakes at a future meeting.

### **Next Meeting**

- Next meeting targeted to be schedule prior to end of year 2017

### **Adjournment**

- Meeting was adjourned at 3:20

Respectfully submitted,

Tim Finley, Secretary

## Appendix A – Post Meeting Vote Electronic Vote Summary

### Post Meeting Follow Up Gene Fisseler Motion for E-mail Vote

- On Jul 17, 2017, at 08:23, Gene Fisseler sent the e-mail and figure described in Appendix A with a request to provide an electronic Yay or Nay vote. The e-mail stated:
  - If you SUPPORT this proposed budget which totals \$717,527.45 and yields a municipal assessment rate of \$0.1399 per acre-foot, please REPLY ALL with "YAY."
  - If you DO NOT SUPPORT this proposed budget which totals \$717,527.45 and yields a municipal assessment rate of \$0.1399 per acre-foot, please REPLY ALL with "NAY."
- Members reply copied all board members on the distribution or were forwarded to all board member by Gene with their respective responses.

In an E-mail on Thursday, July 20, 2017 at 4:52 PM Gene Fisseler reported that the motion to support the proposed FY 2018 budget of \$717,527.45 which yields a municipal assessment rate of \$0.1399 per acre-foot.

- Appendix B & C contain details of E-mails use to communicate

## Appendix B - Jul 17, 2017 08:23 E-mail from Gene Fisseler

Brazos Watermaster Advisory Committee -

Thank you for your participation - those of you who could attend - in our meeting last Tuesday, July 11, in Waco.

Recall that, during the meeting, we acted on two motions:

1. We passed a motion in support of the staff's "Estimated FY18 Operating Needs w/Additional Admin Assistant" which totals \$659,196.85 and yields a municipal assessment rate of \$0.1275 per acre-foot; and,
  2. We passed a motion to conduct, once the staff was able to provide certain requested information, a "straight up" electronic mail vote (Yay or Nay) on the staff's "Estimated FY18 Operating Needs w/Additional Admin Assistant and Deputy" which totals \$717,527.45 and
- In response to our request during the meeting, see the staff's summary below of the budget estimates. The summary details the proposed budget which was voted on during the meeting and the estimated budget being considered at this time. For comparison, the summary also includes the "bookends" that were available for consideration prior to the July 11 meeting - the bookends are the "business as usual" proposed budget of \$611,852.00 and the "three additional staff" estimated budget of \$815,365.51.

During our discussion regarding the electronic mail vote, each member present had an opportunity to question the staff regarding the proposed budgets. Some expressed their positions - that is, in support of the "Estimated FY18 Operating Needs w/Additional Admin Assistant and Deputy" or not in support of it.

It was made clear during the meeting that the electronic vote would allow only one of two responses - Yay or Nay. Discussion on the matter is closed and the electronic vote would not include any further discussion

Figure 1

The estimated budget being considered in this electronic vote is highlighted by the red oval below.

Brazos Watermaster Operations				
FY18 Proposed Assessment Compared to FY18 Budget Needs w/ Additional FTEs				
Budget Categories	Initial Proposed FY18 Operating Needs	Estimated FY18 Operating Needs w/ Additional Admin Assistant	Estimated FY18 Operating Needs w/ Additional Admin Assistant and Deputy	Estimated FY18 Operating Needs w/ All 3 Staff
Salaries	\$317,587.00	\$350,563.00	\$387,539.00	\$436,493.12
Longevity	\$5,888.00	\$5,888.00	\$5,888.00	\$5,888.00
Salary Enhancements	\$14,846.00	\$14,846.00	\$14,846.00	\$14,846.00
Fringe	\$114,189.00	\$124,757.05	\$137,699.45	\$154,833.39
Additional Insurance and Retirement	\$4,852.00	\$4,852.00	\$4,852.00	\$4,852.00
SORM	\$915.00	\$915.00	\$915.00	\$915.00
SWCAP	\$2,832.00	\$2,832.00	\$2,832.00	\$2,832.00
LAR Capital	\$0.00	\$0.00	\$0.00	\$28,000.00
Professional/Temp Services	\$67,646.00	\$67,646.00	\$67,646.00	\$67,646.00
Travel In-State	\$15,000.00	\$17,000.00	\$19,000.00	\$20,000.00
Travel Out-of-State	\$0.00	\$0.00	\$0.00	\$0.00
Training	\$2,500.00	\$3,000.00	\$3,200.00	\$3,500.00
Rent - Building	\$18,600.00	\$18,600.00	\$18,600.00	\$18,600.00
Postage	\$1,600.00	\$1,600.00	\$1,600.00	\$1,600.00
Phone/Utilities	\$4,600.00	\$5,250.00	\$5,700.00	\$6,500.00
Supplies - Consumables	\$3,500.00	\$3,650.00	\$3,850.00	\$4,000.00
Other Operating Expenses	\$1,537.00	\$1,537.00	\$1,600.00	\$1,600.00
Fuels/Lubricants	\$24,000.00	\$24,000.00	\$28,000.00	\$28,000.00
Rent - Machine & Other	\$260.00	\$260.00	\$260.00	\$260.00
Facilities, Furniture & Equip	\$11,500.00	\$12,000.00	\$13,500.00	\$15,000.00
Capital Equipment - Non LAR	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$611,852.00</b>	<b>\$659,196.85</b>	<b>\$717,527.45</b>	<b>\$815,365.51</b>

Assessment Comparison based on 97% Collection Rate				
	Initial	Add Admin	Add Admin & Deputy	Add All 3 Staff
Total Assessment:	\$630,775.26	\$679,594.38	\$739,719.02	\$840,343.00
Municipal Rate (per A-F):	\$0.1174	\$0.1275	\$0.1399	\$0.1608

Notes:  
 [1] One vehicle purchase is included which was not included in the initial proposal. This vehicle would provide a vehicle for the Watermaster and Assistant Watermaster to share. However, the Brazos program does not currently have any LAR authority for FY18/19 so the capital authority would have to be provided by the Agency. If the vehicle purchase is removed, the estimated assessment would be \$811,717.02 with a municipal rate of \$0.1549.

Therefore, I am now calling for an electronic vote of the Brazos Watermaster Advisory Committee on the question of support for the "Estimated FY18 Operating Needs w/Additional Admin Assistant and Deputy."

\* If you SUPPORT this proposed budget which totals \$717,527.45 and yields a municipal assessment rate of \$0.1399 per acre-foot, please REPLY ALL with "YAY."

\* If you DO NOT SUPPORT this proposed budget which totals \$717,527.45 and yields a municipal assessment rate of \$0.1399 per acre-foot, please REPLY ALL with "NAY."

The opportunity for you to participate in this electronic vote will continue through Thursday, July 20, 2017, at 5:00 p.m. Central Time.

Thank you for your service on the BWAC.

Gene Fisseler  
Chair

Gene Fisseler  
Water Resources Director  
Environmental Department  
1000 Main Street, Houston, Texas 77002  
O: 832.357.5758  
M: 713.504.1962

## Appendix C - Jul 20, 2017 04:52 PM E-mail from Gene Fisseler

**From:** Fisseler, Gene [mailto:Gene.Fisseler@nrg.com]

**Sent:** Thursday, July 20, 2017 4:52 PM

**To:** Brad Brunett <Brad.Brunett@brazos.org>; Bob George <bob@dicksonranch.com>; Brent Wheeler <bwwheeler66@gmail.com>; Gary Spicer <gary.spicer@luminant.com>; David Sauer <dsauer@gcwater.org>; Jonathan Dulus <jonathand@wacotx.gov>; Kevin Taylor <ktaylor@scwd.com>; Finley, Tim (T) <TDFinley@dow.com>; Sherie Burnette <sherie\_burnette@yahoo.com>; Scott Blasor <scottblasor@gmail.com>; Rodney Stephens <icfarms4020@gmail.com>; Nicole Torralva <ntorralva@templetx.gov>; Morriss Barney <mbarney@texasmpa.org>; tommy.hodges@alcoa.com; Fisseler, Gene <Gene.Fisseler@nrg.com>

**Cc:** Amy Settemeyer <amy.settemeyer@tceq.texas.gov>; Molly Mohler <molly.mohler@tceq.texas.gov>; James Kowis <james.kowis@gmail.com>

**Subject:** Re: YOUR ACTION REQUIRED - BWAC Electronic Vote

The motion has passed, 9 in favor to 6 opposed.

Thanks for your timely responses.

Tim, please include the results of this post-meeting vote as an addendum to the minutes

Of last week's meeting. Tks

Gene

Gene Fisseler

Water Resources Director

1000 Main Street, Houston, TX 77062

O 832.357.5758 M 713.504.1962



**BRAZOS WATERMASTER ADVISORY COMMITTEE**  
**April 18, 2017 Meeting**  
**Waco City Hall, Waco, Texas 76710**  
**Meeting Minutes**

**List of Brazos Watermaster Advisory Committee (BWAC) Members:**

Morriss Barney, Texas Municipal Power Agency  
Scott Blasor, Palo Pinto MWD #1  
Brad Brunett, Brazos River Authority  
Sherie Burnette, Irrigator  
Jonathan Dulus, City of Waco  
Timothy D. Finley, Dow Chemical Company  
Gene Fisseler, NRG Texas Power, LLC  
Robert George, Irrigator  
Tommy Hodges, Alcoa  
David Sauer, Gulf Coast Water Authority  
Gary Spicer, Luminant Power  
Rodney Stephens, Irrigator  
Kevin Taylor, Somervell County Water District  
Nicole Torralva, City of Temple  
Brent Wheeler, Irrigator

BWAC Members absent with prior notice: Sherie Burnette; Tommy Hodges

BWAC Members absent without prior notice: None

**TCEQ staff present:**

Amy Settemeyer – TCEQ, Manager, Watermaster Section  
Molly Mohler – TCEQ, Brazos Watermaster  
Nancy Ragland – Watermaster Deputy (Waco)  
Rob Carter – Watermaster Deputy (Waco)

**Guests present:** Debby Barney

**Call to Order and Introductions**

- Meeting was called to order at 1:30 pm by Gene Fisseler, BWAC Chair
- Waco City Manager Dale Fisseler welcomed group to Waco City Hall
- All BWAC Members, TCEQ staff, and guests introduced themselves

**Review and Approval of Minutes of July, 11 2016, Meeting**

- Delayed until next meeting due to the need for revisions

**Watermaster Staff Update (Molly Mohler & Amy Settemeyer)**

- Staff (Molly Mohler and Amy Settemeyer) reported that:
  - Rob Carter is the new Watermaster Deputy working from Waco
  - Kaitlyn Ruderer (Watermaster Deputy Stephenville) has left the program creating an open position. The position will be located in the College Station area.
  - Staff and BWAC Board discussed how the basin will be segmented in the future so that deputies can be better service all areas.
  - Staff noted that the Texas Governor, in response to budget shortfalls, had issued a state wide State Employee hiring freeze. As a result of this freeze, for the time being, open state and watermaster program positions can only be filled from within the current state employee pool. The possibility of hiring externally may become possible again at beginning of the fiscal year in September but this is not certain.
  - Program staff responded to 23 complaints and inquiries. They issued one notice of violation and one notice of enforcement since the previous meeting. Complaints have been mainly focused on flooding issues. Several, though, have been in response to reports of illegal diversions. The notice of enforcement was issued for an on-channel impoundment that was being filled with groundwater and pumped for irrigation.
- Several BWAC Board Members and program staff discussed potentially illegal irrigation practices that included riverside well fields and the use of off-channel wet wells with subsurface intake pipe extending out into the river bed.
- Several BWAC Board Members and program staff also discussed an issue on the Bosque River where a series of channels is being constructed as part of a development project that could be connected to the river in the future.

### **New BWAC Leadership Nomination Committee (Gene Fisseler)**

- Gene Fisseler kicked off a discussion to initiate the selection of the Nominating Committee for next year's BWAC leadership (Chair, Vice Chair and Secretary).
- Morriss Barney, Nicole Torralva, Brad Brunett and David Sauer served on the nomination committee in the previous year and per the bylaws cannot serve on the nominating committee in a second consecutive year.
- BWAC Board Members and program staff discussed the fact the all members would be at the end of their first 2-year term in July and questioned how this would be handled? Staff indicated that members could be elected to stay on the committee or leave at the end of the term. Staff indicated that if any BWAC member elected to leave, the ED with input from TCEQ would strive to fill the vacated position with someone representing the same particular geographic area and user

group interests (i.e. upper, middle and lower and agricultural, industrial, municipal and mining).

- BWAC members and staff discussed if current members wanted to continue to serve. Staff indicated that Sherrie Brunette had asked to be replaced. The final outcome of the discussion was that all members present affirmed their interest in serving on the BWAC for another 2-year term.
- BWAC members continued to discuss selection of the nominating committee and after this further discussion: **Gary Spicer moved that Jonathan Dulus, Brent Wheeler and Rodney Stephens serve as the 2017 Nominating Committee. Brent Wheeler seconded and, on a verbal vote, the BWAC approved the motion.**

### **Watermaster Program Administrative Items (Amy Settemeyer)**

- **Planning for next meeting:** After dialogue, the meeting date was established to be Tuesday, July 11, at 1:30 pm in Waco with the location to be determined. The focus of the July Meeting will be BWAC leadership elections and the annual budget review for next fiscal year.
- **Additional staffing request discussion:** Staff (Amy Settemeyer) presented concerns about current staffing levels and the impacts of recent turnover. She indicated that staff with some support from supplemental TCEQ staff is just keeping pace with current work load. As a result, she and TCEQ were seeking input from the BWAC members regarding staffing levels to prepare the next fiscal year budget.
- Amy and Molly indicated that there is a need for as many as three more full time employees (FTEs) for the program to effectively support the basin. The potential recommendation to add three FTEs would include two more field agents/deputies and one additional administrative assistant.
- Amy indicated that, at present, two employees from TCEQ staff in Austin are supplementing current Watermaster program staff. These two individuals are currently functioning to serve the program as liaisons. They handling phone calls and assisting in data management. As noted previously, these two employees at present are not funded by the program.
- BWAC members requested additional input to help justify the need for the added staff. BWAC members and staff discussed how work load might increase in times of drought and the viable and challenge of securing supplemental TCEQ resources in the case of increased work load during drought conditions.

- Amy indicated at present the Brazos Watermaster Program was currently funding seven FTEs and noted that one position was open due to staff turnover.
- At present, filling the open position was difficult due to state wide hiring freeze. Various BWAC members expressed dissatisfaction with paying for services as part of the program that were not potentially being provided due to State Government hiring freeze.
- BWAC members asked staff for input on the upper basin watermaster evaluation.
- Staff indicated that TCEQ was in the process of evaluating the need to extend the watermaster program to the upper Brazos. Staff noted that an ED recommendation regarding the upper basin would also be forthcoming and that, if the ED and TCEQ both conclude that it was needed, it would be included in the next fiscal cycle. BWAC members requested an update on this topic at the July board meeting.
- The general consensus of the BWAC members was that staff should seek resources needed to make sure the program could effectively manage water rights in times of drought but that there was a need to be as efficient as possible in an effort to keep program costs low.

### **Waco Water Management (Jon Dulus)**

- Presented history of City of Waco water supply
  - 1872 Private, individual wells
  - 1899 Two private water companies consolidated
  - 1904 City bought consolidated companies
  - 1912 "Purification Plant" built on the Brazos River
- Presented history of Lake Waco
  - 1925 First Lake Waco built (completed in 1930)
  - 1956 Lake Waco silting in, Congress authorizes new dam
  - 1962 Second dam completed with aeration system
  - 1966 New dam built, larger lake, forty watershed Public Law 566 detention dams built
  - 1979 City authorized study for raising water level of Lake Waco
  - 2003 Completed seven foot pool rise; 8900 acres, volume 196,000 acre-feet
- Presented information on McLennan County Water Supply
  - Estimated population of 230,000+ by 2070
  - Estimated need for 90,000 acre-feet + water supply by 2070
  - 99% of water used in Waco originate from surface water
  - Current Sources Include

- Lake Waco Surface Rights = 78,790 acre-feet/year
    - Groundwater Protection (Trinity) ~20,000 acre-feet/year
    - Brazos River Surface Rights = 5,600 acre-feet/year
    - WMARSS Reclaimed Water = 10,000+ acre-feet/year(available)
    - Other Surface Water Rights (Bluebonnet)
    - City of Robinson (Brazos River Supplies)
  - Noted Water Supply Challenges Include
    - Falling Trinity Aquifer level
    - Water rights priority dates and challenges
    - Arsenic content in groundwater in certain areas
  - Waco has never reached Stage 2 drought triggers
- Presented information water treatment, wastewater treatment and city and regional infrastructure
  - City has three water treatment plant that include a 90 MGD DAF and Ozone Pretreatment Plant the feed two filter plants. One 52 MGD plant and one 32 MGD plant.
  - Regional waste water treatment plant treats waste water from Waco and other local cities. Facility is referred to as Waco Metropolitan Area Regional Sewerage System (WMARSS).
  - This facility treats up to 45 MGD waste water that discharges effluent to the Brazos River.
  - City is managing a program to spend \$295 MM on infrastructure projects over a 10 year period; Program called "Building Waco" with information available on the Web
- Reviewed Information about Lake Waco wetlands
- Review information about Lake Brazos Dam

**New Business – None**

### **Next Meeting**

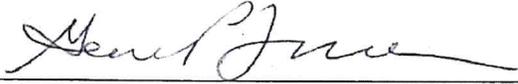
- Tuesday, July 11, at 1:30 pm in Waco with an exact location to be determined

### **Adjournment**

- Meeting was adjourned at 3:20 p.m.

Tim Finley, Secretary

*Adopted and Approved in Session of the Brazos Watermaster Advisory  
Committee on the 11th day of July, 2017.*



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Gene Fisseler, BWAC Chair



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Brent Wheeler, BWAC Vice-Chair



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Tim Finley, BWAC Secretary

**BRAZOS WATERMASTER ADVISORY COMMITTEE**  
**July 11, 2016 Meeting**  
**Brazos River Authority Offices, Waco, Texas 76710**  
**Meeting Minutes**

**Primary Meeting Topic(s):** New Officer Elections; Fiscal Year 2017 Budget

**List of Brazos Watermaster Advisory Committee (BWAC) Members:**

Morriss Barney, Texas Municipal Power Agency  
Scott Blasor, Palo Pinto MWD #1  
Brad Brunett, Brazos River Authority  
Sherie Burnette, Irrigator  
Jonathan Dulus, City of Waco  
Timothy D. Finley, Dow Chemical Company  
Gene Fisseler, NRG Texas Power, LLC  
Robert George, Irrigator  
Tommy Hodges, Alcoa  
David Sauer, Gulf Coast Water Authority  
Gary Spicer, Luminant Power  
Rodney Stephens, Irrigator  
Kevin Taylor, Somervell County Water District  
Nicole Torralva, City of Temple  
Brent Wheeler, Irrigator

BWAC Members absent with prior notice: Sherie Burnette

BWAC Members absent without prior notice: None

**TCEQ Staff present:**

Amy Settemeyer – TCEQ, Manager, Watermaster Section  
Molly Mohler – TCEQ, Brazos Watermaster  
Kaitlyn Ruderer– Deputy Watermaster (Stephenville)  
Nancy Ragland – Deputy Watermaster (Waco)  
Guy Falzarano – Deputy Watermaster (Lake Jackson)  
Steven Dyer – Deputy Watermaster (Stephenville)  
Jillian Huff – Administrative Assistant  
Stephen Kinal – Watermaster Liaison  
Brooke McGregor – Watermaster Liaison

**Guests present:** Walter Scott, Justin Tergerson, Austin Cook, Lysie Patschke, Mary Marecek, Damon Boniface, Edwin Bailey III, Edwin Bailey II, Julie Andress (BRA), Jim Forte (BRA)

## **Meeting Summary**

### **Call to Order and Introductions**

- The meeting was called to order by Gene Fisseler, BWAC Chair at 1:35 pm. All BWAC Members, TCEQ staff, and guests introduced themselves.

### **Review and Approval of Minutes of March 30, 2016, Meeting**

- Scott Blasor moved to accept the minutes and Morriss Barney seconded the Motion. Motion to approve passed by verbal vote.

### **Watermaster Staff Update (Molly Mohler)**

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- Molly reported that:
  - Program efforts and progress are going well.
  - Michaela McCown was no longer with the program. Currently, in the interview process to fill her position.
  - Program has contacted 79% of water right holders. This is up from 77% in the fall. The water rights holders contacted to date account for 98% of the permitted water in the basin.
  - Program had recently been responding to a number of inquiries and complaints, many of which have been associated with recent flooding issues.
  - Program had completed ~ 350 meter certifications, responded to 23 complaints/inquiries, issued 2 field citations and 1 notice of enforcement.
- The BWAC had a short discussion about the Watermaster Program complaint response process.

### **New BWAC Officer Elections**

- David Sauer, the Nominating Committee Chair, opened the discussion on this topic.
- David Sauer indicated that it was the Nominating Committee's recommendation to re-elect the current officers for another year of service in their current leadership roles.
- After a very brief discussion, there was clear support for the BWAC Nominating Committee's recommendation.
- David Sauer moved to re-elect the current BWAC officers for another year. Morris Barney seconded the motion. The motion was approved unanimously by a verbal vote.

### **Fiscal Year 2017 Budget and Assessment Review**

- Amy Settemeyer reported the following:
  - Collection rate was better than expected, FY16 estimated was 85% and the actual rate was closer to 95%.

- Percentage charged for fringe benefits would be increasing. At present fringe benefits for the staff are below the state standard.
- 2017 program budget is expected to be \$562,000. Resulting in the municipal/industrial rate at just under 12 cents per acre-foot and the irrigation rate at 9 cents per acre-foot.
- The notes below capture key points of questions and discussion:
  - Why is the budget allocation for fringes currently low and being increased? The fringe budget for all state programs was recently increased from 19% to 21%. At present, the shortfall in budget allocation is a short-term issue that is being covered funds from the Fund 158, Watermaster Fund.
  - Can the Fiscal Year 2016 over recovered funds be applied to current year cost? No; it is held in reserve to handle shortfalls if and when they occur.
  - How would a severe drought impact the staffing and operation needs of the watermaster program? And, does this need to be proactively addressed in the budget? Staff is filled based on the initial assessment of needs for the program during non-drought conditions. The program is already stretched thin during non-drought times. Additional staff would likely be needed in the event of a drought.
  - As far as the budget process and program planning needs are concerned, the Watermaster should ask for the staff needed, since it is certain that we will have another drought.
  - Current proposed budget recommendation will be made to TCEQ Commissioners on September 7, 2017, and assessments for fiscal year 2017 will be sent out in mid to late October 2017.
  - Major development work for TXWAS water program is complete. The support for this program will move into maintenance and is expected to require the support of one person that would be funded from all watermaster programs.
  - What staff is covered by the currently proposed budget? The Watermaster budget covers seven employees. The two liaison positions are not currently funded by the Brazos Watermaster Program.
  - Do watermaster deputies have tablet and/or the ability to access database information while in the field? No, tablets are currently not a supported tool.

Scott Blasor moved that the BWAC recommend to the TCEQ Commissioners the Brazos Watermaster Budget as presented. David Sauer seconded the motion. The motion was approved.

### **Brazos Operation Model Presentation (Kaitlyn Ruderer)**

- Global Information System (GIS) databased tool to visualize water rights as well as active diversions and specific information on water diversion across the Brazos basin.
- The tool includes, but is not limited to, information such as: Normal diversion, BRA contract diversions, all diversion, all contracts, permitted impoundments, reservoirs, stream gages, permits, and adjudicated permits.
- The database tool also allows for different informational overlays to be plotted on a screen and/or printed.
- The tool does not total diversion amounts in a particular segment.
- How much more development work is there to do with the model? Dr. Kathy Alexander is the contract manager and could be contacted to answer this specific question.

### **New Business**

- Gene Fisseler opened the floor to new business.
- Morriss Barney asked, since all the BWAC members were appointed at the same time and all are presently set to end their terms at the same time, how will be the BWAC be populated at that term? For Watermaster Advisory Committees, existing members are typically asked if they want to continue to serve additional terms. If members decide they want off the committee, then they will be replaced with an individual from a similar segment of the user group population. August 2017 is when members' current terms end. Current members will need to indicate if they're interested in continuing to serve. The TCEQ Executive Director has the responsibility of appointing representatives to the Watermaster Advisory Committees.

### **Next Meetings**

- Scheduling and topics for the next meeting were briefly discussed. No specific decision was made regarding timing and, instead, the call for the next meeting was left open to staff discretion.

### **Adjournment**

A motion to adjourn was made, seconded, and passed. The meeting was adjourned at 3:02 pm.

Tim Finley  
BWAC Secretary

*Adopted and Approved in Session of the Brazos Watermaster Advisory  
Committee on the 11th day of July, 2017.*



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Gene Fisseler, BWAC Chair



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Brent Wheeler, BWAC Vice-Chair



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Tim Finley, BWAC Secretary



**BRAZOS WATERMASTER ADVISORY COMMITTEE**  
**3/30/2016 Meeting**  
**TCEQ Waco Regional Office**  
**6801 Sanger Ave, Ste 2500, Waco TX 76710**  
**Meeting Minutes**

**Primary Meeting Topic:** BRA System Operations

**List of BWAC Members:**

Morriss Barney, Texas Municipal Power Agency  
Scott Blasor, Palo Pinto MWD #1  
Brad Brunett, Brazos River Authority  
Sherie Burnette, Irrigator  
Jonathan Dulus, City of Waco  
Timothy D. Finley, Dow Chemical Company  
Gene Fisseler, NRG Texas Power, LLC  
Robert George, Irrigator  
Tommy Hodges, Alcoa  
David Sauer, Gulf Coast Water Authority  
Gary Spicer, Luminant Power  
Rodney Stephens, Irrigator  
Kevin Taylor, Somervell County Water District  
Nicole Torralva, City of Temple  
Brent Wheeler, Irrigator

BWAC Members absent with prior notice: Robert George, Irrigator

BWAC Members absent without prior notice: None

BWAC Membership Changes Noted: None

**TCEQ Staff present:**

Amy Settemeyer – TCEQ, Manager, Watermaster Section,  
Molly Mohler – TCEQ, Brazos Watermaster,  
Jillian Huff – Administrative Assistant (Waco)  
Kaitlyn Ruderer– Deputy Watermaster (Stephenville),  
Nancy Ragland – Deputy Watermaster (Waco),  
Michaela McCown – Deputy Watermaster (Waco),  
Guy Falzarano – Deputy Watermaster (Lake Jackson),  
Steven Dyer – Deputy Watermaster (Stephenville)

**Guests present:** Jordan Furnans (Consultant), Julie Andress (BRA), Ivan Langford (GCWA), Wes Williams (City of Bryan)

## **Meeting Summary**

### **Call to Order**

- The meeting was called to order by Gene Fisseler, Brazos Watermaster Advisory Committee (BWAC) Chair at 1:31 pm.

### **Introductions**

- All BWAC Members, TCEQ staff, and guests introduced themselves.

### **Review and Approval of Minutes of October 15, 2015**

- Minutes of the October 15, 2015, meeting were distributed and briefly discussed.
- Jonathan Dulus noted the need to make a correction regarding attendance as he was not present at the meeting.
- It was moved to accept minutes with the noted change to the attendance record. Motion was seconded and approved.

### **Bylaws Change Discuss and Approval**

- Gene Fisseler brought to the group's attention the need to finalize the bylaws modification discussed at the October 15, 2015 meeting. BWAC members were then given notice of the proposed changes via e-mail. Gene noted that all BWAC members provided an e-mail response indicating support in November, but that a motion and vote would be appropriate to make the change final.
- A motion was made to accept previously noticed bylaws modification. The motion was seconded and approved.

### **Water Master Staff Update (Molly Mohler)**

- In general, program efforts and progress are going well. Rains have filled most basin reservoirs and have reduced stress in the basin.
- Brazos Watermaster staff has contacted 77% of water right holders which is up from 67% in the fall. Many of the remaining rights owners to be contacted involve ownership changes. Many of these changes are due to deaths and resulting property ownership transfers. Efforts to address these are in progress but finding the rightful owner can be involved. Due to complexity of locating the often unknowing owners continued progress on contacting, the remaining rights holders will be slower. Molly noted that the remaining rights holders to be contacted represent a relatively small portion of the overall basin water rights. The 77% of water rights holders contacted represent about 92% of the permitted water rights in the basin.

- A small number of water right holders have returned water rights to the state after being notified of the Watermaster Program requirements.
- Staff has put 57,000 miles on their vehicles since our last meeting.
- The Brazos Watermaster Program collected 97% percent of fees that were invoiced last fall which is a very good rate of return, as an 85% return rate had been assumed when setting rates last summer.
- Next year's Watermaster Program fees will be adjusted downward both as a result the good return on invoicing and due to lower second year costs. Second year costs are projected to be favorable due to there not being a need to buy or replace vehicles and other startup equipment.
- TCEQ staff have identified owners of approximately 15 unauthorized impoundments in the Brazos Basin. Most of these are on-channel non-D&L (domestic or livestock) impoundments. Many had previously been D&L impoundments prior to changes in ownership and/or use. TCEQ staff, consistent with BWAC input, is taking the approach of investigating options for owners prior to turning them over to enforcement.
- Watermaster program staff is in the early stages of budget planning for 2017. As stated above, fees will be marginally less than the initial year's fees.
- Question: Will all vehicles be replaced at the same time? Response: Likely no. The trigger to request a new vehicle is 100,000 miles on the odometer, but legislative approval is needed for replacement. So, replacement typically occurs around 150,000 miles. Staff will do some vehicle swapping in an effort to balance miles put on vehicles.

#### **New BWAC Leaders Selection Committee Discussion**

- Gene Fisseler initiated discussion to set up of nominating committee for new BWAC leader elections in July. David Sauer volunteered to lead the nominating committee. Morris Barney, Brad Brunett and Nicole Torralva also volunteered to serve on the committee.
- A motion was made to accept these four individuals as the nominating committee. The motion was seconded and approved.

#### **BRA System Operation Overview**

- Brad Brunett provided the attached presentation on Brazos River Authority (BRA) system.
- 2.3 million acre-feet/year of water is permitted for diversion in the Brazos Basin.
- BRA has approximately 660,000 acre-feet/year of water supply capability. The proposed Allen's Creek reservoir is expected to add

30,000 acre-feet per year to BRA's supply capability. The remaining 70,000 acre-feet/year of Allen's Creek supply capability would be controlled by the City of Houston.

- BRA will have a Board meeting in April to seek approval to proceed with a contract to begin permitting activities for Allen's Creek Reservoir. BRA's current desire is to start construction by 2025 or sooner, if possible. Analysis indicates that Allen's Creek Reservoir could have been refilled 4 times in the recent droughts.
- BRA's Long Term Contract allocation are as follows: Municipal (50%), Industrial mostly power (46%), Irrigation (3%), Mining (1%).
- BRA is exploring raising the conservation pool elevation at Lake Aquila by approximately 4 feet; this would yield roughly 2,000 acre-feet/year of added supply.
- BRA is exploring reallocation of the Lake Whitney power pool.
- Question: How much water is available in a reservoir's flood pool?
  - Response (Brad Brunett): Most flood pools are 2 to 4 times larger than conservation pool in USACE reservoirs; however, most of the flood pool volume is required for flood protection. Water in the flood pool is not stored for future use, but instead is released slowly over time to reduce downstream flooding and to create volume for future flood inflows. In some cases, opportunities for optimization and reallocation exist. It should be noted, though, that increasing the conservation pool depth will increase surface area and the resulting evaporation which can offset desired benefits.
- Brad wrapped up the BRA presentation at 2:45 PM.

### **New Business (Gene Fisseler)**

- Molly is looking for feedback on end of the year reporting. Please contact her with any question, concerns or ideas for improvement in the future.
- Question (Jordan Furnans): Is Watermaster Program information, specifically Declaration of Intent (DOI), public information? And can it be requested?
  - Response (Watermaster Staff): "Yes" to both questions.
- Question (Jordan Furnans): How long would it take to respond to a request?
  - Response (Watermaster Staff): 10 days.
- Question (Brent Wheeler): How will curtailment on the river be managed in the future? More specifically, is there a chance of only getting partially cut during future curtailment actions? Note: Brent's concern is a desire to have greater flexibility or opportunity to finish out a crop.

- Response (Watermaster Staff): The Watermaster can try to facilitate more flexibility but the Legal Doctrine of Prior Appropriation will still apply if a Senior Right needs water.
- Question (David Sauer): What is the status of the Brazos Water Operations Model?
  - Response (Watermaster Staff): Model is built. Presently working to include BRA input. TCEQ has a working version that is being assessed. It is reasonable to expect that the model and tool will be progressively improved with use over time.
- It was requested that the Brazos Water Operations Model be demo'd at the July meeting.

### **Next Meetings (Gene Fisseler; 2:52pm)**

- Watermaster staff proposed dates: July 12 or 14.
- Brad Brunett noted that BRA has customer meetings schedule for July 13, 14 and 15.
- Staff will pool committee member availability via email.
- Topics for next meeting: 1) Elections, 2) Budget Review, and 3) Brazos Water Operation Model Demo.

### **Adjournment**

There being no further business before the BWAC, it was moved to adjourn. The motion was seconded and the meeting was adjourned at 2:57 pm.

Tim Finley  
BWAC Secretary

Attachment: BRA System Presentation (Brad Brunett)



**BRAZOS WATERMASTER ADVISORY COMMITTEE**

**10/16/2015 Meeting**

**Texas Sports Hall of Fame**

**Meeting Minutes**

**Primary Meeting Topic:** TxWAS Watermaster Accounting Software Overview Presentation

**BWAC Members:**

Morriss Barney, Texas Municipal Power Agency

Scott Blasor, Palo Pinto MWD #1

Brad Brunett, Brazos River Authority

Sherie Burnette, Irrigator

Timothy D. Finley, Dow Chemical Company

Gene Fisseler, NRG Texas Power, LLC

Robert George, Irrigator

Tommy Hodges, Alcoa

David Sauer, Gulf Coast Water Authority

Gary Spicer, Luminant Power

Rodney Stephens, Irrigator

Kevin Taylor, Somervell County Water District

Nicole Torralva, City of Temple

Jenna Walker, City of Waco

Brent Wheeler, Irrigator

BWAC Members absent with prior notice: Jenna Walker, City of Waco; Scott Blasor, Palo Pinto MWD #1

BWAC Members absent without prior notice: None

BWAC Membership Changes Noted: Jonathan Dulus replaces Jenna Walker, City of Waco

**TCEQ Staff present:**

Amy Settemeyer – TCEQ, Manager, Watermaster Section,

Molly Mohler – TCEQ, Brazos Watermaster,

Kaitlyn Colunga – Deputy Watermaster (Stephenville),

Nancy Ragland – Deputy Watermaster (Waco),

Michaela McCown – Deputy Watermaster (Waco),

Guy Falzarano – Deputy Watermaster (Lake Jackson),

Steven Dyer – Deputy Watermaster (Stephenville), and

**Guests present:** Jordan Furnans (consultant), Mary Ann McCartt (BRA), Taylor Deitl (BRA), Chris Higgins, Shane Zant (Brazos Electric), Mike Meyers (Brazos Electric), Justin Tergerson (City of Clifton)

## **Meeting Summary**

### **Call to Order**

- The meeting was called to order by Gene Fisseler, BWAC Chair, at 1:33 pm.

### **Introductions**

- All BWAC Members, TCEQ staff, and guests introduced themselves

### **Review and Approval of Minutes of July 17, 2015**

- Minutes of the July 17, 2015, meeting were distributed and briefly discussed
- David Sauer moved to approve the minutes. Brent Wheeler seconded the motion and the minutes were approved

### **Water Master Staff Update (Molly Mohler)**

- To date, staff has contacted 67% of basin water rights holders, which accounts for greater than 90% of all water allocated in the program.
- Low water flows in parts of the basin are resulting in curtailment of diversions for some water rights holders.
- Portions of the state and basin have received very little rain since May. In general, river flows in the basin are dropping. Molly, in response to a question, confirmed that water under contract with BRA (water which can be released from storage) is not impacted by recent curtailments.
- The budget proposed and reviewed at July meeting was approved by TCEQ Commissioners in September.
- Since budget approval, efforts are underway to get program staff fully set up with vehicles and equipment to manage the program.
  - Staff vehicles are on order and expected to be delivered in November at which time borrowed vehicles would be returned.
  - Staff will be allowed to keep loaned computers; reimbursement of these computers will come from BWM funds.
  - Other supplies (for example flow monitoring equipment) are being acquired.
- TCEQ is in the process of generating invoices for water right holders included in the Brazos Program. These invoices are expected to be distributed in late October/early November. Water rights holders will have 30 days to pay.
- The amount invoiced is generated by the Watermaster Program but the invoices and payment processing will be handled by TCEQ Financial Administration.

## **TxWAS Watermaster Accounting Software Overview Presentation (Michaela McCown)**

- TxWAS is the software used by the Watermaster Programs to track diversions and water use of each individual water rights account. It is, more or less, similar to software used to manage bank account balances with special features that accommodate its role in managing water.
- The Watermaster, deputies, and office support staff all have access to TxWAS. Jillian Huff spends a large portion of her time entering Declaration of Intent to Divert Water (DOI) information, printing and distributing Pump Operating Reports (POR), and entering data from returned PORs in this software.
- TxWAS is a relational database where information can be entered and accessed in a variety of ways. The database contains information on all the water rights being managed by the Watermaster program.
- The software is set up to produce standard reports. For example: Ten largest diverters, total volume of diversions, and outstanding DOIs.
- TxWAS allows for individual water rights holders to have multiple accounts, as needed, to specifically account for various water rights, specified permitted use volumes, priority dates and/or diversion clients. The TxWAS account number is the water right number with a coded extension to represent other unique attributes for a particular reporting account.
- Water use that gets assigned to each account must be metered. A request to divert is reported to the Watermaster as a DOI and the actual volume diverted is reported to the Watermaster via a POR.
- TxWAS has a data table for tracking information on meters that captures all import meter information. This includes information like serial number, units for metered flow reading, installation information, associated water right(s), and the meter roll-over value.
- DOI information is entered into TxWAS to capture expected diversion information and the program is then used to produce a POR for a specific diversion event.
- The PORs generated by TxWAS are sent to water rights holder and must be completed and returned.
- Information on an individual POR is used to reconcile actual water pumped based on the reported meter readings with the communicated DOI. The POR supplies the information necessary to assign an actual diverted water quantity to a particular water right account.
- BRA customers submit water usage requests to BRA who then emails the requests to the Watermaster office for entering into TxWAS. Subsequently, water use reported by BRA customers is sent to BRA who then emails use reports to the Watermaster office for entering into TxWAS.

- Water rights are assigned to a location on the river. This is done based on coordinates of the diversion points. When appropriate, the assigned locations may be stream segments.
- Meters are assigned in the TxWAS program to specific diversion locations. It should be noted that some meters (in particular, meters for agricultural users) can be associated with mobile pumping operations and thus could be assigned to more than one water right and/or diversion location.
- TxWAS uses pumping capacity and expected run time to do an approximate check of the reported metered diversion. As such, it is important for the user to report to the Watermaster when pumps are started and stopped.
- The TCEQ and Watermaster Program are working to develop a basin-wide operating model. This model will eventually be used to track and better understand the basin-wide water balance.

### **Bylaws Amendment Discussion**

- Gene Fisseler shared a document outlining proposed changes to the BWAC bylaws
- The proposed changes were drafted based on input received during previous meetings. The intent of the proposed changes are to direct the BWAC leadership nominating committee, to the extent possible, to consider fair and equitable representation of members' diverse water uses and geographical interests, when nominating new leadership.
- Gene indicated that a vote to modify bylaws was not possible during the meeting because such a vote, per the bylaws, requires 10 days prior notice of the proposed changes.
- Discussion was generally supportive of the proposed changes.
- As a path to bring resolution to this matter, it was proposed that the group could be provided email notice of the proposed bylaws change with an electronic (e-mail) and that voting could happen via E-mail no sooner than 10 days later.
- David Sauer moved that "Notice of the proposed bylaws changes should be officially communicated through E-mail to members with an electronic vote to be taken no sooner than 10 days following the notice." Morriss Barney seconded the motion and the motion passed unanimously.

### **Thoughts on Future Meetings**

- The following topics were offered up through discussion as future topics for meeting with the intent of increasing the general knowledge of BWAC members
  - TCEQ's WAM Modelling and Water Rights Reliability Prediction
  - BRA's Water Accounting Process
  - TCEQ Brazos River Water Operations Model (once developed)
  - Basin-Wide Water Use (post full year data collection)
- Timing for a next meeting was discussed; no final decision was drawn; however, scheduling a meeting at least once in the spring before the annual budget meeting in July was discussed.

## **New Business**

### Leader Nominating Committee

- The group briefly discussed the need to appoint a nominating committee in preparation for officer elections at the spring 2016 meeting or at July 2016 budget meeting.

### Unpermitted Impoundments

- Amy Settemeyer requested BWAC input on how to handle unpermitted impoundments in the basin when they are identified. Often these result from an exempted, domestic and livestock, impoundments being transferred through a land sale into non-exempted service.
  - Many of these are less than 200 acre-feet
  - Other Watermaster Programs eventually drive these matters to enforcement
  - Owners can remove or attempt to obtain a permit
- TCEQ recommendation is to use a "find it / fix it" approach rather than moving directly to enforcement to give owners a chance to take action regarding the illegal impoundment. If the owner fails to act, then eventually enforcement would result.
- ~~BWAC discussed the topic and supported giving owners an opportunity to "fix it" with a limit on the time allowed to fix it before moving to enforcement.~~

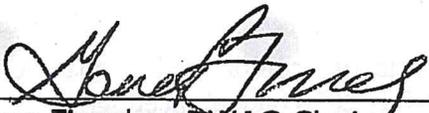
### **Adjournment**

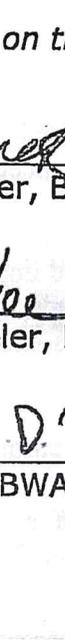
There being no further business before the BWAC, it was moved to adjourn. The motion was seconded and the meeting was adjourned at 3:32 pm.

Tim Finley  
BWAC Secretary

*Adopted and Approved in Session of the Brazos Watermaster Advisory*

*Committee on the 30th day of March, 2016.*

  
\_\_\_\_\_  
Gene Fisseler, BWAC Chair

  
\_\_\_\_\_  
Brent Wheeler, BWAC Vice-Chair

  
\_\_\_\_\_  
Tim Finley, BWAC Secretary

**BRAZOS WATERMASTER ADVISORY COMMITTEE**

**7/17/2015 Meeting  
Texas Ranger Hall of Fame  
Meeting Minutes**

**BWAC Members present:**

Scott Blasor, Palo Pinto MWD #1  
Brad Brunett, Brazos River Authority  
Sherie Burnette, Irrigator  
Timothy D. Finley, Dow Chemical Company  
Gene Fisseler, NRG Texas Power, LLC  
Robert George, Irrigator  
Tommy Hodges, Alcoa  
David Sauer, Gulf Coast Water Authority  
Gary Spicer, Luminant Power  
Rodney Stephens, Irrigator  
Kevin Taylor, Somervell County Water District  
Nicole Torralva, City of Temple  
Jenna Walker, City of Waco  
Brent Wheeler, Irrigator

BWAC Members absent with prior notice: Morriss Barney, Texas Municipal Power Agency

BWAC Members absent without prior notice: None

**TCEQ Staff present:**

Kim Wilson – TCEQ, Director, Water Availability Division,  
Kelly Mills – TCEQ, Assistant Director, Water Availability Division,  
Amy Settemeyer – TCEQ, Manager, Watermaster Section,  
Molly Mohler – TCEQ, Brazos Watermaster,  
Kaitlyn Colunga – Deputy Watermaster (Stephenville),  
Nancy Ragland – Deputy Watermaster (Waco),  
Michaela McCown – Deputy Watermaster (Waco),  
Guy Falzarano – Deputy Watermaster (Lake Jackson),  
Steven Dyer – Deputy Watermaster (Stephenville), and  
Jillian Huff – Administrative Assistant

**Guests present:** Mike Meyers, Shane Zant, Terry Reddell, Cathy Reddell, Wes Leifeste, Jordan Furnans, Ricky Garrett, Damon Boniface, Joe Cooper, Jim Farley, Kevin Naivar, Justin Tergerson

## **Primary Meeting Topic: Review Draft 2016 Budget**

Meeting was called to order by Gene Fisseler, BWAC Chair, at 2:02 pm.

### **Introductions**

- All BWAC Members, TCEQ staff, and guests introduced themselves
- Kelly Mills from TCEQ reviewed his role
- Kim Wilson from TCEQ reviewed her role

### **Minutes of May 15, 2015**

- Brent Wheeler moved to approve; Scott Blasor seconded; and, the BWAC passed the motion.

### **Water Master Staff Update**

- The Brazos Watermaster program is currently fully staffed.
- To date, staff has contacted 59% of water rights holders, up from ~30% in May.
- Watermaster Deputy contact information is now on BWAC web page.
- Approximate 130 users are submitting Declarations of Intent (DOI).
- Active diverters at present are primarily municipal, industrial and power users
- Watermaster program has received several inquiries regarding recent flood event. Staff is assessing whether it has jurisdiction.
- Each deputy provided a brief update on activities.
- BWAC members requested to understand what percent of water rights holders and what percentage of water use is represented by users who are engaged and reporting in.

### **Budget Discussions**

- TCEQ staff reported that budget had changed very little since initial discussion in May 2015.
- Proposed budget includes capital expenses for vehicles and computers required for program.
- Proposed budget for FY2016 is \$801,450.
- Staff's assumption is that in the first year, the program would receive 85% of their collections. This percentage is expected increase over next two years. Other more mature watermaster programs recover from 97-99% of rights holders.
- Assessment needed based on 85% collection is \$942,883.
- Users who do not pay initially must pay delinquent fees before they can legally divert
- Budget results in a municipal rate of \$0.20 per acre-foot and agricultural use rate of \$0.16 per acre-foot.
- Approximate cost for various users will be as follows: Bed and banks users \$0.01 per acre-foot, non-consumptive use \$0.04 per acre-foot, reuse \$0.10 per acre-foot, storage \$0.08 per acre-foot.
- A base fee of \$50 per account will also be charged.

- Indications are that next year's budget will be approximately \$150,000 less due to the fact that there will be no need to repurchase vehicles or computers next year.
- Invoices will be sent out in mid-October.
- Fiscal year is September through August.
- BWAC members and staff discussed costs associated to the Texas Watermaster Accounting System (TxWAS) software.
- BWAC members and staff discussed salaries and associated cost.
- BWAC requested TCEQ staff provide a Demo/Presentation of TxWAS program at future meeting.

#### **Budget Approval Recommendation**

- David Sauer moved to recommend approval of budget to TCEQ Commissioners as presented to BWAC by TCEQ staff; Sherie Burnette seconded; the motion passed.

#### **New Business**

- Two water rights holders shared their concerns/frustrations about cost of installing metering equipment and the complexity of daily reporting.
- Discussed next meeting and agreed to meet the 3<sup>rd</sup> Thursday of October with a focus on TXWAS program, Bylaws Nomination Process, and an update on program implementation.

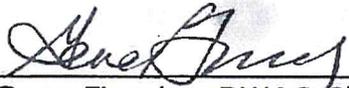
#### **Adjournment**

Scott Blasor moved to adjourn; Brent Wheeler seconded; and the motion passed.

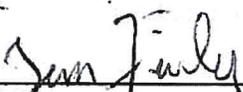
Attachment - Draft Brazos Master Program Budget shared at 7/16/2015

*Adopted and Approved in Session of the Brazos Watermaster Advisory*

*Committee on the 15th day of October, 2015.*

  
\_\_\_\_\_  
Gene Fisseler, BWAC Chair

  
\_\_\_\_\_  
Brent Wheeler, BWAC Vice-Chair

  
\_\_\_\_\_  
Tim Finley, BWAC Secretary

# **BRAZOS WATERMASTER ADVISORY COMMITTEE**

## **5/21/2015 MEETING MINUTES**

### **BWAC Members present:**

Morriss Barney, Texas Municipal Power Agency  
Scott Blasor, Palo Pinto MWD #1  
Brad Brunett, Brazos River Authority  
Timothy D. Finley, Dow Chemical Company  
Gene Fisseler, NRG Texas, LLC  
Robert George, Irrigator  
Tommy Hodges, Alcoa  
David Sauer, Gulf Coast Water Authority  
Gary Spicer, Luminant Power  
Rodney Stephens, Irrigator  
Kevin Taylor, Somervell County Water District  
Nicole Torralva, City of Temple  
Jenna Walker, City of Waco  
Brent Wheeler, Irrigator

### **BWAC Members absent with prior notice:**

Sherie Burnette, Irrigator

### **BWAC Members absent without prior notice:**

None

### **TCEQ Staff present introduced:**

Amy Settemeyer (TCEQ Watermaster Section Manager),  
Molly Mohler (Watermaster),

Jillian Huff (Administrative Assistant),  
Kaitlyn Colunga (Stephenville Deputy),  
Nancy Ragland (Waco Deputy),  
Michaela McCown (Waco Deputy),  
Guy Falzarano (Lake Jackson Deputy), and  
Cindy Hooper (Liaison),  
Steven Dyer (Stephenville Deputy),

### **Guests Present:**

Jordan Furnans - Consultant  
Brent Lock - Irrigator Navasota Area  
Jay Bragg - Associate Director Texas Farm Bureau

## **Primary Meeting Topic: Bylaws Review and Adoption**

1:29 Brought to order by Gene Fisseler, BWAC Committee Chair

- BWAC Members and all in the room introduced themselves.

1:40 Meeting minutes from 4/2/2015 reviewed and approved.

1:41 Molly Mohler provided overall staff report update

- Brazos Watermaster program is fully staffed.
- Staff has contacted 178 individual rights holder to date.
- Working to hit the ground running with program the 1<sup>st</sup> week in June.
- Staff is working to contact additional rights holders. Lots of leg work involved in reaching small volume users.
- After some discussion, Watermaster staff confirmed that contact has been made with the largest water rights holders.
- Staff indicated efforts will be ongoing to track down the roughly 800 remaining water rights holders that need to be engaged.
- TCEQ staff indicated that when the watermaster program on the Concho was implemented, it took some time to track down all the users but at roughly the two year mark, the program was pretty stable with good engagement by all.
- Various questions about implementation and contacting users were addressed.
- TCEQ Staff indicated that, once program is implemented, the expectation will be the declarations are made weekly by e-mail when flows on the river are high and daily when flows are low and, if necessary, to get approval to divert based on direct dialogue with the watermaster.

Each deputy provided a brief update on activities.

2:27 Budget Update

- Draft budget is routing through TCEQ.
- Expected to be available to share with BWAC members in coming week or two.
- Anticipated operation cost for program is approximately \$800 M.
- Fee assessment initially will be based on a 80-85% return. It is expected that return rate will increase as more water rights holders are contacted.
- Rough estimate of rate will be 17 cents per AF for Municipal, Industrial and Power and 13.5 cents per AF for agricultural users.
- Operation cost covers 6 vehicles, computers, salaries, portable meters and development of program software – start-up costs not recurring annually.
- Expect to have BWAC budget approval meeting the 1<sup>st</sup> or 2<sup>nd</sup> week of July
- Budget will go to TCEQ commissioners for approval in September.
- Fiscal Year is September 1 through August 31

#### 2:45 Review, Finalize and Approve Bylaws

- Gene Fisseler initiated review and discussion of proposed Bylaws
- Some clarifying questioning.
- Primary discussion centered on rotating chair position in a smart and practical way and on making sure all interests are appropriately represented in both opportunity to serve in the chair position and in representation on the nominating committee
- 3:10 Move to accept Bylaws as written. Movement Seconded. Movement to accept as written approved unanimously.
- Note: Requests to note in minutes the general desire to amend the by-laws in the future to rotate chair position from north to south in a practical manner.
- Note: Request to note in minutes the general desire to in the future establish criteria for the participation on the nominating committee to assure various groups are appropriately represented.

#### 3:14 New Business

- Brent Wheeler raised question regarding what sort of outreach is planned with specific intent of getting all rights holders engaged. Watermaster staff indicated visit to diversion location and leaving contact information for deputies to be contacted if they do not make contact during the site visit
- Tim Finley raised question regarding potential to share information on the WEB regarding expected reliability of individual water rights so the various users have a better understanding of what to expect from a water availability perspective. After discussion, efforts to increase knowledge of both BWAC members and basins water rights holders was viewed to be a valuable topic for consideration at a future meeting.
- Open discussion item raised about "What happens in a "Call" now that there is a Watermaster?" Staff response was that more junior users will likely get shut off in tiers in an effort to satisfy a senior call rather than an across the board curtailment. Concept of pumping schedules was briefly discussed.
- Two possible dates for next meeting were discussed, July 8<sup>th</sup> and July 16<sup>th</sup>.

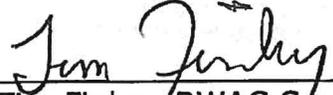
3:33 Motion was made to adjourn meeting. Motion seconded and approved.

*Adopted and Approved in Session of the Brazos Watermaster Advisory*

*Committee on the 16th day of July, 2015.*

  
\_\_\_\_\_  
Gene Fisseler, BWAC Chair

  
\_\_\_\_\_  
Brent Wheeler, BWAC Vice-Chair

  
\_\_\_\_\_  
Tim Finley, BWAC Secretary

# **BRAZOS WATERMASTER ADVISORY COMMITTEE**

## **4/2/2015 MEETING MINUTES**

13:10 Brought to order by Amy Settemeyer, Watermaster Section Manager

**BWM Members present:**

Morriss Barney, Texas Municipal Power Agency  
Scott Blasor, Palo Pinto MWD #1  
Brad Brunett, Brazos River Authority  
Sherie Burnette, Irrigator  
Timothy D. Finley, Dow Chemical Company  
Gene Fisseler, NRG Texas, LLC  
Robert George, Irrigator  
Tommy Hodges, Alcoa  
David Sauer, Gulf Coast Water Authority  
Gary Spicer, Luminant Power  
Rodney Stephens, Irrigator  
Kevin Taylor, Somervell County Water District  
Nicole Torralva, City of Temple  
Jenna Walker, City of Waco  
Brent Wheeler, Irrigator

TCEQ Staff introduced: Molly Mohler (Watermaster), Amy Settemeyer (Section Manager), Jillian Huff (Administrative Assistant), Kaitlyn Colunga (Stephenville Deputy), Nancy Ragland (Waco Deputy), Michaela McCown (Waco Deputy), Guy Falzarano (Lake Jackson Deputy), and Cindy Hooper (Liaison).

WAC Members introduced themselves.

Molly Mohler provided an update on the implementation of the Brazos Watermaster Program. The BWM will schedule town hall meetings as requested or as needed throughout the basin.

Amy Settemeyer discussed the Texas Watermaster Accounting System (TXWAS). This system is the watermaster program's tool for water use reporting as well as preparing assessments. FY16 budget development is in the beginning stages. A WAC meeting will be held in July to present and discuss the FY16 budget. We will provide WAC members with the information once we get closer to the date of the meeting. BWM will send out notice to all water right holders ahead of the July meeting.

The WAC is required to have at least one meeting per year. Minutes are taken by the appointed Secretary. Minutes are required at the Budget WAC meeting for the Rider funds and will be posted to the BWM website. Other than the annual budget WAC meeting, meetings will be scheduled as needed or requested.

BWM does NOT post member contact information. Only their names and affiliations are posted.

**Discussion of bylaws.**

A decision on the by-laws has been tabled until each WAC member can further review. Members requested electronic copies of both the South Texas WAC bylaws and the Concho WAC bylaws.

**Nominations and Voting of Chairman, Vice-Chair, and Secretary.**

Gene Fisseler and Brent Wheeler were nominated for Chair.  
Gene Fisseler elected Chairman.  
Brent Wheeler elected Vice Chairman.  
Tim Finley elected Secretary.

Members want to meet again mid-late May to go over the bylaws and to receive any last minute updates from the BWM before the program starts June 1, 2015.

**Budget discussion.**

Initial appropriation for year 1 is approximately \$735,000 for FY16. This includes vehicles and initial set up costs. The first year is typically more expensive due to initial set up costs. Estimated range municipal rate is 15-20 cents per acre-foot of water. Irrigation rate is 80% of the municipal rate. There is a \$50 base fee per account.

Water right holders are charged based on what is authorized in their permit. Any on channel storage is also included.

BWM budget will be placed on the Agenda in September. Invoices/Assessments will be sent out mid-late October.

BWM will bring additional information to the next WAC meeting in May.

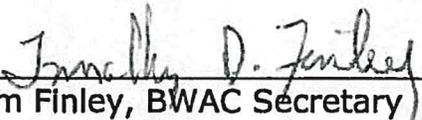
**Next Meeting will be held late May to finalize bylaws.**

14:30 Adjourned

*Adopted and Approved in Session of the Brazos Watermaster Advisory  
Committee on the 21st day of May, 2015.*

  
\_\_\_\_\_  
Gene Fisseler, BWAC Chair

  
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Brent Wheeler, BWAC Vice-Chair

  
\_\_\_\_\_  
Tim Finley, BWAC Secretary

