

**Colorado and Lavaca Rivers and Matagorda and Lavaca Bays
Basin and Bay Area Stakeholder Committee (BBASC)**

Tuesday, January 7, 2014 at 10:00 a.m.
Conference Call

MINUTES

Members Participating: Pat Brzozowski, Chair; Myron Hess, Vice-Chair; Steve Box for Andrew Sansom; John Hoffman for Joe King; Jennifer Walker; Teresa Lutes; Ronald Gertson; Frank Lewis; Jack Maloney; Buddy Treybig; Carroll Hall; Caroline Runge; Bruce Arendale; David Hill

Call to Order and Introductions

BBASC chair Pat Brzozowski called the meeting to order.

Discussion and Agreement on Agenda

The members agreed to accept the agenda as presented.

Discuss and Act on CL-BBASC Public Interest Vacancy

Chair Brzozowski informed members about the three nominees John Gosdin, Byron Kalbas, and Allison Sliva for the BBASC's Public Interest vacancy. Members discussed each nominee's qualifications and background. A motion was made and seconded to appoint John Gosdin as a new member which was approved by consensus. Additionally, BBASC members strongly recommended Mr. Gosdin consider Allison Sliva as his alternate.

Discussion and Approval of Proposed Scopes of Work and Scoring Matrices

Chair Brzozowski and vice-chair Hess provided an overview of the proposed scopes of work (SOW) and scoring matrices for the potential \$312,500 in funding pending EFAG approval. Members discussed the documents and timeline for Request for Proposals (RFP) issuance and proposal submission. Ruben Solis, TWDB, indicated that the documents would need to be submitted to TWDB to be placed on agenda by January 10th for the TWDB's February 20th board meeting or by January 23rd for the TWDB's March 4th meeting. Members inquired as to whether the current SOW documents would suffice for issuing the RFP and Mr. Solis indicated they would. Members unanimously approved the draft documents and agreed to submit them to the TWDB.

BBASC member Steve Box proposed that a subcommittee be formed tasked with evaluating proposals and providing recommendations to the full stakeholder committee. BBASC members Myron Hess, Steve Box, Pat Brzozowski, Buddy Treybig, Jennifer Walker, Theresa Lutes, and Jack Maloney, as well as BBEST member Bryan Cook volunteered to serve on the proposal evaluation subcommittee. In addition, TPWD offered to provide technical reviews of submitted proposals to aid the full BBASC in proposal selection but would not otherwise participate in the scoring or proposal selection process. The creation of a work group with that membership was approved.

Additional Items

Leslie Patterson, TCEQ, requested the group approve the corrected November 21st, 2013 draft meeting minutes. The minutes were approved as amended.

Next Meeting Date

TBD

Adjourned

**Colorado and Lavaca Rivers and Matagorda and Lavaca Bays
Basin and Bay Area Stakeholder Committee (BBASC)**

Thursday, May 8th, 2014 at 9:00 a.m.
Email Meeting

Meeting Notes

BBASC Members Participating: Pat Brzozowski, Chair; Myron Hess, Vice-Chair; Bruce Arendale; Ronald Gertson; Steve Box for Andrew Sansom; John Hoffman for Joe King; Jennifer Walker; Teresa Lutes; Frank Lewis; Jack Maloney; Buddy Treybig; Carroll Hall; Caroline Runge; David Hill; Bob Shoemate; Karen Bondy

Email Announcement and Call to Order:

Greetings BBASC Members:

This email will serve to call to order an email meeting of the BBASC beginning at the time this email is sent on Thursday, May 8, 2014. This email meeting will last for a period of 72 hours from the beginning time. To be counted as present, you must send an email, by replying to all, during that 72-hour period. That email can consist of discussion of the agenda item, a general comment, or a vote on the single agenda item before the BBASC during this meeting: consideration of the work group's recommendation for selection of Anchor QEA as the winning submission under the Request for Qualifications for Study 1. If you support the recommendation, please Reply to All with a message that you support the recommendation. Similarly, please Reply to All with any questions or comments you would like to provide, or, if you don't support the recommendation, with an indication that you do not support it. Leslie Patterson, with TCEQ, has graciously agreed to note the responses to determine the existence of a quorum and to document the decision on the recommendation.

Because this issue relates to implementation of the work plan and to acceptance of a consensus work group recommendation, our rules allow for the decision to be made via an email meeting. As explained in the email message yesterday, relying on an email meeting allows us to move the contracting process forward in an expedited fashion. Texas Water Development Board (TWDB) procedures governing these funds require us to select the submission that ranked highest in the work group process absent some compelling basis for doing otherwise. Accordingly, a simplified decision process seems appropriate. However, if any BBASC member has a strong objection to proceeding via an email meeting, please make that objection known.

Information provided through the TWDB request for qualifications process is generally treated as confidential and work group members were required to sign a confidentiality agreement. We received five submissions for Study 1. Based on the selection criteria approved by the BBASC, the submission from Anchor QEA scored highest among those submissions. The Anchor QEA team for the study includes BIO-WEST, J.F. Trungale Engineering and Science, Dr. Thomas Soniat (University of New Orleans), and Dr. Bryan Black (The University of Texas Marine Science Institute). An excerpt from that submission, describing the study components, is attached to this email. Work group

members were instructed to score each submission based on the selection criteria and were not allowed to discuss the submissions with one another during the scoring process. The Anchor QEA submission received the highest cumulative score, with significant separation from the next highest submission. It also is the only submission receiving the clear top ranking from more than one reviewer, garnering three top rankings plus one tie for top ranking. The other entities making submissions were the University of Houston Clear Lake, Texas A&M University-Corpus Christi (Harte Research Institute), BIO-WEST, and Atkins. TWDB has indicated that those other submissions should not be shared.

In a teleconference meeting, the work group reached consensus to recommend the selection of the Anchor QEA submission for Study 1. If approved by the BBASC, the next step will be for TWDB staff to negotiate a formal scope of work and contract with Anchor QEA. Work group members, and other BBASC members who request to be included, will have the opportunity to provide comments on the scope of work as it is negotiated. Anchor QEA has also indicated, in the submission, its intention to seek input from the BBASC and the BBEST during the study process.

The Texas Water Development Board did not receive any submissions in response to the request for qualifications on Study 2. The work group decided to continue to assess options for how to proceed on that study. Accordingly, no action is recommended regarding Study 2 at this time. Options being considered include republishing the notice, identifying a state or federal governmental entity to do the work under a direct contract process with TWDB, or revising the request for qualifications. Any recommendation will be brought to the full BBASC for consideration.

Thanks,
Patrick Brzozowski and Myron Hess

Vote Summary: Sixteen members participated in the email meeting and unanimously supported the workgroup's recommendations.

**Colorado and Lavaca Rivers and Matagorda and Lavaca Bays
Basin and Bay Area Stakeholder Committee (BBASC)**

Monday, August 11th, 2014 at 9:00 a.m.
Email Meeting

Meeting Notes

BBASC Members Participating: Pat Brzozowski, Chair; Myron Hess, Vice-Chair; Bruce Arendale; Ronald Gertson; Steve Box for Andrew Sansom; Joe King; Jennifer Walker; Teresa Lutes; Jack Maloney; Buddy Treybig; Carroll Hall; Caroline Runge; David Hill; Karen Bondy; Jim Dailey; Deedy Huffman; LG Raun; James Arnold

Email Announcement and Call to Order:

Greetings,

This email will serve to call to order, as of 9:00 a.m. on August 11, an email meeting of the Colorado/Lavaca BBASC to consider approval of the unanimous work group recommendation regarding an option for undertaking Study 2, which involves assessment of potential strategies for meeting environmental flow standards. The email meeting will continue for a period of 72 hours, ending at 9:00 a.m. on August 14. To be counted as present, you must send an email, by replying to all, during that 72-hour period. That email can consist of discussion of the agenda item, a general comment, or a vote on the single agenda item before the BBASC during this meeting: consideration of the work group's recommendation.

The work group met in a conference call meeting on August 8, 2014, and those participating unanimously recommended that the BBASC request the Texas Water Development Board to pursue a contract in the amount of \$62,500 with the Meadows Center for Water and the Environment for Study A as described in the August 5, 2014, Memorandum from Emily Warren, with the addition of a request that the contract also provide for a conceptual evaluation, to the extent that the available funding will support it, of an additional option for increasing inflows to East Matagorda Bay, such as establishing a connection between the Old River Channel and St. Mary's Bayou.

If you support the recommendation, please Reply to All with a message that you support the recommendation. Similarly, please Reply to All with any questions or comments you would like to provide, or, if you don't support the recommendation, with an indication that you do not support it.

Because this issue relates to implementation of the work plan and to acceptance of a consensus work group recommendation, our rules allow for the decision to accept or reject that recommendation to be made via an email meeting. The quorum for such a meeting is 51% of the membership and the decision can be made by majority vote of the full membership. As explained in the previous email message on August 7th, relying on an email meeting allows us to move the contracting process forward in an expedited fashion to meet the August 31, 2014, deadline to have a contract in place. Although the timing is tight, if necessary, we also could attempt to schedule a teleconference meeting

later this week to facilitate further discussion or consideration of selection of a different option. Because the Study 2 work would be undertaken under direct contract, as discussed below, rather than through a request for proposal process, we are not restricted by Texas Water Development Board (TWDB) rules in discussing the various options considered by the work group the way we were for the Study 1 work.

As indicated in the email circulated Thursday evening of last week, the work group had three options to consider: two different proposed studies to be overseen by the Meadows Center for Water and the Environment at Texas State University (described in a single attachment), and a proposed study to be overseen by LCRA (described in the attachment with Groundwater in the title and the accompanying map with Matagorda Bay Delta in the title). Both the Meadows Center and LCRA are eligible to enter into direct contracts with TWDB. In both instances, much of the work would be subcontracted. The attached information duplicates the information attached to the email from last Thursday, with one addition. The map showing the conceptual configuration of a well field to be evaluated in the LCRA project was inadvertently omitted from that earlier email. The work group did have that map to help inform its discussions.

The work group had a lengthy discussion of the competing options. Because of numerous questions about various uncertainties related to the viability and sustainability of the groundwater pumping to be evaluated in the LCRA-sponsored study, that option was not chosen. With regard to Study B of the Meadows Center studies, although there was significant support for the approach, various participants believed that the information needed could be obtained in other ways. Accordingly, the work group reached consensus on Study A of the Meadows Center studies as its recommended option. However, the work group did recommend the addition of a second component for the work, as summarized above, if the funding is adequate to support that component. Work group members Patrick Brzozowski, Jack Maloney, Steve Box, Buddy Treybig, Myron Hess, and Jennifer Walker participated in the conference call. Jennifer had to leave the call before a decision was reached. In addition, BBASC member David Hill participated in the call. Work group member Bryan Cook did not participate in the call because LCRA had submitted a proposal.

It also is important to acknowledge that we owe a debt of gratitude to the Meadows Center and LCRA for stepping up to sponsor proposals on short notice to help us take advantage of this funding. As indicated in the August 7, 2014 email, in the absence of prompt action to get those funds under contract, we have some risk of losing this \$62,500 in funding. As also indicated in that email, we contemplate scheduling an in-person BBASC meeting this Fall to get updates on study implementation.

Thanks,
Myron Hess and Patrick Brzozowski

Vote Summary: Eighteen members participated in the email meeting and unanimously supported the workgroup's recommendations.