Special Called Meeting
Riverbend Water Resources District
Board Meeting Minutes
March 31, 2016

Texarkana City Hall, City Council Chambers
220 Texas Blvd., Texarkana, Texas 75501

MINUTES

I. Call to Order, Roll Call, and Establishment of Quorum and Certification of Notice

Pursuant to a legally posted notice on the district website on March 25, 2016, the Chair, Sean Rommel, called the meeting to order at 6:03 p.m.

Directors Present:
Sean Rommel, President
Jim Green, Vice President
Fred Milton, Secretary
Kelly Mitchell, Director

Directors Absent:
Marshall Wood, Treasurer

Administration Present:
Elizabeth Fazio Hale, Executive Director/ CEO
David Glass, Smith Weber LLP, RWRD Attorney
Michael Saporito, Intern

Public Present:
See attached, "March 31, 2016 Sign-In Sheet."

II. Innovation

Fred Milton led the invocation.

III. Agenda Items for Individual Consideration

A. Discussion and possible action regarding Sulphur River Basin studies.

Steve Mayo provided a timeline of events concerning meetings with the US Army Corps of Engineers (USACE) and information on the Sulphur River Feasibility Study, Texas - Reallocation at Wright Patman Lake (slides were provided by the USACE).

IV. Public Comments

A number of individuals from the community provided question and comments, as follows:

Reasonable Reallocation of Lake Wright Patman for Local Community Needs

- A number of individuals expressed that their land and their family's land had previously been sacrificed for the creation of Lake Wright Patman. In one instance, a landowner re-called that the federal government paid 19 cents an acre for his family's land.
- Another stated, "If we had raised the level when it was originally built, then we wouldn't have to be going through this now." This comment was meant to imply, let's raise the level to what is reasonably supported by the dam and to meet the needs going forward, not slow-step it.
- Many individuals expressed a desire to fully utilize the space dedicated for reservoir use through further reasonable reallocation, honoring the significant sacrifices of the land that have already been given by this region for the development of water supply and flood control protection, i.e. Cooper Lake and Wright Patman Lake.
- Individuals also believed that such reallocation should first be used to meet the needs of the local community in Region D before being promised to other areas of the state.
- The local community wishes to communicate that they are willing to work with other ar-eas to provide water to meet the needs of the state of Texas; but the development of those resources should be on a community-to-community basis, not through forced eminent domain nor through a state agency where winners and losers are chosen through and by bureaucratic technicalities.
- There was strong support for continuing and supporting the current regional planning process at the state level, whereby regions determine their own best use of/for resources and how to develop those resources.
- Citizens also expressed support of RWRD (and its member entities through RWRD) for control of future water rights from reallocation in Lake Wright Patman.
- It is of utmost importance that those resources are locally developed, managed, and con-trolled in cooperation with the USACE (not the metroplex). An example of what some pointed to as a local resource being poorly managed and controlled by an out-of-region sponsor is Lake Cooper.
- Others questioned: "who will reallocation benefit, who will be in charge of building/rais-ing the level, and who will get the water?"
- How can this area ensure that it (RWRD) has the opportunity to be a local sponsor of the study going forward and of the project in the future?
- Individuals felt strongly that if any water is reallocated, then the local citizens and the current senior water right holders should have a first shot at that water.

- Someone also provided information concerning a funding agreement between the SRBA and the metroplex providing that any future water developed by SRBA will be split 80% to the metroplex and 20% to the local area. Many of the citizens of this area were not aware of this agreement and were concerned that SRBA could not be a true local sponsor of the feasibility study and fairly represent the basin, since they have contracted the majority of water away to the metroplex (Region C) before working with local communities to meet their future needs.

Northeast Texas' Economic Livelihood

- At least two representatives from the timber and paper industries wished to emphasize the importance of the timber industry in this region.
- The timber industry is a vital component of local economics. Land for the footprint of building future reservoirs or raising current reservoirs, should properly value the area's land resources.
- The unknown/undisclosed information also affects our livelihood by not knowing what the impacts will be or if reallocation will occur at all. This also causes issues developing and insuring the property.
- Flooded property and lands used for mitigation come off of the area's tax rolls indefinitely. How can this be accurately compensated?
- It was communicated to those in attendance that Marvin Nichols was not the focus of this public hearing, however, public comment was received that indicated that although Marvin Nichols was not the focus of the discussion, it was important to recognize that it is part of the overall study and shouldn't be entirely discounted/avoided.
- There are 800 employees at the local International Paper ("IP") site. A representative from IP provided testimony that they too are concerned about water for the region, as well as the region's other natural resources that could be impacted. The representative emphasized that IP is a landowner and a partner in communities across Bowie, Cass, and Miller counties, noting that, more importantly, decisions on water in the region impact families who are a part of the IP team.
- The Mayor of Texarkana, Arkansas provided public comment supporting local sponsorship of any reallocation to those in Region D. It is important to note that water from Lake Wright Patman is mixed with water from Millwood Lake in Arkansas to supply the Texarkana twin cities. Texarkana, Arkansas is concerned about making sure that this area has all of the economic advantages that it deserves from a local resource. The economies of Northeast Texas and Southwest Arkansas are inextricably linked: whatever negatively effects Bowie/Cass Counties and Texarkana, Texas negatively effects Texarkana, Arkansas. The Mayor stated, "We all have a lot to gain but even more to lose."

Reallocation Mitigation and Private Property Rights

- The slide presentation provided information about the varying lake levels, but some individuals noted that none of the slides identified further mitigation requirements.
    - Is this because no further mitigation will be required with reallocation of Lake Wright Patman?

- Or in the alternative, will further mitigation be required with reallocation of Lake Wright Patman?
- Is further mitigation required for implementation of the Ultimate Rule Curve under the 1968 contract?
- How much mitigation would be required at each of the various reallocation levels?
- How far will mitigation encroach into private property?

- Several individuals desired to learn more about mitigation overall. They felt that mitigation was something that should be talked about now and not at some point later in the future.
  - Could the local community see a diagram of the mitigation possibilities?
  - Are these mitigation lands outside of the USACE fee simple or easement lands?
- It was suggested that mitigation possibilities should be identified early, published in the local community newspapers often, and discussed/explained by decision makers.

Environmental Concerns

- Concern was expressed that the general health and welfare of the Sulphur River Basin has been ignored for many years by those entities charged with its oversight, including the SRBA. Many water quality issues and sedimentation issues need to be addressed and the reallocation process may help do that.
- It was suggested that increasing the level of Lake Wright Patman and addressing water quality issues may have very positive environmental impacts on certain fish and wildlife and their habitats.
- One individual expressed concern about water conservation in the metroplex and along the basin.
- Citizens were also concerned about how the urban metroplex's water needs are being portrayed. What does that look like over time? There are many ways to satisfy the needs of the metroplex. Again, local citizens offered support to the metroplex for supplying water to the metroplex (Region C) based on current needs and not needs 50 to 100 years away, otherwise local needs to that respect would need to be better vetted and considered.
- Another individual provided comment that they had attended meetings in Austin and Dallas as a 4th and 5th generation landowner. Although this person stated that they were willing to give some reasonable amount more to develop water resources, this person also stated that she was concerned about the impact to the land, its care and the responsible care for future water resources and all natural resources.

General Desire for More Information in Print

- Public comments were received requesting more information about copies of the feasibility studies and where those studies could be obtained online? Shouldn't they be somewhere on the USACE website?
- More formal US Army Corps communications and updates on the progression of the studies would also be nice.

- Studies explained in the papers and in print are preferred. One individual stated, "The problem with things online is that they can easily go offline. Information and more public notice in the paper would help people to be informed and to keep us up-to-date."

A motion was made by **Fred Milton** and seconded by **Jim Green** to authorize the President and Executive Director/CEO to draft a letter the US Army Corps of Engineers summarizing public comments from today's hearing. The motion was approved unanimously.

V. Next Regular Meeting

The next regular meeting of the Riverbend Water Resources District Board of Directors is scheduled for **Wednesday, April 13, 2016** at 3930 Galleria Oaks, Texarkana, TX 75503.

VI. Adjournment

With no additional business to be discussed, a motion was made by **Fred Milton** and seconded by **Kelly Mitchell** to adjourn the meeting at 7:10 p.m. The motion was approved unanimously.

The previous minutes of Riverbend Water Resources District Board of Directors meeting, March 31, 2016 were read and approved on the 13th day of April, 2016.

Sean Rommel, President

Attest:

Elizabeth Fazio Hale, Executive Director/ CEO