

# *Pecos River Ecosystem Advisory Committee*

*March 16, 2006*

*Monahans Convention Center  
400 East 4<sup>th</sup> Street  
Monahans, Texas  
1:30 PM*

In Attendance:

Cindy Breiten	Upper Pecos SWCD #213
Alan Zeman	Reeves County WID #2
J.W. Thrasher	Reeves County compact Commission
Philip Dickerson	Texas Parks and Wildlife
Ronnie Cooper	Landowner
Bill Roberts	Trans Pecos Water Trust
David Guerin	Landowner and Ward County WID #3
Ernest Woodward	Landowner
Fannie E. South	Landowner
Ysidro Renteria	Upper Pecos SWCD #213
Ed Curtis	Ward County WID #3
Jonnie Sherwood	Pecos County WID #2
Rusty Carpenter	Ward County WID #2
Deborah Braden	Pecos County WID #2

Alan Zeman called the meeting to order and the minutes from the previous meeting were reviewed.

The first item up for discussion was the by-laws for Pecos River Watershed Restoration, Inc. Various landowners had questions regarding the filing of the 501(C)3. It was explained that the name and the employer identification number have been filed at the state level. The number has been received and the corporation has been formed. The Form 1023 has not been filed; therefore no paperwork has been filed at the federal level, which includes by-laws. Since there is controversy regarding the by-laws, it was suggested that a by-laws committee be formed with volunteers to come up with a consensus. There is also confusion about who is sponsoring the project at this point.

The Upper Pecos SWCD #213 is the sponsoring agency and will be sponsoring the EPA Grant application which is going to be a joint proposal with New Mexico.

The purpose of this committee is an advisory group to the Upper Pecos SWCD #213 and the Upper Pecos is the sponsoring agency. This committee was set up in the beginning by the Upper Pecos and as an advisory role to the Upper Pecos. Rusty carpenter had questions as to who paid Larry Brown, our grant writer and consultant. It was explained to her that the Upper Pecos hired him and has paid him. The committee advises to the Upper Pecos where actions are taken. Some concerns have come from the first draft of the Plan of Action drafted by Mr. Brown and the second draft of this Plan was read by Cindy Breiten which outlines a more accurate plan of the immediate concerns of the Project. Greg Huber explained his role with the Pecos Valley RC&D and how he can assist with grants, but is limited in his capacity; therefore, the plan of the formation of the 501(C)3, which the Upper Pecos had previously approved. The reasons for this formation are for the IRS determination to be eligible to apply for foundation grants and to expand the project to the entire watershed. Ernest Woodward presented a letter to Alan Zeman opposing the filing of the nonprofit organization. He and Dave Guerin voiced their support of applying for foundation grants through the Pecos Valley RC&D if it is possible. Greg Huber is going to check on this. Ronnie Cooper expressed to the group that the Advisory Committee has done a good job for the Project and there has not been anything done maliciously or underhandedly and recommended that the 501(C)3 be put on hold since there is so much dissention. Dave Guerin discussed the irrigation districts spending money outside of their district areas. J.W. Thrasher advised that the grants need the matching and the in-kind. It was expressed that the Project is for the entire river. J.W. Thrasher made a motion to allow the Upper Pecos to carry the ball, so to speak, as far as the grants and for the 501(C)3 to be put on hold. A couple of participants requested that Ricky Rives be asked to withdraw the application.

- **Desalination Program by David Crowe**

Mr. Crowe could not be here today for his presentation but Alan Zeman spoke with him. He is the Program Manager of Energy Laboratories which is supported by Texas A&M. He is a water engineer that is trying to clean up the oil field production in the water to the extent of having it be usable water. Their equipment will do this for 25 cents per thousand gallons. This project has the potential to benefit municipalities. Alan has his contact information and Mr. Crowe plans on attending one of our meetings soon.

- **SEP Program - TCEQ**

Cindy Breiten and Greg Larson explained this Program which is basically fine money paid from penalties that can be used for environmental projects. An application is required to be included on the list of recipients. Cindy has an application ready for the upper

Pecos SWCD signature. If we can get approved for the Program, the money can be used for matching funds on a grant application.

- **New Mexico Interstate Stream Commission Presentation**

J.W. Thrasher gave a summary of the March 9, 2006 presentation given by the NMISC. The attendance was good and the presentation was very informational and interesting. The topics of the program were the Pecos Settlement and the Pecos River Compact Compliance by New Mexico and the objectives. The Pecos Settlement land and water rights project progress report was given. Also discussed were the long term environmental impact statement and the water quality analysis results. Bhasker Rao, an engineer with the NMISC and Elisa Sims were the speakers.

- **EPA Joint Proposal with New Mexico**

The last update regarding this joint proposal is that the Upper Pecos is requesting a contract between the two agencies for the administering of the money if the grant is approved. The contract is being worked on by Aaron Curbello who is with the Carlsbad Soil and Water Conservation District.

- **Letters of Support and Pledges**

The topic of the letters of support needed for the EPA Grant application from the irrigation districts was discussed. Some of the Districts have approved the letter from their district and others are still in the process. The grant application has not yet been announced, so we have a little more time to get these in. Senator Dominichi has pledged his support of the application.

- **GLCI & CIG Grant Applications**

Charlie Hart is working on the GLCE Grant and is in contact with Johnny Oswald with the Texas State Soil and Water Conservation Board for the matching funds. In the CIG Grant, in-kind and cash matching are going to be needed. The cash needed is \$37,500.00 and the in-kind is the same amount. The directors present from the various Irrigation Districts requested that a letter from the Upper Pecos be submitted to them so that each District can request approvals for this. This letter will need to be sent as soon as possible since the grant deadline is at the end of this month. Cindy Breiten will draft the letter and send as soon as it is signed. This grant is for a demonstration burn and the Texas Forest Service is still going to do the two mile burn that has been on their agenda for some time. It has been delayed because of the fires and hurricanes.

- **Revised Plan of Action**

As soon as the Upper Pecos SECD approves the revision, it will be distributed.

- **Monitoring Planning & Costs**

There is not currently any water quality monitoring being done for the water coming from New Mexico to Texas. It has been a matter of money to get these monitoring stations planned. TCEQ is not allowed to monitor inside the state of New Mexico, so the obstacles on getting this done has been a problem.

- **Pecos Basin Symposium Status**

Mike Mecke, the water specialist that is planning this symposium, could not be here today, but will attend a future meeting to discuss the status.

- **Financial Report and Administrative Costs**

Cindy Breiten will have the financial report for the next meeting. Time constraints prevented her from submitting it today.

- **Other Business**

J.W. Thrasher reminded the group that the annual meeting of the Pecos River Compact Commission will be held in Fort Stockton on April 20<sup>th</sup> at 9:00 AM.

There being no further business of the committee, the meeting was adjourned. The next meeting is planned for April 13, 2006.

Minutes Prepared by Cindy Breiten