

*Pecos River Advisory
Committee Meeting*

*Monahans Convention Center
Monahans, Texas
1:30 P.M.*

April 19, 2006

In Attendance:

Cindy Breiten	Reeves County Landowner & Concerned Citizen
Alan Zeman	Reeves County WID #2
Charles Hart	Texas Cooperative Extension
Philip Dickerson	Texas Parks and Wildlife
Bill Roberts	Trans Pecos Water Trust
David Guerin	Landowner and Ward County WID #3
Ernest Woodward	Landowner
Ysidro Renteria	Upper Pecos SWCD #213
Jose Mendoza	NRCS – Pecos
Leo Carrillo	NRCS – Monahans
Greg Huber	Pecos Valley RC&D
Ed Curtis	Ward County WID #3
Rusty Carpenter	Ward County WID #3
Robin LeBeouf	Ward County WID #1
John Carr	Ward County WID #3
Peggy McCulloch	Landowner
Michael McCulloch	Pecos County WID #2

Michael McCulloch called the meeting to order.

Dr. Hart began the discussion by suggesting that we look at the scope of this committee, discuss the 501c3 and update the group on what has been going on with the 319 Research Project and landowners meetings that he has been conducting. Several landowner meetings have already been held in various cities and his next meetings will be in Sheffield and Iraan.

A few participants of this committee requested a vote whether the formation of the 501c3 should be done or not. Greg Huber and Larry Brown are the professionals that suggested that this non-profit be formed in the first place and strong opinions have been significant since then. There have been misunderstandings and differences of opinion about the reasons for forming the non-profit. Greg has tried to explain many times the advantages and the misconceptions. Ernest Woodward and Dave Guerin requested that the minutes from the last meeting be read. Alan Zeman read the section aloud pertaining to the 501c3 discussion. Mr. Woodward and Mr. Guerin had some dispute regarding the wording of the minutes and they discussed this at length.

Charlie Hart wanted in the record of this meeting what the consensus of this committee is as to what this advisory committee has to do with the Project. The 501c3 is not a part of this committee. This committee is an advisory to whatever group needs expert advice. Participants of this committee recommended the 501c3, but as of the last meeting, this has been put of hold. Alan Zeman made a motion that the Pecos River Advisory Committee, as a group, not form a 501c3. Philip Dickerson and Cindy Breiten seconded this motion. This committee is a group of volunteers and is not a formal organization bound by open meetings rules and regulations. Even so, a vote was taken on the motion, and all agreed to the motion made. Michael McCulloch stressed to the group that this committee is too important to the river to be disbanded.

Charlie Hart spoke to the group and reviewed the history of this committee and the Project. In 1997, the Upper Pecos SWCD #213 began the Pecos River Ecosystem Project. The Upper Pecos started the spraying and made the management decisions. In 1993 or 1994, criticism began about the Upper Pecos making all of the decisions regarding the Project's activities. It was then decided that more input was needed from additional people and agencies. It was at this time that the Upper Pecos formed the Pecos River Advisory Committee and everything has been just fine until the subject of the 501c3 came up. Ysidro Renteria complained that the Advisory Committee was making all of the decisions. This committee gets together monthly to discuss river issues and suggestions have been forwarded to the Upper Pecos for their decisions. Every month, the PREP has been put on the agenda of the Upper Pecos meetings and items brought to their attention. Charlie Hart asked the group if we could continue to meet and define the scope of the group. Couldn't we agree to assist the Upper Pecos for grants, funding assistance, technical issues or whatever is needed? During the last Upper Pecos SWCD meeting however, the District made a decision to separate itself from this committee. The EPA Grant was brought up and it was established that the money, if it would have been received, was always intended to go the Upper Pecos for the administration.

Ernest Woodward brought up the topic of the spraying, burning debris and follow-up maintenance stopping at Girvin. He has a problem with continuing down the river with the support of the seven irrigation districts. He thinks that beyond Girvin should be someone else's responsibility. Greg Huber explained that the spraying further down the river has been from the EQIP Program and has had nothing to do with the Upper Pecos.

Michael McCulloch said that the Upper Pecos has not worked on lobbying or searching for grants. His comment was that since June 4, 2004, the Upper Pecos has not done anything. In response to a comment made by Rusty Carpenter, this committee found Larry Brown. Upper Pecos did not find him. (Larry Brown is the grantwriter that was hired by the Upper Pecos SWCD)

Alan Zeman said that his group should not set limitations and Charlie added that we want everybody's input and that whatever group needs this committee's advice is welcome to it. He said that the bottom line for all of the problems has been a lack of communication. Michael said that it is time to go forward and that we are more that willing to work with

the Upper Pecos. Charlie added that this group gets together with common goals and common beliefs in mind.

Ernest Woodward started discussion on the seven Districts, Red Bluff, and the Upper Pecos staying focused and limit itself to the Project at hand.

Charlie Hart talked about how a lot of the problems began also when the first plan that Larry Brown drafted was distributed. This plan was the result of various opinions from a survey and these suggestions were included. It was conceived that people's land could be taken over for river projects or public access. This plan went back to Larry and a second plan was drafted which ended up consisting of the Projects original plans and suggestions on how to get there. This second plan was the one that was approved by the Upper Pecos. The first one was never introduced in a motion and was not ever approved.

It was discussed thoroughly that the some of the irrigation water districts' view has been to limit the work only to their boundaries.

Alan Zeman said that the main priority of the Project is to finish spraying and burn the debris and the Upper Pecos can decide whether they wish to work with the PRAC or not. Charlie added that the committee does not have to be tied strictly to the Upper Pecos and will offer their assistance for grant searches and lobbying to any group. Greg Huber offered that a grant search was done at the request of the Upper Pecos and will provide technical assistance as needed. This group is here to help and is not trying to change anything about the Project.

The topic of grants was discussed next. Charlie Hart reminded the group that the State dollars that were received previously were not used past Grandfalls. There has been criticism about where and how this money was spent. The EPA Grant or any grant does not have to be signed off on if the sponsoring agency does not agree with the terms. Comments were made regarding what if grant money was received for the river below Girvin and the obvious answer was why turn down any money for the benefit of the Pecos River?

It was stressed to the group again that "NOTHING CAN BE DONE TO ANY LAND THAT THE LANDOWNER DOES NOT WANT DONE" This has been reiterated many times, but was said again because there continues to be misconception about this.

Discussing the EPA Grant again, the call for applications should happen around mid-May and a match would have to be had. The TSSWCB is interested in helping with the match. The Texas Water Development Board gave \$100,000.00 to the Rio Grande and discussion was held regarding requesting assistance for the Pecos River. Rusty Carpenter asked Charlie if he could help with notifying of available grants. New Mexico has pulled out of the joint proposal because of all of the controversy that has been going on.

Ernest Woodward is going to get with the seven irrigation districts and Red Bluff and see if they want to go in together and apply for the EPA Grant. Ysidro Renteria is going to

get with the Upper Pecos in this regard. The Pecos River Advisory Committee is willing to assist and advise as needed. May 2, 2006 is the next meeting for the Upper Pecos SWCD and Ysidro Renteria advised that he will discuss this topic with the other board members at that time. The opportunity for the CIG Grant was passed up by the Upper Pecos.

Charlie Hart was nominated to be a member for The National Invasive Species Council. He will attend meetings in Washington D.C. Heads of federal agencies get together from all around the United States to meet three times per year to discuss invasive species. The recommendation date ended yesterday.

The Pecos River Compact annual meeting begins tonight at 5:30 and continues tomorrow morning at 9:00 a.m.

The Pecos River burn topic was tabled.

On the topic of Biological Control, the research sites are ready to go. The cages are ready. They are just waiting on the beetles from Big Spring. They have just begun to emerge.

Desalinization Program by David Crowe has branched into commercial operation. This program is designed to desalinate the water and has extended to agriculture. Mr. Crowe is more than willing to come to a PRAC meeting to discuss this program. The water will be drinking water quality when the process is done. 90% of the water is good and only 10% is not. One question is what to do with the bad 10%. He has a 20 minute slide show presentation available.

SEP Program – This is a TCEQ program that consists of fine money that can be contributed to environmental purposes. An application has to be completed and an approval would be necessary. Ernest Woodward opposed participating in this program and Rusty Carpenter seconded the motion. The motion did not carry.

Permian Basin Symposium – Nothing has been done yet. Mike Mecke is in charge and plans on technical and research speakers sometime this fall.

At this time, Ysidro Renteria passed out letters from the Upper Pecos. Charlie Hart asked Ysidro for a clarification of the letter, but he was unwilling to give one. Charlie will attend the next Upper Pecos meeting so that he can get that clarification. A copy of the letter is reproduced below:

UPPER PECOS SOIL & WATER CONSERVATION DISTRICT #213
1415 West Third Street
Pecos, Texas 79772

To Whom It May Concern:

The Upper Pecos Soil and Water Conservation District initiated the Pecos River Ecosystem Project in 1999 to address the saltcedar problem along a major waterway. The long-term objective is to restore the Pecos River ecosystem to a more normal condition by increasing water flow, reducing salinity, restoring native vegetation, and creating an environment conducive to aquatic plant, fish and wildlife habitat development.

The Upper Pecos SWCD has worked with many local, state and federal agencies in securing over \$2.5 million for this project so far. The Upper Pecos SWCD's track record, reputation and structure have been invaluable in working with local organizations such as local water improvement and irrigation districts, State Agencies such as the Department of Agriculture, State Soil and Water Conservation Board and the Texas A&M University System and federal agencies such as the USDA Natural Resources Conservation Service and EPA.

Upper Pecos SWCD Board members are elected by the local landowners and have open monthly board meetings. The Upper Pecos SWCD's cooperation and accountability have been a key component to the project. The Upper Pecos SWCD is accountable to the local landowners. The Pecos River ecosystem Project has been initiated and administered by the Upper Pecos SWCD. The Upper Pecos SWCD has no plans to change this.

The Upper Pecos SWCD recently decided to disassociate themselves from a different group called the Pecos River Ecosystem Advisory Committee. This committee was originally formed in 2005 to only provide advice to the Upper Pecos SWCD. The Upper Pecos SWCD felt that the Advisory Committee was losing accountability, was not welcoming local input, was not advising the SWCD like intended and was not representing local concerns. Evidence of this is the fact that proposed by-laws of a nonprofit corporation set up by the Advisory Committee set up a three member board of directors that appointed and elected all board members themselves and provided absolutely no voting rights or supervision from stakeholders such as landowners and water and irrigation districts. Concerns expressed by individuals, water districts and the apparent lack of concern for accountability by the Advisory Committee were all reasons that the Upper Pecos SWCD felt that they did not want to be associated with the Advisory Committee.

The Advisory Committee mailed letters on April 3 stating that the Upper Pecos SWCD had voted to disassociate themselves from the Pecos River Ecosystem Restoration Project. This is entirely wrong. The Upper Pecos SWCD voted to disassociate themselves from the Advisory Committee only. The Upper Pecos SWCD is looking

forward to continuing the relationships it has with all local, state and federal agencies and organizations to continue to pursue the goals of the Pecos River Ecosystem Project.

Sincerely,

Calvin G. Gerke
Chairman, Upper Pecos SWCD #213

This letter is a reproduction of the letter submitted by the Upper Pecos SWCD and Charlie Hart plans to attend the next Upper Pecos meeting which will be in June to discuss the letter and it's meaning. There are several things in the letter content that members of the committee disagree with.

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

Minutes Prepared by Cindy Breiten