

**LAKE ADVISORY COMMITTEE
MARCH 21, 2002
MINUTES**

The Lake Advisory Committee met in open session March 21, 2002 at Ransom Canyon City Hall, 24 Lee Kitchens Drive. Dr. Ron Kendall called the meeting to order at 6:00 P.M. Committee members Ron Childress, David Peterson and Mike Cunningham were present. Kyle Ashley arrived at 6:35. Dr. Kendall introduced guests, Annie Thompson, Wayne Rawls and Mayor Robert Englund. Melissa Verett kept minutes.

Minutes of the December 5, 2001 meeting with the City of Lubbock, and the January 10, 2002 meeting of the Lake Committee were approved on a motion from David Peterson, second from Ron Childress, unanimous approval.

The committee considered a document from the TNRCC that included a study of how much water is available in the river basin. The agency included 57 years of rainfall and stream flow records and explained the purpose was to anticipate the future cycle of high and low flows over an extended period of time. Several charts were included with this letter. The committee tabled any action about this document.

Two letters from Mr. Mark Vickery, TNRCC Deputy Director of the office of Compliance and Enforcement were received regarding water release responsibilities of Buffalo Lake and Ransom Canyon. One letter clearly stated that Buffalo has superior water rights to Ransom Canyon and they do not have to release water downstream. The other letter said that Ransom Canyon "may be obligated to release water downstream is there is an in-flow." Robert Englund said that City Attorney John Sims had advised the city to avoid an X # of gallons designation. There is no violation if the city does not know. (number of gallons) If the TNRCC issues a number-of-gallons order, the city will then have to comply.

Robert Englund reported that the City of Lubbock would begin soon to discharge treated effluent into the creek downstream from the Crowfoot property. This installation was constructed five years ago, but is only now being used by the City of Lubbock as an alternative to using this water at the SPEC plant.

The committee discussed the senior water rights holders on this branch of the river. Buffalo has superior rights based on date of COA. Downstream rights holders go to the White River area of Lubbock and Crosby County. They are all listed on the legal notice that was issued when Ransom Canyon's COA was issued. The office has that information.

Ron Childress asked if Ransom Canyon is required to release water. Robert Englund explained that senior water rights holders would call TNRCC and complain, as they have done in the past. There is no good answer to this question. If these water rights holders force the issue, the TNRCC may issue an order, and if they do so, they will designate the details. Hopefully, the Lubbock discharge will help.

Ron Kendall commented that the only answer to this issue is conservation of our own resources, which means no pumping from the lake by lakeshore property owners, along with limited downstream release.

Mike Cunningham asked if it would be of use to publish information about this matter in the Echo. Robert explained that Kyle Ashley did not appreciate the editing license in an Echo article, so he had stopped it. Since August, no city news had been issued to the public. A committee report could be published in the Echo. Mike commented that a Town Hall meeting would be in order. David Peterson suggested waiting until the new city council was elected in May for that meeting.

(Kyle Ashley arrived at this point in the meeting.)

Robert explained that the city considered increasing the cost of installation of new meters, because the city is clearly losing money on some conversions and new landscape meters. The council deferred any increase until summer, in order to be fair to the homeowners who would be converting from pumping in the lake.

Dr. Kendall repeated that the committee had looked at all angles of the problem, and they conclude that the only answer for us is conservation. The committee discussed the city's enforcement of the "no pumping" ordinance. They agreed that the city needs a boat for the police and the operations personnel who manipulate the weir.

Mike Cunningham asked how best to inform the public of the committee's findings, and they agreed to make a presentation at the annual Property Owners Association meeting April 1. Mike commented that the key to conservation is to convince the pumpers that this practice was detrimental to the lake, which will bring about volunteer compliance. Robert Englund commented that the committee had the most influence in expressing these findings.

The POA presentation will be prepared by Annie Thompson, and will include issues addressed, how they were investigated, the pumping question and the water rights issues, conclusions, the conservation issue, new safety standards on the lake, the volume of water issue, the dredging issue, the Hugo Reed report.

The committee adjourned to the map room to hear the report about the Hugo Reed study. David Peterson directed the examination of the maps and the conclusions that were drawn by Hugo Reed. Bernie Gradel, engineer from Hugo Reed, presented the lake study report at the last City council meeting, March 13. In 2000, the City Council asked Bernie to study the lake, and to do a survey, including a topographical survey, to measure the capacity of the lake. Bernie explained that measuring the bottom of the lake was a major event. They had an old 1965 map from Hasie Construction, but that map did not show the Party Island or other little islands. The South Lake Shore shelf is smooth, and appears that at some time this land may have been excavated 3 feet, and the material used to build the island. The plan called for 91 acres – 560 acre-feet of water, which is the amount of water in the Certificate of Adjudication. The original map did not go up to the shallow part of the lake, and neither did the new topo done by Hugo Reed. Bernie said perhaps the water was not deep enough to navigate the channels. The topo showed the old Lake Ransom and the old dam site. The engineers created an original lakebed for comparison. The original plan showed only 500 acre-feet, so the remaining 60 acre-feet are in the upper shallows. The new contour map has the same perimeter as an aerial photograph that was taken 20 years ago.

The latest map shows that the reservoir has 474 acre-feet. 75 feet is sediment build up. Bernie estimates 26 acre feet less than the main body. The next to last map showed contour elevation. Some islands are gone, and appear to have melted into the lake. 60 acre-feet is in the shallows. That means 26 acre-feet of silt is in the lake. (26 acres, 1 foot deep)

From the weir, there is supposed to be 2 feet from the bottom of the mechanism to the bottom of the lake. That space is no longer there.

Bernie commented that when they constructed the lakebed, the bottom was not meant to be disturbed. If 20 acre-feet were to be spread evenly over the bottom, it would equal about 3 inches of sediment. The level of the lake could be raised 3" in order to impound the full 560 acre-feet.

The weir could be reformed. It could be raised with rebar. The council instructed Bernie to start the process of asking the TNRCC for permission to raise the lake. To raise the lake the benchmark must be raised, and the permit must be changed. The committee said they agreed to do it.

The committee discussed the effect that 3" increase would have on the homes. Because the FEMA maps have been redrawn, effective September 1, and all of the homes on the water are in the flood zone now anyway, (unless they request exclusion individually) another 3" will make no difference to FEMA. Some docks might be affected by a 3" rise.

Wayne Rawls explained that for water to go over the dam, it would run at about the level of the first rung on the weir, which is 12-15" above the present overflow level.

Robert Englund commented on a recent court case between Texas and New Mexico in which Texas objected to New Mexico's plans to raise the impoundment level of the Chalmra River, due to silting over time, and loss of impoundment acreage. . Texas won that lawsuit.

Lake dredging will take money, and Mike Cunningham asked how much time will 3" buy. He commented that plans for dredging the lake should be included in the city's budget.

Dr. Kendall stated that Bernie should move on the request to TNRCC. Clarification of the letter should be requested. Annie will prepare the report for the POA April 1 meeting. This presentation will develop the report to the city.

The committee discussed fixing the weir so that it does not release water at all through the weep hole on the downside of the dam. Wayne Rawls explained that the Corps of Engineers would need to be involved to do that.

Kyle Ashley said there are people who are passionate about pumping, and if the city prohibits pumping, they should demonstrate that the water is not released downstream through the weir. Robert Englund will ask Harold to research our capability to seal this discharge point.

The weir has been painted. Buoys are not up, yet, but Annie reported that they are ready to hang the measuring devices. Annie attended a meeting of environmental lawyers, and the hot topic was water rights, and Texas Water and Land use.

The committee will meet again in the fall. Buffalo seems to have taken some measures to clean up algae, trees and brushy areas on their dam. Mike Cunningham asked if the city had any leverage in forcing Buffalo to make repairs. Ransom Canyon has spent considerable moneys on dam repair, and he believed it was important for Ransom Canyon to continue to request copies of the Buffalo Lake dam inspections. Robert Englund said that the official position of the TNRCC is that the Buffalo dam is structurally sound.

Dr. Kendall said that he would attend the POA meeting, as did the other committee members. With no further business, the meeting adjourned at 7:30.

Melissa Verett