

Llano Estacado Regional Water Planning Group Meeting

January 27, 2015

10:00 a.m.

High Plains Underground Water Conservation District No. 1 Office
2930 Avenue Q, Lubbock TX

1. Call To Order and Welcome.

Chairman H. P. Brown Jr. called the meeting to order at 10:05 a.m. in the A. Wayne Wyatt Board Room of the High Plains Underground Water Conservation District No. 1 office, 2930 Avenue Q, in Lubbock, Texas. Notice of the meeting was provided to each voting/non-voting member and was also filed/posted in accordance with the Texas Open Meetings Act at the following locations: *Office of Texas Secretary of State, Office of Lubbock County Clerk, Lubbock County Courthouse, Administrative Offices of the High Plains Underground Water Conservation District No. 1, the High Plains Water District web site at www.hpwd.com and the regional water planning group web site at www.llanoplan.org.*

2. Roll Call of Members and Establish Quorum.

The following Llano Estacado Water Planning Group members were in attendance: Dr. Melanie Barnes; Bruce Blalack; H. P. Brown Jr.; Jack Campsey; Jason Coleman; Delmon Ellison Jr.; Harvey Everheart; Ronnie Hopper; Mark Kirkpatrick; Michael McClendon; Don McElroy; Dr. Ken Rainwater; Kent Satterwhite; Aubrey Spear; Jim Steiert; John Taylor; and Jimmy Wedel.

There was a quorum of Llano Estacado Regional Water Planning Group members in attendance (*17 of 21 voting members or 81% attendance*).

Voting members unable to attend (excused absences): Richard Gillespie; Bill Harbin; Doug Hutcheson; and Mayor Bob Josserand.

Voting members unable to attend (unexcused absences): None.

Non-voting members in attendance: Non-voting members in attendance were Sarah Backhouse, Texas Water Development Board; John Clayton, Texas Parks and Wildlife Department; Amy Ewing, Daniel B. Stephens and Associates; and Jay Keith, Texas Commission on Environmental Quality.

Non-voting members unable to attend (excused absences): Matt Williams, Texas Department of Agriculture.

Others in attendance: J. Collier Adams of Whiteface; Lori Barnes, Llano Estacado UWCD; Ray Brady, HPWD Floyd County Committee; Edward George of Lubbock; Lindy Harris, South Plains UWCD; GayLynn Hobgood, Office of Rep. John Frullo; Malcolm Laing, City of Lubbock; Beth Salvas, Daniel B. Stephens and Associates; Jeff Sammon, Brazos River Authority; Greg Stanton, U.S. Geological Survey; and Ben Weinheimer, Texas Cattle Feeders Association.

Carmon McCain of the High Plains Water District staff served as recording secretary for the meeting. Jamie Jackson with Cathy Sosebee and Associates transcribed the meeting.

3. Introduction of New Members and Guests.

Chairman Brown welcomed those in attendance at today's meeting. He also noted that long-time USDA-NRCS State Irrigation Engineer Cleon Namken passed away Jan. 21 in Colorado. Mr. Namken was a regular attendee at LERWPG meetings. His funeral service is at 1:00 p.m. today.

ACTION ITEMS:

4. Report from the Nominating Committee.

Chairman Brown called upon Harvey Everheart to give the nominating report in Mayor Josserand's absence. Mr. Everheart reported that the current officers have agreed to continue service for another year. They are: H.P. Brown Jr., Chairman; Aubrey Spear, Vice-Chairman; and Doug Hutcheson, Secretary-Treasurer. Chairman Brown thanked Mr. Everheart for the report.

5. Election of LERWPG Officers to serve during 2015.

Chairman Brown then declared the 2014 officer positions to be vacant. Mr. Everheart called for nominations from the floor. Hearing none, Mr. Everheart moved that nominations cease and that Mr. Brown, Mr. Spear, and Mr. Hutcheson be re-elected to serve in their respective offices for 2015. Mr. Ellison seconded the motion.

All members voted "aye," and the motion was unanimously approved. Chairman Brown and Vice-Chairman Spear thanked the group for their continued confidence.

6. Discuss and take possible action to approve the minutes of the November 21, 2014 regular meeting.

Draft minutes of the November 21, 2014 regular meeting were provided to the membership prior to today's meeting. There being no additions or corrections, a motion was made by Mr. Kirkpatrick and seconded by Mr. Taylor to approve the minutes as printed. All members voted "aye" and the motion was unanimously approved.

7. Discuss and take possible action to approve the financial report.

A financial report was provided to the membership prior to today's meeting. Secretary-Treasurer Hutcheson is absent due to a previous engagement. Vice-Chairman Spear reported a December 2014 bank balance of \$1,179.76. A motion to accept the financial report as presented was made by Mr. McElroy and seconded by Dr. Barnes. All members voted "aye" and the financial report was unanimously approved as presented.

8. Discuss and take possible action to appoint Dickens County Precinct 3 Commissioner Charles Morris of Spur to the vacant County Government position.

A letter from Chairman Brown nominating Charles ("Charlie") Morris as the County Government representative was provided to the LERWPG membership in advance of today's meeting.

Chairman Brown said he first met Mr. Morris when the Llano Estacado Regional Water Planning Group was first formed. At that time, Chairman A. Wayne Wyatt, Vice-Chairman Brown, and Mr. McCain traveled to Spur to visit with Mr. Morris about the regional water planning process. Mr. Morris' biography shows him to have more than 35 years' service with the USDA-NRCS. He is currently serving as Precinct 3 County Commissioner of Dickens County. Chairman Brown said he believes it is important to have a representative serving from the eastern portion of the planning area.

A letter of support from Mr. Kirkpatrick was also provided to the members in advance of today's meeting. Mr. Kirkpatrick told the group that Mr. Morris has the skills and expertise to serve as the County Government representative for the LERWPG. Mr. Morris previously served as a member of the White River Municipal Water Authority Board of Directors and Mr. Kirkpatrick said he brought a lot to that group.

Chairman Brown asked for additional comments and/or questions. Hearing none, a motion was made by Vice-Chairman Spear and seconded by Mr. Kirkpatrick to appoint Charles Morris of Spur as the County Government Representative to the LERWPG. All members voted “aye,” and the motion was unanimously approved. Chairman Brown welcomed Mr. Morris as a member of the regional water planning group.

Mr. Morris said it was an honor to be asked to serve as a member of the group.

9. Discuss and take possible action to reaffirm High Plains Underground Water Conservation District No. 1 as the political subdivision administering the Llano Estacado Regional Water Planning Group for the fifth round of regional water planning.

Chairman Brown then asked Ms. Backhouse to lead discussion of this agenda item. She told the group that TWDB is initiating contracts for the fifth round of regional water planning. Because of this, the LERWPG needs to discuss and take action to select the political subdivision to administer the project for 2017-2021. The group also needs to authorize the political subdivision to (1) apply for grant funding and (2) post public notice of such intent.

The initial funding for the 5th cycle is for Task 2-A and 2-B, which are the population and demand projections. In addition, there is a partial funding of Task 10, which includes administration and public notice. More money will be added to the contracts at a later date—once the TWDB gets an idea of the amount of funding that will be provided by the legislature. This is the initial amount of money that needs to be executed into contracts by Aug. 1, 2015.

Ms. Backhouse said the notice of application for grant funding needs to be submitted to the TWDB by March 3, 2015 and the public notice needs to be posted at least 30 days prior to the TWDB Board action on the applications—which is expected to be April 9.

Cochran County landowner J. Collier Adams asked the group to explain the interplay of 31 Texas Administrative Code 357.32. It gives special powers to agencies or commissions (TWDB and TCEQ) during times of drought. However, Adams said 2014 precipitation was 22.56 inches at Lubbock, which is above the average amount of 18 inches. He wondered if and when the State of Texas will tell persons when the drought is officially over—and if this will officially end the mandatory water planning.

Mr. Satterwhite said the mandatory planning is not tied to drought conditions. Ms. Backhouse concurred by saying that it is required by Senate Bill 1 passed by the 75th Texas Legislature in 1997.

Dr. Barnes said it was her understanding that this specific agenda item deals with the fact that Region O needs to approve a political subdivision to acquire funding from the state so that the next round of regional planning can be started. Region O would then hire a consultant to collect data and perform tasks which are required of all regional water planning groups in the state. She wondered if Mr. Adams was asking a “nuts and bolts” question.

Mr. Adams said the premise is that there are special powers granted to government agencies that require regional water planning based on a drought of record. The underlying premise is that the group is dealing with a drought of record without a common sense definition. What are the conditions necessary to come out of a drought of record? Does Lake Meredith have to be at 100 percent?

Dr. Rainwater referred Mr. Adams to Texas Administrative Code 357.42. He told Mr. Adams that the group has other business to conduct today—but that he would be glad to visit with him later with regard to this. Mr. Adams agreed.

Mr. Coleman reminded the group of Kyle Ingham’s presentation and discussion of how the Panhandle Regional Planning Commission administers the Panhandle Regional Water Planning Group (“Region A”). There has been discussion among HPWD, City of Lubbock, and the South Plains Association of Governments (SPAG) about moving the Region O administrative duties to another political subdivision.

Vice-Chairman Spear reported on two possible options:

One is to have SPAG take over as administrator similar to PRPC in Region A. However, SPAG needs funding to do so. HPWD has absorbed these costs internally since 1997 and this is greatly appreciated. However, SPAG must have a funding mechanism in order for the organization to even think about administering the program.

The other option is to have the City of Lubbock administer the program—similar to High Plains and absorb the costs internally. The City is still evaluating this option internally.

Vice-Chairman Spear said the City of Lubbock is very sensitive to the perception of other cities and water user groups. Lubbock does not want to be perceived as taking over the water planning process in the region. “Because we are the biggest water user, we don’t want a perception that we’re trying to ram-rod or take it over. We are very concerned about that. We’re not trying to control anything.” The City of Lubbock option would not require any additional funding from counties, cities, or water users within the region.

Mr. McElroy asked if there were any conditions—including funding—that would encourage HPWD to continue as administrator. He personally believes that HPWD should continue serving as administrator because of several common issues. Dr. Barnes asked Mr. Coleman if cost was the only objection to continued administration.

Mr. Coleman said he first brought this subject to the LERWPG a year ago. HPWD now has a new Board of Directors and there were staff changes—resulting in fewer personnel in place than a year ago. Operating the district is the primary function of the Board and Staff. Several years ago, the state ceased funding for administrative funds. Mr. Coleman's recommendation to the HPWD Board of Directors is to see if another group will administer the LERWPG for a while in order to let HPWD staff focus on district programs and activities.

Most of the projects in the LERWPG area that would be eligible for state funding concern municipal water supplies. An agency, such as SPAG, has greater experience in dealing with municipalities, contract writing, grant writing, and other administrative requirements. The City of Lubbock would have experience as well.

Dr. Barnes asked about the annual cost to the district. Mr. Coleman said it is about \$16,000—depending upon the number of meetings per year. This impacts the amount of staff time needed to prepare for meetings—including posting meeting notices, preparing agendas, transcribing minutes, and handling communication between the members, the consultant, and the TWDB. It is estimated that SPAG would need a minimum of \$52,000 per year for administration of the LERWPG.

Dr. Barnes expressed concern that SPAG may not have the same understanding of water-related issues as HPWD.

Mr. Everheart shares Mr. McElroy's concern. However, he noted that regional water planning has changed considerably since 1997. At that time, HPWD needed to be the leader. However, there have been considerable changes in regional water planning. It is a “different animal that it was when it first started.”

He asked what is needed to get the LERWPG administration moved to the City of Lubbock. Does the LERWPG need to give the City of Lubbock assurance that this is a good plan of action? Are letters of support needed from the municipalities in the region that are involved in regional planning?

Vice-Chairman Spear said feedback at today's meeting has been very helpful.

Mr. Satterwhite noted that everyone in Region A pays for administration of the RWPG. When Region O was created, A. Wayne Wyatt insisted that HPWD be administrator and that the cost to do so be funded by district taxpayers. This has not been a problem—but personally, Mr. Satterwhite likes the method used in Region A. There is a possibility that Canadian River Municipal Water Authority (CRMWA) could serve as administrator.

Mr. Kirkpatrick said Vice-Chairman Spear is correct about public perception. “If we get into a contentious debate or situation, then the City of Lubbock—even if they are right...they will be wrong.” They shouldn't have to defend their position. He believes there is not enough “arm's length” in the deal. It may be best for the counties to buy into the administration since they have a vested interest in it.

Vice-Chairman Spear said the City of Lubbock would also have a vested interest. They would be the largest financial contributor and would be willing to pay their share.

Dr. Rainwater noted that most political subdivisions in the state that administer RWPGs have dealt with a similar situation. He believes that there is some value in not having the big cities serving as administrator or even having the perception of driving the process.

Mr. Adams asked for permission to speak. Chairman Brown said this portion of the agenda is for discussion among the LERWPG members.

Mr. Adams said he understood. “The group was talking about how to run the train. I'm just wondering if we could have some discussion on where the train is going.”

Chairman Brown asked several of the water district managers in attendance if their agency would be willing to pay a designated portion of the costs. All were in agreement.

Mr. McElroy said he represents small business. In this area, small business equals agriculture. In his opinion, HPWD knows more about that than anyone. One way or another, LERWPG needs to raise funds so that HPWD can continue administration of the LERWPG.

Ms. Backhouse said any political subdivision can solicit funds on behalf of regional water planning.

Chairman Brown said it was his understanding that HPWD could continue as the political subdivision for the 5th cycle of planning—and that responsibility could be moved to another group later on. Ms. Backhouse agreed.

Mr. Everheart said he appreciates both offers from City of Lubbock and CRMWA. In his opinion, the best approach is to go with SPAG.

However, after additional discussion, Mr. Everheart said LERWPG must ultimately go with HPWD as its political subdivision for the 5th round of planning, at least temporarily, due to the fact that the grant application and public notice must be completed and submitted to the TWDB on or before March 3, 2015.

A motion to reaffirm High Plains Underground Water Conservation District as the political subdivision administering the Llano Estacado Regional Water Planning Group for the fifth round of planning was made by Mr. Satterwhite and seconded by Dr. Barnes. All members voted "aye," and the motion was unanimously approved.

HPWD will continue on an interim basis while a committee is formed to develop a plan to bill the entities in the region for water planning efforts.

10. Discuss and take possible action to authorize the LERWPG political subdivision (HPWD) to provide public notice and submit a grant application to TWDB on behalf of Region O for funding the 5th round of regional water planning.

Chairman Brown then asked Ms. Backhouse to lead discussion of this agenda item. She began by saying the LERWPG will need to authorize the HPWD to execute the planning contract by the end of August 2015.

A motion to authorize HPWD to provide public notice and submit a grant application for funding of the 5th cycle of regional water planning was made by Mr. Everheart and seconded by Mr. Steiert. All members voted "aye," and the motion was unanimously approved.

COMMITTEE APPOINTMENT:

Chairman Brown appointed the following to serve on the regional water planning funding committee: Kent Satterwhite, Chairman; Lori Barnes; H.P. Brown Jr.; Harvey Everheart; Lindy Harris; Ronnie Hopper; Charlie Morris; Aubrey Spear; and Jim Steiert.

11. Discuss and take possible action to authorize the LERWPG Chairman to submit a request to the TWDB to perform a socioeconomic impact analysis once the LERWPG's water needs are finalized.

Ms. Backhouse said the socioeconomic impact analysis is required as part of Chapter 6 –“Impacts of the Plan.” The TWDB will conduct the analysis for regional water planning groups in the state, if requested. However, authorization is needed for the LERWPG chair to submit a request to run the analysis when the water needs are finalized.

She added that the analysis addresses the impacts of unmet water needs in the region upon different water use categories. It also addresses impacts upon public health and safety.

A motion to authorize Chairman Brown to request the socioeconomic impact analysis from the TWDB was made by Mr. Kirkpatrick and seconded by Mr. McElroy. All members voted “aye,” and the motion was unanimously approved.

RECESS

Chairman Brown called a recess at 11:30 a.m. for lunch. Mr. Blalack left the meeting at this time.

RECONVENE

Chairman Brown reconvened the meeting at 12:18 p.m.

12. Receive an update on draft Chapter 3 – Water Availability and Existing Water Supplies.

Chairman Brown called on Beth Salvas with Daniel B. Stephens and Associates to provide an update on draft Chapter 3 – Water Availability and Existing Water Supplies.

She reported:

- The Database (DB) 17 entry for water sources and water user group supplies has been completed.
- All source, supply, and sales amounts have been entered.
- All source data and entity data appeals have been processed.

She reviewed a TWDB spreadsheet containing the source availability balance, the entity balance, and split WUG water balance.

The source availability balance is the amount of water that is actually present. The volume-in is the amount that will be used to supply an entity. The remaining balance lets you know what is left in the ground, so to speak. These data are provided for each decade 2020 to 2070.

The entity balance list denotes each entity or water user group (WUG) in Region O. It also provides information about water use (municipal or irrigation), the water source location, the river basin, and the type of water source being used. There can be single or multiple sources of water for different WUGs. These data are provided for each decade 2020 to 2070 as well.

The Split WUG Water Balance shows allocations to each basin and county according to water user group. It compares the supplies and demands and calculates resulting needs/surpluses. Ms. Salvas said this will be the most helpful spreadsheet as the LERWPG moves forward in the planning process.

Ms. Salvas reviewed data contained in this spreadsheet. Several LERWPG members offered comments and suggestions. Ms. Salvas encouraged the group to provide additional feedback as needed.

13. Discussion of the summary of the Initial Water Needs Analysis contained in Draft Chapter 4 – Identification of Water Needs.

Ms. Salvas reported on the Initial Needs Assessment to be included in draft Chapter 4 – “Identification of Water Needs.” She told the membership that the initial water needs analysis is complete. It shows data by county, by river basins and by WUGs within the county and basin. Needs are shown as positive numbers while surpluses are shown as a zero value. Again, this calculation is provided by the TWDB.

The needs for Region O increase from 1.8 million acre-feet of water in 2020 to almost 2.4 million acre-feet of water in 2070. The greatest needs are in agriculture—but there are needs in almost every county.

Implementation of conservation and direct water reuse strategies will be included. Once those numbers are provided, the TWDB will update the initial water needs analysis.

Mr. Kirkpatrick asked how livestock water needs in Garza County would increase. He said one can only have “x” number of cattle per acre. People are not breaking out land for use as pasture land. The water use for livestock should be static at best.

She said this was determined to be the demand prior to her involvement in the plan. She encouraged the group to provide additional feedback as needed.

14. Discussion on draft Chapter 7 – Drought response information, activities, and recommendations.

The draft Chapter 7 was completed in advance of this meeting, but was not included by Daniel B. Stephens and Associates as part of today's meeting materials. The draft chapter has been posted to the Llano Estacado regional water planning group web site (<http://www.llanoplan.org/>), and Ms. Salvas encouraged the members to review the document and provide comments as necessary.

It contains:

- Section 7-1: Current preparations for drought in the region.
- Section 7-2: Drought of Record information, including reservoir levels and drought severity index.
- Section 7-3: Existing and Potential Emergency Connections. This is the confidential information submitted to the TWDB under separate cover.
- Section 7-4: Region-wide triggers and actions for each water supply source.

There was considerable discussion among members regarding drought contingency plans and triggers/actions to be taken during times of drought.

Ms. Salvas encouraged the group to provide additional feedback as needed.

15. Discussion of the recommendations to include in Chapter 8 of the 2016 Llano Estacado Regional Water Plan.

Chairman Brown asked Ms. Ewing to discuss this agenda item.

Ms. Ewing told the group that the Draft Chapter 8 document contained in today's meeting materials is a copy of the same chapter from the last round of regional planning. She wanted the members to see the previous content and get feedback from them on what needs to be included again this time.

Section 8.1: There were no recommendations regarding designation of unique stream segments for ecological value in the 2011 plan. The only unique reservoir site in the 2011 plan is the Post Reservoir, which was designated earlier in 2001. The previous plan supported the unique reservoir designation.

Vice-Chairman Spear asked about the recent U.S. Fish and Wildlife Service endangered species listing of the Sharp-nosed and Small Eye Shiners with a designated critical habitat in the Brazos River segment from Garza County to Lake Possum Kingdom. This critical habitat designation will impact water supply plans on this segment of the Brazos River. Ms. Ewing said they will look into it.

Section 8.2: Legislative and Administrative Recommendations. One recommendation is that after three rounds of regional planning, the LERWPG should consider expanding the process to allow for evaluation of additional region specific options—including involvement in the projections, rather than just updating the plan every five years.

Vice-Chairman Spear said such flexibility would be helpful. There has been discussion on using TWDB data. Some of the critical water demand data come from the State of Texas, and the RWPGs can't change these data—even when local data are available for use.

Section 8.3: Desired Future Conditions. The last plan stated that desired future conditions (DFCs) adopted for the Groundwater Management Areas (GMAs) must be incorporated into the plan. This will replace the current projections of groundwater supply included in the 2011 plan. The group recommended a review of the process with a goal of having a revised process defined by the end of 2010.

Dr. Rainwater said the local GCDs are much more involved in helping review and vet the projections.

Mr. Everheart said the new plan will contain Modeled Available Groundwater (MAG) numbers. He is not sure if there will be any flexibility with those. He added that the State of Texas is also updating the Groundwater Availability Models (GAM) for the High Plains Aquifer and the Dockum Aquifer. In essence, the GCDs will have to see what changes are made in the new models and how they can work with them.

Section 8.4: The LERWPG recommended that the planning process be reviewed by a representative stakeholder group including planning group members from across the state, and then be revised to better capture region-specific characteristics throughout the planning process.

Vice-Chairman Spear said he is concerned whether or not the regional water planning process helps solve problems for the agriculture industry. He said it is a nice process for industry and municipalities—but how does one satisfy agricultural water needs? It's not like a new water supply project can be developed and implemented. There needs to be a way to adapt the process to allow greater participation for agriculture in order to solve its water supply problems.

Mr. Hopper said he is looking for a common sense approach. He said small communities are declining and there are many examples of where the John Deere and/or Case IH dealerships used to be, where the grocery store used to be, and where the gas stations used to be. It's just a matter of understanding that these small towns existed because of water. Water always moves to its highest and best use—and the highest and best use in our area was for agriculture.

Mr. Ellison thanked Mr. Hopper for his comment. He asked if agriculture really needs a voice at the regional water planning table or if this process is only for municipalities.

Mr. Hopper said he acknowledges that agriculture uses the lion's share of water. However, he takes exception to statements that agriculture wastes water or that they will cause cities not to have drinking water. He cites the 1849 Gold Rush as an example. As the gold was being mined and depleted, there wasn't anyone saying "We need to slow this thing down—our gold supply is going to be gone." Mr. Hopper said he believes there will be water for generations, for livestock, and the cities. The High Plains region is not growing in population. Mr. Hopper said he believes there is no cause for panic. This is just part of the laws of economics.

Mr. Wedel agreed. He said ag producers will grow other crops or adopt different farm management plans as dictated by economics. He said he is frustrated with the planning effort in that it skews the region's water needs by showing a huge deficit—even though producers will deal with it.

Mr. Hopper said the data should not pit ag water users against non-ag water users.

Mr. Wedel commented that the 2008 Farm Bill reference should be updated to read Farm Bill. It would be best to leave out a date so that this will remain current.

Section 8.5: Another recommendation in the 2011 plan is the need for additional state funding for implementation of the plan within a specific time frame. Dr. Rainwater and Dr. Barnes said it would be appropriate for the LERWPG to thank the state legislature for funding of the RWPG effort and ask them for continued support. Much has been accomplished—but more work is needed. This can be accomplished with additional funding.

Ms. Ewing said Sections A, B, C, D, and E are still valid.

Section 8.6: Ms. Ewing wondered if support for the Water Conservation Advisory Council efforts is still needed since they have provided their recommendations/report to the State Legislature.

Section 8.7 includes recommendations from the earlier 2006 plan, including support of the Rule of Capture, support of groundwater conservation districts as the state's preferred method of groundwater management, recommendation that the Texas Legislature not empower the RWPGs with any water management or regulatory authority, and support of continued funding of studies for better understanding of recharge to the Ogallala Aquifer.

Mr. Steiert said he appreciates Mr. Hopper's comments. Mr. Steiert said he, Wayne Wyatt, and a group of others were involved with the Ogallala Aquifer Regional Water Plan before the start of the current regional water planning process. He said Chapter 7(c) shows that the regional water planning groups have been on the side of agriculture by asking the legislature not to give them authority to do anything that would be negative to agriculture. He said he has written many, many stories about agriculture and its best management practices. Farmers can do much more with less water today. Much more needs to be done to improve moisture retention in the soil. Agriculture has no enemies at the LERWPG table.

Mr. Hopper agreed. Agriculture recognizes that water is for sale. If the agriculture water user group needs water—then it should acquire it the old-fashioned way and buy it. He said he doesn't have any problems with the regional water planning group effort. It is important to have the best data available in order to make plans. If you have faulty numbers to begin with—then the end result is not where you will need to be.

Section 8.8 offers support and encouragement to develop voluntary use of Best Management Practices (BMPs) to improve recharge and to protect playa basins from siltation. This will be included in the new plan.

Section 8.9 discusses control of aquatic vegetation as a water conservation practice. It also supports the Canadian River Municipal Water Authority's efforts to control salt cedar along the Canadian River drainage above Lake Meredith to increase water flow for water supply and environmental purposes.

Section 8.10 supports voluntary protection of springs and seeps as they exist and encourages landowners to use BMPs to maintain remnant springs and seeps in the region.

Mr. McClendon asked if the plan should include supporting control of invasive species, such as Zebra Mussels.

Dr. Barnes suggested that the Region A and Region O plans provide an opportunity to educate the rest of the state about the importance of agriculture to the economy of the State of Texas. “Just because there are a million of us (in population) up here and there are 22 million elsewhere—doesn't mean that we only need 1/23rd of the help. We may actually need more to maintain the State's economic status. It doesn't all run on oil and gas—contrary to what others think.”

She added that the population is city dwellers or bedroom city dwellers. As a result, many people are now “divorced” from where their food comes from. They have no idea of the cost that goes into it and the input costs that make sure the grocery shelves are full. Again, she said the educational components are important because it is the larger state population that voted to approve the SWIFT fund or will push their legislator to continue or eliminate funding for regional water planning.

Mr. Hopper said people don't want to be bothered with education. They want to let their representatives handle things until it reaches critical mass and is way out of hand by then. It's just human nature.

Chairman Brown thanked Ms. Ewing and Ms. Salvas for their discussion of these agenda items.

COMMITTEE REPORTS AND OTHER INFORMATION:

16. Receive A Report From The TWDB Project Manager.

Ms. Backhouse alerted the LERWPG members on upcoming milestones.

- The Initially Prepared Plan is due to the TWDB on May 1, 2015.
- A public hearing to receive comments on the IPP will need to be held sometime during summer 2015.
- The deadline for completion of water management strategy data has been pushed back to July 1, 2015.
- The final 2016 LERWPG plan and the 2016 Project Prioritization list are due to the TWDB on Dec. 1, 2015.

She added that there will be several “placeholders” in the IPP due to deadlines being pushed back.

These include:

- TWDB database reports relating to water management strategies.

- Socioeconomic analysis.
- Chapter 9: Infrastructure of Financing Analysis.
- Chapter 11: 2011 project implementation survey.

Ms. Backhouse also reported on the HB-4 Stakeholder Committee that met earlier this month. No changes were made to the prioritization and the same standards will be used as last time. Vice-Chairman Spear, who participated on the stakeholder committee, said that the committee also declined to adopt the TWDB prioritization guidelines that would have helped ensure that projects were scored uniformly.

17. Receive A Report from the Region O Technical Consultant.

Ms. Ewing said the group will receive e-mail notifications when the remaining chapters are available for review on the LERWPG web site (www.llanoplan.org). Chapters 2, 3, and 4 should be available soon. She encourages comments from the LERWPG members as the IPP is due to the TWDB on May 1, 2015.

18. Receive A Report from the Region O Administrator.

Mr. Coleman said much of his information has been covered earlier. He did note that the budget for the consultant is about \$485,000 and that they have submitted nearly \$200,000 in invoices for payment. HPWD passes these along to the TWDB. So, there will be financial activity during the rest of the year.

19. Receive A Report From The GMA # 2 And GMA # 6 Representatives.

GMA # 2: Mr. Hopper reported that GMA # 2 met Jan. 23 at the Mesa Underground Water Conservation District office in Lamesa. The group approved a Scope of Work for joint planning with Bill Hutchison, P.G. There was also discussion of a proposed boundary change between GMA # 2 and GMA # 6. The group's next meeting is in June 2015.

GMA # 6: Mr. Campsey reported that GMA # 6 meets Thursday, Jan. 29, 2015.

20. Receive reports from liaisons to other regional water planning groups.

Region A: Mr. Satterwhite reported that Region A plans to meet Feb. 17, 2015.

Region B: Mr. Campsey reported the last Region B meeting was Jan. 7, 2015. There was discussion of draft Chapters 1, 4, 5, and 8. Mr. Campsey told the group that the Wichita Falls direct potable reuse project became operational on July 9, 2014. The project is expected to provide 5 million gallons of water per day (or one-third of Wichita Falls' daily demand.) The cost of the project is \$13 million. The next Region B meeting is set for Feb.11, 2015 in advance of the March 3 grant application funding.

Region F: Mr. Everheart reported that Region F plans to meet Feb. 19, 2015. He commended Ms. Ewing and Mr. McCain for their continued efforts to provide Region O meeting materials to members on a timely basis for advance review/comment. It is much different in Region F. There is little time for preparation and review.

He said it is difficult for people across the state to realize the importance of agriculture in the Region O area. Cities have to plan on a different basis than the farmers who own the land and the groundwater beneath it. It is very important to include the point that regional water planning for agriculture is very different from regional water planning in other parts of the state.

Region G: Michael McClendon had no report. Region G will meet during the first week of Feb. 2015.

21. Receive Public Input & Comments To The Regional Water Planning Group.

Chairman Brown called for public input and comments.

Mr. Adams offered the following points of view:

- There is a common perception that central control tends to increase total production—and that has never been correct in the 180 years since Karl Marx made that proposition. We wait for bread because farmers control their own water—but when the government controls wages, the people wait in line for detergent. Central planners in California wasted a year's water supply for 500,000 people by dumping it into the ocean for fish.
- The North Plains GCD is now imposing production fees on people who already own their property and groundwater. There's no real point in it since Intera, the science contractor for the State Water Board, has said Texas has a 1,500 year supply of groundwater. He will be glad to provide a link to the study for interested parties.

- Changing drought definitions is like trying to kick a field goal through a moving goal post. Do we count on agriculture as our definition of drought, is it the capacity of man-made reservoirs, or is it Mother Nature herself? Mr. Adams said he attended the Feb. 2014 GMA meeting at which Intera gave a presentation on groundwater modeling. At that time, one modeler said we were at 60 percent capacity even before man drilled a well on the High Plains. So if we claim there is a hydrologic drought, then we were in drought before man ever arrived on the High Plains. Another modeler said he thought it was 100 percent in the 1940s. These are the people who have hands-on input and what modeling the state requires us to use.

- He is concerned about the TWDB water planning task pertaining to water management strategies, impact on water management strategies on water quality, and moving water from agricultural to rural areas. If water is moved, will it be purchased through the American Free Trade system and transported through pipelines OR will it be limited by Desired Future Conditions (DFCs)? Will these DFCs allow the City of Lubbock to pump everything but 50 percent of the water from Roberts County well fields or ag producers? Is there a way to determine the 50 percent DFC when we don't have an understanding for what constitutes 100 percent use? The TWDB says look at their modeling. We have different aquifers in the Texas High Plains. Some are confined and some are open. If you have a DFC that states no more pumping because we've reached our 50 percent—then that will apply to all types of aquifers, including those within the HPWD, for example.

Mr. Adams thanked the group for allowing him to share his points of view.

Chairman Brown said the language in Section 8.8 is at least 15 years old. There needs to be consideration that there is the Rule of Capture and the Common Law Doctrine of Groundwater Ownership, which are two different things. The doctrine deals with ownership of groundwater while the Rule of Capture is a defensive mechanism. "If Aubrey drills a well near me which is properly permitted and is for beneficial use—then I can't sue him and prevail," Chairman Brown said.

22. Consider A Date And Agenda Items For The Next Regular Meeting.

After discussion, the next regular meeting of the Llano Estacado Regional Water Planning Group is set for 10:00 a.m., Thursday, March 26. The location is to be determined.

23. Consider Other Business And Announcements.

Chairman Brown called on the membership to consider other business and announcements. There being none, no action was taken.

24. Adjournment.

There being no additional business, Chairman Brown adjourned the meeting at 2:21 p.m.

The above conveys my understanding of the issues discussed and conclusions reached. I assume this understanding is correct until notice to the contrary is received.

Respectfully submitted,

/s/ Doug Hutcheson

Doug Hutcheson, Secretary-Treasurer
Llano Estacado Regional Water Planning Group

These minutes were approved at the March 26, 2015 regular meeting of the Llano Estacado Regional Water Planning Group.