

## ***January 20, 2005 Meeting Minutes***

### ***Call To Order and Welcome.***

Chairman H. P. Brown Jr. called the meeting to order at 10:00 a.m. in the A. Wayne Wyatt Board Room of the High Plains Underground Water Conservation District No. 1 office, 2930 Avenue Q, Lubbock, Texas. Notice of the meeting was provided to each member and was also filed in accordance with the Texas Open Meetings Act at the following locations: *Lubbock County Courthouse, Administrative Offices of the High Plains Underground Water Conservation District No. 1, and the regional water planning group web site at [www.llanoplan.org](http://www.llanoplan.org).*

### **Roll Call Of Members and Establish Quorum.**

The following Llano Estacado Water Planning Group members were in attendance: Chairman H.P. Brown Jr.; Vice-Chairman Ches Carthel; Secretary-Treasurer Jim Conkwright; and members Delaine Baucum, Judge Dallas Brewer, Delmon Ellison Jr., Harvey Everheart, Bill Harbin, Mayor Bob Josserand, Richard Leonard, Dr. Sukant Misra, Gene Montgomery, Dr. Ken Rainwater, and Jim Steiert. Non-voting members in attendance were Joan Glass of the Texas Parks and Wildlife Department; Dr. Herb Grubb of HDR Engineering, Temple McKinnon of the Texas Water Development Board (TWDB).

Unable to attend (excused absences): Those unable to attend today's meeting were: Bruce Blalack (ill); Don James, (meeting conflict); Steve Jones, (meeting conflict); Terry Lopas (meeting conflict); and Don McElroy (meeting conflict).

Absent members (unexcused absences): Jerry Webster.

There was a quorum of the Llano Estacado Regional Water Planning Group members in attendance (14 of 20 members or 70% attendance). A total of 40 persons attended today's meeting.

Others in attendance: Stephen Boston, Texas Department of Agriculture; L.C. Childers, Mayor of Wolfforth; Clyde Crumley, Llano Estacado Water District; Jason Coleman, South Plains Water District; Wayne Edwards, City of Post; Doyce Field, City of Slaton; Kevin Hopson, Daniel B. Stephens and Associates; Joe Hargrove, Mayor of Crosbyton; Doug Hutcheson, City of Wolfforth; Malcolm Laing, Texas Commission on Environmental Quality; Mike McClendon, Brazos River Authority; Roger McKinney, City of Slaton; Jared Miller, City of Crosbyton; James P. Mitchell, High Plains Water District; Cleon Namken, USDA-NRCS; Frankie Pittman, City of Wolfforth; Dr. Judy Reeves,

High Plains Water District; Jim Stefanov, U.S. Geological Survey in Austin; David Turnbough, Sandy Land Water District; Jon Weddle, USDA-NRCS; and Ben Weinheimer, Texas Cattle Feeders Association.

Special guests were Connie Chapman with Rep. Delwin Jones' Lubbock office and Bill Mullican, Deputy Executive Administrator with the TWDB Office of Planning.

Carmon McCain of the High Plains Water District staff was also present to take minutes of the meeting.

### **ACTION ITEMS:**

#### **Approval of the October 28, 2004 meeting minutes.**

The minutes of the October 28, 2004 LERWPG meeting were provided to members by e-mail / hard copy for review prior to today's meeting. There being no additions or corrections, a motion was made by Dallas Brewer and seconded by Bob Josserand that the minutes of the October 28, 2004 LERWPG meeting be approved as printed. All voted "aye," and the motion unanimously passed.

#### **Approval of the Treasurer's Report.**

The Llano Estacado Regional Water Planning Group financial statement for the period ending December 31, 2004 was provided to members for review prior to today's meeting. Mr. Conkwright said the report shows an ending balance of \$10,079.09. A motion to accept the report as printed was made by Jim Conkwright and seconded by Harvey Everheart. All voted "aye," and the motion unanimously passed.

#### **The LERWPG will hear a report from the by-laws subcommittee regarding procedures to add new members (other than filling vacancies) to the regional water planning group.**

Chairman Brown asked that no action be taken on this agenda item since By-laws Subcommittee Chairman Terry Lopas was unable to attend today's meeting. It was the consensus of the regional water planning group members to accept the chairman's recommendation.

#### **The LERWPG will consider appointing Malcolm Laing as a non-**

**voting member representing the Texas Commission on**

**Environmental Quality.**

A motion to appoint Malcolm Laing as a non-voting member of the Llano Estacado Regional Water Planning Group, representing the Texas Commission on Environmental Quality, was made by Ches Carthel and seconded by Mr. Josserand. All voted "aye" and the motion unanimously passed. Chairman Brown then welcomed Mr. Laing as a member of the regional water planning group.

**The LERWPG will hear a report from the nominating committee for officers to serve during 2005-2006.**

At the previous meeting, Chairman Brown appointed Delmon Ellison Jr, Don McElroy, and Jim Steiert to serve on the nominating committee. Mr. Steiert presented the following slate of officers for the LERWPG's consideration.

Chairman	H.P. Brown Jr.
Vice-Chairman	Ches Carthel
Secretary-Treasurer	Jim Conkwright

A motion to accept the nominating committee's recommendation and to elect the officers by acclamation was made by Delmon Ellison Jr. and seconded by Harvey Everheart. All voted "aye" and the motion unanimously passed.

The chairman will appoint members to serve on regional water planning group subcommittees.

In order to assist Dr. Grubb, Chairman Brown appointed the following committees to address the following issues to be included in the initially prepared regional water plan:

**Agricultural Water Conservation:**

Jim Conkwright, Chairman; Delaine Baucum; Delmon Ellison Jr.; Harvey Everheart; Curtis Griffin; Dr. Herb Grubb; Dr. Dan Krieg; Richard Leonard; and Dr. Sukant Misra.

**Environmental:**

Jim Steiert, Chairman; Jason Coleman; Joan Glass; Bill Harbin; and Dr. Ken Rainwater.

**Policy:**

Bob Josserand, Chairman; Judge Dallas Brewer; Ches Carthel; Clyde Crumley; Dr. Don Ethridge; Don McElroy; Gene Montgomery; and Kent Satterwhite.

Dr. Grubb explained that these committees will assist in determining a water management strategy to meet water needs, how much of the need can be met through conservation, and the results of not meeting the need. Dr. Grubb has prepared some draft materials for distribution to the committees for review and comment.

Chairman Brown asked the committees to meet and have a report ready for the LERWPG at their March 17 meeting. He added that the chairman is responsible for setting meeting dates and keeping minutes.

**Technical Consultant Dr. Herb Grubb with HDR Engineering will present drafts of the following Sections of the Initially Prepared 2006 Regional Water Planning Report:**

**Section 3:** Water Supply Projections For The Planning Region;

**Section 4:** Projected Water Supplies and Water Needs of Water User Groups, Counties, and River Basin Parts of the Planning Region.

**Section 5:** Municipal Water Conservation (Partial).

The planning group members were provided copies of Sections 1 & 2 of the draft initially prepared plan for review and comment at the October 28, 2004 meeting. The group will be discussing Sections 3-5 of the draft plan at today's meeting.

Section 3 includes descriptions of ground water aquifers and surface water reservoirs in the region. It also includes a description of the methodology to calculate the water supplies available to the Llano Estacado Region and methodology for calculating water supplies available to water user groups. It also includes discussion of projected water supplies available to the region.

Section 4 includes discussion of the projected water supplies, water needs, and social/economic impacts of failure to meet projected water needs for counties and parts of counties of river basins for the Llano Estacado Region.

Section 5 is discussion of demand reduction (water conservation). It includes descriptions, methods, quantities, and costs associated with municipal water conservation in the region.

Dr. Grubb offered the following comments:

**Section 3:**

A brief overview of the contents of this section was provided.

**Section 4:**

Table 4-23 provided today is a replacement for the table previously sent to the members in an earlier mailout. The new table has updated supply and demand figures.

Since the 2001 plan, the City of Hereford has added additional water wells. Because of this, their capacity will meet their projected demand during the planning period.

Dr. Grubb asked if there were any questions regarding the data contained in Section 4.

Dr. Rainwater and Mr. Satterwhite questioned if the City of Levelland should be on the shortage list. Table 5.1-3 shows a shortage, but there is no date listed on the accompanying table. Dr. Grubb said he would investigate this and report back to the group.

Dr. Rainwater also questioned the high per capita water use for some of the cities. He wondered if the non-domestic usage had been taken out. Dr. Grubb

replied that it had not. Towns and cities in the region report their total raw water use to the TWDB. They should report industrial or other sales at that time. If reported, the TWDB then adjusts the municipal water use accordingly. The per capita figures would be erroneous if the cities did not report these data correctly.

Dr. Rainwater said he was curious about the reported 305 gallons per capita per day for the City of Seminole. Dr. Grubb replied that some areas in the San Antonio area reported 700 gallons per person per day. He emphasized that the respective water superintendents or water utilities reported these data to the TWDB, who in turn, provides data to the RWPG. Mr. Crumley said he plans to visit with the City Manager of Seminole about this.

Dr. Rainwater said that it appears that the state is working toward a goal of 140 gallons of water per capita per day. In working with those towns and cities that exceed the goal, he said it would be helpful to understand how these numbers were generated, so that strategies could then be understood.

Dr. Grubb noted that a reduction of 18 gallons per person per day may be achieved by retrofitting homes with low-flow fixtures, including clothes washers, showerheads, and toilets.

He added that the wholesale water providers in the region (CRMWA, City of Lubbock, White River, and MacKenzie) would want to review these tables to make sure the available water supply data are accurate.

There were no additional questions relating to Section 4.

## **Section 5:**

Dr. Grubb said Table 5.1-1 describes the minimum standards for plumbing fixtures sold in Texas, which became effective on Jan. 1, 1992.

Wholesalers/retailers were given one year to clear existing inventories. These standards have already been factored into the demand projections.

Table 5.1-2 is the TWDB's analysis of the water conservation potentials of low-flow plumbing fixtures in homes, offices, and public areas. Dr. Grubb added that in 2001, the Texas Legislature amended the Texas Water Code to require regional water planning groups to consider water conservation and drought management measures for each water user group with a need (projected water shortage). The water conservation implementation task force has identified and described water conservation best management practices (BMPs) and has provided a BMP guide for use by regional water planning groups in the development of the 2006 regional water plans. The list of BMPs for municipal water users was briefly discussed.

In addition, the water conservation implementation task force recommended that a standardized methodology be used for determining per capita per day municipal water use in order to allow consistent evaluations of effectiveness of water conservation measures in the various towns and cities in Texas. Dr. Grubb said this pertained to Dr. Rainwater's earlier question as to how the calculations were made. This is an attempt to standardize this in the future.

Table 5.1-3 shows the projected per capita water use with low flow plumbing fixtures, sorted from low to high use. He noted that those communities with new construction will have greater opportunities for conservation benefits using low-flow fixtures than those with little or no new construction.

Table 5.1-4 was reviewed. Of the 72 WUGs in the region, 46 had per capita water use rates that are higher than the 140 gallons per person per day goal established by the water conservation implementation task force. He then reviewed the methods and assumptions as shown on the bottom of Page 8 ("GDS Associates study.").

Using this as a methodology, he then reviewed the projected per capita water conservation from low flow plumbing fixtures as contained in Table 5.1-5. The costs of water demand reduction via added water conservation were discussed as well.

There was a question if the RWPG should adopt the 140 per capita per person statewide average goal. While it is the LERWPG's prerogative to adopt such a goal, several members commented that this might be difficult to achieve. It was suggested that a region-wide average of 150 gallons per capita per day be considered.

### **Recess**

Chairman Brown called a recess at 11:00 a.m. so that members could watch the President's Inaugural Address.

### **Reconvene**

Chairman Brown reconvened the meeting at 11:20 a.m. Dr. Grubb continued with the discussion of Section 5, Demand Reduction (Water Conservation).

Malcolm Laing with the TCEQ said he questioned several of the per capita base numbers. While he realizes that the utilities report their base numbers to the TWDB, he has personally inspected several of these facilities, and questions the accuracy of the numbers. For example, he said Meadow's actual per capita water use is substantially higher than those reported to the TWDB. He wanted to point out that some of the numbers might be questionable for those utilities serving less than 5,000 connections. Chairman Brown encouraged Mr. Laing and TCEQ to dialog with the TWDB on this matter.

Chairman Brown said he views this as "a balancing act" on trying to assist our fellows in the region by providing them information that they can use as guidance. However, he has great concern (as did others on the task force) that WUGs would set their goals so low as to be unattainable. As a result, they could possibly be denied financing from the TWDB. (Mr. Brown did say that he did not think the present TWDB administration would do this—but it is a possible concern for the future.) He cautioned that this should be considered in making a decision.

In discussions with the task force, Mr. Montgomery said he believed it made no sense to have one target goal. He gave a fictional example of the government requiring everyone to weigh 150 pounds. This goal may be difficult to achieve as there are several factors, such as height, sex, genetics, etc., that must be considered. When setting a per capita use, groups must

consider other primary factors, such as use and consumption, and set reasonable goals. Chairman Brown said the water conservation implementation task force was encouraging WUGs to set their own meaningful goals –rather than having a large group do it for them. Mr. Montgomery concurred saying that the RWPG should assist the WUGs in setting the goals and guide them in attainment of said goals.

Mr. Carthel asked if the group actually had to set a goal or whether there could be a blanket statement about water conservation. Mr. Mullican said there were two different issues being discussed: 1) the LERWPG must develop a model water conservation plan for towns and communities in the region to use as a template based on the group's understanding of the region. The LERWPG may set a per capita per day recommendation or goal within the context of the conservation plan. 2) The other part of the plan is if there is a need, then specific water management strategies must be considered in order to meet the need. This is in accordance with Senate Bill 2. It is no longer acceptable to simply say "we will do water conservation." He said the group must now list conservation activity and the amount of water that will be saved as a result of the activity.

Mr. Josserand said he did not want to be the person sitting on the RWPG saying a community will reduce water use by a given percent without the community being involved in determining the amount of reduction from day one.

After additional discussion, Mr. Josserand suggested that the LERWPG contact the counties, show them the TWDB calculations, and ask them what they can do to remedy the water shortage. Mr. Carthel suggested listing the best management practices contained in the task force recommendation and allow towns and cities to “pick and choose” according to local needs. The problem is that Dr. Grubb must quantify the amount of water saved per BMP as well as the implementation cost in order to complete the regional water management plan.

From the discussion, Chairman Brown said he believed that the LERWPG did not want to set a specific per capita per day goal—but rather have the towns and cities with needs (above 140 gallons per capita per day) look at BMPS and consider a one percent reduction per year until the statewide average was attained. Mr. Everheart asked about those towns and cities with a water need that were below the statewide per capita per day average. Dr. Grubb said those towns would not be included since they were below the average.

In summary, Dr. Grubb said that the LERWPG would take the one percent approach for those towns and cities that had a per capita per day water use of 140 gallons and above in 2000, and then he would calculate the water conservation potential. The town and cities would be able to voluntarily use the recommended BMPs to achieve the goal. Mr. Carthel said he did not believe the region could attain a statewide goal of 140 gallons per capita per day. Dr. Grubb suggested that the group use a goal of the year 2000 regional average of 177 gallons per capita per day. Chairman Brown said he was still

concerned about towns and cities not being able to achieve a goal and being denied funding as a result.

Mr. Montgomery suggested starting with the statewide goal of 140 gallons per capita per day and working to achieve a one percent reduction among those towns and cities above that goal. In the meantime, the LERWPG would work on a better goal-setting plan in order to consider factors that should be considered.

Mr. Mullican said Dr. Grubb must make calculations based on BMPs for a cost figure and the amount of water that can be saved. Having towns and cities select from a menu of BMPs and picking one to meet their water need will not help Dr. Grubb in making his calculations. He must have a breakdown of BMPs that will be used in order to provide the cost benefits of conservation.

To wrap up the discussion, Chairman Brown asked the regional water planning group members to make a decision regarding the specific per capita per day goal. A motion was made by Mr. Carthel and seconded by Mr. Josserand that the group use a goal of the year 2000 regional average of 177 gallons per capita per day. All voted "aye," and the motion unanimously passed.

### **Lunch**

Chairman Brown called a lunch recess at 12:08 p.m. The meeting was reconvened at 12:50 p.m.

### **Reconvene**

Mr. Conkwright suggested that the LERWPG contact the cities that are experiencing water shortages and work with them as much as possible. Mr. Montgomery agreed that the conservation goals should be shared with the towns and cities in the region. If they do not agree with their data, then they should let the RWPG know. Dr. Grubb suggested a 30-day response turnaround time in order to have the draft plan completed for review at the April LERWPG meeting.

Chairman Brown suggested that the mayors and/or city managers of the towns with water shortages be invited to come to Lubbock to visit about their problem with Dr. Grubb and other LERWPG representatives. A February 17 meeting was recommended.

### **COMMITTEE REPORTS AND OTHER INFORMATION:**

**The LERWPG will receive an update on the Texas Water Development Board (TWDB) agricultural water conservation program, created by Senate Bill 1053, 78<sup>th</sup> Texas Legislature.**

Mr. Conkwright reported that a press conference announcing the High Plains and Lower Rio Grande Valley projects was held September 22 in Austin. Up to \$6.2 million was earmarked for an integrated approach to water conservation in the Texas Southern High Plains. Cooperators include producers in western Floyd and eastern Hale Counties, Texas Tech University, Texas Cooperative Extension, and the High Plains Underground Water Conservation District No.

1. Up to \$3.8 million has been earmarked for the Lower Rio Grande Valley project.

This will be a producer-driven project. The High Plains Water District will install monitoring equipment, weather stations, and other equipment necessary for the project. In addition, the staff will provide technical expertise about the Ogallala aquifer in the project area.

A local press conference announcing the project will be held at 10:00 a.m. on Jan. 21 at the Pitchfork Pavilion of the National Ranching Heritage Center.

Mr. Mullican said it is hoped that this project will identify and quantify the best agricultural production practices and technologies to help reduce ground water pumpage from the Ogallala aquifer while maintaining agricultural production and economic opportunities.

**The LERWPG will receive an update on potential water related legislation that may be introduced during the 79<sup>th</sup> Texas Legislative Session.**

Chairman Brown asked Mr. Conkwright to report on potential water related legislation that may be introduced during the 79<sup>th</sup> Texas Legislative Session.

Mr. Conkwright said 700 bills have been introduced to date and the High Plains Water District is monitoring about 12 of these. Mr. McCain said a recent article in the Victoria Advocate indicated that Senator Armbrister, chairman of the Senate Natural Resources Committee, might author an omnibus water bill this session. Mr. Carthel said there was some discussion at the Region B

meeting regarding certificates of convenience and necessity are awarded and how to opt out of them. Mr. Carthel said no legislation on certificates of convenience and necessity ("CCNs") has been introduced as yet.

**The LERWPG will receive an update on environmental issues.**

Mr. Steiert began his report by observing that water planning is an inexact science at best. "We are sitting here today—surviving and still operating—on water that best science projected to be gone 25 years ago. The future has been painted bleakly for the High Plains before. We do the best we can (conserving water) with the information we have," he said.

Mr. Steiert reported that the Texas Parks and Wildlife Department is working on an environmental flows study for Region O that will be presented at the March 17 meeting.

Mr. McCain provided a brief report about the critical habitat designation for the Arkansas River shiner by the U.S. Fish and Wildlife Service.

**The LERWPG will hear a status report from Consultant Dr. Herb Grubb with HDR Engineering, Inc.**

Dr. Grubb said he had no additional comments at this time.

**The LERWPG will hear a status report from LERWPG Project Manager Temple McKinnon of the TWDB.**

Ms. McKinnon deferred to Mr. Mullican. Mr. Mullican said it was good to be back in Lubbock—his hometown. In the past few months, Mr. Mullican

reported that he has traveled around the nation to speak about water issues—especially the regional water planning in Texas. He said Texas is recognized in leading the nation in the regional water planning process. Many states are looking to implement a “Texas Model.” He said he hoped all RWPG members take pride in the activity they are involved in because the nation is keeping an eye on Texas. He said there is such an incredible difference in the rate of implementation between the 1997 state water plan and the 2001 plan. This is the true barometer for success.

As good as the regional water planning process is, there are always opportunities for improvements. During the past couple of years, the TWDB has seen the need for some plan amendments. Some of these were major—but most were minor. Some were so minor that it was almost embarrassing to go through the amendment process! There is a proposal, along with draft legislation, that would allow smaller amendments to become expedited and a simpler process.

Mr. Mullican also said that the regional water planning process received funding cuts during the budget crisis two years ago. Because of the deficit, regional water planning did not escape the budget knife. The TWDB is asking the legislature to restore funding to the baseline level for the 2006-2011 planning cycle. There is adequate funding for the 2001-2006 planning cycle. The TWDB is working to acquire additional funding for modeling of minor aquifers, such as the Dockum.

Chairman Brown thanked Mr. Mullican for his attendance at today's meeting.

**The LERWPG will hear a report from the following Regional Water Planning Group Liaisons:**

**Region A: Kent Satterwhite**

Mr. Satterwhite deferred to Ms. McKinnon. The Panhandle Regional Water Planning Group met in December 2004, and will meet again on February 3, 2005. They are making about the same progress on their plan as Region O.

**Region B: Ches Carthel.**

Mr. Carthel reported that Region B met in November 2004 and will meet again February 16 in Wichita Falls. They are developing their needs analysis and are also on the same track as Region O.

**Region F: Harvey Everheart**

Mr. Everheart reported that Region F met Nov. 24, 2004. He noted the differences between Region F and Region O in size and voting members. Region F deals primarily with surface water issues. They will be looking at water availability at their next meeting.

**Region G: Terry Lopas / Judge Tim Fambrough**

Mr. Lopas was unable to attend and no report was given.

**Other Business:**

**Public Comment:** No public comment was offered at this time.

**Other Business:**

Chairman Brown called attention to upcoming LERWPG meeting dates as outlined in his January 11 memo. He encouraged members to mark the dates on their calendars.

Chairman Brown called attention to the Senate Select Committee on Water Policy report as contained in the mailout for today's meeting. He encouraged the members to review the document, if they have not done so already.

Chairman Brown noted that the LERWPG is continuing to search for a suitable person to replace Henry Rieff, who represented water utilities. Malcolm Laing suggested that Doug Hutcheson with the City of Wolfforth be considered as a replacement. Chairman Brown asked that Mr. Laing speak with Mr. Conkwright or Mr. McCain about Mr. Hutcheson's qualifications to serve .

### **Adjournment**

There being no additional business, Chairman Brown adjourned the meeting at 3:00 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,

**Jim Conkwright, Secretary-Treasurer**

**These minutes were approved at the March 17, 2005 regular LERPWG meeting.**

