

**MINUTES OF THE
LLANO ESTACADO REGIONAL WATER PLANNING GROUP (“Region 0”)
Thursday, October 15, 2009**

1. Call To Order and Welcome By Chairman H.P. Brown Jr.

Chairman H.P. Brown Jr. called the meeting to order at 10:04 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 in advance to each member and was also filed/posted in accordance with the Texas Open Meetings Act at the following locations: *Office of the Texas Secretary of State; Lubbock County Courthouse, Administrative Offices of the High Plains Underground Water Conservation District No. 1, the regional water planning group web site at www.llanoplan.org and the High Plains Underground Water Conservation District web site at www.hpwd.com*

2. Roll Call of Members To Establish Quorum

The following Llano Estacado Regional Water Planning Group members were in attendance: Chairman H. P. Brown Jr., Secretary-Treasurer Doug Hutcheson, Dr. Melanie Barnes, Delaine Baucum, Bruce Blalack, Delmon Ellison Jr., Dr. Don Ethridge, Harvey Everheart, Richard Leonard, Michael McClendon, Don McElroy, Gene Montgomery, & Dr. Ken Rainwater.

Unable to attend: (*Excused Absence*): Vice-Chairman Jim Conkwright; Mayor Bob Josserand, Bill Harbin, Kent Satterwhite, Jim Steiert, and John Taylor.

Absent members (*Non-excused Absence*): Tom Adams.

Non-voting members in attendance: John Clayton, Texas Parks and Wildlife Department, Dr. Herb Grubb, HDR Engineering Inc., Steve Jones, Texas Department of Agriculture, Angela Kennedy, Texas Water Development Board, and Malcolm Laing, Texas Commission on Environmental Quality.

A quorum of the Llano Estacado Regional Water Planning Group members was present. There were 13 of 20 voting members present, or 65 percent attendance.

Others in Attendance:

Ray Brady of Floydada; Sarah Clifton, Senator Robert Duncan’s Lubbock office; Mark Kirkpatrick of Post; Mike McGregor, City of Lubbock; Dr. Judy Reeves, Cirrus Associates, Richardson; Bruce Rigler, High Plains Underground Water Conservation District; Aubrey Spear, City of Lubbock; and Ben Weinheimer with Texas Cattle Feeders Association.

(This was derived from a sign-in sheet provided at the back of meeting room.) Carmon McCain of the High Plains Water District staff was present to record the minutes.

ACTION ITEMS:

3. The LERWPG Will Discuss and Consider Approval Of The August 27, 2009 Regular Meeting Minutes.

The minutes of the August 27, 2009 LERWPG meeting were provided to members by e-mail and/or hard copy for review prior to today's meeting. It was noted that Michael McClendon was omitted from the list of members in attendance. There being no other additions or corrections, a motion was made by Delmon Ellison and seconded by Don McElroy to approve the August 27, 2009 meeting minutes as amended. **The motion was unanimously approved.**

4. The LERWPG Will Discuss and Consider Approval Of The Financial Statement.

Secretary-Treasurer Doug Hutcheson reported a balance of \$13,549.26 as of September 30, 2009. A motion to accept the financial statement as printed was made by Harvey Everheart and seconded by Mr. Ellison. **The motion was unanimously approved.**

5. The LERWPG Will Discuss and Consider Filling The Vacant County Government Position Created By The Resignation Of Yoakum County Judge Jim Barron At The August 27, 2009 Meeting.

Chairman Brown reported that there had been some interest by the Terry County Judge in filling this position. Member Harvey Everheart and South Plains Water District Manager Jason Coleman have followed up with the judge; however, it appears that his interest in serving as a member of the LERWPG has waned. Chairman Brown recommended that the Executive Committee look at other potential candidates—especially in those areas of the regional water planning area where representation may be lacking. **The group took no action on this agenda item.**

6. The LERWPG Will Discuss And Consider Adding Mark Kirkpatrick of Garza County To Serve As An Agricultural Representative .

A nomination packet for Mark Kirkpatrick, containing a nomination letter from Mr. Ellison, a letter of interest from Mr. Kirkpatrick, and recommendation letters from W. R. Collier of American State Bank, Garza County Judge Lee Norman, and former Garza County Judge Giles Dalby was e-mailed to the members in advance of today's meeting.

A motion was made by Delaine Baucum and seconded by Dr. Melanie Barnes that Mark Kirkpatrick be appointed to the LERWPG, serving as an agricultural representative. **The motion was unanimously approved.** Chairman Brown then invited Mr. Kirkpatrick to join the members seated at the tables.

Dr. Ken Rainwater asked if Tom Adams was still a member of the regional water planning group. Chairman Brown explained that Mr. Adams was appointed to represent municipalities (large) on the LERWPG. Since Mr. Adams is no longer with the City of Lubbock, he can be removed from the planning group since there has been a "change in

status such that the member no longer represents the interest he/she was selected to represent.” (Source: LERWPG By-laws) Jim Conkwright previously visited with Mr. Adams about his eligibility to continue service as a member of the LERWPG. Both concurred that a letter of resignation from Mr. Adams would be appropriate. However, the letter has not been submitted as yet.

Mike McGregor with the City of Lubbock asked if a proxy vote could be given to Aubrey Spear to represent Mr. Adams. Dr. Barnes asked if proxy voting is a viable option for members that are unable to attend the regional water planning group meetings. Chairman Brown said it was past history not to use proxy voting as the person with the proxy may not have the same amount of knowledge of water planning issues as the absent voting member. Dr. Barnes thanked Chairman Brown for the background information.

7. The LERWPG Will Discuss and Consider Draft Versions Of Sections 1, 2, & 3 Of The Initially Prepared Plan.

Draft versions of Sections 1, 2, & 3 of the Draft Initially Prepared Plan had been provided to members for review in advance of today’s meeting.

Technical Consultant Dr. Herb Grubb of HDR Engineering gave a brief overview of the revisions to Section 1 of the draft IPP, “**Planning Area Description.**” He noted that crop production and livestock data are derived from the 2007 U. S. Census of Agriculture, manufacturing and wholesale trade data are from the U.S. Department of Commerce’s 2001 Economic Census, and Finance, Insurance and Real Estate data (1997) are from the U.S. Bureau of the Census. Dr. Grubb then asked for any additions/corrections to Section 1 from the members.

Gene Montgomery said it would have been helpful to have a copy of this section with redlined changes to assist him in locating revisions—rather than having to do a side-by-side comparison between the draft and the final 2006 plan.

Mr. Montgomery noted that the table, “Crop Production—2007,” in the draft plan shows corn production at 62,058,591 bushels—which has almost tripled from the 26,284,860 bushels reported in the 2006 plan. However, he said there is no mention of why this occurred in the draft plan. He said he felt that it was important to explain why this occurred because “you can’t plan without knowing the reason why something happened.”

Dr. Melanie Barnes concurred and asked if this could be handled with additional paragraphs or a footnote.

An extended discussion followed. Concerns included whether or not answers to such questions are included in the current scope of work; whether or not a new scope of work could be prepared and submitted for Texas Water Development Board approval during the remainder of the current planning cycle; and frustration in being “married” to TWDB projections.

Dr. Ken Rainwater noted that there have been changes in drinking water /water quality standards since the previous plan. New standards and concerns about arsenic and other constituents, fluoride, nitrates, selenium, and perchlorates should be reviewed to determine how they will impact water treatment costs in the future. U.S. Geological Survey studies should also be considered.

Other suggestions offered by Dr. Rainwater included: 1) revising the underground water conservation districts section to note that some do not rely on well spacing alone—especially as the districts develop DFCs and move toward other enforcement; 2) Reworking the “hatch” pattern for Sandy Land Water District in Figure 1-7; and 3) reviewing the CAFO/beef industry numbers for consistency to make sure all cross-references match.

Chairman Brown said he understood the members’ frustration in “being married” to the figures under TWDB water planning rules. However, some of their concerns could be address with appropriate language contained in the Planning Area Description section, or even the new Executive Summary. *(Members said this may be the most appropriate area for this information as most people will be prone to read the summary rather than the entire plan.)*

Chairman Brown expressed concern about taking additional meeting time to review/discuss this section. He asked members to provide their marked copies to Dr. Grubb so that he can address concerns and/or make corrections.

No action was taken concerning Section 1 of the draft Initially Prepared Plan at today’s meeting. All marked changes are to be provided to Dr. Grubb. He, in turn, will incorporate them into the document and provide a redline version to be e-mailed to members prior to the next meeting.

BREAK:

Chairman Brown called a brief recess at 11:20 a.m.

RECONVENE:

The meeting was reconvened at 11:35 a.m. Mr. Jones left the meeting at this time.

Chairman Brown asked Dr. Grubb to continue review of Sections 2 & 3 of the draft Initially Prepared Plan.

Dr. Grubb began his discussion of Section 2 “Population and Water Demand Projections”, by stating that the TWDB has made both population and water demand projections for cities, rural areas, and water use purposes for each of the 21 counties in the region. An addendum to the 2006 plan containing City of Lubbock population revisions has been incorporated into this section.

Under Section 3, "Water Supply Analysis," it was noted that Sections 3.2.4 and 3.2.5 seemed repetitive.

Dr. Rainwater asked that the dates of the "drought of record" be included when referencing the drought in Section 3.3.

There being no other additions/corrections, Chairman Brown stated that **no action is to be taken concerning Sections 2 & 3 of the draft Initially Prepared Plan at today's meeting.** All marked changes are to be provided to Dr. Grubb. He, in turn, will incorporate them into the document and provide a redline version to be e-mailed to members prior to the next meeting.

LUNCH BREAK:

Chairman Brown called a recess for lunch at 11:50 a.m. Delaine Baucum and Malcolm Laing left the meeting at this time.

RECONVENE:

Chairman Brown reconvened the meeting at 12:22 p.m.

COMMITTEE REPORTS AND OTHER INFORMATION:

8. The LERWPG will receive an update on the Groundwater Management Area representatives' efforts to set Desired Future Conditions (DFC's) for aquifers in their area. (Jim Conkwright for GMA # 1 and Jason Coleman for GMA # 2)

No report was given as Jim Conkwright and Jason Coleman were unable to attend today's meeting.

Chairman Brown asked Harvey Everheart if he had anything to report regarding GMA # 2. Mr. Everheart said GMA # 2 held its last meeting in Stanton in August. A presentation was given by High Plains Underground Water Conservation District representatives concerning the district's DFC of 50/50 for its 12 counties within GMA # 2. Previously, GMA # 2 was looking at setting a DFC based upon an accepted amount of drawdown; however, they are considering the 50/50 as an option as well. GMA # 2 members have until September 1, 2010 to set a desired future condition.

Mr. Everheart said the group is taking their task very seriously and are taking their time to make wise decisions. Bruce Rigler, member of the High Plains Underground Water Conservation District Board of Directors, concurred.

Dr. Barnes asked when the High Plains Water District presentation would be available for on-line viewing as indicated in the August 27 meeting minutes. Carmon McCain assured Dr. Barnes that the presentation would be made available on-line just as soon as he received it

from Jim Conkwright and/or consultant Bill Mullican. The presentation is undergoing some minor “tweaking” before it is made available for on-line viewing.

9. The LERWPG Will Receive An Update Regarding Joint Planning Efforts Between Regions A & O. (Kyle Ingham, PRPC)

No report was given as Kyle Ingham with the Panhandle Regional Planning Commission was unable to attend today’s meeting.

10. The LERWPG Will Receive An Update On Activities Of The Texas Water Conservation Advisory Council (Gene Montgomery.).

Gene Montgomery reported that the Texas Water Conservation Advisory Council has lost some of its momentum since his last report. Chairman C. E. Williams of the Panhandle Groundwater Conservation District is working to get the group “fired up and rejuvenated.”

11. The LERWPG will hear a report from LERWPG Project Manager (Angela Kennedy with the TWDB).

Angela Kennedy reported that Region O’s request for approval for use of revised dairy/ethanol data in the 2011 plan will be considered by the TWDB Board in November. Also, the City of Lubbock’s request to amend the 2006 plan will be considered at the same meeting.

She also reported that additional legislative appropriations made available on September 1 have increased the amount of Region O committed funds by \$139,047.00 to match the total study costs of \$440,430.00. An amendment to the regional water planning contract is to be considered by the High Plains Water District Board of Directors (administrative agency) at their October 20 meeting.

12. The LERWPG will receive an update from the Technical Consultant (Dr. Herb Grubb with HDR Engineering, Inc.).

Dr. Grubb distributed a draft copy of Section 4 of the IPP, “Water Needs and Water Management Strategies,” to the group. A brief PowerPoint presentation highlighted the following points:

- Tables 4-1 through 4-21 show water demands, supplies, and needs. Tables 4-7, 4-12, and 4-13 show ethanol-related water demand changes, in Deaf Smith, Hale, and Lamb Counties, respectively.
- Tables 4-1, 4-3, 4-7, 4-12, 4-14, 4-15, 4-16, 4-18, & 4-20 show dairy-related water demand changes for Bailey, Castro, Deaf Smith, Hale, Lamb, Lubbock, Lynn, Parmer, and Terry Counties, respectively.
- Projected needs (shortages) for municipal use are expected to be 8,763 acre-feet in 2010 while irrigation water use shortages are expected to be 1,252,440 acre-feet during the same year. This increases to 27,459 acre-feet for municipal use and 2,306,670 acre-feet by 2060.

- Seven of the 32 municipalities with identified water shortages in 2006 have added additional water supplies (Pages 112-113).
- Irrigation acreage and adoption of center pivot systems were heavily discussed.
- Water Management Strategies for other municipal water user groups were discussed. The City of Lubbock strategies were updated to bring costs/quantities to Sept. 2008 levels.
- Regional water management strategies, such as brush control, weather modification, desalination of brackish groundwater, drought tolerant crops, and stormwater capture and reuse were discussed.

Dr. Grubb concluded his report by summarizing the work in progress. This includes: 1) water management strategies for CAFOS; 2) water management strategies for the Canadian River Municipal Water Authority members in Region O; 3) the social and economic effects of not meeting water needs within the region (submitted to TWDB—awaiting results); 4) analyses of results of municipal and irrigation water conservation programs, and 5) the remainder of the Llano Estacado Regional Water Plan (Section 4.5—county level data).

Several members offered comments and questions for Dr. Grubb.

Mike McGregor with the City of Lubbock asked if the trench recharge project was considered as one of the regional water management strategies. Dr. Grubb said it was never included as part of the list.

Chairman Brown wondered if the group should reconsider the addition of a study of the watershed for White River Reservoir as it is a major water supply for four counties. Dr. Rainwater said Texas Tech is doing a small watershed evaluation for White River Municipal Water District that should be completed by end of year 2009. In addition, EHT is conducting a firm yield study of the reservoir. Grass, trees (salt cedar) and other impediments are reducing flow to the watershed. In addition, the watershed has not received enough timely rainfall.

Dr. Grubb distributed Section 8: “Unique Stream Segments/Reservoir Sites/ and Legislative Recommendations” from the 2006 plan to the members for review and comment. He would like to have this section of the plan revised by February 1, 2010. He said the draft of the rest of the IPP (without Section 8) should be completed by December 1. Subsections of the plan will be distributed to members in the next few weeks.

13. The LERWPG will hear a report from the LERPWG Administrator (*Carmon McCain for Jim Conkwright, High Plains Water District*).

Mr. McCain said both items in the administrator’s report (*municipal water conservation survey and Mr. Adams’ eligibility to continue service on the LERWPG*) were addressed earlier. No additional discussion is needed.

14. The LERWPG will hear reports from its liaisons to other regional water planning groups:

Region A: (Kent Satterwhite) Mr. Satterwhite was absent at today's meeting.

Region B: (Angela Kennedy) Ms. Kennedy reported that Region B's next meeting is set for November 4. Their membership just approved the steam-electric demands for inclusion in the plan.

Region F: (Harvey Everheart) Mr. Everheart gave no report.

Region G: (Michael McClendon) Mr. McClendon gave no report.

19. Other Business

a. Public Comment

Dr. Judy Reeves, senior hydrologist with Cirrus Associates in Richardson, challenged the regional water planning group members to think outside the box and have an honest discussion of how they plan to meet irrigation water demands—rather than spend time re-churning data and calling it “water planning.” She said the group needs to get the groundwater conservation districts to explain how the DFC they are setting will enhance water needs. If districts use the same modus operandi that they have for the past 50 years and continue status quo, then there will no change and water demands will not be met. Preserving the groundwater in the Ogallala aquifer is important for agricultural interests and others. Dr. Reeves said she is an advocate for sustainability of the Ogallala aquifer on the Southern High Plains—but realizes that is probably unrealistic. She said everyone in the region needs to be challenged to reduce their water use by at least 10 percent. She concluded by stating she believes people in the region do not realize the dire water predicament that they are in.

Angela Kennedy with the TWDB said she had additional information that she failed to mention during her report. GMA # 1 has received two petitions (Mesa Water and Arrington Ranches) contesting the DFCs that were set. Public mediation of the issue is set for October 29. The petitioners are contesting two of the three DFCs set for the area—they do not have a problem with the 50/50. GMA # 1 is optimistic about the outcome. Ms. Kennedy said she would forward future notices of GMA meetings to Mr. McCain for distribution to the RWPG members. Dr. Barnes said it was important for the RWPG members to be kept aware of what is happening in the world of water. High Plains Water District does a good job of putting information up on their web site—but more information is needed so that members can make informed decisions to avoid future contentious issues.

Mr. Ellison said he had asked earlier about the trench recharge project because such research is needed in the area. It is important to consider possible recharge of the aquifer—but no one is willing to pay for research. He added that few people want to discuss recharge—but it is something that must be discussed if it is to be a viable

strategy. He added that the economy will be the incentive that forces people to cut back on water.

Dr. Barnes said it will be important for the agricultural community to communicate the importance of their water needs to a voting public which is now removed from agriculture.

b. Announcements

Date of next LERWPG meeting.

The Llano Estacado Regional Water Planning Group will meet at 10:00 a.m. on Thursday, December 10, 2009, in the A. Wayne Wyatt Board Room at the High Plains Underground Water Conservation District office, 2930 Avenue Q, in Lubbock.

20. Adjourn

There being no other business, Chairman Brown adjourned the meeting at 2:00 p.m.

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

Respectfully submitted,

/s/ Doug Hutcheson

Doug Hutcheson
Secretary-Treasurer

These minutes were approved by the LERWPG membership at their December 10, 2009 regular meeting.