

**LLANO ESTACADO REGIONAL WATER PLANNING GROUP
REGULAR QUARTERLY MEETING**

FEBRUARY 1, 2002

10:00 A.M.

Chairman H. P. Brown Jr. called the meeting to order at 10:05 a.m. in the first floor conference room of the City of Lubbock Municipal Building, 1625 13th Street, in Lubbock, Texas. Notice of this meeting has been posted in compliance with the Open Meetings Act.

The following Llano Estacado Water Planning Group members were in attendance: John Abernathy, Bruce Blalack, H. P. Brown Jr., Ches Carthel, Jim Conkwright, Delmon Ellison Jr., Bill Harbin, Don McElroy, Gene Montgomery, S. M. Truc Jr. and Lloyd Urban. A quorum of the regional water planning group members were present.

Unable to attend (excused absences): Delaine Baucum, Dallas Brewer, Bob Josserand, Richard Leonard, Henry Rieff, Kent Satterwhite, Jim Steiert, Randall Wooten and Jerry Webster.

Others in attendance: Special guests included T. Neil Blandford of Daniel B. Stephens, Inc., Dr. Herb Grubb of HDR Engineering Inc., Robert Mace of the Texas Water Development Board, Don McReynolds of the High Plains Water District staff, Stefan Schuster of the Texas Water Development Board. Carmon McCain of the High Plains Water District staff was present to take minutes.

Approval of minutes of the September 7, 2001 ground water availability modeling subcommittee meeting. There being no additions or corrections, a motion was made by Delmon Ellison Jr. and seconded by Lloyd Urban to accept the September 7, 2001 meeting minutes as printed. Chairman Brown noted that this meeting was quite lengthy and that it involved a great deal of dialogue between the speakers and various individuals in attendance. As a result, it was almost impossible to keep minutes as one would do normally. Mr. McCain prepared a synopsis of the meeting which captured the high points of the discussion. Mr. Carthel, who chaired the meeting, agreed that a detailed set of minutes was not necessary. *Motion was unanimously approved.*

Approval of minutes of the October 16, 2001 regular quarterly meeting

There being no additions or corrections, a motion was made by Bill Harbin and seconded by Jim Conkwright to accept the September 7, 2001 meeting minutes as printed. *Motion was unanimously approved.*

Approval of minutes of the November 9, 2002 ground water availability modeling subcommittee meeting. Again, Mr. Brown told the group that a synopsis is presented for their approval as the meeting was quite lengthy and involved considerable discussion between the presenters and the audience. A motion was made by Ches Carthel and seconded by Delmon Ellison Jr. to approve the November 9, 2002 ground water availability modeling subcommittee meeting minutes as presented. *Motion was unanimously approved.*

Approval of the Treasurer's Report

Treasurer Lloyd Urban discussed recent transactions pertaining to the regional water planning effort. There are two items in the current treasurer's report. One is the current contact totaling \$76,000. The current balance in the account is \$1, 367.46, which is unchanged since December 2001. The regional water planning group is awaiting a \$3,800 payment which was withheld by contractual agreements with the Texas Water Development Board. The regional water planning group is also expecting an

invoice from HDR Engineering, Inc. for the final report. This would complete the original \$76,000 contract. Dr. Urban noted that no monies have been received from the TWDB for the new \$15,000 contract. An invoice for work in progress from HDR Engineering has been received in the amount of \$7,236.34 less 5% (\$361.82) for the total invoice amount of \$6,874.52.

Mr. Brown asked Dr. Grubb for an explanation of the invoice presented for payment. Dr. Grubb stated that the first invoice is for the infrastructure finance report (surveys of water user groups) which will be used to determine how they will pay for it. The contract between HDR Engineering and the High Plains Underground Water Conservation District has been approved and signed. The contract between the Texas Water Development Board and the High Plains Water District has also been approved and signed. Dr. Grubb said that this was the normal course of action for getting a project of this type underway. The scope of work for which it pertains was considered last fall and the regional water planning group had added some questions to the survey. The deadline to return the surveys was January 31, 2002, and there has been about 30 percent response. According to the contract, HDR must now make two attempts to contact the non-respondents either by phone or fax. Two attempts to get the questionnaires must be documented.

There being no additional questions or comments, a motion was made by Ches Carthel and seconded by Delmon Ellison Jr. to approve the treasurer's report as presented. *Motion was unanimously approved.*

Discussion of the Draft Scope of Work and Budget For Development of the 2006 Llano Estacado Regional Water Management Plan.

Mr. Brown asked Dr. Grubb to discuss the draft scope of work and budget for development of the 2006 Llano Estacado Regional Water Management Plan which had been previously mailed to members of the regional water planning group.

Dr. Grubb noted that the scope of work was based upon TWDB guidelines that had been in place a few weeks back—however, final changes are to be made. For example, the due date for approval of the scope of work would be changed from March 1 to April 1, 2002.

Today's meeting is designed to allow the regional water planning group members to become familiar with the draft scope of work and budget. A public hearing is set for 7:00 p.m. on February 22, 2002 at the USDA-ARS Plant Stress and Water Conservation Laboratory, 3810 4th Street, in Lubbock. Another Llano Estacado Regional Water Planning Group meeting will be needed in March to approve the scope of work and grant application to the TWDB to get the second five-year water planning cycle underway.

The January 14 draft document is for discussion today. Dr. Grubb noted that the new Senate Bill 2 requirements have been underlined in the document for review by the planning group members. He then proceeded to discuss the 20-page draft scope of work.

Page 2 is an overview of the tasks to be completed. Dr. Grubb noted that there may be some changes in the budget amounts. Mr. Schuster said that about \$1 million has been reallocated during the first round to reduce the contingency amount. It may not be a significant amount for this area.

Dr. Grubb asked Mr. Schuster for a brief overview of the funding plan. Mr. Schuster stated that there was a request for \$33 million in funding from all the regions for the second round of planning. The legislature appropriated \$18 million for that time. Not all of it has been appropriated due to a split in between the bienniums. He said he hopes that the \$18 million will be available for the second phase of water planning. Initially, \$12 million was available for all regions for the first round of planning.

Of that, \$2 million was set aside during the last phase of Round 1 planning for any last-minute contingencies. \$4 million was set aside for regions to look at their scope of works and see if there are any oversights or things that might have come up in the process. The \$4 million would then be brought into the process and the regions would look at their needs and compete for these funds. The \$4 million has now been reduced by \$ 1 million and those funds have been added up front—which has increased the \$12 million to \$13 million. \$3 million is available to fund competitive projects and \$2 million for contingency projects. Mr. Schuster stated that there had been some discussion of this controversy at the January 14 meeting in Austin. Most regional water planning groups believe that Tasks 2, 3, 4, and 10 were significantly underfunded. This has been revisited—but he is uncertain how the funds were redistributed.

Dr. Grubb told the group that page 2 represents Region O's distribution of the funds as of a few weeks ago. Other funding is available if the need arises and is justified.

Dr. Grubb discussed the table on page 2 of the scope of work. Task 0 is the scope of work and approximately \$10,000 was allocated per region for this task. This included hiring of the consultant and preparation of the scope of work.

Task 1 is a description of the region, its economy, and its water use. Region O is a major irrigation area of the state and water is the cornerstone of the region. \$25,000 is budgeted for this task.

Task 2 is a review and revision of water demand projections. How many people and how much water do we need? The second five-year planning cycle includes projections at 10-year increments to the year 2060. The previous plan was to 2050. \$67,800 is budgeted for this task.

Task 3 is a determination of the quantity of water available in the region. How will demands be met? Mr. McElroy asked if the population projections and water demand projections contained in the previous plan could be revised. Dr. Grubb responded that they could. An evaluation of water supply in the region would also be conducted. Here is where the GAM model and information from that will be used in the next planning round. \$151,000 is budgeted for this task.

Task 4 is a comparison of water supply and demand. Once this is completed, then the regional water planning group can identify and recommend water management strategies. (This was Task 5 in the previous water planning effort.) Most of the money will be spent here as noted by a budget of \$196,000.

Task 5 addresses the impacts of the study on the key parameters of water quality. Water quality has been identified in Senate Bill 2 that was not addressed in the previous planning work. What impact will the study have on water quality? \$18,500 is the budgeted amount here.

Task 6 discusses water conservation and drought management recommendations. This includes a "model water conservation plan" that can be filled out for use by cities, towns, or industries. \$5,000 is the amount budgeted for this task.

Task 7 is a description of how the regional water management plan is consistent with the long-term protection of state water resources, agricultural resources, and natural resources. \$25,000 is budgeted for this task.

Task 8 is an additional recommendation including unique ecological stream segments, reservoir sites, and legislative and regional policy issues. This was Section 6 in the previous plan. \$ 30,000 is the budgeted amount.

Task 9 is a report to the legislature on water infrastructure funding recommendations. \$3,750 has

been budgeted for preparation of this report.

Task 10 is the adoption of the plan, including public participation, facilitation, implementation, and project management—plus other items. \$59,705 has been budgeted for this amount. Many believed that there was not enough funding in Task 10—however, some of the new money which is available may be used for that task.

The total funds budgeted for the tasks contained in the regional water planning effort is \$591,755.

There was discussion about how much work could be completed in the first biennium. After discussion, Mr. Schuster and Dr. Grubb agreed that Tasks 0-4A would be completed during the first biennium and tasks 4B to 10 would be worked on during the second biennium. The scope of work would be due on 3-31-02, and Task 1 would be completed by the end of October. The revision of projections would be completed at the end of 2002. The available water supplies by user group would be completed by the middle of 2003—about the time the legislature adjourns. Task 4 would be completed by the end of fiscal year 2003. The evaluation of the water management strategies would be the next year. Tasks 5-9 could be completed by March 2005. A draft plan could be available by late April 2005. This would allow 120 days for the TWDB to review the draft document. The TWDB has 120 days and other state/federal agencies have 120 days to review the document. The regional water planning group would likely need 90 days to respond to the comments.

Dr. Grubb recommended that the TWDB review the tasks as the planning group goes along—rather than approving the entire document at the end.

Mr. Brown discussed the results of a January 14 meeting in Austin with TWDB leaders, consultants, and chairs of the regional water planning groups. He concurred that the TWDB needs to look at the document piece by piece as we go along—rather than waiting five years and then having to rewrite sections based upon TWDB critique. Mr. Brown cited the large amount of paperwork received by the water planning group leaders from the TWDB. For example, the TWDB will issue a draft document and before it can be read, another draft document is issued.

He said he believes it is important not to reinvent the wheel in this regional water planning effort. Rather than writing large volumes again, Mr. Brown felt that a simple errata sheet could be used to “tweak” those things needed to be revised and then the group could address those additions/revisions mandated by Senate Bill 2.

Mr. Schuster said that there are several new things required by Senate Bill 2. There are portions of the original water management plan that will not change, such as description of the area. He said the TWDB would not be throwing the old plan out the window.

Mr. Brown said there are fiscal constraints to consider. Texas is expected to have a deficit for the next two years so there will be less dollars available for water planning. Why waste money?

Mr. Brown concluded by stating the regional water planning effort is an evolving process. The work of the planning group is of great importance to water planning within the region and the state. The original regional water plan is being looked at—as will the one they are preparing to develop during the second round of planning. Mr. Brown told the group that he is giving a “pep talk,” and asks the group to “stay aboard, read your lessons, and give input.”

Dr. Grubb then reviewed the changes to the above tasks as mandated by Senate Bill 2. Each of the new tasks are underlined in the draft scope of work document (included as a portion of these minutes).

Task 1: Dr. Grubb noted that information on wholesale water providers and an initial assessment of current preparations for drought within the regional water planning area have been added to this section.

The section on inventory of water conveyance facilities could be revised, according to Dr. Grubb. This is to obtain information on water pipelines and other facilities that the 16 regional water planning groups determine to be feasible for water conveyance including used and abandoned oil, gas, and water pipelines. Gene Montgomery and other regional water planning members expressed concern over possible duplication of efforts by building a database at the TWDB that contains existing information available from the Texas Railroad Commission and/or other agencies. It was suggested that any report submitted to the TWDB on this matter include the availability of data from other sources, such as the TNRCC and Railroad Commission. In addition, there was concern that cataloging the location of these water, oil, and gas pipelines could pose a national security issue.

Mr. Schuster stated that these data should include pipelines of six inches or larger. Most planning group members stated that pipelines smaller than 24 inches in diameter would not be practical to convey water. This may be pulled out and funded separately—Dr. Grubb recommends that this remain in the LERWPG scope of work.

Task 2: The Texas Department of Agriculture has been added as an agency to prepare draft population and water demand projections for all water user groups.

New draft population projections will be published by June 30, 2002 and new water demand projections will be published by September 30, 2002. Final projections will be approved in March 2003 and June 2003, respectively.

Senate Bill 2 now requires that projections be made for counties with more than five retail public utilities which provide more than 280 acre-feet of water per year for municipal use.

The TWDB will provide projections and the LERWPG must determine what, if any, affects plumbing fixtures identified in Chapter 372 of the Texas Health and Safety Code will have on municipalities.

Task 3: This involves an update of “current water supply availability estimates.” The ground water availability model for the Ogallala aquifer is due to be completed by June 2003.

The group needs to review the approved 2001 regional water plan to determine the amount of recoverable water is in storage in the area—and determine how much is used through the end of the projection period (2060). There are several alternative scenarios that can be utilized. The TWDB will make irrigation demand projections and the regional water planning group will want to provide input on these data.

There was some discussion on future goals and conditions for the aquifer. The Panhandle Regional Water Planning Area has adopted a 50/50 rule which provides for 50 percent of the water being available 50 years from now.

Mr. Brown stated that there will be a point in the future where water supply projections must be published—knowing that they will have an impact upon the

economy and towns in the region. Is the group comfortable with the ground water availability modeling results? Mr. Ellison asked if there is historical data available to back up a GAMS model that has proven itself reliable over the years.

The data provided by water districts would be compared to that of the GAMS modeling. However, this could pose problems in those areas without water conservation districts.

Mr. Brown added that there is a movement afoot to change the long-standing Texas water law of "rule of capture" to a correlative rights system.

Task 4: Once the demand and available water supplies are identified, then the group must decide what is to be done regarding water shortages. One part of this task is to identify water management strategies and determine how they will be potentially feasible in meeting an identified need. The public will be able to offer comments on these strategies at a meeting on February 22 at 7 p.m. at the USDA-ARS Plant Stress and Water Conservation Laboratory, 3810 4th Street, in Lubbock.

Mr. Carthel asked Mr. Schuster about amending the plan to address the City of Post's situation.

According to Mr. Carthel, the City of Post is pursuing an option to purchase excess CRMWA water from the City of Slaton and construct a pipeline between the two towns. The City of Post was investigating TWDB funding from the state revolving fund—but was told they were ineligible since this project was not included in the Llano Estacado Regional Water Management Plan. The City of Post thinks they can pursue other funding options; however, it does bring up two questions: 1) Is there a method in the plan to allow for a more broad description of management options for municipalities, counties, and water providers allowing them to come up with a project five years from now and still have it comply with the plan? If not, is there an easier method of amending our plan without the delay of a few months for public hearings, etc.?

Mr. Schuster said the answer to all the above questions was "no." The regional water planning process is open to the public. If a process was put in place to allow for quicker amendments, then the LERWPG would like be open for criticism on all sides. The strategies in the water plan are identified by need—the reason the Post pipeline was not included is that Post did not have an identified water need during the previous five-year water planning cycle. He believes the amendment process is very simple as it is now. A flow chart of the amendment process has been provided to Mr. Conkwright.

Mr. Carthel said he did not disagree with Mr. Schuster. However, he is uncomfortable with the fact this is another bureaucratic step to go through to obtain funding. He feels that cities and towns need to do whatever is needed to fund their water projects without having the LERWPG as a roadblock.

Mr. Shuster disagrees. He feels that this will encourage water planning and involvement from towns and cities. It appears that Post did not participate in the initial regional water planning at a level that the planning group would have liked. Post gave assurances that they had no water needs—and now a year and a half later, they have a whole new situation. He said this will force towns and municipalities to look at their future water needs.

Mr. Ellison asked if provisions should be made for all towns and cities in the region to be able to include pipeline projects as they become available. In rural West Texas, things are not booming and bustling as they are in the I-35 corridor. If an opportunity is available in Seagraves, Texas, then people need to move on it as quickly as possible without delay.

Dr. Grubb said the plan can be amended in 45-60 days if justified. Mr. Brown stated that he had received a letter from the Post City Manager criticizing the regional water planning group for not anticipating Post's water needs and including them in the plan. Mr. Brown wondered how many planning group meetings this official had attended and if he had taken time to read the regional water management plan. Towns and cities cannot obtain TWDB funding unless their water management strategies are included in the plan. The TWDB needs to be aware that there must be some flexibility in the plan—the rules of substance do not need to be hamstrung by the rules of technicality.

Task 5: This task will describe the impact of recommended water management plans on water quality. Dr. Abernathy asked how the water quality parameters will be determined. The LERWPG will need to examine this. Careful thought will be needed here.

Task 6: There was no in-depth discussion of this task.

Task 7: This task is a description of how the regional water plan is consistent with long-term protection of the state's water resources, natural resources, and agricultural resources. This is unknown at this time.

Task 8: Identifying additional unique ecological stream segments could be costly. Dr. Grubb believes that these segments should be identified early on in order to set aside funding for this task, if needed.

Task 9: There was no in-depth discussion of this task.

Task 10: There was no in-depth discussion of this task.

There being no other questions, Dr. Grubb concluded his presentation to the regional water planning group. Mr. Brown stated that the document as discussed today will be the one presented to the public for comment at the February 22, 2002 public hearing.

It was noted that it would be important for the group to identify specific water management strategies (i.e. pipeline from Slaton to Post) to be included in Section 4C(c).

Mr. Brown told the group that there would be an LERWPG meeting immediately following the Feb. 22 public hearing. It would be decided at that time if the scope of work would be adopted or not. Depending upon public comment received at the hearing, this may not be the time to adopt the draft scope of work and budget.

Discussion of the Groundwater Availability Modeling (GAM) Process

Mr. Brown then invited Robert Mace of the Texas Water Development Board to discuss the groundwater availability modeling (GAM) process with the regional water planning group members. He stated that groundwater availability modeling provides reliable, timely information on ground water availability. In his opinion, it is the best model for the time and money available. He

encourages public input in the process. The GAMS models will be freely available on the TWDB web site to be kept as “living tools,” which will be improved over time.

It is a computer simulation of aquifer use, including historical flow rates and pumpage. These are tools to reproduce historical trends in the aquifer. Once completed, water management strategies, drought, new well fields, and other scenarios can be incorporated into the model.

The LERWPG philosophy is planned depletion in contrast to sustainability of the aquifer. The model may be used to calculate the amount of water in place based upon the saturated thickness maps created by the High Plains Water District. It may also be used to investigate projects’ impact on the aquifer on an individual basis.

He said 17 models are due to be completed by August 2004. There is no due date for the minor aquifer GAM studies. The GAM of the southern Ogallala aquifer is being constructed by Neil Blandford with Daniel B. Stephens, Inc. They encourage public participation at their next meeting to be held Feb. 21, 2002 at 2 p.m. in the A. Wayne Wyatt Board Room of the High Plains Underground Water Conservation District office.

Mr. Mace said the pumping data set is receiving many comments. Since there are few meters on wells, these data are being estimated. Most feedback indicates that the TWDB data are not very good and Mr. Mace agrees. The consulting team has come up with a method that might be better than what the TWDB has done in the past. Public participation has been the key in addressing some of these concerns.

Discussion of Proposed Process To Amend The Adopted Regional Water Plan

Mr. Schuster said this had been discussed earlier. This will be a three-month process following date of the request. Procedural expenses, such as notices, sending out notices, amendment applications, will now come out of the planning fund. Applicants would be responsible for their own engineering costs.

Update on Important Issues From The Texas Water Development Board

Mr. Schuster reported that the final version of the groundwater availability report for Briscoe, Dickens, Garza, Motley, and Swisher Counties has been reviewed. With the exception of Garza County, the other four counties are not within an underground water conservation district.

A check is being processed for payment of the infrastructure finance report. Also, the exhibit B guidelines should be finalized on February 1, 2002.

He also noted that Dr. Tommy Knowles has retired from his position as deputy executive administrator with the TWDB.

The Water Advisory Council is giving further direction on the infrastructure financing survey. The legislature needs additional information from this survey. It’s not just how much money will it cost to implement these water management strategies—but a narrative on what they propose as a source of funding (i.e bottled water tax, other taxes, etc.). The council met for the first time in late January 2002. Dr. Grubb said the survey asked open-ended questions and they are receiving open-ended answers in return.

Other Business

Mr. Brown invited Dr. John Abernathy to discuss the March 4, 2002 forum, “High Plains Water,

People, and Economic Enterprise: A Forum For Discussion,” to be held at the Texas Tech University International Cultural Center, 601 Indiana Avenue.

Jim Conkwright reported that the High Plains Underground Water Conservation District is now revising its rules for compliance with Senate Bill 2.

Mr. Brown called attention to Jim Steiert’s letter regarding environmental issues. Many of these were discussed during today’s meeting.

Mr. Brown gave a status report on Garza County’s acceptance into the EQIP program. They will receive \$505,000 the first year.

Mr. Brown reminded the group that while individual tasks had a specific dollar amount allocated to it—these funds may be moved around from task to task as needed as long as the budget is not exceeded.

There being no other business, the meeting was adjourned at 12:45 p.m.