

**MINUTES of the
LLANO ESTACADO REGIONAL WATER PLANNING GROUP (“Region O”)
MAY 1, 2008**

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

Chairman H.P. Brown Jr. called the meeting to order at 10:01 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*

In addition, since the LERWPG is seeking public input regarding the proposed Scope of Work at today’s meeting, a public (legal) notice was published 30 days in advance of today’s meeting in the Amarillo Globe-News and the Lubbock Avalanche-Journal, two newspapers of general circulation in the region.

Also, copies of the public notice were provided to mayors of cities in the region with populations of more than 1,000; mayors of towns that are county seats in the region; county judges; water districts; water suppliers; water rights holders in the region; and chairs of the regional water planning groups in Texas as required by TWDB regional water planning rules.

2. Roll Call of Members To Establish Quorum

The following Llano Estacado Regional Water Planning Group members were in attendance:

Melanie Barnes, Delaine Baucum, Bruce Blalack, H.P. Brown Jr., Jim Conkwright, Don Ethridge, Bill Harbin, Doug Hutcheson, Bob Josserand, Richard Leonard, Terry Lopas, Don McElroy, Gene Montgomery, Ken Rainwater, and Jim Steiert.

Unable to attend: (Excused Absence): Tom Adams, Jim Barron, Delmon Ellison Jr., Harvey Everheart, Don James, and Kent Satterwhite.

Absent members: (Non-excused absences) None.

Non-voting members in attendance: Temple McKinnon, Texas Water Development Board; Joan Glass, Texas Parks and Wildlife Department; Dr. Herb Grubb, HDR Engineering Inc. Steve Jones with Texas Department of Agriculture and Malcolm Laing with Texas Commission on Environmental Quality were unable to attend. Mr. Jones had Matt Williams with TDA staff attend in his place.

A quorum of the Llano Estacado Regional Water Planning Group members was present. There were 15 of 21 voting members present, or 71.4 percent attendance.

Others In Attendance: John Anderson, Mayor of Plainview; Elliott Blackburn, *Lubbock Avalanche-Journal*; Neil Blandford with Daniel B. Stephens and Associates; Ray Brady of Floydada; L. C. Childers, Mayor of Wolfforth; Jason Coleman, South Plains Underground Water Conservation District; Sarah Hamm with Senator Robert Duncan’s office; Mike Homer of Lubbock; Mike McGregor, Llano Estacado Underground Water Conservation District; Don McReynolds, High Plains Underground Water Conservation District; Frankie Pittman, City Secretary of Wolfforth; Dr. Judy Reeves with Cirrus Associates; Bruce Rigler, High Plains Water District Precinct 5 Director; Stefan Schuster with Daniel B. Stephens and Associates; Mary Beth Sims, City Secretary of Smyer; Graddy Tunnell of Plainview, and Ben Weinheimer, 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.

Special Guests: John Cowan, Executive Director, Texas Association of Dairymen, Grapevine, TX, and Wood Franklin, Water Engineering, City of Lubbock Water Utilities.

ACTION ITEMS:

3. The LERWPG Will Consider Approval of the February 21, 2008 meeting minutes.

The minutes of the February 21, 2008 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 Bob Josserand and seconded by Jim Conkwright to approve the February 21, 2008 meeting minutes as printed. **The motion was unanimously approved.**

4. The LERWPG Will Consider Approval of the Financial Statement.

The Llano Estacado Regional Water Planning Group financial statement was provided to members for review prior to today’s meeting. Secretary-Treasurer Doug Hutcheson reported a balance of \$2.51 as of April 21, 2008. A motion to accept the financial statement as printed was made by Don McElroy and seconded by Bill Harbin. **The motion was unanimously approved.**

Chairman Brown asked Mr. Conkwright to comment on the Texas Water Development Board’s (TWDB) current reimbursement policy. During this five-year planning cycle, the TWDB is sending partial funding to the RWPGs—rather than a lump sum. Once the funding is depleted, the TWDB then sends additional funds to the RWPG. This results in partial payment to the contractor. Mr. Conkwright said it is a little different way of conducting business than with past planning cycles.

5. The LERWPG Will Hear A Request From The City of Lubbock To Remove The Proposed Lake 8 Of The Jim Bertram Lake System From The Llano Estacado Regional Water Plan.

Chairman Brown reminded the members that this item was discussed at the previous LERWPG meeting and no action was taken by the group at that time.

Chairman Brown asked Mr. Wood Franklin of the City of Lubbock Water Utilities to give a brief presentation concerning the City of Lubbock's request to remove the proposed Lake 8 of the Jim Bertram Canyon Lakes System from the Llano Estacado Regional Water Plan.

Mr. Franklin told the group that the Lubbock Water Advisory Commission and the Lubbock City Council finalized and approved a Strategic Water Supply Plan in 2007. The plan identifies Lake #7 as being a critical part of Lubbock's water supply as an alternative to meet future peak day demands. Lake # 8 would not be required as part of the plan.

Mr. Josserand asked if removal of Lake #8 would impact any other water users besides the City of Lubbock. Mr. Franklin and Dr. Grubb said it would not.

Chairman Brown asked if there was any public comment regarding this agenda item. Hearing none, a motion was made by Bill Harbin and seconded by Melanie Barnes that the Llano Estacado Regional Water Planning Group approve the City of Lubbock's September 6, 2007 request to amend the 2006 regional water plan by removing Lake #8 from the Jim Bertram Lake System Expansion Water Management Strategy. **The motion was unanimously approved.**

Chairman Brown will send a letter to the Texas Water Development Board in Austin advising them of the group's action and requesting that this be considered as a minor ("expedited") amendment to the plan. (A handout with this draft language is included as part of these minutes.)

6. The LERWPG Will Hear An Overview of the Proposed Scope of Work for the 2011 Regional Water Plan from the Scope Development Committee and Dr. Herb Grubb with HDR Engineering, Inc., in Austin.

Chairman Brown asked Dr. Herb Grubb to provide a brief overview of the proposed Scope of Work and Budget for the 2011 Regional Water Plan.

The TWDB has approximately \$9 million in available funding for the present biennium and expected funding for the first year of the next biennium (third year of the five-year planning cycle).

Of the \$9 million, base funding of \$4,206,630.00 has been allocated for statewide regional water planning for disbursement among the regions. Region O has been allocated \$178,010 in base funding to conduct the 10 regional water planning tasks as listed below:

Task 0	Scope Development	Up to \$ 10,000 from Task 10
Task 1	Planning Area Description	\$10,000
Task 2	Population and Water Demand Projection	
Task 3	Evaluation of Existing Water Supply	
Task 4	Identification of Water Needs & Selection of Water Management Strategies	
Task 5	Impacts of Water Management Strategies	
	On Water Quality	\$36,260 for Tasks 2-5
Task 6	Conservation and Drought Management	\$10,000
Task 7	Consistency with Long-Term Protection	
	Of Natural Resources	\$10,000
Task 8	Unique Reservoir/Stream Segments &	
	Legislative Recommendations	\$15,000
Task 9	Water Infrastructure Funding	\$ 7,800
Task 10	Adoption of Plan (Administration &	
	Public Participation	\$88,950
TOTAL		\$178,010

Dr. Grubb referred to the draft Scope of Work provided to the members in advance of today’s meeting. The black text includes the necessary functions required by TWDB rules and regulations to update the regional water plan, the red text includes draft language for special activities and evaluations of new water management strategies to meet projected needs of the region, and the blue text is the preliminary cost estimate to fund these special activities.

In response to members’ earlier comments, the LERWPG will seek additional funding for the following work efforts:

- Improve and refine the Southern Ogallala Groundwater Availability Model (GAM) for Bailey, Dawson, and Parmer Counties. This would involve evaluating alternative groundwater availability estimates and an assessment of their accuracy based upon the methods and procedures for generating the estimates. Additional funding request is \$102,000.
- Updating groundwater availability information for 47 of the 51 municipal water user groups of Region O. This includes a review and updating of the previous assessments of municipal well fields that presently supply all or part of the water supplies for these municipal water groups. Additional funding request is \$100,000.

- Examining water management strategies for Confined Animal Feeding Operations (Beef, Dairy, and other). Although water demands and water supplies for these operations were included in the 2006 regional water plan, no specific water management strategies were developed to meet these livestock water needs. This effort would be similar to that of municipalities—and would identify general locations and costs of well fields needed to meet the CAFO water needs in the future. Additional funding request is \$80,000.
- The Lubbock Water Management Strategies will be updated, and 2 additional strategies (South Fork Reuse Project and Post Reservoir Project) will be evaluated, as required for Regional Water Management Strategies of regional water plans. The estimated cost of these projects will be included in the Scope of Work and will be paid for by the City of Lubbock.
- The Canadian River Municipal Water Authority’s water management strategies of the 2006 regional Water Plan will be updated, and any additional strategies identified by Kent Satterwhite with CRMWA will be included, together with estimates of costs to accomplish the work. Chairman Brown directed Dr. Grubb to contact Mr. Satterwhite to obtain any additional strategies to be considered.
- Evaluating the surface water supply potential of controlling Salt Cedar and other phreatophytes in the headwaters of surface water reservoirs, including Lake MacKenzie, White River Lake, Lake Alan Henry, and Lake Meredith (with Region A). Additional funding request is \$50,000.
- Evaluating aquifer recharge potentials to increase long-term water supplies available from the Ogallala aquifer. Additional funding request is \$43,000.

It should be noted that the TWDB has recommended \$178,010 in base funding to revise the plan. The additional funding for other work efforts is \$375,000 plus costs for Lubbock and CRMWA strategies, for a total request of \$553,010 plus costs for any CRMWA strategies. The City of Lubbock will pay for its costs. The LERWPG is competing for funding with the other regional water planning groups in the state—so there is a possibility that some of the additional activities may not receive state funding.

Dr. Grubb then asked the members of the Scope of Work Subcommittee for any additional comments.

Gene Montgomery expressed his concern that the proposed Scope of Work may not have enough emphasis on water conservation.

The LERWPG was concerned about the current TWDB regional water planning methodology as it relates to projections of irrigation water demands in relation to projected water supplies available for irrigation. Draft language was placed in the proposed Scope of Work informing the

TWDB that the 2011 plan would not show projections of water demands. However, since this proposed approach to omit projections of irrigation water demand does not comply with TWDB Regional Water Planning Procedures, the LERWPG decided that the water supply and demand data must be reported as directed by current TWDB rules and regulations. (See Chairman Brown's consensus summary below.)

Dr. Ken Rainwater expressed concern about the requests for modeling on pages 7-8 of the draft Scope of Work. If the irrigation water demands are not presented, then the modeling cannot occur.

Both Dr. Grubb and Ms. McKinnon stated that modifications of the planning model would not be consistent with TWDB planning guidelines.

After considerable discussion, it was consensus of the membership that recommendation of changes to the planning guidelines methodology be included in the plan under the "Policies" section as well as the "Protection of the State's Water, Agricultural, and Natural Resources." In addition, a letter is to be sent to TWDB Executive Administrator J. Kevin Ward to begin their staff's discussion of this concern.

There was additional discussion of how the setting of Desired Future Conditions (DFCs) by members of a Groundwater Management Area (GMA) would impact the regional water planning process.

Mr. Conkwright reported that one or two GMAs may have DFCs in place for this planning cycle; however, most will likely not. Mike McGregor said it is difficult to "plan in a vacuum." No one knows how rising oil costs, commodity prices, weather, ethanol production, dairies, and other variables will impact water use in the next 50-60 years.

Dr. Rainwater suggested that the GMAs set the DFCs first (and do them right), then base water use predictions upon the DFCs. If this cannot be accomplished, then the irrigation water demands should be incorporated into the plan.

Chairman Brown then asked for public comment regarding the draft language (in red) on Page 1 of the proposed Scope of Work.

Jason Coleman said there was some benefit to institutional memory. He had served on one of several committees appointed by the chairman during the planning cycle 10 years ago. During that time, there was similar concern about the regional water planning methodology. Several ideas were explored—including using a historic number (10-year or 5-year average) as a starting point for making irrigation water demand projections rather than a specific year, such as 2000 which was very dry.

Dr. Grubb concurred by saying that projections of demand should be studied. The irrigation water demand curves of the 2001 Regional Water Plan were shifted up about 34% by the TWDB

for use in the 2006 plan. He agrees that a historic point may be the better starting point, rather than a specific year.

Dr. Judy Reeves said setting of DFCs in a timely manner is critical. Extreme demand is being placed on the Ogallala aquifer and it is being severely mined. She said there is no real management of the aquifer until the management group comes up with some positive ways to reduce water demand-then there is no real management or conservation of water. All water users should have their water use examined and then “cut back” by a percentage for a positive reduction in water use. Every segment of water users has to cut back in her opinion. She asked that the regional water planning group include updates from each GMA in the region on agendas for all future meetings. She concluded her remarks with concern that the planning is taking too much time and that action to conserve the Ogallala aquifer is needed now.

Mr. Stefan Schuster reminded the group that a DFC is merely a philosophical goal. He said the Managed Available Groundwater (MAG) number is much more important.

There being no other comments, Chairman Brown closed public comments concerning the draft language concerning Page 1 of the Scope of Work.

Based upon the above discussion, Chairman Brown said he understood the consensus of the group to be as follows:

1. Remove all red text as shown on Page 1 of the draft document.
2. Include the irrigation supply and demand as required by TWDB planning rules.
3. Submit desired policy changes in both the plan and by letter to the TWDB.
4. Set demand based on a historical average—rather than a specific year (subject to TWDB approval.)

Chairman Brown asked for other additions or deletions to the draft scope of work. None were presented.

Dr. Barnes made a request that the GMAs provide DFCs for inclusion in this cycle of regional water planning. Mr. Josserand said he strongly opposed this recommendation stating that the regional water planning group should not attempt to dictate the actions of GMAs. Mr. Conkwright agreed saying that the appointed regional water management planning groups can not trump the elected groundwater conservation district boards of directors. Mr. Josserand also expressed concern that once a DFC or MAG is set, then state officials “will take the number and run with it” which could have dire consequences for the region.

Dr. Don Ethridge left the meeting at 11:30 a.m.

Mr. Don McElroy said something needs to be done. “By the time all is said and done, 20 years will have passed and nothing has been accomplished,” he said. He urged the High Plains Water

District to make farmers accountable for the water that they use for irrigation and to challenge them to reduce that amount.

HB 1763 sets a Sept. 1, 2010 deadline to have DFCs within the GMAs in Texas. There was a Jan. 1, 2008 deadline for submitting DFCs if they were to be included in the current regional water planning cycle. However, Region A and others are working to submit their DFCs by August 1 for submission to the RWPG for planning purposes. A motion was made by Dr. Barnes and seconded by Dr. Rainwater asking GMA # 2 to submit their DFC to the TWDB by August 1 in order to include it in the current round of regional water planning. Chairman Brown asked that members vote by show of hands. There were 7 voting in favor of the motion and 6 voting against it. **The motion was approved.**

Break

Chairman Brown recessed the meeting at 11:35 a.m. The meeting reconvened at 11:45 a.m.

Continued Discussion of Tasks

Dr. Grubb continued his discussion of each individual task in the proposed Scope of Work.

Under Task 2, Dr. Grubb said no new population projections would be included since the Census will not have been completed by this time. Cities desiring changes to population projections will be informed that such changes can be considered by the LERWPG, but that justification and documentation must be provided in accordance with TWDB Rules for population and water demand changes. Once the work of updating the 2006 Regional Water Plan to develop the 2011 Regional Water Plan, this work can be begun.

Mr. Montgomery commented that he felt additional emphasis on water conservation is needed here, rather than just savings from plumbing fixtures (new construction with low-flow fixtures). Both Dr. Grubb and Ms. McKinnon said this is required by TWDB water planning rules. Mr. Montgomery's concern will be addressed in Task 4.

Under Task 4, "Water Management Strategies To Meet Projected Needs," Mr. Conkwright suggested that the following sentence from Page 1 of the draft scope be inserted to provide emphasis on conservation and address Mr. Montgomery's concern: "The planning process will focus on ways of maximizing the total available supply through conservation, brush control, reuse, recycle, recharge, and development of supplemental supplies to achieve the greatest value for the people of the region." It was the consensus of the group to add this sentence as recommended.

Mr. McGregor requested that one of the three aquifer recharge projects be listed as an "engineered recharge option."

Under Task 8, “Unique Stream Segments and Reservoir Sites and Other Legislative Recommendations,” Jim Steiert asked if this would be an appropriate place to mention playa basins as unique recharge wetlands. It was agreed that it would be.

Under Task 9, “Reporting of Financing Mechanisms For Water Management Strategies,” it was asked if this would be an appropriate place to consider a survey of municipalities to determine their implementation of conservation practices. Ms. McKinnon said some RWPGs are doing this—but it is not required under current TWDB water planning guidelines.

Chairman Brown then asked for additional public comment regarding the draft Scope of Work and Budget. None was offered and public comment was closed.

Chairman Brown then opened discussion regarding the additional evaluations and revisions under consideration in the Scope of Work for the 2011 Regional Water Plan.

Chairman Brown asked Dr. Barnes and John Cowan, Executive Director of the Texas Association of Dairymen, to provide dairy water use data during the discussion of the CAFO water use requirements.

Previously, the initial dairy data was based upon TCEQ dairy permits; however, not all who take out a permit will construct and operate a dairy. Many permits were taken out on speculation.

According to dairy industry data, there were 118,948 dairy cows in Region O in 2007. This is expected to increase to 280,716 by 2060. Water use in acre-feet for drinking and cleanup was 6,289 in 2007 and is expected to increase to 14,738 by 2060. Given a 1.1% growth, a total of 129 dairies are expected to be in operation within the region in 2060. This compares to 61 currently in the region. A typical dairy cow uses 30-47 gallons of water per day (drinking, milk production, and cleanup).

Mr. Cowan gave a brief overview of the dairy industry and explained the methods used to track milk production. He said 80 loads of milk are shipped via tank truck from this region (including New Mexico) to the Southeastern portion of the U.S. each day. (Each load equals 6,000 gallons.)

Cowan said he expects the dairy industry within the region to grow by 3% until 2020, it will then “plateau,” and remain flat through 2060.

Chairman Brown and Mr. Steiert thanked Mr. Cowan for his participation. Both commended the dairy water use subcommittee for their good work.

7. The LERWPG Will Hear Comments and Suggestions From The Public Regarding The Proposed Scope of Work and Budget for Grant Application to the TWDB for Second Biennium Funding For The 2011 Regional Water Plan.

Chairman Brown allowed the public to comment on the proposed Scope of Work and Budget several times during today's meeting. Therefore, no action was needed here.

Lunch

Chairman Brown recessed the meeting for lunch at 11:58 a.m. The meeting reconvened at 12:30 p.m. Mr. Josserand left the meeting at 12 noon. Also, several of the elected officials from area cities left the meeting at this time.

8. The LERWPG Will Consider Approval of the Proposed Scope of Work and Budget for Grant Application to the TWDB for Second Biennium Funding For The 2011 Regional Water Plan.

Chairman Brown asked for any other public comment regarding the proposed Scope of Work and Budget. Hearing none, a motion was made by Jim Steiert and seconded by Terry Lopas to approve the proposed Scope of Work and Budget For Grant Application to the TWDB for Second Biennium Funding for the 2011 Regional Water Plan. **The motion was unanimously approved.**

9. The LERWPG Will Consider Authorizing The High Plains Underground Water Conservation District No. 1 (contractor) To File A Grant Application With The Texas Water Development Board In Austin For Development Of The 2011 Llano Estacado Regional Water Plan—Pursuant To Senate Bill 2 Passed During The 77th Texas Legislative Session and Texas Water Code §16.053.

A motion was made by Jim Steiert and seconded by Melanie Barnes that the LERWPG authorize the High Plains Underground Water Conservation District (contractor) to file the grant application with the TWDB for development of the 2011 regional water plan. **The motion was unanimously approved.**

COMMITTEE REPORTS AND OTHER INFORMATION:

10. The LERWPG Will Hear A Briefing From The City of Lubbock Concerning A Proposed Amendment To The 2006 Llano Estacado Regional Water Management Plan To Add Reuse Water Into The Lake Alan Henry Pipeline System.

Mr. Franklin provided this information earlier in the meeting. No action was needed here.

11. The LERWPG Will Hear A Report From The Dairy Water Demand Subcommittee.

The committee provided this information earlier in the meeting. No action was needed here.

12. The LERWPG Will Hear A Report Concerning Member Vacancies.

The small municipalities position (less than 10,000 in population) is vacant due to the resignation of Wayne Collins. Collins was the Mayor of Dimmitt, who was not re-elected to office.

Also, Don James of Plainview has expressed concern about his continued participation since the LERWPG meetings conflict with regularly-scheduled Panhandle-Plains Land Bank meetings.

Chairman Brown asked members to think about this for discussion at a future meeting.

13. The LERWPG Will Hear Reports From Its Liaisons To Other Regional Water Planning Groups:

Region A: Kent Satterwhite was absent and no report was given.

Region B: Temple McKinnon told the group that Region B is going through the same process to review and approve their proposed Scope of Work.

Region F: Harvey Everheart was absent and no report was given.

Region G: Terry Lopas told the group that Region G is also going through the same process as Region O. They have one major amendment and three minor amendments for consideration.

14. The LERWPG will hear a report from Temple McKinnon with the TWDB.

Ms. McKinnon said most of the items to be covered in her report had been addressed during earlier discussion of agenda items. She noted that the former LERWPG Project Manager Kathleen Garrett left the TWDB staff. Ms. McKinnon will temporarily serve as the LERWPG Project Manager until a new person is named to the position.

15. Other Business

Dr. Barnes asked Chairman Brown to consider appointing a permanent Technical Committee for the LERWPG since the dairy water use subcommittee's efforts worked well. Chairman Brown asked the group to consider this idea for discussion at a future meeting.

The next meetings of the LERWPG will be at 10 a.m. on May 27 and June 27, 2008 at the High Plains Underground Water Conservation District office.

Mr. Conkwright told the group that the previously-announced May 20 meeting had to be moved back one week due to public notice requirements resulting from the City of Lubbock's request to amend the 2006 regional water plan to include the discharge, storage, diversion, and use of developed waters and other permitted waters, including without limitation, the indirect use of treated wastewater effluent into the Lake Alan Henry pipeline system, in accordance with the Strategic Water Supply Plan approved by the City of Lubbock in July 2007. Public notice of the May 27 meeting has already been published in the legal notices of the *Amarillo Globe-News* and *Lubbock Avalanche-Journal*, two newspapers of general circulation in the region.

16. Adjourn

There being no other 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 of the contrary is received.

Respectfully submitted,

Doug Hutcheson
Secretary-Treasurer

These minutes were approved by the LERWPG membership at their October 23, 2008 regular meeting.