

**MINUTES OF THE
LLANO ESTACADO REGIONAL WATER PLANNING GROUP (“Region 0”)
Thursday, February 18, 2010**

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

Chairman H.P. Brown Jr. called the meeting to order at 10:02 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., Vice-Chairman Jim Conkwright, Secretary-Treasurer Doug Hutcheson, Dr. Melanie Barnes, Delmon Ellison Jr., Dr. Don Ethridge, Harvey Everheart, Bill Harbin, Bob Josserand, Mark Kirkpatrick, Michael McClendon, Don McElroy, Kent Satterwhite, and John Taylor.

Unable to attend: (*Excused Absence*): Richard Leonard, Gene Montgomery, Dr. Ken Rainwater, and Jim Steiert.

Absent members (*Non-excused Absence*): None.

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

Absent non-voting members: Steve Jones, Texas Department of Agriculture,

A quorum of the Llano Estacado Regional Water Planning Group members was present. There were 14 of 21 voting members present, or 67 percent attendance.

Others in Attendance:

William Asquith, USGS at Texas Tech University; Lori Barnes, Llano Estacado UWCD; Ray Brady; Jason Coleman, South Plains UWCD; Kevin Hopson, Daniel B. Stephens and Associates; Cleon Namkin, USDA-NRCS; Aubrey Spear, City of Lubbock; 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.

ACTION ITEMS:

3. The LERWPG Will Discuss and Consider Approval Of The December 10, 2009 Regular Meeting Minutes.

The minutes of the December 10, 2009 LERWPG meeting were provided to members by e-mail and/or hard copy for review prior to this meeting. There being no additions or corrections, a motion was made by Bob Josserand and seconded by Delmon Ellison Jr. to approve the December 10, 2009 meeting minutes as printed. **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 \$23,570.48 as of January 31, 2010. A motion to accept the financial statement as printed was made by Jim Conkwright and seconded by Harvey Everheart. **The motion was unanimously approved.**

5. The LERWPG By-Laws Committee Will Present A Report Concerning Revisions To Article III—"Terms Of Membership."

At the Dec. 19, 2009 meeting, Chairman Brown appointed Dr. Ken Rainwater, Dr. Melanie Barnes, Judge Alan Bayer, and Kent Satterwhite to serve on a committee to rewrite the "Terms of Membership" section of the LERWPG By-Laws.

Article III of the LERWPG By-Laws reads as follows:

"The term of all initial members to the Planning Group shall extend to September 1, 2001. Upon the expiration of the initial terms, all voting members shall draw lots for additional terms of two or five years, such that half of the voting members' terms will expire in two additional years and the other half in five additional years. If there is an odd number of voting members at the time the lots are drawn, one more than half shall draw lots for the two-year terms."

The committee offered the following draft revision:

"After September 1, 2001, all voting members drew lots to assign half the members to two-year terms and half to five-year terms. This process served to stagger the terms of the members by three years. As of February 2010, the terms of all voting members will be set to five years, and the three year staggering will be preserved for each position as set by the previous process."

Chairman Brown thanked the committee for its report.

6. The LERWPG Will Discuss And Consider Amending Article III – “Terms Of Membership” Of The LERWPG By-Laws To Allow For Staggered Five-Year Terms.

A motion was made by Kent Satterwhite and seconded by Mark Kirkpatrick that the committee recommendation be accepted and Article III – “Terms of Membership” of the LERWPG By-Laws be amended accordingly. **The motion was unanimously approved.**

7. The LERWPG Will Reappoint Those Members Whose Terms Expired In 2009 To A Five-Year Term In Accordance With The By-Laws, If Amended.

A motion was made by Mark Kirkpatrick and seconded by John Taylor that those members whose terms expired in 2009 be appointed to a five-year term in accordance with the newly-amended By-Laws. These members are: Tom Adams (Unexpired term); Dr. Melanie Barnes; Bruce Blalack; Delmon Ellison Jr.; Dr. Don Ethridge; Harvey Everheart; Bill Harbin; Doug Hutcheson; Mayor Bob Josserand; Richard Leonard; and Gene Montgomery. **The motion was unanimously approved.**

8. The LERWPG Nominating Committee Will Present a Slate of Officers For 2010.

Nominating Committee Chairman Bill Harbin presented the following proposed slate of officers for 2010: H.P. (Bo) Brown Jr., Chairman; Jim Conkwright, Vice-Chairman; and Doug Hutcheson, Secretary-Treasurer.

Chairman Brown thanked the committee for its report.

9. The LERWPG Will Elect 2010 Officers.

Chairman Brown called for nominations for officers from the floor. There being none, a motion was made by Bill Harbin and seconded by Kent Satterwhite that nominations cease and that the proposed slate of officers be elected by acclamation. **The motion was unanimously approved.**

10. The LERWPG Will Discuss The Following Draft Sections Of The Initially-Prepared Plan: (Section 8—Recommendations By Committee and Others.)

A draft version of “Section 8: Unique Stream Segments/Reservoir Sites/Legislative Recommendations” had been provided to the membership prior to today’s meeting. Chairman Brown asked for any additions or corrections. There being none, a motion was made by Jim Conkwright and seconded by Michael McClendon to approve the draft version of Section 8 of the Initially-Prepared Plan as presented. **The motion was unanimously approved.**

Chairman Brown commended Mr. McClendon, Mr. Montgomery, and Dr. Rainwater for their work in reviewing/editing the draft document.

11. The LERWPG Will Discuss And Consider Approval Of The Initially-Prepared Llano Estacado Regional Water Plan And Authorize The High Plains Underground Water Conservation District No. 1 (Plan Administrator) To Deliver The IPP To The Texas Water Development Board By The March 1, 2010 Deadline.

The initially-prepared LERWPG plan was provided to members prior to today's meeting. Dr. Herb Grubb reviewed some sections of the plan, including revisions to Table ES-2. After discussion, a motion was made by Bill Harbin and seconded by Bob Josserand that the LERWPG approve the initially-prepared regional water plan and authorize the High Plains Underground Water Conservation District (plan administrator) to deliver the IPP to the Texas Water Development Board by the March 1, 2010 deadline. **The motion was unanimously approved.**

Dr. Grubb circulated a signature page among the members to be included in the IPP.

Dr. Don Ethridge commented that the current planning model does not fit when dealing with a stock resource. He said he hoped the wording in Section 8 of the Initially-Prepared Plan would allow latitude as there is so much water going in per year and so much going out per year. He added that the analytical model works well with a river or even a groundwater resource, such as the Edwards Aquifer,--but it does not work well with the Ogallala Aquifer, which is a fixed resource.

COMMITTEE REPORTS AND OTHER INFORMATION:

12. 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).

Jim Conkwright and Jason Coleman reported on the current progress of Groundwater Management Area representatives to set desired future conditions (DFC's) for aquifers in their area.

GMA # 1 set three separate DFC's for its GMA, which were challenged through the TWDB petition process. An administrative hearing was held and the issue went to the TWDB Board on Feb. 17. By a 5-1 vote, the TWDB Board voted to approve a resolution stating that the DFC adopted by GMA # 2 for the Ogallala and Rita Blanca Aquifers was "not unreasonable." Both petitioners, Mesa Water Inc. and G&J Ranches, have since filed a lawsuit in state district court against the TWDB and its executive administrator.

GMA # 2 is still working to set a DFC. The representatives are reviewing a groundwater availability model (GAM) which was just received Feb. 1, 2010. Time is now becoming a major issue with modeling runs since it takes about six months from the time of request until the finished project is delivered by the TWDB. GMA # 2 has until Sept. 1, 2010 to submit its DFC.

RECESS/BREAK:

Chairman Brown called a brief recess at 11:15 a.m.

RECONVENE:

The meeting reconvened at 11:25 a.m.

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

Mr. Montgomery was absent and no report was given.

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

Ms. Kennedy had no other information to present at this time.

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

Dr. Grubb had no other information to present at this time.

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

Mr. Conkwright said the LERWPG Administrator (High Plains Water District) and Technical Consultant will submit the IPP to the TWDB in advance of the March 1 deadline. Copies of the IPP will be available for public inspection in the County Clerk's office and primary public library in each of the 21-counties within the planning group area. Oral and written comments will be accepted at an April 15 public hearing and additional written comments will be accepted until 5 p.m. on June 16, 2010.

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

Region A: (Kent Satterwhite) Region A met Jan. 19 and their next meeting is set for Feb. 22, where they are expected to approve their initially-prepared plan. He reported that Lake Meredith had a seven-inch rise due to heavy snowfall in the watershed area. He also reported on CRMWA's salt cedar eradication program.

Region B: (Angela Kennedy) No report given.

Region F: (Harvey Everheart) No report given.

Region G: (Michael McClendon) No report given.

18. Other Business

a. Public Input and Comments To The Planning Group

1. Aubrey Spear, Director of Water Utilities for the City of Lubbock, invited the planning group members to attend the groundbreaking ceremony for the Lake Alan Henry pipeline. The event is set for 11 a.m., March 23, at the John T. Montford Dam at Lake Alan Henry near Justiceburg. He also provided the planning group members with a brief update of the status of the pipeline which will bring raw water to Lubbock by 2012.

b. Consider date of next meeting.

1. Chairman Brown reminded the members of the April 15, 2010 public hearing to receive comments on the initially-prepared plan. It will be held at 6 p.m. in the A. Wayne Wyatt Board Room of the High Plains Underground Water Conservation District No. 1 office in Lubbock.
2. The LERWPG may need to meet in July or August to address public comments concerning the initially-prepared plan. The date will be forwarded to members as soon as it is determined.

19. Adjourn

There being no other business, Chairman Brown adjourned the meeting at 11:45 a.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 August 12, 2010 regular meeting.