

## PANHANDLE WATER PLANNING GROUP

### Minutes

April 28, 2010

A Public Hearing of the Panhandle Water Planning Group (PWPG) was held on Wednesday, April 28, 2010 at 6:00 p.m. in the Auditorium of the Texas AgriLife Research and Extension Center, 6500 Amarillo Blvd. , Amarillo, Potter County, Texas.

Mr. C.E. Williams, Chairman, presided.

#### MEMBERS PRESENT:

Nolan Clark, USDA-ARS; David Landis, City of Perryton; John Sweeten, Texas Ag. Experiment Station – TAMU Ag. Res & Ext; Steve Walthour, North Plains Groundwater Conservation District; Cole Camp, Panhandle GCD; Ben Weinheimer, TCFA; Bill Hallerberg, PWPG; Emmett Autrey, City of Amarillo, John Williams, CRMWA – Ret.; Grady Skaggs, Oldham Co.; Joe Baumgardner; Gale Henslee, Xcel Energy; C.E. Williams, Panhandle Ground Water Conservation District; Virginia Sabia, Texas Water Development Board; Simone Kiel, Freese & Nichols; Curtis W. Campbell, Red River Authority;

#### MEMBERS ABSENT:

Janet Guthrie, Hemphill County UWCD; Janet Tregellas; Denise Jett, ConocoPhillips; Tom Baliff, Greenbelt Municipal & Industrial Water Authority; Charles Cooke, TCW Supply, Inc.; Kendall Harris, Mesquite Groundwater Conservation District; Rusty Gilmore, Rita Blanca Well Service; Jim Derrington, Palo Duro River Authority; Vernon Cook, County of Roberts; Kent Satterwhite, CRMWA;

#### OTHERS PRESENT:

David Bowser, Livestock Weekly; Al Alford; Marty Jones, Sprouse Firm; Mina Johnson, League of Women Voters; Jennifer Foster, Sen. Robert Duncan; Steve Stevens, Mesa Water; Gina Dowdy, Sen. Kel Seliger; Steve Amosson, AgriLife Extension; Ray Brady; Four Price, IMHP&C; Ed Hansen, City of Spearman; Nancy Skaggs, Oldham Co.; Joyce Hinsley, LWV Amarillo, Kevin Welch, Amarillo Globe-News; 1 attendee with an indiscernable name from Claude

#### STAFF PRESENT:

Kyle Ingham, Local Government Services Director; Jonathan Ellis, Local Government Services Program Specialist

#### 1. CALL TO ORDER

Mr. C. E. Williams called the meeting to order at 6:04 p.m. and thanked everyone for coming.

2. **RECOGNITION OF WATER PLANNING GROUP MEMBERS**

Kyle Ingham called role and introduced the Group as well as some other members of the audience. Mr. Ingham spoke to the efforts involved in advertising and preparing for this hearing. Making note that this hearing had been advertised by in every county clerk's office, county library, and county newspaper, additionally a notice had been sent to every judge, every mayor, all interested parties, surface water rights holders, and water utility providers in the panhandle.

3. **RECOGNITION OF LEGISLATIVE DELEGATION**

Mr. C.E. Williams recognized the Jennifer Foster from Senator Duncan's office, Gina Dowdy from Senator Seliger's office, and Ford Price running for David Swinford's office.

Mr. Williams proceeded to turn the presentation to Simone Kiel to present on the Initially Prepared Regional Water Plan.

4. **PRESENTATION OF INITIALLY PREPARED REGIONAL WATER PLAN (IPP)**

Ms. Kiel introduced herself as the a representative of Freese & Nichols which had been the primary group contracted to create the 2011 Regional Water Plan, additionally Ms. Kiel recognized several groups which assisted and contributed in the creation of this Plan: Texas AgriLife Extension & Research and Intera—a groundwater consulting firm.

Ms. Kiel gave a brief history of water planning in Texas beginning with Senate Bill 1. The current plan is the 2007 State Water Plan which consists of plans from all the Texas regions. Ms. Kiel spoke to some of the driving forces and members which made up the Panhandle Region, before speaking of the structure and make up of the Plan which was the subject of tonight's hearing. Ms. Kiel indicated that this plan was to be an update of the 2006 Panhandle Water Plan and that it consists of eight chapters currently, and would have ten (the legislatively mandated amount) by the time of submission. Ms. Kiel spoke to the primary and secondary sources of water in the Panhandle Region, indicating that groundwater is the major source of water. Ms. Kiel spoke to the number of groundwater conservation districts, then spoke briefly of the seven whole-sale water providers in the region.

Ms. Kiel spoke to current populations and population projections, how this growth along with irrigation trends impacted current PWPA demands and how it impacted projected PWPA demands. Ms. Kiel spoke to the current availability sources broken down by aquifer: for the Ogallala (with the Rita Blanca included) a 40/50/80 approach; for the Dockum, Seymour, and Blaine a 1.25% decline in storage approach; and a safe yield approach for reservoirs. Ms. Kiel further spoke of the water supplies associated with surface water sources. Ms. Kiel proceeded to speak on the technique for determining supply and availability. It was determined that the Ogallala numbers would be determined with an existing Northern Ogallala GAM 40/50/80 approach. Ms. Kiel described what this meant.

Ms. Kiel proceeded to speak on the total volume of available water—by water source—in the region based on the previously described approaches. These volumes indicated currently developed or available to be developed sources of water. Using these volumes, Ms. Kiel spoke to allocations available to individual water users according to

area: implementing constraints such as geographical, infrastructure, contract, etc. A comparison was then done of supply to demand as both currently stand. There were 27 user groups with identified shortages both current and projected, the majority being connected to irrigation: in 2010, 99% of these shortages were associated with irrigation, for 2060, 91% are projected to be associated with shortages.

Ms. Kiel proceeded to speak to Water Management Strategies which had been developed to address the individual shortages identified, these strategies were described in detail but overall include: conservation, development of new groundwater, additional purchasing from providers, and alternate strategies such as precipitation enhancement and transmission.

Ms. Kiel also spoke on two other items included in the IPP: an Ogallala GAM update, and a lake Meredith study regarding recharge rates. Regarding the GAM update, Ms. Kiel stated that there had been updated red bed data; updated historical pumping; improved calibration over the 2004 model; and these improvements resulted in changes in availability. Some of this change was associated with the red bed data, and some associated with aquifer designation. The end result was that new projected shortages were identified or some which were previously identified were projected to happen sooner than originally expected.

Regarding the lake Meredith study, there were many items investigated as being a possible contributing factor on recharge, the end result was that some were able to be disregarded and some were identified as needing more investigation as to the possibility of their being a contributing factor. It was determined that: annual precipitation, potential evaporation, and changes in irrigation practices were not impacting factors. It was determined that: rainfall intensity, increase in shrub land/decrease in pasture land, and decreased in groundwater levels had potential for being impacting factors.

Ms. Kiel concluded her presentation with a PWPA water supply summary, made up of two pie charts which depicted "where the water is coming from" for the years 2010 and 2060. In 2010: 88% is from the Ogallala; 6% is other aquifers; 4% is other supplies; and 2% is surface water. In 2060: 50% is from the Ogallala; 40% is conservation; 4% is other aquifers; 4% is other sources; and 2% is surface water.

Mr. C.E. Williams asked if any of the attendees had questions for Ms. Kiel before opening up for formal comments. Al Allford asked some questions of clarification regarding the final graph presented. The issues were cleared up, Mr. Allford asked what was meant by conservation. Mr. Williams explained that the 50% conservation represented: "a reduction in use due to unmet needs, or using less to accomplish the same thing."

## **5. RECEIVE ORAL AND WRITTEN COMMENTS REGARDING THE IPP**

There being no further questions for Ms. Kiel, Mr. Williams asked the attendees for presentation of formal comments.

Marty Jones, an attorney from Sprouse Schrader and Smith, representing George Arrington, Mesa Water, other land owners had a presentation regarding IPP chapter 3, particularly page 3-3 of the IPP. Mr. Jones spoke to the subject of groundwater supplies. Mr. Jones noted that in previous plans this Group had relied on a 1.25% decline approach, generally known as a 50/50 plan. Ms. Jones noticed that this has changed in this plan with the intent to adopt the 40/50/80 conditions coming out of the

Groundwater Management Area #1 Joint Planning Committee. Mr. Jones questioned if this was a wise adoption. Mr. Jones presented a chart from the TWDB staff report regarding the reasonableness of the GMA #1 Desired Future Conditions (DFC). This chart stated how the 40/50/80 numbers were derived; Mr. Jones noticed that these numbers were derived by averaging the demand from the counties which were found within the three area divisions of the DFC. Mr. Jones spoke to the fact then that averaging was already in place in the GMA #1 area DFCs. Mr. Jones proposed that this averaging be considered but over a much larger area. Mr. Jones indicated, again referencing the TWDB report, that the average over the entire GMA#1 area using the three numbers was 49%. Mr. Jones indicated that this number was very close to 50% and therefore the 50/50 rule. That being the case, Mr. Jones suggested that the group go back to saying simply that the goal for this area is 50% remaining in 50 years, this due to being the practice in the past and this due to the fact that the end result for the region will result in the same average. Further, Mr. Jones spoke to the controversial nature of the DFCs. This being the case, Mr. Jones indicated a belief that there will be legislative action to change chapter 36.108 under which DFCs are determined. Mr. Jones indicated that if that or any of the numerous challenges to DFCs result in a rule change, then the work of the group will have based its work on DFCs which may change and thus result in the need for revision. Mr. Jones indicated that to go back to the 50/50 standard would result in a lessening of risk of challenge and possible revision in the future. Further, Mr. Jones pointed to the fact that the other aquifers in the area are remaining at a 1.25% decline as possible reason to make the rule apply elsewhere. Mr. Jones urged the Group to go back to the 50/50 standard. Mr. Jones concluded by saying that the current adoption of DFCs favors the groundwater conservation districts and might possibly favor the agricultural stakeholders over others in the area whereas a decision by the Group represents more diversified interests. Mr. Jones again urged the Group to revise chapter 3 and particularly page 3-3 to reflect a 50/50 standard.

Joyce Hinsley representing the Amarillo League of Women Voters, Ms. Hinsley stated that the LWV does support the PWPG's IPP for several reasons: 1) the various DFCs stated in the plan are reflective of the various conditions and needs of the GCDs which comprise GMA #1. The DFCs adopted were only reached after many months of trying and failing to reach consensus. It was determined that a break from the 50/50 rule was favorable after it was found that the needs of the two areas for which the 40/80 were adopted were distinct and separate from the needs of the area in which a 50% rule was adopted. In a consensus meeting held by Amarillo LWV on April 20, 2010 the membership agreed that varied DFCs are a reasonable and valid approach to the management and conservation of groundwater in GMA#1.

Al Alford had several questions incorporated into his comment. He asked about the sand content in an acre-foot of Ogallala water, Mr. C.E. Williams offered an answer of 8-foot of sand per acre-foot of water. Mr. Alford suggested that a great deal of the rainwater associated with the increased hydrologic loss of Lake Meredith could be attributed to a spread of salt-cedar. Mr. C.E. Williams stated that the Canadian River Municipal Water Authority was attempting to address the spread. Mr. John Williams stated that CRMWA has treated 10,000 acres in an attempt to solve the salt-cedar issue and that there are about 10,000 more acres to go. Mr. Alford indicated that he had identified 55,000 acres covered by salt cedar which he believed was causing a great deal of the shortage in the panhandle, he stated that he had worked back the loss generated by the salt-cedars back to 2006 and then projected out to 2040. Mr.

John Williams stated that all the treatments which CRMWA is conducting are in the area above Lake Meredith, he has no information on areas or salt-cedar concentrations below Lake Meredith. Mr. Alford stated that he had created two scenarios which projected the increased demand from population and from salt cedar increase, he stated that there is an optimum level of demand per person per day usage which he projected to be able to be reached and maintained after 2024, this level he had found was 140 gallons per day per person. This optimum level was applied to various scenarios of uniform loss over the years. In the -1% per year decrease scenario the optimum level could be reached by 2024. Incorporating a -3% per year decrease scenario, the optimum level could be reached and maintained after 2035.

Robert Eakles had a comment. Mr. Eakles stated that he had been working with governors of the United States. He stated that a pipeline from California was needed to pump seawater across the country. He stated the he'd been working with engineering at Amarillo College and this pipeline could convert this water to wherever was needed in the United States. He went on to describe the capabilities of this pipeline and stated that it could deliver freshwater where needed and could utilize seawater for industrial purposes. He proceeded to say that he was a consultant and that he'd been in contact with the governors of New Mexico, North Dakota, and Rhode Island he stated that they had been talked into it.

6. **COMMENTS FROM THE REGIONAL WATER PLANNING GROUP**

Mr. C.E. Williams thanked everyone for coming and stated that if any one wished to submit a written comment outside of the meeting they could do so within the next 60 days. The hard date for submission then being June 28<sup>th</sup>, 2010 at 5:00 pm.

Dr. John Sweeten asked to make a comment. Dr. Sweeten stated that he is a member of the PWPG and that his organization has for many years and would continue to develop research in regard to reducing water use: improved crops, dry land farming, etc. Dr. Sweeten spoke to some upcoming events in which these water reduction practices can be explored.

7. **CLOSE PUBLIC HEARING & MEETING ADJOURNMENT**

There being no further comments, Mr. C.E. Williams adjourned the public hearing at 7:10 pm.