



Joint Planning For Groundwater Management Area # 2

**Thursday, November 15, 2018
2:00 PM**

South Plains Association of Governments, 1323 58th Street, Lubbock, TX 79412

As required by Chapter 36.108(e) Texas Water Code, notice is hereby given that the groundwater conservation districts located wholly or partially within Groundwater Management Area # 2 (GMA #2) will participate in a joint planning meeting on the date, time, and location shown above.

At the joint meeting, the presiding officer or their designee as required by Chapter 36.108(c), along with any number of members of the Board of Directors, will convene for the purpose of joint groundwater planning only and not to conduct any other business.

Groundwater Conservation Districts within GMA # 2 are as follows:

**Garza County UWCD, High Plains UWCD # 1, Llano Estacado UWCD,
Mesa UWCD, Permian Basin UWCD, Sandy Land UWCD, and South Plains UWCD.**

The meeting is open to the public and the following items of business will be discussed and potentially acted upon:

AGENDA

1. CALL TO ORDER
2. ROLL CALL AND ESTABLISH QUORUM
3. PUBLIC COMMENT
4. MINUTES
 - October 13, 2017 GMA # 2 Meeting Minutes
5. TEXAS WATER DEVELOPMENT BOARD UPDATES
6. AGENDA ITEMS AND UPDATES
 - GCD Rules: Comparison and Contrast
7. ITEMS FOR FUTURE AGENDAS
8. ADJOURN

Dated this the 30th day of October 2018



By

Jason Coleman, Chair
Groundwater Management Area # 2

Questions regarding this meeting and/or notice should be directed to Jason Coleman, High Plains UWCD # 1, 2930 Avenue Q, Lubbock, TX 79411-2499. (806) 762-0181.
jason.coleman@hpwd.org

*I hereby certify that the above Notice of Meeting for Joint Planning for Groundwater Management Area # 2 is a true and correct copy of said Notice. A true and correct copy of said notice was provided at least 10 days prior to the meeting to the Office of the Texas Secretary of State, and to the respective County Clerk of each county located wholly or partly in a district located wholly or partly within the groundwater management area. This notice was also posted at a place readily accessible to the public at the district office of each district located wholly or partially within the management area. This notice was also posted to the GMA # 2 website at **www.gma2.org**.*

Agenda Item •

October 13, 2017 GMA # 2 Meeting Minutes

ATTACHMENTS:

Description

DRAFT October 13, 2017 GMA # 2 Meeting Minutes

Upload Date Type

11/5/2018

Cover Memo

Joint Planning For Groundwater Management Area # 2

Monday, October 23, 2017

10:00 A.M.

**Permian Basin Underground Water Conservation District
708 W. St. Peter Street
Stanton, TX 79782**

CALL TO ORDER

Administrative Officer Jason Coleman called the Groundwater Management Area # 2 (GMA 2) meeting to order at 10:02 a.m. He thanked the Permian Basin Underground Water Conservation District for hosting today's meeting.

ROLL CALL

Mr. Coleman conducted a roll call of the Groundwater Conservation Districts (GCDs) participating in the joint planning meeting.

A quorum was present with all GCDs in GMA 2 represented.

The GMA 2 voting representatives in attendance were:

- Ferrel Wheeler, Garza County UWCD.
- Ronnie Hopper, High Plains UWCD.
- Lori Barnes for Llano Estacado UWCD.
- Matt Farmer, Mesa UWCD.
- Donna Springer, Permian Basin UWCD.
- Amber Blount for Ross Hilburn, Sandy Land UWCD.
- Lindy Harris for Matt Hogue, South Plains UWCD.

Others signing in at today's meeting were: John Boren, Robert Bradley, Ray Brady, Amy Bush, Carmon McCain, and Victoria Whitehead.

PUBLIC COMMENT

Mr. Coleman asked if there were any comments from the public at today's meeting. There were none.

MINUTES

October 19, 2016 Meeting Minutes

Mr. Coleman presented the October 19, 2016 meeting minutes. An electronic copy of the minutes was provided to the member districts for review in advance of today's meeting.

Mr. Coleman gave attendees time for second review of the minutes and then asked if there were any additions or corrections.

A motion was made by Llano Estacado and seconded by Permian Basin to approve the minutes as presented.

Ayes: Garza County, High Plains, Llano Estacado, Mesa, Permian Basin, Sandy Land, and South Plains.

TEXAS WATER DEVELOPMENT BOARD UPDATES

GMA 2 Liaison Robert Bradley, P.G., noted that there have been several staff changes in the TWDB Groundwater Technical Assistance Group since the last GMA 2 meeting.

Natalie Ballew moved from the Groundwater Technical Assistance Group to the Groundwater Availability Modeling (GAM) Department.

David Thorkildsen and Rima Petrossian retired at the end of August.

Dr. Robert Mace, Deputy Executive Administrator, is expected to retire Oct. 31. He will join the staff of the Meadows Center for Water and the Environment at Texas State University at San Marcos.

Mr. Bradley and the remaining Groundwater Technical Assistance Group staff plan to focus on core groundwater issues until additional staff is hired. He will discuss how to submit GCD management plans for administrative completeness during the upcoming TAGD mobile leadership trainings in Beeville, Fort Stockton, Amarillo, and Salado. Mr. Bradley said TWDB staff is always willing to assist with pre-review of draft groundwater conservation district (GCD) management plans.

He also gave an update on the status of joint groundwater planning across the state. GMA 3, GMA 7, and GMA 10 have not submitted their explanatory reports as yet. However, new statutory deadlines will remedy this in the future.

GCD REPORTS ABOUT RULES AND/OR AQUIFER MONITORING.

Mr. Coleman invited the group to participate in a “round-robin” discussion of their district’s activities, aquifer monitoring, management plans, and rules.

GARZA COUNTY: Ferrel Wheeler – He told the group that there had been good rain in Garza County this year. Water wells in the district were pumped hard, but not as long as they usually are—thanks to the timely rainfall. Their rules are a little fuzzy with regard to oilfield activity and may need revision. All is going well at Garza County UWCD.

HIGH PLAINS: Ronnie Hopper – One of the biggest topics of discussion since the previous GMA 2 meeting is Xcel Energy’s innovative water supply project in Lamb County. The company drilled a horizontal well on its property in response to declining water levels and lower production from existing wells. This could significantly threaten the continued operation of the Plant X and Tolk Generating Stations. The well is about 2,300 feet long, with 500 feet of screened section. It is equipped with a pressure transducer that sends daily water level information to the HPWD office. There was also discussion about the HPWD irrigation assessment program which details growing season water use by crop. Participation in this program is entirely voluntary.

LLANO ESTACADO: Lori Barnes – Llano Estacado UWCD will look at possible rule revisions after crop harvesting is finished. Most changes will reflect changes in the legal process and procedures in posting meetings. Permit fees may also be considered. Jud Chevront stepped down as Board President and was replaced by Weldon Shook. Larry Day is the new Precinct Four District Director. Seminole continues to grow. LEUWCD issued 178 house/livestock well registrations and 350 irrigation well permits last year. She also noted that Hess Corporation (*Amerada Hess Corporation*) recently sold their oil recovery projects in the Permian Basin of West Texas and New Mexico to Occidental Petroleum (*Oxy*).

MESA: Matt Farmer – Mesa UWCD is considering a couple of upcoming rule changes, particularly one addressing transportation of water outside the county boundaries. Megan Mires has been hired as office administrative assistant after Harvey Everheart retired and Deanya Williams resigned. The Mesa UWCD Board is currently seeking applicants for General Manager. Mr. Farmer told the group that Mesa UWCD is on track to meet its Desired Future Conditions (DFC) based upon last year's annual water level measurements.

He also shared information about U.S. Silica Company's proposed sand mine near Cedar Lake (*Dawson/Gaines County line*). The company bought several sections of land to obtain groundwater rights. The amount of water the mine uses for rinsing operations will definitely be an issue for the future. There has been little to no publicity in the *Lamesa Press-Reporter* newspaper during the past three weeks or so.

PERMIAN BASIN: Donna Springer – The District's amended management plan was certified as being administratively complete on August 29, 2017. Most changes were the result of modifications to state statute. She said the TWDB staff were very helpful throughout this process. The District has had no amended rules since 1993. However, the latest revisions were made and took place October 1, 2017. Both revisions will give the Permian Basin District a good foundation to move forward. Oilfield drilling has not slowed down – especially horizontal drilling applications. While this is good for revenue, it can be a double-edged sword at times. There have been 80 wells drilled into the Dockum Aquifer within the Permian Basin UWCD service area. The average well depth is about 1,200 to 1,500 feet. Most of this water is being blended as 60 percent fresh water and 40 percent brackish water. A majority of these wells are spread out and their pumping capacity depends upon their individual location. Current projections show the District is on track for meeting its DFC.

SANDY LAND: Amber Blount – Sandy Land is reviewing rules for possible updates. Ms. Blount said that some of her district's rules are vague and full of assumptions. It is important to have better definition. Annual water level measurements will begin soon. Drilling of water wells has slowed in recent months.

SOUTH PLAINS: Lindy Harris – The district began initial review of rules for possible revision-but this was halted due to the legislative session and crop harvest. She gave an update about joint GCD educational efforts and the education trailer that is being outfitted. South Plains continues to host rainwater harvesting workshops. They are working with a local producer to install a rainwater harvesting tank at the barn where the Wellman Fire Department stores their equipment. Several new water wells have been drilled within the District to provide water to irrigate organic peanuts. The wine industry is doing well in this area.

Mr. Coleman thanked the representatives for their updates.

DISCUSS ITEMS FOR FUTURE AGENDAS

Mr. Coleman asked if there were any items for future GMA # 2 agendas.

Ms. Blount said it would be helpful to prepare a spreadsheet listing the differences / similarities between the respective GCD rules. Since “common rules among GCDs” was such a hot legislative topic this session, she said it would be good for GMA # 2 to discuss this and memorialize it in the minutes. The District representatives agreed.

It was the consensus of the GMA # 2 representatives to meet again in the spring—possibly at the end of March 2018. This will allow for annual water level measurements to be completed and preparation of the respective District Annual Reports. No date was set at this time. Mr. Coleman will propose a possible meeting date after the first of the year.

The representatives commended the HPWD staff for their work in redesigning and updating the GMA # 2 website. They said it looks very professional and is easy to navigate.

ADJOURN

There being no other business, Mesa UWCD made a motion to adjourn the meeting at 11:06 a.m. HPWD seconded the motion.

Ayes: Garza County, High Plains, Llano Estacado, Mesa, Permian Basin, Sandy Land, and South Plains.

Respectfully submitted,

Jason Coleman, P. E.
Administrator, GMA # 2

Agenda Item •

GCD Rules: Comparison and Contrast

ATTACHMENTS:

Description

DRAFT GMA 2 Rules Comparison Spreadsheet

Upload Date Type

11/5/2018

Cover Memo

Chapter 36 Statute:	Garza County IUCD	High Plains IUCD	Llano Estacado IUCD	Mesa UWCD	Permian Basin IUCD	Sandy Land IUCD	South Plains IUCD	Summary		
								Yes's	No's	% Similar
Sec. 36.101.(a) RULEMAKING POWER. Does the district have rules limiting groundwater production based on tract size or the spacing of wells?		Yes	Yes	Yes	No	Yes	yes	5	1	83%
(a)(1) In adopting rules does the district consider all groundwater uses and needs?		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.1011. EMERGENCY RULES. Has the district ever adopted emergency rules?		No	No	No	No	No	no	0	6	100%
Sec. 36.102. ENFORCEMENT OF RULES. Has the district every taken an enforcement action subject to this section?		Yes	No	No	No	No	no	1	5	83%
Sec. 36.104. PURCHASE, SALE, TRANSPORTATION, AND DISTRIBUTION OF WATER. Has the district purchased, sold, transported, or distributed surface water or groundwater?		No	No	No	No	No	no	0	6	100%
Sec. 36.105. EMINENT DOMAIN. Has the district ever used its eminent domain power?		No	No	No	No	No	no	0	6	100%
Sec. 36.106. SURVEYS. Has the district made surveys of the groundwater reservoir or subdivision and surveys of the facilities to determine the quantity of water available for production and use and to determine the improvements, development, and recharging needed by a reservoir or its subdivision?		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.107. RESEARCH. Has the district carried out research projects deemed necessary by the board?		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.1071. MANAGEMENT PLAN. (a) Does the district have a current management plan that addresses required management goals under Section 36.1071 as applicable?		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.108. JOINT PLANNING IN MANAGEMENT AREA. Does the district participate in joint planning consistent with Section 36.108?		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.1081. TECHNICAL STAFF AND SUBCOMMITTEES FOR JOINT PLANNING. Have the district representatives requested that the TWDB staff participate in joint planning on a nonvolving advisory basis.		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.115. DRILLING OR ALTERING WELL WITHOUT PERMIT. Does the district require permits for drilling or altering a well, unless otherwise exempt?		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.116. REGULATION OF SPACING AND PRODUCTION. (a) In order to minimize as far as practicable, the drawdown of the water table or the reduction of artesian pressure, to control subsidence, to prevent interference between wells, to prevent degradation of water quality, or to prevent waste, does the district by rule may regulate spacing and production?		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.116. 1) Does the district by rule regulate the spacing of water wells by:		Yes	Yes	Yes	Yes	yes	yes	6	0	100%
(A) requiring all water wells to be spaced a certain distance from property lines or adjoining wells;		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
(B) requiring wells with a certain production capacity, pump size, or other characteristic related to the construction or operation of and production from a well to be spaced a certain distance from property lines or adjoining wells; or		Yes	Yes	Yes	Yes	No	yes	5	1	83%
(C) imposing spacing requirements adopted by the board?		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
Sec. 36.116. [2] Does the district by rule regulate the production of groundwater by:		Yes	Yes	Yes	No	Yes	yes	5	1	83%
(A) setting production limits on wells;		Yes	Yes	Yes	No	Yes	yes	5	1	83%
(B) limiting the amount of water produced based on acreage or tract size;		Yes	Yes	Yes	No	Yes	yes	5	1	83%
(C) limiting the amount of water that may be produced from a defined number of acres assigned to an authorized well site;		Yes	Yes	Yes	No	Yes	yes	5	1	83%
(D) limiting the maximum amount of water that may be produced on the basis of acre-feet per acre or gallons per minute per well site per acre;		Yes	Yes	Yes	No	Yes	yes	5	1	83%
(E) managed depletion; or		Yes	Yes	Yes	Yes	Yes	yes	6	0	100%
(F) any combination of the methods listed above in Paragraphs (A) through (E).		Yes	Yes	Yes	Yes	yes	yes	6	0	100%
Sec. 36.116. (b) In promulgating any rules limiting groundwater production, does the district preserve historic or existing use before the effective date of the rules to the maximum extent practicable consistent with the district's management plan under Section 36.1071 and as provided by Section 36.113.		Yes	Yes	Yes	No	Yes	yes	5	1	83%
Sec. 36.116. (c) In regulating the production of groundwater based on tract size or acreage, does the district consider the service needs or service area of a retail public utility. For the purposes of this subsection, "retail public utility" shall have the meaning provided by Section 13.002.		If Contiguous to Well	If Contiguous to Well	If Contiguous to Well	No	If Contiguous to well	If Contiguous to well	5	1	83%
Sec. 36.116. (d) For better management of the groundwater resources located in a district or if a district determines that conditions in or use of an aquifer differ substantially from one geographic area of the district to another, does the district may adopt different rules for:		Yes/Dockum	N/A	N/A	N/A	n/a	N/A	5	0	83%
(1) each aquifer, subdivision of an aquifer, or geologic strata located in whole or in part within the boundaries of the district; or		Yes/Dockum	N/A	N/A	N/A	n/a	N/A	5	0	83%
(2) each geographic area overlying an aquifer or subdivision of an aquifer located in whole or in part within the boundaries of the district?		Yes/Dockum	N/A	N/A	N/A	n/a	N/A	5	0	83%

(e) In regulating the production of groundwater under Subsection (a)(2), does the district: (1) select a method that is appropriate based on the hydrogeological conditions of the aquifer or aquifers in the district; and (2) limit the amount of water produced based on contiguous surface acreage?		Yes	N/A	N/A	N/A	n/a	N/A				
Does the district require a different permit for transport groundwater out of the district?		No	No	Yes	No	No	No		1	5	83%
Sec. 36.122. (d) Does the district impose a reasonable fee for processing an application under this section, the fee does not exceed fees that the district imposes for processing other applications under Section 36.113, the district consider an application processed under the same procedures as other applications for permits under Section 36.113, and allows other permits to be combined with applications filed to obtain a permit for in-district water use under Section 36.113 from the same applicant?		n/a	N/A	Yes	N/A	n/a	n/a		5	1	83%
Sec. 36.122. (e) Does the district impose an export fee or surcharge using one of the following methods: (1) a fee negotiated between the district and the exporter; (2) a rate not to exceed the equivalent of the district's tax rate per hundred dollars of valuation for each thousand gallons of water exported from the district or 2.5 cents per thousand gallons of water, if the district assesses a tax rate of less than 2.5 cents per hundred dollars of valuation; or (3) for a fee-based district, a 50 percent surcharge, in addition to the district's production fee, for water exported from the district?		No	No	Yes	No	no	no		1	5	83%
		NO	No	Yes	No	no	no		1	5	83%
		NO	No	Yes	No	no	no		1	5	83%
		NO	No	Yes	No	no	no		1	5	83%
Sec. 36.123. RIGHT TO ENTER LAND. Does the district exercise its right to enter land consistent with Section 36.123?		Yes	Yes	Yes	Yes	Yes	Yes		6	0	100%

% Similar 91%

Require Management Goals Comparison How does your District Provide for the following?	Providing the most efficient use of groundwater 31 TAC 356.52(a)(1)(A); TWC §34.1071(a)(1)	Controlling and preventing waste of groundwater 31 TAC 356.52(a)(1)(B); TWC §34.1071(a)(2)	Controlling and preventing subsidence 31 TAC 354.52(a)(1)(C); TWC §34.1071(a)(3)	Addressing conjunctive use water management issues 31 TAC 356.52(a)(1)(D); TWC §34.1071(a)(4)	Addressing natural resource issues that impact the use and availability of groundwater and which are impacted by the use of groundwater 31 TAC 356.52(a)(1)(E); TWC §34.1071(a)(5)	Addressing drought conditions 31 TAC 356.52(a)(1)(F); TWC §34.1071(a)(6)	Addressing Conservation 31 TAC 356.52(a)(1)(G); TWC §34.1071(a)(7)	b) recharge enhancement	c) rainwater harvesting	d) precipitation enhancement	e) brush control	Addressing the desired future conditions established under TWC §34.108, 31 TAC 354.52(a)(1)(H); TWC §34.1071(a)(8)
Garza County UWCD	Provide Educational information through newsletters or newspaper articles	Investigate Reported Wasteful Practices	Not Applicable	Not Applicable	Not Applicable	Water Level Monitoring	Provide information through NRCs newsletters about conservation	Not Applicable	Public Article about RWH	Not Applicable	Public Article about Brush Control	Water Level Monitoring
High Plains UWCD	Water Level Monitoring, Monitor Soil Thermal, Technical Field Services, Irrigation Assessment Program, Data Availability, Irrigation System Inventory	Well Permitting & Completion, Open, Del or Discovered Wells, Waste of Groundwater	Not Applicable	Coordination with Surface Water mgmt agencies	Not Applicable	Drought Awareness Info	Newsletters, News Releases, Radio, T.V. & Public Presentations, Conservation Research, Public & Classroom Education, Website	Not Applicable	Public Awareness Program	Not Applicable	Not Applicable	Water Use Reporting, Estimate Annual Usage
Llano Estacado UWCD	Water Level Monitoring, Technical Field Services, Lab Services, Irrigation Monitoring, CH Pivot Inventory	Well Permitting & Completion, Open, Del or Discovered Wells, Water Production, Water Quality Testing	Not Applicable	Not Applicable	Not Applicable	Rain Gauge Network	Classroom Education, Newsletters, News Releases, Public Speaking, Printed Materials, Soil Thermal Data, Conservation Literature	Not Applicable	Public Awareness Program	Not Applicable	Not Applicable	Calculate Annual & Cumulative Drawdown
Mesa UWCD	Sealing Events, Water level monitoring at cost of \$75 per well	Inspect Well Sites, Inspect Head Well Sites, Inspect Open & Uncovered Wells, Identify & Investigate Waste	Not Applicable	Not Applicable	Not Applicable	Rain Gauge Network	Water Level Monitoring of 500 per well conf. Establish EDSA and PDA Areas	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Calculate Annual Draw Down, Monitor Water Budget of GMA
Ferrión Basin UWCD	Water Level Monitoring, Well Permitting and Well Completion	Lab Services, Open & Uncovered Wells, Soil Water (Second Well Monitoring)	Not Applicable	Not Applicable	Not Applicable	Drought Articles	Educational material to schools	Not Applicable	Provide Literature on RWH	Not Applicable	Provide Literature on Brush Control	Calculate Annual Drawdown
Sandy Land UWCD	Flow Tech, Water Level Monitoring, ISD, Depletion	Issue Permits based on Sealing & Production, Water Quality Testing	Not Applicable	Not Applicable	Not Applicable	Not Applicable	A-Loop Program, Schoolbooks, Conservation Videos	Not Applicable	Workshops	Not Applicable	Not Applicable	Calculate Annual & Cumulative Drawdown
South Plains UWCD	Water level monitoring, Field & Lab Services, Irrigation Monitoring, CH Pivot Inventory	Well Permitting & Completion, Open, Del or Discovered Wells, Water Production, Water Quality Testing	Not Applicable	Not Applicable	Not Applicable	Rain Gauge Network	Classroom Education, Newsletters, News Releases, Public Speaking, Printed Materials, Soil Thermal Data, Conservation Literature	Not Applicable	Public Awareness Program	Not Applicable	Not Applicable	Calculate Annual & Cumulative Drawdown

Enabling Legislation Comparison	Was your district created subject to a confirmation election?	Was your district created to accomplish the purpose of Article XVI, Section 25, of the Texas Constitution?	How many counties were within the boundaries of your district at its creation?	Has any territory been added since creation?	Were those counties added by landowner petition?	How many directors on your board?	Are your directors appointed or elected?	Do your directors represent precincts or at large?	When is your election held?	Does your enabling legislation give you any special powers outside of chapters 90, 91 or 92 of Texas Water?
Garza County UWCD				No						
High Plains WD	Yes	Yes	13	Yes	Yes	Five	Elected	Precinct	November general election	No
Ueno Estacado UWCD	Yes	Yes	One	No	N/A	Five	Elected	1 At Large, 4 precincts	May of Odd Years	No
Mesa UWCD	Yes	Yes	One	No	N/A	Five	Elected	1 At Large, 4 precincts	May of Even Years	No
Permian Basin UWCD	Yes	Yes	One	Yes	District annexed/Voter approved	Five	Elected	1 of Large, 2 from each county	May of Odd Years	No
Sandy Land UWCD	Yes	Yes	One	No	n/a	Five	Elected	At Large	May of Odd Years	No
South Plains UWCD	Yes	Yes	One	Yes	Yes	Five	Elected	1 At Large, 4 precincts	May of Even Years	No
82%	100%	100%	83%	47%	47%	100%	100%	50%	50%	100%
Yes	4	4	1	3	2	4	0	1	3	4
No	0	0	5	4	1	0	4	1	2	0
n/a					3			2	1	