



**Joint Planning For Groundwater Management Area # 2**

**Tuesday, May 19, 2020**

**10:00 AM**

**Mesa UWCD Office, 212 N. Ave. G, Lamesa, TX 79331**

**Notice Is Hereby Given That Groundwater Management Area # 2 Representatives  
Will Meet Via Video Conference  
Pursuant To Governor Abbott's Suspension  
Of Certain Provisions Under Texas Gov't Code Section 551.127  
As Authorized By The April 12, 2020 Disaster Declaration For COVID-19**

**If you would like to provide public comment, please register at  
[https://us02web.zoom.us/webinar/register/WN\\_TGxopjR9QrCQArqa2nmlug](https://us02web.zoom.us/webinar/register/WN_TGxopjR9QrCQArqa2nmlug)  
no later than 9:00 A.M. on May 19, 2020**

**To view the May 19, 2020 GMA # 2 Meeting Agenda and Materials,  
Please visit [www.gma2.org](http://www.gma2.org)**

**If you have questions, concerns, or trouble accessing the meeting,  
Please contact Gray Sanders at (806) 762-0181 for assistance.**

**1. CALL TO ORDER**

Administrative Officer Jason Coleman called the Groundwater Management Area # 2 (*GMA # 2*) meeting to order at 10:00 a.m.

Today's meeting was held via videoconference ("Zoom") pursuant to Governor Greg Abbott's Suspension of Certain Provisions Under Texas Government Code Section 551.127 as authorized by the April 12, 2020 Disaster Declaration for COVID-19 (*Coronavirus*), which was later renewed on May 12, 2020.

**2. ROLL CALL AND ESTABLISH QUORUM**

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

A quorum was present with all of the seven GCDs in GMA 2 represented. (100 percent attendance)

The participating GMA 2 voting representatives were:

- Dicky Wallace, Garza County UWCD.
- Ronnie Hopper. High Plains UWCD.
- Lori Barnes for Weldon Shook, Llano Estacado UWCD.
- Jacob Hernandez for Matt Farmer, Mesa UWCD.
- Donna Springer, Permian Basin UWCD.
- Amber Blount for Ross Hilburn, Sandy Land UWCD.
- Layne Marlow for Matt Hogue, South Plains UWCD.

Mr. Coleman welcomed all GMA # 2 representatives and guests to the meeting.

### 3. PUBLIC COMMENT

Mr. Coleman asked for public comment. None was offered and the public comment period ended at this time.

Zoom Meeting Administrator Victoria Whitehead asked for a brief pause in the meeting to address a YouTube link issue.

### 4. MINUTES

#### October 22, 2019 Meeting Minutes

Mr. Coleman presented draft minutes of the October 22, 2019 GMA # 2 meeting at Seminole, TX. An electronic copy was provided to the member districts for review in advance of today's meeting. UWCD Sandy Land made a motion to approve the minutes of the October 22, 2019 GMA # 2 meeting as presented. UWCD Permian Basin seconded the motion. The motion was Approved.

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

### 5. TEXAS WATER DEVELOPMENT BOARD UPDATES

GMA # 2 Liaison Robert Bradley provided the following Texas Water Development Board updates:

- The TWDB has implemented an online process to submit groundwater conservation district management plans for review/approval. Most of the TWDB staff are working remotely due to the COVID-19 pandemic. They are not expected to return to the TWDB office until June or July.
- Exempt water use estimates will be sent out soon. The TWDB is asking groundwater conservation districts to review these data and return as soon as they can.
- The TWDB is beginning work on irrigation water demand estimates for the 2021 "Water For Texas" State Water Plan. Mr. Bradley noted that draft or final managed available groundwater (MAG) values may be needed earlier than previously thought. This is just a "heads-up" advance notice.
- Mr. Coleman asked for clarification regarding the exempt water use estimates. Are they for a specific year? Mr. Bradley said he would have to inquire about this. He did add that these also include projections for the future.
- Mr. Coleman said several areas of GMA # 2 have oilfield drilling. Chapter 36 states that groundwater used for drilling rig supply is exempt from water district well permitting. The

amount of water used could vary depending upon the specific year reported to the TWDB. Mr. Bradley said additional explanation will be included in the methodology for determining these estimates.

- Mr. Coleman asked if there was any updated information about possible state agency budget cuts due to economic impacts resulting from the current COVID-19 pandemic. Mr. Bradley had no new information at this time.
- Ms. Barnes said many agricultural producers in her district have applied for water well permits on behalf of oil companies. The companies will use the groundwater for oil exploration and then revert ownership of the well to the producer when the company has finished with it. She wondered how a district would justify/handle this as it relates to the exempt water use estimates. Mr. Bradley said this would have to be addressed by the District.

## 6. AGENDA ITEMS AND UPDATES

Mr. Coleman called for discussion of agenda items and updates from the GMA # 2 member districts.

### Overview of Joint Planning Process (including proposed schedule)

Mr. Coleman recognized Dr. William R. (Bill) Hutchison, who serves as the GMA # 2 consultant. His PowerPoint presentation and other supporting materials were provided to the members prior to today's meeting.

Dr. Hutchison began with an overview of the Joint Planning Process prior to and after 2005.

He noted that there was no standard approach in the planning process before 2005. The Regional Water Planning Groups set "groundwater availability" but this was usually not consistent with stated goals. In addition, there was no formal mechanism where neighboring districts could learn of inter-district impacts of planning goals.

After 2005, there is mandatory joint planning among districts. There is a formal process to incorporate data and models into planning decisions as well as establishment of "available groundwater."

He reviewed definitions of desired future conditions (DFC) and managed available groundwater (MAG).

Dr. Hutchison said the DFC is important for several reasons:

- The TWDB uses the models to calculate the MAG.
- Models cannot provide "all" the answers and can't "make decisions."
- It needs to be based in common sense. It is essentially a policy statement and should be rooted in practicality.

He gave an overview of recent revisions to the DFC process which has been in place since 2011.

The DFC must consider nine specific factors: Aquifer use or conditions; State Water Plan needs and water management strategies; hydrologic conditions; other environmental impacts; subsidence;

socioeconomic impacts; impacts on private property interest/rights; feasibility of achieving the DFC; and any other relevant information. These factors must be considered prior to voting on a proposed DFC.

- A proposed DFC must be adopted before **May 1, 2021**.
- Public comments and public hearings after vote on proposed DFC..
- District summary reports after vote on proposed DFC.
- Final DFC approved and submitted to TWDB by Jan. 5, 2022.
- Explanatory Report approved and submitted to the TWDB by Jan. 5, 2022.

Mr. Coleman asked the members if there were any questions about this agenda item. There were none.

### Review of Documentation for Aquifers Not Relevant for Purposes of Joint Planning

Dr. Hutchison noted that the relevant aquifers in GMA # 2 are the Ogallala, Edwards-Trinity (High Plains) and the Dockum.

The Edwards-Trinity (Plateau) and the Pecos Valley Aquifers are not relevant for the purposes of joint planning.

There was discussion at the Oct. 21 2019 GMA # 2 meeting about a proposed scope of work for the current DFC process. It was agreed that the Round 2 model runs and documentation should be updated to 2070. However, the TWDB is requiring the Round 3 DFCs to extend to 2080 to facilitate the regional water planning process.

As a result, Dr. Hutchison proposes no changes to the 2016 documents which have been provided as a draft for review. (TM 20-01 Edwards-Trinity [Plateau} Aquifer and TM 20-02 Pecos Valley Aquifer) The GAM simulation will be updated through 2080. The 2016 explanatory report will be updated as needed. It will also reference updated GAM simulations.

Dr. Hutchison shared this proposed schedule for the remainder of the DFC process.

- Receive GCD comments on draft documents by September 15, 2020
- Incorporate comments and reissue draft documents by October 1, 2020
- Prepare draft resolutions to vote on proposed DFCs by October 1, 2020
- GMA 2 meeting week of October 12, 2020
- Assuming proposed DFCs are approved, begin 90-day public comment period (i.e. close in mid-January 2021)
- District summary reports due February 1, 2021
- GMA 2 meeting to vote on DFCs week of February 15, 2021
- Submit all materials to TWDB by March 1, 2021

Mr. Coleman asked the members if they had any questions regarding this agenda item. There were none.

### Review Updated GAM Simulation (through 2080)

Dr. Hutchison noted that the 2016 DFC is based upon Scenario 16 as documented in Technical Memorandum 16-01. The GAM calibration period is from 1929 to 2012. The simulation period is

from 2013 to 2070. The GMA has the option to update simulations and adopt DFCs through 2080.

He has completed the following work:

- Updated model files to run through 2080 to determine the reduction in groundwater pumping from 2071 to 2080.
- Updated post-processors to incorporate TWDB comments of Feb. 27, 2017.
- Updated technical memorandum to document extended simulation and post-processor updates.

Dr. Hutchison shared several tables with the group. They included the pumping and average drawdown by county for the Ogallala and Edwards-Trinity (High Plains) aquifers; pumping and average drawdown by county for the Dockum Aquifer; the pumping and average drawdown by groundwater conservation district for the Ogallala and Edwards-Trinity (High Plains) aquifers; and the pumping and average drawdown by groundwater conservation district for the Dockum Aquifer.

### Review Draft Explanatory Report

Dr. Hutchison told the GMA # 2 representatives that the 2016 explanatory report has been updated and is now in a draft format.

The remaining tasks to be completed include determining dates of future GMA # 2 meetings and receiving public comments from District Summary Reports (after voting on proposed DFC and public hearings have taken place).

Dr. Hutchison asked the GMA # 2 representatives to review and comment on the draft report.

Mr. Coleman asked if the group had any questions about this agenda item.

Ms. Springer asked if the previous Howard County data could be included in the draft explanatory report. Both she and Mr. Coleman noted that previous hydrographs showed some inconsistencies with the modeling. Dr. Hutchison said this information could certainly be included in either the explanatory report or technical memorandum.

He noted that this is the result of recharge issues in Howard County. There was discussion at the October meeting about a separate model run. However, Permian Basin UWCD decided not to pursue it at that time. He will visit with Ms. Springer and hydrologist Amy Bush about this following today's meeting.

Ms. Blount asked why the earlier tables showed several GCDs with no water being pumped from the Dockum Aquifer. He referenced "Scenario 16- Table 1 Summary of Scenario 16 Initial Pumping." This table is 4-5 years old and there may have been very little use of Dockum Aquifer water at that time. However, things have changed. Dr. Hutchison says this is the time to update these data for the future--especially if the GCDs manage pumping from the Dockum Aquifer in their respective service areas.

Ms. Blount said there may have been some confusion since some GCDs said the Dockum was not relevant during the first round of planning. Dr. Hutchison said the GCD could state that the Dockum is not relevant for the purposes of joint planning. It is just an acknowledgment that pumping of the Dockum in one district is not impacting a neighboring district.

Ms. Bush "raised her hand" to ask a question. The modeling is being extended to 2080. Will the GMA extend the DFCs to 2080 as well and will they be updated accordingly? Dr. Hutchison said they would--it is just up to the districts to decide what they want to do.

The GMA # 2 representatives should send their comments/suggested revisions to Dr. Hutchison.

### Discuss And Consider An Interlocal Agreement Between The GMA # 2 Member Districts To Provide For Efficient And Statutory Compliant Administration Of The GMA Process.

Mr. Coleman said there was some discussion about the administration of GMA # 2 at the last meeting. He asked Ms. Blount and Ms. Whitehead to discuss the draft interlocal agreement included in today's meeting materials.

Ms. Whitehead reminded the group that GMA # 2 is not a governmental entity--even though it is subject to Texas open meeting act and public information records. This interlocal agreement strives to implement and memorialize management procedures for the administration of GMA # 2.

Ms. Whitehead reviewed the sections of the document relating to voting members, non-voting members, meetings, voting procedures, and financial management.

There was an extended discussion regarding policies/procedures in the draft document.

- Ms. Barnes asked about a procedure to allow GMA representatives to solicit comments/feedback from their respective district's consultants (hydrologist or geoscientist) during a meeting. Should these consultants have "a seat at the table?" Ms. Whitehead said there had been proposed legislation in past years that would have required GMAs to have assigned stakeholders, similar to those of regional water planning groups. After discussion, it was the consensus of the group that district representatives can ask questions of their advisors during a meeting. This does not mean that an audience member can offer their own personal unsolicited opinion.
- Dr. Hutchison asked if the proposed interlocal agreement changes the way that he provides invoices to the respective member districts. The previous invoices were on a percentage basis. Ms. Whitehead posed the question -- "What happens if a member district defaults on their payment to a consultant? Would the consultant have recourse with that district or would the other GMA members have to absorb a percentage of that district's share?"
- Mr. Hopper said it is his preference to resolve the payment issue now--rather than an afterthought later. Mr. Coleman said nothing has changed since the members first adopted an allocation process in 2015. Dr. Hutchison is engaged by GMA # 2 as a consultant. He conducts work on behalf of GMA # 2 and sends invoices to the respective districts based upon the percentages formulated in 2015.
- Mr Hernandez had a question about designation of voting members. Is a Board resolution required or will a copy of Board meeting minutes suffice? From a legal aspect, Ms. Whitehead prefers appointment by Board resolution. However, the draft interlocal agreement states that either a Board resolution or copy of minutes verifying the Board action is acceptable.
- Ms. Whitehead asked the group for their opinion on voting thresholds. Should all votes be two-thirds to be consistent with those needed to approve a DFC or should they be a simple

majority? A two-thirds vote is 5 of the 7 members. A majority vote is 4 of the 7 members. High Plains prefers 2/3 vote while Garza, Mesa, Permian, and Sandy Land have no preference--but also emphasized a preference for a higher voting threshold.

## 7. ITEMS FOR FUTURE AGENDAS

Mr. Coleman asked if there were any items for future GMA # 2 agendas. There were none.

It was noted that South Plains UWCD Manager Lindy Harris is retiring in August. This is the last meeting that she will attend. The group thanked her for all her past work on behalf of GMA # 2.

Mesa UWCD Manager Jacob Hernandez offered to host the next GMA # 2 meeting in Lamesa. He regretted that the GMA # 2 representatives were unable to meet in Lamesa today due to COVID-19 restrictions. The group thanked him for his offer and look forward to having the next meeting at the Mesa UWCD office.

## 8. ADJOURN

UWCD High Plains made a motion to adjourn the meeting at 11:41 a.m.. UWCD South Plains seconded the motion. The motion was Approved.

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

Respectfully submitted,

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