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## GROUNDWATER MANAGEMENT AREA 12 MEETING

This meeting was held in person with virtual attendance and participation.

The meeting recording may be viewed at  
<https://posgcd.org/gma-12-agendas-minutes/>

November 12, 2021 – 10:00 am

### **GMA 12 Members Present in Person**

Gary Westbrook	POSGCD
Jim Totten	LPgcd
David Van Dresar	FCgcd
David Bailey	METgcd
Alan Day	BVGcd

### **GMA 12 Members Absent**

None

### **Others Present in person**

	<b><u>Entity</u></b>
Larry French	TWDB
John Seifert	Groundwater Consultants, LLC
Andy Donnelly	DB Stephens
Monique Norman	BVGcd, FCGcd
Shan Rutherford	Terrill & Waldrop
Phil Cook	Lost Pines GCD
Sheril Smith	Lost Pines GCD
John DeGomez	Landowner
Nancy McKee	Self
Ronnie McKee	Self
Don Hardy	Self
Steve Box	Environmental Stewardship
Bill Rhodes	Self
Andy Wier	SAWDF
Steve Young	INTERA
James Bene	R.W. Harden
Barbara Boulware-Wells	The Knight Law Firm, LLP

### **Others Present online**

Blaire Parker	SAWS
Doug Box	POSGCD
Doug M	
George Rice	Groundwater Hydrologist
James Beach	Advanced Groundwater Solutions

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James Bene	R.W. Harden
Jennifer Nations	City of College Station
Jevon Harding	TWDB
Jim Harris	
Jon King	BRA
Leah Martinsson	TAGD
Linda Curtis	League of Independent Voters
Liz Ferry	R.W. Harden
Mike Wiles	
Natasha Martin	LPGCD
Paul Brandenburg	BRA
Peggy	
Shirley Wade	TWDB
Stefan Schuster	EPCOR
Steven Siebert	SAWS
Suzanne Ragan	
512-461-3179	
512-608-8342	

## **MINUTES**

### **1. Invocation**

The invocation was given by Gary Westbrook.

### **2. Pledge of Allegiance**

Alan Day led the pledges to the flags of the United States and Texas.

### **3. Call meeting to order and establish quorum**

Mr. Westbrook, serving as chair for this meeting, called the meeting to order at 10:05 a.m. and noted that all voting members of GMA 12 were present in person.

### **4. Welcome and introductions**

Mr. Westbrook welcomed everyone to the hybrid meeting, both available in person and with virtual attendance and participation and thanked them for their attendance. He then introduced the members of GMA 12 and Larry French of the Texas Water Development Board.

### **5. Public Comment on Agenda Items**

Mr. Westbrook reminded everyone the GMA encouraged comment and questions on each item. He then invited public comment on agenda items from those in person at this time.

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James Bene expressed concerns about the Lost Pines S-19 and S-20 project being a radical departure from S-12 and that adoption of DFCs using values from the S-20 GAM run would require another 90-day posting for comments.

Shane Rutherford shared similar concerns to those of James Bene.

Nancy McKee owns a well and states since Vista Ridge pumping, her water level in her well has dropped 72.8' as of 9/22/2021. She dropped her pump 100' and she has concerns over an eventual dry well.

Andy Wier with Simsboro Aquifer Water Defense Fund states that the economic impact of the future drawdowns on production from wells with depths of 200' or less are not receiving due consideration in the process. He would like that countered. He also stated it is the desire of Lost Pines Board to go with S-20 scenario.

Monique Norman, legal council of Brazos Valley GCD and Fayette GCD, provided clarification on a statement made by Mr. Wier regarding whether or not due consideration was given by the BVGVD and GCGCD to domestic wells. Ms. Norman also reiterated that GMA 12 is in compliance with 36.108 and are at the point to adopt the DFCs.

Don Hardy is a Lee County resident who owns a 44 acre lake with a spring that has run for 100 years. Mr. Hardy expressed concerns over the pumping affecting Lost Pines GCD area.

John DeGomez purchased a ranch in 2011 and has a 940' well. His well water level has dropped almost 20' since Vista Ridge Project came online. Mr. DeGomez expressed concern over this drop and requests very cautious steps be taken going forward with granting of permits to take water out of aquifers over which he is situated.

No additional comments were made by those attending in person or online.

**6. Minutes of October 13, 2021 Groundwater Management Area (GMA 12) Meeting**

After brief discussion, Alan Day moved to approve the minutes as presented. Jim Totten seconded the motion. The motion passed unanimously.

**7. Discussion of and possible action on comments received from stakeholders and summary reports during this round of joint planning to adopt Desired Future Conditions (DFCs)**

Mr. Westbrook noted that all summary reports from each GCD in GMA 12 had been received and would be posted to the GMA 12 page on the POSGCD website. He then asked for discussion on the summary reports. The GMs discussed whether changes to the proposed DFCs would require an additional notice and posting before action. After discussion of TWC 36.108 it was agreed there is no requirement for a new posting to consider different DFCs. After further discussion, no action was taken.

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**8. Evaluation, discussion, and consideration of past and future pumping scenarios using the Sparta/Queen City/Carrizo-Wilcox Groundwater Availability Model (GAM) and results, including predicted water levels and water budgets**

Mr. Westbrook invited Andy Donnelly to address GMA 12. Mr. Donnelly gave a presentation entitled, "GMA12- S-12, S-19, and S-20 Model Results." After discussion, and questions of Mr. Donnelly Mr. Westbrook opened Agenda items 9, 10, and 11 simultaneously.

**9. Discuss requirements of Chapter 36.108(d) in adopting DFCs**

**10. Discussion and consideration of expressions of DFCs and compatibility, including acceptable variances in values between GCDs in GMA 12**

**11. Discussion and possible action on adoption of Desired Future Conditions (DFCs) for aquifers in GMA 12**

- (a) Sparta
- (b) Queen City
- (c) Carrizo
- (d) Calvert Bluff
- (e) Simsboro
- (f) Hooper
- (g) Yegua-Jackson
- (h) Brazos River Alluvium

After discussion, Alan Day moved and David Bailey seconded to use values in S-19 GAM Run with previously adopted 10% variance for use in adoption of DFCs in the Sparta, Queen City, Carrizo, Calvert Bluff, Simsboro, and Hooper Aquifers in GMA 12. Mr. Westbrook stated that POSGCD still has great concern about the process used during this round of joint planning to adopt DFCs and would be voting today on all actions with objection against the process used. He further noted that POSGCD looked forward to continued discussions of improving the process in preparation for the next round of joint planning. After discussion which included the values of the S-20 GAM Run, Mr. Day withdrew his motion. Mr. Bailey concurred with withdrawing the motion. Mr. Westbrook stated the motion had been withdrawn.

After discussion, a motion was made by Jim Totten and seconded by Gary Westbrook to use values in S-20 GAM Run with previously adopted 10% variance for use in adoption of DFCs in the Sparta, Queen City, Carrizo, Calvert Bluff, Simsboro, and Hooper Aquifers in GMA 12. Mr. Westbrook asked each member for their vote. Voting in favor were Mr. Totten and Mr. Westbrook. Voting against the motion were Mr. Van Dresar, Mr. Bailey, and Mr. Day. Mr. Westbrook stated the motion had failed 2-3.

After discussion, Mr. Day moved and Mr. Bailey seconded to use values in S-19 GAM Run with the previously adopted 10% variance for use in adoption of DFCs in the Sparta, Queen City, Carrizo, Calvert Bluff, Simsboro, and Hooper Aquifers in GMA 12. Mr.

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Westbrook again reminded all of POSGCD's concerns and objection of the process followed to date. Mr. Westbrook asked each member for their vote. Voting in favor were Mr. Westbrook, Mr. Van Dresar, Mr. Bailey, and Mr. Day. Voting against the motion was Mr. Totten. Mr. Westbrook stated the motion had passed 4-1, reaching the necessary 2/3 vote required to adopt DFCs.

After discussion, Mr. Van Dresar moved and Mr. Day seconded, to adopt the proposed DFCs as noticed with the previously adopted 10% variance for use in adoption of DFCs for the Yegua-Jackson Aquifer in GMA 12. Mr. Westbrook asked each member for their vote. Voting in favor were Mr. Westbrook, Mr. Totten, Mr. VanDresar, Mr. Bailey, and Mr. Day. Mr. Westbrook stated the motion had passed 5-0, reaching the necessary 2/3 vote required to adopt DFCs.

After discussion, Mr. Westbrook moved and Mr. Day seconded, to adopt the proposed DFCs as noticed with the previously adopted 10% variance for use in adoption of DFCs for the Brazos River Alluvium Aquifer in GMA 12. Mr. Westbrook asked each member for their vote. Voting in favor were Mr. Westbrook, Mr. Totten, Mr. Van Dresar, Mr. Bailey, and Mr. Day. Mr. Westbrook stated the motion had passed 5-0, reaching the necessary 2/3 vote required to adopt DFCs.

After discussion of the previous motion to adopt DFCs for the Sparta, Queen City, Carrizo, Calvert Bluff, Simsboro, and Hooper Aquifers in GMA 12, it was noted that the values expressed in the S-19 GAM Run contained values for all GCDs in GMA 12 for the time period of years 2010 through 2070, and that the DFCs for BVGCD should be expressed from the year 2000 through 2070, while all other GCDs in GMA 12 would use the time period of the year 2010 through 2070.

After discussion, John Seifert, representing BVGCD addressed the values to be used for BVGCD for the corrected time period. He stated those values from the S-19 GAM Run, corrected for BVGCD for years 2000-2070 were as follows: Sparta 49, Queen City 42, Carrizo 80, Calvert Bluff 108, Simsboro 243, and Hooper 163.

After discussion, Mr. Day moved to rescind the previous motion to adopt the DFCs for the Sparta, Queen City, Carrizo, Calvert Bluff, Simsboro, and Hooper Aquifers in GMA 12 so that the appropriate adjustments to the values for BVGCD could be included in the motion as explained. Mr. Bailey seconded that motion to rescind the previous motion. The motion to rescind passed unanimously.

After discussion and clarification, Mr. Day moved and Mr. Bailey seconded to use values in S-19 GAM Run, with corrected values for BVGCD for the time period year 2000-2070 as identified by Mr. Siefert, and with the previously adopted 10% variance for use in adoption of DFCs in the Sparta, Queen City, Carrizo, Calvert Bluff, Simsboro, and Hooper Aquifers in GMA 12. Again, Mr. Westbrook expressed concerns and protest against the process on behalf of POSGCD. Mr. Westbrook asked each member for their vote. Voting in favor were Mr. Westbrook, Mr. Van Dresar, Mr. Bailey, and Mr. Day. Voting against the motion was Mr. Totten. Mr. Westbrook stated the motion had passed 4-1, reaching the necessary 2/3 vote required to adopt DFCs.

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After further discussion it was agreed GMA 12 would schedule another meeting to consider adoption of a formal resolution with the approved values to submit to the Texas Water Development Board.

**12. Schedule and process moving forward for adoption of DFCs**

The schedule and process for moving forward was discussed.

**13. Public Comment on non-agenda items**

Mr. Westbrook invited additional comment on non-agenda items. No comments were offered.

**14. Update from Texas Water Development Board**

Mr. Westbrook invited Larry French of the Texas Water Development Board (TWDB) to discuss any updates from TWDB. Mr. French provided updates on the Recorded Well Program, Texas Sunset Commission review of TWDB and noted the committee is seeking public comment until December 15, 2021. Mr. French also stated the highlights of the Water for Texas '21 Conference are on the TWDB website and that Cindy Ridgeway will be retiring in about a month.

**15. Agenda items and Date for next meeting**

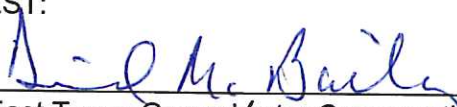
An Agenda similar to this one will be prepared for the next meeting to be scheduled November 30, 2021 at 10:00 am.


**16. Adjourn**

The meeting was adjourned at 12:03 pm.

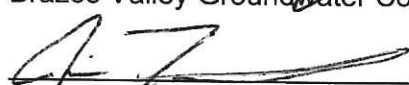
THE ABOVE MINUTES OF THE MEETING OF GROUNDWATER MANAGEMENT AREA 12 HELD ON ~~OCTOBER~~ <sup>November</sup> 12, 2021, WERE APPROVED AND ADOPTED BY GMA 12 ON November 30th, 2021.


ATTEST:

  
Mid-East Texas Groundwater Conservation District

  
Fayette County Groundwater Conservation District

  
Brazos Valley Groundwater Conservation District

  
Lost Pines Groundwater Conservation District

  
Post Oak Savannah Groundwater Conservation District