
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/>

June 24, 2022 – 10:00 am

GMA 12 Members Present in Person

Gary Westbrook	POSGCD
Jim Totten	LPGCD
David Bailey	METGCD
Alan Day	BVGCD
David Van Dresar	FCGCD

GMA 12 Members Absent

None

Others Present in person

<u>Others Present in person</u>	<u>Entity</u>
David Coyer	Halff
Javier Saenz	Lost Pines GCD
Sheril Smith	LPGCD
Paul Kirby	DB Stephens
Jean Perez	TWDB
Billy Sherrill	LPGCD
Doug Box	POSGCD
Courtney Gentry	POSGCD
Bobby Bazan	POSGCD

Others Present online

Liz Ferry	RW Harden
Jim Mathews	
Amy De Luna	
Andy Wier	SAWDF
Elvis Hernandez	
James Bené	
Leah Martinsson	TAGD
Natalie Ballew	TWDB
William Seifert	
Heather Dodson	TWDB
ML	
713-444-7238	

MINUTES

1. Invocation

The invocation was given by David Bailey.

2. Pledge of Allegiance

Gary Westbrook led the pledges to the flags of the United States and Texas.

3. Call meeting to order and establish quorum

Mr. Westbrook called the meeting to order at 10:02 am and noted that all five voting members of GMA 12 were present in person.

4. Welcome and introductions

Mr. Westbrook introduced each GMA 12 member. Jim Totten introduced Board Members Billy Sherrill and Sheril Smith from Lee County and assistant Lost Pines GCD assistant General Manager Javier Saenz. Mr. Totten also introduced Elvis Hernandez.

Mr. Westbrook welcomed David Coyer from Halff, Inc. and Jean Perez with Texas Water Development Board (TWDB). He also introduced POSGCD Employees Doug Box, Bobby Bazan and Courtney Gentry.

5. Public Comment on Agenda Items

Mr. Westbrook encouraged public comment from those attending in person and online. No public comments were offered.

6. Minutes of May 6, 2022 Groundwater Management Area (GMA 12) Meeting

Mr. Westbrook asked if there were any additions or corrections to be made to the minutes. Alan Day moved to accept the minutes as presented. The motion was seconded by Mr. Bailey. The May 6, 2022 GMA 12 Minutes were unanimously approved.

7. Discussion and comparison of Management Plans, Rules, and Management Strategies of the Districts in GMA 12 as required by Chapter 36.108

Agenda items 7-10 were opened simultaneously.

8. Discussion of past, current and future processes for adoption of Desired Future Conditions (DFCs) and affects of these processes on management of groundwater in the Districts in GMA 12

9. Discussion of requirements of Chapter 36.108 in adopting DFCs

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

Mr. Westbrook noted that at the last GMA 12 Meeting, there were questions asked about the most recent process followed in adoption of DFCs, as well as what could be done differently during the DFC process. Mr. Westbrook spoke about the history of the DFC process and how GMAs were developed. Mr. Westbrook wanted to revisit the intent of DFCs. In the last GMA Meeting, Mr. Day asked what will be done differently in the future, if anything? Mr. Westbrook stated it is important to do evaluations of wells in areas to try

to understand impacts, how many wells are impacted, and in what ways. Many evaluations were performed with the original groundwater availability model (GAM) which was not designed to be used for DFCs and producing MAGs but was the only tool available at the time. Mr. Westbrook asked for comments and thoughts on the discussion so far.

Mr. Bailey asked if Mr. Westbrook could briefly go over the change from Managed Available groundwater to Modeled Available Groundwater. Mr. Westbrook clarified that, originally it was thought that Managed Available groundwater could be used as a cap for permitting, and it was required to manage to a DFC. Language changed to Modeled Available groundwater to clarify and to include best estimates of exempt uses for achieving DFCs.

Mr. Day stated during the last round, pumping impacts on exempt wells were looked at and model work and study work was done. Brazos Valley GCD is currently in the midst of a large permit application in the Simsboro. A number of studies have been done on the impact of that future pumping and identifying who's going to be affected within a 10-mile radius. This will affect future management and rules. Mr. Totten stated they also had some work done as well as part of contested case in applications filed by LCRA in the Lost Pines GCD.

Mr. Westbrook stated both TAGD and TWCA are engaged in subcommittees working on recommendations based on interim charges. Members from both organizations have expressed interests in engaging the legislature for additional funding for additional science and improving GAM, and possibly assist with financial contributions for scientific work carried out by consultants. Mr. Day stated in the last round of joint planning, the original numbers changed significantly. The public asked for a chance to comment. Mr. Day stated there should not be a radical departure from initial DFCs. He stated 90 days should allow enough time for a comment period. Mr. Westbrook noted that the TWCA Interim Groundwater Committee asked if there should be a limit on how much DFCs can change between proposed values and adopted values. He asked what would cause a set of proposed DFCs to have to change before adoption. Mr. Day stated major changes in permits could necessitate a change, and Mr. Totten added that changes can also come from information received during Public Hearings.

Mr. Day stated GMA 12 started this process immediately following the last round and should continue to be diligent so as to avoid time constraints. Mr. Totten noted that in the last 2 cycles, some work was completed at the last minute. He asked what if a May 1st hearing is done to provide plenty of time for GMA level discussion. Mr. Day stated he and his Board are open to any scheduling to better the process. He suggested to compress on the front end of planning, as that is when major comments come in. Mr. Westbrook noted timing of the most recent round of joint planning was delayed waiting on adoption of the new GAM.

Mr. Totten asked how GMA 12 might ensure there is time for adequate discussions before DFC adoption deadlines. The deadline was January 5th 2022, every 5 years after. Therefore, GMA 12 has until January 5th, 2027. May 1st, 2026 could be the scheduling date for establishing DFCs. Mr. Totten recommended making January 3 of 2026 the goal to get initial draft of Proposed DFCs out. That would give GMA 12 five months and they would have the entire rest of 2026 to address concerns and any needed changes.

Mr. Bailey asked Mr. Totten to clarify about covering the 9 factors in Texas Water Code Chapter (TWC) 36.108 as we go in the planning process, and would the change of dates interfere? Mr. Totten stated he does not believe it would interfere if pace is maintained. John Seifert stated he believes the proposed schedule could work. Mr. Totten volunteered to create a timeline and bring it back to the next meeting. If drafting as planning goes, conduct business on a topic, put it out and can take comments back on sections. If done in this fashion, the draft explanatory report will already be done and pre-commented on by January 2026. In May 2026 adjustments or changes can then be made.

Mr. Westbrook also stated the joint planning process was not designed to look at permits before setting DFCs. The DFC process was designed to consider characteristics of an aquifer, the acceptable impacts on the aquifer, and then identify what is an acceptable impact on the aquifer. That information would be used to establish a DFC, then after the MAG information comes back from TWDB, GCDs would use the information to manage permits. Focus has been lost on what an aquifer can sustain and shifted to covering permits.

Mr. Westbrook stated he does not want to minimize the importance of permits that are issued and in place when looking at the focus of DFCs, however, that was not the intent of the process as it was laid out, discussed, and put into statute. The balancing language and nine factors were later added to TWC 36.108 to make sure discussion and consideration of permits were included as well as property rights of those that did or did not produce. The main focus was on evaluation of aquifers and impacts. He would like to see the focus on evaluations of sustainability and impacts and how it changes long-term availability of water, and how it affects districts and permitting decisions. He would like to consider how to move forward in evaluating the condition of the aquifer, what an aquifer can sustain and whether that can be managed within DFCs. Mr. Day asked what sustainability would mean. Mr. Westbrook stated that would be a policy decision.

David Van Dresar discussed pumping projects that will affect the aquifers in his district and being able to do nothing about the effects. He does not believe that is sustainable. Mr. Van Dresar also asked how to address pumping in groundwater districts that will still affect other districts? He stated that planning needs to be early and often. Mr. Van Dresar asked how could it be worked to so that pumping and affects of aquifers are cohesive throughout districts. Is it being looked at and what is the project doing to the aquifer 60 miles away? Mr. Day stated most of the districts affecting Mr. Van Dresar's

district are outside of GMA 12. Mr. Totten asked if GMA 12 needs to consider incorporating more communication with other districts and regional projects in an attempt to stay ahead with planning. Mr. Bailey stated that he receives notices from adjacent districts with upcoming projects. Mr. Westbrook noted that there is a geologic change once you get outside of the GMA 12 Area and is not sure the models accurately reflect it. He said it might be helpful to do preliminary assessments of whether both models agree with impacts seen from other major projects. Mr. Van Dresar asked if validating assessments would be done with GMA 12 consultants or would TWDB be asked to do assessments.

Mr. Westbrook invited TWDB representative, Jean Perez to advise. Jean stated GMA 12 can draft a letter with a question about what the assumptions are and send to TWDB. Mr. Van Dresar asked Jean how far the overlap on the models is. Jean stated he does not have that answer today but will get information and provide an answer at a later date. Mr. Westbrook thanked Jean for answering questions. Mr. Van Dresar volunteered his consultant to draft the letter.

Mr. Westbrook asked what can be done between now and the next GMA 12 meeting to answer questions. After discussion, it was decided that GMA 12 will put out a request in each District for comments on the DFC process to be returned by September 1, 2022. Andy Wier asked if GMA 12 is going to share the stakeholder input with boards, does the board decide relevance and value of input or just consultants, and what is the schedule for updating Boards and allowing Boards to give guidance to GMA consultants? Mr. Westbrook stated that will be up to each individual district general manager and board. The notice may not be bound by statute, but will be bound by each District, who will be accountable not only to their individual boards but also to each GMA 12 member.

11. Discussion of possible shared database containing information of permitting and production records for GCDs in GMA 12

a. Texas Water Development Board

Mr. Westbrook welcomed Heather Dodson with TWDB, who presented an overview of what types of data TWDB has in their Groundwater database and where they are currently being stored. Mr. Westbrook asked if TWDB is limited on the number of records they can handle. Ms. Dodson advised that currently, the Groundwater database (GWDB) does not contain all of the wells within the state and is limited to 99 sites per 7.5 minute grid. There is not currently a table for production information. The Submitted Driller's Report Database (SDR) lacks well numbers. They would need to determine what is needed and what is currently already being stored.

Ms. Dodson then welcomed questions. Mr. Van Dresar asked Ms. Dodson if a well needs a state well ID number to be included. She advised that currently, the main ID # is the state well #. Since there is no table for permitting and production information currently, if a new table is created, something else could be used as

a unique identifier. Mr. Van Dresar asked her to confirm the wells are from 2003 and newer. She clarified SDR houses well reports that have been submitted by drillers, those have only been electronically collected since 2003 and not fully up to speed until 2005. The rest are TCEQ water well reports.

Mr. Westbrook thanked Ms. Dodson for her presentation and for answering questions.

b. Halff, Inc.

Mr. Westbrook welcomed David Coyer with Halff, Inc. Mr. Coyer gave a presentation over GMA 12 Data Sharing using the Halff database. He stated the challenge is maintaining the security of the system if it's being opened up to outside influencers. The proposal that Halff came up with is that every district that participates will push their data to a common database that collects all shared data and stays secure. All data is then put into a common data system in a format that is similar to the Halff database already in use by most GMA 12 districts. The only difference is that this information will be GMA wide and not limited to only one district. The users of the database in the Districts will be able to log in and access the data. There will be a map of GMA 12 and all selected information from all GMA 12 Districts. Users will be able to identify attributes that have been agreed upon to share with each district within GMA 12. Data from all districts will be consolidated into one area and queries can be run. Information that can be included in the database is water quality data, water levels, basic well info, possibly permitting information. It will be up to the districts to decide what will be shared, how much data will be shared and the amount of access. Dashboards are also an option. A dashboard may have production info, well count, well categories with the ability to narrow down to a specific District. Well information will be view-only data, strictly for reporting and querying. The GMA Map will have layers, like the Halff system already in use. Halff is able to make a public map that operates differently than the GMA map, if wanted. The virtual bore tool, additional layers, drawing tools, and water level tool can be added. There will be a query tool to access shared data. This can be a fully customizable database; it will be up to GMA 12 to decide what information and tools are needed.

Mr. Van Dresar asked which GMAs are using the Halff shared database currently? Mr. Coyer stated only GMA 4 is using the shared database currently. They are sharing basic well info and water levels only at this time. Mr. Van Dresar asked about the push of data into the database. He wanted to confirm it will be on a secure line. Mr. Coyer confirmed it will all be authenticated and secured with an electronic agent running and gathering data nightly. This will be secured by an API feed.

Mr. Day asked if the information push is manual or automatic. Mr. Coyer confirmed this will be an automated data push running nightly. Mr. Day stated he would like to see water level information, well information, permitting information, and water production information.

Mr. Bailey asked what the estimated cost would be and how would the cost be shared. Mr. Coyer stated he cannot provide an estimated cost at this time as he will need to know what modules and information GMA 12 is looking to share. Mr. Totten asked Mr. Coyer if interoperability is already included, in terms of being able to share data without the need of a secondary system, can direct queries and pulling data from adjacent districts be done. Mr. Coyer advised that would only be possible if access is granted to each system by the other Districts. Mr. Totten clarified, if you had read only access to POSGCD, for example, could there be automated queries that would pull that same data and put into another system rather than duplicate a database that combines all? Can we not access each other's and incorporate their data into each District's own system? Mr. Coyer said that can't be done right now, it would cause a loss of distinction between what is one District's information and what is another's.

Mr. Day stated he would like to move forward with the Halff, Inc. shared database. Mr. Westbrook asked Mr. Coyer if he could give an estimate if just the information examples he covered were what were chosen to be in the database. Mr. Coyer stated GMA 4 paid \$30,000 for the entire set up and inclusion of all GMA 4 Districts. They had a grant to pay for theirs. He can get a closer cost estimate next week once a scope is defined. Mr. Day asked if this would be a one-time cost or an annual cost. Mr. Coyer stated the annual cost would be around \$1,500 for whole GMA plus the initial set up cost. Mr. Westbrook asked Mr. Coyer to clarify if the estimate is the total cost for entire GMA or if the cost will be broken up into individual costs for each District? Mr. Coyer confirmed the cost would be for the entire GMA. Mr. Westbrook spoke about the possibility of splitting cost by usage and importance to each District. Mr. Bailey stated a lot of project costs are divided based on percentage of budget or percentage of use.

Mr. Van Dresar noted he will have to have a budget for the cost of this shared database as it is time for his District to do their yearly budget.

Mr. Westbrook stated he'd like to move forward, look at budgeting, expenses, discuss with the Boards, and discuss cost sharing.

Mr. Westbrook asked for any more questions for Ms. Dodson or Mr. Coyer. Mr. Totten asked about TWDB's monitoring well data. He asked if it would be possible to set the ability for TWDB to pull data when posted rather than manually send the data to TWDB through their submission process. Mr. Coyer stated that could be done and that they would have access to the GMA query

tool. Halff could write pre-defined queries to allow TWDB to get needed data, which are exportable and can be put into their system.

Mr. Westbrook thanked Ms. Dodson and Mr. Coyer for their presentations.

12. Discussion of possible Groundwater Summit for GMA 12

Mr. Westbrook asked if there was any further discussion on the possibility of a GMA 12 Summit. A preliminary agenda was posted on the POSGCD website for the last Board Meeting under Board Meeting information. Mr. Bailey stated he is having an upcoming meeting where it will be discussed.

13. Public Comment on non-agenda items

Mr. Westbrook asked for public comment on non-agenda items. No comments were offered by anyone attending in person or online.

14. Update from Texas Water Development Board

Mr. Westbrook invited Jean Perez to give an update for TWDB. Jean announced that GMA 12's administratively complete letter for DFCs third round packet is now with TWDB executive. It will be mailed out soon. Mr. Westbrook thanked Jean.

15. Agenda items and Date for next meeting

The next GMA 12 meeting will be held on September 30, 2022.

16. Adjourn

The meeting was adjourned at 12:32 pm.

THE ABOVE MINUTES OF THE MEETING OF GROUNDWATER MANAGEMENT AREA 12 HELD ON JUNE 24, 2022 WERE APPROVED AND ADOPTED BY GMA 12 ON SEPTEMBER 30, 2022.

ATTEST:



Mid-East Texas Groundwater Conservation District



Fayette County Groundwater Conservation District



Brazos Valley Groundwater Conservation District



Lost Pines Groundwater Conservation District

A handwritten signature in blue ink, appearing to read "M. Campbell", is written over a horizontal line.

Post Oak Savannah Groundwater Conservation District