
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 18, 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

Entity

Sheril Smith	LPGCD
Billy Sherrill	LPGCD
Andy Wier	SAWDF
Heather Dodson	TWDB
Amy De Luna	TWDB
Robert Bradley	TWDB
Bridgett Meyer	Terrill & Waldrop
Nancy McKee	Landowner
Alyson McDonald	Collier Consulting
David Coyer	Halff, Inc.
Conrad Harrison	Halff, Inc.
John Seifert	Groundwater Consultants, LLC
Doug Box	POSGCD
Courtney Gentry	POSGCD
Bobby Bazan	POSGCD
Michael Redman	POSGCD

Others Present online

Andy Donnelly	
James Beach	
Jennifer Nations	
Leslie Soto Sanchez	
Monica Masters	LCRA
Steve Box	
Dacy Cameron	
Emily Poston	
Greg Graml	
James Bené	RW Harden
Jean Perez	

Jevon Harding	TWDB
Natalie Ballew	TWDB
Mike Orosco	
Philip Webster	RW Harden
Steven Siebert	SAWS
Steve Young	Intera
Stefan	
Lauren	
DLL	
AW	
979-676-0523	
512-461-3179	
512-694-7001	
512-718-9298	
512-763-9014	
512-963-3068	
646-961-3271	

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

Gary Westbrook called the meeting to order at 10:03 am and noted that all five voting members of GMA 12 were present in person.

4. Welcome and introductions

Jim Totten introduced Lost Pines Board President, Sheril Smith and Director, Billy Sherrill.

5. Public Comment on Agenda Items

Mr. Westbrook encouraged public comment from those attending in person and online.

Steve Box made comments regarding the Senate Water, Agriculture and Rural Affairs Committee Meeting and submitted his written comments to Mr. Westbrook. Mr. Box spoke about Best Available Science, source of groundwater pumped, sustainable and conjunctive management, mitigation, and water flowing to Gulf.

Nancy McKee is a landowner in Lee County. Ms. McKee spoke about Agenda item 11. She stated her well water level continually decreases since Vista Ridge pumping began and Post Oak Savannah landowners will soon experience the same affects due to a

large project coming to Brazos Valley GCD. She asked GMA 12 Members to consider losses since April of 2020 while planning.

Andy Wier, with SAWDF, asked GMA 12 Members to discuss and set a definition of sustainable production for GMA 12 that all Districts can agree on. Mr. Wier stated he wanted to echo the comments given by Ms. McKee and add a sense of urgency.

6. Minutes of September 30, 2022 Groundwater Management Area (GMA 12) Meeting

David Van Dresar moved to approve the Minutes of the September 30, 2022 GMA 12 Meeting. He was seconded by Alan Day. Approval of the September 30, 2022 GMA 12 Meeting Minutes was unanimous of all present.

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

Mr. Westbrook reported that Post Oak Savannah GCD adopted its Management Plan with proper amendments Tuesday, November 15, 2022. POSGCD also received, reviewed, discussed and approved the Compliance Report for this year for Desired Future Conditions (DFCs) and Protective Drawdown Limits (PDLs). POSGCD also created a Guidance Document to educate drillers and landowners in Milam and Burleson Counties about what future impacts will look like with SLR and UW Brazos Valley Farm, LLC beginning operations. Reference to the Guidance Document will be contained in applications, certificates to drill and permits issued for non-exempt wells advising on construction for water wells.

Mr. Totten stated Lost Pines GCD approved updates to their Management Plan and submitted them to TWDB for review. LPGCD is planning on doing a second round of updates and modifications to their Management plan in Spring 2023.

Mr. Day noted the Brazos Valley GCD Management Plan won't be due until May of 2024. BVGCD just approved a 50,000 ac/ft production permit for UW Brazos Valley, LLC. BVGCD developed a list of 300-320 wells which includes some wells in the Simsboro and some in the Calvert Bluff to verify aquifer screened and obtain a baseline for water levels. BVGCD is obtaining information on all of those wells to determine which are Simsboro wells and would be included in a mitigation program. There is a deadline of May 15, 2023 before any irrigation starts so that BVGCD can get baseline of where the Simsboro aquifer stands. Mr. Day stated it will be 2.5 years before UW does up to 10,000 ac/ft transport and that they must have a transport permit and put BVGCD on notice before pumping starts. BVGCD will begin mitigation at that point.

Mr. Van Dresar stated Fayette County GCD's management plan is due next year. They are going through their Management Plan Rules for any updates that need to be made and finalizing methodology for compliance and tracking.

8. Discussion of requirements of Chapter 36.108 in adopting DFCs

Agenda items 8 and 9 were opened simultaneously.

9. 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 there was some discussion about the language and meaning of sustainability at the last GMA 12 Meeting. He asked GMA 12 Members if anyone had anything to report on the topic of defining sustainability. There were no new updates on this topic. Mr. Westbrook asked GMA 12 Members if they should continue the discussion. The question of who would determine that definition arose. Some thought the legislature should determine this definition. Mr. Westbrook asked if GCDs should assist with development of a definition. Mr. Wier made comments regarding this topic and GMA 12 Members discussed.

Mr. Van Dresar spoke about the conclusions in the GAM Run and commented on Predicted Volumes and DFCs. He stated TWDB's calculated average drawdowns far exceed ten percent of anything for Fayette County in the Sparta and Queen City Aquifers. Robert Bradley stated he would need to talk to the Modeling Team at TWDB and get information back to Mr. Van Dresar at a later date.

Mr. Totten asked GMA 12 Members if they would like to begin initial discussion and model runs in order to get a head start in the new year. Mr. Totten noted that pumping files will change with new permits coming on board. Mr. Day stated he would like to begin these initial discussions. It was agreed to begin discussions at the next GMA 12 meeting.

Mr. Westbrook stated the Post Oak Savannah GCD Board reviewed the 2022 Groundwater Well Assistance Program Annual Needs Assessment (GANA) report at its November 15 Board meeting and the final should be approved in January. The District will use this report to help define DFCs for POSGCD.

John Siefert recommended using the DFCs and MAGs from S19 simulation to compare to the preferred starting point for GMA 12. Those files could then be altered to represent the new starting point. The GMA 12 members decided to take the information back to their respective committees, use s19 run and any improved science the Districts might have and come back together to discuss at next GMA 12 meeting.

10. Discussion and possible action on shared database through Halff, Inc. containing information of permitting and production records for GCDs in GMA 12

David Coyer, with Halff, Inc., spoke to GMA 12 Members about the proposed shared database and answered questions from GMA 12 Members. After discussion it was decided that Halff would develop an alternative to the plan presented so the GMA might be able to move forward with several districts participating in the near future, and other districts could join later. After receiving this information each District would discuss with their individual Boards and return for further discussion.

11. Discussion of assistance to landowners whose wells are impacted by regional pumping

Mr. Westbrook called a recess at 11:36 am before discussing this agenda item. The members reconvened at 11:41 am.

Mr. Totten stated each District has different funding mechanisms and different abilities for each enabling legislation. A regional project causing regional problems will require regional solutions. He stated GMA 12 will need to look at what mechanisms would exist for a common type of mitigation.

Mr. Westbrook stated well assistance will be independent to each District and it will be hard to address issues and funding when a District has no authority outside its boundaries other than voting for DFCs. He asked how a District could say no to a project or impacts if it does not violate DFCs. He asked GMA 12 Members what they could look at and investigate, and what evaluations could be performed moving forward for clarity.

Mr. Totten stated it has to be a legislative solution.

Mr. Day noted that it should be made clear in Chapter 36 that Districts have the right to mitigate. He stated Brazos Valley GCD is going to use export fees to help fund mitigation. He then moved on to ask how a date would be decided for assistance for landowners whose wells have been impacted from large pumping projects.

Mr. Westbrook said POSGCD is willing to be a resource to assist legislature. Mr. Totten stated Districts need the ability to share funds or move funds between Districts to pay for these types of impacts. Districts need explicit authorization and a way to regionalize some mitigation activities.

Mr. Westbrook brainstormed the idea that each entity that came online after 2001, or some other decided date, has to share in some equal percentage of mitigation costs. Mr. Day asked why, if every District is given authority to mitigate at a high level and charge fees, would that not solve the issue. Mr. Van Dresar stated a District has to have those activities happening in the District to be able to charge fees.

Mr. Day echoed Mr. Totten's thought regarding having a pooled fund for the Districts to draw from for mitigation.

GMA 12 Members agreed this is a difficult issue to resolve and decided to gather information and continue discussions while monitoring legislative work on this issue.

12. Discussion on sharing of responsibilities and expenses of cost of work performed by each GCD in recent rounds of joint planning

After discussion, GMA 12 Members decided to table this agenda item until January so as to give each District time to compile individual expenses and workloads.

13. Public Comment on non-agenda items

Mr. Westbrook asked if anyone attending in person or online would like to make a comment on non-agenda items.

Ms. McKee made comment stating that water loss has not been discussed concerning permits. She asked if, when issuing permits, can it be put into the Rules to take a look at water lost and possibly impose fees. Mr. Westbrook noted that POSGCD had dealt with this issue and the information was available on the District's website.

14. Update from Texas Water Development Board

Robert Bradley gave the TWDB Update. Mr. Bradley is on the legislative bill Review Team and noted he may have questions for GMA 12 Members for TWDB analyses.

Jevon Harding stated she would have to get back to Mr. Van Dresar regarding his question about the MAG calculation of submitted approved DFC and calculation from the model of the Sparta and Queen City.

15. Agenda items and Date for next meeting

The next GMA 12 Meeting will be scheduled and posted at a later date.

16. Adjourn

The meeting was adjourned at 12:51 pm.

THE ABOVE MINUTES OF THE MEETING OF GROUNDWATER MANAGEMENT AREA 12 HELD ON NOVEMBER 18, 2022 WERE APPROVED AND ADOPTED BY GMA 12 ON 6-29-2023

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