
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 29, 2023 – 10:00 am

GMA 12 Members Present in Person

Gary Westbrook	POSGCD
Jim Totten	LPGCD
David Bailey	METGCD
Alan Day	BVGCD
Wendi Pyle	FCGCD

GMA 12 Members Absent

None

Others Present in person

Entity

Sheril Smith	LPGCD
Andy Wier	SAWDF
Robert Bradley	TWDB
Bridgett Meyer	Terrill & Waldrop
Nancy McKee	Landowner
Ronnie McKee	Landowner
Brent Covert	Thornhill Group
Bill Hutchison	Consultant
John Degomez	Landowner
Michael Simang	LPGCD
Kay Rogers	LPGCD
Liz Ferry	RWH & A
Paul Kirby	DBS & A
Paul Terrill	Terrill & Waldrop
Don Hardy	Landowner
Dacy Cameron	Aqua WSC
Emily Poston	Aqua WSC
Bill Rhodes	Landowner
Jean Rhodes	Landowner
Doug Box	POSGCD
Michael Redman	POSGCD
Kelli Timmerman	POSGCD
Gregory Perry	POSGCD

Others Present online

Steve Young
Blair Parker
Elvis Hernandez
Javier Saenz

Jaclyn Wise
James Beach
James Bené
Jeb
Linda Bevis
ML
Stephen Allen
Steven Siebert
214-929-9394

MINUTES

1. Invocation

The invocation was given by David Bailey.

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

Gary Westbrook called the meeting to order at 10:01 a.m. and noted that all five voting members of GMA 12 were present in person. Wendi Pyle sat in for David Van Dresar, representing Fayette County GCD.

4. Welcome and introductions

Each GMA 12 Member introduced themselves and their Groundwater District.

Jim Totten introduced Lost Pines GCD Board Members Mike Simang and Kay Rogers. Mr. Westbrook introduced Robert Bradley with Texas Water Development Board and thanked him for his attendance.

5. Public Comment on Agenda Items

Andy Wier spoke on behalf of SAWDF and made comments regarding protecting the Carrizo-Wilcox aquifer and landowner's property rights. He suggested that GMA 12 decide how to define sustainability and spoke about previously proposed DFCs.

John Degomez is a landowner in Lee County. He made comment regarding the impacts to the aquifers in Lee County. Mr. Degomez has a 960-foot-deep well with his pump set at 260 feet. He stated that his water level in his well has gone from 165 feet to 205 feet and is losing approximately 5 feet of water in his well every 90 days. He is also concerned about SLR beginning to provide water to Samsung and the future impacts of that project. Mr. Degomez thanked GMA 12 for the opportunity to provide comment.

Don Hardy is a landowner in Lee County. He has a spring that produces water on his land. He is concerned about the impacts to the aquifers in Lee County from the Vista Ridge project causing his spring to go dry.

6. Minutes of November 18, 2022 Groundwater Management Area (GMA 12) Meeting

Mr. Day moved to accept the minutes from the November 18, 2022 GMA 12 meeting. the motion was seconded by Mr. Totten. Approval of the November 18, 2022 GMA meeting minutes was unanimous of all present.

7. Discussion on availability of alternative sources of funding, such as grants, for efforts in accomplishing the requirements by Chapter 36.108

Mr. Westbrook noted that Post Oak Savannah GCD received a grant from the Bureau of Reclamation which POSGCD was using to improve the groundwater availability model in the District and surrounding areas. He noted that the Bureau stated at the recent meeting of the Texas of Alliance of Groundwater Districts (TAGD) this funding would be available again soon. He also stated that if the other Districts in GMA 12 might want to apply for similar work POSGCD would be happy to provide the application the District had used to gain award of the funding.

Mr. Westbrook also noted from the TAGD meeting that the Bureau of Reclamation provides grant funding to entities trying to understand the availability of water to meet needs of the State and that since GMA 12 DFCs are used to establish availability of groundwater resources, the joint planning process might qualify for finding to perform GAM runs. Mr. Westbrook asked if there would be any interest from the Districts in GMA 12 to apply for grant funding to use for GAM runs.

Mr. Day stated Brazos Valley GCD may be interested. Mr. Totten stated GAM runs will be paid for regardless and believes other aspects of planning process that people feel are not being adequately addressed should be looked at. He stated that finding grant funding to address other issues might be a better place to apply funding. Mr. Totten suggested that external funding might be better spent on the scope of consulting services. Wendi Pyle agreed with Mr. Totten, and requested to leave the topic open for discussion in the future. Mr. Totten stated he would investigate the Bureau and other funding opportunities and report back at the next GMA 12 meeting.

8. Discussion of development of Desired Future Conditions (DFCs) in other Groundwater Management Areas

Dr. Bill Hutchison overviewed a presentation entitled Agenda Item 8: Discussion of Development of Desired Future Conditions (DFCs) in Other Groundwater Management Areas and answered questions from the GMA 12 Members.

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

Agenda items 9, 10, 11 and 15 were opened simultaneously to allow for discussions of these items within the context of the previous item.

Mr. Westbrook asked Dr. Hutchison if sharing of work and consultants is done in other GMAs. Dr. Hutchison stated that he was the single consultant for all other GMAs he's worked for.

Mr. Westbrook invited discussion about the presentation and options, and what the GMA wants moving forward. Mr. Day stated BVGCD would be open to investigating alternatives for this process as discussed by Dr. Hutchinson. Mr. Westbrook stated he

would like to better understand how to apply these managements individually among the Districts. How to prove compliance is another issue Mr. Westbrook wants to be sure not to overlook. Mr. Day agreed. Mr. Westbrook asked if GMA 12 should move forward by asking the consultants to have a discussion and report back individually to the Districts and then this could be discussed in open meetings among the representatives of the Districts at the next GMA 12 meeting. All agreed to this strategy moving forward.

Mr. Westbrook thanked Dr. Hutchinson for the presentation and asked if any District had any items to report or discuss in agenda items 9-11.

Mr. Day gave an update for BVGCD. They are in the final stages of updating their Management Plan. BVGCD has started discussing their Rules, spacing between wells, eliminating overlap of footprints and permits. Brazos Valley Farm LLC has production and transport permits and a voluntary mitigation plan with them. This requires notice 2.5 years before they put first 10,000 ac/ft into the transport system for BVGCD to begin mitigating wells that will be impacted. Since October, BVGCD has attempted to identify all Simsboro wells in the District. Currently there are 286 wells on the approved list that could be impacted in some way. Land elevation and water depth has been measured in every well. Wells are beginning to be grouped by construction and proximity to the Brazos Valley Farm LLC pumping center and BVGCD is prepared to start lowering pumps, upsizing pumps and drilling wells.

Mr. Totten gave an update for LPGCD. Their Management Plan has been through the Public Hearing process and submitted to TWDB for final approval. LPGCD has gone through two Rules Hearings and a Rules workshop in the past 9 months. The District adopted new production limits based on aquifer characteristics. LPGCD will be going through a stakeholder process that will begin in July and run through end of year to review production limits and curtailment rules to gather and refine feedback to see what needs to be changed regarding how these Rules are structured and implemented. They will be revisiting Rule changes again next year based on feedback from stakeholders and hydrogeology consultants.

Mr. Bailey gave an update for MEGCD. Modifications to their Management Plan based on new MAGs have been submitted and approved by the Texas Water Development Board. A Public Hearing has been set up to receive comments.

Mr. Westbrook gave an update for POSGCD. POSGCD is about to begin updating its Management Plan. They continue to perform work under the District's Groundwater Well Assistance Program (GWAP), with monthly updates to the Board and that information listed on the website. The District has created the Driller's Guidance Tool using the most recent DFCs adopted by the GMA and the most recent updated GAM. The Driller's Guidance Tool is to be used by landowners and drillers to establish well construction standards for new wells being drilled. The tool attempts to predict water levels in order for landowners and drillers to know where to set pump so as to avoid needing the well

reconstructed or the pump lowered in the future. A link to the presentation by Michael Redman given earlier this month at TAGD is available. Mr. Westbrook also noted that POSGCD had a Real Estate Seminar to further educate Realtors in the area on water levels and water rights in the state of Texas.

Mr. Westbrook stated that in April, a temporary permit amendment was approved to the Vista Ridge production permit. The amendment was designed to reduce production in the Carrizo aquifer, which will help slow down impacts in the Carrizo aquifer and hopefully lead to some recovery in that formation. An update from EPCOR is available online under the last Board Meeting.

Mr. Day stated BVGCD is going to try to incorporate the same idea as the Driller's Guidance Tool with their well bore tool. BVGCD has determined in their Management Plan they would address DFC Compliance and exactly how they've complied. This information is available online under their May meeting.

10. Discussion of requirements of Chapter 36.108 in adopting DFCs

Discussion for this item is included above.

11. 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

Discussion for this item is included above.

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

Mr. Westbrook asked if there was any interest in further discussions on a standalone database that would incorporate all of the databases in GMA 12. Mr. Totten stated a problem that was previously discovered was that some of the Districts were on different fiscal calendars. The proposal received from Halff was just after 2/3 of the Districts in GMA 12 had finalized their budget for the year. Mr. Totten stated discussion would need to be had prior to the District's budget year ending. Mr. Day stated he's had this item on his Board Meeting agenda 3 different times and BVGCD Board is not interested at this point. Ms. Pyle stated FCGCD is also not interested at this time.

After further discussion, this agenda item will be put on hold.

13. Discussion of legislation passed into law during the 88th Session of the Texas Legislature which affects GCDs

Mr. Westbrook summarized the legislation passed into law during the 88th Session of the Texas Legislature and went over the information on the POSGCD website.

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

After discussions of HB3059 which becomes effective September 1, 2023, and which allows for district fees to be used to address wells impacted by production, Mr. Westbrook asked if the districts were prepared to continue discussions previously began at previous GMA 12 meetings concerning the possibility of developing a common effort of providing assistance to well owners across GMA. After discussion it was agreed each representative would discuss with their boards and attorneys and return for further discussions at the next GMA 12 meeting.

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

The GMA members discussed past practices and the different ways costs of the joint planning process had been shared. They also discussed the possibility of an interlocal agreement for this round of planning. Mr. Westbrook agreed to acquire agreements from other GMAs and distribute to the members for discussion at the next meeting.

16. Public Comment on non-agenda items

Mr. Westbrook reminded all present that POSGCD would host the annual Milam and Burleson Counties Groundwater Summit August 17, in Caldwell from 9 am to 4 pm.

Mr. Westbrook also informed all that he had been asked to attend a Region H Water Planning Group committee meeting on July 14 in Houston concerning the Brazos River Alluvium.

Mr. Day reported that BVGCD has entered into an agreement with Dr. Joe Yelderman to perform a groundwater-surface water interaction study in the Brazos River area of the BVGCD district.

17. Update from Texas Water Development Board

Robert Bradley provided an update on updates to groundwater availability models (GAMs) and BRACS studies. He also noted a possible unintended issue with adoption of the last round of DFCs by GMA 12. Bistone WSC, located in Limestone County may have issues with financing received from TWDB due to the MAGs in the Hooper formation in Limestone County being lower than the previous round of DFCs.

Mr. Day asked Mr. Bradley if there was any update on a recent TWDB effort to perform an aerial study of the Brazos River Alluvium. Mr. Bradley had no update on that effort.

18. Agenda items and Date for next meeting

Mr. Totten stated that he had received a request from some of his board members to invite Carlos Rubenstein and Vanessa Puig-Williams to discuss a recent presentation provided by Mr. Rubenstein at the American Groundwater Trust conference in Austin.

The District representatives also discussed the possibility of reviving previous conversations about a GMA 12 Groundwater Summit and agreed to include that item on the next agenda.

The next GMA 12 meeting date was selected for August 24 at 10 am at POSGCD offices.

19. Adjourn

The meeting adjourned at 12:29 pm.

THE ABOVE MINUTES OF THE MEETING OF GROUNDWATER MANAGEMENT AREA 12 HELD ON JUNE 29, 2023 WERE APPROVED AND ADOPTED BY GMA 12 ON August 24, 2023

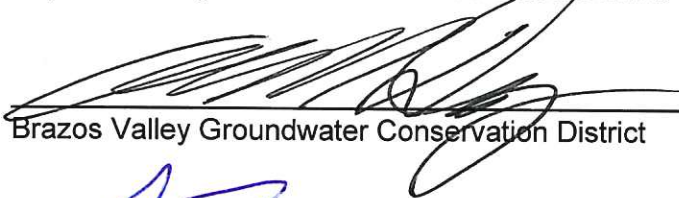
ATTEST:



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