

**UPPER GULF COAST AQUIFER PLANNING AREA
(GMA 14)**

Joint Planning Group Meeting

**Tuesday, June 24, 2014
1:30 PM**

MEETING MINUTES

A regular meeting of GMA 14 was held Tuesday, June 24, 2014, at 1:30 PM, in the board room of the Lone Star Groundwater Conservation District located at 655 Conroe Park North Drive, Conroe, Texas.

The meeting was called to order by Kathy Turner Jones (Lone Star GCD) at 1:30 PM, at which time the district representatives introduced themselves. The districts represented at the Joint Planning Group meeting included: Brazoria County GCD, Bluebonnet GCD, Lone Star GCD, Lower Trinity GCD and Southeast Texas GCD. Also in attendance at the meeting were: Jason Afinowicz, Freese and Nichols, Inc.; The Honorable John Brieden, Washington County Judge; Larry French, Texas Water Development Board (TWDB); Bill Mullican, Mullican and Associates; Robert Thompson, Fort Bend Subsidence District; Mike Turco, Harris-Galveston Subsidence District; 'Pudge' Willcox, Chambers County; and members of the public. (*see Attachment "A" for a list of attendees*).

Kathy Turner Jones began the meeting by asking for a roll call of GMA 14 participating members and any comments. Ms. Jones proceeded with receipt and requests of posted notices from the group. Ms. Jones asked for consideration of the approval of the minutes from the GMA 14 Joint Planning Group meeting on April 30, 2014. Paul Nelson (Lone Star GCD) was given the floor to discuss amendments to the revised draft minutes. These amendments were to correct typos and clarification of discussions regarding subsidence and its calibration in the model. After discussion and upon a motion by Kent Burkett (Brazoria County GCD), seconded by John Martin (Southeast Texas GCD), the minutes for the April 30, 2014 meeting were approved unanimously, as amended.

Ms. Jones recognized Ms. Jill Savory for public comment to the Joint Planning Group. After thanking the group, she presented information she researched regarding empowering the people making decisions with consideration of scientific studies. These comments were also summarized in a passed out handout.

Ms. Jones moved to discussion and consideration of aquifers located in whole or in part in GMA 14 for which requests have been received for possible declaration as non-relevant aquifers for the purposes of joint planning. Bill Mullican led discussion of responses from Bluebonnet GCD, Lower Trinity GCD, and Southeast Texas GCD. Bluebonnet GCD requested declaration of the river alluvium aquifers (Brazos, Navasota, San Bernard, San Jacinto, and Trinity) in its district and the Brazos River alluvium aquifer in Washington County as non-relevant aquifers for the

purposes of joint planning. Lower Trinity GCD and Southeast Texas GCD requested declaration of the Yegua-Jackson Aquifer within their respective districts as non-relevant aquifers for the purposes of joint planning. Mr. Mullican stated he had received adequate information to document the declarations in the explanatory report if the Joint Planning Group took such action. Zach Holland made the motion to approve the requests by Bluebonnet GCD, Lower Trinity GCD, and Southeast Texas GCD of declaration of non-relevant aquifers for the purposes of joint planning. After a second by John Martin, the motion was approved unanimously.

Meeting convened as a meeting of the GMA 14 Joint Planning Interlocal Agreement Participants.

The GMA 14 Joint Planning Interlocal Agreement Participants meeting was called to order at 1:44 PM.

Ms. Jones recognized Larry French for an agency update. Mr. French noted the completion and distribution of the total estimated recoverable storage (TERS) numbers for the aquifers in GMA 14. Based on the aquifers with current DFCs, including those which were just approved to be declared non-relevant aquifers, TERS numbers were explained and broken down to aquifer, district, and county level summaries. Mr. French also explained the history of the TERS numbers and the limitations on their use as management tools. After some discussion, the participating members agreed that they would like to request a written explanation of these limitations from the TWDB.

Ms. Jones called for the briefing and consideration of results from the modified predictive simulation utilizing GMA 14 approved pumping amounts in the updated Northern Gulf Coast Aquifer. Jason Afinowicz updated the group on progress since the last meeting. He noted the nomenclature change to account for the updated GAM run as NGC GAM Run 2 (Run 2) to differentiate from the information considered at previous meetings. Run 2 was at the request of Lone Star GCD to revise pumping in the Lone Star GCD. Mr. Afinowicz provided maps and illustrations of the Run 2 results for consideration. Results from each county and each aquifer layer were detailed and outlined.

Ms. Jones next called for a briefing on draft statements of desired future conditions based on the execution of the updated NGC GAM Run 2. There were some additions made in relation to the Fort Bend and Harris-Galveston Subsidence Districts to represent their mission and goals. Also, as requested during the last GMA 14 meeting by Bluebonnet GCD, a subsidence DFC was added though the exact numbers will be confirmed when the subsidence numbers are extracted from the model run. Further changes would be needed for the aquifers declared non-relevant earlier in the meeting. At this point, this remains a draft document for further consideration.

Ms. Jones next called for a briefing and consideration of hydrological conditions, including for each aquifer in the management area, total estimated recoverable storage, average annual recharge, inflows, and discharge, as required by Texas Water Code Chapter 36.108(d)(3). Mr. Afinowicz restated a summary of the calculation of total estimated recoverable storage. This is a number documenting the volume of water in an aquifer. The number is a requirement for

consideration in statute. Mr. Afinowicz presented total estimated recoverable storage and water budget numbers by county and aquifer layer. Mr. Mullican reminded the group that water budget numbers will be implemented into future management plans for the districts. As this is part of the specific criteria to be considered and documented in the explanatory report, Mr. Mullican reiterated that if there is anything in addition to the information presented by Mr. Afinowicz that would be appropriate for further consideration, now would be the time to raise those to the group.

Next, Ms. Jones directed the group into a briefing and discussion of environmental impacts, including impacts on spring flow and other interactions between groundwater and surface water, as required by Texas Water Code Chapter 36.108(d)(4). Mr. Afinowicz presented available information from the models and limited other resources. Generally, there is limited interaction from the aquifer systems as a whole. However, shallower systems do have an interaction with surface water systems as documented and recognized specifically by the Lower Colorado River Authority, but that level of study has not been performed in GMA 14. In the Carrizo, Queen City, and Sparta aquifers, there is some information included in the Carrizo GAM. The Yegua-Jackson Aquifer is the first area where interaction between groundwater and surface water is documented in detail. Mr. Afinowicz presented the compiled information for these systems similar in format to the previous presentations.

A briefing and discussion of the impacts of proposed desired future condition on subsidence, as required by Texas Water Code Chapter 36.108(d)(5) was next on the agenda. Mr. Afinowicz noted that this factor is a much more critical issue for this region than any other region in the State. Presented material focused on the studies and data directly from the subsidence districts and predicted outputs from the updated NGC GAM Run 2 for the areas outside of the subsidence districts. The subsidence package from the model gives a regional perspective on subsidence, but the localized studies are more beneficial and reliable to account for specific and localized occurrences and causes. The numbers represented were county averages from 2010 to 2070 assuming the pumpage in the NGC GAM Run 2. Potential subsidence is shown greatest around concentrated pumping centers and lower, distributed pumping shows the least or none at all.

Ms. Jones asked for a review of progress to date for GMA 14, remaining considerations, and future actions from Mr. Mullican. Remaining considerations are socio-economic impacts, impacts of proposed DFCs on private property rights, and feasibility of achievement of adopted DFCs. Mr. Mullican announced that he will send a prompt to the districts for discussion of how their rules and management plans work toward protecting private property rights in their districts. In addition, there is a catch-all for any other considerations not part of the specific criteria. Once these are completed, a draft of the desired future conditions will be presented. All of the criterion should be completed by the end of the year with finalization of the explanatory report to follow.

Discussion of funding levels, participation, and any other aspects of the Interlocal Agreement was led by Ms. Jones. The draft resolution distributed regarding the proposed administrative procedures for the consideration, proposal, and adoption of desired future conditions as proposed at the April 30, 2014 GMA 14 meeting was discussed, and Ms. Shauna Fitzsimmons, of Sledge Fancher, PLLC, was available for questions. As the statute is silent on the procedural process

regarding the formal or informal consideration of DFCs to the extent the DFC must be evaluated using the nine statutory factors and included in the explanatory report, establishing such procedures upfront will be of benefit to the clarity and fluidity of the process as well as ensure the development of an effective administrative record through the production of the explanatory report. Ms. Jones noted there had been several questions, comments, and feedback received which would be considered and implemented into a revised document. Ms. Fitzsimmons said that the 'Whereas' clauses in the resolution reference relevant statutes in the Water Code and provide the background for the document, and the substantive material is the language in the procedures section. Mr. Martin gave insight into his issues with the draft document. Mr. Martin outlined the procedure for a GCD rulemaking and adoption procedure with notice and hearing and noted that Chapter 36 does not give reference to handling these administrative procedures in the manner proposed. He then asked if the proposed administrative procedures should be handled as a rulemaking, or could they be challenged if we proceed as written. Ms. Fitzsimmons explained the intent and purpose of this document as more 'bylaws' for the GMA rather than rules adopted by districts. Mr. Martin raised another question of wording identifying a specific consultant, and how it may need to be generic to be better utilized by the GMA. Ms. Fitzsimmons noted the benefit of having a consultant involved in the process from the onset. The definition includes any consultant that the GMA contracts with and also names the current consultant. Mr. Martin added another question regarding collection and distribution of information to be brought before the GMA instead of through the consultant. Ms. Fitzsimmons noted that the receipt of written requests by the consultant is to ensure all necessary information is collected for an educated decision to be made by the GMA, not by the consultant. The GMA is the only decision maker for DFC considerations. Any potential conflicts of interest regarding the consultant should have been a part of the initial request for proposal and contract discussions. Mr. Martin inquired if there could or should be a cutoff date for receipt of information related to DFCs. Mr. Mullican noted that after the proposed DFCs and the individual public hearings held by the districts, there is a vehicle and requirement to submit all information and requested changes to the proposed DFCs to the GMA. Any and all of the requested changes would then have to be considered related to the nine factors. Mr. Martin brought up the point that we have just considered a new model run, and questioned whether we need to go back and complete the factors which were discussed with the previous model run. Mr. Mullican agreed that at a future meeting it would be a good idea to have an agenda item to ratify the previously considered factors with the updated model run. Ms. Jones asked for guidance for the draft document. Some wished to further review the document and Ms. Jones requested all comments to be submitted by July 7, 2014. Ms. Jones recognized Mr. Brian Sledge of Sledge Fancher, PLLC to highlight actions of other districts and GMAs related establishing the administrative record and its importance to the explanatory report. Ms. Jones reviewed the financial outlook of the Participants moving forward.

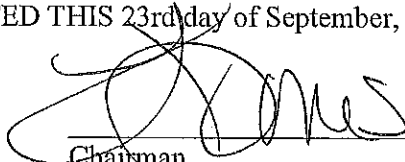
There was no presentation of discussion by districts of recent activities of interest to or impacting the GMA 14 planning group.

The GMA 14 Joint Planning Committee Meeting was re-opened at 2:57 PM.

The next meeting date was discussed and set for Tuesday September 23, 2014, at 1:30 PM at the offices of the Lone Star Groundwater Conservation District, located at 655 Conroe Park North, Conroe, Texas 77303.

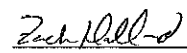
Without further discussion and there being no further business, the meeting was adjourned at 3:00 PM.

PASSED, APPROVED, AND ADOPTED THIS 23rd day of September, 2014



Chairman

ATTEST:



Secretary

UPPER GULF COAST AQUIFER PLANNING AREA (GMA 14)

24-Jun-14

MEMBER ATTENDANCE



Member District	District Representative (Please Print)	Signature	Alternate (Please Print)	Signature
LSGCD	<i>[Signature]</i> Bill Jacobs	<i>[Signature]</i> Kathy Jones		
Lower Trinity GCD	<i>[Signature]</i> Zack Holland	<i>[Signature]</i> Bill Jacobs		
Bluebonnet GCD	<i>[Signature]</i> Zack Holland	<i>[Signature]</i> Zack Holland		
Brazoria County GCD	<i>[Signature]</i> Zack Holland	<i>[Signature]</i> Zack Holland		
Southeast Texas GCD	<i>[Signature]</i> John Martin	<i>[Signature]</i> John Martin		



GMA 14 SIGN IN SHEET

June 24, 2014

NAME	AFFILIATION	CITY, STATE, ZIP	E-Mail
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Public Comment Registration

Please complete and submit this form if you would like to speak or have a question for the speaker or Board.

Name: Jill Savorny Date: 6/24/2014

Address: Richmond TX

Who you are representing: self 9/23/14

Question: 1.30

Comments
Self 7th