

**LONE STAR
GROUNDWATER CONSERVATION DISTRICT**

October 13, 2009

MINUTES OF SPECIAL MEETING

The Special Board Meeting scheduled for 9:30 a.m. on October 13, 2009, at 207 W. Phillips Street, Suite 300, Conroe, Texas, was cancelled. This action was taken during the Board Work Session that convened at 8:00 a.m. on October 13, 2009.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF NOVEMBER, 2009

Sam W. Baker, Board Secretary

LONE STAR GROUNDWATER CONSERVATION DISTRICT

October 13, 2009

MINUTES OF PUBLIC HEARING ON PERMIT APPLICATIONS

The Board of Directors of the Lone Star Groundwater Conservation District (“District”) met in regular session, open to the public, in the Lone Star GCD – Board Room located at 207 W. Phillips Street, Suite 300, Conroe, Texas, within the boundaries of the District on October 13, 2009.

President Tramm called to order the Public Hearing on Permit Applications at 10:05 a.m., announcing that it was now open to the public.

The roll was called of the members of the Board of Directors, to wit:

Sam W. Baker
Reed Eichelberger, PE
Orval R. Love, PE
Roy McCoy, Jr.
Jim Stinson, PE
Richard J. Tramm
Scott Weisinger, PG
James B. Wesley
W. B. Wood

All members of the Board were present, with the exception of Director Weisinger, Director Baker and Director McCoy, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, District General Manager; Brian Sledge, General Counsel; Jason Hill, Attorney; Mark Lowry, District Consultant; District staff; and members of the public. *Copies of the public sign-in sheets are attached hereto as Exhibit “A”.*

Kathy Turner Jones, General Manager, stated the Board should disregard the permits that have lines drawn through them, as they need further technical and administrative review and would be placed on November’s agenda. Following the permit hearing report from General Manager, Kathy Turner Jones, a motion was made by Director Wesley and seconded by Director Love, to approve permits #2,4,5,6,7,8,11,15,16, and 17, in accordance with the recommendations of the General Manager. Motion passed.

1. ~~Larry Kruzic, for a proposed well to be drilled at 14135 Laramie Trail, Montgomery, not to exceed 2.5 mg annually, Public Supply (PWS) use;~~

2. Curtis & Robin Bodiford, for a proposed well to be drilled at 18551 W. FM 1097, Montgomery, not to exceed 0.5 mg annually, Public Supply use;
3. ~~Montgomery County MUD #99, for a proposed amendment to OP, increase of 30 mg annually, Aldine Westfield Rd, Spring, Public Supply (PWS) use;~~
4. Aqua Texas, Inc. (Clear Creek Forest), for a proposed amendment to OP, increase of 10 mg annually, 22102 Meadowsweet, Magnolia, Public Supply (PWS) use;
5. Thompson's Landscaping, for a proposed amendment to OP, increase of 1 mg annually, 9210 Shady Ln, Magnolia, Irrigation use;
6. Paul Butaud, for a proposed operating permit not to exceed 0.135 mg annually, 12161 FM 830, Willis, Commercial use;
7. Mary McGovern, for a proposed operating permit not to exceed 0.25 mg annually, 38015 Spur 149, Magnolia, Commercial use;
8. North Point Fellowship Free Will Baptist Church, Inc., for a proposed well to be drilled at 17018 FM 1314, Conroe, not to exceed 0.1 mg annually, Public Supply use;
9. Harry Hope, for a proposed well to be drilled at 1625 Hope Road, Conroe, not to exceed 0.876 mg annually, Public Supply use;
10. ~~Timbergreen Home Owners Association, for a proposed operating permit not to exceed 1.5 mg annually, 14006 Timbergreen Dr, Magnolia, Public Supply use;~~
11. Verizon, for a proposed operating permit not to exceed 0.142 mg annually, 11665 Cude Cemetery Rd, Willis, Commercial use;
12. Chester Bradley, Jr., for a proposed amendment to OP, increase of 0.11 mg annually, 11210 FM 1488, Magnolia, Commercial use;
13. ~~Quadvest, LP. 1 (Lake Winderest WS), for a proposed amendment to OP, increase of 40 mg annually, 32710 Edgewater Dr., Magnolia, Public Supply (PWS) use;~~
14. Wayne Lanier (Lures Icehouse), for a proposed operating permit not to exceed 0.25 mg annually, 12715 FM 830, Willis, Public Supply use;
15. Palm Beach Estates POA, for a proposed operating permit not to exceed 1 mg annually, Palm Beach Estates, Walden Road, Montgomery, Irrigation use;
16. Quadvest, LP. 2 (Northcrest Ranch 1,2 &3), for a proposed amendment to OP, increase of 20 mg annually, 23951 Northcrest Trail, New Caney, Public Supply (PWS) use;
17. Corinthian Point MUD No.2, for a proposed well to be drilled at 13677 Calvary Rd, Public Supply (PWS) use, Willis; and
18. ~~Stoecker Management, for a proposed well to be drilled at Little Egypt Rd and Longmire Rd. (Shadow Lakes on Longmire), not to exceed 4.38 mg annually, Lake Replenishment, Conroe.~~

Item #9, **Harry Hope**, based on technical review, staff recommends that the requested amount be reduced to **no more than .300 mg.** Following the permit report from the General Manager, a motion was made by Director Stinson, seconded by Director Love to approve Permit #9 in accordance with the recommendation of the General Manager. Motion Passed.

Item #12, **Chester Bradley, Jr.**, based on technical review, staff recommends that the additional requested amount be reduced to **no more than .020 mg**, bringing the total amount permitted to **.050 mg** , and the General Manager recommends approval to the Board of this reduced amount. Following the permit report from the General Manager, a motion was made by Director Wood, seconded by Director Wesley to approve Permit #12 in accordance with the recommendation of the General Manager. Motion Passed.

Item #14, **Wayne Lanier (Lures Icehouse)**, based on technical review, staff recommends that the additional requested amount be reduced to **no more than .110 mg**, and the General Manager recommends approval to the Board of this reduced amount. Following the permit report from the General Manager, a motion was made by Director Stinson, seconded by Director Love to approve Permit #14 in accordance with the recommendation of the General Manager. Motion passed.

President Tramm adjourned the Public Hearing on Permit Applications at 10:15 a.m.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF NOVEMBER, 2009.

Sam W. Baker, Board Secretary

LONE STAR GROUNDWATER CONSERVATION DISTRICT

October 13, 2009

MINUTES OF REGULAR MEETING

The Board of Directors of the Lone Star Groundwater Conservation District (“District”) met in regular session, open to the public, in the Lone Star GCD – Board Room located at 207 W. Phillips Street, Suite 300, Conroe, Texas, within the boundaries of the District on October 13, 2009.

President Tramm called to order the regular Board of Directors meeting at 10:15 a.m. announcing that it was open to the public.

The roll was called of the members of the Board of Directors, to wit:

Sam W. Baker
Reed Eichelberger, PE
Orval R. Love, PE
Roy McCoy, Jr.
Jim Stinson, PE
Richard J. Tramm
Scott Weisinger, PG
James B. Wesley
W. B. Wood

All members of the Board were present, with the exception of Director Weisinger, Director Baker and Director McCoy, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, District General Manager; Brian Sledge, General Counsel; Jason Hill, Attorney; Mark Lowry, District Consultant; District staff; and members of the public. *Copies of the public sign-in sheets are attached hereto as Exhibit “A”.*

APPROVAL OF THE MINUTES:

President Tramm stated the Board would consider all four (4) meeting Minutes listed as one item. Upon review of the following, a motion was made by Director Wood, seconded by Director Love and unanimously carried, to approve the meeting minutes as presented:

- a) September 8, 2009, Special Board Meeting
- b) September 8, 2009, Public Hearing on Permit Applications
- c) September 8, 2009, Regular Board of Directors Meeting
- d) September 8, 2009, Public Hearing on Proposed Changes to District Rules

COMMITTEE REPORTS:

Rules and Bylaws Committee – Kathy Turner Jones, Coordinator. Ms. Jones reported that the Rules and Bylaws Committee met last month following the Board Meeting to discuss the rules that the District is looking to move forward on regarding amenity lakes and groundwater surface impoundments. The Committee also met October 7, 2009, to further discuss the proposed GRP that is out for public comment and Public Hearing today. These revisions were reported to the public on September 23, 2009 and following public comment received, we will have a Hearing on that later today.

Hold Public Hearing on Proposed Changes to District Rules. 10:17 a.m. - President Tramm stated that at this time the Board would convene the Public Hearing on Proposed Changes to District Rules. President Tramm stated that the Regular Board Meeting would continue following the conclusion of the Public Hearing on Proposed Changes to District Rules.

11:00 a.m. – President Tramm reconvened the Regular Board Meeting

Discussion, consideration, and possible action approving amendments to the District Rules regarding adoption of Phase II(B) of the District Regulatory Plan. A motion was made by Director Love, seconded by Director Wood and unanimously carried, to republish the Proposed Changes to District Rules with the corrections having been approved at today's Public Hearing.

Policy and Personnel Development Committee – Sam W. Baker, Chair. In Director Baker's absence, Kathy Turner Jones, General Manager, stated the committee had met September 21, 2009, to look at employee evaluations and employee reviews. The committee is scheduled to meet again in November to discuss those further and for presentation to the Budget Committee for 2010.

Water Awareness and Conservation Committee – Billy Wood, Chair. Director Wood stated that the committee had met on September 24, 2009, regarding the direction of Lone Star Groundwater conservation programs. Director Wood asked Marjie Risk, Education/Public Awareness Coordinator, to give a report on her activities this past month.

Ms. Risk stated the meeting Director Wood referred to was to discuss the direction of the follow-up meeting of the Regional Water Conservation Partnership effort. The first meeting focused on an explanation of the Water IQ Program, with the hopes of establishing new partnerships. The goal of the follow-up meeting will be to provide water conservation planning tools to the cities and MUDs. Ms. Risk also attended the Water Summit II meeting held by Barbara Payne, Water Lily Press, to discuss outdoor water use and specifically, to continue a discussion in regard to getting the Cooperative Extension and irrigation industry experts to work together to establish a common water conservation message. Also, LSGCD has been working with the City of Conroe to draft a water conservation letter for the mayors. Conroe has asked Lone Star to draft a similar letter for delivery to MUD representatives. Ms. Risk is working to create "Water On Request Only" table tents for use in Montgomery County restaurants. Ms. Risk stated she attended the Water Smart Innovations Conference in Las Vegas on behalf of LSGCD. A draft of the District Annual report is near completion.

Budget and Finance Development Committee – Jim Stinson, Chair. Director Stinson reported his committee had not met since the last Board meeting.

Review of Monthly Financial Reports. Director Stinson stated a review of the monthly financial reports showed that the District was \$560,000 over budget in income and \$560,000 under budget in expenses.

Review 3rd Quarterly Investment Report for 2009. Director Stinson stated he had reviewed the quarterly investment report and would be available if any Board members had questions.

Findings and Review Committee – Orval R. Love, Chair. Director Love reported the committee had a joint meeting with the Rules and Bylaws Committee on October 7, 2009, along with Mike Turco, USGS. Director Love asked Mike Turco to give a progress report on the groundwater recharge study to date.

Mike Turco, USGS, reported that as of October 5, 2009, all of the analytical data had been received from the Lamont Dougherty Earth Observatory. As expected, the age of the water in the wells sampled for study is very old. The gulf coast aquifer system in this area is complex and unique in comparison to similar aquifer systems in other parts of the country. The older the water – the lower the recharge rate. The estimated age of the water prohibits the use of several of the age-tracers used for this study. With many of the sampled sites having ages much older than that, USGS will be creating a new model to use the Helium concentrations to estimate the age of the water. Over the next several months, USGS will be analyzing the data, evaluating the new model, and calculating the recharge rate for each site in the well network. Mike expects the final report for the study to be completed around the first of the year. USGS is working with the General Manager and the District's Consultant in the review process. Updates will be provided to LSGCD monthly throughout the rest of the project's duration.

Director Love stated he does not expect the committee to meet until they receive the final report study from USGS, which should be sometime after the first of the year.

Building and Facilities Committee – Kathy Turner Jones. Ms. Jones stated the committee had not met since the last Board meeting and plans to schedule a meeting sometime in November.

ENGINEERING REPORT:

Mark Lowry, District Consultant, reported there were two engineering reports in the Board packets. One report is Mr. Lowry's and the other is Bill Thaman's from AECOM. Mr. Lowry stated over the past month he has provided technical support for various on-going projects. In addition, Mark stated he has begun the process of developing technical guidance memorandum for staff to use in providing guidance to permittees concerning suggested quantities of water for various types of uses.

GENERAL COUNSEL'S REPORT:

Brian Sledge, General Counsel, stated he has been working on the GRP all month. Mr. Sledge stated he will be speaking at the **Groundwater 101 and Aquifers Of The Upper**

Coastal Plains Conference in College Station on Wednesday afternoon. At the **TWCA** meeting in San Antonio on October 21-23, 2009, Jason Hill, Attorney, will be presenting a water law update.

GENERAL MANAGER'S REPORT:

Kathy Turner Jones stated that on October 1, 2009, permit renewals were sent out to all of the District's permittees. Out of the 986 renewals mailed, approximately one-third have been returned. Requirements established under SB1 and SB2 require groundwater conservation districts to include management goals and objectives in their "Management Plans" to manage and conserve the groundwater resources within their boundaries. One of the goals developed by the District to address conservation includes distributing an informative flier on water conservation within at least one mail-out to groundwater use permit holders. This year, Marjie Risk coordinated the development of a color insert that was mailed to each permit holder with their permit renewal notices. These are available for other groups or municipalities in the county to help further awareness of water conservation. As far as upcoming events, TWCA Fall Meeting is October 21-23 in San Antonio. Senator Kip Averitt and Rep. Allan Ritter, in conjunction with the Texas Water Foundation, will host a water conference, **H204Texas**, in Forth Worth on November 16-17. The Water Event will increase public awareness of the critical water shortfalls facing our state and begin mobilizing support for full implementation of the State Water Plan.

PUBLIC COMMENT:

Jim Bustin, representative from MUD 9, thanked the Board for listening to their comments and concerns regarding the development of the District Regulatory Plan.

NEW BUSINESS:

None

There being no further business, upon a motion by Director Love, seconded by Director Eichelberger, the meeting was adjourned at 11:30 a.m. The next regular meeting of the Board of Directors is scheduled for November 10, 2009, at 10:00 a.m.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF NOVEMBER, 2009.

Sam W. Baker, Board Secretary