

LONE STAR GROUNDWATER CONSERVATION DISTRICT

October 12, 2015

MINUTES OF BOARD WORK SESSION

A “board work session” open to the public, was held in the Lone Star GCD - James B. "Jim" Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, within the boundaries of the District at 2:00 PM on October 12, 2015.

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

Sam Baker
John D. Bleyl, PE
Jace Houston
Roy McCoy, Jr.
Rick J. Moffatt
Jim Stinson, PE
Richard J. Tramm
M. Scott Weisinger, PG
W. B. Wood

President Tramm called to order the Board Work Session at 2:04 p.m. announcing that it was open to the public.

All members of the Board were present, with the exception of Director Weisinger and Director Baker, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, General Manager; Paul R. Nelson, Assistant General Manager; Shauna Fitzsimmons, legal counsel; Mark Lowry, P.E., District Engineer; District staff; and members of the public. *Copies of the public sign-in sheets are attached hereto as Exhibit "A".*

President Tramm stated that the purpose of this workshop was to receive and discuss “Draft Summary Report for Comments Received During 90-Day Comment Period for Proposed Statements of Desired Future Conditions” and any possible suggested revisions the District may recommend to Groundwater Management Area 14 regarding the proposed DFCs. He also noted that this would not be action item for today, but will be for the October 13, 2015 monthly board meeting.

Bill Mullican, Mullican and Associates, provided a PowerPoint presentation to the Board of all comments received to the District during the 90-day comment period for proposed statements of Desired Future Conditions adopted by District Representatives of Groundwater Management Area 14 (GMA 14) and as required by Section 36.108 (d-2) of the Texas Water

Code. Included in Mr. Mullican's presentation: Statutory requirements; draft summary report and its purpose; 90 day comment period; proposed DFCs for Montgomery County; summary of public comment received; steps remaining to be undertaken by the GMA; and suggested revisions to proposed DFCs for consideration by GMA 14. *Copies of the presentation are attached hereto as Exhibit "B".*

Mr. Mullican notes that comments were received on September 17, Public Hearing from Scott Sustman, President of Lake Conroe Communities Network (written and oral) Mike Thornhill, with the Thornhill Group – Representing Quadvest (oral), Bob Harden, with R W Harden & Associates, Inc., – Representing City of Conroe (PowerPoint presentation); Marty Jones, an attorney with Sprouse, Shrader, Smith PLLC, and representing Quadvest Water and Sewer Utility and Stoeker Corporation (oral); Wade Oliver, with INTERA, Inc., – representing Montgomery County WCID #1, Porter Special Utility District, San Jacinto River Authority, Southern Montgomery County Municipal Utility District, The Woodlands Joint Powers Agency, City of Houston, Fort Bend Subsidence District, Harris-Galveston Subsidence District, and North Harris County Regional Water Authority (PowerPoint presentation); Van Kelley, with INTERA, Inc., – Representing Montgomery County WCID #1, Porter Special Utility District, San Jacinto River Authority, Southern Montgomery County Municipal Utility District, The Woodlands Joint Powers Agency, City of Houston, Fort Bend Subsidence District, Harris-Galveston Subsidence District, and North Harris County Regional Water Authority (PowerPoint presentation).

Written comments received during 90-day public comment period were from Bob Harden, with R W Harden & Associates, Inc., – Representing City of Conroe; Michael V. Powell, an attorney with Locke Lord LLP – Representing City of Conroe; Van Kelley and Wade Oliver, with INTERA, Inc., – Representing Montgomery County WCID #1, Porter Special Utility District, San Jacinto River Authority, Southern Montgomery County Municipal Utility District, The Woodlands Joint Powers Agency, City of Houston, Fort Bend Subsidence District, Harris-Galveston Subsidence District, and North Harris County Regional Water Authority; Mike Thornhill, with the Thornhill Group – Representing Quadvest.

Ms. Fitzsimmons states that holding this work session is a positive way to address the comments that were submitted and to have the opportunity to suggest back to GMA 14 any additional revisions or comments that we may have on the current proposals of the DFCs. In the event of a different DFC, action would need to be taken by resolution to send to GMA and in return they will consider any proposed changes as well as any new DFCs. She notes that GMA 14 may need to work through the criteria again, and would need to be proposed as a new DFC. Ms. Fitzsimmons states that GMA is the ultimate decision maker and the District is required to adopt what GMA 14 adopts according to Chapter 36.

Director McCoy makes reference to Bob Harden and Mike Thornhill for their input and thanks them both for their hard work and adds that people are not listening to what they are saying. Director McCoy feels strongly that people need to listen to the information that is being provided. He points that things have changed since 2002 in Montgomery County.

Director Houston questions Mr. Mullican if he was aware of any issues being raised in GMA 1 using counties as boundaries for DFCs and how GMA 1 dealt with it. Mullican stated, "that at the end of the first round of joint planning there was a petition filed by land owners with the TWDB saying that the DFCs were not reasonable because they had been based on water use

as by delineated by county boundaries. The petition was filed with the TWDB, the hearings were held, and staff recommendations to the board (TWDB) was that it was reasonable and the TWDB agreed even though they were based on county boundaries.” Ms. Fitzsimmons added that it went to District Court and was dismissed.

President Tramm inquired if GMA 14 was leading the other GMAs with proposed DFCs. Mullican confirmed that all GMA’s are in the same cycle with the District. The next round of joint planning ends on September 1, 2020.

In conclusion, Mullican reiterates that the summary is a correlation of comments and that everything received was included and will be submitted to the other GMA 14 Districts. With the exception of the date, the information on page 6 of “Suggested Revisions to Proposed DFCs”, and as Ms. Jones added, any changes in the draft minutes included in the summary, GMA 14 will receive the summary report as presented today.

With there being no further comments to address, President Tramm adjourned the workshop at 2:46 P.M.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF NOVEMBER, 2015.



Rick Moffatt, Board Secretary

