

# LONE STAR GROUNDWATER CONSERVATION DISTRICT

February 9, 2021

## 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 held in person in the Lone Star GCD – James B. “Jim” Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, and remotely via the publicly accessible webinar/telephone conference call within the boundaries of the District on February 9, 2021.

### CALL TO ORDER:

President Hardman called to order the Public Hearing on Permit Applications at 6:00 PM announcing the meeting open to the public.

### ROLL CALL:

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

Jon Paul Bouché  
Harry Hardman  
Jonathan Prykryl  
Larry A. Rogers  
Jim Spigener  
Stuart Traylor

All members of the Board were present, with the exception of Director(s) Traylor, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit “A” to the Regular Board of Directors Meeting minutes.*

### PRAYER AND PLEDGES OF ALLEGIANCE:

President Hardman called on Director Bouché for the opening prayer and Director Rogers to lead the Pledge of Allegiance and the Pledge of Allegiance to the state flag.

### PUBLIC COMMENTS:

No comments were received.

Ms. Reiter briefed the Board on permit applications received for the month. Applications for consideration and recommended for possible approval included the below:

**1. Mike McGuinness**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 100,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**2. T & W water Services (Old Mill Lake)**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 3,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested via issuance of an Operating Permit.

**3. Montgomery County MUD #83**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 20,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**4. Montgomery County MUD #105**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 80,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**5. Montgomery County MUD #137**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 28,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**6. Magnolia Meadows, LLC**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 174,000 gallons for 2020 and 492,000 gallons for 2021 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**7. Crystal Springs Water (Autumn Acres)**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 500,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**8. Crystal Springs Water (Country West/Western Hills)**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 5,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**9. Crystal Springs Water (Ponderosa Pines)**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 5,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**10. Steven Owen**

Applicant is requesting the registration of two new wells (one of which has been approved for emergency approval to drill) and production authorization in the amount of 300,000 gallons for 2021 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**11. Conroe ISD (Moorehead Jr. High)**

Applicant is requesting an amendment to an Operating Permit for drilling authorization only. No additional production authorization is being requested at this time. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**12. Crystal Springs Water (Waukegan Way)**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 10,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**13. Crystal Springs Water (Timberland Estates)**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 20,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**14. Crystal Springs Water (1485 Limited)**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 2,500,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**15. Tom Martin – Highway 59 North Real Estate Venture**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 150,000 gallons for 2020 and annually thereafter. Based on

technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**16. Weisinger Incorporated (City of Patton Village Supply Well)**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 1,000,000 gallons for 2021 only. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

Ms. Reiter reported that there were sixteen applications for this month. Following Ms. Reiter's report, Director Bouché motioned to approve items #1-#16, as recommended by the General Manager. Director Prykryl seconded. Motion passed.

President Hardman adjourned the public hearing on permit applications at 6:03 PM.

**PASSED, APPROVED, AND ADOPTED THIS 9<sup>th</sup> DAY OF MARCH 2021.**

  
Larry A. Rogers, Board Secretary

# LONE STAR GROUNDWATER CONSERVATION DISTRICT

February 9, 2021

## MINUTES OF REGULAR MEETING

The Board of Directors of the Lone Star Groundwater Conservation District (“District”) met in regular session, open to the public, held in person in the Lone Star GCD – James B. “Jim” Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, and remotely via the publicly accessible webinar/telephone conference call within the boundaries of the District on February 9, 2021.

### CALL TO ORDER:

President Hardman presided and called to order the regular Board of Directors meeting at 6:00 PM, announcing that it was open to the public.

### ROLL CALL:

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

Jon Paul Bouché  
Harry Hardman  
Jonathan Prykryl  
Larry A. Rogers  
Jim Spigener  
Stuart Traylor

All members of the Board were present, with the exception of Director(s) Traylor, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".*

### PUBLIC COMMENTS:

Director Hardman shared his appreciation at the interest in water conservation made by so many in the community and expressed by the number of emails and comments already received by the District.

Laura Norton, resident of south Montgomery County, made public comment via ZOOM. For the past couple of years, she has been attending the GMA 14 meetings and voiced concern regarding the region’s water study and selection of a trio of groundwater pumping scenarios that

includes any amount of subsidence. She purported that homes close to Spring Creek would be most affected by a foot of subsidence and result in major damages. She added that her neighbourhood is gathering measurements to use in, what she predicted, future lawsuits. Her assessment pointed to the LSGCD board in bearing responsibility for letting future subsidence occur which would cause major damage to the homes in south Montgomery County.

Neil Gaynor, resident of The Woodlands, presented a graph of PAM 13 Subsidence History. His comments spoke to agenda item #14 and it was his understanding that the LSGCD board intended on eliminating subsidence and compaction as a factor in their DFC determination. He quoted FEMA's National Flood Insurance Program estimate of 2-inch flood water which can cause \$27,000 in damage to a 2,500 sq. ft. one-story home. He requested that the LSGCD board include subsidence as a factor and doing their due diligence to form its DFC. *A copy of the graph of PAM 13 Subsidence History is attached hereto as Exhibit "B".*

Ron Kelling, Deputy General Manager of SJRA, which owns and operates 38 groundwater wells within the District's boundaries. During recent GMA 14 meetings, GRP Review Committee, and the One Water Task Force; the Lone Star GCD representatives referred to their DFC Committee position that made statements opposing any Desired Future Conditions which contain limits on subsidence. He cited a conflicting message and requested that there be more transparency in positions and policies; specifically, DFC factors and groundwater models being considered by GMA 14 that will be discussed at the February 24<sup>th</sup> GMA 14 meeting.

Penny Bradshaw, a resident of The Woodlands, gave comments via ZOOM. She submitted written comments expressing her concern regarding the damage caused by subsidence and requested that the elected board members include subsidence in the DFC formulation used in the Water Management Plan. *A copy of Bradshaw's comments is attached hereto as Exhibit "C".*

John Yoars, a resident of The Woodlands, voiced concern that the DFC subsidence calculations are not accurate, and that future subsidence will greatly damage homes in Kingwood and the area close to Spring Creek. *A copy of Yoars' comments is attached hereto as Exhibit "D".*

Mark Unland, resident of Montgomery County, asked the District to include not only subsidence in determining DFC, but also zero subsidence. He discussed a scenario where one neighbour pumped groundwater which caused another neighbour's home foundation to sink. He offered three suggestions: 1) set the subsidence level at zero; 2) install subsidence monitors throughout the area so subsidence can be detected immediately and 3) revisit the plan as new subsidence models and data come out.

Dr. Shelley Sekula-Gibbs, member of The Woodlands Township board and also on The Woodlands One Water Task Force, acknowledged the hard work and expertise of the District in groundwater conservation and management. Her concern was a comment from LSGCD representative at the One Water Task Force that subsidence would not be a consideration in calculating the DFC and offered support to the inclusion of subsidence in determining the DFC. She stated that USGS has worked for 40 years to research land-surface subsidence and collecting data on groundwater levels and aquifer sediment compaction, referring to the 2017 TWDB Executive Summary on the Study of Vulnerability of Major and Minor Aquifers to Subsidence with regard to Groundwater Pumping in Texas. She related how the reducing of groundwater

pumping in 2016 had a positive impact on aquifer levels and ground sinkage. Conversely, now that there is increased groundwater pumpage, the aquifer levels have begun to fall, and ground levels have begun to sink. She advised LSGCD to use a balanced approach to groundwater management and consider everyone in Montgomery County.

Councilman Duke Coon, representing the City of Conroe, expressed appreciation for the subsidence issues of south county. He proposed a management zone for south county be formed in cooperation with Harris County Subsidence District to tackle this issue. He maintained that the City of Conroe cannot afford pumping of groundwater limited by a subsidence-based DFC.

Carolyn Newman, resident of The Woodlands, addressed the group with concerns over subsidence issues. Also, she cites PO 13 (near Bear Branch Park) and PO 68 as a further concern. She believes their data show a levelling off of subsidence since 2016. She urged LSGCD board to have no rule that allows for subsidence in the district. She urged for the use of the surface water treatment plant and the lake to provide surface water. *A copy of the email comments is attached hereto as Exhibit "E".*

Jonathon Smith, General Manager of Porter Special Utility District, addressed the need for Lone Star and other GMA 14 member districts to adopt management plans and rules designed to mitigate the impact of subsidence on flooding and private property. He desired that Porter SUD join in the discussions and be part of the solution. *A copy of Porter SUD's February 9 2021 letter is attached hereto as Exhibit "F".*

Mark Meinrath, resident of Cochran's Crossing, speaks of personal experience in subsidence damage to his home. He urges the board to regulate the ratio of surface water and groundwater to prevent subsidence. *A copy of Meinrath emails are attached hereto as Exhibit "G".*

Gordy Bunch, Chairman of The Woodlands Township, stated he sent a letter to the LSGCD board but spoke concerning subsidence and living on a fault line, stating he experienced tremendous damage to his home. He advocates that there be steps taken to eliminate subsidence for all of Montgomery County. *A copy of The Township's February 3, 2021 letter is attached hereto as Exhibit "H".*

John Wertz, from Commissioner #2 in The Woodlands, stated it is his understanding that LSGCD handles groundwater and SJRA handles surface water and flooding issues. According to him, it seems that SJRA is the real problem; having over pumped groundwater and under-utilized (30 %) capacity for surface water, rather than with LSGCD's groundwater management.

Mike Stoecker, Lone Star's representative on the SJRA GRP Committee\*, stated he had an orientation meeting the previous week at SJRA's facilities. He displayed a photo with the caption "What do you want for the future of Montgomery County?". He found this to be misleading on the subject of subsidence in Montgomery County as the photo was allegedly not from Montgomery County. He was dismayed at what he believed to be scare tactics used by SJRA with regards to subsidence.

*\*Ms. Reese clarified Stoecker's committee position as that of a representative of investor-owned utilities on the SJRA GRP Committee and not a representative of LSGCD.*

*Ms. Reese clarified that one speaker quoted Texas Law statute and Chapter 36 in regard to standard of subsidence and left out the phrase, "to negligently cause subsidence".*

Webb Melder, citizen and past President of LSGCD board, made comments concerning Run "D" in the Management Plan. He noted that four of the ZOOM commentors stated that when you stop pumping groundwater, subsidence stopped or slowed. He pointed to SJRA as continuing a self-interest campaign of fear and propaganda concerning the sinking of property in Montgomery County caused by subsidence. He referred to the LSGCD unanimous board vote to approve Run "D" in its management plan. Further, he commented that both the Directors of SJRA and The Woodlands Joint Powers Association shared in this vote to approve. He mentioned the GMA 14 and possible county by county DFC approach which he said to avoid setting. *A copy of Melder's comments is attached hereto as Exhibit "II".*

Simon Sequeira, CEO of Quadvest, referred to past LSGCD's board discussions and reports re: forced conversion from groundwater to surface water. He contended that none of these reports ever mentioned subsidence. He cited Larry French's (TWDB Director of Groundwater Resources Division) deposition given that the best available science does not support the notion that compaction is occurring in the Jasper Aquifer. Model projections for future subsidence in Montgomery County are ambiguous. Although the model is capable of predicting subsidence, the TWDB board did not run any models for subsidence because LSGCD did not ask for this information. Sequeira also cites Bill Mullican's admission that the Explanatory Report fails to express land subsidence. Further, some subsidence in Montgomery County could be caused by pumping in Harris County. Sequeira concludes that forced conversion from groundwater to surface water in Montgomery County has nothing to do with subsidence; but is being used as a scare tactic.

One note, several additional comments were submitted via email, and copies made for each director to consider but were not read aloud. *A copy of these comments is attached hereto as Exhibits "I - DD".*

President Hardman departed from the agenda sequence and next addressed Agenda Item #15.

#### **EXECUTIVE SESSION:**

The Executive Session was precluded.

#### **RECONVENE IN OPEN SESSION:**

The meeting proceeded without dismissal for Executive Session.



## **APPROVAL OF THE MINUTES:**

President Hardman stated the Board would consider the meeting minutes as listed for approval on today's agenda. Without further discussion, upon a motion by Director Spigener seconded by Director Prykryl, the Board approved the meeting minutes as presented.

- a) January 12, 2021, Public Hearing on Permit Applications
- b) January 12, 2021, Regular Board of Directors Meeting

## **REVIEW OF UNAUDITED FINANCIALS FOR THE MONTH OF JANUARY 2021:**

Ms. Samantha Reiter reported that for the month of January 2021, income was \$223,833 and expenses were \$61,929 resulting in a net income of \$161,904. Year-to-date net income is \$161,904. Total cash was \$2,667,689.

## **DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY CONCERNING DIRECTOR APPOINTMENT TO FILL VACANCY:**

Director Spigener reviewed the history of the directorship's vacancy for Precinct #2. Director Spigener won the election for Precinct #2 but subsequently moved out of that precinct leaving the vacancy. Solicitations to fill that vacancy went out and the three qualified candidates are Janice Thigpen, Kirk Osborn, and Jeremy Coffey. The bios are in the board packet. Ms. Reese cited the Texas Water Code: Chapter 36, Section 36051C and the by-laws requires the vacancy of an officer to be filled by appointment of the board. Since Ms. Thigpen attended the meeting in person, she briefly introduced herself. Director Rogers motioned to appoint Janice Thigpen to replace the vacant board position. Director Spigener seconded. Motion carried.

## **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON BOARD COMMITTEES AND APPOINTMENT OF COMMITTEE CHAIRS:**

President Hardman recommended tabling this item in light of Ms. Thigpen's appointment.

## **DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY TO AUTHORIZE THE GENERAL MANAGER TO ENTER INTO CONTRACT(S) INCLUDING A CONSULTING SERVICES CONTRACT WITH ADVANCE GROUNDWATER SOLUTIONS, LLC:**

Ms. Reiter reviewed that fact that James Beach left one company to open his own consulting firm, Advance Groundwater Solutions, LLC. She referred to packet information describing the scope of work for which he would be hired. Therefore, she proposed Resolution #21-003 that allows the general manager to enter into contracts for the District that do not impact the budget. Director Spigener motions and Director Prykryl seconds. Motion passes. *A copy of this Resolution #21-003 is attached hereto as Exhibit "EE".*

**PRESENTATION TO RECEIVE AND TAKE ACTION AS NECESSARY ON RESOLUTION #21-001 TO PROCLAIM “NATIONAL GROUNDWATER AWARENESS WEEK IN MONTGOMERY COUNTY:**

Ms. Jennifer Thayer, LSGCD Education and Conservation Coordinator, gave the theme of this year’s groundwater awareness week as “How Will You Speak Up for Groundwater?” allowing for COVID restrictions which are still in place. Her work will include daily social media posts for groundwater awareness and educational drop-offs to local libraries and the Children’s Museum. Director Spigener motioned to adopt Resolution #21-001 and Director Prykryl seconds. Motion passes. *A copy of this Resolution #21-001 is attached hereto as Exhibit “FF”.*

**DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY ON RESOLUTION #21-002 AUTHORIZING EXTENSION OF 2020 PERMITS (EXCLUDING ANY PERMITS IN ENFORCEMENT):**

General Manager, Samantha Reiter, explained that this resolution gives an additional 60-days for staff and consultants to complete the 2020 permits. Director Bouché motioned to adopt Resolution #21-002 and Director Prykryl seconds. Motion passes. *A copy of this Resolution #21-002 is attached hereto as Exhibit “GG”.*

**RECEIVE LEGISLATIVE COMMITTEE REPORT:**

President Hardman apprised the Board that he and Stacy Reese met with Senator Creighton about the District’s legislative concerns. President Hardman noted that Representative Metcalf is no longer on the Natural Resource Committee.

**RECEIVE INFORMATION FROM DISTRICT’S TECHNICAL CONSULTANTS REGARDING SUBSIDENCE STUDIES AND/OR DISCUSSION REGARDING THE SAME:**

- a) Discussion, consideration, and possible action to approve Subsidence Study Phase 2 Scope of Work.

Ms. Reiter stated she had received a revision of the scope of Phase 2, but it has not had time to be shared with the DFC Committee.

**GROUNDWATER MANAGEMENT AREA 14 - UPDATE THE BOARD ON THE ISSUES RELATED TO JOINT PLANNING ACTIVITIES AND DEVELOPMENT OF DESIRED FUTURE CONDITIONS IN GMA 14:**

- a) Discussion, consideration, and possible action on any items related to Lone Star GCD’s proposal(s) to and/or participation in GMA

Samantha Reiter, General Manager, reviewed the January 20<sup>th</sup> meeting citing Bill Hutchison’s (consultant for Bluebonnet GCD), report on Comparison of Measured and

Simulated Drawdown in GMA 14. His conclusion was that all GMA 14 GCD's were on track to achieve their existing DFCs. Specifically, Lone Star was on track with its DFC. Ms. Reiter gave a report on the cost of water in Montgomery County. Next, Wade Oliver gave a report of the "Feasibility of Achieving DFCs and Any Other Information Relevant to the Specific DFC, including, but not limited to, Fault Movement and Groundwater Pumping". Ms. Reiter requested a discussion and review of the DFC Factors and model scenarios among the GMA 14 members which was calendared for the February 24th meeting. There were six public comments including SJRA's presentation on static water levels (which was presented at LSGCD's January Board meeting) residents of The Woodlands and a letter from South County MUD. She mentioned that a copy of the comments made by James Beach from LSGCD's DFC Committee will be attached to GMA 14's minutes. Next month's GMA 14 agenda will require a vote on the GMA 14 statement.

On February 2<sup>nd</sup> Beach, Reese and Reiter met with Lone Star's DFC Committee and developed a report for today's Lone Star's board meeting. Ms. Reese reviewed the timeline of the steps in considering a DFC and INTERA as the consultant. The members of GMA 14 must approve DFCs by May 1, 2021. There will be public hearings at each GCD before the final DFC adoption by January 5, 2022. She itemized the 9 Factors to consider for the Desired Future Conditions. She summarized the reason for the DFC which is to find the balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence. One slide provided a chart of the sequential steps in the DFC process with a projected 90-day minimum of adoption by the GMA 14 voting 5-member GCDs.

Ms. Reese reviewed some of the misconceptions which included the requirement of considering the impacts of subsidence and stated that LSGCD does care about subsidence and is acting responsibly with regards to subsidence. At present, the LSGCD continues to object to having subsidence in DFC statement. *A copy of this presentation is attached hereto as Exhibit "HH".*

Ms. Reiter recommended that the DFC Committee meet more frequently with the consultant to attain a deeper understanding of the DFC.

Director Spigener commented that propaganda directed at staff or LSGCD board slows the board from getting at the truth and making the best decisions in water planning for the whole of Montgomery County. Director Bouché assented his approval of the job the board and Ms. Reiter are doing. Director Prykryl added that the board's focus should go on the offense to squelch the propaganda crusade. Upon discussion, Director Spigener motioned to develop a resolution answering allegations against the board and demanding an apology from SJRA management. Director Bouché seconded motion. Motion carried.

**DISCUSSION OF POSSIBLE ACTION TO ISSUE A SHOW CAUSE ORDER DIRECTING THE FOLLOWING PERMITTEES, OR THEIR DESIGNATED REPRESENTATIVE TO APPEAR AT A SHOW CAUSE HEARING:**

- 1) CWE Utilities – HUP057A/OP03-0015C
- 2) CWE Utilities (Garden West) – OP-14081801

Ms. Reiter explained that there are three permits associated with CWE Utilities. She reported that the 2021 Permit Renewal and the 2021 Water Usage Fees were received, though CWE still have outstanding fees for the 2018 – 2020. Ms. Reiter requested to act on these outstanding fees by having a Show Cause Hearing next month. She and Ms. Reese will continue to work toward compliancy with the permittee. Director Bouché motioned to have general manager move forward in enforcement channels. Director Prykryl seconds. Motion passed.

**GENERAL MANAGER’S REPORT:**

Ms. Samantha Reiter’s communicated several important updates. She discussed correspondence with HARC’s Lisa Gonzales and Stephanie Glenn report on the newly formed Groundwater Science Advisory Committee and Regional Subsidence & Groundwater Research Consortium. That committee was reviewing Lone Star’s Subsidence Study Phase I. Ms. Reiter stated her eagerness to work together with this committee in reviewing Phase I but also on Lone Star’s Outreach program.

She apprised the group of an upcoming presentation to Southern Montgomery County’s MUD discussing Lone Star’s DFC progress.

Further, she updated the board about the Community Impact article in January, which had incorrect information. The article’s author was unable to make the corrections to the hardcopy but was able to make the corrections to the online version of the article. Ms. Reiter intends to work more closely with the author before any future publication.

Lastly, she announced dates for TWCA’s Annual Convention as March 3-5 (virtual) and TAGD’s 10<sup>th</sup> Annual Groundwater Summit (in-person) is August 31- September 2 in San Antonio.

**GENERAL COUNSEL’S REPORT:**

Ms. Reese apprised the Board on about Denbury’s application for an injection well and the subsequent protest that Lone Star will file. Also, there is the Texas Bar Water Law CLE class offered later this week. She will be sharing her paper on the permitting process for these classes and also sharing a survey which taps into the Texas GCD’s information on specific rules questions.

**NEW BUSINESS:**

No new business.

**ADJOURN:**

There being no further business, Director Rogers motioned to adjourn the meeting and Director Spigener seconded. The meeting was adjourned at 9:01 PM.

**PASSED, APPROVED, AND ADOPTED THIS 9<sup>th</sup> DAY OF MARCH 2021.**

  
\_\_\_\_\_  
Larry A. Rogers, Board Secretary



# SIGN IN SHEET

February 9, 2021  
Board Meeting

Do you wish to speak on an agenda item?	NAME	CITY, STATE, ZIP	E-Mail	Would you like to receive LSGCD updates & information?
Yes	John Wertz	Spring, Tx 77382	lsatigah@comcast.net	Yes
yes	Mike Stoeka	Conroe Tx	mike@stoeka.com	
yes	Webb Melder	Conroe, Tx	melderbw@aol.com	yes
NO	Kandice Casets	Montgomery, TX	Kandice@quadrant.com	
yes	Simon Segueira		simon@quadrant.com	
No	Doug Miller	Dinehurst, TX	dfwosh@gmail.com	Y
No	Janice Thigpen	Magnolia tx	janice@janicethigpen.com	

**February 2021 Board Meeting Zoom Online Attendees**

Panelist:

James Beach

Attendees:

Mark Meinrath

John Yoars

Jackie Chance St.

Matt Corley

Eric Yollick

Chuck Profilet

Matt Volna

Carolyn Newman

Mark Unland

Duke Coon

Gordy Bunch

Neil Gaynor

Heather Ramsey-Cook

Oscar Hudnall

Diane Cooper

Shelley Sekula-Gibbs

Laura Norton

Wade Oliver

Todd Stephens

Tina Felkai

Lonnie Harrison

Penny Bradshaw

Eva Vigh

Ron Kelling

Susan Cochran

Jonathan Smith

Jennifer Thayer

Tom Michel

Raymond McDonald

713-416-0789

713-416-9323

936-545-7005



655 Conroe Park North, Conroe, TX 77303  
Ph: (936) 494-3436 Metro: (936) 441-3437  
www.lonestargcd.org

## Speaker Request Form

Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.

Date of Meeting: Feb 9 2021  
Name: LAURA NORTON  
Address: 163 E. PATHFINDERS  
City: THE WOODS State: TX Zip: 77381  
Email: LAURANORTONCPA@GMAIL.COM

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization Not applicable

Speaker's Official Capacity \_\_\_\_\_

Agenda Item No.: 15

- FOR (If applicable)  
 AGAINST (If applicable)

Not applicable

Registering Position, NOT Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please remember to step to the lectern as soon as you are recognized by the chair; state your name before beginning your presentation. If you have written notes you wish to present to the Board, PLEASE FURNISH AN EXTRA COPY FOR DISTRICT FILES.

Please see the back of this comment card for additional procedures, practices and notes followed and/or requested by the District when making public comment.

Thank you for your cooperation.





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## Speaker Request Form

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Date of Meeting: 2/9/2021  
Name: NEIL GAYNOR  
Address: 34 LAKESIDE  
City: THE WOODLANDS State: TX Zip: 77380  
Email: gaynerformud6@gmail.com

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization \_\_\_\_\_

Speaker's Official Capacity \_\_\_\_\_

Agenda Item No.: 14

- FOR (If applicable)  
 AGAINST (If applicable)

Registering Position, NOT Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.**

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Date of Meeting: February 9, 2021

Name: Ron Kelling

Address: 1577 Dam Site Road

City: Conroe State: Texas Zip: 77304

Email: rkelling@sjra.net

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization San Jacinto River Authority

Speaker's Official Capacity Deputy General Manager

Agenda Item No.: 15

- FOR (If applicable)**
- AGAINST (If applicable)**

Registering Position, **NOT** Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

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Please remember to step to the lectern as soon as you are recognized by the chair; state your name before beginning your presentation. If you have written notes you wish to present to the Board, PLEASE FURNISH AN EXTRA COPY FOR DISTRICT FILES.

Please see the back of this comment card for additional procedures, practices and notes followed and/or requested by the District when making public comment.

Thank you for your cooperation.



655 Conroe Park North, Conroe, TX 77303  
Ph: (936) 494-3436 Metro: (936) 441-3437  
www.lonestargcd.org

## Speaker Request Form

**Please ensure that the front of this card is completed if you are wanting to comment or register support for or against a specific agenda item.**

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### Lone Star GCD Public Comment Practices & Procedures

**Public Comments**—limited to 3 minutes each person; time may not be pooled or given to other speakers.

**Note on Public Comments**—The Board will receive comments (limited to 3 minutes from each person) from the public on any matters within the jurisdiction of the Lone Star Groundwater Conservation District, with the exception of pending permitting matters or other contested cases, which are subject to a prohibition on ex parte communication. Such pending permitting matters or contested cases allow for a protest and/or public comment opportunity during the designated hearing on the matter. The Board will not take action on public comments, but may request that matters addressed during public comments be placed on a future agenda for consideration and action in accordance with the Texas Open Meetings Act. The Board will not typically limit the number of speakers on any given topic, but reserves the right to do so if necessary to ensure an efficient and orderly meeting.

**Note on Decorum during Public Meetings, Hearings and Comments**—Members of the public in attendance at any meeting or hearing shall conduct themselves with the proper respect and decorum in speaking to and/or addressing the Board, staff, and/or consultants and participating in the public meeting or hearing. Pursuant to Texas Penal Code § 42.05, purposefully disrupting a public meeting is a violation of state law, and can lead to criminal charges. Those members of the public who do not conduct themselves in an orderly and appropriate manner and/or engage in disruptive conduct will be ordered to leave the meeting or hearing. Disruptive conduct, and profane, insulting or threatening language directed toward any person or racial, ethnic, or gender slurs or epithets will not be tolerated during public comments. Disruptive conduct includes without limitation physical violence or threat of physical violence, throwing objects, yelling, talking out of turn, using and/or making obscene gestures, ignoring time limits, refusing to leave the microphone, and/or any other obstructive physical action or verbal utterance.

Violations may result in the following sanctions:

- (1) cancellation of a speaker's remaining time;
- (2) removal from the Board meeting; and/or
- (3) such other civil or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

**Lone Star Groundwater Conservation District**  
655 Conroe Park North, Conroe, TX 77303  
Phone: (936) 494-3436 Metro: (936) 441-3437  
www.lonestargcd.org

## Speaker Request Form

If you are planning to present Public Comment online or in person, please email the information requested below to Jennifer Thayer at [jthayer@lonestargcd.org](mailto:jthayer@lonestargcd.org) and Samantha Reiter (General Manager) at [sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org) prior to the meeting.

Date of Meeting February 9, 2021  
Name Penny Bradshaw  
Address (City, State, Zip) 10 W Trace Creek Dr, The Woodlands 77381  
Your Email plpjbradshaw@gmail.com

**IF SPEAKING FOR AN ORGANIZATION:**

Name of Organization N/A  
Speaker's Official Capacity Resident of Montgomery County

Agenda Item No. - N/A

- FOR (If applicable) - N/A
- AGAINST (If applicable) - N/A

Registering Position, **NOT** Testifying

To speak on an item not listed on the agenda, please indicate area of interest:

Subsidence in communities within Montgomery County due to over pumping of aquifers and the Lone Star board now taking the stance that they are unwilling to consider subsidence as one of the 9 factors when determining DFCs.

**From:** John Yoars <[jyoars@comcast.net](mailto:jyoars@comcast.net)>  
**Sent:** Saturday, February 6, 2021 1:19 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Subject:** My comments for Feb 9 BOD Meeting

I will be on line to read these comments.



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Ph: (936) 494-3436 Metro: (936) 441-3437  
www.lonestargcd.org

## Speaker Request Form

Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.

Date of Meeting: 2/9/2021  
Name: MARK UNLAND  
Address: 143 QUIET OAK CIRCLE  
City: SPRING State: TX Zip: 77381  
Email: MMUNLAND@AOL.COM

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization \_\_\_\_\_

Speaker's Official Capacity \_\_\_\_\_

Agenda Item No.: 15

- FOR (If applicable)  
 AGAINST (If applicable)

Registering Position, NOT Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please remember to step to the lectern as soon as you are recognized by the chair; state your name before beginning your presentation. If you have written notes you wish to present to the Board, PLEASE FURNISH AN EXTRA COPY FOR DISTRICT FILES.

Please see the back of this comment card for additional procedures, practices and notes followed and/or requested by the District when making public comment.

Thank you for your cooperation.



655 Conroe Park North, Conroe, TX 77303  
Ph: (936) 494-3436 Metro: (936) 441-3437  
www.lonestargcd.org

### Speaker Request Form

FAX 936-494-3978

Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.

Date of Meeting: February 09, 2021  
Name: Dr. Shelley Sekula-Gibbs  
Address: 67 Lakeside Cove  
City: The Woodlands State: TX Zip: 77380  
Email: ssekulagibbs@thewoodlandstowship-tx.gov

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization The Woodlands Township / One Water Task Force, Alternate Chair  
Speaker's Official Capacity Board Director

Agenda Item No.: 14 + 15

- FOR (If applicable)
- AGAINST (If applicable)

Registering Position, NOT Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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www.lonestargcd.org

## Speaker Request Form

Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.

Date of Meeting: 2/9/2021

Name: Duke Coon

Address: \_\_\_\_\_

City: Conroe State: TX Zip: 77305

Email: \_\_\_\_\_

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization City of Conroe

Speaker's Official Capacity Conroe City Councilman

Agenda Item No.: \_\_\_\_\_ Subsidence

- FOR (If applicable)  
 AGAINST (If applicable)

Registering Position, NOT Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Speaker Request Form

Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.

Date of Meeting: 2/9/21  
Name: Carolyn Newman  
Address: \_\_\_\_\_  
City: The Woodlands State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_

### IF SPEAKING FOR AN ORGANIZATION:

Name of Organization \_\_\_\_\_  
Speaker's Official Capacity \_\_\_\_\_  
Agenda Item No.: \_\_\_\_\_ Subsidence

- FOR (If applicable)  
 AGAINST (If applicable)

Registering Position, NOT Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Speaker Request Form

**Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.**

---

Date of Meeting: February 9, 2021

Name: Jonathon Smith

Address: 22162 Water Well Road

City: Porter State: TX Zip: 77365

Email: jsmith@portersud.com

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization Porter Special Utility District

Speaker's Official Capacity General Manager

Agenda Item No.: 15

- FOR (If applicable)**
- AGAINST (If applicable)**

Registering Position, **NOT** Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

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Please remember to step to the lectern as soon as you are recognized by the chair; state your name before beginning your presentation. If you have written notes you wish to present to the Board, PLEASE FURNISH AN EXTRA COPY FOR DISTRICT FILES.

Please see the back of this comment card for additional procedures, practices and notes followed and/or requested by the District when making public comment.

Thank you for your cooperation.



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www.lonestargcd.org

## Speaker Request Form

Those wanting to comment or register support for or against a specific agenda item are asked to fill out the Speaker Request Form.

Date of Meeting: 2/9/21  
Name: Grady Bunch  
Address: 2801 Technology Forest Blvd.  
City: The Woodlands State: TX Zip: 77381  
Email: GBunch@the-woodlands-township-tx.gov

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization The Woodlands Township

Speaker's Official Capacity Chairman

Agenda Item No.: #14, #15

- FOR (If applicable)  
 AGAINST (If applicable)

Registering Position, NOT Testifying \_\_\_\_\_

To speak on an item not listed on the agenda, please indicate area of interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Thank you for your cooperation.

## Exhibit "B"

Comments by Neil Gaynor at LSGCD regular meeting, February 9, 2021.

Thank you, my name is Neil Gaynor, and I am a resident of The Woodlands. My public comments today concern item 14 on the meeting agenda.

It is my understanding that the LSGCD board is intent on eliminating subsidence due to aquifer compaction as a factor in their DFC determinations. However, subsidence data indicates that aquifers in the region may exhibit more sensitivity to compaction due to groundwater pumping than is currently accepted.

This graph shows measured subsidence over time at the PAM 13 site in The Woodlands. To make the trends clearer, I have used a moving average on the data (the results are shown as blue and green dots). Two subsidence trend lines through these points (the black and reddish-brown lines) are self-evident: the subsidence rate is 1.8 cm/year when pumping groundwater only, and 0.4 cm/year with conjunctive use of groundwater and surface water. Lower groundwater pumping has reduced the subsidence rate over fourfold.

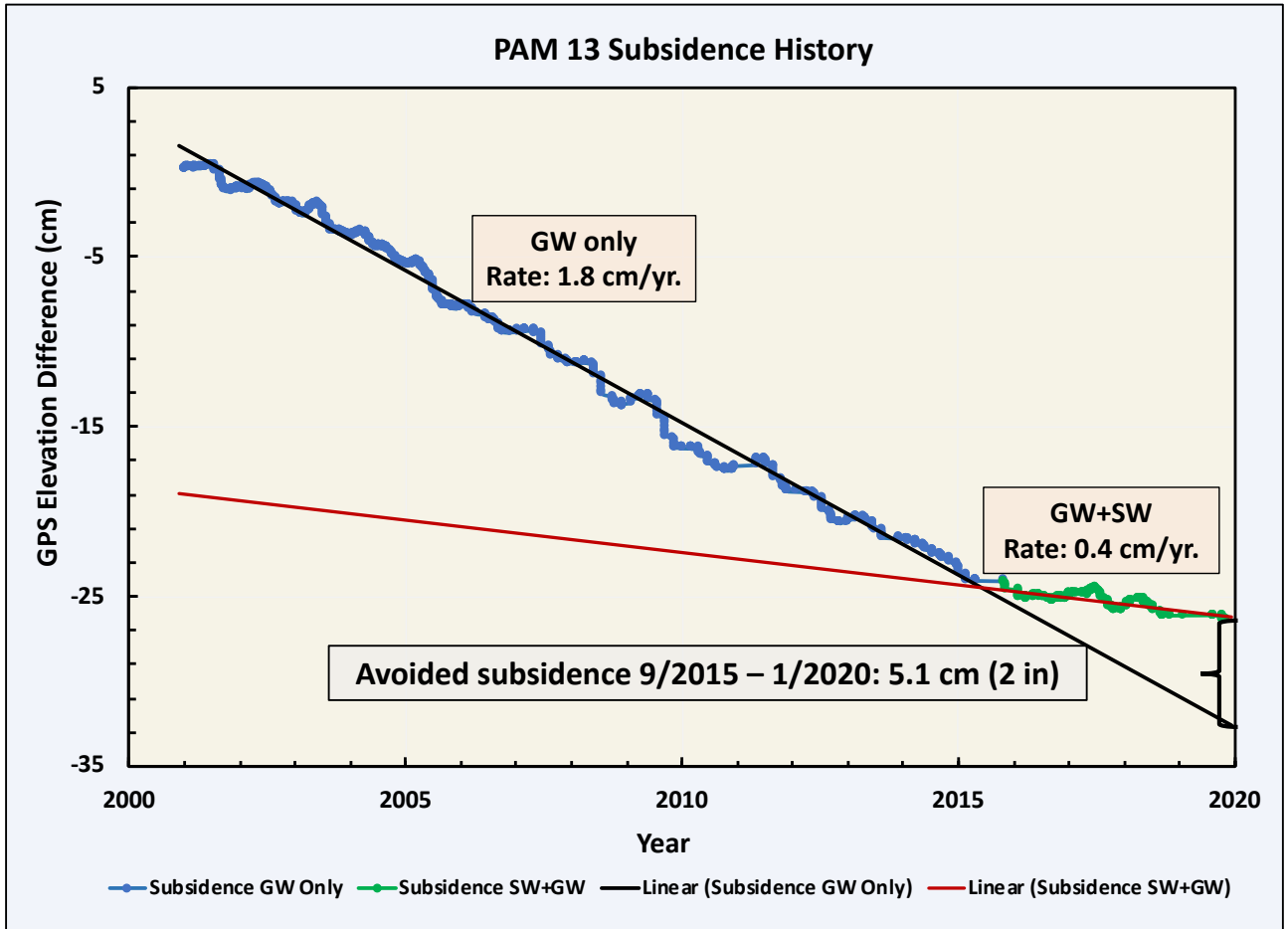
What is also important, there is no significant time delay for reduced subsidence after lowered groundwater pumping. It is very probable that the compaction characteristics in these aquifers are particularly sensitive to changes in fluid pressures related to groundwater pumping rates.

The graph also shows the amount of avoided subsidence after the start of conjunctive use of two water sources versus groundwater alone. I estimate avoided subsidence at the PAM 13 site, from late 2015 to the start of 2020, to be 5.1 cm or 2 in.

Although this number may not be significant to some, any amount of subsidence increases the flood risk for people near major water courses and floodplains. According to FEMA's National Flood Insurance Program, flood water of 2 in. in depth will cause nearly \$27,000 in damage to a 2,500 sq. ft. one-story residence. I urge that the board consider such matters in their deliberations.

I request that the LSGCD board include subsidence as a factor in conducting their due diligence concerning DFCs for managing groundwater resources.

Thank you for your time and attention.



Penny Bradshaw – 02.09.2021

Texas follows the Rule of Capture, first adopted by the Texas Supreme Court in 1904, which states that groundwater is considered the private property of the landowner with the legal right to withdraw as much groundwater from beneath their land as they can capture - often referred to as the law of the biggest pump. Since its adoption, most court rulings have sided with landowners because private property rights receive constitutional protection under federal and state law as it relates to groundwater pumping.

However, Texas courts have also ruled that landowners cannot pump an unlimited amount of water when withdrawn 1) for malicious purposes; 2) in a wasteful manner; or 3) if such **conduct is the cause of *subsidence* of the land of others.**

The Rule of Capture is also subject to two legislative restrictions. The amount of groundwater a landowner can capture may be restricted when:

1. The water is from the underflow of a river; or
2. is regulated by a Groundwater Conservation District.

Groundwater Conservation Districts are the state's preferred method of groundwater management to protect property rights, and GCDs are charged with following the best available science to balance the conservation and development of groundwater to meet the needs of the population, and to ***control subsidence*** caused by the withdrawal of water from the aquifers.

Many residents in our county were devastated by flooding during Hurricane Harvey, exacerbated by subsidence. Property damage from fault line shifting is now shown to have a direct correlation to subsidence from over pumping. Although surface is available in our county, groundwater is a cheaper, more lucrative solution for private property owners who now refuse to utilize surface water in their mix - to the detriment of protecting the limited water in our aquifers and **causing *subsidence* of the land of others.**

117 years since its adoption, the Rule of Capture continues to be an archaic rule in our modern times as population needs continue to grow. Suggestions to revise or replace the Rule of Capture have come from landowners, interest groups, citizens, water officials and even some legislators. And one thing is certain: if residents continue to be complacent and not voice their concerns, and no consensus emerges from among the many politically active water stakeholders and interest groups, the legislature will continue to be reluctant to make major changes to the Rule and, under that rule, we will continue to see more subsidence and there will be little water left in our aquifers for future generations.

Exhibit "C"

After analysis of three DFC scenarios were completed, all of which were supported by the Lone Star board, why are they now taking the position that they cannot support a DFC statement which includes consideration for subsidence in their water planning process?

I am here to express my concerns regarding the irreversible damage caused by subsidence and over pumping and respectfully request that my elected Lone Star Board members include the impact of subsidence as one of the 9 factors when determining DFCs in their Water Management plan.

## LSGCD PUBLIC COMMENTS 2-9-2021

My name is John Yoars, a resident of The Woodlands Texas. I have the following comments for the Board of LSGCD tonight.

Early this past year the GMA -14 members, of which LSGCD is a voting member, selected three options for setting the DFC's starting in 2022. These three options have set a maximum subsidence of one foot as a boundary in their evaluation criteria. In fact, the three options have predicted average Montgomery County subsidence values of 0.35 to 0.61 feet.

We have now heard from the LSGCD BOD and others that they want no subsidence limit to be included in the agreed to DFC by GMA -14.

How can this Board rely in comfort on these DFC subsidence estimates knowing that, 1) the subsidence calculations are based on invalid Jasper Aquifer Compaction data, (Well Known) 2) the belief that the "Average County Subsidence" is an acceptable future target, (Clearly Wrong) 3) the LSGCD Boards belief that are inadequate points of subsidence measuring sites in the County to establish a basis to control? (That's just not true.)

I think the LSGCD is not using a science-based approach to this issue based on one simple fact. The DFC predicted for Run D, which his board has continued to promote, has an average predicted county wide average subsidence of 0.61 feet but in the lower south eastern section of the county that subsidence is predicted to be between 3 and 4 feet. More accurate Jasper factors will show this is underestimated.

Explain to those residents as well as Kingwood, all who live near Spring Creek, how the lowering of their home elevations by 2-4 feet is in their best interest! Montgomery County Precinct 3 needs to look at what this elevation changes causes to the road and drainage infrastructure they are accountable for.

Thank You,



Exhibit "E"

**From:** Carolyn Newman <[carolyn.newman99@gmail.com](mailto:carolyn.newman99@gmail.com)>  
**Sent:** Wednesday, February 3, 2021 10:38 AM  
**To:** [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Cc:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Subject:** Subsidence

Mr. Rogers,

I have been paying more attention to groundwater issues lately, and am concerned about subsidence. I've lived in the greater Houston area since the 70s and recall the Baytown area severe problem and also on the NW side around Jersey Village. We need to manage our aquifers sustainably and avoid the slow-moving catastrophe of subsidence. I want subsidence to be a consideration in the Groundwater District Management Plan.

Property rights to me means the right to have my property kept sound and not have my foundation crack or my house subjected to flooding because fault lines have shifted and rainwater flows altered.

I would like my email read at the next board meeting.

Also, I'm forwarding the below email because there is word about that "no member of the public has brought up the topic of subsidence at any board meeting". Not sure which board, and I cannot cite a source on that statement, but I assure you there is much public concern about subsidence.

Ms. Reiter, I would like you to confirm that my comment sent to you last September was provided to the LSGCD board.

Thank you  
Carolyn Newman  
The Woodlands

----- Forwarded message -----

**From:** Carolyn Newman <[carolyn.newman99@gmail.com](mailto:carolyn.newman99@gmail.com)>  
**Date:** Wed, Sep 2, 2020 at 1:20 PM  
**Subject:** Sept 8 meeting public comment  
**To:** <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>

Ms Reiter,

Is the Sept 8 meeting accessible by phone or Zoom? If so, please let me know how I can give a public comment.

I'm very concerned about the new groundwater management rules that I understand are to be voted on. The primary responsibility of LSGCD should be to manage the groundwater for future generations. Increased groundwater pumping especially at a rate that exceeds the replenishment rate, results in subsidence, shifting fault lines and changes to normal drainage ways thus potential flooding where it didn't used to flood.

## Exhibit "E"

I encouraged the Board to protect the area's aquifers and prevent the sinking that causes flooding and damage to our homes. With population growth rising in Montgomery County, this board should be looking to future planning and consider the use of increased surface water and less excessive groundwater drawdowns for future potable water needs throughout the county.

Carolyn Newman  
The Woodlands, TX

Exhibit "E"

**From:** Carolyn Newman <[carolyn.newman99@gmail.com](mailto:carolyn.newman99@gmail.com)>  
**Sent:** Monday, February 8, 2021 4:56 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Cc:** Larry A. Rogers <[lrogers220@aol.com](mailto:lrogers220@aol.com)>  
**Subject:** Re: Subsidence

Ms Reiter and Mr Rogers,

I intend to add a bit to my comments, related to subsidence meter PO68, comparing that to the meter data PO13 that is often shared with the public. PO13 shows some levelling off of subsidence since 2016, while PO68 does not appear to show any leveling off. This was shared at the last MUD46 meeting. "See you" tomorrow. Thank You.

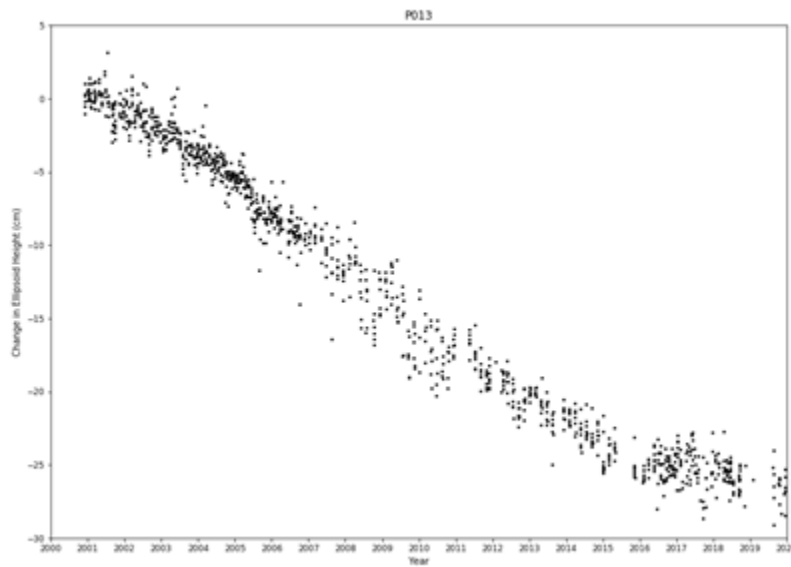
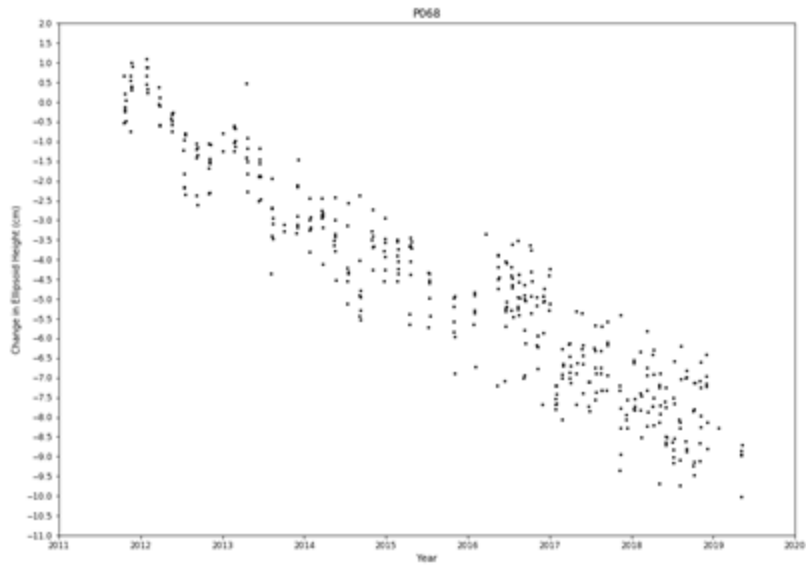


Exhibit "E"





## Porter Special Utility District

22162 Water Well Road

Porter, Texas 77365

Office: (281) 354-5922

Fax: (281) 354-5050

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February 9, 2021

***Via Email***

Board of Directors  
c/o Ms. Samantha Reiter, General Manager  
Lone Star Groundwater Conservation District  
655 Conroe Park North Drive  
Conroe, Texas 77303

RE: Desired Future Conditions – Subsidence

Dear Board of Directors:

My name is Jonathon Smith, and I am the General Manager of the Porter Special Utility District, the third (3rd) largest groundwater producer in Montgomery County. This letter is written in response to comments by Lone Star Groundwater Conservation District ("Lone Star") representatives at the January 20, 2021 Groundwater Management Area 14 ("GMA 14") meeting. During this meeting, Lone Star categorically rejected including statements on subsidence in GMA 14's Desired Future Conditions (the "DFCs").

As you know, subsidence is the decrease in land-surface elevation caused by aquifer compaction due to long-term groundwater withdrawals. Given the levels and rates of aquifer drawdown contemplated to be allowed by the DFCs currently under consideration by GMA 14, subsidence will occur in Montgomery County. Porter SUD is concerned that Lone Star's position on groundwater regulation generally, and subsidence specifically, will endanger the long-term growth and vitality of Montgomery County by limiting the long-term availability of drinking water, exacerbating flooding, and causing wide-spread damage to private property.

In essence, by rejecting any and all statements on subsidence, Lone Star's position is that no amount of subsidence should require Lone Star to adopt regulations to curb its impact. In order to take this position, Lone Star should be able to predict with a significant degree of certainty the amount of subsidence that will result from the DFC statements Lone Star desires and the impact the resulting subsidence will have on flooding and private property. However, we all know:

1. Lone Star has rejected the subsidence studies previously performed by experts like the United States Geological Survey, Harris Galveston Subsidence District, and others because it did not like the conclusions of those studies;

Exhibit "F"

2. Lone Star's own subsidence study is still a work in progress, so this study cannot form the basis of Lone Star's current position; and
3. the kind of certainty that would justify Lone Star gambling Montgomery County's economic future does not exist in the world of groundwater and subsidence modeling.

On the other hand, we also know that aquifer drawdown causes subsidence, and subsidence contributes to flooding and damages private property. As a result, Porter SUD believes Lone Star and other GMA 14 member districts should adopt management plans and rules designed to mitigate the impact of subsidence on flooding and private property. Therefore, Porter SUD strongly encourages Lone Star to support, and not oppose, including statements on subsidence in GMA 14's DFCs.

Thank you for allowing Porter SUD to address this important issue for Montgomery County's future. Porter SUD looks forward to learning more about Lone Star's future plans to adopt a science-based approach for its groundwater regulations. To that end, as I have stated in the past, Porter SUD desires to be part of the solution, and is willing to provide space for PAM and/or CORS devices to be installed at its plant sites.

Best regards,



Jonathon Smith  
General Manager

Exhibit "G"

**From:** mark meinrath <[mmeinrath@comcast.net](mailto:mmeinrath@comcast.net)>

**Sent:** Tuesday, February 9, 2021 3:48 PM

**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [lrogers220@aol.com](mailto:lrogers220@aol.com); Harry Hardman <[hhardman@lonestargcd.org](mailto:hhardman@lonestargcd.org)>; Jon Paul Bouche <[jbouche@lonestargcd.org](mailto:jbouche@lonestargcd.org)>

**Cc:** Jace Houston <[jhouston@sjra.net](mailto:jhouston@sjra.net)>; [mturco@subsidence.org](mailto:mturco@subsidence.org); Wade Oliver <[woliver@intera.com](mailto:woliver@intera.com)>; John Martin <[jmartin@setgcd.org](mailto:jmartin@setgcd.org)>

**Subject:** Subsidence and Faulting in Cochrans Crossing Updated for February 9th

Samantha and Larry,

I am writing LSGCD again to support my public comments this evening and to add an additional slide to my original letter to LSGCD at your September meeting.

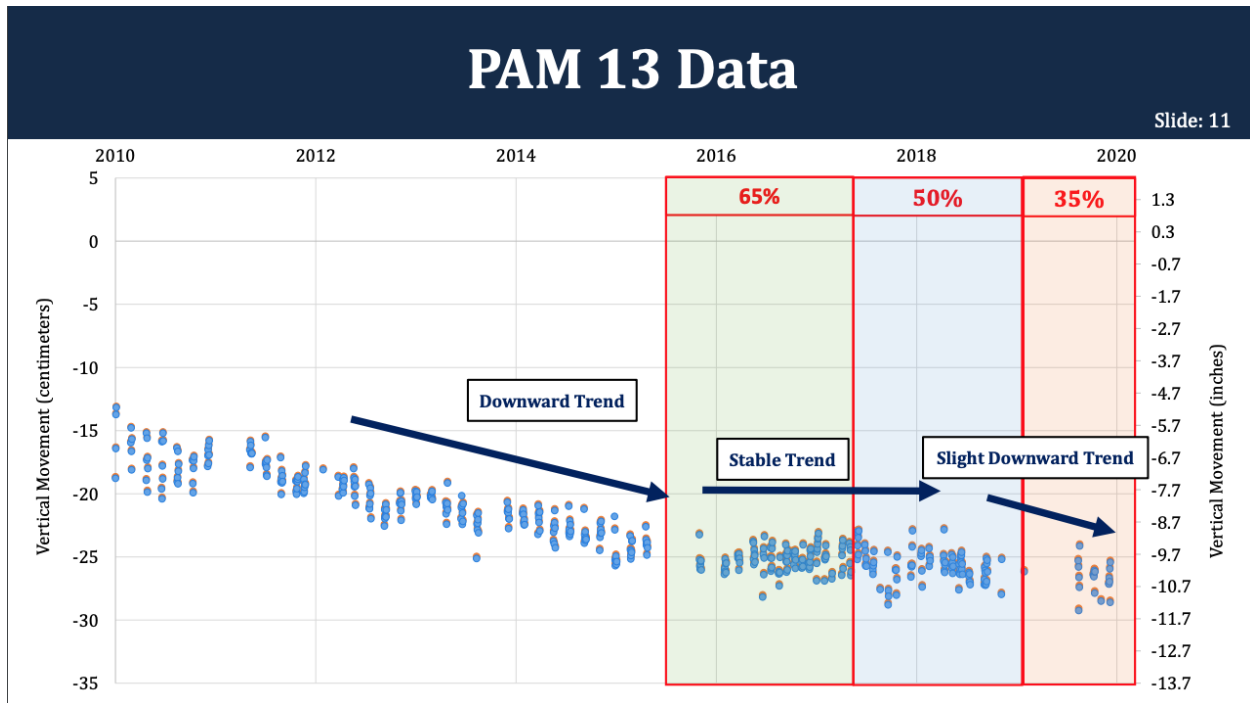
From the time my house was constructed on the Panther Branch Fault in Cochrans Crossing in 1992, it began sinking on its northwest corner into my front yard at the rate of 0.5 inches per year, and did so until the GRP pipeline began operation in 2015. When the GRP pipeline became operational in 2015, the rate of elevation loss became almost zero—less than .05 inches every 5 years, instead of every year. From 2000 to 2015, the elevation at PAM-13, located a couple of blocks east of my house, showed an identical elevation decline of 0.5 inches per year until the GRP pipeline became operational, and then the rate of elevation loss became almost zero, less than 0.5 inches over 5 years.

Cumulatively, I have had to have my house re-leveled three times before the GRP pipeline became operational. When the GRP pipeline became operational, my house stopped dropping into my front yard. Recent changes in the ratio of surface water to groundwater toward less surface water appear to be slowly decreasing water tables and elevations at PAM-13. In the past year, I have noticed a return to cracks around windows and sticking doors characteristic of my pre-GRP experience.

If LSGCD establishes a criteria where one foot of surface subsidence at PAM-13 is tolerated before groundwater pumping is throttled back, you are going to be able to stand in the street in front of my house and see the 20+ foot deep concrete pilings that hold the front of my house level with the back, underneath my foot this post-tension foundation.

Who among the GMA-14 members would is more responsible for the destruction of my house: SJRA who has kept it afloat with the GRP, but is lowering the surface water ratio as a result of capacity, or LSGCD for exploiting the aquifers that we all in southern Montgomery County share for lowering the surface water ratio, or GMA-14 for not regulating the ratio of surface and groundwater to prevent subsidence?

Slide prepared by SJRA showing differential effect of changing the ratio of Surface Water to Ground Water on subsidence at PAM 13



Begin forwarded message:

**From:** Mark Meinrath

**Subject:** Tour Finally: Subsidence and Faulting in Cochrans Crossing

**Date:** September 3, 2020 at 10:13:30 AM CDT

**To:** Samantha Reiter, Larry Rogers

**Cc:**

Samantha and Larry Rogers,

Thank you again for your time. I gratefully appreciate the opportunity to address Lonestar. Is Lonestar the right organization for me to be talking to?

I am concerned that toward the end of the presentation, when asked about my "ask" of Lonestar in delivering this presentation to you, I pointed out that over the last 20 years subsidence appears to have had almost a 1-to-1 effect on my foundation. As those of us who live on faults in The Woodlands have noticed, fault damage has almost stopped with the opening of the GRP pipeline. Given this data, presumably subsidence in this area will return, as pre-GRP pumping rates return. If the surface of Cochrans Crossing is allowed to subside a foot or so locally before ground water extraction were throttled back, it would clearly damage my house beyond repair—geologic damage is not covered by homeowner insurance policies. Instead of my sidewalk sitting one foot below my front door, it would sit two feet below my front door, and from the front of my house you would be able to look under my foundation and see the top of 20-foot pilings holding my two story brick house up in the air. There are at least a dozen other houses valued at \$450,000+ each sitting on faults like mine in the Cochrans Crossing area that were part of a recent lawsuit. (I was not a party to this suit and my house is not among these \$450,000 homes. Because the Montgomery County Appraisal District has recognized that my house sits on an active fault and so has cut the taxable value of my house to less than a fourth of



## Exhibit "G"

comparables in my neighborhood). But, more important is the effect that a foot of elevation change would have at the entrance to the Woodlands High School. To describe the risk more concretely, I pointed you to a 28 inch water break on the UCLA Campus in 2014 ( <https://www.youtube.com/watch?v=pKg-kePQfH4> ). The GRP is almost twice the diameter of the GRP pipeline under the entrance to the high school. Now that the GRP pipeline is a fact in the ground, the total cost of unconstrained subsidence could have on Cochran's Crossing Village in terms of costs to life and residential property due to the fault damaging the GRP pipeline and the sudden release of 10's of millions of gallons of water in a column of water 20 to 30 feet high, under the entrance to The Woodlands High School, should represent a serious concern to the entire tax base of Montgomery County, all residents of The Woodlands, CISD, the County Commissioner, the Township, the Water Board, and I presume Lonestar?

Larry, Jon, and Harry spoke as if there is not a solid understanding of whether subsidence is more of a local phenomenon or a regional one; to which, I asserted that SJRA, UNAVCO, the Harris-Galveston subsidence District, and SMU and NASA have amassed 20 years worth of subsidence data on the Cochran's Crossing location, and SJRA and I have identified the Panther Branch Fault as a highly probable candidate to empirically determine if early increases in ground water withdrawal are reflected in predictable changes in differential ground movement at the fault line that crosses the GRP pipeline. I assert, as I did at the end of the presentation, that the Panther Branch Fault could inexpensively and reliably serve as a laboratory for examining regional fault-subsidence relationships as well. My presentation is not based on politics, idle speculation or intuition, but rather on data from instrumentation of an active fault line. With CORS stations at each of the three known faults in Cochran's Crossing, this lab could uniquely serve Lonestar as the basis to study spatial relationships between faults, ground water monitoring stations in the area, and elevation data from LIDAR, INSAR or other remote sensed data. Setting up a similar facility from scratch by each of your organizations would be incredibly expensive both in terms of time and money. Therefore, I would ask that someone simply try to instrument and monitor the Panther Branch Fault in front of the The Woodlands High School to see if it proves useful in a mere year or so in predicting the effects of groundwater removal on fault differential elevations, before expanding to the Jones and Big Barn faults.

Lastly, I would propose that all of the folks copied on this message consider working with CISD or Lonestar Community College and/or Texas A&M or University of Houston to develop a professional curricula in **geodesy, spatial positioning, and navigation** that could provide you all in year two or three with a local and reasonably low cost professional labor pool to sample, study and monitor elevation and tectonic changes in all of Montgomery County. We have successfully established one of the best CORS monitoring sub-network setups for studying regional subsidence and faulting in the Nation right here in Cochran's Crossing. I was thinking that now that we have demonstrated a relationship between subsidence and our ability to measure it in fault movement, Lonestar would be a natural to develop and refine this subsidence laboratory.

Thank you all very much for your time and attention to the Panther Branch Fault!

Mark Meinrath, PhD (not in earth sciences)  
Resident of Cochran's Crossing and living on the Panther Branch Fault since 1992  
713-46-9323

Exhibit "G"





February 3, 2021

Mr. Harry Hardman  
President  
Lone Star Groundwater Conservation District  
655 Conroe Park North Drive  
Conroe, TX 77303

Dear President Hardman,

The Woodlands Township appreciates the work of the Lone Star Groundwater Conservation District (LSGCD) in managing groundwater resources in Montgomery County. The Township has keenly followed the work of the LSGCD and other stakeholders in Groundwater Management Area 14 (GMA 14) as you work to establish Desired Future Conditions (DFCs) for groundwater use. As such, The Woodlands Township Board of Directors shares its deep concern that the LSGCD has expressed that it cannot accept a DFC statement for subsidence in Montgomery County.

The creation of the LSGCD in 2001 by the Texas Legislature, and approval by the voters, was a recognition of the decline in county aquifer levels and the need to reduce the impacts of significant groundwater use. Subsequently, in response to LSGCD rules the Township, the City of Conroe and many other stakeholders joined collaboratively to reduce the impacts of an over-reliance on groundwater by adoption of a groundwater reduction plan incorporating additional use of surface water.

Historic data collection demonstrates that southern Montgomery County has experienced significant subsidence linked to groundwater use. Data collected since the 2015 transition to surface water demonstrates a reduction in the rate of subsidence as groundwater use declined. Further, additional study by various experts seems to demonstrate a correlation between groundwater use and fault line activation in the immediate area. Like with subsidence, the reduced use of groundwater has resulted in less fault line activity.

In 2016, our Board created The Woodlands Township Drainage Task Force in response to resident concerns over flooding along Spring Creek during the Tax Day and Memorial Day storms. The Task Force continued following Hurricane Harvey. The Task Force, which is now comprised of over 35 stakeholder entities, was recently renamed the One Water Task Force widening its scope of interest to include groundwater use, subsidence and related issues. One Water members recognize that mitigating flood risks for southern Montgomery County requires a balanced approach to groundwater use that does not intensify subsidence.

The Township Board of Directors hopes that the LSGCD will fully acknowledge the detrimental impacts of subsidence and the increased risks of flooding, fault line activation and potential loss of property to the residents of southern Montgomery County associated with an over reliance on groundwater. Instead, we encourage the LSGCD to take a slow, measured, monitored approach in determining appropriate groundwater use levels by first adopting DFCs that fully account for subsidence.

Lone Star Groundwater Conservation District

February 3, 2021

Page 2

Again, thank you for your work on these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordy Bunch". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gordy Bunch

Chairman

The Woodlands Township

Cc: Groundwater Management Area 14, Mr. John Martin, Chairman

Exhibit "I"

**From:** Sheila Bazill <[sheila\\_bazil@yahoo.com](mailto:sheila_bazil@yahoo.com)>  
**Sent:** Monday, February 8, 2021 5:24 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Subject:** Subsidence Inclusion

As you are my elected officials, I am requesting that subsidence be included as a component of the Water Management Plan for the 2022 State Water Plan.

Thank you.

Sheila Bazil  
38 Lilac Ridge Place  
Conroe, TX 77384

Exhibit "J"

-----Original Message-----

From: Sylvia Campbell <[bobnsyl@gmail.com](mailto:bobnsyl@gmail.com)>

Sent: Tuesday, February 2, 2021 6:20 AM

To: [lrogers220@aol.com](mailto:lrogers220@aol.com)

Cc: Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>

Subject: Our Groundwater Management

Dear Director Rogers,

I live in Montgomery County and am concerned about the depletion of our aquifers. I urge you to consider the issue of subsidence and groundwater depletion when developing the Groundwater District Management Plan. Subsidence has already damaged homes and infrastructure in and beyond Montgomery County, and it will continue to worsen as we over pump our aquifers. We owe it to our children and succeeding generations preserve this natural resource and to prevent further damage throughout the regions.

Sincerely,  
Sylvia Campbell  
77381

From: [bruce.cunningham@gmail.com](mailto:bruce.cunningham@gmail.com)

To: [lrogers220@aol.com](mailto:lrogers220@aol.com)

Sent: 2/9/2021 1:46:20 PM Central Standard Time

Subject: Lone Star Groundwater District, Public Comments

Dear Mr. Rogers,

Dear Mr. Rogers,

I am a resident of Grogan's Mill and have followed what is happening with the district since before it converted from an appointed board to an elected one. I would appreciate it if you would have the following read into the minutes of the February meeting.

"Individual property rights are something most Texans believe in. They also believe in fair dealing and honest governance. There is a fundamental belief in the virtue of the people elected to office. Before wasting time talking about property rights we should talk about why some of these decisions are made. I think residents would be insulted and angry if they found out how the 'appointed' District was converted to an "elected" one and then how the Restore Affordable Water PAC (RAW) funded yours and five of the other district members' campaigns. They would be even more irritated if they found out that Mr. Simon Sequeira, owner of Quadvest, was the principal funder of RAW. Lets go back to using the science we have and include subsidence as one of the measures in determining the withdrawal of groundwater.

--

Bruce Cunningham

Exhibit "L"

-----Original Message-----

From: Betty Daugherty <[betteleemc@gmail.com](mailto:betteleemc@gmail.com)>

Sent: Tuesday, February 9, 2021 9:04 AM

To: Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>

Subject: Subsidence criteria in water plan

Ms Reiter:

Please include this email in the minutes of the Feb 9 , 2021 meeting tonight to provide documentation of community concern over subsidence being included as a factor in the water plan. You have seen lots of data documenting reasons for our community to be concerned. I have recently seen some of that data as well. Also have seen property that is shifting causing damage, and road issues as well.

Thank you for your time and distribution of this comment.

Sincerely,

Betty Daugherty

Director MUD 60

Sent from my iPhone



Exhibit "M"

**From:** sherri duchin <[sd02@sbcglobal.net](mailto:sd02@sbcglobal.net)>  
**Sent:** Sunday, February 7, 2021 8:48 AM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Subject:** Including subsidence in regulations

Dear Director Rogers and General Manager Ms. Reiter,

I am a resident of The Woodlands and have recently become more aware of the critical role of the Lonestar Groundwater Conservation District in our area.

My understanding is that the issue of subsidence currently is not a factor in the Board's regulatory plan for how much groundwater can be pumped in our district.

Please urge the Board to include subsidence as part of the regulations. Monitoring data shows subsidence is an issue in The Woodlands/Montgomery County. Subsidence damages homes and infrastructure, and subsidence impacts fault lines which can affect water quality.

I understand there are tradeoffs in the costs to water consumers in groundwater versus surface water. However, the insidious damage that subsidence causes is much more expensive in the long term.

Sincerely,  
Sherri Duchin

Exhibit "N"

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**From:** [robertlux@comcast.net](mailto:robertlux@comcast.net) <[robertlux@comcast.net](mailto:robertlux@comcast.net)>

**Sent:** Monday, February 8, 2021 4:48 PM

**To:** [lrogers220@aol.com](mailto:lrogers220@aol.com); Jim Spigener <[jspigener@lonestargcd.org](mailto:jspigener@lonestargcd.org)>

**Cc:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>

**Subject:** LSGCD Board of Directors meeting, Public Comments, February 9, 2021

Mr. Rogers, Mr. Spigener, Ms. Reiter and the LSGCD Board of Directors:

I respectfully request that the LSGCD Board of Directors, DFC Committee and retained consultants reconsider and amend the statement provided at the January 20, 2021 TWDB, GMA-14, Joint Planning Meeting that LSGCD "cannot support use of a DFC statement for subsidence in Montgomery County". I believe extensive data has been collected which provides irrefutable evidence of the correlation between groundwater pumping and irreversible surface subsidence. It is also known that fault lines exist throughout Montgomery. Evidence shows that movement of these fault lines are connected to groundwater level drops and subsequent surface subsidence. These movements are suspected of causing damage to foundations of homes, businesses, roads and other infrastructure over the past several years.

Additionally, please amend your previous position and submit support of one of three DFC's currently being evaluated by GMA-14. Please support a DFC which includes not only an Average Subsidence of 1 foot but also a Remaining Drawdown of 80%, a Pumping Distribution using 2016 Base and a Managed Available Groundwater (MAG) of 61,000+ Acre Feet per year. I believe your prudence in adopting this amended DFC position is in the common-good and long-term best interest of current and future generations throughout Montgomery County. Thank you for your consideration of my request for action.

Sincerely,

Robert M. Lux

66 W. Palmer Bend

The Woodlands. TX 77831

Exhibit "O"

**From:** Mignon Mabry <[mwmabry@gmail.com](mailto:mwmabry@gmail.com)>  
**Sent:** Sunday, February 7, 2021 11:57 AM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Subject:** register concerns regarding subsidence and planning

Dear Ms. Reiter and Mr. Rogers,

**Thank you** for serving to protect our resources. I think it would be a complex endeavor to balance the needs of all in the county.

I am a 40-year Montgomery County resident who believes that Harvey and other historical events have shown us that home and business **flooding in the area is real**, and that lower areas are increasingly vulnerable.

I would want water planning to incorporate every tool in its arsenal to **reduce the risk of flooding homes and businesses across the county**, not just in the moment but for the **long term**. I would want planning to firmly **protect from overuse of aquifers** because they are vital and vulnerable to overuse, erring on the side of protection.

I do not want to **pay more** for water, **but I will**, if it means that subsidence is limited and we protect for the future. I would expect **businesses operating in the area to do the same**, even though it might require entities like LSGCD to stay with the science and push back in order for them to do so.

I think **subsidence data and effort to prevent subsidence must be part of any county water plan**.

I would ask that the LSGCD

- Use **existing data** from **15 county subsidence monitoring sites** to plan now.
- Incorporate subsidence data and **limits in the 2022 plan**.
- Take bold strides to preserve county homes and businesses from subsidence and flooding, even though cost may be involved to users, both individual and corporate.
- Take bold strides to protect vulnerable water sources with an eye to the **long game**.

Thank you for your attention and for **including my comments** in the board books and minutes. Again, thank you for serving in this challenging role.

Mary M Mabry  
(Retired CISD teacher, thinking about the future of water and flood-free housing for all those wonderful young students I taught over 30 years :))

**From:** [dbethmacy@aol.com](mailto:dbethmacy@aol.com) <[dbethmacy@aol.com](mailto:dbethmacy@aol.com)>

**Sent:** Wednesday, February 3, 2021 9:18 PM

**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [irogers220@aol.com](mailto:irogers220@aol.com); Jim Spigener <[jspigener@lonestargcd.org](mailto:jspigener@lonestargcd.org)>

**Subject:** Inclusion of subsidence as a component of the LSGCD Water Management Plan

Dear Lone Star Groundwater Conservation District

I write to urge ***inclusion of subsidence as a component of the LSGCD Water Management Plan***, and I request that this letter be read aloud at your meeting on February 9, 2021, and be included in the meeting record.

It is my understanding that there are currently fifteen geographically dispersed GPS subsidence monitoring sites in the county, some with twenty years of data, showing that an unacceptable level of subsidence is occurring in Montgomery County. Other scientifically conducted studies support this result. As well, the San Jacinto River Authority through its own analyses strongly urges the inclusion of subsidence in the groundwater plan.

Should subsidence not be included in the plan, multiple consequences are to be expected. We will encounter threats to the sustainability of the aquifers that likely will not be remediable. The probability of flooding will be increased. Property values and infrastructure will be endangered.

Given your legislative charge to "preserve, conserve, and protect" Montgomery County's groundwater supplies, again, I urge ***inclusion of subsidence as a component of the LSGCD Water Management Plan***.

Sincerely,

Beth Macy  
42 Douvaine Ct.  
The Woodlands, TX  
77382

Exhibit "Q"

**From:** SUELLEN MYERS <[suellenmyers3@gmail.com](mailto:suellenmyers3@gmail.com)>

**Sent:** Wednesday, February 3, 2021 7:05 PM

**To:** [lrogers220@aol.com](mailto:lrogers220@aol.com)

**Cc:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>

**Subject:** Comments to Board

Mr Rogers

I am very concerned about subsidence in Montgomery County. I have seen presentations by INTERA and Houston Galveston Subsidence District that clearly show that the unregulated pumping of groundwater has caused and is continuing to cause subsidence in the county.. Indeed it seems that the only entity that resists the sincere consideration of subsidence is LSGCD

I suspect this denial of peer reviewed science on the part of the LoneStar board stems from the urging of LVU such as Quadvest who stand to profit from cheaper groundwater and thus subsidence is an inconvenient fact.

I urge you to look beyond the parochial scientific studies that were endorsed at a LoneStar board meeting because "they brought the Montgomery County perspective" (??) I urge you to embrace the peer reviewed science from SMU and NASA, the expertise of engineers at INTERA, the data from the 15 GPS monitoring sites in place right now throughout the county and the upcoming study from HARC. Subsidence is a fact. Subsidence is irreversible. Subsidence causes property damage

Please respect MY property rights by including the best scientific studies from the most respected sources as you craft your water management plan

Please have my comments entered in the minutes of the Feb 9, 2021 board meeting

Thank you for your attention to my concerns,

Suellen Myers  
The Woodlands

Exhibit "Q"

**From:** Carolyn Newman <[carolyn.newman99@gmail.com](mailto:carolyn.newman99@gmail.com)>  
**Sent:** Wednesday, February 3, 2021 10:38 AM  
**To:** [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Cc:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Subject:** Subsidence

Mr. Rogers,

I have been paying more attention to groundwater issues lately, and am concerned about subsidence. I've lived in the greater Houston area since the 70s and recall the Baytown area severe problem and also on the NW side around Jersey Village. We need to manage our aquifers sustainably and avoid the slow-moving catastrophe of subsidence. I want subsidence to be a consideration in the Groundwater District Management Plan.

Property rights to me means the right to have my property kept sound and not have my foundation crack or my house subjected to flooding because fault lines have shifted and rainwater flows altered.

I would like my email read at the next board meeting.

Also, I'm forwarding the below email because there is word about that "no member of the public has brought up the topic of subsidence at any board meeting". Not sure which board, and I cannot cite a source on that statement, but I assure you there is much public concern about subsidence.

Ms. Reiter, I would like you to confirm that my comment sent to you last September was provided to the LSGCD board.

Thank you  
Carolyn Newman  
The Woodlands

----- Forwarded message -----

**From:** Carolyn Newman <[carolyn.newman99@gmail.com](mailto:carolyn.newman99@gmail.com)>  
**Date:** Wed, Sep 2, 2020 at 1:20 PM  
**Subject:** Sept 8 meeting public comment  
**To:** <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>

Ms Reiter,

Is the Sept 8 meeting accessible by phone or Zoom? If so, please let me know how I can give a public comment.

I'm very concerned about the new groundwater management rules that I understand are to be voted on. The primary responsibility of LSGCD should be to manage the groundwater for future generations. Increased groundwater pumping especially at a rate that exceeds the replenishment rate, results in subsidence, shifting fault lines and changes to normal drainage ways thus potential flooding where it didn't used to flood.

## Exhibit "Q"

I encouraged the Board to protect the area's aquifers and prevent the sinking that causes flooding and damage to our homes. With population growth rising in Montgomery County, this board should be looking to future planning and consider the use of increased surface water and less excessive groundwater drawdowns for future potable water needs throughout the county.

Carolyn Newman  
The Woodlands, TX

Exhibit "R"

From: [ppaulnelson@aol.com](mailto:ppaulnelson@aol.com)

To: [lrogers220@aol.com](mailto:lrogers220@aol.com)

Sent: 2/8/2021 10:58:13 AM Central Standard Time

Subject: LSGCD

Board member Rogers. I understand that action may be taken by the Board regarding The Groundwater Management Plan and associated pumping regulations. I believe that the proposed rules will accelerate land subsidence, especially in The Woodlands area, where there are places that have sunk almost a foot over the last 20 years. Request that no changes to the DFC's or any other facet of planning that increase pumping levels be made. I and many others in the region believe that ANY subsidence is too much subsidence. Surely we want no one's land or home to be any closer to the flood plain, or negatively impacted in any way

Thank you for your time and service.

Paul R Nelson



Exhibit "S"

**From:** Beni Patel <[beni.patel@comcast.net](mailto:beni.patel@comcast.net)>  
**Sent:** Monday, February 8, 2021 5:47 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Subject:** Water Management Plan

As a concerned citizen and a scientist, I would like to make sure you **include subsidence as a component of their Water Management Plan.**

**Thank you.**

Beni Patel

Exhibit "T"

**From:** Lucia Queen <[cookqueen@gmail.com](mailto:cookqueen@gmail.com)>  
**Sent:** Monday, February 8, 2021 9:22 PM  
**To:** [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Cc:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Subject:** Subsidence in Montgomery County

Mr. Rogers,

I am a 30-year resident of The Woodlands. I appreciate each of you who serve on our local and county boards, including the water board. It was my intention to email you several weeks ago, not the night before your board meeting! My apologies for the late communication.

My reason for contacting you is to request that the board include a component to address subsidence in the regulation process of LSGCD. While I understand it is less costly in the short term to use groundwater to meet our area needs, I feel there is enough evidence of subsidence in Montgomery County to warrant looking at the long term cost of continuing to pump groundwater versus using surface water.

While not yet as serious as in Harris County, flooding is becoming an issue in Montgomery County. Years of monitoring data have shown that subsidence has begun to affect properties in The Woodlands and Montgomery County. Please make subsidence a consideration in the Groundwater District Management Plan!

Thank you for your time and for serving on the board.  
Lucia Queen

Exhibit "U"

-----Original Message-----

From: Steven Powell <[stevepowell.crna@gmail.com](mailto:stevepowell.crna@gmail.com)>

Sent: Tuesday, February 9, 2021 3:22 PM

To: Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [lrogers220@aol.com](mailto:lrogers220@aol.com); Jim Spigener <[jspigener@lonestargcd.org](mailto:jspigener@lonestargcd.org)>

Subject: Concerns for Upcoming GCD Meeting

Good afternoon,

I live on Quiet Oak Circle in the Turnstone subdivision. I am writing because of concerns I share with other neighbors regarding the flooding potential that exists for our homes based on information from Mark Unland, another concerned neighbor. The concerns I have are several-fold.

First, I understand that there is a significant amount of groundwater pumping occurring in our area, leading to foundation sinking throughout our area. My understanding is that GCD could address this concern by not lowering the groundwater aquifer levels. I would like to inquire about if this is viable, the reason it is or is not, and what can be done to reduce this risk.

Second, the continued development in the Woodlands area and north of Woodlands gives me concern that runoff will be of greater significance over time. I am very concerned this will pose a risk because there is not an adequate plan for maintaining retention ponds or natural reservoirs for the excess rain from increasingly dangerous storms.

I'd like to ask that these concerns be addressed during the meeting. I am unsure if I will be able to attend the meeting live, but if not I will get a summary as soon as possible.

Thank you for your time and commitment.

Sincerely,  
Steven Powell

Exhibit "V"

**From:** Meg Scamman <[meg.scamman@gmail.com](mailto:meg.scamman@gmail.com)>  
**Sent:** Monday, February 8, 2021 5:32 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Subject:** lease include Subsidence in Groundwater Management Plan

Dear Ms. Reiter and Mr. Rogers,

Just yesterday I heard a talk given by Paul Nelson about the subsidence issues we are experiencing through the use of groundwater. This is very concerning because once the water is withdrawn from the aquifer the structure of the aquifer collapses so that even if the water were replaced through natural recharge or through injection of water into the aquifer, the capacity has been reduced by the collapse and will never be back at its original capacity. This problem is not going away and it's good that we have tapped into surface water from the San Jacinto River Authority.

My plea to you as my elected officials is to include Subsidence as part of the Water Management Plan. It is good planning for the future of our water supply.

- Lone Star's current proposed water plan models would generate significant reduction in the aquifer water levels under several areas within Montgomery County, potentially creating anywhere from <1 ft. to > 3 ft. subsidence across portions of the county.
- Subsidence is irreversible and will become an even bigger concern if over pumping occurs and causes property damage, faulting and flooding.
- Hurricane Harvey brought to light the impact of subsidence on flooding and the board would be egregiously remiss if they failed to include subsidence as a factor in their Water Management Plan.
- 15 geographically dispersed GPS subsidence monitoring sites are located in Montgomery County, some with twenty years of data. The data from these sites clearly shows that an unacceptable level of subsidence is occurring in The Woodlands area and across other areas of Montgomery County.
- Lone Star should follow the available studies regarding subsidence and accept the monitoring results and the science.
- Monitoring has indicated that when a mix of surface water and groundwater was implemented in 2015, water table levels increased or leveled off and subsidence slowed. But aquifer levels are once again lowering because many large volume water users have refused to use surface water and the Lone Star board is not adhering to their directive to "preserve, conserve, and protect" our groundwater supply and continue to approve drilling permits allowing them to pump only groundwater because it is cheaper.

Respectfully, Meg Scamman

Exhibit "W"

**From:** Joe Sherwin <[jsherwin@oakridgenorth.com](mailto:jsherwin@oakridgenorth.com)>  
**Sent:** Tuesday, February 9, 2021 5:20 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Subject:** City of Oak Ridge North - written comment for General Board Meeting

The City of Oak Ridge North believes that water resources are vital to our City, County, and State. We believe that each community is to be a good steward of the resources available to it, including water resources including groundwater and surface water. As stewards of resources in this area, we expect others to be diligent in maintaining a fair and equitable balance so that water levels in the aquifer remain viable for small cities and MUDs, and so that any subsidence in the area is not exacerbated by groundwater withdrawal. We urge LSGCD to move towards DFCs that promote growth while maintaining viability of the aquifers for small communities without subjecting residents within the area to subsidence.

Summarizing – The City desires limiting the amount of groundwater available to be pumped in order to sustain aquifer levels, and limiting subsidence caused by drawdown.

Thank you,

***Joe Sherwin, P.E.***  
Director of Public Works  
City of Oak Ridge North  
[jsherwin@oakridgenorth.com](mailto:jsherwin@oakridgenorth.com)  
281-292-4648 ext. 364

Exhibit "X"

**From:** [pamslocomb@comcast.net](mailto:pamslocomb@comcast.net) <[pamslocomb@comcast.net](mailto:pamslocomb@comcast.net)>  
**Sent:** Monday, February 8, 2021 3:21 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Subject:** Subsidence should be considered in the LSGCD's Water Management Plan

**SUBSIDENCE MUST BE CONSIDERED IN THE LSGCD'S WATER MANAGEMENT PLAN**

Ms. Reiter, General Manager; and  
Mr. Rogers, The Woodlands Representative:

I've just learned that subsidence might not be considered in the LSGWD's new 5 year plan. How could this be when, according to the LSGWD, "subsidence is known to have occurred in the southern part of Montgomery County based on monitoring and long term surveying of land surface."

40 years of data are available regarding the effects of subsidence in Harris County and we know the highest rates of subsidence represent areas that are not utilizing surface water.

According to the GCD, "The Lonestar Groundwater Conservation District in 2012 purchased six Periodically Accessible Monitors (PAMs) which are specifically designed to detect subsidence. These units operate in conjunction with the two that have been monitoring land levels in Montgomery County for more than 10 years.

Regular, precise, automated readings are taken of the elevation of the ground at locations throughout the county. The data is temporarily stored in an on-site monitor and periodically uploaded to computers at the Harris Galveston Subsidence District. "

I understand there are 15 GPS subsidence monitors in Montgomery County – some with 20 years of data indicating problematic levels of subsidence.

**The evidence is clear** that Montgomery County is experiencing subsidence and **it would be gross negligence to ignore that evidence. I strongly urge you to include subsidence as a major consideration in the LSGCD's Water Management Plan.** The residents of Montgomery County depend on your good judgment.

**PLEASE INCLUDE MY COMMENTS IN THE BOARD BOOKS AND MINUTES**

Thank You,

Pamela Slocomb  
The Woodlands, TX

Exhibit "Y"

**From:** Cheryl Tangen <[ctangen15@gmail.com](mailto:ctangen15@gmail.com)>  
**Sent:** Monday, February 8, 2021 5:29 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>; [lrogers220@aol.com](mailto:lrogers220@aol.com)  
**Subject:** Lack of Subsidence Standards - Water Management Plan

February 8, 2021

Ms. Samantha Reiter, General Manager, Lone Star Groundwater Conservation District

Mr. Larry Rogers, Woodlands Board Member, Lone Star Groundwater Conservation District

Dear Ms. Reiter and Mr. Rogers:

It has recently come to my attention that the Board of the Lone Star Groundwater Conservation District (the "District") will be considering at its next meeting on February 9, 2021, a Water Management Plan (the "District Plan"), which is to be submitted to the Texas Water Development Board, for inclusion within the 2022 State Water Plan. I further understand that the District Plan under consideration does not currently contain any limitations with respect to permissible levels of subsidence, notwithstanding the fact that many residents of Montgomery County within the District's borders have been significantly and adversely affected by flooding caused by such subsidence.

As I understand the purported justification for failure to address subsidence within the District Plan, it is due to some belief that there is no currently extant means of monitoring the level of subsidence within the District. Contrary to this belief, I have been informed that there are currently some 15 geographically dispersed monitoring sites within the District with data useful for determining subsidence levels going back some 20 years. Given the risk of further flooding, especially in light of additional development within the District's boundaries, I believe, as a resident of Montgomery County and the District, that the data obtained through these monitoring sites should be used and appropriate subsidence limitations be incorporated within the District Plan to be submitted for incorporation within the 2022 State Plan.

Please include my comments within the Board books and the minutes of the February 9 meeting.

Thank you.

Cheryl Crandall Tangen

The Woodlands, TX

Exhibit "Z"

**From:** contrary mary <[contrary\\_mary29@yahoo.com](mailto:contrary_mary29@yahoo.com)>  
**Sent:** Monday, February 8, 2021 6:22 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Cc:** [lroggers220@aol.com](mailto:lroggers220@aol.com)  
**Subject:** Subsidence

Dear Ms. Reiter and Board Members,

Oil is not the most valuable commodity. Water is. We can't live without it. Already the cost of delivering water to where it is required is rising. But not considering and calculating the cost of subsidence into a master plan is foolhardy. As developments and demand increase and our geographic location so near sea level, we've seen the effects of flooding. Harder to measure but equally essential in the engineering of water delivery systems is the falling level of the land and it's development, sometimes called improvements. Syphoning water from aquifers via wells instead of capturing surface water leads to greater flooding, unstable foundations, shifting bayous, exposed dam and road buttresses, and other costly expenses.

Let's avoid trouble down the road by including in current planning by calculating the benefit of designing water delivery that does not rely on increasing subsidence.

Sincerely,

Mary Tegtmeier



Exhibit "AA"

**From:** laura w Weaver <[lwweave@gmail.com](mailto:lwweave@gmail.com)>  
**Sent:** Saturday, February 6, 2021 1:39 PM  
**To:** Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Subject:** LSGCD Water Management Plan

Ms. Reiter,

As a long-time resident of Montgomery County, I was concerned to learn that LSGCD is considering a Water Management Plan that does not take into consideration the impact of subsidence.

Data from the 15 GPS monitoring sites in the County clearly shows the subsidence that has occurred (and continues to occur) throughout The Woodlands. This is a problem for us all, as subsidence not only has the potential to damage the foundations of our homes, but also the infrastructure (roads, bridges, etc.) that we depend on. In addition, it exacerbates the effects of flooding from tropical storms and hurricanes.

LSGCD was created to "preserve, conserve and protect" our groundwater supply. Please take this responsibility seriously and protect our aquifers for the future.

Please include my comments in the Board books and the February 9th meeting minutes.

Sincerely,  
Laura Weaver

Exhibit "BB"

**From:** Michael R. Weaver <[mrweaver4u@gmail.com](mailto:mrweaver4u@gmail.com)>  
**Sent:** Sunday, February 7, 2021 11:36 AM  
**To:** [lrogers220@aol.com](mailto:lrogers220@aol.com); Samantha Reiter <[sreiter@lonestargcd.org](mailto:sreiter@lonestargcd.org)>  
**Subject:** Use of Susidence Data as Part of Our Water Management Plan

Mr. Rogers and Ms. Reiter,

I am a retired ExxonMobil geologist with over 31 years studying subsurface dynamics on the Texas Gulf Coast and elsewhere. I am also a current and long term resident of The Woodlands.

Subsidence is clearly tied to the extraction of subsurface fluids, including groundwater, as demonstrated by numerous studies. It is key to include subsidence data and analysis as part of our water management plan, both to protect the long term sustainability of our aquifer resources and to limit surface damage to homes and other infrastructure.

To ignore the data from the existing 15 GPS subsidence monitoring sites is not not consistent with the LSGCD Boards goal to 'preserve, conserve and protect' the Montgomery County groundwater supply.

Please include my comments in the Board books and meeting minutes.

Best Regards,  
Michael R. Weaver  
The Woodlands, TX

*Southern Montgomery County  
Municipal Utility District*

25212 Interstate 45  
Spring, Texas 77386  
Phone 281/367-5383  
Fax: 281/298-1657

December 16, 2020

Mr. John Martin, Chair  
Groundwater Management Area 14 Joint Planning Committee  
P. O. Box 1407  
Jasper, Texas 75951

Email: [jmartin@setgcd.org](mailto:jmartin@setgcd.org)

Dear Mr. Martin and GMA 14 Joint Planning Committee:

Southern Montgomery County Municipal Utility District (the "District") appreciates the opportunity to comment on the proposed scenarios provided for determining the Desired Future Conditions to be adopted and the continued effort to regulate groundwater pumpage. We recognize the importance of the current and future water supply of Montgomery County and the responsibility of leaders such as yourself to continue to plan to meet the future water demands for our community.

To serve our customers and ensure that there is access to adequate water supplies and reliable infrastructure are priorities for the District. The District currently supplements groundwater with surface water to meet water demands. It is evident in our own experience that groundwater pumpage has negatively impacted our wells, requiring rehabilitation work to continue to be able to pump groundwater from deeper levels. The costs associated with such repairs, rehabilitation, and/or replacements are significant in nature. Funding improvements and/or projects to address the issues with subsidence and declining aquifer levels has an impact on the District's rates, thus ultimately impacting the customers we serve.

The District's Board understands that in consideration of the DFC to be adopted by the GMA 14 Joint Planning Committee, the DFC adopted "must provide a balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging and prevention of waste of groundwater and control of subsidence in the management area." As the District is located further south in Montgomery County and groundwater pumpage has a greater effect on subsidence, it is imperative that the rules and regulations continue to provide oversight on groundwater pumpage and provide DFCs that when implemented will be socially responsible and equitable to all.

For the District, historical static level data captured through production tests indicate a rapid decline and slow recovery of the Evangeline Aquifer in the area that the District is located, which is south of the The Woodlands and Conroe. At the District's Water Plant No. 1, production tests have indicated that from 1990 to 2000 the static water level decreased by 115-feet (east of Interstate 45 at Rayford Road). In 2009, the static level was only 54-feet above the pump bowls, which required the District to decrease the size of the pump bowls and add 200-feet of 6-inch pipe to the pump bowls to continue to pump and utilize this one well. In 2015, the District began receiving and blending surface water with groundwater, reducing the overall groundwater pumpage at that well site. Since this time and with the reduction in pumpage of groundwater, production tests reflect an improvement to the static water level at this one site. Currently, the District has two wells in the Chico, two wells in the Evangeline, and one in the Jasper. The District's effort to conserve our natural resource by utilizing a greater blend of surface water and to protect our infrastructure will be in vain should regulation allow for increased groundwater pumpage in other areas.

Leaders have a responsibility to our community to protect groundwater and plan for alternate sources to supplement and meet the water demands of today and tomorrow. This includes an approach that is equitable to all and protects our water sources from over-pumpage. To ensure that drawdown levels are not impacted and subsidence remains minimal, it is everyone's responsibility to ensure regulation protects our natural resource, reduces subsidence, and protects our infrastructure. The District's leadership will continue to monitor the financial impact that excessive groundwater pumpage and subsidence will have on its infrastructure and will take all responsible actions to minimize these unnecessary increases in operational costs. We must all act together to minimize subsidence and avoid over-pumping the aquifers.

The District supports the scenario providing for minimal groundwater pumpage allowed at 61,000+ afpy. Your consideration and efforts to protect our water sources by ensuring the impact of the DFC adopted prevents subsidence and is impartial to all is appreciated.

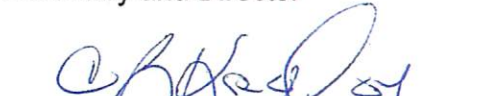
Sincerely,



Bruce Harrison  
President and Director



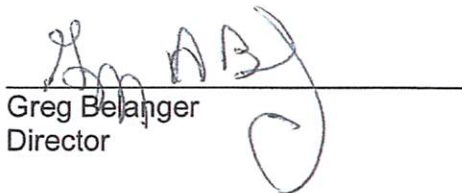
Patrick Joseph Atkinson  
Secretary and Director



Constance Kaylor  
Treasurer and Director



Terry Davis  
Vice President and Director



Greg Belanger  
Director

cc: Lori Aylett, Attorney  
Kimberly Wright, General Manager  
Tim Gordy, District Operator

**Public Comment to Lone Star GCD Board of Directors**

February 9, 2021

- Hello, my name is Chuck Profilet. I manage the Texas River Authority Transparency Alliance (TRATA)
- The Texas River Authority Transparency Alliance (TRATA) is a nonpartisan coalition of landowners, small businesses and individual citizens working to protect access to affordable water, championing property rights, and ensuring public involvement in the processes that control our state's most precious resource.
- TRATA concurs with the Texas Sunset Commission's finding that San Jacinto River Authority's (SJRA) growing regional role requires better communication and engagement efforts to improve public trust in the Authority.
- And, TRATA applauds the Governor's appointment of two new directors to the SJRA's Board of Directors. This should bring a fresh perspective to the Board and Authority.
- In meetings in December and January, the Lone Star Groundwater Conservation District (Lone Star) has taken public input and modified its position with GMA 14 on limiting subsidence to one foot in Montgomery County. My comments are directed to this issue and SJRA's response.
- TRATA applauds this change, even if it is at the 11<sup>th</sup> hour of this DCF planning cycle. In response, the SJRA, in its attempts to limit groundwater production in favor of surface water is asking Lone Star board several questions.
- First SJRA question; why wait until after the analysis of the three Desired Future Conditions (DFCs) scenarios was complete to raise an issue? The Board should be proud that you heard from the public, listened, and changed course on this very important issue affecting Montgomery County for the next 80 years.
- Second question from SJRA; when did the LSGCD Board discuss their opposition to the use of subsidence as a component of a DFC in open session to allow the public to hear their discussion? I suspect the Board has not discussed this sufficiently in public and I urge you to do so.
- When discussing subsidence, remember that surrounding GCDs and Subsidence Districts connected to the same aquifer system have allowed in the past and are allowing greater than one foot subsidence in their areas in the future.
- Also, when discussing subsidence, review the results of Base "Run D" DFC. One of the areas projected to experience over two feet of subsidence is the Woodlands. If Woodlands residents are so concerned about subsidence perhaps SJRA should eliminate groundwater pumping in the area of the Woodlands. After all, SJRA has an under-utilized surface water treatment plant paid for by everyone in Montgomery County to serve the Woodlands.

- And finally the third question from SJRA. Why does the LSGCD Board feel it is acceptable to have no limiting factors for subsidence? Without a Subsidence District in place in Montgomery County, it would be appropriate for Lone Star and GMA 14 to determine through study an appropriate subsidence limit that should be used in preparation of DCFs in the future.
- Thank you for allowing me to comment on Lone Star's recent discussions regarding DCFs and SJRA's response.

# **Groundwater Management Area 14 Joint Planning Committee Meeting Summary**

January 20, 2021

**GRP Review  
Committee  
January 25, 2021**

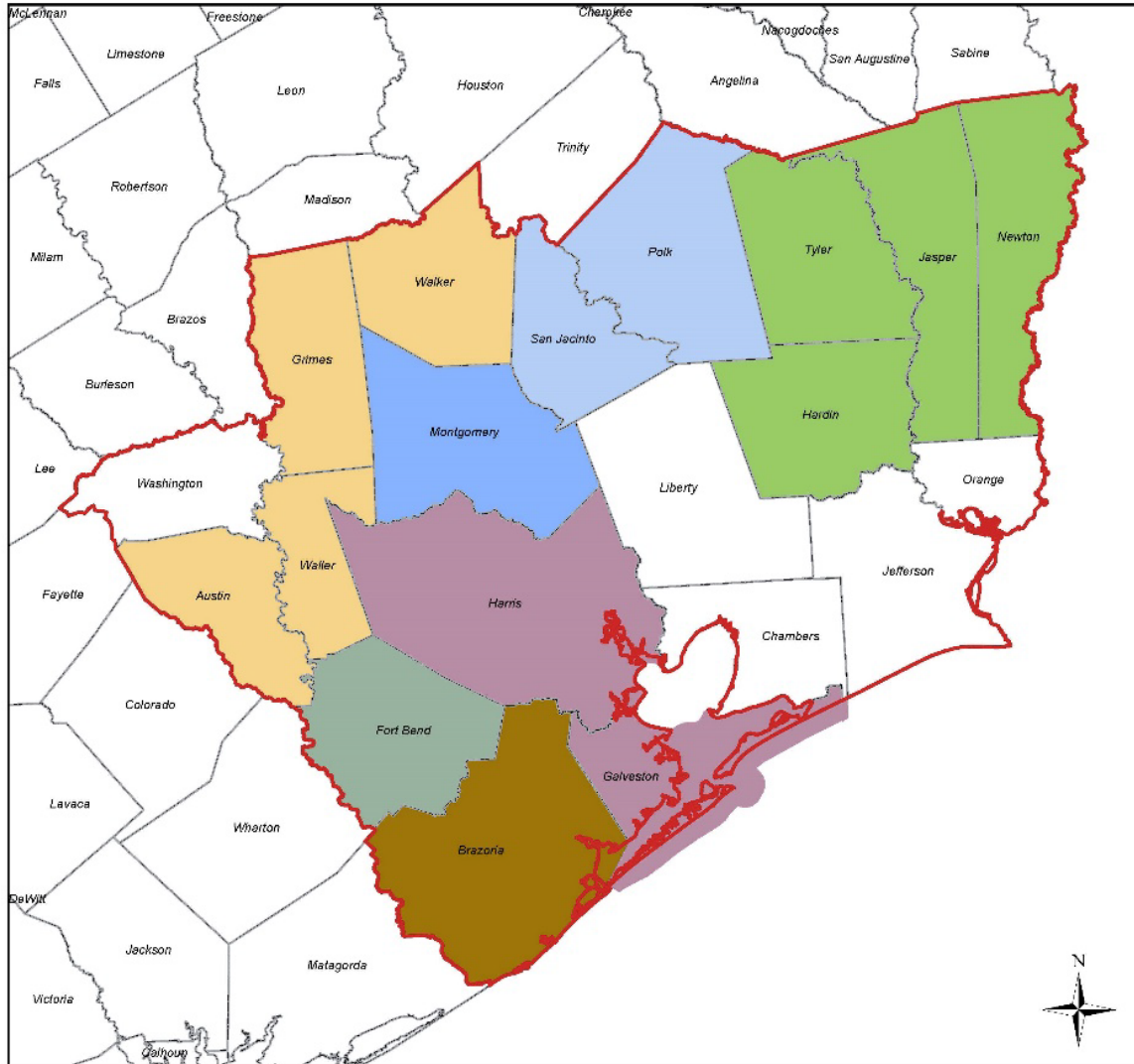
**SJRA Board  
January 28, 2021**

**San Jacinto  
River Authority**



# What is GMA 14?

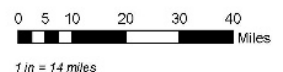
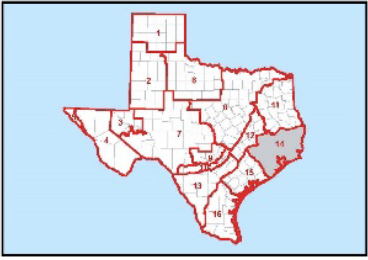
## Groundwater Management Area 14



**MAP LEGEND**

- Groundwater Management Area 14
- Counties
- Groundwater Conservation Districts**
  - Bluebonnet GCD
  - Brazoria County GCD
  - Lone Star GCD
  - Lower Trinity GCD
  - Southeast Texas GCD
- Subsidence Districts**
  - Harris-Galveston Subsidence District
  - Fort Bend Subsidence District

DISCLAIMER  
This map was generated by the Texas Water Development Board. No claims are made for the accuracy or completeness of the information shown herein nor for its suitability for a particular use. The scale and location of all geographic data is approximate. Boundaries for groundwater conservation districts are approximate and may not accurately depict legal descriptions.  
Updated 8/26/2015

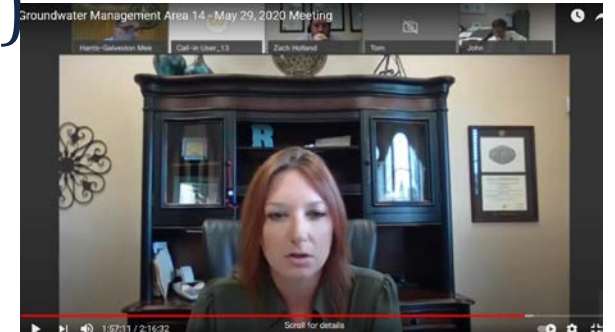


- Establish Desired Future Conditions (DFCs) for area aquifers.
- Individual groundwater conservation districts (GCDs) utilize DFCs in development of groundwater management plans and rules.



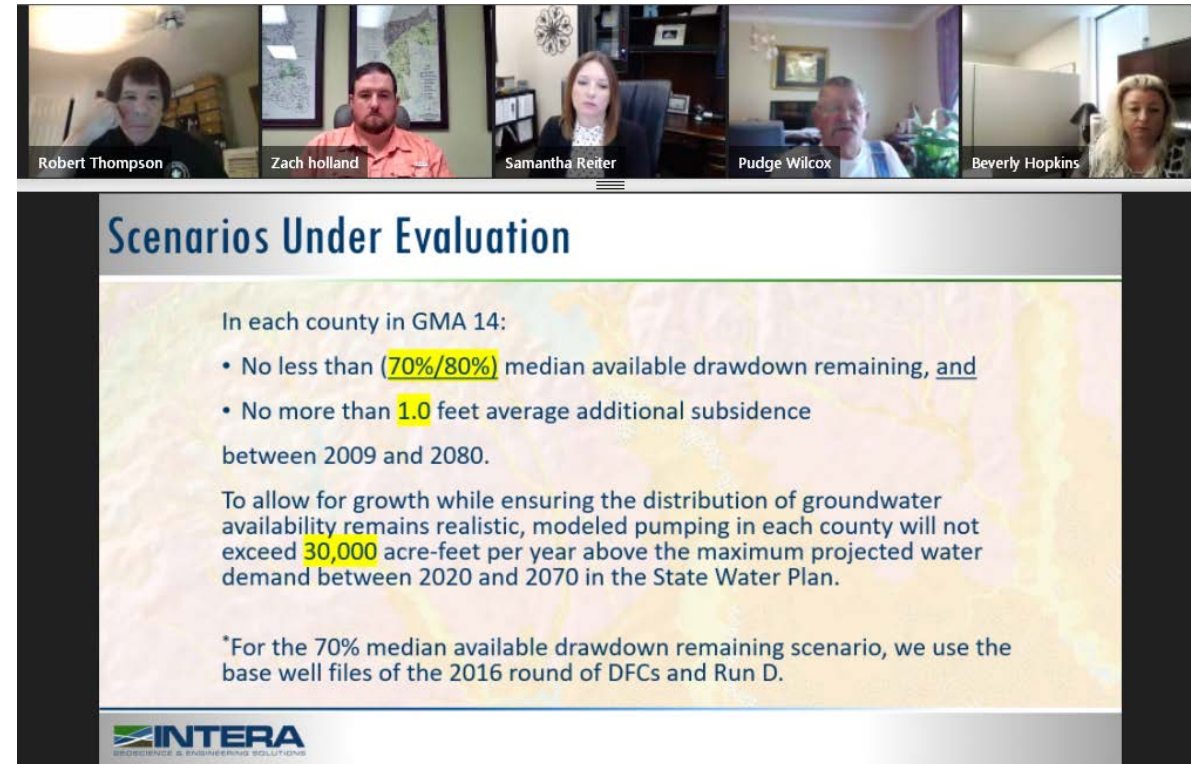
# Background: GMA 14 Joint Planning Committee Meeting - May 29, 2020

- Alternative DFCs unanimously approved for further evaluation:
  - 70% remaining drawdown & 1 foot average subsidence using “Run D” pumpage distribution (MAG = 115,000+ afpy)
  - 70% remaining drawdown & 1 foot average subsidence using 2016 base pumpage distribution (MAG = 97,000+ afpy)
  - 80% remaining drawdown & 1 foot average subsidence using 2016 base pumpage distribution (MAG = 61,000+ afpy)
- Samantha Reither, LSGCD GM seconded the motion.
- Video Link: [Groundwater Management Area 14 - May 29, 2020 Meeting - YouTube](#)



# Background: GMA 14 Activities - June 2020 thru January 2021

- GMA's Consultant conducted model runs that evaluated all three alternative DFCs.
- Committee reviewed data and comments regarding nine criteria listed in Texas Water Code Chapter 36 for all three alternative DFCs.
- Committee conducted four public GMA 14 meetings to consider, evaluate and debate all three alternative DFCs.
- GMA 14 spent approximately **\$100,000** analyzing the proposed DFCs.



The screenshot shows a Zoom meeting with five participants: Robert Thompson, Zach Holland, Samantha Reiter, Pudge Wilcox, and Beverly Hopkins. The presentation slide is titled "Scenarios Under Evaluation" and contains the following text:

In each county in GMA 14:

- No less than **70%/80%** median available drawdown remaining, and
- No more than **1.0** feet average additional subsidence between 2009 and 2080.

To allow for growth while ensuring the distribution of groundwater availability remains realistic, modeled pumping in each county will not exceed **30,000** acre-feet per year above the maximum projected water demand between 2020 and 2070 in the State Water Plan.

\*For the 70% median available drawdown remaining scenario, we use the base well files of the 2016 round of DFCs and Run D.

The slide also features the INTERA logo at the bottom left, which includes the text "INTERA" and "EXCELLENCE IN ENGINEERING SOLUTIONS".

September 2020 GMA 14  
Joint Planning Committee  
Meeting

# LSGCD Board Meeting January 12, 2021

- Simon Sequeira, Quadvest, summarizes three points in his December 2020 letter to the LSGCD Board, including opposition to limiting subsidence to 1 foot average.
- LSGCD Board provided no discussion regarding concerns of subsidence metrics in the DFCs scenarios under consideration by GMA 14.
- Video Link:  
<https://lonestargcd.new.swagit.com/videos/111486>

“Quadvest believes this 1-foot limiting approach when applied to the county, is contradictory to providing a fair opportunity to produce groundwater for every owner of a common, subsurface reservoir. GMA 14 has not identified a specific reason that each county in GMA 14 should be limited to 1 foot-average subsidence...”



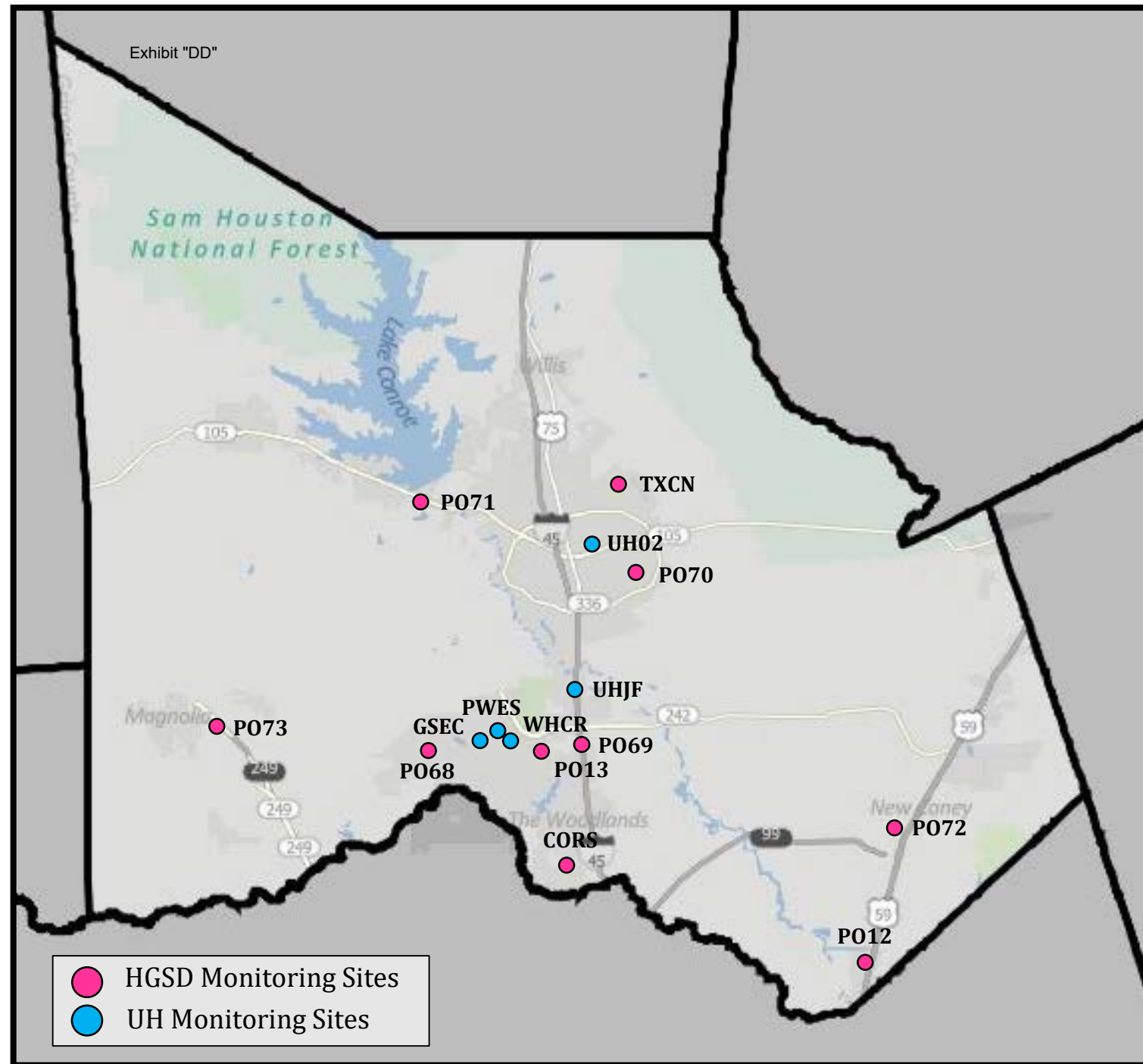


# Existing Monitoring Network

- 15 GPS monitoring sites
- Geographically dispersed
- Some with 20 years of data
- Data easily accessible on HGSD website

Source:

<https://hgsubsidence.org/science-research/subsidence-measurement/gps/>



# Questions?

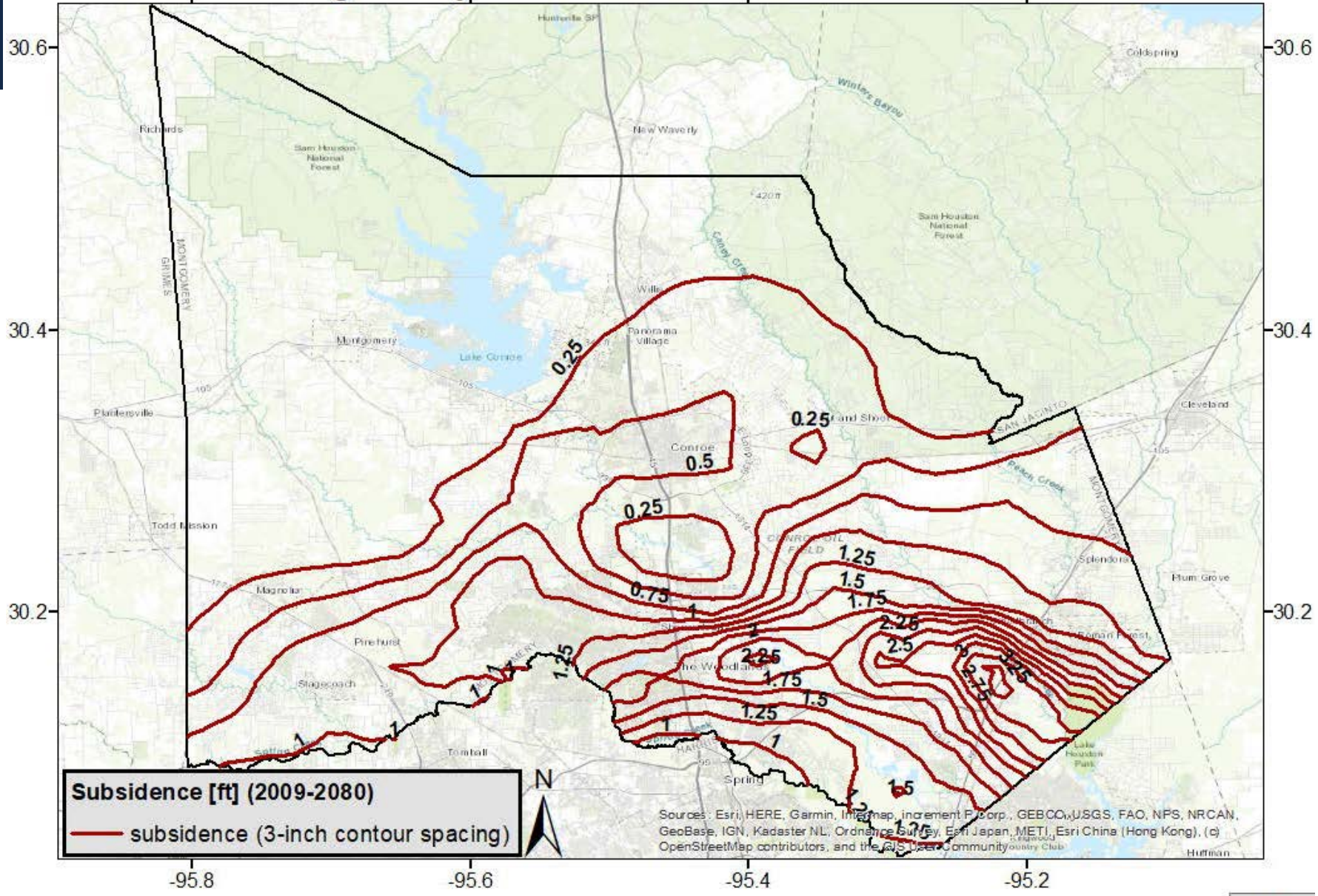
- **Why did LSGCD wait** until after the analysis of the three DFC scenarios were completed to raise an issue about a component of each DFC scenario after the LSGCD GM supported the scenarios 8 months earlier?
- **When did the LSGCD Board discuss** their opposition to the use of subsidence as a component of a DFC in open session to allow the public to hear their discussion?
- **Why does the LSGCD Board feel it is acceptable to have no limiting factors for subsidence** in the development of future groundwater management when many residents of Montgomery County have been devastated by flooding?

# Base "Run D" DFC

Current LSGCD proposal results in <1 to >3 feet of subsidence across portions of Montgomery County.

Source: Analysis by Intera, consultant to GMA 14 using TWDB approved groundwater model; Limited in evaluation of subsidence from Jasper aquifer.

Exhibit "DD"  
Montgomery: 70% 1-ft Run "Base D Run"



# What do YOU want for the future of Montgomery County?





# Next Opportunities for YOUR Input

Exhibit "DD"

- Obtain and review the available information.
- Formulate your own conclusions.
- Engage in the discussion
  - Lone Star Groundwater Conservation District  
February 9, 2021, 6 pm (in-person and online)
  - GMA 14 Joint Planning Committee  
February 24, 2021, 9 am (online only)

**RESOLUTION #21-003**

**LONE STAR GROUNDWATER CONSERVATION DISTRICT**

**RESOLUTION AUTHORIZING GENERAL MANAGER OR OTHER EMPLOYEES OF THE DISTRICT TO EXECUTE DOCUMENTS ON BEHALF OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT**

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

**WHEREAS**, the Lone Star Groundwater Conservation District ("District") was created by the Legislature of the State of Texas in Acts 2001, 77<sup>th</sup> Leg., R.S., ch. 1321, p. 3246, § 1(a);

**WHEREAS**, § 36.056(a) of the Texas Water Code and the bylaws authorize the board to delegate to the general manager full authority to manage and operate the affairs of the district such only to orders of the board; and

**WHEREAS**, § 36.057(f) of the Texas Water Code and the bylaws authorize the board to, by resolution, authorize its general manager or other employee to execute documents on behalf of the district.


**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:**

1. The General Manager has the authority to execute documents for everyday business that do not impact the budget or are already contemplated in the budget;
2. The General Manager will bring forth any documents that impact the budget or are not contemplated in the budget to the board for review and authorization;
3. The General Manager shall bring any consultant contracts to the board for their consideration and review;
4. The General Manager is hereby authorized to finalize and execute a contract with Advanced Groundwater Solutions, LLC for its terms and conditions; and
5. The General Manager is further authorized to take any and all reasonable action necessary for the implementation of this resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED this 9<sup>th</sup> day of February 2021.

**LONE STAR GROUNDWATER CONSERVATION DISTRICT**

By:   
Board President

ATTEST:

  
Board Secretary



**RESOLUTION NO. #21-001**

**LONE STAR GROUNDWATER CONSERVATION DISTRICT**

**RESOLUTION DESIGNATING**

**MARCH 7-13, 2021**

**AS "NATIONAL GROUNDWATER AWARENESS WEEK"**

THE STATE OF TEXAS

§

COUNTY OF MONTGOMERY

§

**WHEREAS**, it is beneficial and necessary for the public to better understand and appreciate the value of groundwater to their communities and;

**WHEREAS**, the National Groundwater Association has designated one week each year "National Groundwater Awareness Week" to bring such attention to groundwater, such week this year being March 7 through March 13, and;

**WHEREAS**, management of the Gulf Coast Aquifer within the boundaries of Montgomery County is an essential purpose of Lone Star Groundwater Conservation District, as authorized by the 77th Texas Legislature through House Bill 2362 and;

**WHEREAS**, management of the Gulf Coast Aquifer is essential to further economic development of Montgomery County; and the Lone Star Groundwater District hereby supports water conservation and the use of alternative water supply choices that are economically reasonable and obtainable through a free market system.

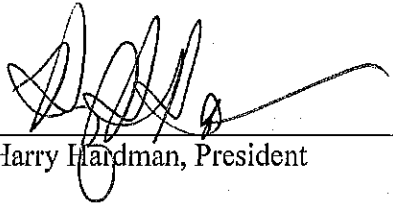
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:**

1. The Board of Directors of the District encourages the public within Montgomery County to mark "National Groundwater Awareness Week" as March 7-13, 2021 by learning about and discussing ways to best protect the Gulf Coast Aquifer, the cornerstone of the county's economic development.
2. The General Manager is authorized to take any and all action necessary for the implementation of this resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED this 9th day of February 2021

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By:   
Harry Hardman, President

ATTEST:

  
Larry A. Rogers, Board Secretary



**RESOLUTION NO. #21-002**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE LONE STAR  
GROUNDWATER CONSERVATION DISTRICT TO EXTEND PERMIT TERMS**

THE STATE OF TEXAS

§  
§  
§

LONE STAR GROUNDWATER CONSERVATION DISTRICT

**WHEREAS**, the Lone Star Groundwater Conservation District ("District") was created by the Texas Legislature through the enactment of House Bill 2362, Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001 (the "Act"), pursuant to the authority of Article XVI, Section 59 of the Texas Constitution, as a groundwater conservation district operating under Chapter 36 of the Texas Water Code, Section 59, Article XVI of the Texas Constitution, and the Act;

**WHEREAS**, the Act and Chapter 36 of the Texas Water Code assign certain duties, rights, powers, privileges, authorities, and functions to the District;

**WHEREAS**, Section 36.101 of the Texas Water Code authorizes the District, after notice and hearing, to adopt and enforce rules to carry out the powers and duties provided by Chapter 36 of the Texas Water Code;

**WHEREAS**, following publication of notice and public hearing, the District's Board of Directors ("Board") adopted amended District Rules on September 8, 2020 effective September 8, 2020 ("Effective Date");

**WHEREAS**, District Rule 2.11 requires the District to reissue existing Historic Use Permits and Operating Permits as soon as practicable after the Effective Date using a process similar to what the District has used for annual renewals and shall issue such permits for a perpetual term;

**WHEREAS**, District Rule 2.11 requires the permit to include a Maximum Allowable Pumping Rate for each well and identify the Aquifer of the District from which pumping is occurring, among other terms and conditions;

**WHEREAS**, the existing Historic Use Permits and Operating Permits were issued under the previously adopted rules that included a one-year permit term and were set to expire on December 31, 2020;

**WHEREAS**, the District Board of Directors took action at its December 8, 2020 board meeting to approve Resolution #20-010 to extend the 2020 permit terms of all 2020 permits not in enforcement and for which a 2021 renewal form was completed timely to the earlier of sixty days (60 days or March 1, 2021) or until the permit is reissued for a perpetual term;

**WHEREAS**, District staff have continued to work diligently to reissue existing permits not in enforcement for a perpetual term along with all other permit requirements using a process similar to what the District has used for annual renewals but have not yet completed the process for those permits where certain well data (e.g., the Maximum Allowable Pumping Rate for each well and the Aquifer of the District from which pumping is occurring) was not part of the District's records and/or has not been provided by the permit holder;

**WHEREAS**, to ensure those permits with well data still undetermined remain in effect and do not lapse, the Board hereby extends the terms of all 2020 permits not yet reissued and/or not in enforcement to the earlier of sixty additional days (60 days or May 1, 2021) from the date of this Resolution or until the permit is reissued for a perpetual term; and

**WHEREAS**, the prior resolution and this resolution do not extend the term of any permits in enforcement and/or for which a 2021 renewal form was not completed timely.

**NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT THAT:**

1. The above recitals are true and correct;
2. The Board of Directors hereby extends the terms of all 2020 permits not yet reissued and/or not in enforcement to the earlier of sixty additional days (60 days or May 1, 2021) from the date of this Resolution or until the permit is reissued for a perpetual term;
3. The Board of Directors hereby declares that this resolution does not, nor does any prior resolution, extend the term of any permit in enforcement and/or for which a 2021 renewal form was not completed timely; and
4. The District's Board, its officers, District staff, and legal counsel are further authorized to take any and all actions necessary to implement this Resolution.


**AND IT IS SO ORDERED.**

**PASSED AND ADOPTED** on this 9th day of February 2021.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By:   
Board President

ATTEST:

  
Board Secretary





# UPDATE ON THE DEVELOPMENT OF DFCs WITH GMA 14 VOTING DISTRICTS

LONE STAR GROUNDWATER CONSERVATION DISTRICT

February 9, 2021 Board Meeting



# Where Are We in the 9-Factor Analysis?

- **Jan. 30, 2019:** First factor presented by Intera (meet every 2-3 months)
- **Jan. 20, 2021:** Ninth factor presented by Intera
- Meetings involved presentations of the factors by Intera, with **little discussion** among voting GCD representatives.
- Voting GCD representatives **need opportunity to review and discuss all 9 factors** before proposing DFCs. (GM requested for next meeting).
- Next GMA meeting scheduled for February 24, 2021.
- DFC Committee still reviewing; will make recommendation to Board for consideration and vote.
- Voting GCDs **must approve** proposed DFCs by **May 1, 2021**.
- After DFCs are proposed, there will be a public hearing at each GCD; all comments will be shared with voting GCD representatives before **final DFCs are adopted by Jan. 5, 2022**.
- All DFCs **must be approved by 2/3 vote** of GCD representatives (4 of 5).
- The Board received full presentation on DFC process at its March and April meetings.

## 9 FACTORS TO CONSIDER FOR DESIRED FUTURE CONDITIONS

Environmental  
Impacts

Subsidence  
Impacts

Hydrological  
Conditions

Aquifer Uses or  
Conditions

Supply Needs &  
Management  
Strategies

Private  
Property Rights

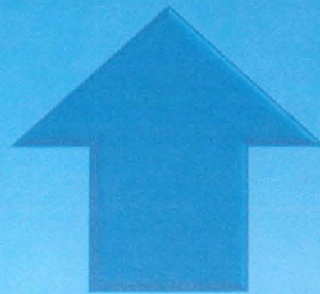
Socioeconomic  
Impacts

DFC Feasibility

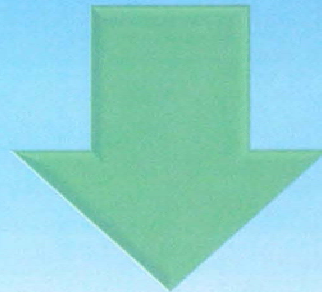
Other Relevant  
Information

# STANDARD FOR DESIRED FUTURE CONDITIONS

## FINDING THE BALANCE



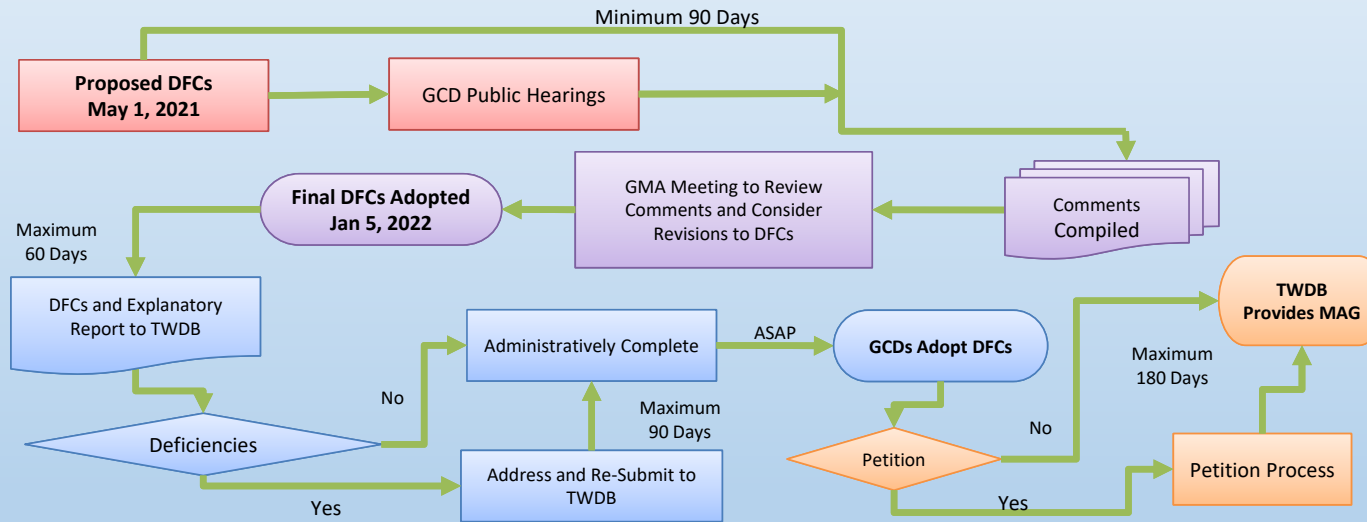
Highest Practicable Level of  
Groundwater Production

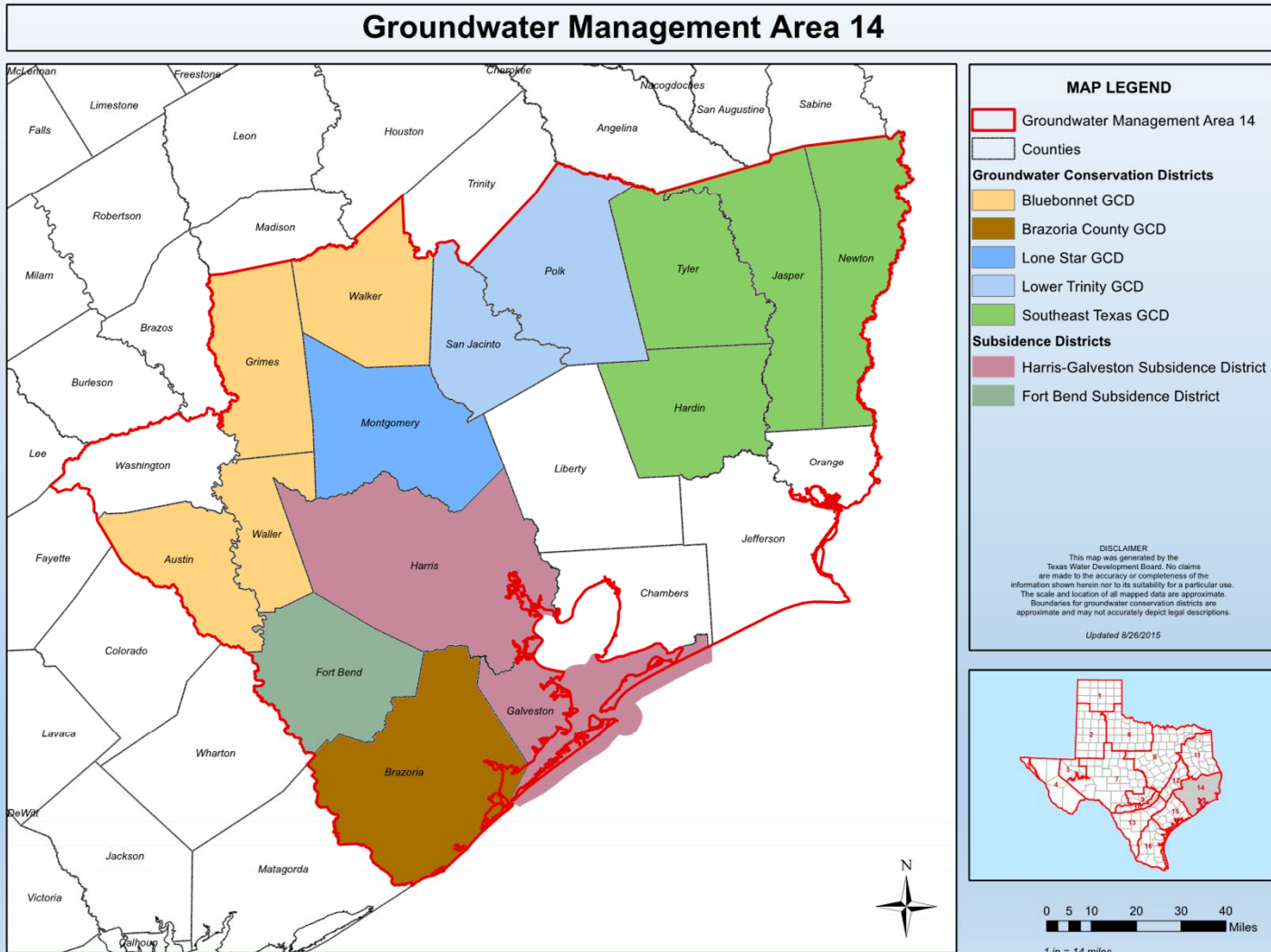


Conservation, Preservation,  
Protection, Recharging, and  
Prevention of Waste of  
Groundwater, and Control  
of Subsidence

wsp

# DFC PROCESS





## Correcting Public Misconceptions

- LSGCD **did raise objections** to a subsidence DFC when the multiple metric approach was discussed at the May 2020 GMA 14 meeting, and it **continued to do so throughout the process**; it **did not wait** until after the analysis of the three scenarios to raise an objection and has **not “changed its story.”**
- At the April 2020 GMA 14 meeting (when Mr. Oliver first introduced the multiple metric approach), **LSGCD introduced model runs** that included a modeling constraint on subsidence **to consider the factor of “impact on subsidence.”**
- **There are limiting factors for subsidence** in the development of the DFCs (the **modeling includes a subsidence constraint** to evaluate the impacts on subsidence per Chapter 36).
- LSGCD is **required** to consider the impacts on subsidence; the GCDs have done that through a model run; **there is NO requirement to have a subsidence DFC statement.**
- LSGCD **supports the study of subsidence** as shown by the **commissioned Subsidence Study** and the objectives and standards in approved management plan.
- **Any local concerns can be addressed locally as opposed to county wide.**
- LSGCD **does care about subsidence & is acting responsibly** as can be attributed to the **Subsidence Study it commissioned** and its active participation at GMA 14.

## Correcting Public Misconceptions

- LSGCD **does not** have regulatory responsibility for surface water or flooding.
- LSGCD **cannot** force users to take surface water or groundwater; **users are free to choose their water supply** that best fits their needs; users are free to pump less groundwater; LSGCD will issue permits pursuant to its rules.
- Comments suggest there is a **direct, undisputed level of correlation** between groundwater production, subsidence and that this subsidence increases the impact of flooding in Montgomery County – **these are opinions and still being studied.** ([Meeting clip](#))
- Comments suggest that a subsidence DFC statement will fix devastation caused by flooding during Hurricane Harvey (multiple entities handle these situations).
- LSGCD's **GM has acted within the authority provided to her by the Board** while working with the DFC committee **in good faith** and there are **NO violations of the Texas Open Meetings Act or other law.**
- LSGCD very much wants to **make the best decisions** for **ALL** of Montgomery County.



## March & April 2020 LSGCD Meetings

- Board received **several presentations** at **both meetings** on the DFC process and scenarios.
- The presentations **explained the work and process** used by the consultants. [Meeting Clip](#)
- The presentations **emphasized the need to identify a DFC metric** or how to state the DFC.
- The presentations **identified available drawdown and subsidence** as potential DFC metrics.
- The presentations **included model scenarios based on available drawdown**. [Meeting Clip](#)
- At the March meeting, the Board voted to **create a DFC committee to respond and digest** information in a timely manner. [Meeting Clip](#)
- At the April meeting, the Board **voted on model scenarios based on remaining available drawdown** and **rejected a subsidence metric for a DFC statement** at that time. The modeling included a subsidence constraint. [Meeting Clip](#) & [Meeting Clip](#)
- The DFC committee continues to meet to discuss the factors.

## April 29, 2020 GMA 14 Meeting

- LSGCD gave a presentation on the model scenarios **approved by the Board authorizing a DFC based on available drawdown with a modeling constraint for subsidence.**
- Mr. Oliver summarized model run results considered to date which were based on available drawdown. Model runs are used as part of the process to consider the 9 factors. [Meeting Clip](#)
- Mr. Oliver **introduced new model runs** or scenarios and first **presented a “dual” metric to consider water levels and subsidence.**
- Mr. Oliver explained why it is important to **choose meaningful metrics**—metrics that can be **monitored, measured and capture** the limiting factor. [Meeting Clip](#)
- Mr. Thornhill and Mr. Keester **explained the constraints in the model runs to model subsidence** as part of the evaluation of the subsidence factor (**this study through the model runs is distinct from a subsidence DFC statement**). [Meeting Clip](#) & [Meeting Clip](#)
- The GCDs **decided to study the models previously presented** and **the new multiple metric** Mr. Oliver presented for the first time.

## LSGCD's May 12, 2020 Board Meeting

- GM explained that LSGCD **presented the three previously approved scenarios** to GMA 14.
- GM explained that Mr. Oliver **presented new options for model runs** using multiple metrics.
- The GM explained that the process used for scenarios for model runs previously approved **seemed consistent with process** used in runs presented by Mr. Oliver **but more review was necessary**.
- LSGCD's runs included a DFC expressed **as target water level** (remaining available drawdown) with **a modeling constraint for subsidence** and that Mr. Oliver used **a similar process** that also had constraints for subsidence.
- GM explained that **Mr. Oliver had presented several new scenarios since even the last GMA 14 meeting** and information was coming fast with lots of moving parts.
- GM **suggested the DFC Committee take up this issue** because model scenarios would be voted on at the next meeting and will be used to help evaluate the remaining factors.
- The Board **delegated full authority to GM and the DFC Committee to work through process, identify scenarios consistent with Board's policy and prior decisions**, and negotiate a proposed model run with GMA 14. [Meeting Clip](#)

## GMA 14 May 29, 2020 Meeting

- At the beginning of Mr. Oliver's presentation, he explained the **purpose of the model runs is to use them as basis for evaluating the remaining factors because each have some component that will rely on model run results**, which is why we need model scenarios to move forward.
- Mr. Oliver stated that the **selection of runs to move forward does not mean "you are married to to any particular DFC statement"** at this point. The "runs are used to study the remaining factors" and inform the process of determining the ultimate DFC statement. [Meeting Clip](#)
- The GM gave a **statement at the beginning of the meeting** relative to the previously presented scenarios **reiterating that Wade's process was similar to process the District used**. A DFC expressed as target water level with a modeling constraint for subsidence. Ms. Reiter identified the differences. Ms. Reiter laid out options LSGCD could consider with the qualification that **these runs were being used to evaluate factors and not bind the GCDs to any particular DFC statement** as Wade stated at the beginning of the presentation. The GM also requested that **the scenarios be voted on individually and not as a package**. [Meeting Clip](#)
- Much discussion was had. LSGCD's consultant, Mr. Beach, reiterated **that LSGCD does not intend to use subsidence as a metric in their DFC statement at this time** because, as the GM stated in her presentation, **there is so much other impact outside Montgomery County that it does not have control over** (e.g., the pumping in the other counties and the impacts on water levels and subsidence their pumping has in Montgomery County.). [Meeting Clip](#)

## GMA 14 May 29, 2020 Meeting Cont'd

- Mr. Beach reiterated that **LSGCD does not intend to use the subsidence metric in its expression of the final DFC statement at this point.** [Meeting Clip](#) & [Meeting Clip](#)
- Mr. Oliver reiterated that **DFC statements can be “tweaked” and “not marrying” yourself to these scenarios or any DFC statement.** [Meeting Clip](#)
- Mr. Keester showed slides **highlighting the subsidence impacts to Montgomery County from the subsidence districts not caused by Montgomery County pumping** and provided detail supporting why **LSGCD does not intend to use a subsidence DFC statement** – i.e., what part of the modeled subsidence is coming from the subsidence districts versus LSGCD on a long term basis. [Meeting Clip](#)
  - As noted in later meetings, there are other ways to conduct the simulation. The combined result did show that simulated subsidence in Montgomery County is due more to water level declines associated with pumping in Harris County. Further study can/should be had but concern still exists.
- Mr. Beach reiterated **a DFC must be quantitative and measurable and expressed concern that tying LSGCD to a particular level of subsidence is difficult given that pumping in the subsidence district causes subsidence in Montgomery County and is outside of LSGCD’s control.** [Meeting Clip](#)
- The GM did second the motion but her approval was subject to all the other statements made at the meeting. Specifically, **LSGCD had clarified that they were not agreeing to a subsidence metric in the DFC statement, and understood that Mr. Oliver had indicated these were modeling scenarios only and not considered to be binding or even proposed DFC statements.** Because the scenarios were a package deal despite being asked to take them up one at a time, the GM seconded the motion.

## LSGCD Board Meeting June 9, 2020

- GM continued to update Board on the DFC process including the limitation on the approval of the runs – **subsidence is a constraint used in the model runs to evaluate the factors but does not necessarily mean subsidence will be part of the DFC statement** . [Meeting Clip](#)
- Background:
  - Per the bylaws, **a committee makes recommendations to the Board with the Board having final decision**. In this instance, the DFC Committee will make a recommendation to the Board on proposed DFC statements once the 9 factor analysis is complete.
  - The Board will consider DFC Committee's recommendation but **Board has final approval on proposed DFCs**.
- GM continues to update Board on activities at GMA 14 at subsequent meetings.
- At the January 12, 2021 LSGCD board meeting, Quadvest's Simon Sequeira asks for clarification on model runs, and expresses opposition to a DFC statement that limits subsidence to 1 foot. Quadvest participated in several prior GMA 14 meetings, and appeared to be agreeing with LSGCD's previously stated objections and discussion. [Meeting Clip](#)
- In order to comply with Open Meetings Act, **the Board typically does not engage in Q&A or discussion with public commenters**.

## GMA 14 January 20, 2021

- James Beach reiterated comments previously made at prior meetings on **the dual metric approach and LSGCD's approval to study the scenarios was contingent on all the discussion** at the meetings and the **objection to a subsidence DFC statement**. [Meeting Clip](#)
  - **Run D was developed from the Strategic Planning Study**, LSGCD presented it and **GMA 14 has approved a model run that uses Run D**.
  - **SJRA, Woodlands Water, Conroe and others who had seats on LSGCD Board approved Run D as the resolution to the 2016 DFC petition**.
  - HAGM was used for Strategic Water Planning Study.
  - **No conversation or votes by GCDs toward agreeing to a subsidence DFC**.
  - **LSGCD objected to having a subsidence DFC and LSGCD's vote was contingent on those objections and conversations**.
  - **LSGCD continues to object to having subsidence in DFC statement** at this time.
  - All discussion to this point has been to consider the 9 factors.

# Clear Authority; No Violation

- The **Board delegated GM as Representative** to act on behalf of the Board at GMA 14 in October 2019. [Meeting Clip](#)
- Committees are authorized in Chapter 36 and the District's bylaws.
- **An open meeting is not required if less than a quorum of board is present.** Tex. Water Code § 36.064
- **DFC Committee is comprised of 3 directors, which is less than quorum** of 4 directors.
- **Committees are authorized under bylaws to formulate policy recommendations** to Board or for such other purposes as the President may designate.
- The Board formed DFC Committee and **delegated authority to advise and make recommendations.**
- The Board voted on the original model scenarios and will vote on proposed and final DFCs.
- The Board **delegated specific authority to GM and DFC Committee to evaluate information through the process, negotiate model scenarios, & come back with final recommendation on a DFC statement.**
- LSGCD took a preliminary step for a vote on the model runs when it was not required to be transparent.
- **If LSGCD violated any law as has been suggested, then so did several other GCDs.**
- **LSGCD has been doing as much as other GCDs** (and sometimes more) from a board perspective.



## Consistent with Board Policy

- Management plan has **goals and objectives with regard to subsidence**.
- Management plan **does not authorize a subsidence metric** for a DFC.
- Subsidence Study: Phase 1 approved by Board and phase 2 scope being finalized.
  - The purpose is to study subsidence in Montgomery County.
- The Board has a **mission to use the best available data & science to inform its management**.
  - Is a subsidence metric for DFC **putting the cart before the horse** when you have pending study?
- The Board has a **mission and goal to protect property rights of all users** in Montgomery County.
  - There are concerns that **approving a subsidence DFC statement would not protect property rights** of users in Montgomery County. For example, pumping by other counties has significant impacts on subsidence in Montgomery County (much is not within LSGCD's control).
- The Board has a mission to **follow the law**.
  - The DFC must be **measurable and feasible**.
  - There are concerns that District **does not have sufficient monitoring equipment to properly measure subsidence accurately throughout the entire county** at this time. The Subsidence Study will evaluate current monitoring system.
- The Board adopted rules with **ability to create management zones** for local issues.

## LSGCD is Implementing the Management Policy and Best Available Science Adopted by Old Board & Backed by Stakeholders

- **Strategic Water Planning Study** – commissioned in November 2014 with a final task memo **approved by the BOD in December 2017**. LBG Guyton performed the study.
- The Strategic Study evaluated resulting aquifers conditions if additional groundwater was produced **including water level declines and subsidence**.
- The study's results showed **additional groundwater could be produced *without* unreasonable impacts on subsidence or unreasonable economic impacts**.
- Task 3 findings included: 1) **approving the increased groundwater pumping levels** and resulting in aquifer conditions included in the groundwater availability **model known as "Run D" as the recommended model** scenario; and 2) **requesting that Run D be presented and considered** in the new round of joint planning as an amendment to DFCs at the time (2<sup>nd</sup> round) or as a new proposal during the 3<sup>rd</sup> round.
- **Received unanimous support by previous BOD** with appointed representatives from **SJRA, Conroe and Woodlands Water (then WJPA)** and involved stakeholders.
- In Oct. 2017, based on results from Strategic Study, the BOD **changed its policy goal of sustainability** to one that **allows for measured aquifer declines** and approved Run D.
- In Nov. 2017, **BOD approved Run D as final resolution to DFC petition**.
- In Dec. 2017, **BOD approved Final Task memo moving forward with Run D as its new preferred DFC**.
- **City of Conroe, Quadvest and SJRA (all entities involved in the 2<sup>nd</sup> round DFC petition) agreed or did not object to the BOD approved Run D** increased groundwater pumping levels and resulting aquifer conditions.

## Next Steps

1. Respond to questions from stakeholders.
2. Pose questions to stakeholders.
3. Meet with stakeholders to address ongoing comments.
4. Consultants will make a presentation at the next GMA 14 meeting.
5. DFC Committee will make recommendation.
6. Board will vote on proposed DFCs for GM to take to voting GCDs in GMA 14.
7. Voting GCDs in GMA 14 will vote on proposed DFCs.
8. District will hold a hearing on the proposed DFCs with a 90 day comment period. All comments from each GCD's hearing will be compiled, shared at GMA 14 and addressed in the voting GCDs' explanatory report.
9. Final DFCs must be adopted by the voting GCDs by January 5, 2022.
10. Final DFCs and explanatory report provided to TWDB; once deemed administratively complete, each GCD must adopt their DFCs.

Exhibit "II"

Webb Melder Public Comments\_02.09.21

THANK YOU...I'm HERE TONIGHT in SUPPORT of THE LSGCD BOARD & STAFF, & THE PROPOSED STRATEGIC GROUND WATER PLAN

I APPRECIATE THE OPPORTUNITY TO SHARE A FEW COMMENTS REGARDING THE PROPOSED STRATEGIC WATER MANAGEMENT PLAN / RUN D.

1. SJRA & THEIR CONTINUED SELF *INTEREST CAMPAIGN* of " FEAR & PROPAGANDA " REGARDING SUBSIDENCE,...TALKING AS IF ALL of MONTGOMERY COUNTY IS GOING TO SINK. THE ANSWER TO SJRA's & OTHERS CONCERNS of SUBSIDENCE IN THE WOODLANDS IS OBVIOUS,...TURN OFF YOUR G-W WELLS & CONVERT to 100% SURFACE WATER. MONTGOMERY COUNTY SHOULD NOT BE PENALIZED TO SATISFY YOUR SELFISH INTERESTS.

I'd LIKE TO POINT OUT FAR TOO MANY COUNTY CITIZENS ARE PAYING FOR SURFACE WATER & GETTING NOTHING !

2. AS FOR THE STRATEGIC WATER PLAN & G-W MANAGEMENT PLAN / RUN D,...IN OCTOBER OF 2017 THE LSGCD BOARD CAST A RARE UNANIMOUS VOTE TO APPROVE IT. TWO PEOPLE DIRECTLY TIED to THIS SELF INTEREST CAMPAIGN of FEAR & PROPAGANDA WERE ON THE BOARD. BOTH the DIRECTORS of SJRA & the WOODLANDS JOINT POWERS SHARED IN THE UNANIMOUS VOTE TO APPROVE. GENTLEMEN, YOUR ACTIONS TODAY ARE VIEWED BY MANY AS *EXCELLARETED HYPOCRISY*. *HARRIS COUNTY HAS ALLOWED MANY FT. OF SUBSDENCE to OCCUR SINCE 1980 ?*

3. *NOW to GMA-14 ISSUES:*

A) *DOES the* COUNTY by COUNTY DFC APPROACH SUPPORT " FAIR SHARE " OF THE COMMON RESERVOIR ? I ENCOURAGE YOU TO AVOID SETTING COUNTY by COUNTY DFC's.

B) HOW CAN ANY GW-CD / GMA 14 JUSTIFY THEIR ACTIONS, RULES & MANAGEMENT PLAN IF THE BOUNDARIES of the COMMON RESERVOIR HAVE NOT BEEN DEFINED ?

C) I UNDERSTAND ONE of the RECENT STUDY MODELS APPLIES A THEORY of " AVERAGING " AQUIFER REACTIONS. IS THIS REALLY HONEST SCIENCE ? ALL AQUIFERS REACT DIFFERENT, ALL WELLS HAVE DIFFERENT SPECS. YOU MIGHT AS WELL TRY TO " AVERAGE " THE SPEED OF BULLETS.

D) ADOPT RULES & REGULATIONS for WELL SPACING. AVOID " REASONABLE USE " & " USER BASED " REGULATIONS. HITCH YOURSELF TO " FAIR SAHRE " & PRIVATE PROPERTY RIGHTS.

E) A HUGELY SUCCESSFUL EXAMPLE of THIS is VISTA RIDGE, DEVELOPED WITH PRIVATE MONEY in a FREE MARKET. THE PROJECT WAS NOT IN THE STATE WATER PLAN. IT IS SUCCESSFUL BECAUSE GROUNDWATER OWNERS WERE ABLE TO EXCERSIZE THEIR PRIVATE PROPERTY RIGHTS.