

# LONE STAR GROUNDWATER CONSERVATION DISTRICT

June 10, 2014

## MINUTES OF SPECIAL MEETING

The Board of Directors of the Lone Star Groundwater Conservation District ("District") held a "Special Meeting," open to the public, in the Lone Star GCD – James B. "Jim" Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, within the boundaries of the District on June 10, 2014.

President Tramm called the meeting to order at 9:00 a.m., announcing that it was now open to the public.

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

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

All members of the Board were present, with the exception of Directors Baker, Houston, and Weisinger, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, District General Manager; Paul R. Nelson, District Assistant General Manager; Brian L. Sledge, General Counsel; District staff; and members of the public. *Copies of the public sign-in sheets are attached hereto as Exhibit "A".*

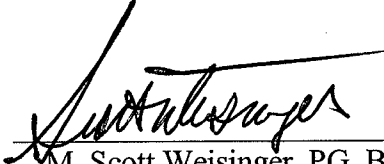
After a proper and legally sufficient announcement to the public by President Tramm, the Board of Directors went into a Closed Executive Session at 9:01 a.m. pursuant to Texas Government Code, Sections 551.071, to consult with the District's attorney regarding pending or contemplated litigation, settlement offers, or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code.

Director Houston arrived at 9:06 a.m. Director Weisinger arrived at 9:08 a.m. Director Baker arrived at 9:35 a.m.

Following Executive Session, the Board reconvened in Open Session and declared it open to the public at 10:05 a.m.

No action was taken on matters discussed in Executive Session and the meeting was adjourned at 10:05 a.m.

**PASSED, APPROVED, AND ADOPTED THIS 8<sup>th</sup> DAY OF JULY, 2014.**

  
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M. Scott Weisinger, PG, Board Secretary

# LONE STAR GROUNDWATER CONSERVATION DISTRICT

June 10, 2014

## MINUTES OF PUBLIC HEARING ON PERMIT APPLICATIONS

The Board of Directors of the Lone Star Groundwater Conservation District ("District") met in regular session, open to the public, in the Lone Star GCD – Board Room located at 655 Conroe Park North Drive, Conroe, Texas, within the boundaries of the District on June 10, 2014.

### CALL TO ORDER:

President Tramm called to order the Public Hearing on Permit Applications at 10:16 a.m., announcing the meeting open to the public.

### ROLL CALL:

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

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

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, General Manager; Paul R. Nelson, Assistant General Manager; Brian L. Sledge, General Counsel; Mark Lowry, District Consultant; District staff; and members of the public. *Copies of the public sign-in sheets are attached hereto as Exhibit "A"*

Item #1, **Woodlands Nursery, LLC** - Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 3,200,000 gallons for 2014 annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is being requested.

Item #2, **Howard Tenney III (Tenney & Company, Inc.)** - This is an existing well staff found in non-compliance. Applicant is requesting registration of the well and production authorization in the amount of 30,000 gallons for 2014 and 50,000 gallons for 2015 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is being requested.

Item #3, **LB Pipe & Coupling** - This is an existing well staff found in non-compliance. Applicant is requesting registration of the well and production authorization in the amount of 500,000 gallons for 2014 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is being requested.

Item #4, **Tim's Marine** - Applicant is requesting registration of a new well and production authorization in the amount of 200,000 gallons for 2014 and 300,000 gallons for 2015 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is being requested.

Item #5, **Montgomery County MUD #15** - Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 30,000,000 gallons for 2014 and annually thereafter. The SJRA GRP Administrator has been notified by email and has not submitted any comments on the request. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is being requested.

Item #6, **Farrell Road Development** - Applicant is requesting registration of a new well and production authorization in the amount of 100,000 gallons for 2014 and 150,000 gallons for 2015 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is being requested.

Item #7, **Betty M. Dove** - Applicant previously requested and received emergency authorization to drill a new well to replace an existing unpermitted/unregistered well. Applicant is requesting registration of the emergency well and production authorization in the amount of 600,000 gallons for 2014 and 1,200,000 gallons for 2015 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is being requested.

Item #8, **Erick Ostrander** - Applicant is requesting registration of a new well and production authorization in the amount of 5,000,000 gallons for 2014 and 9,000,000 gallons for 2015 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is being requested.

Item #9, **Glenn Thorpe** - Applicant is requesting registration of a new well and production authorization in the amount of 350,000 gallons for 2014 and 700,000 gallons for 2015 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve the registration and construction of the well and authorize a reduced amount of 175,000 gallons for 2014 and annually thereafter.

Item #10, **Flor Fuentes** - Applicant is requesting registration of a new well and production authorization in the amount of 250,000 gallons for 2014 and 300,000 gallons for 2015 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve the registration and construction of the well and authorize a reduced amount of 50,000 gallons for 2014 and annually thereafter.

Item #11, **Tim O'Neill** - Application is requesting registration of a new well and production authorization in the amount of 200,000 gallons for 2014 and 250,000 gallons for 2015 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve the registration and construction of the well and authorize a reduced amount of 36,000 gallons for 2014 and annually thereafter.

Item #12, **The Bar Next Door** - This is an existing well staff found in non-compliance. Applicant is requesting registration of the well and production authorization in the amount of 600,000 gallons for 2014 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve the registration and construction of the well and authorize a reduced amount of 320,000 gallons for 2014 and annually thereafter.

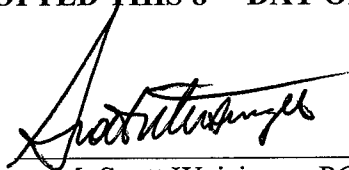
The first motion was made by Director Wood, and seconded by Director Stinson to approve items #1-8, in accordance with the General Manager's recommendations. Director Weisinger abstained from voting on item #7, Betty M. Dove, and the motion passed unanimously.

The second motion was made by Director Weisinger, and seconded by Director Bleyl to approve items #9-12, in accordance with the General Manager's recommendation. Director Weisinger abstained from voting on item #9, Glenn Thorpe, and the motion passed unanimously.

Item A. **HUP 173** – Transfer of Historic Use Permit – The General Manager reported there was no action to be taken on this matter and asked that the Board defer the item until next month.

President Tramm adjourned the public hearing on permit applications at 10:19 a.m.

**PASSED, APPROVED, AND ADOPTED THIS 8<sup>TH</sup> DAY OF JULY, 2014.**



M. Scott Weisinger, PG, Board Secretary

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# LONE STAR GROUNDWATER CONSERVATION DISTRICT

June 10, 2014

## MINUTES OF REGULAR MEETING

The Board of Directors of the Lone Star Groundwater Conservation District ("District") met in regular session, open to the public, in the Lone Star GCD - James B. "Jim" Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, within the boundaries of the District on June 10, 2014.

### CALL TO ORDER:

President Tramm called to order the regular Board of Directors meeting at 10:19 a.m. announcing that it was open to the public.

### ROLL CALL:

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

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

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, General Manager; Paul R. Nelson, Assistant General Manager; Brian L. Sledge, General Counsel; Mark Lowry, P.E., District Engineer; District staff; and members of the public. *Copies of the public sign-in sheets are attached hereto as Exhibit "A"*

### APPROVAL OF THE MINUTES:

President Tramm stated the Board would consider all meeting minutes listed as one item. Upon review of the following, a motion was made by Director Houston, seconded by Director Moffatt, and unanimously carried, to approve the meeting minutes:

- a) May 13, 2014, Special Board Meeting
- b) May 13, 2014, Public Hearing on Permit Applications
- c) May 13, 2014, Show Cause Hearing on Enforcement Matters
- d) May 13, 2014, Regular Board of Directors Meeting

## COMMITTEE REPORTS:

### Water Awareness and Conservation Committee - Billy Wood, Chair

Briefing on Committee Activities - Director Wood reported that the committee had not met since the last board meeting. He asked Marlisa Briggs to update the Board on public outreach efforts and conservation activities since the last Board meeting.

Briefing on Public Outreach Efforts - Marlisa Briggs, Education/Public Awareness Coordinator – Mrs. Briggs' presentation highlighted the following public outreach efforts:

- Mobile Education Lab @ SJRA – Montgomery Elementary School
- Texas Well Owner Network Class – about 75 in attendance
- City of Conroe's Landscape Irrigation Symposium
- Conservation Outreach Coalition Update
- Chambers of Commerce Board Meetings
- NCM Movie Ad Update
- Website Redesign Progress Report
- Ongoing e-blasts, press releases and social media communications
- Monthly Dock Lines article

Update on Conservation Efforts – Paul Nelson, Assistant General Manager - Mr. Nelson briefed the Board on additional conservation activities, including

- May 13 - Lake Conroe Watershed Protection Plan meeting
- May 20 – City of Conroe's conservation committee meeting
- Working on joint native plant brochure
- May 22 - Gulf Coast/Montgomery County Water Efficiency Network meeting

### Rules Development Committee - Kathy Turner Jones, Coordinator

Briefing on Committee Activities - Ms. Jones reported that the Rules and Bylaw Committee had not met since the last meeting, but that the committee will meet before the next Board meeting.

Update and Status Project Report Related to Development of Well Spacing Relationships – Ms. Jones reported that following the Rules Committee recommendation and approval, she has authorized a scope of services with Mullican and Associates for the development of well spacing rules for the Catahoula Aquifer in Montgomery County. The project will build on previous work done by INTERA in 2013 to develop a relationship for well spacing that incorporates the maximum pumping rate and any vertical offsets.

Findings will include the District's goals and technical justification for new well spacing rules for the Catahoula. The project will not exceed \$14,750 without additional authorization. Mullican and Associates will serve as project manager



and will be responsible for project oversight with INTERA providing services as a sub-consultant on this effort. The well spacing rules selected will inherently be a function of what impact to neighboring wells the District considers acceptable. Well spacing rules are a function of both policy and technical considerations. Consultants will develop relationships for many different levels of impact for the District to consider.

### **Policy and Personnel Development Committee – Sam W. Baker**

Briefing on Committee Activities – Director Baker reported that the committee had not met since the last Board meeting, and therefore there was no report.

### **Findings and Review Committee – Paul R. Nelson**

Briefing on Committee Activities – Mr. Nelson reported the Findings and Review Committee met on June 5 to receive follow up presentations from Informed Environmental, LLC and Fractest LLC.

Discussion and possible action to approve advanced analytical chemistry and hydrogeological modelling proposal to identify and quantify the relative risk of groundwater contamination - The purpose of the above-mentioned presentation was to have a more localized view. At the conclusion of the meeting and presentations, the committee asked staff to talk to other entities who have used these types of services with them, look at cost/analysis. Proposal was to test 100 wells as a baseline. TCEQ also conducts testing, and staff will investigate so that duplicate testing won't occur. Staff will also check the company's credentials. Staff will bring findings back to the Findings and Review Committee for further consideration at a future meeting.

### **Budget and Finance Development Committee - Jim Stinson, Chair**

Briefing on Committee Activities - Director Stinson reported that the committee did not meet, and therefore did not have a report.

Review of Monthly Financial Reports - Director Stinson reported that the financial statement indicated an actual income of \$1.8 million compared to projected \$1.9 million, and expenses are at \$745,000 compared to projected expenses of \$919,000.

### **Building and Facilities Committee - Kathy Turner Jones, Coordinator**

Briefing on Committee Activities – Ms. Jones reported that the committee had not met since the last Board meeting, therefore there was no report.

Update and Possible Action Regarding Construction and Redesign of Existing Detention Pond – Ms. Jones reported that Carter's Landscaping has completed the majority of the refill portion of the detention pond redesign. Upon completion, final contract amount will be about \$8,000 under the original bid. Monies remaining may be needed to bring in a better quality of topsoil if necessary.

Regarding the actual redesign, we are currently waiting to receive a final proposal and time commitment from Teal Design and Landscape. Hopefully, this will be received in time for the Building and Facilities Committee to review prior to the July Board meeting.

**CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR EARLY CONVERSION CREDITS PURSUANT TO THE EARLY CONVERSION INCENTIVE AS DESCRIBED IN ADDENDUM D OF THE LSGCD RULES – PRODUCTION OF ALTERNATIVE WATER SOURCE (AWS) FROM THE CATAHOULA RESTRICTED AQUIFER PROJECT, CITY OF MONTGOMERY**

The City of Montgomery has submitted an application for Early Conversion Credits for a project whereby they will use alternative source of water (AWS) from the Catahoula Restricted Aquifer to reduce groundwater production from the Gulf Coast Aquifer system in advance of the 2016 groundwater conversion deadline.

The project has been reviewed by staff and is eligible for an early conversion incentive credit as stipulated in the Rules and therefore it is the General Manager's recommendation to recognize the City of Montgomery's commitment to preserving aquifer levels by implementing an AWS and support a two-to-one ration early conversion credit for AWS water metered with an expected production date beginning June 2014. A motion was made by Director Stinson, seconded by Director Bleyl and unanimously carried to approve the recommendation by the General Manager.

**ENGINEERING REPORT:**

Mark Lowry, District Consultant, reported that most of his activity during the month was routine, and a copy of his report is included in the Board packet. The only item out of the ordinary was his presentation at the City of Conroe's Landscape Irrigation Symposium.

**GENERAL MANAGER'S REPORT:**

Ms. Jones reported to the Board that many of the items planned for the General Manager's Report had been discussed under earlier agenda items. Other activities of possible interest to the Board were included in the report found in their packets, including notice that the next Region H meeting is scheduled for August 6.

Update Related to Joint Planning in GMA 14 – Ms. Jones reported GMA 14 will meet June 24 at the LSGCD offices at 1:30 p.m. Topics of discussion will include:

- Results from the modified predictive simulations utilizing GMA 14-approved pumping amounts in the updated Northern Gulf Coast Aquifer;
- Draft statements of desired future conditions based on execution of the updated Northern Gulf Coast Aquifer GAM;
- Briefing of hydrological conditions;
- Discussion on environmental impacts;
- Briefing of the impacts of proposed desired future conditions on subsidence; and
- Discussion of funding levels, participation and any other aspects of the Interlocal Agreement.

**GENERAL COUNSEL'S REPORT:**

Mr. Sledge noted that he had covered the majority of his items during executive session, but he had also spent a considerable amount of time working with staff regarding different scenarios.

Director Weisinger left the meeting at 11:10 a.m.

**PUBLIC COMMENT:**

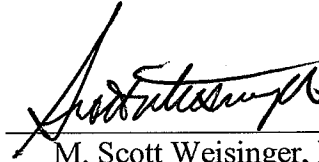
There were no members of the public wishing to speak at this meeting.

**NEW BUSINESS:**

There was no new business to discuss.

There being no further business, upon a motion by Director Houston, seconded by Director Wood, President Tramm adjourned the meeting at 11:13 a.m.

**PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF JULY, 2014.**



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M. Scott Weisinger, PG, Board Secretary

