LONE STAR
GROUNDWATER CONSERVATION DISTRICT

November 12, 2024

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 and 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 November 12, 2024.

CALL TO ORDER:

President Spigener 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:

Jim Spigener
Jonathan Prykryl (Virtual)
Janice Thigpen
Jon Paul Bouché
Kenneth Earnest

Five members of the Board were present, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Sarah Kouba, General Manager; Tiffany White, Director of Operations; Samantha Branham, Permitting Manager, Kirstin Hein, Education & Conservation Outreach Coordinator; Stacey Reese, District Counsel; Chris Drabek, District Technical Consultant, *(virtual);* Mike Keester, District Technical Consultant, *(virtual)*; and members of the public. ***Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".***

Director Bouché led the prayer and Secretary Thigpen lead the United States and Texas pledges.

PUBLIC COMMENTS:

No comments were received.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON THE FOLLOWING OPERATING PERMITS and/or EXEMPTIONS:

Ms. Kouba provided an overview of the 9 applications listed. Applications numbered 1-8 included applications that have been reviewed by District Staff and are considered administratively complete. No hydrogeological reports were required for those applications, and they comply with the District's Spacing Rules. Ms. Kouba, has reviewed the applications, and she recommended that the Board grant those which is requested for applications 1 - 8.

Ms. Kouba provided an overview of application number 1 – Master Storage, LLC Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application numbered 2 – Wisdom Real Estate Holdings, LLC. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 3 – Matthew Baker. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 4 – Signal Measurement Corporation (Bison ProFab Inc). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 5 – Carlos Rodriguez (Best Trash). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 6 – FM 1314 QOF, LLC. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 7 – 10FSS 3636. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 8 – 10FSS 13425. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Director Earnest moved to approve that which is requested for applications 1 - 8. Director Bouché seconded the motion. President Spigener called for a voice vote. Motion passed.

Ms. Kouba provided an overview of application numbered 9 – Montgomery County MUD #164. Due to the total production capacity of the well, Ms. Kouba requested the Board's consideration of the

permit and permit conditions upon approval. A Hydrogeological Report was submitted with the application and was found to meet the requirements of the District.

Director Dent moved to approve that which is requested for applications 9. Director Bouché seconded the motion. President Spigener called for a voice vote. Motion passed.

ADJOURN:

Director Bouché moved to adjourn the November 12th, 2024, Public Hearing on Permit Applications and Director Dent seconded the motion. Motion passed. The meeting was adjourned at 6:23 pm.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF DECEMBER 2024.

Janice Thigpen, Board Secretary

LONE STAR
GROUNDWATER CONSERVATION DISTRICT

November 12, 2024

MINUTES OF REGULAR MEETING

The Board of Directors of the Lone Star Groundwater Conservation District ("District") met in regular session, open to the public and 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 November 12, 2024.

ITEM 1. CALL TO ORDER:

President Spigener presided and called to order the regular Board of Directors meeting at 6:23 PM, announcing that it was open to the public.

ITEM 2. ROLL CALL:

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

Jim Spigener
Janice Thigpen
Jonathan Prykryl (Virtual)
Jon Paul Bouché
Kenneth Earnest

Five members of the Board were present, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Sarah Kouba, General Manager; Tiffany White, Director of Operations; Kirstin Hein, Education & Conservation Outreach Coordinator; Samantha Branham, Permitting Manager; Stacey V. Reese, District Counsel *(virtual)*, Chris Drabek, District Technical Consultant *(virtual)*, Mike Keester, District Technical Consultant *(virtual)*; and members of the public. ***Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".***

ITEM 3. PUBLIC COMMENTS:

Two public comments were received via email before the meeting. No public comments were received during the meeting.

President Spigener moved Item 4 and Item 5 till after Item 12 in the agenda.

ITEM 6. APPROVAL OF THE MINUTES:

President Spigener stated the Board would consider the meeting minutes as listed for approval

on the agenda. Without further discussion, Director Bouche moved to accept the minutes as presented, and Director Dent seconded the motion. President Spigener called for a voice vote. Motion passed to approve the meeting minutes as presented.

- October 8, 2024, Public Hearing on Permit and Permit Amendment Applications
- October 8, 2024, Regular Meeting of the Board of Directors

Director Dent joined the meeting at 6:19 P.M.

ITEM 7: COMMITTEE REPORTS:

A. Executive Committee

1) Brief the Board on the Committee's activities since the last regular board meeting. President Spigener reported that the Executive Committee met on October 22, 2024 regarding the District media policy.

B. Budget & Finance Committee

1) Brief the Board on the Committee's activities since the last regular board meeting. Treasurer Prykryl reported that the Budget Committee has not met since the last regular meeting.

2) Review of unaudited financials for the month of October 2024
Ms. Kouba presented the financial review for October 2024. Moneys received for the month of October was $408,600.49. Total expenditures for August was $186,760.64 , Resulting in a next change of $221,839.85. Balance as of October 31, 2024, in Money Market is $6,146,335.39, Balance as of October 31, 2024, in Operating $74,671.59, Balance as of October 31, 2024, in Tex Pool is $52,185.95. Additionally, the total Checking and Savings as of October 31, 2024, was $6,273,192.67.

C. External Affairs Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting President Spigener reported the committee has met on weekly regarding improvements on external communication strategies.

President Spigener provided a summary on the outside events that the Committee has attended. These included a meeting with Commissioner Robert Walker for Precinct 1 and newly elected Commissioner Ritch Wheeler for Precinct 3, a monthly meeting from the Conroe/Lake Conroe Chamber of Commerce, the East Montgomery County Chamber of Commerce monthly meeting that was attended by Sarah Kouba and Jim Spigener.

D. DFC & Technical Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting. Director Dent provided a report of the ongoing weekly DFC and Technical Committee meetings. Director Dent provided an update for Site 1 in processing samples including that the District's consultants had finished their review and that the Texas A&M is working on the samples from the Jasper.

2) Technical Consultants Update – Receive updates from Technical Consultants on ongoing projects and development of desired future conditions in GMA 14.
Mike Keester stated that there were no updates from the Technical Consultants at this time.

3) Groundwater Management Area 14 Update – update the Board on the Issues related to joint planning activities and development of desired future conditions in GMA 14.
Ms. Kouba confirmed that the date and time has been set for November 19th at 10:00am to be hosted at the LSGCD consultants. Ms. Kouba is anticipating to discuss the RFQ that was approved by the GMA 14 for a consultant for 3 – 4 of the of the member GCDs for use in development of the DFCs for the next round of planning.

4) Motion to renew joint-funding agreement with USGS for the period of 01/01/2025 through 12/31/2025.
Director Earnest director Dent second. Director Earnest asked for confirmation that their had been no changes in the cost for the next year.

E. Rules, Bylaws & Policies Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting
President Spigener reported the District is internally working on potential rule revisions and getting to the point of the stakeholder meeting. Ms. Kouba added that there was current focus on the management plan due to associated deadlines, but reiterated that the rules will be updated and stakeholders will be updated.

ITEM 8. RESOLUTION 24-007 – ADOPTION OF POLICY

Ms. Kouba provided an update that SB1893 had created a requirement for local agencies to confirm the adoption of the policy for the process. Director Bouché moved to accept the contract as included. Director Thigpen seconded the motion. President Spigener called for a voice vote. Motion Passed.

ITEM 9. GENERAL MANAGER'S REPORT:

Ms. Kouba provided operational updates, including a reminder that outstanding 15% drought buffers will be included on invoices. Website development is still on going. Ms. Kouba provided an update on the Open Forum of the Permit Application from November 12 and reminded the public that the previous forms will be removed from the website and the District Database by the end of the week. The District is continuing to work towards a future MUD meeting. Ms. Kouba provided a reminder that the District Website now hosts a shapefile with the District wells that is updated every month.

On October 17th, there was a mass mailing for the representation during GMA 14

GMA 14 has an upcoming meeting on November 19th.

Ms. Kouba welcomed and introduced Samantha Branham as the Permitting Manager.

Ms. Kouba provided a summary of both the internal and external meetings since the last board meeting, including the GMA 14 District Sharing Lunch, October 16 Precinct 1 meeting, October 21 GRP meeting, TAGD Research and Fund meeting, TWDC meeting. Anticipating quarterly meetings with drillers in the future to improve communication between the District and drillers, operators and engineers. President Spigner stated that the event went well and had an estimated 41 people present and thanked Director Earnest for the idea of the Drillers meeting.

Ms. Kouba provided a summary of future planned meetings. The Greater Magnolia Parkway Luncheon presentation is scheduled on November 21st, the Greater EMC Chamber Luncheon is scheduled on December 4th, and the GRP Meeting is scheduled on December 9th.

Ms. Kouba provided an update on items from the Permitting Department including update on Field Inspections and Permitting and exempt well registration processes. Ms. Kouba discussed the current efforts to improve the processes within the District

ITEM 12. GENERAL COUNSEL'S REPORT:

Ms. Reese provided an update on the TCEQ motion for rehearing to the motion of rehearing. The motion for re-hearing was denied on the 55th day. So that petition has been completed.

President Spigener thanked Director Dent for the work and stepping up to the appointed position and for serving the citizens of Montgomery County. Director Dent thanked everyone for the participation and going forward.

ITEM 4. EXECUTIVE SESSION:

The Board recessed at 6:41 PM into a closed Executive Session pursuant to Texas Government Code, Sections 551.074 to discuss personnel matters and annual review of the General Manager, and 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 regarding any agenda item on any of the Board meetings or hearing posted for today.

ITEM 5. RECONVENE IN OPEN SESSION:

Following Executive Session, the Board reconvened in Open Session and President Spigener declared it open to the public at 7:27 PM.

NEW BUSINESS:

No new business

ADJOURN:

There being no further business Director Bouché moved to adjourn the meeting and Director Earnest seconded the motion. President Spigener called for a voice vote, motion passed, The meeting was adjourned at 7:28 PM.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF DECEMBER 2024.

Janice Thigpen, Board Secretary

RESOLUTION NO. # 24--007

LONE STAR GROUNDWATER CONSERVATION DISTRICT

RESOLUTION APPROVING COVERED APPLICATIONS AND PROHIBITED TECHNOLOGY POLICY

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, 77th Leg., R.S., ch. 1321, p. 3246, § 1(a), as amended;

WHEREAS, Senate Bill 1893 (2023) requires the District to prohibit the use of covered applications on District devices;

WHEREAS, the Texas Department of Information Resources issued a model policy for prohibiting the use of covered applications pursuant to Senate Bill 1893 on September 16, 2024; and

WHEREAS, the Board of Directors of the District determines that adoption of the model policy issued by the Texas Department of Information Resources, with conforming changes relevant to the District, is necessary for compliance with Senate Bill 1893.

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

1. The above recitals are true and correct and are incorporated herein for all purposes.

2. The Board of Directors of the District hereby approves the District's Covered Applications and Prohibited Technology Policy ("Policy"), attached hereto and incorporated herein for all purposes.

3. The Policy complies with the District's requirements under Senate Bill 1983 (2023).

4. District staff and legal counsel are authorized to take any and all action necessary for the implementation of this Resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED this 12th day of November 2024.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
Jim Spigener, President

ATTEST:

_____
Janice Thigpen, Secretary

Lone Star GCD

Covered Applications and Prohibited Technology Policy

Date Adopted: November 12, 2024

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1.0 Introduction

1.1 Purpose

On December 7, 2022, Governor Greg Abbott required all state agencies to ban the video-sharing application TikTok from all state-owned and state-issued devices and networks over the Chinese Communist Party's ability to use the application for surveilling Texans. Governor Abbott also directed the Texas Department of Public Safety (DPS) and the Texas Department of Information Resources (DIR) to develop a plan providing state agencies guidance on managing personal devices used to conduct state business. Following the issuance of the Governor's directive, the 88th Texas Legislature (2023) passed Senate Bill 1893, which prohibits the use of covered applications on governmental entity devices.

As required by the Governor's directive and Senate Bill 1893, this model policy establishes a template that entities subject to the directive or bill may mimic to prohibit the installation or use of covered applications or prohibited technologies on applicable devices. The Lone Star Groundwater Conservation District (District) adopts this policy in order to comply with the requirements of Senate Bill 1893 (2023).

1.2 Scope and Application

Due to distinctions in requirements between the Governor's directive and SB 1893, the requirements for governmental entities differ somewhat from the requirements for state agencies. This policy is intended to cover the requirements for governmental entities.

Governmental entities, including local governments, must adopt a covered applications policy as described by Section 2.0.

2.0 Covered Applications Policy for Governmental Entities

2.1 Scope and Definitions

Pursuant to Senate Bill 1893, governmental entities, as defined below, must establish a covered applications policy:

- A department, commission, board, office, or other agency that is in the executive or legislative branch of state government and that was created by the constitution or a

statute, including an institution of higher education as defined by Education Code Section 61.003.

- The supreme court, the court of criminal appeals, a court of appeals, a district court, or the Texas Judicial Council or another agency in the judicial branch of state government.
- A political subdivision of this state, including a municipality, county, or special purpose district.

This policy applies to all District full-and part-time employees, contractors, paid or unpaid interns, and other users of government networks. All District employees are responsible for complying with this policy.

A covered application is:

- The social media service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited.
- A social media application or service specified by proclamation of the governor under Government Code Section 620.005.

2.2 Covered Applications on Government-Owned or Leased Devices

Except where approved exceptions apply, the use or installation of covered applications is prohibited on all government-owned or -leased devices, including cell phones, tablets, desktop and laptop computers, and other internet-capable devices.

The District will identify, track, and manage all government-owned or -leased devices including mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices to:

a. Prohibit the installation of a covered application.
b. Prohibit the use of a covered application.
c. Remove a covered application from a government-owned or -leased device that was on the device prior to the passage of S.B. 1893 (88th Leg, R.S., 2003).
d. Remove an application from a government-owned or -leased device if the Governor issues a proclamation identifying it as a covered application.

The District will manage all government-owned or leased mobile devices by implementing the security measures listed below:

a. Restrict access to "app stores" or unauthorized software repositories to prevent the installation of unauthorized applications.
b. Maintain the ability to remotely wipe non-compliant or compromised mobile devices.
c. Maintain the ability to remotely uninstall unauthorized software from mobile devices.

2.3 Ongoing and Emerging Technology Threats

To provide protection against ongoing and emerging technological threats to the government's sensitive information and critical infrastructure, DPS and DIR will regularly monitor and evaluate additional social media applications or services that pose a risk to this state.

DIR will annually submit to the Governor a list of social media applications and services identified as posing a risk to Texas. The Governor may proclaim items on this list as covered applications that are subject to this policy.

If the Governor identifies an item on the DIR-posted list described by this section, then the District will remove and prohibit the covered application.

The District may also prohibit social media applications or services in addition to those specified by proclamation of the Governor.

2.4 Bring Your Own Device Policy

If a Governmental Entity is not subject to the Governor's prohibited technology directive but is subject to Senate Bill 1893, it may also consider prohibiting the installation or operation of prohibited technologies and covered applications on employee-owned devices that are used to conduct government business.

If the District has a "Bring Your Own Device" (BYOD) program, then the District may consider prohibiting the installation or operation of covered applications on employee-owned devices that are used to conduct government business. The District may institute a BYOD policy requiring the enrollment of these personal devices in the entity's program before their continued use in conducting governmental business.

2.5 Covered Application Exceptions

The District may permit exceptions authorizing the installation and use of a covered application on government-owned or -leased devices consistent with the authority provided by Government Code Chapter 620.

Government Code Section 620.004 only allows the District to install and use a covered application on an applicable device to the extent necessary for:

(1) Providing law enforcement; or
(2) Developing or implementing information security measures.

If the District authorizes an exception allowing for the installation and use of a covered application, the District must use measures to mitigate the risks posed to the state during the application's use.

The District must document whichever measures it took to mitigate the risks posed to the state during the use of the covered application.

3.0 Policy Compliance

The District will verify compliance with this policy through various methods, including but not limited to, IT/security system reports and feedback to leadership.

An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

4.0 Policy Review

This policy will be reviewed and updated as necessary every three years, unless the District is required to do so earlier based on legislative changes, to reflect changes in state law, additions to applications identified under Government Code Section 620.006, updates to the prohibited technology list posted to DIR's website, or to suit the needs of the District.