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Shelby Curry
MARK TURNBULL, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

PUBLIC HEARINGS AND MEETING FOR LONE STAR GCD

TUESDAY, SEPTEMBER 8, 2020—6:00 P.M.
IN PERSON AND REMOTELY VIA THE PUBLICLY ACCESSIBLE WEBINAR/TELEPHONE CONFERENCE CALL

Notice is hereby given to all interested members of the public that the Board of Directors of the Lone Star Groundwater Conservation District will hold a previously scheduled and noticed hearing and its regular monthly board meeting both in person and remotely **via a publicly accessible webinar/telephone conference call** (for those who do want to attend in person) in accordance with the Texas Governor's "Report to Open Texas". *See also* Texas Government Code, Section 551.125, as modified by the Governor of Texas who ordered suspension of various provisions of the Open Meetings Act, Chapter 551, Government Code, effective March 16, 2020, in accordance with the Texas Disaster Act of 1975. **Information on how to participate in the hearing and meeting remotely is provided below.** Agendas for each hearing and regular board meeting are provided in this packet immediately following the instructions for participation.

If you attend in person, please note that the District's board room can only accommodate twelve (12) in person public attendees while still maintaining six feet distance between attendees. If you are not comfortable attending the meeting in person (and/or due to limited social distancing capacity), please participate via the webinar/telephone conference call. You can provide written public comment in advance of the meeting or live during the meeting via the webinar link below.

INSTRUCTIONS FOR PARTICIPATION IN HEARINGS AND MEETING

Audio and Video Conference Opens at 5:45 PM

The Hearings and Meeting will begin at 6:00 PM.

Participation via the videoconference webinar is not required and only necessary if you plan to make public comment during any hearing or the meeting. If you plan to make public comment during any hearing or meeting, please do the following:

1. Please contact the District at (936) 494-3436 or info@lonestargcd.org to register as a speaker during public comment. Please indicate whether you would like to make public comment during the management plan hearing, permit hearing and/or board meeting. You must also register as a speaker when logging into the webinar by providing your name and email address. You can pre-register for the webinar. Any person participating in the meeting must be recognized and identified by a moderator before they speak.

2. Determine if you will participate and provide public comment via the zoom webinar link or Zoom app as set forth below.

If you do not plan to make live public comment during any hearing or meeting, you are not required to register for the webinar and may listen via a conference call number or watch the live broadcast on the District's website as provided below. You may also submit written comments in advance of the meeting to info@lonestargcd.org.

Persons with disabilities who plan to attend this meeting and would like to request auxiliary aids or services are requested to contact Jennifer Thayer at (936) 494-3636 at least three business days prior to the meeting so that appropriate arrangements can be made.

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PARTICIPATION IN LIVE PUBLIC COMMENT VIA WEBINAR LINK OR APP

If you choose to participate via the Zoom webinar link below, you WILL have the opportunity to provide live comments during the designated portion of the hearings or meeting.

Webinar Link:
https://us02web.zoom.us/webinar/register/WN_caz0gpfrSqy41qsXGTCP1g
After registering, you will receive a confirmation email containing information about joining the webinar. You can pre-register for the webinar at anytime.

If you choose to participate in the webinar via the Zoom App, you will need to *pre-register* via the URL meeting link above to get a password emailed to you in advance of the webinar. You will use the password emailed to you during pre-registration when you log into the app to join the webinar. You WILL have the opportunity to provide live comments during the designated portion of the hearings or meeting.

Please use Webinar ID: 838 4999 4381
Password: Received via pre-registration

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LISTENING/WATCHING BUT NO PARTICIPATION IN LIVE PUBLIC COMMENT

If you do not want to make live public comment and/or you choose to participate in the public hearings and meeting using the conference call number or live broadcast link below, you will NOT have the opportunity to provide live comments during the designated portion of the hearings and meeting. The conference call phone number is provided for LISTENING PURPOSES ONLY, and the live broadcast link is provided for LISTENING AND WATCHING PURPOSES ONLY. You can submit written comments in advance to info@lonestargcd.org.

Telephone conference call phone number: Dial +1 346 248 7799; enter the meeting ID: 838 4999 4381#. You will then be prompted to enter a participation code or press #. Press #. You do not need a participation code.

Live broadcast of the hearings and meeting via the link below or on the meetings tab on the District's website at https://www.lonestargcd.org/meetings

Live Broadcast Link: https://lonestargcd.new.swagit.com/views/58

NOTICE OF HEARINGS AND MEETING
OF THE BOARD OF DIRECTORS OF THE
LONE STAR GROUNDWATER CONSERVATION DISTRICT
To be held on Tuesday, September 8, 2020
Lone Star GCD – James B. "Jim" Wesley Board Room
655 Conroe Park North Drive
Conroe, Texas 77303

NOTICE OF PUBLIC HEARING ON
PERMIT AND PERMIT AMENDMENT APPLICATIONS

TUESDAY, SEPTEMBER 8, 2020, AT 6:00 P.M.

Held In Person and/or Remotely via a
Publicly Accessible Webinar/Telephone Conference Call
(The webinar & conference call line open at 5:45 P.M.)

1. Call to Order and Declare Hearing Open to the Public

2. Roll Call

3. Prayer and Pledges of Allegiance

4. Any Public Comments or Requests to Contest and General Manager Permit Hearing Report and Recommendation on Granting, Denying, or Amending Applications for the following Operating Permits and/or Meter Exemptions:

    i. Emerald Lakes POA, for a proposed well to be drilled on the easement on the east side of 1730 Opal Trail, (Lat 30/27/23, Long. 95/28/55), Willis, not to exceed 1.0 mg for 2020 and 0.5 mg for 2021 and annually thereafter, Irrigation use, (Driller of record: Ballard Water Well Co LLC);
    ii. Aqua Texas, Inc. (Decker Woods), for a proposed amendment to OP-15111701, 25519 Wildflower, Magnolia increase of 0.18 mg annually, Public Supply (PWS) use;
    iii. Aqua Texas, Inc. (Hidden Forest), for a proposed amendment to OP-06112802, 15851 Forest St., Montgomery, increase of 2 mg annually, Public Supply (PWS) use;
    iv. Aqua Texas, Inc. (Woodlands Pkwy), for a proposed amendment to OP-13082601, 2978 @ Woodlands Pkwy, Magnolia, (Lat 30/11/20, Long 95/35/31), increase of 20 mg annually, Public Supply (PWS) use;
    v. Aqua Texas, Inc. (West Lane), for a proposed amendment to OP-13032101, 8620 West Lane, Magnolia, increase of 4.321 mg annually, Public Supply (PWS) use;

vi. Dennis Davis, for a proposed well to be drilled at 5855 Mt. Zion Rd., New Waverly, not to exceed 0.0095 mg for 2020 and 0.026 mg for 2021 and annually thereafter, Commercial use, (Driller of record: Ricky Bonds Water Wells);

vii. Undine Texas, LLC (Lochness), for a proposed amendment to OP-05100403, well to be drilled at 16300 Invermark Way, Willis, Public Supply (PWS) use, (Driller of record: O'Day Drilling Co.);

viii. Brian Perez, for a proposed well to be drilled at 9680 Joy Ln., Conroe, not to exceed 0.1 mg for 2020 and 0.3 mg annually, Public Supply use, (Driller of Record: Ballard Water Well);

ix. C & R Water Supply Inc (Emerson Estates), for a proposed amendment to OP-03-0030, well to be drilled at Steeple Run Dr., - 200' from intersection of Tremont Dr and 150' inside Steeple Dr., (Lat 30/20/45, Long 95/18/36), Conroe, increase of 15 mg annually, Public Supply (PWS) use (Driller of record: C Miller Drilling, Inc); and

x. Wisteria Asset LLC, for a proposed well to be drilled at 31387 Wisteria Rd., Magnolia, not to exceed 0.2 mg for 2020 and 2 mg annually, Commercial & Irrigation use, (Driller of Record: TBD).

5. Discussion, consideration and possible action on the following Operating Permits and/or Meter Exemptions:

i. Emerald Lakes POA, for a proposed well to be drilled on the easement on the east side of 1730 Opal Trail, (Lat 30/27/23, Long. 95/28/55), Willis, not to exceed 1.0 mg for 2020 and 0.5 mg for 2021 and annually thereafter, Irrigation use, (Driller of record: Ballard Water Well Co LLC);

ii. Aqua Texas, Inc. (Decker Woods), for a proposed amendment to OP-15111701, 25519 Wildflower, Magnolia increase of 0.18 mg annually, Public Supply (PWS) use;

iii. Aqua Texas, Inc. (Hidden Forest), for a proposed amendment to OP-06112802, 15851 Forest St., Montgomery, increase of 2 mg annually, Public Supply (PWS) use;

iv. Aqua Texas, Inc. (Woodlands Pkwy), for a proposed amendment to OP-13082601, 2978 @ Woodlands Pkwy, Magnolia, (Lat 30/11/20, Long 95/35/31), increase of 20 mg annually, Public Supply (PWS) use;

v. Aqua Texas, Inc. (West Lane), for a proposed amendment to OP-13032101, 8620 West Lane, Magnolia, increase of 4.321 mg annually, Public Supply (PWS) use;

vi. Dennis Davis, for a proposed well to be drilled at 5855 Mt. Zion Rd., New Waverly, not to exceed 0.0095 mg for 2020 and 0.026 mg for 2021 and annually thereafter, Commercial use, (Driller of record: Ricky Bonds Water Wells);

vii. Undine Texas, LLC (Lochness), for a proposed amendment to OP-05100403, well to be drilled at 16300 Invermark Way, Willis, Public Supply (PWS) use, (Driller of

record: O'Day Drilling Co.);

viii. Brian Perez, for a proposed well to be drilled at 9680 Joy Ln., Conroe, not to exceed 0.1 mg for 2020 and 0.3 mg annually, Public Supply use, (Driller of Record: Ballard Water Well);

ix. C & R Water Supply Inc (Emerson Estates), for a proposed amendment to OP-03-0030, well to be drilled at Steeple Run Dr., - 200' from intersection of Tremont Dr and 150' inside Steeple Dr., (Lat 30/20/45, Long 95/18/36), Conroe, increase of 15 mg annually, Public Supply (PWS) use (Driller of record: C Miller Drilling, Inc); and

x. Wisteria Asset LLC, for a proposed well to be drilled at 31387 Wisteria Rd., Magnolia, not to exceed 0.2 mg for 2020 and 2 mg annually, Commercial & Irrigation use, (Driller of Record: TBD).

6. Adjourn or continue permit hearing in whole or in part.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

AGENDA FOR RULEMAKING HEARING OF THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT

AGENDA FOR RULEMAKING HEARING

TUESDAY, SEPTEMBER 8, 2020, AT 6:00 P.M.

Held In-Person and/or Remotely via a Publicly Accessible Webinar/Telephone Conference Call (The webinar & conference call line open at 5:45 P.M.)

1. Call to Order and Declare Hearing Open to the Public.
2. Roll Call.
3. Presentation and discussion of proposed amendments to the District Rules and District Regulatory Plan ("DRP") – Stacey V. Reese & James Beach
4. Public comment on proposed changes to the District Rules and DRP.
5. Discussion, consideration, and possible action approving Resolution #20-007 amending and adopting District Rules.
6. Adjourn.

Without any additional notice, the proposed amendments to the District Rules and DRP may be adopted, in whole or in part, at the conclusion of the hearing, or any time or date thereafter, in the form presented or as amended based upon comments received from the public, the District's staff, attorneys, geoscientists, or engineers, or members of the Board of Directors, without any additional notice. Any person who desires to appear at the hearing and present comment or other information on the proposed rules amendments may do so in person, by legal representative, or both. Limits may be placed on the amount of time that each person is allowed to present verbal comments, but written comments may also be submitted. The hearing posted in this notice may be recessed from day to day or continued where appropriate.

The above agenda schedule for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS

TUESDAY, SEPTEMBER 8, 2020, AT 6:00 P.M.
(TO BEGIN UPON ADJOURNMENT OF THE ABOVE-LISTED PUBLIC HEARINGS)

Held In Person and/or Remotely via a Publicly Accessible Webinar/Telephone Conference Call (The webinar & conference call line open at 5:45 P.M.)

The Board of Directors may discuss, consider, and take action, including expenditure of funds, on any item or subject matter posted in this agenda.

1. Call to Order and Declare Regular Meeting Open to the Public

2. Roll Call

3. Public Comment on any agenda item or any other matter (Public comment is limited to a maximum of 3 minutes per speaker); *See Comment Card for Other Guidelines and Procedures*

4. Executive Session - The Board will recess for a closed Executive Session pursuant to Texas Government Code, §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 hearings posted for today.

   No action will be taken in Executive Session.

5. Re-convene in Open Session.

6. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:

   a) August 11, 2020, Rulemaking Hearing
   b) August 11, 2020, Public Hearing on Permit Applications
   c) August 11, 2020, Regular Board of Directors Meeting

7. Presentation of unaudited financials for the month of August 2020 – Samantha Stried Reiter

8. Election Matters – update and action as necessary:
(*Asuntos Electorales – actualización y acción según sea necesario:*)

    a) Receive Certification of Unopposed Status from Election Agent.
(*Recibir la Certificación de Estatus No Opositor de Agente Electoral.*)
    b) Discussion, consideration, and action to approve Order of Cancellation for Place 5 At-large position and Place 6 City of Conroe position.
(*Discusión, consideración y acción para aprobar la Orden de Cancelación para el Lugar 5 en postción grande y la posición de Ciudad de Conroe del Lugar 6.*)
    c) Update on November 3, 2020 election action items and appointment matters.
(*Actualización el 3 de noviembre de 2020 de los elementos de acción electoral y asuntos de nombramiento.)*

9. Discuss, consider and take action as necessary concerning the formation of a Legislative Committee.

10. Receive information from District's technical consultants regarding subsidence studies and/or discussion regarding the same – Mike Thornhill, TGI and Mike Keester, LRE Water.

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

11. Groundwater Management Area 14 – update the board on the issues related to joint planning activities and development of desired future conditions in GMA 14 – Samantha Reiter and/or District's technical consultant(s)

    a) Discussion, consideration, and possible action on any items related to Lone Star GCD's proposal(s) to and/or participation in GMA 14.

12. General Manager's Report – The General Manager will brief the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting. – Samantha Stried Reiter

13. General Counsel's Report – The District's legal counsel will brief the Board on any pertinent legal issues and developments impacting the District since the last regular Board meeting, and legal counsel's activities on behalf of the District, including without limitation: waste injection well monitoring activities and injection well applications filed at the Railroad Commission of Texas or the Texas Commission on Environmental Quality, including District protests or other actions regarding same; District Rules enforcement activities; District Rules and regulations, and District Management Plan development or implementation issues; groundwater-related legislative activities; joint planning and desired future conditions development activities; contemplated and/or pending litigation involving the District; developments in groundwater case law and submission of legal briefs; legislation or legislative activities; contractual issues related to the District; open government, open records requests, policy, personnel, and financial issues of the District;

and other legal activities on behalf of the District. – Stacey V. Reese.

14. New Business.

15. Adjourn.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

These public hearings and meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting or hearing, please contact the Lone Star GCD at 936/494-3436 at least 24 hours in advance of the meeting.

At any time during one the above meetings or hearings and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Lone Star Groundwater Conservation District Board may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); deliberation regarding security devices (§551.076); and deliberation regarding cybersecurity (§551.089). Any subject discussed in executive session may be subject to action during an open meeting.

Certification

I, the undersigned authority, do hereby certify that on September 4, 2020, at or before 5:00 p.m., I posted and filed the above notices of meeting(s) and hearing(s) with the Montgomery County Clerk's office and also posted a copy in the front window of the Lone Star GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.

/s/ Samantha Stried Reiter

Samantha Stried Reiter, General Manager
Lone Star Groundwater Conservation District