

**UPPER GULF COAST AQUIFER PLANNING AREA
(GMA 14)**

Joint Planning Group Meeting

**Wednesday, October 28, 2015
10:00 AM**

MEETING MINUTES

A regular meeting of GMA 14 was held Wednesday, October 28, 2015, at 10:00 AM, in the board room of the Lone Star Groundwater Conservation District located at 655 Conroe Park North Drive, Conroe, Texas.

The meeting was called to order by Kathy Turner Jones (Lone Star GCD) at 10:02 AM with a roll call of District representatives and Interlocal Agreement Participants. Districts represented included: Kent Burkett, Brazoria County GCD, Zach Holland, Bluebonnet GCD, Kathy Turner Jones, Lone Star GCD, Gary Ashmore, Lower Trinity GCD and John Martin, Southeast Texas GCD. Interlocal Agreement Participants included: The Honorable John Brieden, Washington County Judge; Robert Thompson, Fort Bend Subsidence District; and Mike Turco, Harris-Galveston Subsidence District. Also in attendance at the meeting were: Jason Afinowicz, Freese and Nichols, Inc.; Natalie Ballew, GMA 14 Liaison with Texas Water Development Board (TWDB); Bill Mullican, Mullican and Associates; and members of the public (*see Attachment "A" for a list of attendees*).

Ms. Jones welcomed everyone to the meeting and recognized District, Interlocal Agreement Participants, Agency, staff, and consultants for introduction.

Ms. Jones called for and opened the floor to public comment. Mr. Marty Jones filled out a card and wished to reserve his comments for the agenda item where Bluebonnet GCD's revisions would be discussed.

Ms. Jones proceeded with receipt and requests of posted notices from the group. Ms. Jones then asked for consideration of the approval of the minutes from the GMA 14 meeting on June 24, 2015. After discussion and upon a motion by Mr. Burkett, seconded by Mr. Martin the minutes for the June 24, 2015 meeting were approved unanimously.

Meeting convened as a meeting of the GMA 14 Joint Planning Interlocal Agreement Participants.

The GMA 14 Joint Planning Interlocal Agreement Participants meeting was called to order at 10:06 AM.

Ms. Jones next recognized Ms. Ballew for a presentation of information from the TWDB and discussions of items of interest to the GMA. Ms. Ballew noted the two stakeholder comment opportunities are currently in progress at the TWDB stemming from recent legislation. Ms. Ballew also noted that each district should have received exempt use estimates for their district. The TWDB has also rolled out a new groundwater viewer, *Water Data Interactive*, now available through their website. Finally, Mr. Ballew noted the availability of a new submitted driller's report database.

Ms. Jones called for the discussion of funding levels, participation and any other aspects for the Interlocal Agreement Participants and take possible action. Ms. Jones gave the floor to Mr. Burkett who reviewed and outlined the financials provided.

Ms. Jones called for the presentation and discussion of summary reports submitted by each groundwater conservation district (District) in GMA 14 and any Districts' suggested revisions to the proposed desired future conditions, as required by Texas Water Code Section 36.108 (d-2), and any additional information that District Representatives may provide in response to comments received or revisions suggested. Ms. Jones noted at the last joint planning meeting the member District Representatives voted to approve the proposed DFCs, and those proposed DFCs were subsequently distributed to the individual Districts in the management area. A period of not less than 90 days was provided to allow for public comments on the proposed DFCs, and during this comment period each District held a public hearing on the proposed DFCs. After the public hearing, each District was required to compile for consideration at today's meeting a summary report of the relevant comments received, any suggested revisions to the proposed DFCs, and the basis for the revisions pursuant to Texas Water Code Section 36.108 (d-2). Ms. Jones noted each District representative would be called on to present their District's summary report and any alternative DFCs or revisions that their board had requested. Ms. Jones stated that the agenda was not set up to allow public comment on the summary reports, however, Mr. Marty Jones was recognized to provide his previously reserved comments. Mr. Marty Jones noted the proposed changes tendered by Bluebonnet GCD. He was observing how such proposals would be handled through the process, specifically if a comment period would be provided.

Mr. Martin, General Manager for the Southeast Texas GCD, provided the District's summary report with proposed language changes approved by the board (*see Attachment "B" for SETGCD Summary Report*).

Mr. Ashmore, General Manager for the Lower Trinity GCD called on Mr. Greg Ellis, District's counsel, to provide the District's summary report. Mr. Ellis provided the District's statement

with proposed non-substantive language changes approved by the board regarding the articulation of the DFCs to the resolution (*see Attachment "C" for LTGCD Summary Report*).

Mr. Burkett, General Manager for the Brazoria County GCD, also called on Mr. Greg Ellis, District's counsel, to provide the District's summary report. Mr. Ellis provided the District's statement with proposed non-substantive language changes approved by the board regarding the articulation of the DFCs to the resolution (*see Attachment "D" for BCGCD Summary Report*).

Mr. Holland, General Manager of the Bluebonnet GCD next provided the District's statement with proposed non-substantive language changes approved by the board (*see Attachment "E" for BGCD Summary Report*). Proposed changes to the resolution were to the articulation of the DFCs and specific notation and citing of the model run utilized by the GMA. Mr. Holland noted the requirement for a draft explanatory report to be compiled prior to formal approval of the DFCs.

Ms. Jones, General Manager of Lone Star GCD then called on Mr. Mullican to provide the District's summary report and any alternative DFCs or revisions that their board had requested. Mr. Mullican provided the District's statement approved by the board (*see Attachment "F" for LSGCD Summary Report*).

Ms. Jones called for a discussion and consideration of any additional or supplemental information or criteria relative to the proposed DFCs for inclusion in the explanatory report. Following the presentation and review of all member Districts' summary reports and suggested revisions, Ms. Jones asked if there was any additional information that would be requested to be placed into consideration based on the comments received. Mr. Martin, Mr. Ashmore, and Mr. Burkett noted nothing further for addition from their Districts. Mr. Holland reiterated the non-substantive language addition of aquifer-wide DFC articulation to the existing resolution, the reference and citation of the specific model run, and the importance of a draft explanatory report prior to final adoption of the DFCs. Ms. Jones noted nothing further for addition from LSGCD.

Ms. Jones adjourned the meeting of the GMA 14 Interlocal Agreement Participants and reconvening the Joint Planning Group meeting at 10:43 AM.

Ms. Jones reconvened the GMA 14 meeting and called for the discussion, consideration, and possible action of suggested revisions to proposed DFCs or alternate DFCs included in the submitted summary reports. Ms. Jones recognized Mr. Mullican for additional comments. Mr. Mullican went through a redline version of the resolution to highlight the requested changes previously discussed in the summary reports by the District members. Mr. Mullican noted in response to Bluebonnet GCD request for a model write up that Freese and Nichols, Inc. had completed that in a June 2014 memo which will be included in the explanatory report. Mr. Mullican noted this reference to the redline version of the resolution. The aquifer-wide DFC articulation language from Brazoria County GCD and Lower Trinity GCD, with Bluebonnet GCD revisions, was noted as a non-substantive change. Mr. Mullican referenced material from

GAM Run 10-023 documenting similar statistical presentation of aquifer-wide with county-by-county language from the previous DFC planning cycle. Mr. Mullican noted Bluebonnet GCD revisions to the designation of Carrizo Sand, Sparta, Queen City, and Yegua-Jackson Aquifers in Grimes and Walker Counties as not relevant for the purposes of joint planning.

Ms. Jones called for a discussion, consideration, possible action of final adoption of DFCs and timing and development of the explanatory report. Ms. Jones recognized Mr. Mullican to begin discussions. Mr. Mullican gave his interpretation of statute regarding the explanatory report. Based on nature of the project, the explanatory report cannot be compiled until the DFC statements have more finality to pull all the pieces of the explanatory report together. Mr. Mullican noted the cornerstone to the explanatory report is the balancing test document which had been distributed prior to 90-day comment period. Assuming some finality to the DFC statement, Mr. Mullican proposed his intent to produce a draft explanatory report in 30 days, have a couple weeks for comments, and come back with comment document to accompany the draft for the group's benefit to see what revisions were made and why others were not made by consultants. The group would then be able to finalize the DFCs and the submission of the explanatory report. Mr. Mullican noted there were no statutory timelines regarding the explanatory report, though there are in TWDB rules as noted by Mr. Holland. Mr. Burkett made a motion to approve the statement of the DFCs as set forth in the resolution as amended October 28, 2015 for purposes of drafting the explanatory report. No additional comments shall be considered or revisions made to the statement of the DFCs. Once the draft explanatory report is complete, the GMA shall consider the information in the draft report and take action to formally adopt the statement of the DFCs. The motion was seconded by Mr. Martin. Upon further discussion and clarity of the motion by the group, Ms. Jones called for a roll call vote by the member Districts. Each member District, Mr. Burkett, Brazoria County GCD, Mr. Holland, Bluebonnet GCD, Ms. Jones, Lone Star GCD, Mr. Ashmore, Lower Trinity GCD and Mr. Martin, Southeast Texas GCD voted in favor of the motion.

Ms. Jones next asked for a briefing and discussion of progress to date for GMA 14 Joint Planning and remaining requirements. Mr. Mullican was asked for a short timeline of next steps. Mr. Mullican stated he would begin pulling together the draft explanatory report of the administrative record established, comments received, and GMA input. Mr. Mullican indicated early January should be a target for wrapping up.

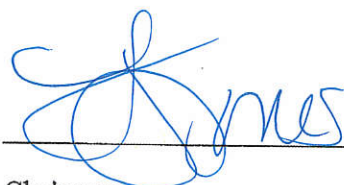
Ms. Jones asked for any presentations and discussions by Districts of recent activities of interest to or impacting the GMA 14 planning group. Ms. Jones noted the lawsuit filed against LSGCD.

Mr. Jones called for discussion of next meeting date, location, and agenda items. With the next meeting contingent on completion and comment on the draft explanatory report, Mr. Mullican recommended an early January date to be held at the offices of the Lone Star Groundwater Conservation District, located at 655 Conroe Park North, Conroe, Texas 77303. Noted in discussion was the timing of holidays and the possibility of District board action needed, a poll

for available January or February meeting dates would be sent to the group. No tentative date was set.

Without further discussion or comment and there being no further business, the meeting was adjourned at 11:24 AM.

PASSED, APPROVED, AND ADOPTED THIS 29 day of April, 2016



Chairman

ATTEST:



Secretary