NOTICE OF HEARINGS AND MEETING OF THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT

To be held on Tuesday, January 12, 2021
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

DOC# 21-0021
POSTED
01/07/2021 03:58PM
GWENDALYNN CAMARENA
MARK TURNBULL, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

TUESDAY, JANUARY 12, 2021, 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. Aqua Texas, Inc. (Woodlands Pkwy), for a proposed amendment to OP-13082601, increase of 7 mg annually, FM 2978 @ Woodlands Pkwy, Magnolia, Lat 30/11/20, Long 95/35/31, Public Supply (PWS) use;
   ii. Aqua Texas, Inc. (Huntington Est.), for a proposed operating permit not to exceed 4 mg annually, 1514 Frankfort, Conroe, Public Supply (PWS) use;
   iii. Aqua Texas, Inc. (West Lane), for a proposed amendment to OP-13032101, increase of 5 mg annually, 8620 West Lane, Magnolia, Public Supply (PWS) use;
   iv. Aqua Texas, Inc. (Frontier, Arrowhead), for a proposed amendment to OP-06112801, increase of 9 mg annually, 15380 Arrowhead, Willis, Public Supply (PWS) use;
   v. Aqua Texas, Inc. (Lake Creek Forest), for a proposed amendment to OP-06092601F, increase of 10 mg annually, 29 Creek Forest Lane, Conroe, Public Supply (PWS) use;
   vi. Aqua Texas, Inc. (Pine Vista), for a proposed amendment to OP-11120705, increase of 3 mg annually, 16310 S Ravenwood Dr., Magnolia, Public Supply (PWS) use;
   vii. Aqua Texas, Inc. (White Oak Ranch), for a proposed amendment to OP-05071301, increase of 11 mg annually, 12681 Longmire Way, Conroe, Public Supply (PWS) use;

viii. Aqua Texas, Inc. (Indigo Ranch), for a proposed amendment to OP-05072102, increase of 3 mg annually, 16903 Indigo Hills, Magnolia, Public Supply (PWS) use;

ix. Aqua Texas, Inc. (Lake Conroe Forest & Tejas Creek), for a proposed amendment to OP03-0039, increase of 3 mg annually, Adobe Terrace Worth St (Tejas Creek Water Plant), Montgomery, Lat 30/21/20, Long 95/35/34, Public Supply (PWS) use;

x. Aqua Texas, Inc. (Legends Ranch Estates), for a proposed amendment to OP03-0038, increase of 5 mg annually, Friars Legend Dr (Legends Ranch Water Plant), Spring, Lat 30/7/52, Long 95/24/14, Public Supply (PWS) use;

xi. Aqua Texas, Inc. (Carriage Hills), for a proposed amendment to OP-05111403, increase of 2 mg annually, Off Cameo Way @ Hollowbrook Lane, Conroe, Lat 30/14/49, Long 95/30/10, Public Supply (PWS) use;

xii. Aqua Texas, Inc. (Crystal Forest), for a proposed amendment to OP03-0011, increase of 2 mg annually, 13077 Sanchester Trail, Conroe, Public Supply (PWS) use;

xiii. Aqua Texas, Inc. (Lake Conroe Village), for a proposed amendment to OP-07092601, increase of 3 mg annually, 11580 Highway 105 W., Montgomery Public Supply (PWS) use;

xiv. Aqua Texas, Inc. (Shadow Bay), for a proposed amendment to OP-05062201, increase of 2 mg annually, 413 ½ S. Leeshore, Willis, Public Supply (PWS) use;

xv. Aqua Texas, Inc. (Greenfield Forest), for a proposed amendment to OP03-0040, increase of 20 mg annually, 542 ½ Tory Ann Dr., Magnolia, Public Supply (PWS) use;

xvi. Aqua Texas, Inc. (Deerwood Sub.), for a proposed amendment to OP-05092001, increase of 8 mg annually, 17416 Hunters Trail, Conroe, Public Supply (PWS) use;

xvii. Aqua Texas, Inc. (Clear Creek Forest), for a proposed amendment to OP-05072101, increase of 5 mg annually, 30010 ½ Rainfern, Magnolia, Public Supply (PWS) use;

xviii. 15248 Saddlewood Drive, for a proposed well to be drilled at 15248 Saddlewood Dr., Conroe, not to exceed 1.3 mg in 2021 and annually, Commercial & Irrigation use;

xix. Mohammedi Mullamitha, for a proposed well to be drilled at 15435 Esther Dr., Conroe, not to exceed 0.2 mg in 2021 and annually, Public Supply use;

xx. Montgomery County E.S.D. #10 (Magnolia Fire Station #187), for a proposed amendment to OP-16111701, increase of 0.074450 mg annually, 3112 Lone Star Ln, Pinehurst, Commercial use;

xxi. MSEC Enterprises (Montgomery Trace WS/Crown Oaks), for a proposed amendment to OP02-0011, increase of 25 mg annually, 4063 Highland Pass, Montgomery, Public Supply (PWS) use;

xxii. Montgomery County Mud #94, for a proposed amendment to OP03-0027, increase of 15 mg annually, 1866 Spring Trails Blvd., Spring, Public Supply (PWS) use; and

xxiii. Montgomery County Mud #119, for a proposed amendment to OP-07022301, increase of 65 mg for 2020 and 107 mg annually, 3003 1/5 Waterbend Cove, Spring, Public Supply (PWS) use.

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

i. Aqua Texas, Inc. (Woodlands Pkwy), for a proposed amendment to OP-13082601, increase of 7 mg annually, FM 2978 @ Woodlands Pkwy, Magnolia, Lat 30/11/20, Long 95/35/31, Public Supply (PWS) use;

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xxiii. Montgomery County Mud #119, for a proposed amendment to OP-07022301, increase of 65 mg for 2020 and 107 mg annually, 3003 1/5 Waterbend Cove, Spring, Public Supply (PWS) use.

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.

NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS

TUESDAY, JANUARY 12, 2021, 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) December 8, 2020, Special Meeting
   b) December 8, 2020, Public Hearing on Permit Applications
   c) December 8, 2020, Regular Board of Directors Meeting

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

   a) Review 4th Quarterly Investment Report 2020

8. Discussion, consideration, and possible action to review and/or form board committees and appointment of committee chairs – Harry Hardman

9. Presentation by United States Geological Survey (USGS) regarding groundwater studies and programs for Montgomery County – Jason Ramage, Hydrologist, USGS

10. Receive Legislative Committee Report – Harry Hardman and/or Stacey V. Reese

11. Receive information from District's technical consultants regarding subsidence studies and/or discussion regarding the same –Samantha Stried Reiter and/or District's technical consultant(s)

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

12. 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.

13. 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 for that purpose and show cause why appropriate enforcement action should not be taken, including without limitation initiating a lawsuit against it for failure to remit 2020 water use fees and/or fines associated with timely submissions:

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

14. 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

15. 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 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.

16. New Business.

17. 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 January 8, 2021, 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