LONE STAR
GROUNDWATER CONSERVATION DISTRICT

October 13, 2020

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 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 October 13, 2020.

CALL TO ORDER:

President Hardman 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:

Jon Paul Bouché
Harry Hardman
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A" to the Regular Board of Directors Meeting minutes.*

PRAYER AND PLEDGES OF ALLEGIANCE:

President Hardman called on Director Bouché for the opening prayer and Director Spigener to lead the Pledge of Allegiance and the Pledge of Allegiance to the state flag.

PUBLIC COMMENTS:

One request for public comment was presented by John Yoars, a resident of The Woodlands. He requests that in the hearing notice a summation of the new well permits approved be listed in acre-feet of groundwater withdrawn and also the aquifer. A copy of the Yoars public comment is attached hereto as Exhibit "B".

Ms. Reiter briefed the Board on permit applications received for the month. Applications for consideration and recommended for possible approval included the below:

1. **Montgomery County UD #4**

Applicant is requesting registration of a new well. No additional production authorization is being requested at this time. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

Ms. Reiter reported that there was one application for this month and that it was for a new well. Following Ms. Reiter's report, Director Spigener motioned to approve item #1, as recommended by the General Manager. Director Prykryl seconded. Motion approved.

President Hardman adjourned the public hearing on permit applications at 6:02 PM.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF NOVEMBER 2020.

Larry A. Rogers, Board Secretary

Exhibit "B"

COMMENTS: PUBLIC HEARING ON PERMITS

My name is John Yoars, a resident of The Woodlands, Texas.

As a part of the hearing process I would like to see added to the hearing notice a summation of the new well permits being approved in acre-feet of groundwater withdrawal being permitted by aquifer. It also would be helpful if the total permitted groundwater withdrawal number by aquifer with the new permits added was included in the hearing notice.

LONE STAR
GROUNDWATER CONSERVATION DISTRICT

October 13, 2020

MINUTES OF REGULAR MEETING

The Board of Directors of the Lone Star Groundwater Conservation District ("District") met in regular session, open to the public, 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 October 13, 2020.

CALL TO ORDER:

President Hardman presided and called to order the regular Board of Directors meeting at 6:03 PM, announcing that it was open to the public.

ROLL CALL:

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

Jon Paul Bouché
Harry Hardman
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the Board were present, with the exception of Director(s) Hardman, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".*

PUBLIC COMMENTS:

Mr. John Yoars, resident of The Woodlands, joined the meeting via ZOOM to give public comment. Mr. Yoars stated that The Woodlands has been concerned about subsidence and property rights. He mentioned The Woodlands is a GRP participant and made note of a work group created by The Woodlands MUD Trustees to study the cost of using more surface water. He cited the fact that even though The Woodlands population had grown by 16% since 2012, the water use per resident is down 38%. He requested a tab on Lone Star's website that shows the water table in

every well capable of producing over 700 GPM in Montgomery County. *A copy of the Yoars public comment is attached hereto as Exhibit "C".*

Ms. Laura Norton, elected representative of MUD #27 board and a resident of The Woodlands, made public comment via Zoom. She expresses concern about the 40,000 homes in The Woodlands and the 5,000 homes between the Jones Fault and the Panther Branch Fault, and the worsening of flooding on Research Forest Drive. She urged the Board to focus on property rights in The Woodlands and suggested lowering the cost of water to Montgomery County.

President Hardman clarified that this board did not approved the 2010 DFC, but it is being used as a data point. The District does not currently have a DFC.

EXECUTIVE SESSION:

After a proper and legally sufficient announcement to the public by President Hardman, the Board of Directors recessed into a Closed Executive Session at 6:14 PM pursuant to Texas Government Code, Sections 551.071, to consult with the District's attorney regarding pending or contemplated litigation, settlement offers, personnel matters (§551.074), 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.

RECONVENE IN OPEN SESSION:

Following Executive Session, the Board reconvened in Open Session and President Hardman declared it open to the public at 6:49 PM.

APPROVAL OF THE MINUTES:

President Hardman stated the Board would consider the meeting minutes as listed for approval on today's agenda. Without further discussion, upon a motion by Director Bouché seconded by Director Spigener, the Board approved the meeting minutes as presented.

a) September 8, 2020, Public Hearing on Permit Applications
b) September 8, 2020, Regular Board of Directors Meeting

REVIEW OF UNAUDITED FINANCIALS FOR THE MONTH OF SEPTEMBER 2020;

Ms. Samantha Reiter reported that for the month of September 2020, at the beginning of the third quarter the Money Market and TexPool accounts totalled $1,46,433. At the end of the month balance totalled $1,420,827. Deposits exceeded expenses by $65,606. Interest earned was $236.50. Ms. Reiter referred to the Quarterly Investment Report which was included in the Board packet.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION APPROVING RESOLUTION #20-008 HONORING MAYOR TOBY POWER:

President Hardman commended the late mayor's work and read aloud the resolution honouring Conroe's Mayor Toby Powell. Without further discussion, upon a motion by Director Rogers; seconded by Director Prykryl, the Board approved the resolution. A copy of the signed resolution is attached hereto as Exhibit "D".

RECEIVE LEGISLATIVE COMMITTEE REPORT:

Ms. Stacey Reese apprised the Board that the TWCA Groundwater Committee had divided into several subcommittees related specifically to discussion of DFCs and GCD Management Plans. Both she and Ms. Reiter have joined the subcommittee. The next meeting is scheduled for the end of October 2020.

RECEIVE INFORMATION FROM DISTRICT'S TECHNICAL CONSULTANTS REGARDING SUBSIDENCE STUDIES AND/OR DISCUSSION REGARDING THE SAME:

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

This item is a placeholder in the agenda.

GROUNDWATER MANAGEMENT AREA 14 - UPDATE THE BOARD ON THE ISSUES RELATED TO JOINT PLANNING ACTIVITIES AND DEVELOPMENT OF DESIRED FUTURE CONDITIONS IN GMA 14:

Ms. Reiter, General Manager discussed the September 16, 2020 meeting of the GMA 14.

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

Ms. Reiter reported that September's GMA 14 meeting focused on the socioeconomic impact as related to Desired Future Conditions in aquifer conditions. She noted that four entities: SJRA, City of Shenandoah, City of Conroe and residents of The Woodlands spoke at the meeting. Ms. Reiter requested that should there be other stakeholders wishing to contribute to the discussions, they should be invited to share their concerns. She also announced the next meeting would be November 18, 2020 and discussions would center on the important topic of Private Property Rights.

GENERAL MANAGER'S REPORT:

Ms. Samantha Reiter's report discussed that throughout October, District staff had been immersed in permit renewals and implementation of the new District Rules.

In September, a new Educational Press Release series had begun and was posted to the District website. At present, four such articles had been issued with a fifth article planned for the

end of the week. This article would conclude the series and attain the end goal. She mentioned that there had been positive feedback so far, along with a few questions.

Ms. Reiter noted that she had met with Houston Advanced Research Center (HARC) representatives in The Woodlands two weeks ago. They created a Regional Subsidence and Groundwater Resource Consortium and a Science Advisory Committee composed of eight scientists and water professionals. Four entities are providing one year's funding for this research: WCID #1, Sothern Montgomery MUD, The Woodlands Township and Woodlands Water. Ms. Reiter recited their scope of work:

- Review the state of science in groundwater and subsidence for Montgomery County and Harris County.
- Gather stakeholders' questions
- Requested Lone Star GCD's input

She offered Lone Star's services for data information. Also, she noted one of the advantages in joining this group could be the potential to provide updated information directly to the Board.

Ms. Reiter encouraged directors' attendance at the Gulf Coast Water Symposium scheduled on October 28-29, 2020. This is the 9th year LSGCD has sponsored this event.

GENERAL COUNSEL'S REPORT:

Ms. Reese had no further updates.

NEW BUSINESS:

President Hardman steered the public to the Lone Star GCD website, and the new Educational series listed under the "News" tab. It provides a comprehensive and thorough explanation of groundwater management and the joint-planning process.

ADJOURN:

There being no further business, Director Spigener motioned to adjourn the meeting and Director Bouché seconded. The meeting was adjourned at 7:15 PM.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF NOVEMBER 2020.

Larry A. Rogers, Board Secretary

Exhibit "A"

October Board Meeting Panelists & Online Attendees

Panelist-

Samantha Reiter
Stacey Reese *(online)*
Jennifer Thayer
Jim Spigener
Jon Bouche
Jonathan Prykryl *(online)*
Harry Hardman
Stuart Traylor
Larry Rogers

Online Attendees-

John Ellis
Laure Norton
John Yoars
Matt Corley
Tina Felkai
Chris Meeks
Johnathon Smith
Guy Matelli
Penny Bradshaw

Exhibit "C"

DRAFT

COMMENTS FOR LSGCD BOD MEETING

OCTOBER 13, 2020

My name is John Yoars, a resident of The Woodlands.

In the September LSGCD BOD meeting there were a number of public comments about THE Woodlands only recently being concerned about subsidence and property rights to the water under The Woodlands.

The Woodlands notably raised its concern's to subsidence by becoming a participant in the Ground Water Reduction Plan. That action and the results shown by the PA 13 site readings documents how important to the residents the water table under The Woodlands is to the subsidence impacts of a lowering water table.

This year The Woodlands MUD Trustees created a work group to study the cost to its residents if a greater portion of surface water was needed to maintain the water table and how to do so and maintain the debt payments for the surface water unit. Forward thinking and responsible actions.

The Woodlands will continue to show by its actions that the use of groundwater for its needs can be managed at a state where the water table is not lowered in each aquifer and subsidence is maintained at a near static state. One other fact is since 2012 The Woodlands population is up 16% however per resident water use is down 38%.

This responsible action will demonstrate that if the water tables under The Woodlands is reduced as shown in LSGCD's Jasper water table decline graph presented in April-May 2020 that water is being taken by others and the water property rights of The Woodlands are

being consumed and causing, that when the 2015 water table markers are passed thru, that subsidence will restart.

In order to monitor the aquifer health in Montgomery County I would like to see a tab on your website that shows the water table in every well capable of over 700 gpm in the county. Currently one has to go to a map and click on each well to get a table of some of the readings. The table does not identify the well operator. The SJRA provides water table data each spring and fall on The Woodlands wells. This enables us to monitor well conditions under low demand and high demand periods. The well operator should be required to provide the data and if located under one tab it would make it easy to monitor what is happening in each aquifer across the county. This trend data I think will be valuable and having it on your website very transparent to the residents of Montgomery county.

Exhibit "D"

RESOLUTION NO. #20-008

LONE STAR GROUNDWATER CONSERVATION DISTRICT

RESOLUTION IN HONOR OF THE PASSING OF THE HONORABLE MAYOR OF CONROE, TEXAS, TOBY TAYLOR POWELL

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

WHEREAS, the Board of Directors of the Lone Star Groundwater Conservation District (LSGCD) honors and commemorates the life of The Honorable Toby Powell, Mayor of Conroe who passed away on September 12, 2020, at the age of 79; and

WHEREAS, Toby Taylor Powell, was born on July 3, 1941, in Conroe; he attended grade schools and graduated from Conroe High School in 1959. He later attended Sam Houston State University and then started a career as a builder. He was one of the first builders in Conroe and Oak Ridge North.

WHEREAS, he married his wife, Vanessa, in 1996, and is survived by his daughter Vanette Wood and husband Howard, sons Rodney Powell and wife Gayla, Eric Powell and wife Ashley, grandchildren Avery Wood, Audra Wood, Abigail Wood, Chris Dilworth, Rayan Londeen, Reagan Powell, Bowen Powell, Madison Wedgeworth, Abigail Wedgeworth, and Landon Wedgeworth, sister-in-laws Sue Price and husband Jerry, and P.J. Price and husband Don.

WHEREAS, Toby held many positions in Conroe over the years: he served on the City Planning Commission from 1974-76, City Council in 1977 and 1978 and again in 2008-12 and as mayor pro tem from 2010-12; and

WHEREAS, among numerous community contributions, Toby served as a director on the Conroe Industrial Development Corp. since 2008 and served as a director on the Houston Galveston Area Council from 2008 through 2010. He also served for four years as director and vice chairman of the Lone Star Family Health Clinic and was the founder of the Conroe Christmas Celebration; and

WHEREAS, in 2016 he further served his community as Mayor of Conroe, a job he devoted the rest of his life to. He loved his position and worked to do what was best for the citizens until his dying day. Even when the Mayor was fighting cancer you would find him at all special events and functions he could attend, whether it was for fire fighters, police, citizens, employees, etc. Mayor Powell's love for the citizens of Conroe was unsurpassed.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Lone Star Groundwater Conservation District gives its appreciation to the late Mayor Toby Powell and offers its deepest condolences to his family in the event of his passing.

AND IT IS SO ORDERED.

PASSED AND ADOPTED this 13th day of October 2020.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
Harry H. Hardman, President

ATTEST:

_____
Larry A. Rogers, Secretary