UPPER GULF COAST AQUIFER PLANNING AREA
(GMA 14)

Joint Planning Group Meeting

Wednesday, September 16, 2020
10:00 AM

MEETING MINUTES

A regular meeting of GMA 14 was held Wednesday, September 16, 2020, at 10:00 AM, via audio and video conference call pursuant to Texas Government Code, Section 551.125, and 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 (see the Governor's proclamation on March 13, 2020, certifying that the COVID-19 pandemic poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas).

Agenda Items 1, 2 and 3

The meeting was called to order by John Martin (Southeast Texas GCD) at 10:03 AM. Districts represented included: Zach Holland, Bluebonnet GCD, Beverly Hopkins, Brazoria County GCD, Samantha Reiter, Lone Star GCD, Gary Ashmore, Lower Trinity GCD and John Martin, Southeast Texas GCD. Interlocal Agreement Participants included: Pudge Willcox, Chambers County; Robert Thompson, Fort Bend Subsidence District; and Mike Turco, Harris-Galveston Subsidence District. Also, in attendance at the meeting were Natalie Ballew, Texas Water Development Board (TWDB); Wade Oliver, Intera, Inc.; and members of the public. (*see **Attachment "A" for a list of attendees***). Mr. Martin proceeded with requests for and receipt of posted notices from District Representatives. Mr. Martin welcomed those in attendance and introduced GMA members and Interlocal Participants.

Agenda Items 5

Mr. Martin then asked for consideration of the approval of the minutes from the GMA 14 meeting on July 15, 2020. After discussion and upon a motion by Ms. Hopkins, seconded by Ms. Reiter, the minutes for the July 15, 2020 meeting were approved unanimously.

Agenda Item 6

Mr. Martin called for an update from the Texas Water Development Board and discussion of items of interest to the GMA. Ms. Ballew provided general information from TWDB, including a new communications resource launch of texaswaternewsroom.org, updated DFC guidance and

checklist, and groundwater recording well work and water level measurement season approaching.

Agenda Item 4

Mr. Martin called for and opened the floor to public comment.

Mark Unland, was recognized to provide comments but was unavailable. Mr. Unland provided written comments regarding DFCs which cause subsidence (*see **Attachment "B" for Unland Comments***).

John Yoars, resident of The Woodlands, provided comments related to spending to manage the water table under The Woodlands. (*see **Attachment "C" for Yoars Comments***).

Webb Melder, provided comments and documents related to aquifer subdivisions, court cases and legal rulings regarding groundwater and private property rights (*see **Attachment "D" for Melder Comments***).

Marty Jones, representing Quadvest, provided comments regarding DFC considerations regarding socioeconomic impacts (*see **Attachment "E" for Jones Speaker Request Form***).

Marcus Winberry, representing the City of Conroe, provided written comments regarding proposed desired future conditions. These written comments were read into the record by Mr. Martin (*see **Attachment "F" for City of Conroe Comments***).

Simon Sequeria, representing Quadvest, provided written comments related to socioeconomics of proposed desired future conditions. These written comments were read into the record by Mr. Martin (*see **Attachment "G" for Sequeira Comments***).

Neil Gaynor, representing himself, provided comments related to compaction and subsidence in the Jasper and model parameters to improve prediction (*see **Attachment "H" for Gaynor Speaker Request Form***).

John Bleyl, representing the City of Shenandoah, provided comments related to Strategic Plan Study by LSGCD, Run D, and questioned figures provided by SJRA (*see **Attachment "I" for Bleyl Speaker Request Form***).

Robert Leilich, representing The Woodlands MUD 2, provided written comments related to increasing groundwater production and ignoring adverse effects. These written comments were read into the record by Mr. Martin (*see **Attachment "J" for Leilich Comments***).

Laura Norton, provided comments related to economic impact of irresponsible groundwater pumping on subsidence and faulting.

Bruce Cunningham was recognized to provide comment but was not available. No comments were submitted or provided.

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 10:53 AM.

Agenda Item 7

Mr. Martin called for a presentation and discussion by districts or Interlocal Agreement Participants of recent activities of interest to or impacting the GMA 14 planning group. Mr. Holland highlighted the successful TAGD Texas Groundwater Summit virtual event. Mr. Turco noted the joint regulatory plan review and the upcoming stakeholder meeting on September 30, 2020. Ms. Reiter briefed the group of the recently approved new district rules and preparation of educational press releases for the public.

Agenda Item 8

Mr. Martin called for presentation, discussion, and consideration of "other environmental impacts, including impacts on spring flow and other interactions between groundwater and surface water" as required by Texas Water Code 36.108(d)(4). Mr. Oliver provided a presentation "Considering Socioeconomic and Environmental Impacts" (*see **Attachment "K" for Intera presentation, includes Items 8-10***). Mr. Oliver outlined the process to date and the specifics of the other environmental impacts and socioeconomic impacts. A reminder, DFCs must provide a balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence in the management area. Mr. Oliver also noted faulting brought up during the previous impact on subsidence discussion would be further discussed as other relevant information as decided by the group at a future meeting. Each GCD must address environmental impacts as part of the management plan requirements. The environmental flows from each GCD were presented. Mr. Oliver presented the approach for addressing groundwater-surface water interaction. This analysis mirrors the TWDB approach and went through each county of the GMA. Mr. Oliver concluded with summarizing points on considering environmental impacts. First environmental impacts assessment focused on interaction between groundwater and surface water consistent with Texas Water Code 36 requirements. Second, environmental impacts are similar for the two 70% available drawdown/1-foot average subsidence limited runs. Third, model used consistent with TWDB approach, but new model under development should better characterize this component. Lastly, according to the current model, all counties would begin drawing on surface water for each of the scenarios considered however these hinge on a known

model limitation so use the results with caution. Mr. Martin asked questions regarding broad, general impacts seen from groundwater pumping in depth and distance from surface water bodies. Mr. Oliver provided that the closer groundwater pumping occurs to surface water in proximity without hydrologic barriers the greater impacts and likelihood of occurrence. Alluviums are the most direct connections where others have some level of hydrologic barrier which slows the impact.

Agenda Item 9

Mr. Martin called for presentation, discussion, and consideration of "socioeconomic impacts reasonably expected to occur" as required by Texas Water Code 36.108(d)(6). SJRA approached GMA reps Martin, Reiter and Turco and included Mr. Oliver and Lone Star GCD consultants in presenting information regarding large drawdown impacts from their perspective. With the level of detail in the information, it felt best to present during the agenda item to allow more questions of the information. Ron Kelling provided comments and presentation regarding socioeconomic impacts (*see **Attachment "L" for SJRA comments and presentation***).

Mr. Oliver provided a presentation "Consideration of Socioeconomic Impacts Reasonably Expected to Occur" (pg. 36 of Intera presentation). Mr. Oliver began with socioeconomic impacts in the regional water planning process as an evaluation of the impact of not meeting water needs during a repeat of the drought of record. While the socioeconomic impact analysis developed for regional water planning is quantitative, it does not directly translate to the evaluation of potential desired future conditions as they are limited to impacts of unmet needs, influenced by availability of other supply sources, and does not consider potential negative socioeconomic impacts from groundwater production. Mr. Oliver laid out a comparison of current to potential future modeled available groundwater numbers. The discussion centered on balancing socioeconomic impacts in terms of developing versus not developing groundwater. Impacts of developing groundwater included subsidence and associated impacts, lowering pumps or deepening wells, potential impacts on water quality, impacts on groundwater production efficiency, and influence on economic growth based on water availability. Impacts of not developing groundwater included unmet water supply need, conversion to more expensive water supply alternative(s), and influence on economic growth based on reliability/diversity of supplies. Mr. Oliver noted supplemental materials provided including subsidence maps for each of the 20 counties in GMA 14 for each of the 3 scenarios and drawdown maps for each of the 20 counties in GMA 14 for each of the 3 aquifers.

Mr. Beach, consultant for Lone Star GCD, asked about the limitations of the model creating material or diminished differences. Mr. Oliver noted differences will occur related to actual production and the model will likely diminish the impact since the model provides essentially an unlimited source of water to pull from. This scenario would likely result in a greater MAG number than could be realized. Mr. Beach asked about estimation of litigation costs related to

takings claims. Mr. Oliver stated no litigation costs had been considered or factored, but also not sure how those could be calculated. Mr. Beach asked Mr. Kelling if SJRA had conducted cost analysis for Run D. Mr. Kelling stated their analysis was based on 250 foot and 600 foot decline scenarios not a Run D or DFC scenario. Mr. Beach asked if the analysis included separation between normal wear/replacement of expected drawdowns over time and extreme drawdown. Mr. Kelling stated SJRA used one set of drawdown analysis keeping 150 feet static level above pump, once it dropped below if age of pump was greater than 50 years it was not included. Mr. Beach noted these drawdowns appear similar to previous scenarios, such as Run D presented by Lone Star GCD, but SJRA's analysis does not include those or a comparison to those scenarios. Mr. Kelling noted the analysis of cumulative aquifer drop over time of 250 feet and 600 feet.

Mr. Martin asked about the cost for groundwater versus surface water for a consumer in Montgomery County. Mr. Kelling noted $3.15 for surface water and $2.73 for groundwater which he would crunch the numbers and respond. Ms. Reiter also wanted to reach out to other entities in other GRPs and entities and gather more numbers.

Agenda Item 10

Mr. Martin called for discussion and possible action on the path forward for developing a draft Explanatory Report. Mr. Oliver provided the approach to develop a draft explanatory report (pg. 49 of Intera presentation). The preference is to work collaboratively and efficiently to provide comments and work through each section in draft form prior to formal approval at a future meeting. Mr. Martin and Mr. Holland voiced support for the working document approach to enhance the explanatory report.

Agenda Item 11

Mr. Martin called for discussion and possible action regarding the DFCs and the path forward for GMA 14 to accomplish statutory mandates for Round 3 Joint Planning. Mr. Martin noted the remaining items from the schedule of private property rights and other relevant information factors mentioned several times during the meeting. Ms. Reiter addressed several notes and comments received during the meeting. Ms. Reiter thanked all who had spoken or presented, as having the individual entities provide feedback is important and valuable. Ms. Reiter requested other entities be given the same opportunities to prepare and present if requested. Lone Star GCD entities seem to be evaluating their future of water sources for their needs, which is the desire of the current board. Lone Star GCD supports development of groundwater but needs additional surface water as well. Ms. Reiter noted there must be a balance between the factors while protecting the source. Ms. Reiter further stated private property rights is the biggest protection and issue requiring careful consideration. Lone Star GCD has heard the comments on subsidence. With the new Lone Star GCD rules, there is no limit on groundwater production and management zones are only designated after more study. Ms. Reiter added no single entity

should dictate decision making. Lone Star GCD hears and appreciates the comments and try to weigh the risks and rely on the balancing act with science.

Agenda Item 12

Mr. Martin recognized Mr. Turco to provide the GMA 14 Interlocal Agreement Financial Report. Mr. Turco noted invoices and deposits were all tracking within the budget and agreed payment schedules by participants (*see **Attachment "M" for Financial Report***).

With no further comments from the participants, Mr. Martin adjourned the meeting of the GMA 14 Interlocal Agreement Participants and reconvening the Joint Planning Group meeting at 12:08 PM.

Meeting of the GMA 14 Joint Planning Interlocal Agreement Participants adjourned.

Agenda Item 13

Mr. Martin reconvened the GMA 14 meeting and called for review, discussion and consideration of member district management plans as required by Texas Water Code 36.108(c). Mr. Holland noted the continued gathering of monitoring data from each GCD and comparing against the current DFC and baseline model year data. This will be presented at a future meeting. Mr. Martin provided the updated management plan comparison document (*see **Attachment "N" for GMA 14 Mgt Plan Comparison***). Mr. Martin noted the general approach and similarity between each GCD and their responses to all but two items. Addressing natural resource issues and rainwater harvesting have some differences. Mr. Ashmore noted the City of Livingston had been identified as a subsidence area and has converted to 100% surface water. Mr. Holland noted there may be future changes in approach to the recharge enhancement as new tools are created in developed from recent legislative initiatives to aquifer storage and recovery and artificial recharge projects.

Agenda Item 14

Mr. Martin called for discussion and possible action regarding next meeting date, location, and agenda items. Mr. Martin noted the private property rights item and Ms. Reiter's request for expert's presentations. The next meeting was set for November 18, 2020 at 9:00 AM to be held via audio/video conference or at the offices of the Harris-Galveston Subsidence District, located at 1660 W. Bay Area Blvd., Friendswood, Texas 77546.

Agenda Item 15

Without further discussion or comment and there being no further business, the meeting was adjourned at 12:30 PM.

PASSED, APPROVED, AND ADOPTED THIS 18 day of November, 2020

Chairman

ATTEST:

Secretary