

Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

THE STATE OF TEXAS
CALHOUN COUNTY

The Board of Directors of the Calhoun County Groundwater Conservation District convened a meeting at the Coastal Center, 131-A N. Virginia St, Port Lavaca TX 77979, Calhoun County, on January 24, 2022 at 5:30 PM.

Meeting Attendance:

Precinct 1:	Mr. Steven Dierschke, Director	Present
Precinct 2:	Mr. Wesley Brett, Vice-President	Absent
Precinct 3:	Mr. Galen Johnson, Secretary	Present
Precinct 4:	Mr. Michael Hahn, Treasurer	Absent
At Large:	Mr. Harold May, President	Present
General Manager:	Mr. Timothy Andruss	Present
Legal Counsel:	Mr. James Allison	Present

Agenda Items -

1. Call the meeting to order and welcome guests.

Meeting Discussion: Mr. May called the meeting to order at 5:30 PM. The following guests were present: Danny McGuire.

2. Receive public comments.

Meeting Discussion: None.

Board Action: None.

3. Consideration of and possible action on matters related to Groundwater Management including the efforts and activities of the District regarding permitting as well as complaints, investigations, and enforcement cases associated with permitting.

3.1 – Report regarding Groundwater Management

Meeting Discussion: Mr. Andruss explained that the District has initiated 38 permitting request cases (PRCs) since October 1, 2021.

Mr. Andruss explained as of January 24, 2022, the District has five permitting request cases that are pending:

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1. CCGCD - GMa - Pe - Permitting Request Cases - PRC-20191126-01 - ADW-20191126-01/03/AOW-2Q191126-02/04 - LaSalle WCID# 1A- Pending
2. CCGCD - GMa - Pe - Permitting Request Cases - PRC-20200310-02 - ADW-202002Q7-01/03/05/07/AOW-20200207-02/04/Q6/08 - Alan Roberts. Roberts Ranch and Investments- Pending
3. CCGCD - GMa - Pe - Permitting Request Cases - PRC-20210923-01 - AOW-20210913-01 - Calhoun Port Authority - Pending
4. CCGCD - GMa - Pe - Permitting Request Cases - PRC-20220107-01 - ARW-20220107-01/ADW-2n220107-02/03/04/05/Q6/AOWS-20220107-07/AWR-20220107-08- Port O'Connor improvement District - Pending
5. CCGCD - GMa - Pe - Permitting Request Cases - PRC-20220119-01 - ADW-20220119-01: Chris Havelka - Pending

Board Action: None

3.2 – Groundwater Production Permits

Meeting Discussion: Mr. Andruss explained as of January 24, 2022, the volume of groundwater production authorized for water wells under production permits is 6,527.624 acre-feet per year.

Board Action: None.

3.3 – Groundwater Production

Meeting Discussion: Mr. Andruss explained that as of January 24, 2022, the District has recorded groundwater production of 119.924 acre feet during calendar year 2020 from 14 groundwater production reports. The District mailed out 32 notices regarding the groundwater production reporting for non-exempt use wells registered in the CCGCD database. Per the rules of the District, required groundwater production reports for calendar year 2021 should be submitted by January 31, 2022.

Board Action: None.

3.4 – Groundwater Production Permit Renewals

Meeting Discussion: Mr. Andruss explained the District has identified six production permits that will expire in calendar 2022 unless an application to renew the production permit is submitted to the District prior to the permit expiration date of July 31, 2022. The District will send a courtesy notice to the well owner regarding the need to renew the permit.

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Board Action: None.

3.5 – Investigations and Enforcement Cases related to Groundwater Management

Meeting Discussion: Mr. Andruss explained as of January 24, 2022, the District had 11 active investigations related to groundwater management. The District has five active investigations associated with well drillers apparently failing to satisfy a requirement of a drilling permit. In particular, of the apparent violations relate to the reported location of the well(GPS coordinate reported on the well log) being outside of the authorized drilling area of the associated drilling permit. Item 1 of Rule 7.1: DRILLING WELLS went into effect on April 18, 2018, and states "A person drilling a well shall locate the well within the authorized drilling area specified on a drilling permit issued by the District."

The District believes the apparent violations likely arise because of imprecise or inaccurate GPS coordinates being recorded on well logs, imprecise or inaccurate information being submitted or used to identify the subject property of an application for a drilling permit resulting in the identification of an authorized drilling area that does not encompass the location intended for the new well to be drilled, or a combination of both circumstances. While instances have occurred in which the proposed well was drilled on a property or location not intended by the permit applicant, the District is not aware of this circumstance existing associated with these investigations.

Board Action: Mr. Dierschke moved to authorize the General Manager to notify the property owner and well driller associated with each investigation, by regular mail, of the requirement to drill a well within the authorized drilling area under Rule 7.1 of the Rules of the District and that the information provided to the District suggests a violation of item 1 of Rule 7.1 may have occurred, and that if either party believes that an actual violation occurred to contact the District otherwise the investigation will be closed on March 15, 2022; and authorize the General Manager to close any of the investigations that the District has not been requested to keep active by March 15, 2022. Mr. Johnson seconded the motion. Motion passed unanimously.

Meeting Discussion: Mr. Andruss explained that the District has two active investigations associated with well drillers apparently failing to provide notice to the District of intent to place casing into a new well boreholes. Item 39 of Rule 4.2: PERMITTING POLICIES AND PROCEDURES RELATED TO DRILLING PERMITS went into effect on April 18, 2018, and states "A person drilling a well shall provide the District with notice of intent to place casing in the borehole at least two hours and not more than three hours before placing casing in the borehole." Since April 2018, the District has recorded 112 well drillers logs.

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Board Action: Mr. May moved to authorize the General Manager to notify the well driller associated with each investigation, by certified mail, of the requirement to provide notice under Rule 4.2 of the Rules of the District and that future investigations identifying potential violations of Rule 4.2 will result in the District engaging in enforcement proceedings and possibly levying fines; and authorize the General Manager to close the investigations upon receiving the associated mail receipt. Mr. Dierschke seconded the motion. The motion passed unanimously.

Meeting Discussion: Mr. Andruss explained the District has four active investigations associated with well drillers apparently failing to properly complete or construct a new well. The investigations are related to the information provided on the well log indicates the well may not satisfy the requirements established in the Rules of the District Rule 7.2: STANDARDS FOR COMPLETION OF WELLS establishes the certain requirements regarding the sealing of the annular space between the well casing and borehole and went into effect on April 18, 2018. Since April 2018, the District has recorded 112 well drillers logs.

The District will request a revised and complete well log in those instances in which the annular seal data is missing and close any investigation in which the apparent violation are resolved by March 15, 2022.

The District will initiate an enforcement case for presentation to the Board on April 25, 2022 for those investigation in which the District confirms the well completion has been violated.

Board Action: None.

3.6 – Presentation regarding POCID Permitting Request

Meeting Discussion: Mr. Andruss explained that on January 7, 2022, the District received from Matthew L Froehlich, PE with BGE, Inc. 1) applications to register an existing well owned by the Port O'Connor Improvement District (POCID); 2) five applications to drill water wells; 3) an application for a production permit for a well system; and 4) a waiver request seeking a partial waiver of certain rules and requirements related to drilling permits and production permits. Through the permitting requests, the POCID seeks a production permit for a well system authorizing the production of 1,104 acre-feet of groundwater from a new well system to be used for public water system uses.

On January 10, 2022, in response to inquiry made by Ms. Donna Grafe-Tucker, the District provided initial comments regarding the applications and requested additional information regarding the applicant's authority to submit applications on behalf of the County of Calhoun and the agents identified on the applications.

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On January 10, 2022, the District asked Mr. Wickham of Colder Associates to develop a proposal and cost estimate for completing a technical review of the permitting request relative to the Rules of the District.

On January 18, 2022, Mr. Froehlich notified the District that certain revisions to the applications were being prepared and would be delivered in a future submittal.

On January 21, 2022, the District received a proposal submitted by Mr. Wickham for completing a technical review of the permitting request relative to the Rules of the District. The estimated cost for proposed work is \$6,492.00.

The fee schedule adopted by the Board of Directors on March 25, 2019, established a fee of \$5,000 per application for a production permit for a well system capable of producing more than 360,000 gallons per day. In addition, the schedule states "Fees associated with the review and processing applications for a waiver and variance request shall be determined by the Board of Directors upon initial consideration by the Board of Directors.

Board Action: Mr. Johnson moved to establish a fee for processing waiver application WV-20220107-08 submitted by POCID at \$6,500.00; and move to accept and approve the proposal (CCGCD – Golder WSP Proposal to review POCID Applications – 20220121) submitted by Golder/WSP for the review the permitting request submitted by POCID upon designation of the applications as administratively complete. Mr. Dierschke seconded the motion. The motion passed unanimously.

4. Consideration of and possible action on matters related to Groundwater Protection including complaints, investigations, violations and enforcement cases related to disposal and injection wells, as well as, contamination and waste.

4.1 – Report regarding Groundwater Production

Meeting Discussion: Mr. Andruss explained that as of January 21, 2022, the District had one active investigation related to groundwater protection. The District contacted Ms. Henke in September. Ms. Henke explained that she intended to contact the RRC to resume their efforts to plug the well.

The District has obtained a copy of the report titled Evaluation of the Proposal for Widening and Deepening the Matagorda Ship Channel, dated September 30, 2021, developed by the Harle Research Institute for Gulf of Mexico Studies at Texas A&M University-Corpus Christi. The report addresses groundwater resources and the potential impacts of the widening or deepening of the ship channel including the potential for salt-water intrusion and groundwater contamination by mercury leaching.

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Board Action: None.

5. Consideration of and possible action on matters related to Groundwater Monitoring.

5.1 – Report regarding Groundwater Monitoring

Meeting Discussion: Mr. Andruss explained the District will begin the synoptic water level and water quality monitoring efforts in February 2022. The District will seek authorization to collect water level and water quality measurements from non-exempt-use wells within Calhoun County. There was a graphic attached that illustrates the sites at which the District has collected water level measurements (red dot markers), non-exempt use wells within the Calhoun County (black and white cross markers), and production areas (blue hatched polygons) in Calhoun County.

Board Action: None.

5.2 – Drought Monitoring

Meeting Discussion: Mr. Andruss explained the U.S. Drought Monitor, produced through a partnership between the National Drought Mitigation Center at the University of Nebraska-Lincoln, the United States Department of Agriculture, and the National Oceanic and Atmospheric Administration, indicates that all portions of Calhoun County were experiencing dry or drought conditions as of January 18, 2022.

Board Action: None.

6. Consideration of and possible action on matters related to Groundwater Conservation.

6.1 – Report regarding Groundwater Conservation

Meeting Discussion: Mr. Andruss explained that the University of Houston - Victoria, through professors Teresa La Sage-Clements and Dmitri Sobolev have submitted a proposal to VCGCD and its cooperating districts for a project for professional teacher development and associated student camp focusing on groundwater conservation. The project is described as follows, emphasis added:

To continue the partnership between UH~Victoria and the VCGCD sustaining the teacher and student environmental groundwater water quality education, we propose the following hands-on teacher professional development opportunity

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and student camp on how surface and groundwater are polluted and connected. Teachers and students will be recruited from schools within Victoria, Calhoun, Jackson, and Refugio Counties.

Teachers will acquire water quality testing skills, compare well water and watershed quality results. Both teachers and students need to understand how the hydrologic cycle, the Guadalupe River watershed, Texas freshwater, and global freshwater quality are all related. The teachers' knowledge can be transferred to their students in the classroom and improve student understanding of groundwater and the watershed.

Up to 10 middle and/or high school teachers completing professional development can earn up to 12 hours of continuing education credit through UHV and the Texas Education Agency. The 10 teachers will experience a well water quality and watershed water quality workshop. Also, one student camp will be held for up to 20 students.

The delivery dates of the teacher professional development and the student camps will depend on external environment constraints such as COVID-19 variants and if it is safe for teachers and students to meet face-to-face. The first teacher Professional development workshop was planned for the fall of 2021, but may need to be postponed to spring 22 or summer 22 due to COVID issues.

The cost to fund the project is \$16,678.00 and is comprised of the following:

Professional Development for 10 Teachers: \$13,028.00

- o Teacher stipend: \$5,000.00
- o Teacher supplies: \$6,500.00
- o Transportation van: \$1,000.00
- o Student lab worker: \$240.00
- o Professors, in kind: \$0.00
- o Food: \$288

Student Camp for 20 Students: \$1,272.00

- o Teacher facilitators: \$400.00
- o Student lab worker: \$120.00
- o Professors, in kind: \$0.00
- o Food: \$252.00
- o Transportation van; \$500.00

Physical Aquifer Model: \$1,378.00(the District recommends the use of the Envision 2000 Series - Sand & Gravel Aquifer Model from Creative Lab Works, <http://www.creativelabworks.com/>)

Incidentals \$1,000(other teacher and student supplies unforeseen)

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The funding agreement negotiated by the staff of the District establishes a payment model in which actual costs of the project, not to exceed \$16,678.00, would be reimbursed by VCGCD to UHV based on periodic status reports submitted by UHV. The agreement and proposal will be presented to the VCGCD Board of Directors for consideration on January 21, 2022 with a recommendation to accept the proposal and approve the funding agreement for the purposes of promoting groundwater conservation. If the District agrees to share the costs of the project and the other cooperating district do the same, each district would contribute up to \$4,169.50.

On January 21, 2022, the VCGCD Board accepted the proposal and approved the associated agreement. The boards of RGCD and TGCD have agreed to cost-share the expenses associated with VCGCD.

Board Action: Mr. Johnson moved to accept the proposal for the Teacher Professional Development and Student Camp project and agree to share the costs for the project with Victoria County Groundwater Conservation District in an amount not to exceed \$4,169.50 for the purposes of promoting groundwater conservation. Mr. May seconded the motion. The motion passed unanimously.

7. Consideration of and possible action on matters related to Groundwater Resource Planning including Groundwater Management Area 15 Joint Planning and regional water planning.

7.1 – Report regarding Groundwater Resource Planning

Meeting Discussion: Mr. Andruss explained that the District participated in the Region L Regional Water Planning Group Meeting convened on November 4, 2021. The District will participate in the Region L Regional Water Planning Group Meeting scheduled for February 3, 2022.

The District participated in the Management Area 15 Meeting on December 9, 2021. At the meeting, the representatives re-affirmed the adoption of proposed DFC for GMA 15, approved the explanatory report for the adopted DFC, approved the special request of Goliad County GCD to request TWDB use increased evaluation criteria when considering feasibility of the adopted DFC. The adopted DFC and associated explanatory report was submitted to TWDB before the required deadline (60 days after the adoption of the DFC). The next meeting of GMA 15 is scheduled for April 14, 2022.

Board Action: None.

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8. Consideration of and possible action on matters related to Groundwater Policy including the Management Plan of the District and the Rules of the District.

8.1 – Report regarding Groundwater Policy

Meeting Discussion: Mr. Andruss explained that the staff of the District are currently reviewing the Rules of the District for the purposes of identifying potential revisions to eliminate unnecessary regulations and requirement, simplify regulations and requirements, streamline procedures, needed clarifications, correct grammatical and formatting errors. At the meeting scheduled for April draft revisions to the Rules of the District will likely be presented to the Board for consideration and possible designation as proposed Rules of the District and initiation of rule-making procedures.

Board Action: None.

9. Consideration of and possible action on matters related to Groundwater Research.

Meeting Discussion: None.

Board Action: None.

10. Consideration of and possible action on matters related to Performance Management including management goals and objectives of the District.

Meeting Discussion: None.

Board Action: None.

11. Consideration of and possible action on matters related to meeting management including minutes of previous meetings.

11.1 – Report regarding Meeting Management

Meeting Discussion: Mr. Andruss explained the proposed schedule of meetings of the Board of Directors for calendar year is April 25, 2022, July 25, 2022, August 22, 2022 (Budget and Tax Rate Matters), and October 24, 2022 with each meeting to convene at 5:30 PM. Special meeting may be scheduled to address unforeseen issues.

Board Action: Mr. Dierschke moved to adopt the proposed meeting schedule for CY2022. Mr. Johnson seconded the motion. The motion passed unanimously.

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11.2 – Minutes for the Previous Meeting

Meeting Discussion: Mr. Andruss explained the minutes for the meeting held on October 25, 2021, were sent the board members prior to the meeting.

Board Action: Mr. Johnson moved to accept and approve the meeting minutes for October 25, 2021, as drafted. Mr. Dierschke seconded the motion. The motion passed unanimously.

12. Consideration of and possible action on matters related to Financial Management including the annual budget of the district, financial reports of the district, bills and invoices of the district.

12.1 – Financial Reports and Records

Meeting Discussion: Mr. Andruss explained the financial records for December 2021 have been compiled, reviewed, and sent to the board members prior to the meeting.

Board Action: Mr. Dierschke moved to accept the financial records for December 2021. Mr. Johnson seconded the motion. The motion passed unanimously.

12.2 – Unpaid Accounts Payable

Meeting Discussion: Mr. Andruss explained that the District has outstanding accounts payable invoices for which the District has received the goods and services billed for under the invoices.

Board Action: Mr. Johnson moved to authorize the general manager to pay the identified items. Mr. Dierschke seconded the motion. The motion passed unanimously.

13. Consideration of and possible action on matters related to office administration and management including administrative policies, election of officers of the board, personnel, staffing, employment agreements, consultant agreements, interlocal cooperation agreements, and support services provided to and from other groundwater conservation districts.

13.1 – Report regarding Administration and Management

Meeting Discussion: Mr. Andruss explained on January 21, 2022, the Victoria County GCD Board appointed Mr. Benavides to the position of compliance

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specialist and authorized the hiring of an employee for the vacated position of aquifer monitoring technician.

Board Action: None.

14. Consideration of and possible action on matters related to legal counsel report.

Meeting Discussion: None.

Board Action: None.

15. Adjourn.

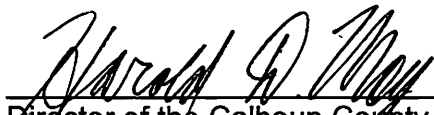
Meeting Discussion: None.

Board Action: Mr. Dierschke moved to adjourn the meeting after concluding all business of the District. Mr. Johnson seconded the motion. The motion passed unanimously.

Prepared by: Caitlynn Davenport, Administrative Coordinator
Calhoun County Groundwater Conservation District Official

THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON THIS

THE 25th DAY OF April A.D. 2022.



Director of the Calhoun County Groundwater Conservation District

ATTEST: