

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 November 14, 2022, at 5:30 PM.

Meeting Attendance:

Precinct 1:	Mr. Steven Dierschke, Director	Present
Precinct 2:	Mr. Wesley Brett, Vice-President	Present
Precinct 3:	Mr. Galen Johnson, Secretary	Present
Precinct 4:	Mr. Michael Hahn, Treasurer	Present
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: Donna Grafe-Tucker, Bill Kotlan.

Board Action: None.

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, complaints, investigations, violations, and enforcement cases associated with permitting.

3.0 – PRC-20220617-01 – Port O'Connor Improvement District Waiver

Meeting Discussion: Mr. Andruss explained the District has collected water samples from three wells within the 5-foot drawdown contour after 2 years of simulated production. The TDS measurements from the water samples show range between 1,290 mg/L to 2,050 mg/L in the area.

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On November 1, 2022, the District completed the public notice process (see Public Notice - 20221114 - Board Meeting) for this meeting which included agenda items for the continuation of the Board's consideration of the waiver request and permitting requests submitted by POID.

On November 4, 2022, the District sent copies of the meeting notice for November 14, 2022, via CMRRR, to the well owners of wells within 5-foot contour of the estimated drawdown after 2 years of production.

1. Adam Price P.O. Box 166, Port O'Connor, Texas 77982 (Delivered as of 11/14/2022)
2. Calvin Jackson 17099 U.S. Hwy. 277 S., Wingate, Texas 79566 (Delivered as of 11/14/2022)
3. Carl L. Skelly 23134 Kobs Rd., Tomball, Texas 77377 (Delivered as of 11/14/2022)
4. Daniel Francis Buckle P.O. Box 521, Port O'Connor, Texas 77982 (Available as of 11/14/22)
5. Jason R. Stryker P.O. Box 305, Port O'Connor, Texas 77982 (Delivered as of 11/14/2022)
6. Joe Newsome P.O. Box 515, Port O'Connor, Texas 77982 (Delivered as of 11/14/2022)
7. POC Park 1, LP P.O. Box 40, Seadrift, Texas 77983 (Delivered as of 11/14/2022)
8. Ralph Weathersby 2480 West Maple St., Port O'Connor, Texas, 77982 (Delivered as of 11/14/2022)
9. Randy N. Hudson P.O. Box 621, Port O'Connor, Texas 77982 (Available as of 11/14/22)
10. Texas Parks and Wildlife P.O. Box 802, Port O'Connor, Texas 77982 (Available as of 11/14/22)
11. The Sanctuary Property Owner's Association, Inc c/o Lead Assoc. Mgmt. 13231 Champion Drive, Ste. 112, Houston Texas 77069 (Delivered as of 11/14/2022)

On November 8, 2022, the representatives of POID and the staff of the District concluded negotiations on a draft waiver that was agreeable to both parties and could be recommended to the Board for consideration.

Section 2 of the draft waiver addresses a basis for finding good cause to waive the rules of the district as requested by POID. The draft waiver states the following: "The basis of the finding of good cause to grant this waiver is the authorization of production of groundwater from wells drilled in close proximity to the Intracoastal Waterway, Espiritu Santo Bay, and Matagorda Bay and completed in surficial water strata generally known to produce groundwater with total dissolved solids concentrations in excess of 1,000 mg/L will likely 1) reduce future demand for groundwater with total dissolved solids equal to or

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less than 1,000 mg/L found in shallower strata in the vicinity of the well field site, 2) reduce the negative impacts associated with production of groundwater found in shallower groundwater-bearing strata previously developed in the vicinity of the well field site, and 3) produce valuable empirical data regarding the development of brackish groundwater resources near the coastline within the District to support scientifically-credible regulations and rules related to brackish groundwater development."

If the Board of Directors finds good cause to waive the rules of the district as requested and approves the draft waiver, POID would be allowed to develop and operate the proposed well field over a 3-year period with the following requirements:

1. Installation and use of 3 monitoring wells;
2. Submittal of plans to implement the well construction programs and a summary reports of the drilling programs;
3. Submittal of a plan for approval to implement the monitoring and reporting program;
4. Submittal of a plan to improve well field performance to facilitate recovery of water levels if drawdown exceeds 50 feet;
5. Submittal of a plan to improve well field performance to facilitate recovery of TDS concentrations if the concentrations increase by more than 1,000 mg/L;
6. Quarterly reporting of production volumes, water level data, and water quality data;
7. Development of a summary report and appropriate models to accurately estimate potential water level and water quality impacts associated with the long term operation of the well field at the conclusion of the 3-year production period; and
8. Submittal of appropriate applications at the end of the 3-year production period seeking to authorization to continue operating the well field in some manner.

As of November 11, 2022, the District had not received notice from any other party of intent to contest the permitting request submitted by the POID being processed under permitting request case PRC-20220617-01.

Board Action: Mr. Johnson moved to 1) find good cause to waive the rules of the district and approve the draft waiver and 2) instruct the General Manager to withdraw the District's contest to the permitting requests submitted by POCID processed under permitting request case PRC-202206174-01. Mr. Hahn seconded the motion. The motion passed unanimously.

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3.1 – PRC-20220617-01 – Port O’Connor Improvement District Permits

Meeting Discussion: Mr. Andruss explained if the Board finds good cause the waive the rules of the District and approves a waiver for POID associated with permitting request case PRC-20220617-01, the contest to the POID's permitting request is withdrawn. Provided no other contests to the POID's permitting request are submitted to the District during this meeting, the permitting request case could proceed as an uncontested matter.

Provided the Board approved the draft waiver as presented by the staff of the District and the representatives of the POID, the approval of 8 drilling permits (3 drilling permits for monitoring wells and 5 drilling permits for production wells) and the approval of a production permit authorizing the production of 890 acre-feet of groundwater per year for public water system and municipal uses at a cumulative rate of 1,750 gallons per minute in accordance with approved waiver would be appropriate.

After opening the permit hearing, no public comment regarding the POCID permitting request was provided, the permit hearing was closed.

Board Action: Mr. Brett moved to 1) proceed with the consideration of the permitting case as an uncontested matter, 2) approve the draft drilling permits with expiration dates that coincide with the end of the production period as defined in the approved waiver, and 3) approve the production permit with an expiration date that coincides with the end of the production period as defined in the approved waiver. Mr. Dierschke seconded the motion. The motion passed unanimously.

4. Adjourn.

4.0 – Adjourn Meeting

Meeting Discussion: None.

Board Action: Mr. Hahn moved to adjourn the meeting at 5:56 PM. Mr. Johnson seconded the motion. The motion passed unanimously.

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

THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON THIS

THE _____ DAY OF _____ A.D. _____.



Director of the Calhoun County Groundwater Conservation District

ATTEST:



Director of the Calhoun County Groundwater Conservation District