

**COASTAL BEND GROUNDWATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING**

**AGENDA PREPARED AND POSTED:** March 09, 2018  
**DATE OF MEETING:** March 13, 2018  
**TIME OF MEETING:** 8:00 A.M.

**PLACE WHERE MEETING WAS HELD:** Coastal Bend GCD, 109 E. Milam,  
WHARTON, TEXAS 77488.

**I. In Attendance:**

Ronald Gertson – President CBGCD; L.G. Raun – Vice-President; Edmund Weinheimer – Secretary CBGCD; Daniel Berglund – Director CBGCD; Aland Wittig – Director CBGCD; Neil Hudgins – Manager CBGCD; Jaime Bosch – Office Manager CBGCD; Greg Ellis; Steve Cooper; Judge Spenrath, and Harry Afadapa.

**II. Call to Order:**

The meeting was called to order at 8:07 A.M. by Vice-President Raun.

**III. Public Comments:**

None

**IV. Approval of Minutes:**

Secretary Weinheimer made a motion to accept the meeting minutes and the permit hearing minutes for February 07, 2018 as presented. seconded. All voted for; motion carried.

**V. Manager's Report:**

Financial Report – Mr. Hudgins reported a checking account balance of \$383,053.14; a money market balance of \$384,407.95; and CD balance of \$512,915.16. A budget vs. actual and the balance sheet for February was also presented. After discussion and review, Director Wittig made a motion to approve the financials as presented. Director Berglund seconded. All voted for; motion carried.

2017 Water Use Report – Mr. Hudgins presented the board with the 2017 water use report. The report reflects data collected on 95% of the CBGCD permitted wells, a total of 109,069 acre/feet of water pumped, and that 38% of the permitted amount for 2017 has been pumped.

Well Monitoring Update – Mr. Hudgins presented the board with the monitor well levels as of March 01, 2018. Report shows an average recovery of 2 feet from the previous month of February. The critical depletion study area monitor index wells are following the recovery trend of the monitor wells. The board and staff continued discussion of the status of the 7 index wells. Staff will bring additional data to April meeting for continued discussion.

President Gertson Joins Meeting at 8:40

Upcoming Meetings – Region P-February 26<sup>th</sup>, Coastal Plains GCD-March 29, Region K-April.

Vice-President Raun turns the meeting over to President Gertson

**VI. Audit Presentation by Harry Afadapa & Associates:** Harry Afadapa reviewed the advisement letter for the board. He also explained the detail audit information and

answered any questions. After continued discussion, the board asked Mr. Afadapa to review his report and resolve the discrepancies discussed and present an update report at the next CBGCD board meeting.

- VII. **Discussion to Approve Permit Applications:** After discussion and review of the permit applications, Secretary Weinheimer made a motion to approve the permit applications (see attached permit application spreadsheet) as presented with the following corrections: King Ranch op-05010623 *\*2019 use from livestock to turfgrass\**; Burr Properties op-13090301 *\*add additional note, to create aggregate system/permit\**; and Willie Gavranovic op-15051301 *\*add additional note, to create aggregate system/permit\**. Director Berglund seconded. All voted for; motion carried.
- VIII. **Discuss and Consider Amendments to CBGCD Management Plan:** Mr. Hudgins presented the board with the suggested amendments to the CBGCD Management Plan. After review and discussion, Secretary Weinheimer made a motion to purpose the amendments to CBGCD Management Plan (see attached) and to call a public hearing. Director Wittig seconded. All voted for; motion carried.
- IX. **Litigation Update a) City of Conroe, et al v. Lone Star Groundwater Conservation District, et al (District Court) b) Fazzino v Brazos Valley Groundwater Conservation District (District Court):** None
- X. **Legislative Update:** None
- XI. **PDSI/Situation Report:** CBGCD is moderate to abnormally dry.
- XII. **Possible Future Agenda Items:** None
- XIII. **Public Comments/Announcements:** None.
- XIV. **Set Next Meeting Date and Agenda:** Director Berglund made a motion that the next CBGCD board meeting be set for Tuesday, April 10, 2018 at 8:00 am. Secretary Weinheimer Seconded. All voted for; motion carried.
- XV. **Adjournment:** Meeting adjourned at 10:15 a.m.

# 03/13/2018 Permits Applications

## Permit Amendment

YEAR	NAME	PERMIT #	DIS	USE	ACR.	CROP	AC. FT.	PER AC.	TOTAL
2018	Gary Farm	OP-04101504	10	Irrigation	16	Recreation	80	5.00	
2019				Irrigation	16	Recreation	80	5.00	
				Irrigation		Livestock	5		170

YEAR	NAME	PERMIT #	DIS	USE	ACR.	CROP	AC. FT.	PER AC.	TOTAL
2018	King Ranch, Inc.-Turfgrass America	OP-05010623	6	Irrigation	250	Turfgrass	750	3.00	
2019				Irrigation	250	Turfgrass	750	3.00	1500

## New Drills/Drilling Permit Only

YEAR	NAME	PERMIT #	DIS	USE	ACR.	CROP	AC. FT.	PER AC.	TOTAL
2017	Maureen Mount	OP-17020801	4	Irrigation	140	Row Crop	140	1.00	
2018	***Current Permit*** NO Change Part of an Aggrigate System 2nd well was not drilled within 12 months			Irrigation	140	Row Crop	140	1.00	
2019				Irrigation	140	Row Crop	140	1.00	420

YEAR	NAME	PERMIT #	DIS	USE	ACR.	CROP	AC. FT.	PER AC.	TOTAL
2017	Burr Properties LP	OP-13090301	8	Irrigation	180	Turfgrass	540	3.00	
2018	***Current Permit*** NO Change Adding a 2nd well to the permit to create Aggrigate System/Permit			Irrigation	415	Row Crop	415	1.00	
2019				Irrigation	180	Turfgrass	540	3.00	
				Irrigation	415	Row Crop	415	1.00	
				Irrigation	180	Turfgrass	540	3.00	
				Irrigation	415	Row Crop	415	1.00	2865

YEAR	NAME	PERMIT #	DIS	USE	ACR.	CROP	AC. FT.	PER AC.	TOTAL
2017	Willie Gavranovic	OP-15051301	8	Irrigation	170	Turfgrass	510	3.00	
2018	***Current Permit*** NO Change Adding a 2nd well to the permit to create Aggrigate System/Permit			Irrigation	170	Turfgrass	510	3.00	
2019				Irrigation	170	Turfgrass	510	3.00	1530

**New Drill**

YEAR	NAME	PERMIT #	DIS	USE	ACR.	CROP	AC. FT.	PER AC.	TOTAL
	William Gavranovic, Jr.	OP-18022801	6						
2018				Irrigation	40	Turfgrass	100	2.50	
2019				Irrigation	40	Turfgrass	100	2.50	200

**New Drill**

YEAR	NAME	PERMIT #	DIS	USE	ACR.	CROP	AC. FT.	PER AC.	TOTAL
	Gulf Sout Pipeline Company, LP	OP-18022802	3						
2018				Commercial			4		
2019				Commercial			4		8

Permit limitations will be triggered if average aquifer levels decline below the Desired Future Condition. The first permit limitations will be triggered when aquifer levels drop at least one foot below the Desired Future Condition level; the second permit limitations will be triggered when aquifer levels drop at least two feet below the Desired Future Condition level; the third permit limitations will be triggered when aquifer levels drop at least four feet below the Desired Future Condition level. The percentage reduction will be based on hydrogeologic calculations of that amount of production that must be reduced to restore aquifer levels above the Desired Future Condition level. The exact amount of percentage reduction for each type of permit will be established by rule.

The District will employ reasonable and necessary technical resources at its disposal to evaluate the groundwater resources available within the District and to determine the effectiveness of regulatory or conservation measures. A public or private user may appeal to the Board for discretion in enforcement of the provisions of the water supply deficit contingency plan on grounds of adverse economic hardship or unique local conditions. The exercise of discretion by the Board shall not be construed as limiting the power of the Board.

#### **IX. Desired Future Conditions - (§36.108, Water Code, and 31 TAC 356.5 (a)(5)(A))**

Per §36.001, Water Code, "Desired future condition" means a quantitative description, adopted in accordance with §36.108, Water Code, of the desired condition of the groundwater resources in a management area at one or more specified future times. To establish a Desired future condition, the District shall participate in the joint planning process in GMA 15 as defined per §36.108, Water Code, including establishment of Desired Future Conditions (DFCs) for management areas within the District.

Based on the GMA 15 joint planning resolution dated ~~15 29 July April 2010-2018~~ ([Hudgins, 2014 Appendix B, Desired Future Condition Explanatory Report for Groundwater Management Area 15, 2016](#)), the District agreed to adopt the following Desired Future Condition:

~~"An average drawdown of the Gulf Coast Aquifer within the GMA 15 boundary of 12 feet relative to year-1999 starting conditions in accordance with Table 7 of GAM Run 10-008 Addendum~~The Desired Future Condition for the counties in the groundwater management area shall not exceed an average drawdown of 13 feet for the Gulf Coast Aquifer System at December 2069. Desired Future Conditions for each county within the groundwater management area (county-specific DFCs) shall not exceed the values specified in Table A-1 at December 2069."

Figure 5 shows Table 7 of Gam Run 10-008 Addendum (Wade, 2010) (Appendix D). Currently, the District has no registered wells that intersect either the Burkeville or the Jasper Aquifer.

GAM Run 10-008 Addendum  
June 30, 2010  
Page 5 of 5

**Table 7 GMA 15 12 feet scenario  
Drawdown after 60 years (in feet, 1999 Starting Conditions)**

County	Chicot	Evangeline	Chicot- Evangeline	Burkeville	Jasper	Overall	Overall (without Burkeville)
Aransas	0.0	25.6	0.6	--	--	0.6	0.6
Bee	3.3	14.2	10.5	9.7	5.1	8.9	8.5
Calhoun	-0.9	9.7	2.1	2.6	--	2.1	2.1
Colorado	5.9	9.8	8.1	14.7	21.3	13.3	12.8
DeWitt	0.3	5.6	4.8	15.0	23.0	15.3	15.4
Fayette	--	14.2	14.2	42.4	49.3	42.2	42.1
Goliad	-1.2	3.7	2.6	7.4	9.3	6.0	5.4
Jackson	13.4	17.1	15.2	12.1	19.6	15.1	16.1
Karnes	--	-0.2	-0.2	16.1	15.7	14.3	13.7
Lavaca	5.3	5.6	5.5	14.7	29.4	16.1	16.7
Matagorda	3.3	19.0	8.1	14.8	--	8.7	8.1
Refugio	0.6	32.2	15.1	12.8	--	14.7	15.1
Victoria	-9.2	4.1	-2.3	3.5	7.8	1.0	0.0
Wharton	12.7	5.8	9.3	19.3	21.6	14.7	13.1
<b>Overall</b>	<b>3.7</b>	<b>10.8</b>	<b>7.4</b>	<b>13.5</b>	<b>21.1</b>	<b>12.0</b>	<b>11.5</b>

**Pumping (AF/yr) 12 feet scenario**

County	Chicot	Evangeline	Chicot- Evangeline	Burkeville	Jasper	Overall	Overall (without Burkeville)
Aransas	1,863	--	1,863	--	--	1,863	1,863
Bee	3,707	5,480	9,187	17	289	9,493	9,476
Calhoun	2,939	63	3,002	--	--	3,002	3,002
Colorado	24,937	23,102	48,039	--	918	48,957	48,957
DeWitt	1,019	7,071	8,090	128	6,408	14,626	14,498
Fayette (GMA 15)	--	906	906	157	7,408	8,490	8,314
Fayette (GMA 12)	--	--	--	--	339	339	339
Goliad	714	10,582	11,296	306	102	11,704	11,398
Jackson	55,772	20,615	76,387	--	--	76,387	76,387
Karnes	--	105	105	261	2,865	3,231	2,970
Lavaca	3,095	12,647	15,742	151	4,496	20,389	20,238
Matagorda	36,386	9,513	45,899	--	--	45,899	45,899
Refugio	6,379	22,951	29,330	--	--	29,330	29,330
Victoria	8,159	27,539	35,698	--	--	35,698	35,698
Wharton	110,822	67,676	178,498	--	--	178,498	178,498
<b>Overall (GMA 15)</b>	<b>255,792</b>	<b>208,250</b>	<b>464,042</b>	<b>1,039</b>	<b>22,486</b>	<b>487,567</b>	<b>486,528</b>

<a href="#">Aransas County</a>	<a href="#">0 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Bee County</a>	<a href="#">7 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Calhoun County</a>	<a href="#">5 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Colorado County</a>	<a href="#">17 feet of drawdown of the Chicot and Evangeline Aquifers-and 23 feet of drawdown of the Jasper Aquifer</a>
<a href="#">Dewitt County</a>	<a href="#">17 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Fayette County</a>	<a href="#">16 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Goliad County</a>	<a href="#">10 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Jackson County</a>	<a href="#">15 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Karnes County</a>	<a href="#">22 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Lavaca County</a>	<a href="#">18 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Matagorda County</a>	<a href="#">11 feet of drawdown of the Chicot and Evangeline Aquifers</a>
<a href="#">Refugio County</a>	<a href="#">5 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Victoria County</a>	<a href="#">5 feet of drawdown of the Gulf Coast Aquifer System</a>
<a href="#">Wharton County</a>	<a href="#">15 feet of drawdown of the Chicot and Evangeline Aquifers</a>

**Figure 5. Table A-17 from Appendix B, Desired Future Condition Explanatory Report for Groundwater Management Area 15, 2016**~~GAM Run Addendum 10-008 (Wade, 2010)~~  
**(Appendix D)**

For the purpose of joint planning in GMA 15, the District considers the Burkeville Formation and Jasper Aquifer as non-relevant aquifers. Thus, the District will not have a DFC for the Burkeville and the Jasper Aquifer. For the Chicot and the Evangeline Aquifers, the District will manage groundwater supplies to achieve a DFC of not more than ~~9.315~~ [9.315](#) ft of average drawdown in the Chicot and Evangeline Aquifers over the period from ~~January 2000 to December 2069~~ [January 2000 to December 2060](#). To manage the Chicot and Evangeline Aquifers so that ~~9.315~~ [9.315](#) ft DFC will not be violated, the District will adopt rules to regulate groundwater withdrawals by means of well spacing and production limits as appropriate. If the Board finds it is necessary to reduce the maximum allowable production or the permitted production within the District or for any management zone to accomplish the desired future conditions, preserve and conserve groundwater or protect groundwater users within the District or a management zone, the Board shall establish a schedule for reducing the maximum allowable production or permitted production for the District or a management zone.

**X. Modeled Available Groundwater** - (§36.1071(e)(3)(A), Water Code and 31 TAC 356.5(a)(5)(A))

Modeled available groundwater is defined in §36.001, Water Code, as “the amount of water that the executive administrator determines may be produced on an average annual basis to achieve a desired future condition established under §36.108, Water Code. Table X.1 provides the MAG values for Wharton County as determined by the GAM Run ~~10-02816-025~~ [10-02816-025](#) (Goswami, 2017) ~~MAG (Hill and Oliver, 2011) (Appendix E Table 1)~~. These MAG values are based on the DFC established by GMA 15 ([Appendix B, Desired Future Condition Explanatory Report for Groundwater Management Area 15, 2016](#)~~Hudgins, 2013~~).



**Table X.1 Modeled Available Groundwater (acre-feet/yr) for the Gulf Coast Aquifer in Wharton County as Determined by GAM Run 10-02816-025 MAG (Hill and Oliver, 2011; Goswami, 2017) (Appendix E Table 1)**

Year	Modeled Available Groundwater (MAG) (acre-feet/yr)
2010	178,493,181,168
2020	178,493,181,168
2030	178,493,181,168
2040	178,493,181,168
2050	178,493,181,168
20690	178,493,181,168

The MAGs listed in Table X.1 were developed through the application of Version 1.01 of the groundwater availability model for the central portion of the Gulf Coast Aquifer (Chowdhury and others, 2004). This model includes four layers represent the Chicot Aquifer (layer 1), the Evangeline Aquifer (layer 2), the Burkeville Unit (layer 3), and the Jasper Aquifer including portions of the Catahoula Unit (layer 4). Wade (2010) provides the description of the methods, assumptions, and results of the groundwater availability model simulations.

The District will consider the MAGs in Table X.1 along with other factors, when issuing permits. Implicit in this consideration is recognition of the limitation of the groundwater availability model simulations (see Wade, 2010) and the TWDB disclaimer associated with MAG report (Hill and Oliver, 2011; Goswami, 2017) that:

“The groundwater model used in completing this analysis is the best available scientific tool that can be used to meet the stated objectives. To the extent that this analysis will be used for planning purposes and/or regulatory purposes related to pumping in the past and into the future, it is important to recognize the assumptions and limitations associated with the use of the results.....

Because the application of the groundwater model was designed to address regional scale questions, the results are most effective on a regional scale. The TWDB makes no warranties or representations relating to the actual conditions of any aquifer at a particular location or at a particular time.”

~~“Given the limitations, users of this information are cautioned that the modeled available groundwater numbers should not be considered a definitive, permanent description of the amount of groundwater that can be pumped to meet the adopted desired future condition. Because the application of the groundwater model was designed to address regional scale questions, the results are the most effective on a regional scale. The TWDB makes no warranties or representations relating to the actual conditions of any aquifer at a particular location or a particular time.”~~