

Texana Groundwater Conservation District Meeting Notice and Agenda

Notice is hereby given in accordance with the Open Meetings Act, Chapter 551, Government Code and Section 36.064 of the Texas Water Code that the Texana Groundwater Conservation District Board of Directors will hold a meeting on July 20, 2023, at 8:30 AM at the County Services Building, 411 N. Wells, Edna, Texas.

AGENDA

1. Call the meeting to order and welcome guests.
2. Receive public comments.
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.
 - a. Continuation of Permit Hearing - Mr. Darryl R. Hammond for The Ranches at Mustang Creek, LLC seeks, under permitting request case PRC-20220928-01, a historic use production permit authorizing production of groundwater for irrigation of crops and lake maintenance at rates not to exceed 2,500 gallons per minute or 945 acre-feet per year from grandfathered well GW-00569. The subject well is located on a 322.65-acre tract of land near the intersection of U.S. Highway 59 North and County Road 202 in Jackson County, Texas.
 - b. Continuation of Permit Hearing - Mr. Reed Bowers for Bowers and Saha Aquaculture LLC seeks, under permitting request case PRC-20230321-01, amendments to waiver WV-20191219-01 to revise the monitoring requirements, the performance criteria, and performance responses, and curtailment requirements established within the waiver. The subject well field is located near the intersection of County Road 477 and County Road 479 in Jackson County, Texas.
 - c. Mr. Michael Skalicky seeks, under permitting request case PRC-20230620-01, a production permit authorizing the production of groundwater for commercial uses at rates not to exceed 20 gallons per minute or 0.168acre-feet per year. The subject well of the production permit will be located on a 463.58-acre tract of land near the intersection of FM 710 and FM 260in Jackson County, Texas.
 - d. Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230421-01 finding Candido Saenz failed to report groundwater production for calendar year 2022 for non-exempt-use well GW-00547 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS.
 - e. Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230421-02 finding The Ranches at Mustang Creek, failed to report groundwater production for calendar year 2022 for non-exempt-use well GW-00569 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.
 - f. Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230421-07 finding Alice M. Combs, failed to report groundwater production for calendar year 2022 for non-exempt-use well GW-00363 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.

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Notice is hereby given in accordance with the Open Meetings Act, Chapter 551, Government Code and Section 36.064 of the Texas Water Code that the Texana Groundwater Conservation District Board of Directors will hold a meeting on July 20, 2023, at 8:30 AM at the County Services Building, 411 N. Wells, Edna, Texas.

- g. Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230421-08 finding Alice M. Combs, failed to report groundwater production for calendar year 2022 for non-exempt-use wells GW-00357, GW-00359, GW-00360 and GW-00361 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.
4. Consideration of and possible action on matters related to groundwater protection including complaints, investigations, violations, and enforcement cases related to groundwater contamination and waste.
5. Consideration of and possible action on matters related to groundwater monitoring.
6. Consideration of and possible action on matters related to groundwater conservation.
7. Consideration of and possible action on matters related to groundwater resource planning including Groundwater Management Area 15 Joint Planning and regional water planning.
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.
9. Consideration of and possible action on matters related to administration and management including the minutes of previous meetings, the annual budget of the district, bank accounts, investments, financial reports of the district, bills and invoices of the district, management goals and objectives of the district, administrative policies, staffing, consultant agreements, interlocal cooperation agreements, and support services provided to and from other groundwater conservation districts.
10. Consideration of and possible action on matters related to legal counsel report.
11. Adjourn.

The Texana Groundwater Conservation District may close the meeting, if necessary, to conduct private consultation with legal counsel regarding matters protected by the attorney-client privilege pursuant to Section 551.071 of the Government Code or to discuss matters regarding personnel pursuant to Section 551.074 of the Government Code. The Texana Groundwater Conservation District will return to open meeting, if necessary, to take any action deemed necessary based on discussion in closed meeting pursuant to Section 551.102 of the Government Code.

In Accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of event you wish to attend.

FILED
Katherine R. Brooks, Clerk of County Court
JACKSON COUNTY, TEXAS
BY *Erin H. Hester*
07-14-2023 @ 4:15 PM

**Texana Groundwater Conservation District
Board of Directors**

Notice of Public Meeting and Permit Hearing

Notice is hereby given in accordance with the Open Meetings Act, Chapter 551, Government Code and Section 36.404 of the Texas Water Code, that the Texana Groundwater Conservation District will hold a public meeting on July 20, 2023, at 8:30 AM at County Services Building, 411 N. Wells St., Edna, Texas 77957. During the meeting, the Board of Directors is scheduled to conduct a permit hearing, consider, and possibly take action regarding the following permitting request(s):

Mr. Michael Skalicky seeks, under permitting request case PRC-20230620-01, a production permit authorizing the production of groundwater for commercial uses at rates not to exceed 20 gallons per minute or 0.168acre-feet per year. The subject well of the production permit will be located on a 463.58-acre tract of land near the intersection of FM 710 and FM 260in Jackson County, Texas.

Any person who intends to contest a permitting request must provide written notice of that intent to the District at P.O. Box 1098, Texas 77957 at least three calendar days prior to the hearing date in this public notice. If the District does not receive a timely notice of intent to contest a permitting request, the Board of Directors may cancel the related permit hearing and take action on the permit request(s) at the next regular board meeting in accordance with the Rules of the District.

For more information regarding this matter, contact Tim Andruss, General Manager of the Texana Conservation District at 361-781-0624 or at admin@texanagcd.org.

**Texana Groundwater Conservation District
Board of Directors**

Notice of Public Meeting and Enforcement Hearing

Notice is hereby given in accordance with the Open Meetings Act, Chapter 551, Government Code and Section 36.102 of the Texas Water Code, that the Texana Groundwater Conservation District will hold a public meeting on July 20, 2023, at 8:30 AM at 411 N. Wells St., Edna, Texas 77957.

During the meeting, the Board of Directors is scheduled to conduct an enforcement hearing, consider, and possibly take action regarding the following enforcement matter(s):

Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230421-01 finding Candido Saenz failed to report groundwater production for calendar year 2022 for non-exempt-use well GW-00547 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS.

For more information regarding this matter, contact Tim Andruss, General Manager of the Texana Conservation District at 361-781-0624 or at admin@texanagcd.org.

**Texana Groundwater Conservation District
Board of Directors**

Notice of Public Meeting and Enforcement Hearing

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During the meeting, the Board of Directors is scheduled to conduct an enforcement hearing, consider, and possibly take action regarding the following enforcement matter(s):

Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230421-02 finding The Ranches at Mustang Creek, failed to report groundwater production for calendar year 2022 for non-exempt-use well GW-00569 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.

For more information regarding this matter, contact Tim Andruss, General Manager of the Texana Conservation District at 361-781-0624 or at admin@texanagcd.org.

**Texana Groundwater Conservation District
Board of Directors**

Notice of Public Meeting and Enforcement Hearing

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During the meeting, the Board of Directors is scheduled to conduct an enforcement hearing, consider, and possibly take action regarding the following enforcement matter(s):

Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230421-07 finding Alice M. Combs, failed to report groundwater production for calendar year 2022 for non-exempt-use well GW-00363 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.

For more information regarding this matter, contact Tim Andruss, General Manager of the Texana Conservation District at 361-781-0624 or at admin@texanagcd.org.

**Texana Groundwater Conservation District
Board of Directors**

Notice of Public Meeting and Enforcement Hearing

Notice is hereby given in accordance with the Open Meetings Act, Chapter 551, Government Code and Section 36.102 of the Texas Water Code, that the Texana Groundwater Conservation District will hold a public meeting on July 20, 2023, at 8:30 AM at 411 N. Wells St., Edna, Texas 77957.

During the meeting, the Board of Directors is scheduled to conduct an enforcement hearing, consider, and possibly take action regarding the following enforcement matter(s):

Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230421-08 finding Alice M. Combs, failed to report groundwater production for calendar year 2022 for non-exempt-use wells GW-00357, GW-00359, GW-00360 and GW-00361 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.

For more information regarding this matter, contact Tim Andruss, General Manager of the Texana Conservation District at 361-781-0624 or at admin@texanagcd.org.

TGCD - Matters for Consideration - 20230720

Item 1.0 - Convene Meeting

Management Discussion: the District completed all necessary public notification requirements for the meeting.

See: [Public Notice - 20230720 - Board Meeting](#)

See: [Public Notice - 20230720 - Enforcement Hearing - ECV-20230421-01 - Candido Saenz](#)

See: [Public Notice - 20230720 - Enforcement Hearing - ECV-20230421-02 - The Ranches at Mustang Creek](#)

See: [Public Notice - 20230720 - Enforcement Hearing - ECV-20230421-07 - Alice M. Combs](#)

See: [Public Notice - 20230720 - Enforcement Hearing - ECV-20230421-08 - Alice M. Combs](#)

See: [Public Notice - 20230720 - Permit Hearing - PRC-20230620-01](#)

Management Recommendation: none.

_____ called the meeting to order at _____ AM with the following representatives being present:

Precinct 1: Mr. Kenneth Koop, Treasurer, was _____ .

Precinct 2: Mr. Michael Skalicky, President, was _____ .

Precinct 3: Mr. Clifford Born, Director, was _____ .

Precinct 4: Mr. Fred Woodland, Director, was _____ .

At Large 1: Mr. Jim Revel, Secretary, was _____ .

At Large 2: Mr. Johnny Dugger, Vice-President, was _____ .

At Large 3: Mr. Robert Gendke, Jr., Director, was _____ .

General Manager: Tim Andruss was _____ .

General Counsel: Jim Allison was _____ .

Item 2.0 - Receive Public Comment

Management Discussion: offer to accept public comment from attendees.

Management Recommendation: none.

Item 3.0 - Report regarding Groundwater Management

Previous Consideration by the Board: [MFC-20230420-3.0 - Report regarding Groundwater Management](#).

Related Programs: [Program - PRG-3000 - Groundwater Management](#).

Related Projects:

1. [PRJ-20233100.01 - Well Registration Processing for FY2023 \(MG1:O1\) - Active](#).
2. [PRJ-20233100.02 - Production Permit Renewal Processing for FY2023 \(MG1:O2\) - Active](#).
3. [PRJ-20233100.03 - Permit Processing for FY2023 \(MG1:O1,2\) - Active](#).
4. [PRJ-20233100.04 - Groundwater Production Report Processing for CY2022 \(MG1:O2\) - Active](#).

5. [PRJ-20233100.05 - Manage Investigations related to Permitting Violations for FY2023 \(MG1:O2\) - Active.](#)
6. [PRJ-20233100.06 - Manage Enforcement Cases related to Permitting Violations for FY2023 \(MG1:O2\) - Active.](#)

Management Discussion:

As of July 13, 2023, staff had received 91 well registration applications (ARWs) since October 1, 2022. See: [MFC-20230720-3.0.1 - Review of Permitting Request Cases.](#)

As of July 13, 2023, staff had received 26 Notices of Intent to Drill a Well (NIDWs) since October 1, 2022. See: [MFC-20230720-3.0.1 - Review of Permitting Request Cases.](#)

As of July 13, 2023, staff had received 5 production permit renewal requests (ARPPs) since October 1, 2022. See: [MFC-20230720-3.0.1 - Review of Permitting Request Cases.](#)

As of July 13, 2023, staff calculated the volume of groundwater production authorized under 144 active or approved production permits totals 164,680 acre-feet per year.

As of July 13, 2023, staff had initiated 96 permitting request cases (PRCs) since October 1, 2022. See: [MFC-20230720-3.0.1 - Review of Permitting Request Cases.](#)

As of July 13, 2023, staff have processed 217 groundwater production reports for calendar year 2022.

As of July 13, 2023, staff had 4 active investigations related to groundwater management (i.e., permitting).

1. [INV-20141015-01 - Failure to Obtain Permit - Non-Exempt Uses from Non-Grandfathered Well - Active](#)
2. [INV-20150410-01 - Failure to Obtain Permit - Non-Exempt Uses from Non-Grandfathered Well - Active](#)
3. [INV-20160525-02 - Failure to Obtain Permit - Non-Exempt Uses from Non-Grandfathered Well - Active](#)
4. [INV-20221012.1423 - Failure to Obtain Production Permit - Active](#)

See: [MFC-20230720-3.10 - Investigation INV-20221012.1423 related to Failures to Obtain Production Permits.](#)

As of July 13, 2023, staff had 2 unresolved enforcement cases violations related to groundwater management (i.e., permitting):

1. [Enforcement Case Violation - ECV-20230421-01 - SAENZ CANDIDO \(Candido Saenz\) - Failure to Report Groundwater Production CY2022 for Well - GW-00547 - Unresolved](#)
2. [Enforcement Case Violation - ECV-20230421-02 - THE RANCHES AT MUSTANG CREEK, LLC \(The Ranches at Mustang Creek, LLC\) - Failure to Report Groundwater Production CY2022 for Well - GW-00569 - Unresolved](#)
3. [Enforcement Case Violation - ECV-20230421-07 - COMBS ALICE M \(Alice Combs\) - Failure to Report Groundwater Production CY2022 for Well - GW-00363 - Unresolved](#)
4. [Enforcement Case Violation - ECV-20230421-08 - COMBS ALICE M \(Alice Combs\) - Failure to Report Groundwater Production CY2022 for Well - GW-00357 - GW-00359 - GW-00360 - GW-00361 - Unresolved](#)

See: [MFC-20230720-3.6 - Enforcement Hearing re ECV-20230421-01 - Candido Saenz - Failure to Report Groundwater Production CY2022.](#)

See: [MFC-20230720-3.7 - Enforcement Hearing re ECV-20230421-02 - The Ranches at Mustang Creek - Failure to Report Groundwater Production CY2022.](#)

See: [MFC-20230720-3.8 - Enforcement Hearing re ECV-20230421-07 - Alice M. Combs - Failure to Report Groundwater Production CY2022.](#)

See: [MFC-20230720-3.9 - Enforcement Hearing re ECV-20230421-08 - Alice M. Combs - Failure to Report Groundwater Production CY2022.](#)

Management Recommendation: none.

Item 3.0.1 - Review of Permitting Request Cases

Previous Consideration by the Board: [MFC-20230420-3.0.1 - Review of Permitting Request Cases.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management](#)

Related Projects:

1. [PRJ-20233100.01 - Well Registration Processing for FY2023 \(MG1:O1\) - Active](#)

2. [PRJ-20233100.02 - Production Permit Renewal Processing for FY2023 \(MG1:O2\) - Active](#)
3. [PRJ-20233100.03 - Permit Processing for FY2023 \(MG1:O1,2\) - Active](#)

Management Discussion: as of July 13, 2023, staff have initiated 11 permitting requests cases since April 1, 2023.

1. [PRC-20230404-01 - AAPC-20230323-01 - Jackson Electric Coop - Pending](#)
2. [PRC-20230609-03 - AOW-20230609-03 - Twin Lakes RV Park - Closed](#)
3. [PRC-20230620-01 - AOW-20230609-01 - Michael Skalicky - Ganado Solar - Pending](#)
4. [PRC-20230620-02 - AVWS-20230609-02 - The City of Edna - Pending](#)
5. [PRC-20230620-04 - AOW-20230608-01 - Chester Davis - Pending](#)
6. [PRC-20230628-01 - AOW-20230208-01 - James Food Mart - Pending](#)
7. [PRC-20230714-01 - ARPP-20230302-01 - OPW-20180419-01 - Formosa Plastic Corporation - Pending](#)
8. [PRC-20230714-02 - ARPP-20230315-01 - OPW-20191119-01 - Morales Baptist Church - Pending](#)
9. [PRC-20230714-03 - ARPP-20230221-01 - OPW-20180618-01 - Russell Johnson - Pending](#)
10. [PRC-20230714-04 - ARPP-20230214-01 - OPW-20190429-01 - Donald Lewis Leach - Pending](#)
11. [PRC-20230714-05 - ARPP-20230214-02 - OPW-20190715-01 - Donald Lewis Leach - Pending](#)

As of July 13, 2023, the 20 permitting request cases are pending:

1. [PRC-20191106-02 - ADW-20191106-02/AOW-20191106-03 - Morales Baptist Church - Pending](#)
2. [PRC-20200127-01 - ADW-20200123-01 - Kemp Properties, L.P. - Pending](#)
3. [PRC-20200504-01 - ADW-20200427-01/AOW-20200427-02 - Almetta S. Clark - Pending](#)
4. [PRC-20200928-03 - AOW-20200923-04 - High Cotton Land Company, LLC - Pending](#)
5. [PRC-20200928-04 - AOW-20200928-01 - B'Mann Farms, LLC - Pending](#)
6. [PRC-20220629-01 - ADW-20220622-01/AOW-20220622-02 - AJ Dunbar Services LP - Pending](#)

7. [PRC-20220728-03 - ADW-20220630-02/AOW-20220630-03 - Lavaca Rio Ranch LLC - Pending](#)
8. [PRC-20220928-01 - ARW-20220912-02/AVW-20220912-04 - The Ranches at Mustang Creek, LLC - Pending](#)
9. [PRC-20221227-01 - ADW-20221011-01 - AOW-20221216-01 - Ganado Solar LLC - Pending](#)
10. [PRC-20230321-01 - AAPC-20230329-01 - Bowers and Saha Aquaculture LLC - Pending/Contested](#)
11. [PRC-20230404-01 - AAPC-20230323-01 - Jackson Electric Coop - Pending](#)
12. [PRC-20230620-01 - AOW-20230609-01 - Michael Skalicky - Ganado Solar - Pending](#)
13. [PRC-20230620-02 - AVWS-20230609-02 - The City of Edna - Pending](#)
14. [PRC-20230620-04 - AOW-20230608-01 - Chester Davis - Pending](#)
15. [PRC-20230628-01 - AOW-20230208-01 - James Food Mart - Pending](#)
16. [PRC-20230714-01 - ARPP-20230302-01 - OPW-20180419-01 - Formosa Plastic Corporation - Pending](#)
17. [PRC-20230714-02 - ARPP-20230315-01 - OPW-20191119-01 - Morales Baptist Church - Pending](#)
18. [PRC-20230714-03 - ARPP-20230221-01 - OPW-20180618-01 - Russell Johnson - Pending](#)
19. [PRC-20230714-04 - ARPP-20230214-01 - OPW-20190429-01 - Donald Lewis Leach - Pending](#)
20. [PRC-20230714-05 - ARPP-20230214-02 - OPW-20190715-01 - Donald Lewis Leach - Pending](#)

Management Recommendation: none.

Item 3.1 - Groundwater Production Reporting for CY2022

Previous Consideration by the Board: [MFC-20230420-3.1 - Groundwater Production Reporting for CY2022.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management](#).

Related Projects: [PRJ-20221018.0807 - Groundwater Production Report Processing for CY2022 \(MG1:O2\) - Active](#).

Management Discussion: as of July 13, 2023, staff have processed 217 groundwater production reports for calendar year 2022 reporting 32,625 acre-feet of groundwater production. (TWDB estimated the volume of groundwater produced for rural domestic, livestock, mining, and rig supply exempt uses in Jackson County in Year 2020 was 1,581 acre-feet. See:

https://www.twdb.texas.gov/groundwater/management_areas/exempt_use/GMA_15_ExemptUse_2020.pdf.)

Management Recommendation: none.

Item 3.2 - Production Permit Renewals for FY2023

Previous Consideration by the Board: [MFC-20230119-3.2 - Production Permit Renewals for FY2023](#)

Related Programs: [Program - PRG-3000 - Groundwater Management](#)

Related Projects: [PRJ-20221018.0810 - Production Permit Renewal Processing for FY2023 \(MG1:O2\) - Active](#)

Management Discussion: on January 19, 2023, staff notified the board that the following permits were scheduled to expire in July 2023:

GCD Production Permit ID	Groundwater Owner Name
OPW-20191119-01	Morales Baptist Church
OPW-20180618-01	Russell Johnson
OPW-20190429-01	Donald Lewis Leach, Jr.
OPW-20190315-01	Mirage Industrial Group, LLC
OPW-20190715-01	Donald Lewis Leach, Jr.
OPW-20180419-01	Formosa Plastics Corporation, Texas
OPW-20190124-01	L and S Land
OPW-20190124-02	L and S Ellis Land

As of July 14, 2023, staff had received administratively complete application seeking the renewal of production permit scheduled to expire in July 2023:

1. [PRC-20230714-01 - ARPP-20230302-01 - OPW-20180419-01 - Formosa Plastic Corporation - Pending](#)
2. [PRC-20230714-02 - ARPP-20230315-01 - OPW-20191119-01 - Morales Baptist Church - Pending](#)
3. [PRC-20230714-03 - ARPP-20230221-01 - OPW-20180618-01 - Russell Johnson - Pending](#)
4. [PRC-20230714-04 - ARPP-20230214-01 - OPW-20190429-01 - Donald Lewis Leach - Pending](#)
5. [PRC-20230714-05 - ARPP-20230214-02 - OPW-20190715-01 - Donald Lewis Leach - Pending](#)

On July 14, 2023, staff transmitted additional courtesy notices regarding the pending expiration of production permits to the permittees associated with OPW-20190315-01, OPW-20190124-01, and OPW-20190124-02. If administratively complete applications are submitted by the permittees prior to the permit expiration date (July 31, 2023), the

associated permitting request cases will be presented to the board for consideration at the meeting scheduled for October 19, 2023.

The RULE 4.8: PERMIT RENEWAL of the Rules of the District prohibit the renewal of permits if the applicant or authorized operator a. is delinquent in paying a fee required by the district; b. is subject to a pending enforcement action for a substantive violation of a district permit, order, or rule that has not been settled by agreement with the district or a final adjudication; or c. has not paid a civil penalty or has otherwise failed to comply with an order resulting from a final adjudication of a violation of a district permit, order, or rule.

Management Recommendation: move to authorize the general manager to issue production permit renewals for the permits associated with the following renewal requests in accordance with the Rules of the District:

1. [PRC-20230714-01 - ARPP-20230302-01 - OPW-20180419-01 - Formosa Plastic Corporation - Pending](#)
2. [PRC-20230714-02 - ARPP-20230315-01 - OPW-20191119-01 - Morales Baptist Church - Pending](#)
3. [PRC-20230714-03 - ARPP-20230221-01 - OPW-20180618-01 - Russell Johnson - Pending](#)
4. [PRC-20230714-04 - ARPP-20230214-01 - OPW-20190429-01 - Donald Lewis Leach - Pending](#)
5. [PRC-20230714-05 - ARPP-20230214-02 - OPW-20190715-01 - Donald Lewis Leach - Pending](#)

Item 3.3 - Permit Hearing for PRC-20220928-01 - Ranches at Mustang Creek LLC

Previous Consideration by the Board: [MFC-20230420-3.1 - Permit Hearing for PRC-20220928-01 - Ranches at Mustang Creek LLC.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management.](#)

Related Projects: [PRJ-20233100.03 - Permit Processing for FY2023 \(MG1:O1,2\) - Active.](#)

Management Discussion: Mr. Darryl R. Hammond for The Ranches at Mustang Creek, LLC seeks, under permitting request case PRC-20220928-01, a historic use production permit authorizing production of groundwater for irrigation of crops and lake maintenance at rates not to exceed 2,500 gallons per minute or 945 acre-feet per year from grandfathered well GW-00569. The subject well is be located on a 322.65-acre tract of land near the intersection of U.S. Highway 59 North and County Road 202 in Jackson County, Texas. See [PRC-20220928-01 - ARW-20220912-02/AVW-20220912-04 - The Ranches at Mustang Creek, LLC - Pending](#) for additional information.

The applications and supplemental information associated with this permitting request case are considered administratively complete and contain sufficient information evaluate the request relative to the Rules of the District. Provided the resulting permit is properly conditioned, the operation of the existing well would satisfy the requirements as established within the Rules of the District without a waiver or variance.

TGCD - AVW-20220912-04 - The Ranches at Mustang Creek, LLC - 20220912.pdf

 3.3.1 TGCD - AVW-20220912-04 - The... 2 MB

The application states that the "[w]ell has been used for at least 28 years." The application indicates groundwater produced from well GW-00569 was used for irrigation of corps and maintaining water level in a lake. The volume of historic use from well GW-00569 is estimated to be 945 acre-feet per year. The volume of historic use for grass irrigation is estimated to be 933 acre-feet per year. The volume of historic use for maintaining lake levels is estimated to be 12 acre-feet per year. The application includes affidavits from Mr. Darryl R. Hammond and Mr. Karl Reckaway. The District confirmed the existence of the pond on aerial imagery dated 1/23/1996 and 4/11/2007 from Google Earth.

TGCD - The Ranches at Mustang Creek - Imagery 19960123.png

 3.3.2 TGCD - The Ranches at Musta... 788 kB

TGCD - The Ranches at Mustang Creek - Imagery 20070411.png

 3.3.3 TGCD - The Ranches at Musta... 844 kB

On October 5, 2022, the public notice related to the consideration of the permit case was completed.

As of October 18, 2022, the District had not received notice of intent to contest the permitting request.

On February 20, 2023, the District received an affidavit from affiant Karl Reckaway regarding historic use of groundwater for irrigation and pond maintenance purposes on the J-Bar Ranch. The affidavit appears to:

1. revise the annual period of time the well was historically operated for irrigation uses from "to October" to "through October",
2. specify that the well was used to "fill the pond that tis located on the Property.", and
3. specify that the pond was "used for various purposes on the property."

TGCD - AVW-20220912-04 - Revised Affidavit Karl Reckaway - 20230220.pdf

 3.3.4 TGCD - AVW-20220912-04 - R... 332 kB

On March 3, 2023, the District completed the process of publishing the public notice for the hearing scheduled at this meeting. See [Public Notice - 20230420- Permit Hearing - PRC-20220928-01](#).

TGCD - Permit Hearing Notice - 20230420 - Posted

 3.3.5 TGCD - Permit Hearing Notice ... 280 kB

On April 13, 2023, the district requested confirmation of the boundaries of the contiguous tracts of groundwater ownership and landownership.

On April 13, 2023, Mr. Bridges of Urban Engineering provided to documents representing the boundary surveys of the tracts that comprise The Ranches at Mustang Creek Subdivision.

PC20-008_BURLINGAME 70 AC 011422.pdf

 3.3.6 PC20-008_BURLINGAME 70 A... 117 kB

PC20-008_BURLINGAME 743.35 AC 011422.pdf

 3.3.7 PC20-008_BURLINGAME 743.3... 321 kB

On March 18, 2023, staff reviewed the submitted information and revised the associated boundary for PRC-20220928-01 and the boundaries of the boundaries of the contiguous tracts of groundwater ownership and landownership.

Vicinity Map - TGCD - PRC Boundary - 20230418.pdf

 3.3.8 Vicinity Map - TGCD - PRC Bou... 1 MB

Vicinity Map - TGCD - Land Ownership Boundary - 20230418.pdf

 3.3.9 Vicinity Map - TGCD - Land O... 498 kB

Vicinity Map - TGCD - GW Ownership Boundary - 20230418.pdf

 3.3.10 Vicinity Map - TGCD - GW Ow... 509 kB

TGCD - Parcels within PRC Boundaries - 20230418.png

 3.11 TGCD - Parcels within PRC Boun... 106 kB

TGCD - Parcel Information for TRAMC - 20230418.png

 3.3.12 TGCD - Parcel Information for... 425 kB

On March 18, 2023, staff compared the list of parcels within the boundaries associates with the PRC to the information available on the JCAD website. All of the parcels are shown to be owned by The Ranches at Mustang Creek.

On April 20, 2023, the Board passes a motion to leave the hearing open.

Management Recommendation 1: re-convene the hearing regarding the permitting request case to accept public comment and scrutinize the historic use evidence.

Management Recommendation 2: determine if the evidence of historic use supplied by the application for the subject well is sufficient to validate the historic use of the

subject well as requested.

Management Recommendation 3: proceed with the permitting matter as an uncontested matter and approve the requested permit if the evidence is determined to be sufficient to validate the historic use of the subject well.

Management Recommendation 4: proceed with the permitting matter as an contested matter and authorize the scheduling of a Prehearing Conference regarding the matter if the evidence is determined to be insufficient to validate the historic use of the subject well.

Item 3.4 - Permit Hearing for PRC-20230321-01 - Bowers and Saha LLC

Previous Consideration by the Board: [MFC-20230420-3.3 - Permit Hearing for PRC-20230321-01 - Bowers and Saha LLC.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management.](#)

Related Projects: [PRJ-20233100.03 - Permit Processing for FY2023 \(MG1:O1,2\) - Active.](#)

Management Discussion: on March 21, 2023, Mr. Kubecka submitted an application to the district seeking to amend permit AP-201203-14 on behalf of Bowers and Saha Aquaculture LLC. The application has been assigned the following identification number: AAPC-20230321-01. The application is being processed under permitting request case PRC-20230321-01. See [PRC-20230321-01 - AAPC-20230329-01 - Pending.](#)

Although the application is administratively complete (i.e., contains adequate information to evaluate the request relative to the rules of the district), staff determined that the request is logically inconsistent and therefore contested the request. The request, as specified in application AAPC-20230321-01, seeks to alter permit AP-20121203-14 by eliminating "weekly groundwater testing requirements" and "curtailment requirements". However, the permit does not contain 1) "weekly groundwater testing requirements", or 2) "curtailment requirements".

On March 24, 2023, staff notified Mr. Kubecka of the identified issues with the application and the District's intent to contest the application as submitted. The notice

of intent to contest the application was sent to Bowers and Saha Aquaculture LLC by certified mail.

TGCD - Notice of Intent to Contest a Application - PRC-20230321-01 - AAPC-20230321-01.pdf

 3.4.1 TGCD - Notice of Intent to Con... 120 kB

On March 29, 2023, Mr. Kubecka submitted a revised application.
TGCD - AAPC-20230329-01 - Bowers and Saha Aquaculture.pdf

 3.4.2 TGCD - AAPC-20230329-01 - Bo... 2 MB

On March 30, 2023, the general manager reviewed the application submitted on March 29, 2023 and issued a notice of intent to contest the application.
TGCD - Notice of Intent to Contest a Application - PRC-20230321-01 - AAPC-20230329-01.pdf

 3.4.3 TGCD - Notice of Intent to Co... 117 kB

On April 20, 2023, the Board passed a motion to:

1. designate the permitting request case contested;
2. authorize the general manager to engage and pay for services rendered by a qualified technical consultant for the review of application and supporting documentation for the purposes of expressing an opinion regarding the validity of the technical statements within the application and degree to which the "DiSorbo Report" and monitoring data supports technical claims by Bower and Saha; and
3. schedule a meeting for the purpose of receiving a report from the technical consultant and continue the contested case proceedings.

On May 18, 2023, Dr. Uddameri agreed to review the information provided in the amendment request (AAPC-20230329-01) and to provide a report regarding his review at the meeting. The District requested Dr. Uddameri prepare a memorandum/report documenting 1) his review the request to amend the waiver (i.e., AAPC-20230329-01), 2)

his assessment of relevant reports and data gathered by the District, and 3) his expert opinion whether:

1. the reports titled Associated Permitting Applications to the report Assessment of Proposed Groundwater Production at Ekstrom Aquaculture LLC Expansion Project authored by Venkatesh Uddameri, Ph.D., P.E., and Assessment of Proposed Groundwater Production at Ekstrom Aquaculture LLC Expansion Project - Additional Simulations and Water Quality Analysis authored by Venkatesh Uddameri, Ph.D., P.E. include or represent scientifically credible evidence to support the applicant's justification for finding good cause to approve the amendment request;
2. the information provided within the AAPC includes or represents scientifically credible evidence to support the applicant's justification for finding good cause to approve the amendment request;
3. the monitoring data and pumping data submitted by the fish farm includes or represents scientifically credible evidence to support the applicant's justification for finding good cause to approve the amendment request;
4. the underlying premise of the applicant that the upper brackish zone is sufficiently isolated from the lower brackish zone to justify the authorization to transfer historic groundwater production (up to 5,884 AFY or 9,210 GPM) from the lower fresh zone to the upper brackish zone without performance criteria or performance responses associated with the lower freshwater zone;
5. the requested amendment of the waiver (as represented in the redlined, draft waiver attached to the AAPC) will or is likely to produce data that demonstrates, over the long term (i.e., over the next 30 years) in the vicinity of the fish farm, water levels in the upper brackish zone have not declined by more than 20' as compared to the initial conditions in the upper brackish zone; and
6. any recommendations regarding revisions to the requested amendment (as represented in the redlined, draft waiver attached to the AAPC) that would be appropriate if you determine that scientifically credible evidence exists to support the premise that the upper brackish zone is sufficiently isolated from the lower brackish zone to justify the authorization to transfer historic groundwater production from the lower fresh zone to the upper brackish zone without performance criteria or performance responses associated with the lower freshwater zone.

Below is a chart of monthly performance and groundwater production at the Bower and Saha Fish Farm:

	Water Level Performance Criteria		Conductivity Performance Criteria		Reported Production (acres-feet)	
Month	Upper Brackish Zone	Lower Fresh Zone	Upper Brackish Zone	Lower Fresh Zone	Fresh Production	Brackish Production
June 2023	Satisfied	Satisfied	Satisfied	Unsatisfied - East AMS	0	23
May 2023	Satisfied	Satisfied	Satisfied	Satisfied	27	13
April 2023	Satisfied	Satisfied	Satisfied	Unsatisfied - East AMS	12	94
March 2023	Satisfied	Satisfied	Satisfied	Unsatisfied - East AMS and West AMS³	0	2
February 2023	Satisfied	Satisfied	Satisfied	Unsatisfied - East AMS	0	1
January 2023	Satisfied	Unsatisfied - West AMS	Satisfied	Satisfied	0	0
December 2022	Satisfied	Unsatisfied - East AMS, Center AMS, and West AMS	Satisfied	Unsatisfied - East AMS	141	114
November 2022	Satisfied	Unsatisfied - East AMS, Center AMS, and West AMS	Satisfied	Unsatisfied - East AMS	3.5	19.5

October 2022	Satisfied	Unsatisfied - East AMS, Center AMS, and West AMS	Satisfied	Satisfied	68	100
September 2022	Satisfied	Unsatisfied - East AMS, Center AMS, and West AMS	Satisfied	Unsatisfied - East AMS	6	77
August 2022	Satisfied	Unsatisfied - East AMS, Center AMS, and West AMS	Satisfied	Unsatisfied - East AMS	54	115
July 2022	Satisfied	Unsatisfied - East AMS	Satisfied	Satisfied	58	42
June 2022	Satisfied	Satisfied	Satisfied	Unsatisfied - East AMS	76	124

¹ - On July 2, 2020, well GW-00452 was plugged.

² - Between December 2 and December 16, well R1GW-00452 was pumped for test and remediation purposes.

³ - The general manager of the district reviewed the monitoring data for March 2023 in FMW-1 and concluded the data was unreliable.

Management Recommendation: receive the report from Dr. Uddameri and continue the contested case proceedings.

Item 3.5 - Permit Hearing for PRC-20230620-01 - M. Skalicky

Previous Consideration by the Board: N/A.

Related Programs: [Program - PRG-3000 - Groundwater Management..](#)

Related Projects: [PRJ-20233100.03 - Permit Processing for FY2023 \(MG1:O1,2\) - Active.](#)

Management Discussion: Mr. Michael Skalicky seeks, under permitting request case PRC-20230620-01, a production permit authorizing the production of groundwater for commercial uses at rates not to exceed 20 gallons per minute or 0.168 acre-feet per year. The subject well of the production permit will be located on a 463.58-acre tract of land near the intersection of FM 710 and FM 260 in Jackson County, Texas.

TGCD - Application Bundle - PRC-20230620-01.pdf

 3.5.1 TGCD - Application Bundle - PR... 3 MB

The permitting request case involves land owned by Ganado Solar and groundwater resources owned by Mr. Skalicky. See: [PRC-20230620-01 - AOW-20230609-01 - Michael Skalicky - Ganado Solar.](#)

The District issued historic use protection permits VPW-20170216-07 (756 AFY) for grandfathered, non-exempt-use well GW-00351 and VPW-20170216-08 (1,332.5 AFY) for grandfathered, non-exempt-use well GW-00304. Permits VPW-20170216-07 and VPW-20170216-08 are associated with 158 acres associated with permitting request case PRC-20230620-01. A significant portion of the subject property (approximately 305 acres) is available for non historic use production permitting.

The application and supplemental information associated with this permitting request case are considered administratively complete and contain sufficient information evaluate the request relative to the Rules of the District.

Provided the resulting permit is properly conditioned, the operation of the proposed well would satisfy the requirements as established within the Rules of the District without a waiver or variance.

On June 28, 2023, the public notice related to the consideration of the permit case was completed.

As of July 14, 2023, the District had not received notice of intent to contest the permitting request.

Management Recommendation: move to:

1. cancel the permit hearing and proceed with the permitting case as an uncontested matter;
2. authorize the general manager to issue a production permit to Mr. Skalicky under application AOW-20230609-01 with the following conditions in accordance with the Rules of the District:
 1. Authorized Purpose of Use: commercial uses,
 2. Authorized Maximum Rate of Production per Minute: 20 gallons per minute,
 3. Authorized Maximum Rate of Production per Year: 0.168 acre-feet per year, and
 4. Expiration Date: July 31, 2027.

Item 3.6 - Enforcement Hearing re ECV-20230421-01 - Candido Saenz - Failure to Report Groundwater Production CY2022

Previous Consideration by the Board: [MFC-20230420-3.5 - INV-20230306.1132 - Failure to Report Groundwater Production.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management.](#)

Related Projects: [PRJ-20233100.06 - Manage Enforcement Cases related to Permitting Violations for FY2023 \(MG1:O2\) - Active.](#)

Management Discussion: on April 20, 2023, the Board passed a motion to:

1. find that **SAENZ CANDIDO (Candido Saenz)** violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-00547** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty for the violation per RULE 9.6: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **SAENZ CANDIDO (Candido Saenz)** consents to the following conditions:
 1. acknowledges the violation by June 30, 2023;
 2. pays a settlement fee of \$0.00 by June 30, 2023; and
 3. submits a administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

In response to the action taken by the Board, staff recorded violation [ECV-20230421-01](#).

On May 2, 2023, staff attempted to provide notice of violation ECV-20230421-01 to **SAENZ CANDIDO (Candido Saenz)** by certified mail (CMRRR 7021 0350 0000 2790 7829). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027907829%2C>.

On June 1, 2023, staff attempted to provide notice of violation ECV-20230421-01 to **SAENZ CANDIDO (Candido Saenz)** by certified mail (CMRRR 7021 0350 0000 2790 9007). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909007%2C>.

On July 6, 2023, staff attempted to provide notice of this enforcement hearing and intent to seek authorization to pursue enforcement of the rules by filing a civil suit against **SAENZ CANDIDO (Candido Saenz)** at the next regularly scheduled meeting of the board of directors to **SAENZ CANDIDO (Candido Saenz)** by certified mail (CMRRR 7021 0350 0000 2790 9311). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909311%2C>. See: [Public Notice - 20230720 - Enforcement Hearing - ECV-20230421-01 - Candido Saenz](#).

On July 14, 2023, Mr. Allison, Legal Counsel for the District, provided a draft enforcement order regarding this matter. If adopted, the order would record the finds of the board including:

1. impose penalties established by the Board,
2. cancel any permits associated with the subject well,
3. prohibit production from the subject well until a production permit were reinstated,
4. order staff to seal the subject well to prevent further production, and
5. instruct Legal Counsel to file suit if necessary to enforce the order.

Texana GCD - Order of Enforcement - ECV-20230421-01.pdf

 3.6.1 Texana GCD - Order of Enforce... 56 kB

Management Recommendation: move to open and record the enforcement hearing.

Management Recommendation: move to cease the recording and close the enforcement hearing after accepting public comments or comments from the alleged violator.

Item 3.7 - Enforcement Hearing re ECV-20230421-02 - The Ranches at Mustang Creek - Failure to Report Groundwater Production CY2022

Previous Consideration by the Board: [MFC-20230420-3.5 - INV-20230306.1132 - Failure to Report Groundwater Production.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management.](#)

Related Projects: [PRJ-20233100.06 - Manage Enforcement Cases related to Permitting Violations for FY2023 \(MG1:O2\) - Active.](#)

Management Discussion: on April 20, 2023, the Board passed a motion to:

1. find that **THE RANCHES AT MUSTANG CREEK, LLC (The Ranches at Mustang Creek, LLC)** violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-00569** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty for the violation per RULE 9.6: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **THE RANCHES AT MUSTANG CREEK, LLC (The Ranches at Mustang Creek, LLC)** consents to the following conditions:
 1. acknowledges the violation by June 30, 2023;
 2. pays a settlement fee of \$0.00 by June 30, 2023; and
 3. submits a administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

In response to the action taken by the Board, staff recorded violation [ECV-20230421-02](#).

On May 2, 2023, staff attempted to provide notice of violation ECV-20230421-02 to **THE RANCHES AT MUSTANG CREEK, LLC (The Ranches at Mustang Creek, LLC)** by certified mail (CMRRR 7021 0350 0000 2790 7812). See:

<https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027907812%2C>.

On June 1, 2023, staff attempted to provide notice of violation ECV-20230421-02 to **THE RANCHES AT MUSTANG CREEK, LLC (The Ranches at Mustang Creek, LLC)** by certified mail (CMRRR 7021 0350 0000 2790 9014). See:

<https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909014%2C>.

On July 6, 2023, the staff attempted to provide notice of this enforcement hearing and intent to seek authorization to pursue enforcement of the rules by filing a civil suit against **THE RANCHES AT MUSTANG CREEK, LLC (The Ranches at Mustang Creek, LLC)** at the next regularly scheduled meeting of the board of directors to **THE RANCHES AT MUSTANG CREEK, LLC (The Ranches at Mustang Creek, LLC)** by certified mail (CMRRR 7021 0350 0000 2790 9304). See:

[https://tools.usps.com/go/TrackConfirmAction?](https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909304%2C)

[tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909304%2C](https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909304%2C). See: [Public Notice - 20230720 - Enforcement Hearing - ECV-20230421-02 - The Ranches at Mustang Creek](#).

On July 14, 2023, Mr. Allison, Legal Counsel for the District, provided a draft enforcement order regarding this matter. If adopted, the order would record the finds of the board including:

1. impose penalties established by the Board,
2. cancel any permits associated with the subject well,
3. prohibit production from the subject well until a production permit were reinstated,
4. order staff to seal the subject well to prevent further production, and
5. instruct Legal Counsel to file suit if necessary to enforce the order.

Texana GCD - Order of Enforcement - ECV-20230421-02.pdf

 3.7.1 Texana GCD - Order of Enforce... 56 kB

Management Recommendation: move to open and record the enforcement hearing.

Management Recommendation: move to cease the recording and close the enforcement hearing after accepting public comments or comments from the alleged violator.

Item 3.8 - Enforcement Hearing re ECV-20230421-07 - Alice M. Combs - Failure to

Report Groundwater Production CY2022

Previous Consideration by the Board: [MFC-20230420-3.5 - INV-20230306.1132 - Failure to Report Groundwater Production.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management.](#)

Related Projects: [PRJ-20233100.06 - Manage Enforcement Cases related to Permitting Violations for FY2023 \(MG1:O2\) - Active.](#)

Management Discussion: on April 20, 2023, the Board passed a motion to:

1. find that **COMBS ALICE M (Alice Combs)** violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-00363** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty for the violation per RULE 9.6: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **COMBS ALICE M (Alice Combs)** consents to the following conditions:
 1. acknowledges the violation by June 30, 2023;
 2. pays a settlement fee of \$00.00 by June 30, 2023; and
 3. submits a administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

In response to the action taken by the Board, staff recorded violation [ECV-20230421-07](#).

On May 2, 2023, staff attempted to provide notice of violation ECV-20230421-07 to **COMBS ALICE M (Alice Combs)** by certified mail (CMRRR 7021 0350 0000 2790 7836). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027907836%2C>.

On June 1, 2023, staff attempted to provide notice of violation ECV-20230421-07 to **COMBS ALICE M (Alice Combs)** by certified mail (CMRRR 7021 0350 0000 2790 9069).

See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909069%2C>.

On July 6, 2023, the staff attempted to provide notice of this enforcement hearing and intent to seek authorization to pursue enforcement of the rules by filing a civil suit against **COMBS ALICE M (Alice Combs)** at the next regularly scheduled meeting of the board of directors to **COMBS ALICE M (Alice Combs)** by certified mail (CMRRR 7021 0350 0000 2790 9328). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909328%2C>. See: [Public Notice - 20230720 - Enforcement Hearing - ECV-20230421-07 - Alice M. Combs](#).

On July 14, 2023, Mr. Allison, Legal Counsel for the District, provided a draft enforcement order regarding this matter. If adopted, the order would record the finds of the board including:

1. impose penalties established by the Board,
2. cancel any permits associated with the subject well,
3. prohibit production from the subject well until a production permit were reinstated,
4. order staff to seal the subject well to prevent further production, and
5. instruct Legal Counsel to file suit if necessary to enforce the order.

Texana GCD - Order of Enforcement - ECV-20230421-07.pdf

 3.8.1 Texana GCD - Order of Enforce... 55 kB

Management Recommendation: move to open and record the enforcement hearing.

Management Recommendation: move to cease the recording and close the enforcement hearing after accepting public comments or comments from the alleged violator.

Item 3.9 - Enforcement Hearing re ECV-20230421-08 - Alice M. Combs - Failure to

Report Groundwater Production CY2022

Previous Consideration by the Board: [MFC-20230420-3.5 - INV-20230306.1132 - Failure to Report Groundwater Production.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management.](#)

Related Projects: [PRJ-20233100.06 - Manage Enforcement Cases related to Permitting Violations for FY2023 \(MG1:O2\) - Active.](#)

Management Discussion: on April 20, 2023, the Board passed a motion to:

1. find that **COMBS ALICE M (Alice Combs)** violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-00357, GW-00359, GW-00360, GW-00361** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$250.00** penalty for the violation per RULE 9.6: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **COMBS ALICE M (Alice Combs)** consents to the following conditions:
 1. acknowledges the violation by June 30, 2023;
 2. pays a settlement fee of \$20.00 by June 30, 2023; and
 3. submits a administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

In response to the action taken by the Board, staff recorded violation [ECV-20230421-08](#)

On May 2, 2023, staff attempted to provide notice of violation ECV-20230421-08 to **COMBS ALICE M (Alice Combs)** by certified mail (CMRRR 7021 0350 0000 2790 7751). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027907751%2C>

On June 1, 2023, staff attempted to provide notice of violation ECV-20230421-08 to **COMBS ALICE M (Alice Combs)** by certified mail (CMRRR 7021 0350 0000 2790 9052).

See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909052%2C&tABt=true>

On July 6, 2023, the staff attempted to provide notice of this enforcement hearing and intent to seek authorization to pursue enforcement of the rules by filing a civil suit against **COMBS ALICE M (Alice Combs)** at the next regularly scheduled meeting of the board of directors to **COMBS ALICE M (Alice Combs)** by certified mail (CMRRR 7021 0350 0000 2790 9298). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909298%2C>. See: [Public Notice - 20230720 - Enforcement Hearing - ECV-20230421-08 - Alice M. Combs](#)

On July 14, 2023, Mr. Allison, Legal Counsel for the District, provided a draft enforcement order regarding this matter. If adopted, the order would record the finds of the board including:

1. impose penalties established by the Board,
2. cancel any permits associated with the subject well,
3. prohibit production from the subject well until a production permit were reinstated,
4. order staff to seal the subject well to prevent further production, and
5. instruct Legal Counsel to file suit if necessary to enforce the order.

Texana GCD - Order of Enforcement - ECV-20230421-08.pdf

 3.9.1 Texana GCD - Order of Enforce... 55 kB

Management Recommendation: move to open and record the enforcement hearing.

Management Recommendation: move to cease the recording and close the enforcement hearing after accepting public comments or comments from the alleged violator.

Item 3.10 - Investigation INV-20221012.1423 related to Failures to Obtain

Production Permits

Previous Consideration by the Board: [MFC-20230420-3.0 - Report regarding Groundwater Management.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management.](#)

Related Projects: [PRJ-20233100.05 - Manage Investigations related to Permitting Violations for FY2023 \(MG1:O2\) - Active.](#)

Management Discussion: on October 12, 2022, staff initiated an investigation to gather information regarding active utilities within Jackson County that obtain water from groundwater-based public water systems that do not have valid groundwater production permits issued by the District. See: [INV-20221012.1423 - Failure to Obtain Production Permit - Active.](#)

The relevant provisions of the rules of the district associated with the investigations are:

- Item 2 of RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District states "[a] person violates these rules by producing any amount of groundwater for non-exempt uses from a well, well field, or well system without a valid production permit issued by the Board."

As of July 14, 2023, staff had an open investigation related to groundwater management associated with 9 entities that had not submitted administratively complete permitting applications. The entities are:

1. Cape Shores Subdivision/ Undine Texas LLC;
2. City of Edna;
3. City of Ganado;
4. City of La Ward;
5. Jackson County WCID 1 (Lolita);
6. Jackson County WCID 2 (Vanderbilt);
7. Jackson Electric Cooperative;
8. Tri County Point Water Systems;
9. Village Lolita;

In each instance, staff have contacted representatives of the entities to notify the entity of the permitting requirements of the District and attempted to assist the entities

with submitting production permit applications since January 2023.

Management Recommendation 1: move to:

1. find that the **Cape Shores Subdivision/ Undine Texas LLC** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **Cape Shores Subdivision/ Undine Texas LLC** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **Cape Shores Subdivision/ Undine Texas LLC** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **Cape Shores Subdivision/ Undine Texas LLC** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Management Recommendation 2: move to:

1. find that the **City of Edna** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **City of Edna** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **City of Edna** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **City of Edna** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Management Recommendation 3: move to:

1. find that the **City of Ganado** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **City of Ganado** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **City of Ganado** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **City of Ganado** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Management Recommendation 4: move to:

1. find that the **City of La Ward** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **City of La Ward** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **City of La Ward** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **City of La Ward** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Management Recommendation 5: move to:

1. find that the **Jackson County WCID 1** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **Jackson County WCID 1** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **Jackson County WCID 1** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **Jackson County WCID 1** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Management Recommendation 6: move to:

1. find that the **Jackson County WCID 2** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **Jackson County WCID 2** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **Jackson County WCID 2** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **Jackson County WCID 2** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Management Recommendation 7: move to:

1. find that the **Jackson Electric Cooperative** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **Jackson Electric Cooperative** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **Jackson Electric Cooperative** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **Jackson Electric Cooperative** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Management Recommendation 8: move to:

1. find that the **Tri County Point Water Systems** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **Tri County Point Water Systems** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **Tri County Point Water Systems** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **Tri County Point Water Systems** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Management Recommendation 9: move to:

1. find that the **Village Lolita** violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the **Village Lolita** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty to be paid by the **Village Lolita** for each violation per the Enforcement Policy of the District; and
4. offer to settle the violation without payment of the penalties if the **Village Lolita** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete production permit application to the District by September 30, 2023.

Item 4.0 - Report regarding Groundwater Protection

Previous Consideration by the Board: [MFC-20230420-4.0 - Report regarding Groundwater Protection.](#)

Related Programs: [PRG-6000 - Groundwater Protection](#)

Related Projects:

1. [PRJ-20236100.01 - Well Inspections for FY2023 \(MG2:O1\) - Active.](#)
2. [PRJ-20236100.02 - Manage Investigations related to Groundwater Protection for FY2023 \(MG2:O1\) - Active.](#)
3. [PRJ-20236100.03 - Observation of Casing Placement for FY2023 \(MG2:O1\) - Active.](#)

Management Discussion:

As of July 14, 2023, staff had recorded 22 well inspections since October 1, 2023.

As of July 14, 2023, the District has 1 active investigations related to possible groundwater protection: [INV-20220708.1129 - Confirmed Contamination of](#)

[Groundwater at 629 South Well St. - Edna - Texas - 77957 - 7-Eleven - Active](#). On January 17, 2023, the District emailed Corbin Reyes with TCEQ to inquire about an update concerning the groundwater contamination site. Per Corbin Reyes:

"The last document I reviewed from this site was the Drinking Water Survey Report, dated 5/17/2022. The site was referred to both our Toxicology and Remediation Division Impact Evaluation Team 6/9/2022. It was assessed and afterwards Toxicology sent out the following notifications to private drinking water well owners in the area, dated 7/6/2022 (see attached). and requested Groundwater Monitoring Report by 9/18/2023."

As of July 14, 2023, staff had received 11 Notices of Intent to Place Casing in new wells and completed no site visits since October 1, 2022. Project [PRJ-20236100.03 - Observation of Casing Placement for FY2023 \(MG2:O1\) - Active](#) is no longer actively managed as notices of intent to place casing are no longer submitted to the district under the recently adopted rules of the district.

As of July 14, 2023, staff had no open enforcement cases related to groundwater protection:

Management Recommendation: none.

Item 5.0 - Report regarding Groundwater Monitoring

Previous Consideration by the Board: [MFC-20230420-5.0 - Report regarding Groundwater Monitoring](#).

Related Programs: [PRG-4000 - Groundwater Monitoring](#).

Related Projects:

1. [PRJ-20234100.01 - Monitor Drought Conditions for FY2023 \(MG5:O1\) - Active](#).
2. [PRJ-20234100.02 - Synoptic Aquifer Monitoring for FY2023 \(MG4:O1\)\(MG7:O1\) - Active](#).

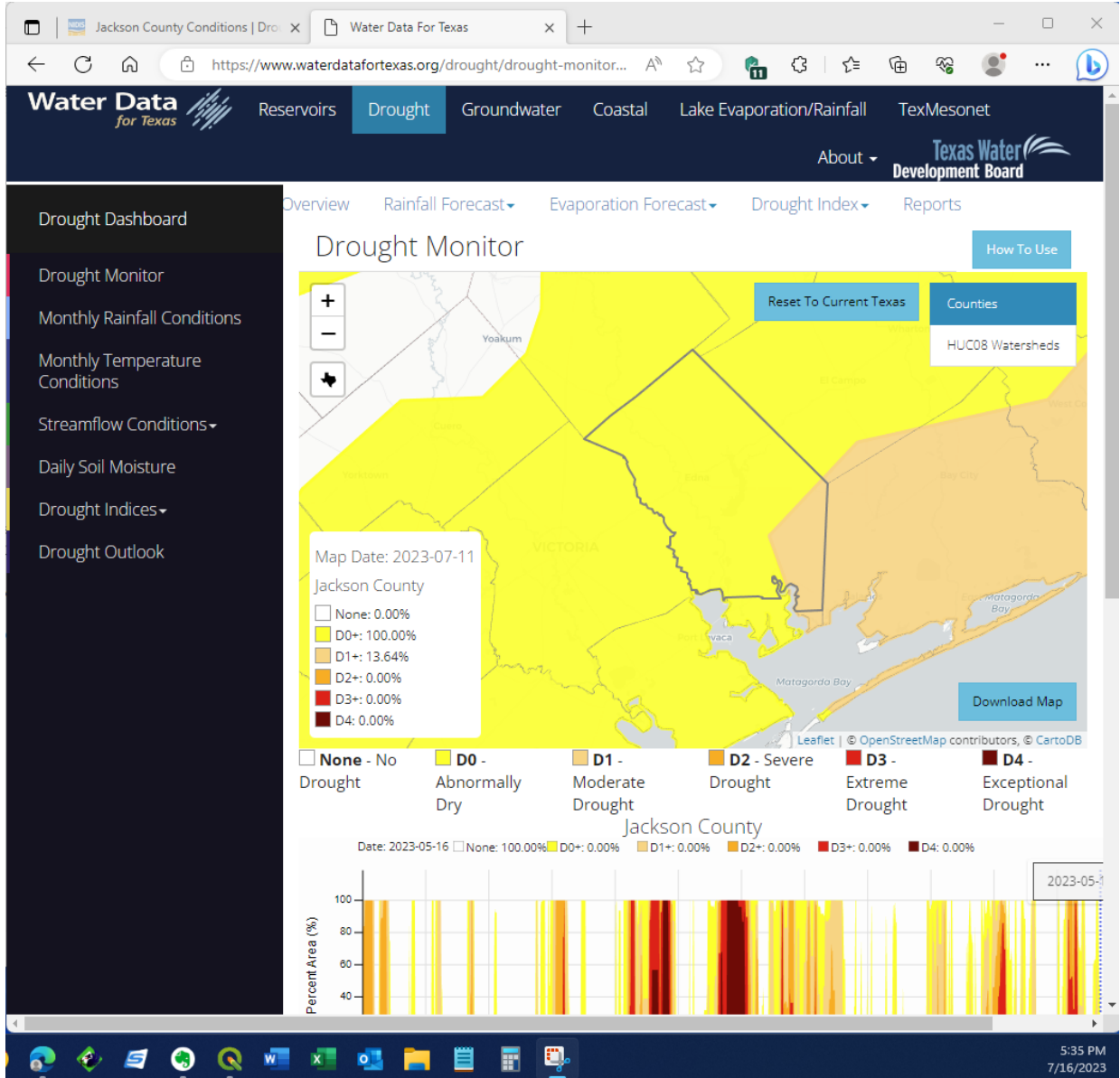
3. [PRJ-20234100.03 - Continuous Water Level Monitoring for FY2023 \(MG7:O1\) - Active.](#)
4. [PRJ-20234100.04 - Baseline Water Quality Aquifer Monitoring for FY2023 \(MG4:O1\) - Active.](#)
5. [PRJ-20234100.05 - Ad-Hoc Baseline Water Quality Sampling for FY2023 \(MG4:O1\) - Active.](#)
6. [PRJ-20234100.06 - Annual Water Level Assessment for FY2023 \(MG7:O2\) - Active.](#)
7. [PRJ-20234100.07 - Annual Water Quality Assessment for FY2023 \(MG4:O1\) - Active.](#)
8. [PRJ-20234100.08 - Aquifer Monitoring at Bower and Saha Aquaculture for FY2023 - Active.](#)
9. [PRJ-20234100.09 - West Ranch Monitoring for FY2023 - Active.](#)
10. [PRJ-20234200.01 - Monitoring Network Assessment and Improvement Project for FY2023 \(MG7:O1\) - Active.](#)

Management Discussion: according to the National Integrated Drought Information System, the U.S. Drought Monitor (USDMD) is updated each Thursday to show the location and intensity of drought across the country using a five-category system, from Abnormally Dry (D0) conditions to Exceptional Drought (D4). The USDMD is a joint effort of the National Drought Mitigation Center, USDA, and NOAA.

The U.S. Drought Monitor (<https://www.drought.gov/states/texas/county/jackson>) indicates that 86% of Jackson County was experiencing abnormally dry conditions while 14% of Jackson County was experiencing moderate drought as of July 16, 2023.

Drought condition information related to the district and the surrounding region of Texas collected from the Water Data for Texas website (<https://www.waterdatafortexas.org/drought/>) indicates that all of Jackson County is experiencing abnormally dry or moderate drought conditions as of July 16, 2023.

TGCD - Water Data of Texas - Drought Monitor Map - 20230716.png



Management Recommendation: none.

Item 5.1 - Groundwater Level Measurements for Calendar Year 2022

Previous Consideration by the Board: [MFC-20220721-5.1 - Report regarding Groundwater Monitoring.](#)

Related Programs: [PRG-4000 - Groundwater Monitoring.](#)

Related Projects:

1. [PRJ-20234100.02 - Synoptic Aquifer Monitoring for FY2023 \(MG4:O1\)\(MG7:O1\) - Active;](#)
2. [PRJ-20234100.06 - Annual Water Level Assessment for FY2023 \(MG7:O2\) - Active.](#)

Management Discussion: staff have collected water level measurements from 22 wells during year 2023. The chart below compare the water levels by well over time.

Well ID / Measurement Year	2000	2019	2020	2021	2022	2023	Change from Year 2023 to:	
							Year 2022	Year 2000
Texana GCD - GW-00073		30.5	25.9	23.5	22.2	21.3	-0.9	
Texana GCD - GW-00075		26.3	29.8	27.5	26.9	29.1	2.2	
Texana GCD - GW-00076		31.1	29.9	28.3	28.5	30.2	1.7	
Texana GCD - GW-00077		21.8	22.2	28.5	27.4	29.5	2.1	
Texana GCD - GW-00082		24.8	22.9	25.1	24.2	24.5	0.3	
Texana GCD - GW-00090		39.8	47.2	45.0	29.9			
Texana GCD - GW-00092				12.8				
Texana GCD - GW-00097						46.1		
Texana GCD - GW-00112	68.0							
Texana GCD - GW-00120		41.1						
Texana GCD - GW-00121		43.5						
Texana GCD - GW-00122		43.5						
Texana GCD - GW-00140		40.4						
Texana GCD - GW-00244		26.5	28.1	24.3	21.1	18.0	-3.1	
Texana GCD - GW-00247		28.9	31.3	24.8	26.4	24.0	-2.4	
Texana GCD - GW-00251		34.3	31.2	29.2	27.4	28.1	0.7	
Texana GCD - GW-00253			30.8					
Texana GCD - GW-00274	21.0	18.8	21.1	21.0				

Texana GCD - GW-00275	30.8							
Texana GCD - GW-00276	47.5	43.1	44.0	42.6				
Texana GCD - GW-00277	46.5							
Texana GCD - GW-00278		45.3	49.3	49.9		42.3		
Texana GCD - GW-00279	42.0							
Texana GCD - GW-00280	54.0							
Texana GCD - GW-00281	59.8							
Texana GCD - GW-00283	40.5	30.3	33.2	34.0				
Texana GCD - GW-00284	29.4	27.8	28.3	28.0		28.0		-1.4
Texana GCD - GW-00285	39.9	32.8	33.6	31.8	31.7	33.0	1.4	-6.9
Texana GCD - GW-00286	33.2							
Texana GCD - GW-00287	15.8							
Texana GCD - GW-00288	23.7							
Texana GCD - GW-00289	42.6							
Texana GCD - GW-00290	32.4							
Texana GCD - GW-00291	56.0	29.7	33.9	38.2	36.3	26.0	-10.3	-30.0
Texana GCD - GW-00292	53.0	36.0			30.0			
Texana GCD - GW-00293	59.1							
Texana GCD - GW-00294	96.3			79.4	72.7	80.5		
Texana GCD - GW-00295	54.8							
Texana GCD - GW-00296	71.8							
Texana GCD - GW-00297	43.5							

Texana GCD - GW-00298	46.9							
Texana GCD - GW-00320	35.4	37.9	29.5	25.3	26.0	29.0	3.0	-6.4
Texana GCD - GW-00323	50.1							
Texana GCD - GW-00354	42.8							
Texana GCD - GW-00366	88.7							
Texana GCD - GW-00385	27.7	25.3	26.7	27.5	26.2			
Texana GCD - GW-00410		34.4	35.0	37.3		33.4	33.4	
Texana GCD - GW-00411		36.8	34.0	33.9		32.6	32.6	
Texana GCD - GW-00415	14.7							
Texana GCD - GW-00416	22.4							
Texana GCD - GW-00417	56.2							
Texana GCD - GW-00444				46.5	61.1	46.4	-14.7	
Texana GCD - GW-00446				47.1	63.3	46.0	-17.3	
Texana GCD - GW-00452		12.0						
Texana GCD - GW-00562					39.0			
Texana GCD - GW-00563				32.4				
Texana GCD - GW-00566					11.3	13.0	1.8	
Texana GCD - NW-00075		39.0						
Texana GCD - NW-00077			29.1					
Texana GCD - NW-00141		47.8						
Texana GCD - NW-00195		33.8	35.9	32.2	30.7	32.9	2.2	
Texana GCD - NW-00310		41.8	43.1	41.6	40.1	42.9	2.8	

Texana GCD - NW-00451		34.6	46.2	47.0	28.3			
Texana GCD - NW-00487			20.2	16.6	17.2			
Texana GCD - NW-00488			50.2	48.4	46.1			
Texana GCD - NW-00489			23.6	16.9	17.6			
Texana GCD - NW-00490			47.0	46.1	43.6			
Texana GCD - NW-00491			21.1	16.2	16.3			
Texana GCD - NW-00492			45.0	43.8	41.6			
Average:							2.0	-11.2

Generally, the depth to water has increased from year 2022 to year 2023 while water levels in wells measured in year 2000 and year 2023 demonstrate a recovery in excess of 11 feet.

Management Recommendation: none.

Item 5.3 - Groundwater Monitoring near West Ranch

Previous Consideration by the Board: [MFC-20220421-5.2 - Report regarding Groundwater Monitoring near West Ranch.](#)

Related Programs: [PRG-4000 - Groundwater Monitoring..](#)

Related Projects: [PRJ-20234100.09 - West Ranch Monitoring for FY2023 - Active.](#)

Management Discussion: on January 20, 2022, the Board authorized staff to obtain water samples from all of the previously sampled wells associated with past West Ranch monitoring efforts as well as 5 of the candidates for future monitoring at a cost not to exceed \$1,250.00. Staff scheduled the monitoring event for June 2022.

On July 12, 2022, staff collected water samples from the following wells located within West Ranch: NW-00270, NW-00383, NW-00272, GW-00180, and GW-00183.

On July 22, 2022, staff received the lab report for the samples collected from wells located on West Ranch. See: [Water Quality Lab Report - WQLR-20220722.0840](#).
TGCD - Water Quality Lab Report - WQLR-20220722.0840 - L1514212.pdf

 5.3.1 TGCD - Water Quality Lab Repor... 2 MB

Water Quality Lab Measurement Note Links: [WQLM-20220712.0922 - GW-00180](#), [WQLM-20220712.0946 - NW-00270](#), [WQLM-20220712.1041 - NW-00272](#), [WQLM-20220712.1106 - GW-00183](#), [WQLM-20220712.1131 - NW-00383](#).

Well GW-00180 appears to have exceeded the detection limit (0.900 mg/L) for total petroleum hydrocarbons for C6-C35 chains with a measurement of 1.55 mg/L. Well GW-00183 appears to have exceeded the detection limit (0.900 mg/L) for total petroleum hydrocarbons for C6-C12 chains with a measurement of 1.12 mg/L and C6-C35 chains with a measurement of 1.12 mg/L.

Management Recommendation 1: move to authorize the General Manager to obtain water samples from wells NW-00270, NW-00383, NW-00272, GW-00180, GW-00183 and up to five additional samples in the vicinity of West Ranch for the purposes of analyzing baseline water quality analytes, total petroleum hydrocarbon analytes (TPH), Benzene, Toluene, Ethylbenzene and Xylenes (BTEX) at a cost not to exceed of \$5,000.00.

Management Recommendation 2: move to authorize the General Manager to submit the water quality lab reports for samples collected from West Ranch in July 2022 and the samples collected in connection with **Management Recommendation 1** to Mr. Wickham of WSP (formerly PBW and Golder) for review and comment.

Item 5.4 - WellIntel Service for Continuous Aquifer Monitoring

Previous Consideration by the Board: N/A.

Related Programs: [PRG-4000 - Groundwater Monitoring](#).

Related Projects: [PRJ-20234100.03 - Continuous Water Level Monitoring for FY2023 \(MG7:O1\) - Active](#).

Management Discussion: on June 21, 2023, staff participated in a virtual meeting with representatives of WellIntel (Dawna Urlakis, Director of Business Development and Charles Dunning) in connection with project [PRJ-20234100.03 - Continuous Water Level Monitoring for FY2023 \(MG7:O1\) - Active](#) for the purposes of learning more about products (water level sensor and telemetry equipment) and services (analytics dashboard) offered by WellIntel. The WellIntel offerings could potentially improve the monitoring program of the district by 1) increasing the amount of data collected regarding water levels and water quality in terms of measurement frequency (continuous measurements versus synoptic/ad hoc measurements) with the use of the WellIntel Water Level Sensor, 2) increasing operational efficiency by reducing data processing labor and transportation costs associate with monitoring efforts (e.g., eliminate post-processing of sensor data, reducing travel cost to well sites, etc.), and 3) increasing access and use of monitoring data for assessing aquifer conditions and regulatory compliance with permitting. A two-year pilot project with 4 monitoring wells is estimated to cost \$23,500 in Year 1 and \$2,500 in Year 2 for a estimated total of \$26,000. Integration of 3rd party instruments would result in additional costs.

WellIntel Overview 2023.pdf

 [5.4.1 WellIntel Overview 2023.pdf](#) 3 MB

WellIntel Spec Sheet 2023.pdf

 [5.4.2 WellIntel Spec Sheet 2023.pdf](#) 382 kB

WellIntel Introduction 2023 - TAndruss.pdf

 5.4.3 WellIntel Introduction 2023 - TA... 4 MB

WellIntel - Texana-Victoria-Calhoun-Refugio Monitoring Network Cost Estimate.pdf

 5.4.4 WellIntel - Texana-Victoria-Calh... 44 kB

Management Recommendation: move to authorize the general manager to budget for and execute a two-year pilot project in FY2024 with 4 monitoring wells within the district at a cost not to exceed \$35,000.00.

Item 5.5 - Intera Proposal for Update of Water Level Assessment Report

Previous Consideration by the Board: [MFC-20210923-5.1 - Intera Proposals re Groundwater Monitoring](#).

Related Programs: [PRG-4000 - Groundwater Monitoring](#).

Related Projects: [PRJ-20234100.07 - Annual Water Quality Assessment for FY2023 \(MG4:O1\) - Active](#).

Management Discussion: on July 14, 2023, Dr. Young of Intera submitted a proposal to Victoria County GCD to apply geostatistical techniques to interpret measured 2022 water level in Calhoun County GCD, Refugio GCD, Texana GCD and Victoria County GCD. The proposed work will expand the analysis of measured water levels performed by Young and others (2021) [Application of Geostatistical Techniques to Quantify Changes in Water Levels] and INTERA (2022) [memorandum :Application of Geostatistical Techniques to Interpret Measured 2021 Water Levels, dated June 29, 2022] to include measured water levels in 2022.

The cost for performing the completing the work is \$15,000. The project will be fixed priced. The presentations and the memorandum will be completed by December 4,

2023. The memorandum will be similar in its content and figures to the INTERA (2022) memorandum that provided an analysis of the 2021 water level data.

Intera Proposal_Update_water_levels_2022 - 20230714.pdf

 5.5.1 Intera Proposal_Update_water_... 183 kB

The proposal will be presented to the boards of Refugio GCD, Victoria GCD, and Calhoun County GCD with a recommendation to approve the proposal and share in the costs equally at a fixed cost of \$3,750.00.

Management Recommendation: move to to approve the proposal and share in the costs equally at a fixed cost of \$3,750.00.

Item 6.0 - Report regarding Groundwater Conservation

Previous Consideration by the Board: [MFC-20230420-6.0 - Report regarding Groundwater Conservation.](#)

Related Programs: [Program - PRG-2000 - Groundwater Conservation.](#)

Related Projects:

1. [PRJ-20232100.01 - Promote Conservation for FY2023 \(MG6:O1\) - Active.](#)
2. [PRJ-20232100.02 - Conservation Education and Teacher Professional Development for FY2023 \(MG6:O1\) - Active.](#)

Management Discussion: on April 20, 2023, the board authorized the expenditure of up to \$5,000.00 for sponsorship of field trips by 4th and 5th grade students from Jackson County to the Wetland Education Center located in the INVISTA Victoria Plant Wetland for the purposes of promoting water conservation.

On May 8, 2023, staff notified Edna ISD, Ganado ISD, Industrial ISD, and Palacios ISD of the sponsorship opportunity.

On May 23, 2023, staff notified Edna Christian Academy of the sponsorship opportunity.

As of July 14, 2023, staff had awarded a sponsorship to Palacios ISD in the amount \$700.00 for a September 2023 field trip for 93 students to Wetland Education Center located in the INVISTA Victoria Plant Wetland. Industrial ISD had expressed interest in reserving 4 field trips but failed to submit the application for funding.

TGCD - AOS-20230621-01 - PISD J Duncum - East Side Elementary School - 2023 September.pdf

 6.0.1 TGCD - AOS-20230621-01 - PIS... 965 kB

Management Recommendation: none.

Item 7.0 - Report regarding Groundwater Resource Planning

Previous Consideration by the Board: [MFC-20230420-7.0 - Report regarding Groundwater Resource Planning.](#)

Related Programs: [Program - PRG-8000 - Groundwater Resource Planning.](#)

Related Projects:

1. [PRJ-20238100.01 - GMA 15 Joint Planning for 3rd Planning Cycle in FY2023 \(MG7:O2\) - Active.](#)
2. [PRJ-20238100.02 - Regional Water Planning Participation for FY2023 \(MG3:O1\) - Active.](#)

Management Discussion: the representatives of Region P met on May 15, 2023, to continue efforts to develop the 2026 Regional Water Plan. The next meeting of Region P is scheduled for July 24, 2023 at 12:00 PM at LNRA Main Office Building C 4631 FM 3131.

The representatives of Management Area 15 met on July 13, 2023, to continue their joint planning efforts. The representatives of GMA 15 1) discussed the new groundwater availability model being developed by TWDB for the central and southern portions of the Gulf Coast Aquifer, and 2) reviewed the draft request for proposals for technical services to GMA 15. The next meeting of GMA 15 is scheduled for October 12, 2023. See: [MFC-20230720-7.1 - GMA 15 By-Laws, Cost Sharing Agreement, and RFP for Technical Services](#).

Management Recommendation: none.

Item 7.1 - GMA 15 By-Laws, Cost Sharing Agreement, and RFP for Technical Services

Previous Consideration by the Board: [Meeting Packets - 20180118 - Board of Directors - Supplemental Information](#).

Related Programs: [Program - PRG-8000 - Groundwater Resource Planning](#).

Related Projects: [PRJ-20238100.01 - GMA 15 Joint Planning for 3rd Planning Cycle in FY2023 \(MG7:O2\) - Active](#).

Management Discussion: the representatives of Management Area 15 met on April 13, 2023, and approved for distribution draft revisions of bylaws and a cost sharing agreement, and 5) requested VCGCD serve as the GMA 15 Administrator for the purposes of a) holding the GMA 15 Joint Planning Funds, b) soliciting proposals from qualified entities to provide technical services to GMA 15 to support the development and adoption of desired future conditions and associated explanatory report for the 4th Joint Planning Cycle, and c) negotiating terms of an agreement for consulting services from the preferred respondent(s) identified by the GMA-15 Committee Members.

As of July 10, 2023, the representatives of GMA 15 have been provided the following documents related to the 4th Joint Planning Cycle:

GMA 15 - By-Laws of the GMA-15 Committee - Rev 20230413 - Adopted 20230413.pdf

 7.1.1 GMA 15 - By-Laws of the GMA-1... 90 kB

GMA 15 - Interlocal Agreement for Cost-Sharing - Rev 20230413a - Adopted 20230413.pdf

 7.1.2 GMA 15 - Interlocal Agreement ... 99 kB

VCGCD - RFP for Technical Services for GMA 15 - 20230627.pdf

 7.1.3 VCGCD - RFP for Technical Ser... 749 kB

The interlocal agreement related to cost-sharing specifies the funding requirements necessary to be a member of the GMA-15 Committee. Member districts located solely within GMA 15, such as RGCD, are scheduled to pay \$7,500.00 under the agreement while member districts located in groundwater management areas in addition to GMA 15 are scheduled to pay \$3,750. If all member district agree to the cost-sharing agreement, the total funding for the 4th Joint Planning Cycle in GMA 15 will be reach \$82,500.00 by January 9, 2024.

Management Recommendation: move to accept and approve:

1. the *GMA 15 - By-Laws of the GMA-15 Committee - Rev 2023041*, and
2. the *GMA 15 - Interlocal Agreement for Cost-Sharing - Rev 20230413a*, by resolution, and
3. the *VCGCD - RFP for Technical Services for GMA 15 - 20230627*, as presented.

Item 8.0 - Report regarding Groundwater Policy

Previous Consideration by the Board: [MFC-20230420-8.0 - Report regarding Groundwater Policy.](#)

Related Programs: [Program - PRG-5000 - Groundwater Policy.](#)

Related Projects:

1. [PRJ-20235100.01 - Management Plan Revisions for FY2023 - Active.](#)
2. [PRJ-20235100.02 - Rule Amendments for FY2023 - Active.](#)
3. [PRJ-20235100.03 - Legislative Support and Lobbying for FY2023 - Active.](#)

Management Discussion: on May 17, 2023, staff submitted the management plan approved at the meeting held on April 20, 2023 to the Texas Water Development Board and other entities are required by Chapter 36.

On July 10, 2023, staff identified the following bills on the Texas Legislature Online service that contain the phrase "groundwater" and have or will become law.

1. [88\(R\) HB 697 - Enrolled Version - Bill Text](#)(relating to seller's disclosures)
2. [88\(R\) HB 1565 - Enrolled Version - Bill Text](#)(relating to the functions of the Texas Water Development Board and continuation and functions of the State Water Implementation Fund for Texas Advisory Committee)
3. [88\(R\) HB 1699 - Enrolled Version - Bill Text](#) (relating to the authority of the Evergreen Underground Water Conservation District to impose certain fees)
4. [88\(R\) HB 1971 - Enrolled Version - Bill Text](#) (relating to the procedures for acting on a permit or permit amendment application by a Previous groundwater conservation district and the disqualification of board members of groundwater conservation districts)
5. [88\(R\) HB 2443 - Enrolled Version - Bill Text](#)(relating to the authority of certain persons to petition a groundwater conservation district to change certain rules)
6. [88\(R\) HB 3059 - Enrolled Version - Bill Text](#) (relating to the export fee charged for the transfer of groundwater from a groundwater conservation district)
7. [88\(R\) HB 3278 - Enrolled Version - Bill Text](#) (relating to the joint planning of desired future conditions in groundwater management areas)
8. [88\(R\) HB 3731 - Enrolled Version - Bill Text](#) (relating to the Bandera County River Authority and Groundwater District)
9. [88\(R\) HB 3744 - Enrolled Version - Bill Text](#) (relating to the regulation of water well drillers and water well pump installers)
10. [88\(R\) HB 4559 - Enrolled Version - Bill Text](#) (relating to the application of statutes that classify political subdivisions according to population)
11. [88\(R\) SB 317 - Enrolled Version - Bill Text](#) (relating to appellate jurisdiction of the Public Utility Commission regarding certain water or sewer service fees)

12. [88\(R\) SB 785 - Enrolled Version - Bill Text](#) (relating to the ownership of and certain insurance policy provisions regarding the geothermal energy and associated resources below the surface of land)
13. [88\(R\) SB 1290 - Enrolled Version - Bill Text](#) (relating to a study of the effects of the installation, operation, removal, and disposal of solar, wind turbine, and energy storage equipment)
14. [88\(R\) SB 1659 - Enrolled Version - Bill Text](#) (relating to the sunset review process and certain governmental entities subject to that process)
15. [88\(R\) SB 1746 - Enrolled Version - Bill Text](#) (relating to an exemption from the requirement to obtain a permit from a groundwater conservation district for certain temporary water wells)
16. [88\(R\) SB 2406 - Enrolled Version - Bill Text](#) (relating to the authority of hospitals in certain counties to drill a water well for the purpose of producing water for use in the event of an emergency or natural disaster)
17. [88\(R\) SB 2440 - Enrolled Version - Bill Text](#) (relating to a requirement that certain plats for the subdivision of land include evidence of groundwater supply)
18. [88\(R\) SB 2592 - Enrolled Version - Bill Text](#) (relating to the Lavaca-Navidad River Authority, following the recommendations of the Sunset Advisory Commission; altering terms of the board of directors; specifying grounds for the removal of a member of the board of directors)

Staff will review the passed legislation and coordinate with legal counsel to develop proposed rule revisions and post the required rulemaking hearing notice for the meeting scheduled for October 16, 2023.

Management Recommendation: none.

Item 9.0 - Report regarding Administration and Management

Previous Consideration by the Board:

1. [MFC-20230420-9.0 - Report on Meeting Management.](#)

2. [MFC-20230420-10.0 - Report on Financial Management.](#)
3. [MFC-20230420-11.0 - Report regarding Administration and Management..](#)

Related Programs: [Program - PRG-1000 - Administration.](#)

Related Projects:

1. [PRJ-20231200.01 - Election Coordination for CY2023 - Active.](#)
2. [PRJ-20231300.01 - Financial Audit for FY2022 - Active.](#)
3. [PRJ-20231300.02 - Investment Management for FY2023 - Active.](#)
4. [PRJ-20231300.03 - Financial Record Processing and Reporting for FY2023 - Active.](#)
5. [PRJ-20231300.04 - Budget Development for FY2024 - Active.](#)
6. [PRJ-20231300.05 - Asset Tracking for FY2023 - Active](#)
7. [PRJ-20231400.01 - Website Improvements - Active.](#)
8. [PRJ-20231500.01 - Public Notice and Meeting Coordination for FY2023 - Active.](#)
9. [PRJ-20231600.01 - Performance Audit for FY2022 - Active.](#)
10. [PRJ-20231700.01 - Administrative Policy Review for FY2023 - Active.](#)
11. [PRJ-20231700.02 - Transparency Reporting for FY2023 - Active.](#)
12. [PRJ-20231700.03 - Cybersecurity Training for FY2023 - Active.](#)
13. [PRJ-20231700.04 - Consultant Review for FY2023 - Active.](#)
14. [PRJ-20231700.05 - Open Government Training for FY2023 - Active.](#)
15. [PRJ-20231900.01 - Digital Record Archiving for FY2023 - Active.](#)
16. [PRJ-20231900.02 - Physical Record Archiving for FY2023 - Active.](#)

Management Discussion:

Website Improvements

On June 29, 2023, the new website of the District was released and made publicly available. The new website includes a feature for allowing individuals to subscribe to and unsubscribe from the District's email notification lists. The lists were originally populated with email addresses for the District's existing email lists. The new electronic mail list feature will be used to transmit public notices and other important messages to interested parties.

Meetings of the Board

The next meetings of the Board are scheduled for **August 17, 2023** (Budget and Tax Rate Matters), and **October 19, 2023**, with each meeting to convene at 8:30 AM. Regular meetings will be rescheduled as necessary and special meeting may be scheduled to address unforeseen issues.

Management Recommendation: none.

Item 9.1 - Minutes of the Previous Meeting

Previous Consideration by the Board: [MFC-20230420-9.1 - Minutes of the Previous Meeting](#).

Related Programs: [Program - PRG-1000 - Administration](#).

Related Projects: [PRJ-20231500.01 - Public Notice and Meeting Coordination for FY2023 - Active](#).

Management Discussion: the minutes for the previous meeting were sent the board members prior to the meeting. See: [Meeting Minutes - 20230420 - Board of Directors](#). TGCD - Meeting Minutes - 20230420 - Final.pdf

 9.1.1 TGCD - Meeting Minutes - 202... 198 kB

Management Recommendation: move to accept and approved the meeting minutes for April 20, 2023, as drafted.

Item 9.2 - Financial Reports of the District

Previous Consideration by the Board: [MFC-20230420-10.0 - Report on Financial Management](#).

Related Programs: [Program - PRG-1000 - Administration](#).

Related Projects: [PRJ-20231300.03 - Financial Record Processing and Reporting for FY2023 - Active](#).

Management Discussion: the internal financial reports of the District for March 2023, April 2023, and May 2023, have been sent to the directors prior to the meeting.


See: [Internal Control Review Reports - ICRR-20230331-01 - March 2023.](#)

TGCD - ICRR - March 2023 .pdf

 9.2.1 TGCD - ICRR - March 2023.pdf 283 kB

See: [Internal Financial Reports - IFR-20230331-01 - FY2023M06 - March 2023.](#)

TGCD - Internal Financial Report - March 2023.pdf

 9.2.2 TGCD - Internal Financial Repo... 698 kB

See: [Internal Control Review Reports - ICRR-20230430-01 - April 2023.](#)

TGCD - ICRR - April 2023.pdf

 9.2.3 TGCD - ICRR - April 2023.pdf 67 kB

See: [Internal Financial Reports - IFR-20230430-01 - FY2023M07 - April 2023.](#)

TGCD - Internal Financial Report - April 2023.pdf

 9.2.4 TGCD - Internal Financial Repo... 714 kB

See: [Internal Control Review Reports - ICRR-20230531-01 - May 2023.](#)

TGCD - ICRR - May 2023.pdf

 9.2.5 TGCD - ICRR - May 2023.pdf 78 kB

See: [Internal Financial Reports - IFR-20230531-01 - FY2023M08 - May 2023.](#)

TGCD - Internal Financial Report - May 2023.pdf

 9.2. 6TGCD - Internal Financial Repo... 719 kB

Management Recommendation: move to accept and approve the financial reports for March 2023, April 2023, and May 2023.

Item 9.2.1 - Financial Transaction Review

Previous Consideration by the Board: [MFC-20230420-10.0.1 - Financial Transaction Review.](#)

Related Programs: [Program - PRG-1000 - Administration.](#)

Related Projects: [PRJ-20231300.03 - Financial Record Processing and Reporting for FY2023 - Active.](#)

Management Discussion: the list below identifies each accounts payable transaction that was recorded since April 1, 2023, as of July 14, 2023:

1. [ACCTP-20230404-01 - \\$100,000.00 - Transfer of Funds - TR-20230404-01-D - \\$100,000.00 - Prosperity 9448 - RECONCILED](#)
2. [ACCTP-20230411-01 - \\$208.60 -Victoria Advocate Inv No. 345352 0323 - TR-20230420-08-D - \\$208.60 - Prosperity Bank 7512 - RECONCILED](#)
3. [ACCTP-20230412-01 - \\$7,313.30 - VCGCD - District Invoice - January 2023 - TR-20230420-03-D - \\$7,313.30 - Prosperity Bank 7512 - RECONCILED](#)
4. [ACCTP-20230412-02 - \\$7,238.79 - VCGCD - District Invoice - February 2023 - TR-20230420-04-D - \\$7,238.79 - Prosperity Bank 7512 - RECONCILED](#)
5. [ACCTP-20230412-03 - \\$7,269.90 - VCGCD - District Invoice - March 2023 - TR-20230420-05-D - \\$7,269.90 - Prosperity Bank 7512 - RECONCILED](#)
6. [ACCTP-20230412-04 - \\$13,750.00 - VCGCD - District Invoice - Intera Cost Share - TR-20230420-02-D - \\$13,750.00 - Prosperity Bank 7512 - RECONCILED](#)
7. [ACCTP-20230417-01 - \\$325.08 - Prosperity Bank Visa Card - TR-20230420-01 - \\$325.08 - Prosperity Bank 7512 - RECONCILED](#)
8. [ACCTP-20230502-01 - \\$250.00 - Streamline - Migration Service Fee - TR-20230623-01-D - \\$AMOUNT - Prosperity Bank 7512 - UNRECONCILED](#)
9. [ACCTP-20230511-01 - \\$514.40 - Victoria Advocate - Meeting Posting - TR-20230630-01-D - \\$514.40 - Prosperity Bank 7512 - UNRECONCILED](#)
10. [ACCTP-20230516-01 - \\$1,627.13 - Allison, Bass and Magee, L.L.P Inv No. 6922 - TR-YYYYMMDD-SQ-D - \\$1,627.13 - Prosperity Bank 7512 - UNRECONCILED](#)
11. [ACCTP-20230523-01- \\$13,376.00 - Solinst Inv No. 12848076 - TR-YYYYMMDD-SQ-D - \\$13,376.00 - Prosperity Bank 7512 - UNRECONCILED](#)

12. ACCTP-20230531-01 - \$9,266.54.00 - Goldman, Hunt and Notz, LLP Inv No. 713 - TR-YYYYMMDD-SQ-D - \$AMOUNT - ACCOUNTID - UNRECONCILED
13. ACCTP-20230601-01 - \$1,440.00 - Streamline - TR-20230630-02-D - \$1,440.00 - Prosperity Bank 7512- UNRECONCILED
14. ACCTP-20230620-01 - \$1,472.43- JCAD Inv No. 1044 - TR-YYYYMMDD-SQ-D - \$AMOUNT - ACCOUNTID - UNRECONCILED
15. ACCTP-20230623-02- \$775.27 - Prosperity Bank - TR-20230623-02- \$775.27 - Prosperity Bank 7512 - UNRECONCILED
16. ACCTP-20230630-03- \$2,290.30 Account No. 0342308- Office Systems - TR-20230703-01-D - \$2,290.30- Prosperity Bank 7512 - UNRECONCILED
17. ACCTP-20230705-01 - \$45.00 - Office Systems Invoice No. 07/03/2023 - TR-YYYYMMDD-SQ-D - \$45.00 - Prosperity Bank 7512 - UNRECONCILED
18. ACCTP-20230706-01 - \$228.85 - Victoria Advocate Invoice No. 20230706-01 - TR-YYYYMMDD-SQ-D - \$228.85 - Prosperity Bank 7512- UNRECONCILED
19. ACCTP-20230706-01 - \$7,365.87 - VCGCD - District Invoice - April 2023 - TR-YYYYMMDD-SQ-D - \$AMOUNT - ACCOUNTID - UNRECONCILED
20. ACCTP-20230706-02 - \$190.55 - Victoria Advocate Inv No. 20230706-02 - TR-YYYYMMDD-SQ-D - \$190.55 - Prosperity Bank 7512- UNRECONCILED
21. ACCTP-20230706-02 - \$7,332.93 - VCGCD - District Invoice - May 2023 - TR-YYYYMMDD-SQ-D - \$AMOUNT - ACCOUNTID - UNRECONCILED
22. ACCTP-20230706-03 - \$190.55 - Victoria Advocate - Inv No. 20230706-03 - TR-YYYYMMDD-SQ-D - \$190.55 - Prosperity Bank 7512- UNRECONCILED
23. ACCTP-20230706-03 - \$7,376.50 - VCGCD - District Invoice - June 2023 - TR-YYYYMMDD-SQ-D - \$AMOUNT - ACCOUNTID - UNRECONCILED
24. ACCTP-20230706-04 - \$318.20 - Victoria Advocate - Inv No. 20230706-04 - TR-YYYYMMDD-SQ-D - \$318.20 - Prosperity Bank 7512 - UNRECONCILED
25. ACCTP-20230706-05- \$196.20 - Victoria Advocate - Inv No. 20230706-05 - TR-YYYYMMDD-SQ-D - \$196.20 - Prosperity Bank 7512 - UNRECONCILED
26. ACCTP-20230706-06 - \$609.95 - Victoria Advocate Statement No. 345352_0623 - TR-YYYYMMDD-SQ-D - \$609.95 - Prosperity Bank 7512 - UNRECONCILED
27. ACCTP-20230712-01 - \$413.00 - Pace Analytical Inv No. 1618990 - TR-YYYYMMDD-SQ-D - \$413.00 - Prosperity Bank 7512 - UNRECONCILED

The list below identifies each accounts receivable transaction that was recorded since April 1, 2023, as of July 11, 2023:

1. [ACCTR-20230404-01 - \\$100,000.00 - Transfer of Funds - TR-20230404-01-C - \\$100,000.00 - Prosperity 7512 - RECONCILED](#)
2. [ACCTR-20230410-01 - \\$3,088.75 - JCTAC Tax Collections - TR-20230410-01-C - \\$3,088.75 - Prosperity 9448 - RECONCILED](#)
3. [ACCTR-20230420-01 - \\$4,070.62 - Tax Collections - JCTAC - TR-20230424-01-C - \\$4,070.62 - Prosperity Bank 7512 - RECONCILED](#)
4. [ACCTR-20230430-01 - \\$862.79 - Interest - TR-20230430-01-C - \\$862.79 - Prosperity 9448 - RECONCILED](#)
5. [ACCTR-20230430-02 - \\$23.09 - Interest - TR-20230430-02-C - \\$23.09 - Prosperity 7512 - RECONCILED](#)
6. [ACCTR-20230509-01 - \\$476.72 - JCTAC Tax Collections - TR-20230509-01-C - \\$476.72 - Prosperity 9448 - RECONCILED](#)
7. [ACCTR-20230531-01 - \\$951.66 - Interest - TR-20230531-01-C - \\$951.66 - Prosperity 9448 - RECONCILED](#)
8. [ACCTR-20230531-02 - \\$19.22 - Interest - TR-20230531-02-C - \\$19.22 - Prosperity 7512 - RECONCILED](#)
9. [ACCTR-20230705-02 - \\$2,110.96 - Certificate of Deposit 0515 - TR-20230705-02-C - \\$2,110.96 - Prosperity Bank 0515 - UNRECONCILED](#)
10. [ACCTR-20230705-03 - \\$2,047.95 - Prosperity Bank Certificate of Deposit Earning - TR-20230705-03-C - \\$2,047.95 - 0517 - UNRECONCILED](#)
11. [ACCTR-20230711-01 - \\$512.00 - Prosperity Bank - TR-20230711-01-C - \\$512.00- Prosperity Bank 7512 - UNRECONCILED](#)

Management Recommendation: none.

Item 9.3 - Investments of the District

Previous Consideration by the Board: [MFC-20230420-10.2 - Investments of the District.](#)

Related Programs: [Program - PRG-1000 - Administration.](#)

Related Projects: [PRJ-20231300.02 - Investment Management for FY2023 - Active.](#)

Management Discussion: the investment reports for March 2023, April 2023, and May 2023, have been sent to the board prior to the meeting.

See: [Investment Reports - IR-20230331-01 - FY2023M06 - March 2023](#)

TGCD - Investment Report - IR-20230331-01 - FY23M06 - March 2023.pdf

 9.3.1 TGCD - Investment Report - IR... 157 kB

See: [Investment Reports - IR-20230430-01 - FY2023M07 - April 2023](#)

TGCD - Investment Report - IR-20230430-01 - FY23M07 - April 2023.pdf

 9.3.2 TGCD - Investment Report - IR... 156 kB

See: [Investment Reports - IR-20230531-01 - FY2023M08 - May 2023](#)

TGCD - Investment Report - IR-20230531-01 - FY23M08 - May 2023.pdf

 9.3.3 TGCD - Investment Report - IR... 156 kB

As of May 31, 2023, the combined balance of all funds totaled \$960,912.77. As of May 31, 2023, the combined value of FDIC insurance and pledged collateral totaled \$1,187,643.28.

Management Recommendation: move to accept the investment reports for March 2023, April 2023, and May 2023.

Item 9.4 - Unpaid Accounts Payable

Previous Consideration by the Board: [MFC-20230420-10.1 - Unpaid Accounts Payable](#).

Related Programs: [Program - PRG-1000 - Administration](#).

Related Projects: [PRJ-20231300.03 - Financial Record Processing and Reporting for FY2023 - Active.](#)

Management Discussion: the District has outstanding accounts payable invoices that are not considered regular and routine for which the District has received the goods and services billed for under the invoices.

Management Recommendation: move to authorize the general manager to pay the following items:

1. [ACCTP-20230516-01 - \\$1,627.13 - Allison, Bass and Magee, L.L.P Inv No. 6922](#)
2. [ACCTP-20230531-01 - \\$9,266.54 - Goldman, Hunt and Notz, LLP Inv No. 713](#)
3. [ACCTP-20230706-01 - \\$7,365.87 - VCGCD - District Invoice - April 2023](#)
4. [ACCTP-20230706-02 - \\$7,332.93 - VCGCD - District Invoice - May 2023](#)
5. [ACCTP-20230706-03 - \\$7,376.50 - VCGCD - District Invoice - June 2023](#)

Item 9.5 - FY2024 Budget

Previous Consideration by the Board: [MFC-20220818-5.1 - Budget Recommendation for FY2023.](#)

Related Programs: [Program - PRG-1000 - Administration.](#)

Related Projects: [PRJ-20231300.04 - Budget Development for FY2024 - Active..](#)

Management Discussion: staff will develop and present a budget for the fiscal year ending September 30, 2024 at the meeting scheduled for August 17, 2023, that attempts to fund the operations of the District in a manner that should provide for 1) the accomplishment of the management plan goals and objectives and 2) the completion of certain projects and tasks associated with the administration of the district, groundwater conservation, groundwater management and permitting, groundwater monitoring, groundwater policy development, groundwater protection, groundwater research, and groundwater resource planning, and 3) avoid a budget deficit in Fiscal Year 2023-2024.

Staff will develop the proposed budget anticipating the continued cooperation with and support of the staff of the Victoria County Groundwater Conservation to be

achieved through the approval of a revised interlocal cooperation agreement that may include an increase to the monthly fees for service less than or equal to 5%.

Staff will develop the proposed budget anticipating the commitment of the monies of the Reserve Fund in Fiscal Year 2023-2024 in accordance with the following schedule:

- Groundwater Conservation: 5%
- Groundwater Management: 10%
- Groundwater Monitoring: 25%
- Groundwater Protection: 25%
- Groundwater Research: 5%
- Groundwater Resource Planning: 5%
- Legal Contingencies: 25%

Staff will develop the proposed budget anticipating the approval of a tax rate equal to the No-New-Revenue Tax Rate calculated by the Tax Assessor - Collector for Tax Year 2023.

Management Recommendation: move to authorize the general manager to publish the required tax rate notices for the district based on the No-New-Revenue Tax Rate calculated by the Tax Assessor - Collector for Tax Year 2023.

Item 9.6 - Vacancy in Office of Director

Previous Consideration by the Board: [MFC-20230420-12.1 - Vacancy in Office of Director.](#)

Related Programs: [Program - PRG-1000 - Administration.](#)

Related Projects:

Management Discussion: on March 30, 2023, Mr. Dugger submitted a letter of resignation from board of directors of the Texana Groundwater Conservation District. TGCD - Letter of Resignation - Johnny Dugger - 20230330.pdf

 9.6.1 TGCD - Letter of Resignation - J... 23 kB

Management Recommendation: none.

Item 9.7 - Agreement with JCTAC

Previous Consideration by the Board: [MFC-20220818-5.1 - Budget Recommendation for FY2023.](#)

Related Programs: [Program - PRG-1000 - Administration.](#)

Related Projects: [PRJ-20231300.04 - Budget Development for FY2024 - Active..](#)

Management Discussion: on May 17, 2023, staff received a copy of the agreement with the Jackson County Tax Assessor-Collector for Tax Year 2023.

TGCD - 2023 Contractual Agreement - JCTAC - 20230517-01.pdf

 9.7.1 TGCD - 2023 Contractual Agre... 628 kB

Management Recommendation: move to approve the agreement with the Jackson County Tax Assessor-Collector for Tax Year 2023.

Item 10.0 - Legal Counsel Report

Previous Consideration by the Board: N/A.

Related Programs: [Program - PRG-1000 - Administration.](#)

Related Projects: N/A.

Management Discussion: none.

Management Recommendation: none.

Item 11.0 - Adjourn Meeting

Management Discussion: none.

Management Recommendation: move to adjourn the meeting after concluding all business of the District.