

## **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 June 16, 2026, at 6:00 P.M. at the LNRA Headquarters, Building C, 4631 F.M. 3131, Edna, Texas.

### **AGENDA**

1. Convene the meeting and receive a report from the general manager.
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. Technical consultant support related to permitting application reviews;
  - b. Report regarding simulations of drawdowns caused by large-scale brackish groundwater production; and
  - c. Temporary moratorium regarding high-capacity non-historic-use production permitting and deep-saline non-historic-use production permitting.
4. Consideration of and possible action on matters related to groundwater policy, including the Management Plan of the District and the Rules of the District.
  - a. Management-recommended draft rule revisions.
5. Consideration of and possible action on matters related to administration and management including the minutes of previous meetings, amendments to 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.
  - a. Filling the Vacancies of Director Positions of the District.
6. 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.

# Item 1 - Convene Meeting

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## Topic 1.1 - Roll Call

### Management Discussion:

Staff completed the necessary public notification requirements for the meeting.  
TGCD - Meeting Notice - 20260616 - Final.pdf



### Management Recommendation:

Call the meeting to order and call the roll of representatives:

\_\_\_\_\_ : Precinct 1 Director: Mr. John Boone Vice- President.

\_\_\_\_\_ : Precinct 2 Director: Vacant.

\_\_\_\_\_ : Precinct 3 Director: Mr. Clifford Born.

\_\_\_\_\_ : Precinct 4 Director: Mr. Charles Marr, Treasurer.

\_\_\_\_\_ : At Large 2 Director: Mr. Alton Tupa, President.

\_\_\_\_\_ : At Large 3 Director: Mr. Robert Gendke, Jr. Secretary.

\_\_\_\_\_ : General Manager: Tim Andruss.

\_\_\_\_\_ : General Counsel: Jim Allison.

## Topic 1.2 - General Manager Report

Regarding Well Registration Processing

As of June 5, 2026, staff had received 28 well registration applications (ARWs) since October 1, 2025.

As of June 5, 2026, staff had received 28 Notices of Intent to Drill a Well (NIDWs) since October 1, 2025.

Regarding Production Permit Renewal Processing

As of June 8, 2026, staff had identified 13 production permits due to expire during the fiscal year. Staff will mail courtesy notices regarding the pending expiration and the need to renew the subject permit to permittees in April 2026.

Regarding Permit Processing

As of June 5, 2026, staff had received 36 application related to production permits and waivers since October 1, 2026.

As of June 5, 2026, staff had 29 administratively incomplete application related to production permits and waivers.

1. TGCD - GMa - Permit Request - ARP-20260518-01 - Serenity RV Resort - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
2. TGCD - GMa - Permit Request - ARP-20260518-02 - Scott Harti - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
3. TGCD - GMa - Permit Request - ARP-20260518-03 - Scott Harti - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
4. TGCD - GMa - Permit Request - ARP-20260518-04 - Scott Harti - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
5. TGCD - GMa - Permit Request - ARP-20260518-05 - Scott Harti - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
6. TGCD - GMa - Permit Request - ARP-20260518-06 - Scott Harti - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
7. TGCD - GMa - Permit Request - ARP-20260518-07 - Scott Harti - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
8. TGCD - GMa - Permit Request - ARP-20260518-08 - Scott Harti - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
9. TGCD - GMa - Permit Request - ARP-20260518-09 - Scott Harti - Administratively Incomplete
  - a. Permitting Request Type: **Active Production Permit Renewal**
10. TGCD - GMa - Production Permit Request - ANHUPPW-20260515-01 - Jeff Dunbar - Administratively Incomplete
  - a. Permitting Request Type: **Non-Historic Use**
  - b. Requested Production Rates: **.496 AFY**
  - c. Requested Purpose of Use: **Commercial**

11. TGCD - GMa - Production Permit Request - AVHUW-20260423-01 - High Cotton Land Comp - Administratively Incomplete
  - a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1230 AFY**
  - c. Requested Purpose of Use: **Irrigation**
12. TGCD - GMa - Production Permit Request - AVHUW-20260430-01 - Trull Service Company - Administratively Incomplete
  - a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **537.14 AFY**
  - c. Requested Purpose of Use: **Irrigation**
13. TGCD - GMa - Production Permit Request - AVHUW-20260430-02- Trull Service Company - Administratively Incomplete
  - a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,033.6 AFY**
  - c. Requested Purpose of Use: **Irrigation**
14. TGCD - GMa - Production Permit Request - AVHUW-20260430-03 - Trull Service Company - Administratively Incomplete
  - a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,033.6 AFY**
  - c. Requested Purpose of Use: **Irrigation**
15. TGCD - GMa - Production Permit Request - AVHUW-20260430-04- Trull Service Company - Administratively Incomplete
  - a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,033.6 AFY**
  - c. Requested Purpose of Use: **Irrigation**
16. TGCD - GMa - Production Permit Request - AVHUW-20260514-01 - Stephen Stuhrenburg - Administratively Incomplete
  - a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **663.4 FY**
  - c. Requested Purpose of Use: **Irrigation**
17. TGCD - GMa - Production Permit Request - AVHUW-20260518-01 - Charles Fenner - Administratively Incomplete
  - a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **100 AFY**
  - c. Requested Purpose of Use: **Irrigation**
18. TGCD - GMa - Production Permit Request - AVHUW-20260518-02 - Charles Fenner - Administratively Incomplete
  - a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,000 AFY**
  - c. Requested Purpose of Use: **Irrigation**
- 19.

- TGCD - GMa - Production Permit Request - AVHUW-20260527-01 - Wise Asset No.14 - Administratively Incomplete
- a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,613 AFY**
  - c. Requested Purpose of Use: **Rice Farming**
20. TGCD - GMa - Production Permit Request - AVHUW-20260528-01 - Wise Asset No.1 - Administratively Incomplete
- a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **2,903 AFY**
  - c. Requested Purpose of Use: **Rice Farming**
21. TGCD - GMa - Production Permit Request - AVHUW-20260528-02 - Wise Asset No.1 - Administratively Incomplete
- a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **3,226 AFY**
  - c. Requested Purpose of Use: **Rice Farming**
22. TGCD - GMa - Production Permit Request - AVHUW-20260528-03 - Wise Asset No.1 - Administratively Incomplete
- a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,613 AFY**
  - c. Requested Purpose of Use: **Rice Farming**
23. TGCD - GMa - Production Permit Request - AVHUW-20260528-04 - Wise Asset No.1 - Administratively Incomplete
- a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,451 AFY**
  - c. Requested Purpose of Use: **Rice Farming**
24. TGCD - GMa - Production Permit Request - AVHUW-20260528-05 - Wise Asset No.5 - Administratively Incomplete
- a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,613 AFY**
  - c. Requested Purpose of Use: **Rice Farming**
25. TGCD - GMa - Production Permit Request - AVHUW-20260528-06 - Wise Asset No.5 - Administratively Incomplete
- a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **2,903 AFY**
  - c. Requested Purpose of Use: **Rice Farming**
26. TGCD - GMa - Production Permit Request - AVHUW-20260528-07 - Wise Asset No.5 - Administratively Incomplete
- a. Permitting Request Type: **Historic Use**
  - b. Requested Production Rates: **1,613 AFY**
  - c. Requested Purpose of Use: **Rice Farming**
- 27.

TGCD - GMa - Production Permit Request - AVHUWF-20260415-01 - Edgar Erwin - Administratively Incomplete

- a. Permitting Request Type: **Historic Use**
- b. Requested Production Rates: **3000 AFY**
- c. Requested Purpose of Use: **Irrigation**

28. TGCD - GMa - Production Permit Request - AVHUWF-20260518-01 - Charles Fenner - Administratively Incomplete

- a. Permitting Request Type: **Historic Use**
- b. Requested Production Rates: **1,350 AFY**
- c. Requested Purpose of Use: **Rice Irrigation**

29. TGCD - GMa - Production Permit Request - AVHUWS-20260430-01 - Trull Service Company - Administratively Incomplete

- a. Permitting Request Type: **Historic Use**
- b. Requested Production Rates: **3,638.08 AFY**
- c. Requested Purpose of Use: **Rice Irrigation**

As of June 5, 2026, staff had initiated 11 permitting request cases (PRCs) since October 1, 2026.

As of June 5, 2026, staff had 5 permitting request cases pending.

1. TGCD - GMa - Permitting Request Case - PRC-20260427-01 - ANHUPPW-20260302-01 - B. Leita - Pending/Uncontested - Mr. Benjamin Leita seeks, under permitting request case PRC-20260427-01, a standard-capacity non-historic-use production permit authorizing the production of groundwater from a non-grandfathered well for RV Park and Livestock uses at rates not to exceed 16 gallons per minute or 1 acre-feet per year. The subject well NW-00123 is located on a 10.39 -acre tract of land near the intersection of Asbeck Road and FM 111 in Jackson County, Texas.
2. TGCD - GMa - Permitting Request Case - PRC-20260501-01 - AAP-20260225-01 - Curry Country Ranch - Pending/Uncontested - Mr. Steve Curry seeks, under permitting request case PRC-20260501-01, an amendment to reflect change of ownership from Brock Family Partnership, LTD. to Curry Country Ranch LLC.
3. TGCD - GMa - Permitting Request Case - PRC-20260506-01- AAP-20260427-01 - Carlos E Bonnot - Pending/Uncontested - Mr. Carlos Bonnot seeks, under permitting request case PRC-20260506-01, an amendment to reflect change of ownership from Jonathan Winkler to Carlos Bonnot.
4. TGCD - GMa - Permitting Request Case - PRC-20260507-01- ANHUPPW-20260421-01 - Jackson Electric Coop - Pending/Uncontested - Ms. Missie Landry for Jackson Electric Coop seeks, under permitting request case PRC-20260507-01, a standard-capacity non-historic-use production permit authorizing the production of groundwater from a non-grandfathered well for commercial uses at rates not to exceed 65 gallons per minute or 4.5 acre-feet per year. The subject well NW-

00721 is located on a 100.57 -acre tract of land near the intersection of County Road 305 and FM 3131 in Jackson County, Texas.

5. TGCD - GMa - Permitting Request Case - PRC-20260507-02 - AVUHW-20260421-01 - Angus Harrison - Pending/Uncontested - Mr. Angus Cruz seeks, under permitting request case PRC-20260507-02, a historic-use production permit authorizing the production of groundwater from a grandfathered well for rice irrigation and duck pond uses at 1,200 gallons per minute at 465 acre-feet per year. The subject well GW-00296 is located on a 133 -acre tract of land near the intersection of County Road 256 and County Road 272 in Jackson County, Texas.

As of June 5, 2026, staff had 197 active or approved production permits recorded in the permitting database with a combined amount of authorized groundwater production per year of 173,801 acre-feet.

#### Regarding Groundwater Production Report Processing

As of June 5, 2026, staff had processed 217 groundwater production reports for the preceding calendar year since October 1, 2025.

As of June 5, 2026, staff had recorded groundwater production reports for 217 water wells reporting 47,434 acre-feet of groundwater production during Calendar Year 2025. (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: TWDB - Projected Exempt Groundwater Use Estimates.)

#### Regarding Manage Investigations related to Permitting Violations

As of June 5, 2026, staff had initiated 35 investigations related to groundwater management (i.e., permitting) since October 1, 2025.

As of June 5, 2026, staff had 35 active investigations related to groundwater management (i.e., permitting).

1. INV- 20251006-01 - Unpermitted Non-Exempt-Use - Active
2. INV- 20251014-01 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
3. INV- 20251014-02 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
4. INV- 20251014-03 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
5. INV- 20251014-07 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
6. INV- 20251014-08 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
7. INV- 20251014-09 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
8. INV- 20251014-10 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
9. INV- 20251014-11 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
10. INV- 20251014-12 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
11. INV- 20251014-13 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
12. INV- 20251014-15 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
13. INV- 20251014-16 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
14. INV- 20251014-17 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
15. INV- 20251014-18 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
16. INV- 20251014-19 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active

17. INV- 20251014-20 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
18. INV- 20251014-21 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
19. INV- 20251014-22 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
20. INV- 20251014-23 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
21. INV- 20251014-26 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
22. INV- 20251014-27 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
23. INV- 20251014-28 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
24. INV- 20251014-29 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
25. INV- 20251014-30 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
26. INV- 20251014-31 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
27. INV- 20251014-32 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
28. INV- 20251014-33 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
29. INV- 20251014-34 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
30. INV- 20251014-35 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
31. INV- 20251014-36 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
32. INV- 20251014-37 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
33. INV- 20251014-38 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
34. INV- 20251014-39 - Unpermitted Non-Exempt-Use - Rice Irrigation - Active
35. INV- 20260205-01 - Failure to Satisfy Rules of the District - Production Reporting for CY2025 - Active

#### Regarding Manage Enforcement Cases related to Permitting Violations

As of June 5, 2026, the Board had initiated 0 enforcement case violations related to groundwater management (i.e., permitting) since October 1, 2025.

As of June 5, 2026, staff had 0 unresolved enforcement cases related to groundwater management (i.e., permitting).

#### Regarding Permit Report Processing

As of June 5, 2025, staff had processed 6 permit reports to permittees since October 1, 2025.

As of June 5, 2026, staff had 0 permit report outstanding.

## **Item 2 - Receive Public Comment**

## **Item 3 - Groundwater Management (Permitting)**

### **Considerations**

#### **Topic 3.1 - Technical Consultant Support related to Permitting**

##### **Application Reviews**

###### **Management Discussion:**

On October 17, 2024, the Board of Directors adopted a resolution establishing a schedule of fees, including fees for applications for high-capacity non-historic-use production permits, applications for deep-saline non-historic-use production permits, applications for transfer permits, and applications for district waiver requests. The purpose of establishing the application fees was to collect

sufficient money from applicants to pay for consultation services needed to assist staff with the review and evaluation of the request relative to the rules of the district.

The District has access to several consulting firms, through its interlocal cooperation agreement with Victoria County GCD, that provide technical services related to groundwater hydrogeology and groundwater resource management, including INTERA, Daniel B. Stephens and Associates (DBSA), WSP USA, and Collier Consulting. However, with the increased interest and activity related to developing large-volume groundwater production projects, contracting with additional consulting firms may be necessary and prudent, as the District's existing consultants may develop other business relationships that could disqualify them from providing independent and objective technical services to the District associated with a particular permit application.

Typically, management has sought authorization to engage consultants to assist with the review of complex permitting applications from the Board on a case-by-case basis. However, seeking authorization to engage consultants for the review of permitting applications from the Board for each permitting application impedes the timely processing of applications, given the quarterly meeting schedule of the Board of Directors.

**Management Recommendation:**

Move to authorize the general manager to engage qualified consultants under contract with the District to provide technical services to staff to assist with the review and processing of permitting applications in amounts not to exceed the associated application fee.

## **Topic 3.2 - Report Regarding Simulations of Drawdowns Caused by Large-Scale Brackish Groundwater Production**

**Management Discussion:**

On April 10, 2026, the Board of Directors of the Victoria County GCD accepted and approved the Proposal for Additional Simulations Using the Central Gulf Coast Brackish Groundwater Flow Model submitted by Steven Young of INTERA, Inc., dated April 10, 2026.

On May 19, 2026, Intera delivered the final draft of the project report title: *Characterization of Brackish Groundwater Resources for Calhoun, Jackson, Refugio, and Victoria Counties Addendum #1. Simulation of Drawdowns Caused by Large-Scale Production* to the Victoria County GCD. The report documents the cumulative drawdowns predicted when simulating large-volume brackish groundwater development projects in Calhoun, Jackson, Refugio, and Victoria Counties using the CGCBGWF Model.

VCGCD - Intera Brackish Cumulative Effects Report - 20260519.pdf



File

The analysis involved the identification of hypothetical well fields in each county based on TDS zones (slight salinity and median salinity) and aquifer transmissivity categories (maximum transmissivity and median transmissivity) and simulating operation of a well field in each county for each combination of TDS zone and transmissivity category. The identification of hypothetical well field sites attempts to anticipate development locations based on preferable hydrogeologic conditions in terms of well field operation and water quality. The pumping scenarios are listed below:

1. Maximum Transmissivity and Slightly Saline Zone,
2. Maximum Transmissivity and Moderately Saline Zone,
3. Median Transmissivity and Slightly Saline Zone, and
4. Median Transmissivity and Moderately Saline Zone.

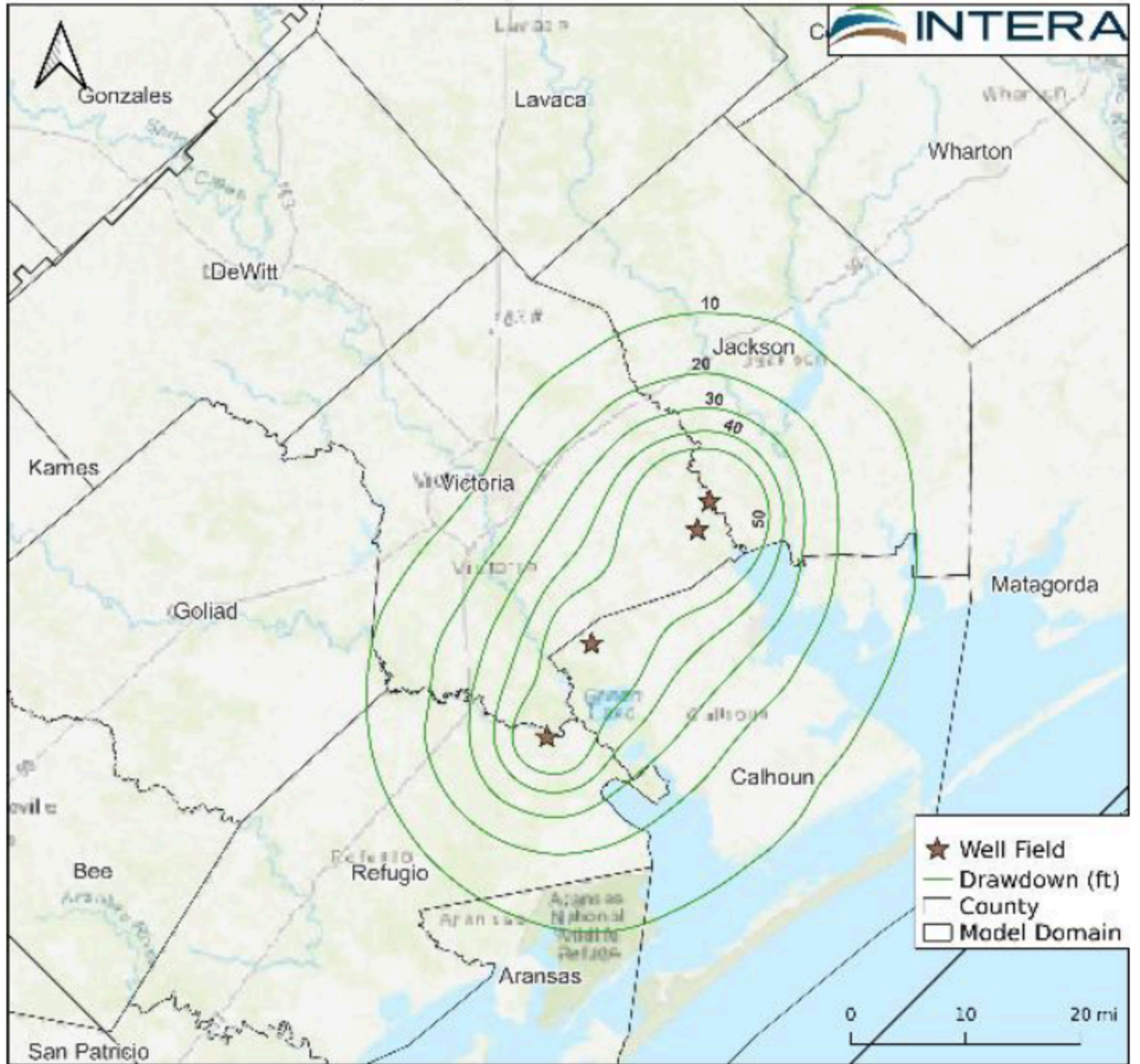
Table 2-3 of the report summarizes the predicted drawdown resulting from 30 years of simulated pumping for the four scenarios based on combinations of TDS zone and transmissivity category.

**Table 2-3. Simulated drawdown by pumping at four well fields simultaneously.**

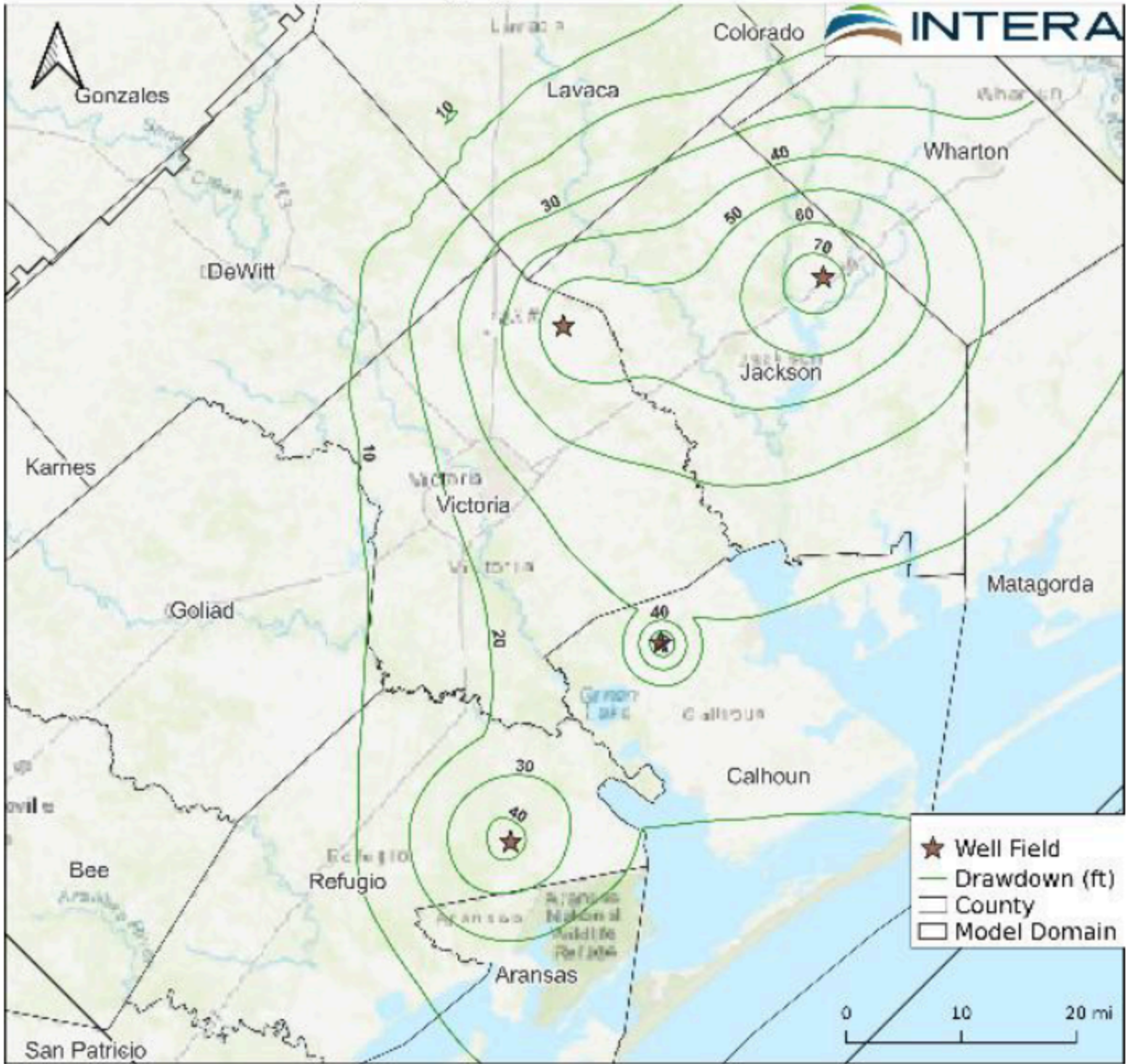
TDS Zone	Maximum Transmissivity				Median Transmissivity			
	Well Field ID	Pumping Rate (AFY)	Drawdown (ft) after 30 Years		Well Field ID	Pumping Rate (AFY)	Drawdown (ft) after 30 Years	
			Brackish Zone	Freshwater Zone			Brackish Zone	Freshwater Zone
Slightly Saline	1	20,000	114	57	9	20,000	166	27
	2	20,000	144	71	10	20,000	363	11
	3	20,000	152	72	11	20,000	272	45
	4	20,000	138	73	12	20,000	366	55
Moderately Saline	5	15,000	152	19	13	15,000	258	13
	6	15,000	161	13	14	15,000	695	16
	7	15,000	129	16	15	15,000	403	17
	8	15,000	175	30	16	15,000	629	2

Figures 2-19 through 2-22 illustrate the drawdowns predicted in lowest fresh groundwater zones and in the pumped brackish zones of the four pumping scenarios. Below are snippets of those figure illustrating the cumulative drawdowns predicted for the fresh groundwater zones for each scenario.

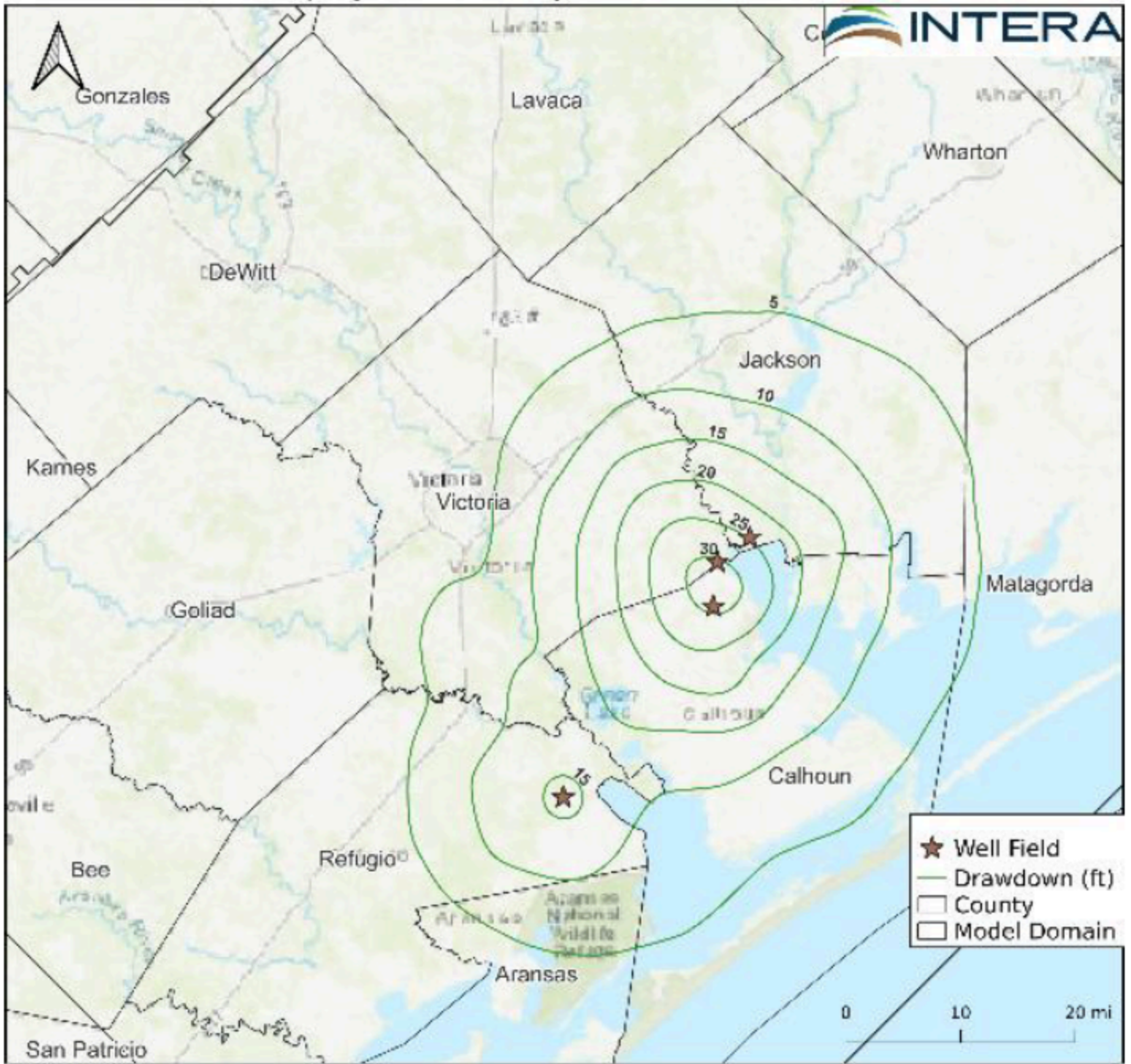
Maximum Transmissivity, Fresh Water,  
with 80000 AFY Pumping at Slightly Saline Zone.



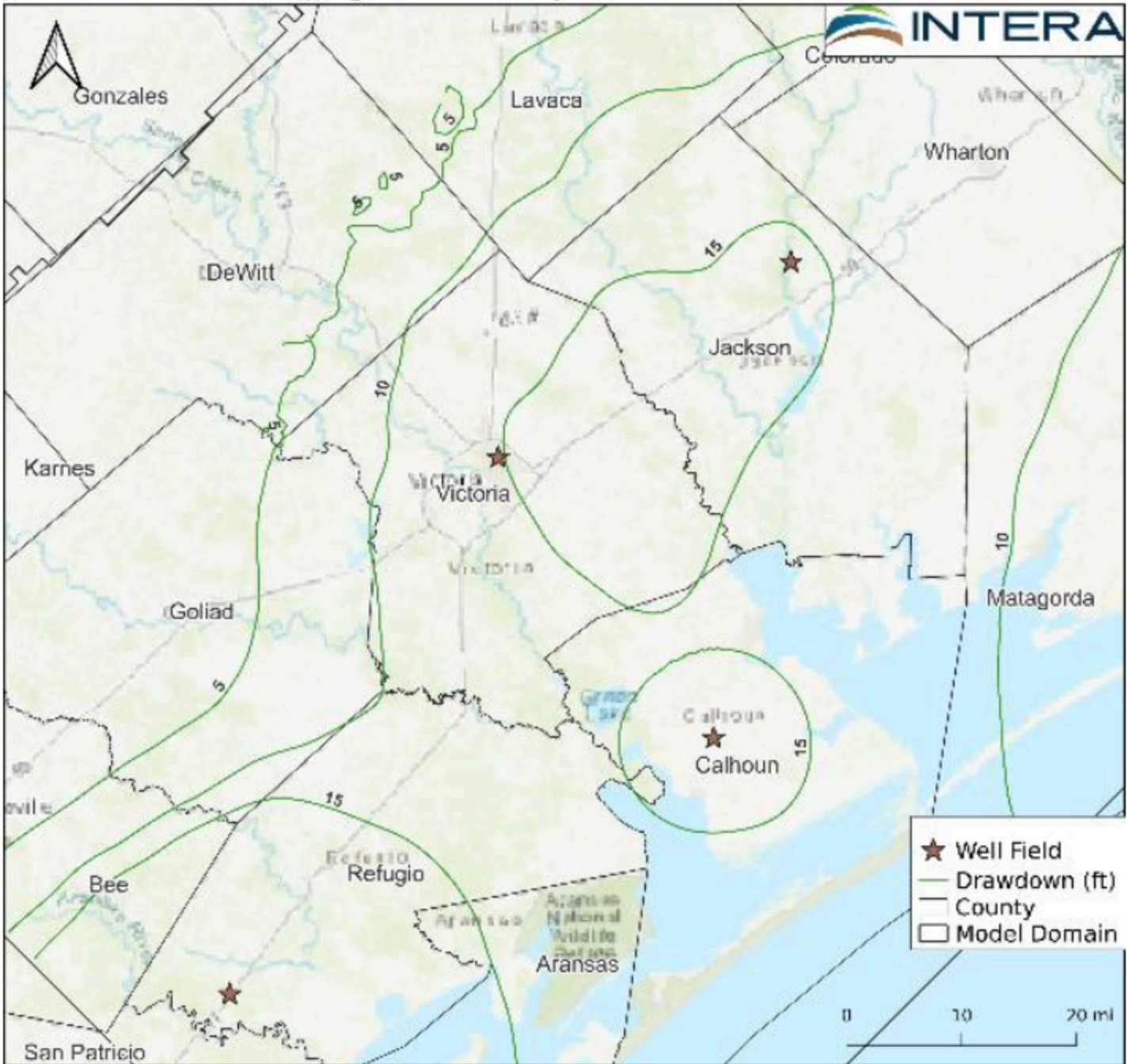
Median Transmissivity, Fresh Water,  
with 80000 AFY Pumping at Slightly Saline Zone.



Maximum Transmissivity, Fresh Water,  
with 60000 AFY Pumping at Moderately Saline Zone.



Median Transmissivity, Fresh Water,  
with 60000 AFY Pumping at Moderately Saline Zone.



Based on the results of the predicted cumulative drawdowns in the fresh groundwater zones in light of the primary policy objective of incentivizing brackish groundwater development (which is to protect and conserve fresher groundwater resources by producing poorer quality groundwater to meet new water demands), management has drafted rule revisions regarding deep-saline non-historic-use production permitting. The development and actual operation of significant deep-saline groundwater production projects will likely have implications for the District related to Joint Planning and the development of desired future conditions (DFC) within Groundwater Management Area 15. In particular, management anticipates that amendments to the

DFC will be necessary to establish a DFC for fresh groundwater resources and a DFC for deep-saline groundwater resources within the jurisdiction of the District. Management has inquired about Dr. Young's availability to attend the District's meeting scheduled for July 10, 2026, and the meetings of the cooperating districts in July. Dr. Young has reserved those dates on his calendar and has agreed to prepare for and attend those meeting is authorized by the boards. Dr. Young estimated the cost for preparing and attending those meetings (labor and expenses) totals \$13,000.

**Management Recommendation:**

Move to authorize the General Manager to request that Dr. Young prepare for and attend the District's meeting scheduled for July 10, 2026, to report on and discuss his work to support the district's efforts to develop deep-saline groundwater production regulations and rules.

### **Topic 3.3 - Temporary Moratorium regarding High-Capacity Non-Historic-Use Production Permitting and Deep-Saline Non-Historic-Use Production Permitting**

**Management Discussion:**

On May 11, 2026, staff received a message from Mr. and Mrs. McCabe, who live near the communities of Olivia and Port Alto in Calhoun County and use groundwater for domestic purposes. The message, addressed to the boards of the cooperating districts, expressed concerns regarding potential impacts associated with a proposed ammonia plant and other potential developments in the central Gulf Coast region. In addition, McCabe requested that each of the districts establish a moratorium on High-Capacity Non-Historic-Use Production Permits and Deep-Saline Non-Historic-Use Production Permits for two and a half years.

Moratorium Request - McCabe - 20260511.pdf



File

Management recognizes that several benefits may be obtained by the District and owners of groundwater resources within Jackson County from a limited, temporary suspension of permitting activities related to high-capacity and deep-saline non-historic-use production permitting. In particular, the temporary suspension would 1) afford the District and other interested parties time to carefully evaluate and assess the recently completed projects related to characterizing brackish groundwater resources within the District and 2) afford the District sufficient time to complete a rulemaking process to revise the Rules of the District to increase the protections for fresh groundwater resources and properly incentivize the development of brackish groundwater resources within Jackson County.

After conferring with President of the Board of Directors, Mr. Tupa, and obtaining authorization to place the topic of a temporary moratorium on the meeting notice agenda for this meeting, management requested legal counsel draft a moratorium

resolution that, if approved by the board, would temporarily suspend the acceptance, processing, or approval of high-capacity and deep-saline non-historic-use production permits and any related waiver requests to allow the Board sufficient time to complete a rulemaking process to propose and adopt revisions to the high-capacity and deep-saline production permitting regulations as the Board determines to be appropriate.

**Management Recommendation:**

Move to temporarily suspend the acceptance, processing, or approval of High-Capacity Non-Historic-Use Production Permits and Deep-Saline Non-Historic-Use Production Permits and any related waiver requests until the earlier of 1) the Board completing a rulemaking process to propose and adopt revisions to the high-capacity and deep-saline production permitting regulations as the Board determines to be appropriate, or 2) January 31, 2027.

## **Item 4 - Groundwater Policy Considerations**

### **Topic 4.1 - Management Recommended Draft Rule Revisions**

**Management Discussion:**

On October 17, 2024, the Board of Directors adopted revised Rules of the District. Through the use and implementation of the Rules of the District and the review of technical information (e.g., brackish groundwater characterization reports and water level assessment reports), management has identified numerous instances where revisions would be appropriate to current regulations (i.e. Rules of the District) related to the protection and conservation of groundwater resources within the district, consistent with the established policies and management goals established by the Board of Directors, that: 1) correct typographical errors, 2) clarify existing policies and regulations, 3) eliminate certain provisions and requirements, or 3) propose substantive modifications or additions to certain provisions and requirements.

TGCD - Rules of the District - Management-Recommended Revisions - 20260608 - Redline.pdf



File

TGCD - Rules of the District - Management-Recommended Revisions - 20260608 - No Redline.pdf



File

The category of the Rules of the District for which the most extensive revisions are recommended relates to Deep-Saline Non-Historic-Use Production Permitting. The majority of the proposed revisions related to Deep-Saline Non-Historic-Use Production Permitting were developed in response to the technical work and resulting reports produced by Intera, Inc., regarding the expanded characterization of brackish groundwater resources within Calhoun, Jackson, Refugio, and Victoria Counties.

**Summary of Management-Recommended Rule Revisions considered substantive:**

Description of Revision	Category	Comment
Modification of AQUIFER CONDITION TIER 2 PARAMETERS definition	HCPP-Related; DSPP-Related	Recommended to improve the utility of collected data for the evaluation of impacts
Modification of AQUIFER CONDITION TIER 3 PARAMETERS definition	HCPP-Related; DSPP-Related	Recommended to improve the utility of collected data for the evaluation of impacts
Modification of DEEP-SALINE SPECIAL GROUNDWATER MANAGEMENT ZONE definition	DSPP-Specific	Recommended to regulate/incentivize based on the degree of separation and isolation of deep-saline groundwater from fresher groundwater, and simplify the regulatory approach for deep-saline groundwater permitting
Modification of DEEP-SALINE SPECIAL GROUNDWATER MANAGEMENT ZONES definition	DSPP-Specific	Recommended to regulate/incentivize based on the quality/usability of produced saline water and simplify the regulatory approach for deep-saline groundwater permitting
Modification of DEEP-SALINE TRANSMISSIVITY CATEGORY definition	DSPP-Specific	Recommended to regulate/incentivize based on the primary hydrogeologic characteristic that influences drawdown, and simplify the regulatory approach for deep-saline groundwater permitting
Modification of DEEP-SALINE TRANSMISSIVITY ZONES definition	DSPP-Specific	Recommended to regulate/incentivize based on the primary hydrogeologic characteristic that influences drawdown
Deletion of WELL WITH HISTORICALLY LOW PRODUCTION definition	General	Recommended to reduce uncertainty in the District's understanding of groundwater production, improve the efficiency of district administration, and reduce occurrences of inadvertent rule violations.

Modification of item 7 of Rule 4.2 re: requirement to specify amount transferred out of the district to groundwater production reports	General	Recommended to reduce uncertainty in the District's understanding of groundwater production
Deletion of items 10-13 of Rule 4.2 re: reporting requirements of historically low production wells	General	Recommended to reduce uncertainty in the District's understanding of groundwater production, improve the efficiency of district administration, and reduce occurrences of inadvertent rule violations.
Addition of items 8-9 of Rule 5.1 re: deadline (12/31/2029) to seek and obtain historic use protection permits	HUPP-Related	Recommended to reduce the possibility of improperly validating historic use and improve the District's ability to manage groundwater resources through permitting
Addition of item 14 of Rule 6.2 re: permit surrender for failure to register a new well for the proposed well of an approved permit	General	Recommended to reduce speculative permitting efforts, improve the District's ability to manage groundwater resources through permitting, and improve the District's ability to balance groundwater production and limit unnecessary restriction of groundwater owner rights to produce their groundwater
Modification to item 1.5 of Rule 6.3.1 re: additional water quality brackets related to acceptable change performance conditions	HCPP-Related	Recommended to address a potential gap in the regulations that limit the degree of allowable negative impacts
Modification of items 1-2 of Rule 6.4 re: capping deep-saline groundwater production within the District's Jurisdiction	DSPP-Related	Recommended to address the possibility of allowing excessive negative impacts caused by potentially excessive permitting and incentivizing large-scale deep-saline groundwater production in the Central Gulf Coast Region
Addition of items 3-5 of Rule 6.4 re: capping deep-saline groundwater	DSPP-Related	Recommended to reduce the potential for early stages of production under a deep-saline production permit causing

production during initial 24-months of a deep-saline production		excessive impacts on groundwater resources
Addition of items 6-7 of Rule 6.4 re: reducing authorized production of non-deep-saline production permits (existing and future) that overlap deep-saline production permit areas	DSPP-Related	Recommended to reduce the potential for production under a deep-saline production permit causing excessive impacts on groundwater resources and ensure policy goal of conserving better-quality water through the authorization of greater quantities of poorer-quality water.
Modification of items 1-8 of Rule 6.4.1 re: deep-saline groundwater production per acre ratios	DSPP-Related	Recommended to address a potential gap in the regulations that limit the degree of allowable negative impacts caused by improperly incentivizing large-scale deep-saline groundwater production in the Central Gulf Coast Region
Modification of item 1 of Rule 6.4.2 re: expansion of deep-saline permit application requirements	DSPP-Related	Recommended to increase the understanding of potential impacts associated with requests for deep-saline groundwater production permits prior to consideration and preliminary approval of deep-saline permitting requests
Addition of item 6 of Rule 6.4.3 re: required annual review of deep-saline monitoring plan	DSPP-Related	Recommended to increase the understanding of potential impacts associated with the production of deep-saline groundwater and proper monitoring of groundwater impacts
Modification of item 1 of Rule 6.4.4 re: required responses, including production reductions, of a deep-saline production permit for failure to achieve performance criteria	DSPP-Related	Recommended to improve responses to failure to achieve performance criteria of deep-saline production permits and simplify the regulatory approach for deep-saline groundwater permitting
Modification of item 2 of Rule 6.4.4 re: permissible restoration of reduced production a deep-saline production	DSPP-Related	Recommended to improve responses to renewed achievement of performance criteria of deep-saline production

permit for renewal of achieving performance criteria		permits and simplify the regulatory approach for deep-saline groundwater permitting
Modification of figures illustrating estimated depths to 1000 TDS and 3000 TDS	DSPP-Related	Recommended to clarify and support the simplification of the regulatory approach for deep-saline groundwater permitting

(Note: **DSPP** - Deep-Saline Production Permitting; **HCPP** - High Capacity Production Permitting; **HUPP** - Historic Use Production Permitting; **SCPP** - Standard Capacity Production Permitting)

If adopted, the management-recommended revisions to the rules related to wells with historically low production would be eliminated, simplifying the reporting requirements of the district and reducing the potential for permittee confusion regarding permitting matters.

If adopted, the management-recommended revisions to rules related to historic-use groundwater production permitting would achieve the following:

- Establish a deadline of December 31, 2029, for the submittal and approval of any new historic-use non-exempt-use production permits.

If adopted, the management-recommended revisions to rules related to deep-saline groundwater production would achieve the following:

- Establish explicit conservation requirements associated with approval of authorizations to produce brackish groundwater by reducing the non-historic-use production ratio at sites where deep-saline production permits are granted. (See items 8-10 of Rule 6.4) as follows:
  - 20% reduction associated with slightly saline groundwater production.
  - 10% reduction associated with moderately saline groundwater production.
  - 5% reduction associated with extremely saline groundwater production.
- Re-define the term Deep-Saline Special Groundwater Management Zones (zones with increased non-historic-use production ratios) to mean zones that (See Rule 1.1):
  - begin below the estimated elevation of the 3,000 TDS Contour identified in the Characterization Report (ranges between 900 feet to 2,100 feet below land surface in the district). See Figure 2.
  - where at least 100 feet of clay is present between the 1,000 TDS - 3,000 TDS zones.
- Designate deep-saline special groundwater production zones (See Rule 1.1):
  - Slightly Saline Groundwater Zone with a TDS range of 2,000 mg/L and 3,000 mg/L.
  - Moderately Saline Groundwater Zone with a TDS range of 3,000 mg/L and 10,000 mg/L.
  - Extremely Saline Groundwater Zone with a TDS exceeding 10,000 mg/L.

Establish cumulative deep-saline groundwater production limits (i.e., annual district-wide caps) as follows:

- Slightly Saline Groundwater Zone is limited to 10,000 acre-feet per year,
- Moderately Saline Groundwater Zone is limited to 7,000 acre-feet per year,
- Extremely Saline Groundwater Zone is limited to 5,000 acre-feet per year.
- Establish the cumulative non-historic-use production ratios to (See Rule 6.4.1):
  - Slightly Saline Groundwater Zone:
    - 4 AFY/ac for zones with low transmissivity,
    - 6 AFY/ac for zones with moderate transmissivity,
    - 8 AFY/ac for zones with high transmissivity.
  - Moderately Saline Groundwater Zone:
    - 6 AFY/ac for zones with low transmissivity,
    - 8 AFY/ac for zones with moderate transmissivity,
    - 10 AFY/ac for zones with high transmissivity.
  - Extremely Saline Groundwater Zone:
    - 8 AFY/ac for zones with low transmissivity,
    - 9 AFY/ac for zones with moderate transmissivity,
    - 10 AFY/ac for zones with high transmissivity.
- Advance the requirement to submit aquifer testing plans and resulting technical reports regarding measured aquifer conditions and aquifer characteristics with a deep-saline non-historic-use production permit request to the application submittal stage of the permitting process. (See Rule 6.4.2)
- Simplify the progressive reduction and restoration of authorized production under a deep-saline non-historic-use production permit in response to failures to satisfy and subsequent achievements of performance criteria. (See Rule 6.4.4)

The first step in the formal consideration of proposed rule revisions is to schedule and publish notice of a public rulemaking hearing regarding the proposed rule revisions. A draft notice has been developed for consideration.

TGCD Public Hearing Notice Proposed Rule Revision 20260716 Draft.pdf

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When authorized, rulemaking notices are posted in accordance with Section 36.101 of the Texas Water Code, at least 20 days in advance of the hearing, including 1) at the District's office, 2) with the county clerks of the county or counties in the district, 3) in a newspaper of general circulation in the county or counties in which the district is located (e.g., Victoria Advocate), and 4) on the website of the district. A copy of the proposed rules will be made publicly available at the District's office and on the District's website.

**Management Recommendation:**

Move to 1) designate the management-recommended rule revisions (version 20260608) as the 2026 Proposed Rule of the District, 2) schedule the required rulemaking hearing

for the proposed rule revisions at the regular meeting to be held on July 16, 2026, and 3) authorize the general manager to post the required public notices related to the rulemaking process if the public notice requirements associated with rulemaking hearings can be satisfied.

## Item 5 - Administrative Management

### Topic 5.1 - Filling the Vacancies of Director Positions

#### Management Discussion:

On April 15, 2026, Mr. Damon Reed expressed interest in being considered to fill a Director of the District vacancy.

TGCD - Director Position Vacancy - D Reed - 20260415.pdf



File

On April 21, 2026, Mr. Johnny Dugger offered to fill a Director of the District vacancy.

TGCD Director Position Vacancy J. Dugger 20260421.pdf



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If the board wishes to appoint qualified individuals to fill a vacancy on the Texana Groundwater Conservation District Board of Directors, a motion to that effect should be made and approved. After passage of the motion, the newly appointed director should make the statement of officer and take oath of office and complete the associated forms for the records of the District.

The SPECIAL DISTRICT LOCAL LAWS CODE CHAPTER 8857 related to the creation of the District specifies:

"Sec. 8857.054. AQUALIFICATIONS FOR OFFICE. (a) To be qualified to be a candidate for or to serve as director at large, a person must be a registered voter in the district. (b) To be a candidate for or to serve as director from a county commissioners precinct, a person must be a registered voter of that precinct, except as provided by Section 8857.052(d).

Sec. 8857.055. BOARD VACANCY. If there is a vacancy on the board, the remaining directors shall appoint a director to serve the remainder of the term."

The WATER CODE CHAPTER 36 related to groundwater conservation districts specifies under Sec 36.051:

"(c) Vacancies in the office of director shall be filled by appointment of the board. If the vacant office is not scheduled for election for longer than two years at the time of the appointment, the board shall order an election for the unexpired term to be held as part of the next regularly scheduled director's election. The appointed director's term shall end on qualification of the director elected at that election."

#### Management Recommendation:

None.

## Item 6 - Adjourn Meeting

#### Management Recommendation:

Move to adjourn the meeting after concluding all business of the District.