



**Aransas County Groundwater Conservation District
Workshop Meeting Minutes
5:30 PM, November 11, 2015
Aquarium at Rockport Harbor Education Center
706 Navigation Circle, Rockport, TX**

Directors Present

Director Lynn Wildman
Director Ed Hegen
Director Robert Walls
Director John Alexander

Directors Absent

Director Tom Callan

Staff Members Present

Elected Officials Present

Commissioner Betty Stiles

Guests

Brian Olsen

Opening Agenda

1. **Call to order.**

With a quorum of Directors present, the first Workshop meeting of the Aransas County Groundwater Conservation District (ACGCD) was called to order by Commissioner John Alexander at 5:35 PM on Wednesday November 11, 2015 Aquarium at Rockport Harbor Education Center, 706 Navigation Circle, Rockport, TX.

2. **Information of Goliad Groundwater Conservation District of GMA 15 Meeting of November 4**

Lynn Wildman discussed his and Tom Callan's visit on November 4th with Railey Erwin and Barbara Smith, his secretary and the Goliad Groundwater Conservation District Manager. They had a two-hour great informative meeting which started at 10:00 am and went through lunch. Lynn provided everyone on the Aransas District a packet, one item of which is Goliad's master policy which was very informative. Tom and I told them when we went in there, we wanted to plagiarize their bylaws etc. They said this was what they were here for and had everything ready for us. Lynn didn't want to go into everything—there was such a lot of information, but it is a good read. He discussed how they grandfather all the old wells they have in the county, but they meter any new wells, and they have a rate that they charge. They have found that in Goliad County the only water they get for their citizens is well water—they have no groundwater at all, so it is a very precious commodity in difference to Aransas County where we get our surface water for our citizens from Corpus Christi. So, it was really enlightening. They have been in operation for 13 years which was a surprise, and they have a nice building and some good facilities, and it seems to be a well-run operation. Lynn asked Barbara Smith about her qualifications when she was hired as manager, and she said she had no qualifications but was willing to learn—like our group. So anyway, they were very, very helpful, and the pamphlet of material that is stapled that Barbara gave us with her card on it has some questions about groundwater conservation districts in Texas, and it's pretty good read covering every possible subject we will have to deal with. Also they gave us a **Goliad County Rules of Management Plan**, and if you got an email from Colin Jackson, you are in the box (list serve), and everyone

online can get in the box, and this disk is theirs but you can pull it up and not have to get a hard copy, you'll have it on your computer. I was huge--70 pages. They have so many amendments to their Rules and Bylaws, but at some point when we can digest all of this information, we can start getting information together. Lynn asked John whether he furnished Panola County information. John responded that he picked Panola County because they also had some oil and gas in the area—that some of their rules on policing water we might be interested in. John questioned whether Goliad County had a fee base, because we have two kinds of groundwater districts—a fee-base one and the one which we will be going for which is a tax-base. Lynn responded that Goliad's was a tax base. The question was also raised as to the grandfathered wells—were these municipal districts? Lynn responded that in the Goliad Water District they did not meter the old wells, just the new wells that were going in. For instance, if somebody objected to having a meter on a well that's already in there, that put a hold on it, but any new wells that went in—they were metered, for both agriculture and residential use. John discussed the fact that we were going to have to be able to get some data collected to submit some of these reports and status on our aquifer and the only way to do that is estimating what was coming out of the ground. John had seen a report at the last GMA 15 meeting that somebody in Corpus Christi was giving the numbers for what our draw down was, and that was actually going to be one of our future goals is monitoring the level of the aquifer and monitoring draw down. A lot of the information he had been reading on grandfathering is that if the voters vote us in and we do this, we're going to have to make rules that if you currently have a well, we want you to register it, but you don't necessarily have to permit it and, you don't necessarily have to permit it if you don't draw over x gallons per minute if you are just putting something to irrigate your yard or whatever, but if it's a brand new well we want a meter on it so that we have some estimation, and that's basically what they're doing over there. They're a little more critical because all of their water is groundwater and we don't have that criticality to it except maybe Lamar—is Lamar on well water? Betty responded, yes, most of it. John—OK, that might be one of the more critical areas we might want to monitor. Betty said that ABU (Aransas Bay Utilities) was trying to sell well water around the neighborhood which was a good thing. John responded that, yes, and the Bylaws in Panola County have a real good thing about transferring water out of the district. In other words if somebody is drilling a well just north of Lamar and they want to pull water from here, there's a fee to haul water out of our district. So between Goliad and Panola, we've come up with some pretty good bylaws.

3. Regulatory powers of this Temporary District

Regarding the regulatory powers of the temporary district, it was suggested that Aransas should get together some kind of work plan of what deadlines to get on the ballot. Betty reminded everyone that Aransas should contact Michele Bennett, who is the elections administrator for the county, and who already has the deadlines and can furnish a schedule. At this point, introductions were made among the group. John said it would be better to identify themselves when they spoke to help with transcribing minutes. Lynn told the Aransas group that he and Tom also we went to Victoria and visited with Tim Andress about their water district. Tim was so helpful, and he wanted to assist us in getting off the ground by pledging to give Aransas any information needed and gave us the names of contacts in Austin with TWD, Larry French and TX Department of License and Operations on wells in Austin.

4. Discussion of way forward culminating in an election confirming the District in May 2016.

- a. Procedure required to select an attorney as consultant to the District.
- b. Procedure required to select technical assistance (Engineering Firm) for the District.
- c. Discussion of possible objectives for the District.
- d. Development of policies to govern the District.
- e. Development of potential rules for operation of the District.
- f. Development of information required to assist voters in the decision to confirm the District.

John asked if Aransas is really needing an attorney at this time and if so, could the County Attorney *represent*? Betty responded she probably could, but it would be best if she didn't, because what was really needed was

someone that specialized in this area. Although she could help with contracts, but quite frankly Ty Embrey, who came and spoke with us, he volunteered to act not as a pro Bono attorney until a time that an election was held and we were collecting taxes then he would bill us for the charges. Charlie Zahn's name was brought up also, so there were a couple of attorneys at least that could be approached. This whole section talks about moving forward and culminating in an election confirming, then it talked about an attorney, technical assistant engineering firm, objectives of the District, those really ought to be all in draft form, or maybe even one step away from being adopted before the election, because as the board being elected, those are our speaking points; otherwise we would go in there not being on the same page and not knowing what our powers were, what we would and could do. These Objectives of the District, these policies that govern the district which are the bylaws that other districts have and the potential rules of the District, all these things were discussed with Railey Erwin—he's been on that board since 2003, and is really well versed with everything, and he told us we were going to need to get a lawyer in place because any decisions we make, we have to have our program down set, and we may not have any money to pay for an attorney; however, some payments could be deferred. That issue would really have to be addressed. John reiterated that his point was that all these things needed to be done several weeks before the election so that we would be versed in what we were supposed to know, at least have a draft of the bylaws so then when we're elected, they can then be adopted. It was mentioned that bylaws were allowed to be drafted ahead of the election because if the board doesn't make the election, then the matter just goes away. The bylaws would at least give a good starting guideline. An example was given where one says the President and someone else can enter into a contract after it has gone to court. It would at least give us framework to work off of, so maybe drafting bylaws should come first and then tackle the rest. Lynn echoed that was a good idea and should be the first objective. It was discussed that the group would need to get with the newspapers, the different entities, and the county to advise on the real need for this groundwater conservation district in Aransas County and what it would be accomplishing. Ed mentioned that the handout was definitely a necessary read because it had questions and answers and would help in understanding the basics. We could pick another district's bylaws, after reading it first and seeing if it applies to Aransas, and then marking it up for our group. Goliad's may not apply as it doesn't have any surface water. Lynn said Goliad was a surprise since they don't draw water out of the river at all for any of their city water. John said it would cost more to treat surface water than it would groundwater. Ed said the extension handout would really help get Aransas up to speed on what groundwater is all about. Betty questioned if there was a time line in the water code for after the election and what was the deadline to do a groundwater management plan. That should really be looked at and put together a two-year work plan. Part of the bylaws include how are we going to stagger our terms. Betty said, the terms were two years, one year, whatever, it was how it was done with the Tree Committee. Another Director asked about procedures and how the Aransas board would go about hiring anyone. John responded that procedures for acquiring professional help and the purchasing policy would be stated in our bylaws. For example, you can have x number of quotes, when certain things have to be purchased, when it has to come before the board, or when the president and the manager could do it. All of that is written in these other district bylaws he had found. But that's something it would be necessary to take notes on and come back with an idea on. Another Director asked if Railey had given us any of Goliad's bylaws or operating procedures. The response was that some of the groundwater bylaws are killing trees if you ever printed them, but that's part of having to deal with state government. Lynn said that Railey had told him that what their district did was buy laptops for all their board members so they go paperless on pretty much everything. It was asked if Tim in Victoria gave out any of their paperwork. The response from John was no, a lot of these groundwater districts have everything on their websites. Piney Woods groundwater district is on their website, and maybe Rusk County--they all have bylaws posted on the website. There is a groundwater conservation district association, and I can give you their website if I can find that link. I will email it to everybody so you can be looking at everything that's out there--a lot of things just because of the different aquifers. Betty discussed how Aransas is very unique just because of our aquifer and how we sit here on the coast. John echoed how from what he had been reading of our aquifer, there's not a whole lot of really good drinking water out of our aquifer, but it would still be good for oil well completions or somebody else suddenly coming in and starting two thousand gallons a minute. He thought that was main and scariest issue, the subsidence possibility, like somebody coming in here and start pumping from not out of

Lamar. Lynn responded that out in West Texas that exactly what happened. John discussed how Houston had so many MUDS that were pumping wells, and that was where their subsidence problem was coming from. There is almost 123 MUDS around the Houston proper. Houston was on San Jacinto river water or something like that, but everybody else was on well water and the ground was sinking. That's a problem, and right now there's nobody to stop them. Lynn indicated how it would be a good thing if we had an industry—some plant or big business come into Aransas County who will need water and start drilling, and that's just going to create a problem. John echoed how the cement company that's coming in would be needing water, and they could suck a bunch of it a day. Agricultural irrigation should not be much of a worry, though. Betty discussed the presentation the marketing director for Cheniere gave in Court on Monday. It is going to be huge, and just Cheniere, not counting any others. If they start draining our aquifer, our trees are will suffer—they are so dependent—that's why the trees are here. Lynn echoed that one of the reasons the trees are still here is because of the water. Where there is no water, there are no trees. Betty indicated James Johnson is a really good resource, because he is so knowledgeable, and advised that he would come talk to us anytime we wanted him to. Lynn discussed some information on Page 4--questions about water where it showed a large well, a small well and what happens when a large well takes the water out and runs the others dry. John said it is called cone of depression and also called the zone of influence. That's why the rules and regulations of all of the groundwater districts show that a 150 gallon per minute well needs to be at least 150 feet apart. There's only one place in the state that doesn't meet that and it's in Marshall, Texas. There are two wells 20 feet apart in the same room, but they hit a big underground lake, and one of them is 80 feet deeper than the other and so their zone of influence is different so they are able to put two wells side by side. There is a thing called major aquifers and minor aquifers, so in the Gulf Coast aquifer, they are saying it is 600 feet, but at 180 it might be called Chico which is still part of the gulf coast aquifer system. John talked about how he had worked in the Fresia-Wilcox system for over 10 years and most of those wells were 650-800 feet deep. Fresia Wilcox went from Arkansas all the way down to Mexico. Betty talked about how David Pilgrim has a well in Aransas that's 1100 feet deep, and that's what is supplying water to ABU (Aransas Bay Utilities). John asked if it was artesian, and Betty wasn't sure. John said that usually when it was that deep it came out artesian. Betty responded that at 1100 feet deep, he would probably be in the Texas Gulf Coast Aquifer. Ed said that one of the things he was asked to find out at the last meeting was about the values that are used for Aransas County and where they came from, and he had talked to Stephen Young who apparently wrote that report and talked about the Chico being minus one which is actually a recharge and that nobody takes anything from the Evangeline so our overall is zero. John responded because they round to the nearest whole. Ed said he was told this draw down is not in acreage but are actually in feet. John responded that it was actually in feet because the way you measure the aquifer is that they run a tube down, put it in the water and air it up and have a PSI gauge, and when the PSI, cause water finds its own level, and the water pushing air creates a PSI and with each PSI gives you how many feet it is. So the next time you go and do that and get a different PSI, that's how many feet have been drawn down. Ed said now that's a draw down, now the production is in acre feet and John said yes. Ed indicated that later on in the reports the production pumping rate are in acre feet. Someone wanted to know how many acre feet was a million gallons. John responded that he thought three (3), 2 point and some change, almost three. Ed said that anyway he asked where he got the number for Aransas County and was told the Water Board came up with it in the 60's. John echoed that he had seen a 70's report and that they were guestimates at best because we had no record of any. Ed discussed how it might be necessary to drill our own monitoring wells to get decent data. Betty responded that she thought David Pilgrim would be a good person to talk to. Ed said it could possibly we done in conjunction with Nueces County Parks or anything that might need water to irrigate with. Betty responded that San Pat does now—taking water out of the Gulf Coast for irrigation.

5. Discussion of action items for deliberation and approval at next meeting.

Members who attended the GMA15 meeting held on December 9th will provide information about the meeting.

Deliberate on progress in developing By-laws and Rules for Operation of the District.

Deliberate on means to obtain services of consultants such as attorneys, engineers and the like which may be necessary to accomplish objectives of the District.

Deliberate on content of a plan and schedule of events to inform voters of the County about the possible formation of the District.

Deliberate on agenda items for next meeting and confirmation of meeting date.

6. Adjournment.