

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 18, 2024, at 6:00 PM 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.
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.
 - a. Enforcement hearing related to enforcement case violation ECV-20240429-01 finding Twin Lakes RV Park, failed to report groundwater production for calendar year 2023 for non-exempt-use wells GW-00453 and GW-00544, as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.
 - b. Enforcement hearing related to enforcement case violation ECV-20240429-06 finding CSWR-Texas Utility Operating Company, failed to report groundwater production for calendar year 2023 for non-exempt-use wells GW-00418, GW-00419, GW-00420 and GW-00421 as required by Rule 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.
 - c. Enforcement hearing related to enforcement case violation enforcement case violation ECV-20240503-03 finding CSWR-Texas Utility Operating Company failed to obtain a production permit for a non-exempt-use well as required by RULE 4.3: GENERAL POLICIES RELATED TO PERMITS.
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

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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.

**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 18, 2024, at 6:00 PM 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-20240429-01 finding Twin Lakes RV Park, failed to report groundwater production for calendar year 2023 for non-exempt-use wells GW-00453 and GW-00544, 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**

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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 18, 2024, at 6:00 PM 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-20240429-03 finding Mauritz S. Rogers, failed to report groundwater production for calendar year 2023 for non-exempt-use well GW-00358 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.

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Board of Directors**

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Board of Directors**

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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-20240503-03 finding CSWR-Texas Utility Operating Company failed to obtain a production permit for a non-exempt-use well as required by RULE 4.3: GENERAL POLICIES RELATED TO PERMITS.

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 - 20240718

Item 1.0 - Convene Meeting

Management Discussion:

Staff completed all necessary public notification requirements for the meeting.

See: [Public Notice - 20240718 - Board Meeting](#)

See: [Public Notice - 20240718 - Enforcement Case Hearing - ECV-20240429-01](#)

See: [Public Notice - 20240718 - Enforcement Case Hearing - ECV-20240429-03](#)

See: [Public Notice - 20240718 - Enforcement Case Hearing - ECV-20240429-06](#)

See: [Public Notice - 20240718 - Enforcement Case Hearing - ECV-20240503-03](#)

See: [Public Notice - 20240718 - Permit Hearing - PRC-20231012-01](#)

Management Recommendation:

None.

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

Precinct 1: Mr. Boone, Director, _____.

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

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

Precinct 4: Mr. Marr, Treasurer, _____.

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

At Large 2: Mr. Tupa, Vice-President, _____.

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

General Manager: Tim Andruss, _____.

General Counsel: Jim Allison, _____.

Item 2.0 - Receive Public Comment

Management Discussion:

None.

Management Recommendation:

Offer to accept public comment from attendees.

Item 3.0 - Report regarding Groundwater Management

Previous Consideration by the Board:

[MFC-20240418-3.0 - Report regarding Groundwater Management.](#)

Management Discussion:

Regarding Well Registration Processing for FY2024.

As of July 16, 2024, staff had received 16 well registration applications (ARWs) since October 1, 2023.

As of July 16, 2024, staff had received 34 Notices of Intent to Drill a Well (NIDWs) since October 1, 2023.

Regarding Production Permit Renewal Processing for FY2024.

As of July 16, 2024, staff had received 26 production permit renewal requests (ARPs) since October 1, 2023.

See: MFC-20240718-3.3 - Production Permit Renewals for FY2023.

Regarding Permit Processing for FY2024.

As of July 16, 2024, staff had initiated 11 permitting request case (PRCs) since October 1, 2023.

As of July 16, 2024, staff had 20 permitting request case pending.

See: MFC-20240718-3.1 - Permit Hearing for PRC-20230321-01 - Bowers and Saha LLC.

See: MFC-20240718-3.2 - Permit Hearing for PRC-20231012-01 - Chris Hajovsky.

As of July 16, 2024, staff had 147 active or approved production permits recorded in the permitting database with a combined amount of authorized groundwater production per year of 167,063 acre-feet.

Regarding Groundwater Production Report Processing for CY2023.

As of July 16, 2024, staff had processed 205 groundwater production reports for the preceding calendar year since October 1, 2023.

As of July 16, 2024, staff had recorded groundwater production reports for 205 water wells reporting 24,627 acre-feet of groundwater production during CY2023. (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 for FY2024.

As of July 16, 2024, staff had initiated 2 investigations related to groundwater management (i.e., permitting) since October 1, 2023.

As of July 16, 2024, staff had 6 active investigations related to groundwater management (i.e., permitting).

Regarding Manage Enforcement Cases related to Permitting Violations for FY2024.

As of July 16, 2024, the Board had initiated 11 enforcement case violations related to groundwater management (i.e., permitting) since October 1, 2023.

As of July 16, 2024, staff had 3 unresolved enforcement cases related to groundwater management (i.e., permitting).

See: MFC-20240718-3.4 - Enforcement Hearing re ECV-20240429-01.

See: MFC-20240718-3.5 - Enforcement Hearing re ECV-20240429-06.

See: MFC-20240718-3.6 - Enforcement Hearing re ECV-20240503-03.

Management Recommendation:

None.

Item 3.1 - Permit Hearing for PRC-20230321-01 - Bowers and Saha LLC

Previous Consideration by the Board:

MFC-20240118-3.1 - Permit Hearing for PRC-20230321-01 - Bowers and Saha LLC.

Management Discussion:

On April 20, 2023, the Board approved the following motion:

Mr. Revel moved 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.
4. grant Bowers and Saha LLC forbearance authorizing
 - a) pumping of 30% of their permitted groundwater volume in the fresh zone, and their full permitted volume in the brackish zone so long as water levels in monitoring wells do not decline more than 20 feet below the initial condition of the of the monitoring well,
 - b) authorization to produce groundwater from the fresh zone while air temperature falls below 40 degrees for two or more consecutive days,
 - c) elimination of weekly monitoring requirements by the permitted entity,until the review of the amendment request by the District is completed, and presented to the board, or otherwise withdrawn by the board.

Mr. Skalicky seconded the motion. The motion passed unanimously.

On March 8, 2024, Mr. Andruss, Dr. Uddameri, Mr. Frankson, and Mr. Kubecka met as part of the efforts of the District to reach a settlement between the parties of the contested case related to the waiver amendment request submitted by Bower and Saha Aquaculture related to waiver WV-20191219-01. As of April 8, 2024, a settlement had not been agreed to by the parties.

On April 4, 2024, staff forwarded a copy of the draft revisions developed as part of our efforts to negotiate terms of a revised waiver for the BSA fish farm to Mr. Kubecka and Mr. Frankson.

TGCD - Waiver - WV-20191219-01 - GM Acceptable - 20240403.pdf

 Untitled Attachment

On June 18, 2024, staff requested that Dr. Uddameri provide "a written expression of support for the draft revisions developed as part of our efforts to negotiate terms of a revised waiver for the BSA fish farm. In particular, it would be helpful, if you expressed an opinion whether or not 1) the proposed monitoring of , 2) the proposed reporting of, and [3] the proposed responses to measured aquifer conditions of the draft revision of the existing waiver will adequately protect the fresh groundwater resources used by existing groundwater users in the vicinity of the production wells with the continued production of groundwater as authorized by the associated production permit."

On July 12, 2024, Dr. Uddameri provided a response to the request of June 18, 2024. Dr. Uddameri expressed support for the draft revisions developed as part of our efforts to negotiate terms of a revised waiver for the BSA fish farm.

TGCD - Uddameri Response to 20240618 request re draft waiver - 20240712.pdf

 Untitled Attachment

Management Recommendation:

Instruct staff regarding how to proceed with the permitting request case.

Item 3.2 - Permit Hearing for PRC-20231012-01 - Chris Hajovsky

Previous Consideration by the Board:

None.

Management Discussion:

Mr. Christopher Hajovsky seeks, under permitting request case [PRC-20231012-01 - AAPC-20231012-01 - Chris Hajovsky](#), a waiver of the rules of the district and an amendment to production permit VPW-20161215-01 associated with grandfathered well GW-00348 to authorize the production of groundwater permitted under historic use validation permit VPW-20161215-01 (1,007.51 acre-feet per year) from grandfathered well GW-00348 and non-grandfathered well NW-00751. The subject wells are located on a 398-acre tract of land near the intersection of FM 1157 and County Rd. 206 in Jackson County, Texas.

TGCD - AAPC-20231012-01 - Chris Hajovsky.pdf

Untitled Attachment

On April 10, 2024, the District notified Mr. Hajovsky of its intent to contest the permitting request.

On June 18, 2024, the District notified Mr. Hajovsky of its concern regarding the good cause basis provided within waiver request:

"Mr. Hajovsky,

As you know, your permitting request case is scheduled for hearing by the Board of Directors of the Texana Groundwater Conservation District on July 18, 2024, at 6:00 PM at the office building of the District. I reviewed your request with legal counsel of the district, Mr. Allison, yesterday. He encouraged me to notify you of my concerns that the waiver request submitted with the permitting application does not articulate an adequate basis for recommending the Board find good cause to grant the requested waiver.

In particular, my concern is the good cause basis you provide within the request (i.e., granting the waiver would improve your ability to produce groundwater for irrigation purposes from the tract of land while not resulting in authorized production of the new well field exceeding the production limitations established for the historic use permit issued for grandfathered well GW-00348) **does not articulate how the approval of the waiver request would benefit the conditions or management of the groundwater resources within Jackson County.** "

The permitting request represents a significant departure from one of the fundamental aspects of the rules of the district. In particular, the rules of the district limit the historic use protection provisions to grandfathered wells and to the pattern of use that occurred in the historic period. Furthermore, the rules prohibit, under Rule 4.1(6), extending historic use protections to non-grandfathered wells. Essentially, the applicant is seeking to extend the historic use protections validated (under permit VPW-20161215-01) for a grandfathered well (grandfathered well GW-00348) to an additional well (non-grandfathered well NW-00751).

The applicant appears to assert that granting the requested waiver is justifiable because the current production capacity of wells GW-00348 and NW-00751, in aggregate, will not exceed the reported capacity or the validated annual production rate of well GW-00348 in the historic period and therefore should not cause impacts on the groundwater resources to any greater degree than the impacts caused during the historic period.

Management Recommendation:

Management Recommendation 1: instruct the general manager to proceed with the contested case procedures if the Board **denies** the waiver request included in amendment application AAPC-20231012-01.

Management Recommendation 2: instruct the general manager to proceed with the uncontested case procedures if the Board **grants** the waiver request included in amendment application AAPC-20231012-01.

Item 3.3 - Production Permit Renewals for FY2024

Previous Consideration by the Board:

None.

Management Discussion:

The table below identifies the production permits identified with the database of the district as expiring before July 2024.

As of July 16, 2024, staff had received administratively complete application seeking the renewal of production permit scheduled to expire in July 2024:

1. ARPP-20240430-01 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
2. ARPP-20240430-02 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
3. ARPP-20240430-03 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
4. ARPP-20240430-04 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
5. ARPP-20240430-05 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
6. ARPP-20240430-06 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
7. ARPP-20240430-07 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
8. ARPP-20240430-08 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
9. ARPP-20240430-09 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
10. ARPP-20240430-10 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
11. ARPP-20240430-11 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
12. ARPP-20240430-12 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
13. ARPP-20240430-13 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
14. ARPP-20240430-14 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
15. ARPP-20240430-15 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
16. ARPP-20240430-16 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
17. ARPP-20240430-17 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
18. ARPP-20240430-18 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
19. ARPP-20240430-19 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
20. ARPP-20240430-20 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
21. ARPP-20240430-21 - OPWF-20191219-01 - Bowers and Saha LLC. - Administratively Complete
22. ARPP-20240528-01 - OPW-20191121-01 - Brock Family Partnership Ltd. - Administratively Complete

RULE 4.8: PERMIT RENEWAL

1. The General Manager of the District may authorize an authorized operator of a non-exempt use well, well field, or well system for which an application to renew a production permit or transport permit to continue operating under the conditions of the prior permit, subject to any changes necessary under these rules, or the District's management plan, for the period of time during which the renewal application is the subject of a contested case hearing.
2. The District shall without a hearing renew or approve an application to renew a production permit before the date on which the production permit expires, provided that:
 - a. the application, if required by the district, is submitted in a timely manner and accompanied by any required fees in accordance with district rules; and
 - b. the authorized operator is not requesting a change related to the renewal that would require a permit amendment under district rules.
3. The District shall not renew a permit 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.
4. A production permit that the District did not renew because the applicant or authorized operator 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 remains in effect until the final settlement or adjudication on the matter of the substantive violation.

5. A production permit as it existed prior to the initiation of the production permit amendment process shall be renewed without penalty if an associated production permit amendment process results in a denial of the amendment unless 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.

Summary of Renewal Permits:

Permit	Permit Expiration	Renewal Application Submittal Due Date	Renewal Application
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-01</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-02</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-03</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-04</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-05</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-06</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-07</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-08</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-09</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-10</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-11</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-12</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-13</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-14</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-15</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-16</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-17</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-18</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-19</u>

<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-20</u>
<u>OPWF-20191219-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240430-21</u>
<u>OPW-20191121-01</u>	7/31/2024	4/31/2024	<u>ARPP-20240528-01</u>

Management Recommendation:

Move to approve the following production permit renewals and 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: ARPP-20240430-01, ARPP-20240430-02, ARPP-20240430-03, ARPP-20240430-04, ARPP-20240430-05, ARPP-20240430-06, ARPP-20240430-07, ARPP-20240430-08, ARPP-20240430-09, ARPP-20240430-10, ARPP-20240430-11, ARPP-20240430-12, ARPP-20240430-13, ARPP-20240430-14, ARPP-20240430-15, ARPP-20240430-16, ARPP-20240430-17, ARPP-20240430-18, ARPP-20240430-19, ARPP-20240430-20, ARPP-20240430-21 and ARPP-20240528-01.

Item 3.4 - Enforcement Hearing re ECV-20240429-01

Previous Consideration by the Board:

None.

Management Discussion:


On April 18, 2024, the Board passed a motion to:

1. find that the well owner as of December 31, 2023, (Registered Well Owner: Donald Lewis Leach Jr.; JCAD Landowner: Terranona Properties LP) violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well GW-00453 and GW-00544 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 Registered Well Owner: Donald Lewis Leach Jr. (JCAD Landowner: Terranona Properties LP) consents to the following conditions:
 - a. acknowledges the violation by June 30, 2024;
 - b. pays a settlement fee of \$0.00 by June 30, 2024; and
 - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

In response to the action taken by the Board, staff recorded violation Enforcement Case Violation - ECV-20240429-01 - Donald Lewis Leach Jr. - Failure to Report Groundwater Production CY2023 for Well(s) - GW-00453 and GW-00544 - Active

On May 3, 2024, staff attempted to provide notice of violation ECV-20240429-01 to Donald Lewis Leach Jr. by certified mail (CMRRR 7022 1670 0003 4383 1621). https://tools.usps.com/go/TrackConfirmAction?qt_c_tLabels1=7022%201670%200003%204383%201621

TGCD - Returned Certified Mail Receipt - Mr. Leach.pdf

 **Untitled Attachment**

On May 6, 2024, Mr. Donald Lewis Leach contacted staff of the District in regards to enforcement case violation ECV-20240429-01 and stated the he had sold the property over a year ago to a Mr. Hernandez and that the phone number for Mr. Hernandez is 832-790-2578.

On May 9, 2024, staff of the District attempted to contact Mr. Hernandez to obtain contact information in regards to enforcement case violation ECV-20240429-01.

On June 3, 2024, staff attempted to provide notice of violation ECV-20240429-01 to Donald Lewis Leach Jr. by certified mail (CMRRR 7022 1670 0003 4383 1911). <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70221670000343831911%2C&tABt=true>

 **Untitled Attachment**

On June 4, 2024, staff of the district hand delivered 2nd NOV Letter to an employee with Twin Lakes RV Park.

On June 4, 2024, staff of the District was able to obtain a forwarding address for Twin Lakes RV Park.

On June 6, 2024, staff of the District mailed by certified mail 2nd NOV Letter regarding enforcement case violation ECV-20240429-01 to Twin Lakes RV Park, C/O Creations by DNA, 5611 Grape St., Houston, Texas 77096 by certified mail (CMRRR 7022 1670 0003 4383 2055). https://tools.usps.com/go/TrackConfirmAction?qtC_tLabels1=7022%201670%200003%204383%202055

TGCD - Certified Mail Returned Address Card - 7022 1670 0003 4383 2055 - Twin Lakes RV Park.pdf

 **Untitled Attachment**

On July 1, 2024, the staff attempted to provide notice of this enforcement hearing and staff's intent to seek authorization to pursue enforcement of the rules by filing a civil suit against Twin Lakes RV Park at the next regularly scheduled meeting of the board of directors to Twin Lakes RV Park by certified mail (CMRRR 7022 1670 0003 4383 2307). See:

TGCD - ECV Notice of Need to File Suit - ECV-20240429-01 - Bundle.pdf

 **Untitled Attachment**

Management Recommendation:

Management Recommendation 1: move to open and record the enforcement hearing regarding violation ECV-20240429-01.

Management Recommendation 2: state for the record:

1. the date and time the hearing was opened;
2. the enforcement case id;
3. the alleged violator;
4. the alleged violation;
5. swear in the general manager of the district;
6. instruct the general counsel of the district to accept and record the testimony of the general manager regarding the alleged violation.

Management Recommendation 3: move to cease the recording the enforcement hearing after accepting public comments or comments from the alleged violator.

Management Recommendation 4: move to adopt an enforcement order regarding the alleged violation.

Item 3.5 - Enforcement Hearing re ECV-20240429-06

Previous Consideration by the Board:

None.

Management Discussion:

On April 18, 2024, the Board passed a motion to:

1. find that the well owner as of December 31, 2023, (Registered Well Owner: TRI-COUNTY POINT; JCAD Landowner: TRI-COUNTY POINT) violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well GW-00418, GW-00419, GW-00420, and GW-00421 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 Registered Well Owner: TRI-COUNTY POINT (JCAD Landowner: TRI-COUNTY POINT)) consents to the following conditions:
 - a. acknowledges the violation by June 30, 2024;
 - b. pays a settlement fee of \$20.00 by June 30, 2024; and
 - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

In response to the action taken by the Board, staff recorded violation Enforcement Case Violation - ECV-20240429-06 - TRI-COUNTY POINT - Failure to Report Groundwater Production CY2023 for Well(s) - GW-00418, GW-00419, GW-00420, and GW-00421 - Active

On May 3, 2024, staff attempted to provide notice of violation ECV-20240429-06 to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 1676). <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70221670000343831676%2C&tABt=true>

TGCD - Certified Mail Returned Address Card - 7022 1670 0003 4383 1676 - Tri County Point.pdf

 **Untitled Attachment**

On May 23, 2024, Mr. Ben Glynn provided the following response to the district regarding the 1st NOV Letter for violation ECV-20240429-06.

On May 29, 2024, staff of the District processed the following production reports that were submitted by Mr. Ben Glynn for CSWR-Texas Utility Operating Company.

Administratively Complete groundwater production reports for CY2023, for wells GW-00418 and GW-00420.

See:

TGCD - GMa - Pe - Production Reports - GPR-20240529-01 - GW-00418 - CY2023 - Administratively Complete

TGCD - GPR-CY2023 - GW-00418 - 7.98 AF - CSWR-Texas Utility Operating Company.pdf

 **Untitled Attachment**

TGCD - GMa - Pe - Production Reports - GPR-20240529-02 - GW-00420 - CY2023 - Administratively Complete

TGCD - GPR-CY2023 - GW-00420 - 15.97 AF - CSWR-Texas Utility Operating Company.pdf

 **Untitled Attachment**

Administratively Incomplete groundwater production reports for CY2023, for wells GW-00419 and GW-00421.

See:

TGCD - GMa - Pe - Production Reports - GPR-20240529-03 - GW-00419 - GW-00421 - CY2023 - Administratively Incomplete

TGCD - GPR-CY2023 - GW-00421 - GW-00419 - CSWR-Texas Utility Operating Company.pdf

 **Untitled Attachment**

On May 29, 2024, staff of the District mailed and emailed Mr. Ben Glynn for CSWR-Texas Utility Operating Company letter requesting additional information.

See:

TGCD - Request for Additional Application Information Letter - ECV-20240429-06 - GPR-20240529-03.pdf

 **Untitled Attachment**

On June 3, 2024, staff attempted to provide notice of violation ECV-20240429-06 to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 1874). <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70221670000343831874%2C&tABt=true>

TGCD - Certified Mail Returned Address Card - 7022 1670 0003 4383 1874 - CSWR.pdf

 **Untitled Attachment**

On June 5, 2024, staff attempted to hand deliver notice of violation ECV-20240429-06 to CSWR-Texas Utility Operating Company.

TGCD - CSWR-Texas Utility Operating Company.pdf

 **Untitled Attachment**

On July 1, 2024, the staff attempted to provide notice of this enforcement hearing and staff's intent to seek authorization to pursue enforcement of the rules by filing a civil suit against CSWR-Texas Utility Operating Company at the next regularly scheduled meeting of the board of directors to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 2338). See:
TGCD - ECV Notice of Need to File Suit - ECV-20240429-06 - Bundle.pdf

 **Untitled Attachment**

Management Recommendation:

Management Recommendation 1: move to open and record the enforcement hearing regarding violation ECV-20240429-06.

Management Recommendation 2: state for the record:

1. the date and time the hearing was opened;
2. the enforcement case id;
3. the alleged violator;
4. the alleged violation;
5. swear in the general manager of the district;
6. instruct the general counsel of the district to accept and record the testimony of the general manager regarding the alleged violation.

Management Recommendation 3: move to cease the recording the enforcement hearing after accepting public comments or comments from the alleged violator.

Management Recommendation 4: move to adopt an enforcement order regarding the alleged violation.

Item 3.6 - Enforcement Hearing re ECV-20240503-03

Previous Consideration by the Board:

None.

Management Discussion:

On April 18, 2024, the Board passed a motion 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 \$0.00 penalty to be paid by the Tri County Point Water Systems for each violation per per Rule 11.10: Penalties of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and
4. offer to settle the violation without payment of the penalties if the Tri County Point Water Systems consents to the following conditions:
 - a. acknowledges the violation by June 30, 2024;
 - b. pays a settlement fee of \$0.00 by June 30, 2024; and
 - c. submits a administratively complete production permit application to the District by June 30, 2024.

In response to the action taken by the Board, staff recorded violation Enforcement Case Violation - ECV-20240503-03 - Tri County Point Water Systems - Failure to Obtain Production Permit - Active

On May 3, 2024, staff attempted to provide notice of violation ECV-20240503-03 to Tri County Point Water Systems by certified mail (CMRRR 7022 1670 0003 4383 1706). <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70221670000343831706%2C&tABt=true>

[TGCD - Post Certified Mail Receipt - 7022 1670 0003 4383 1706 - Tri-County Point Water Systems.pdf](#)

 **Untitled Attachment**

On June 3, 2024, staff attempted to provide notice of violation ECV-20240503-03 to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 1935). <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70221670000343831935%2C&tABt=true>

[TGCD - Certified Mail Returned Address Card - 7022 1670 0003 4383 1935 - CSWR.pdf](#)

 **Untitled Attachment**

On June 4, 2024, staff of the attempted to hand delivered 2nd NOV Letter to an employee with CSWR-Texas Utility Operating Company.

[TGCD - CSWR-Texas Utility Operating Company.pdf](#)

 **Untitled Attachment**

On July 1, 2024, the staff attempted to provide notice of this enforcement hearing and staff's intent to seek authorization to pursue enforcement of the rules by filing a civil suit against CSWR-Texas Utility Operating Company at the next regularly scheduled meeting of the board of directors to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 2185). See:

[TGCD - ECV Notice of Need to File Suit - ECV-20240503-03 - Bundle.pdf](#)

 **Untitled Attachment**

Management Recommendation:

Management Recommendation 1: move to open and record the enforcement hearing regarding violation ECV-20240503-03.

Management Recommendation 2: state for the record:

1. the date and time the hearing was opened;
2. the enforcement case id;
3. the alleged violator;
4. the alleged violation;
5. swear in the general manager of the district;
6. instruct the general counsel of the district to accept and record the testimony of the general manager regarding the alleged violation.

Management Recommendation 3: move to cease the recording the enforcement hearing after accepting public comments or comments from the alleged violator.

Management Recommendation 4: move to adopt an enforcement order regarding the alleged violation.

Item 4.0 - Report regarding Groundwater Protection

Previous Consideration by the Board:

[MFC-20240418-4.0 - Report regarding Groundwater Protection.](#)

Management Discussion:

Regarding Well Inspections for FY2024.

As of July 16, 2024, staff had recorded 11 well inspection forms (WIFs) since October 1, 2023.

Regarding Manage Investigations related to Groundwater Protection for FY2024.

As of July 16, 2024, staff had initiated 0 investigations related to Groundwater Protection since October 1, 2023:

As of July 16, 2024, staff had 1 active investigation related to Groundwater Protection.

Regarding Manage Enforcement Cases related to Groundwater Protection for FY2024.

As of July 16, 2024, the Board had initiated 0 enforcement cases related to Groundwater Protection since October 1, 2023.

As of July 16, 2024, staff had 0 unresolved enforcement case violations related to Groundwater Protection.

Management Recommendation:

None.

Item 5.0 - Report regarding Groundwater Monitoring

Previous Consideration by the Board:

MFC-20240418-5.0 - Report regarding Groundwater Monitoring.

Management Discussion:

Regarding Monitor Drought Conditions for FY2024.

As of July 16, 2024, the U.S. Drought Monitor (<https://www.drought.gov/states/texas/county/jackson>) indicates that 0% of Jackson County is experiencing experiencing abnormally dry or moderate drought conditions.

As of July 16, 2024, 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 no portions of Jackson County are experiencing drought conditions.

Regarding Synoptic Aquifer Monitoring for FY2024.

As of July 16, 2024, staff had collected 72 water level measurements since October 1, 2023.

Regarding Continuous Water Level Monitoring for FY2024.

On January 18, 2024, staff provided a revised quote from WellIntel for the installation, configuration, and data services to monitor a single site within Jackson County as requested by the Board. See: MFC-20240118-5.3 - WellIntel Service for Continuous Aquifer Monitoring. Staff have suspended all efforts related to implementing a program to setup continuous aquifer monitoring sites within the District until such time as the Board provides guidance on how to proceed, if at all.

Regarding Baseline Water Quality Aquifer Monitoring for FY2024.

As of July 16, 2024, staff had collected 60 water quality field measurements since October 1, 2023.

As of July 16, 2024, staff had collected 0 water quality samples since October 1, 2023.

As of July 16, 2024, staff had received 0 water quality lab reports since October 1, 2023.

Regarding Ad-Hoc Baseline Water Quality Sampling for FY2024.

No report.

Regarding Annual Water Level Assessment for FY2024.

On July 8, 2024, staff received a proposal from Dr. Young of Intera for a project to update the water level assessment report.

See: MFC-20240718-5.1 - Intera Proposal for Update of Water Level Assessment Report.

Regarding Annual Water Quality Assessment for FY2024.

No report.

Regarding Monitoring Network Assessment and Improvement Project for FY2024.

No report.

Regarding Aquifer Monitoring for WV-20191219-01 for FY2024.

Regarding West Ranch Monitoring for FY2024.

On January 18, 2024, staff provided an update regarding recent water quality data gathered from a site and the potential of significant changes near West Ranch. See: [MFC-20240118-5.2 - Monitoring Near West Ranch](#). Staff have suspended all efforts to implement a program to renew monitoring activities near West Ranch until such time as the Board provides guidance on how to proceed, if at all.

Management Recommendation:

None.

Item 5.1 - Intera Proposal for Update of Water Level Assessment Report

Previous Consideration by the Board:

[MFC-20230720-5.5 - Intera Proposal for Update of Water Level Assessment Report](#).

Management Discussion:

On July 8, 2024, Dr. Young of Intera submitted a proposal to Victoria County GCD to apply geostatistical techniques to interpret measured 2023 water levels 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 Dr. Young and others in previous years to include measured water levels in 2023.

Intera Proposal to Update Water Levels with 2023 Measurements - 20240708.pdf

 **Untitled Attachment**

The cost for performing the completing the work is \$18,000. The project will be fixed priced. The presentations and the memorandum will be completed in approximately 5 months. Intera will deliver a memorandum and presentations for each participating GCD documenting contours of hydraulic head for CY2023, calculations of water level changes between CY2000 and CY2023, and the geostatistical techniques used to interpret water level measurements.

Management Recommendation:

Move to accept the proposal and authorize Intera to proceed with the work with a cost not to exceed \$18,000.00 contingent upon Calhoun County GCD, Refugio GCD, and Victoria County GCD agreeing to cost-share at \$4,500.00 per district.

Item 6.0 - Report regarding Groundwater Conservation

Previous Consideration by the Board:

[MFC-20240418-6.0 - Report regarding Groundwater Conservation](#).

Management Discussion:

Regarding [Promote Conservation for FY2024](#).

No report.

Regarding [Conservation Education and Teacher Professional Development for FY2024](#).

On June 26 and 27, 2024, district staff conducted workshops to provide professional development regarding water conservation to science teachers of Victoria County. The workshops were attended by 9 teachers from Victoria County and facilitated by Dr. Teresa Le Sage-Clements and Dr. Dmitri Sobolev of UHV, Ms. Denise Andruss and Mr. Snyder (RGCD Director) of VISD, Mr. Willie Immenhauser, Mr. Mike Benavides, Ms. Caitlynn Davenport, and Mr. Andruss of VCGCD.

The teachers participated in activities and exercises related to understanding the hydrologic cycle; the use of physical models to understand watershed and aquifers; site visits and sample collection at the Guadalupe River at Riverside Park, a water well at the Clements Ranch, and the wetlands at the INVISTA Plant in Victoria County; risks to water resource; water resource conservation approaches; and technological and scientific advancements in water conservation.

The participating teachers provided evaluation of the workshops to assist in improving similar projects undertaken in the future.

Based on the feedback received from the participants and facilitators, staff anticipates developing a similar project proposal for consideration by the Board in FY2025.

Management Recommendation:

None.

Item 7.0 - Report regarding Groundwater Resource Planning

Previous Consideration by the Board:

[MFC-20240418-7.0 - Report regarding Groundwater Resource Planning.](#)

Management Discussion:

Regarding Regional Water Planning Participation for FY2024.

Representatives of the district did not participate in the meeting of the Lavaca Regional Planning Group (Region P) held on May 6, 2024. The next meeting of the Lavaca Regional Planning Group (Region P) is scheduled for July 24, 2024 at 12:00 PM at the LNRA Offices.

Regarding GMA 15 Joint Planning for 4th Planning Cycle in FY2024.

The representatives of Groundwater Management Area 15 met on July 11, 2024 in Fayette County. The primary topics of discussion at the meeting were the project scope and cost of the technical work proposed by Intera (the preferred and only respondent to the associated RFP) and groundwater availability modeling. Staff encouraged the representatives to contribute more funding to the GMA 15 Joint Planning Fund to avoid substantial limitation to the scope of the proposed technical work to be performed by Intera. See: [MFC-20240718-7.1 - GMA 15 Joint Planning.](#)

Management Recommendation:

None.

Item 7.1 - GMA 15 Joint Planning

Previous Consideration by the Board:

[MFC-20230720-7.1 - GMA 15 By-Laws, Cost Sharing Agreement, and RFP for Technical Services.](#)

Management Discussion:

The representatives of Groundwater Management Area 15 met on July 11, 2024 in Fayette County. The primary topics of discussed at the meeting were the project scope and cost of the technical work proposed by Intera (the preferred and only respondent to the associated RFP) and groundwater availability modeling. Staff encouraged the representatives to contribute more funding to the GMA 15 Joint Planning Fund to avoid substantial limitation to the scope of the proposed technical work to be preformed by Intera.

Staff resumed efforts to negotiate terms of an agreement with Intera for providing the proposed technical services to the GMA-15 Committee because 1) the majority of the member districts of GMA 15 have adopted the by-laws and cost-sharing agreement, 2) the majority of he member district the GMA-15 Committee have submitted their contributions to the fund for the the technical services for the 4th cycle of joint planning, and 3) the TWDB agreed to allow the use of the "GAM for the central portion of the Gulf Coast Aquifer System" by GMA 15.

As of May 31, 2024, the GMA 15 Joint Planning Fund has a balance of \$70,832.21. The costs for the proposal submitted by Intera for the adoption of the DFC in the 4th Joint Planning Cycle was \$90,000.

The approved cost sharing agreement included the following cost sharing schedule:

Member Districts of GMA 15	Minimum Contribution	Approved GMA 15 Cost Sharing Agreement (as of July 3, 2024)	Contributions Remitted to GMA 15 Administrator (as of July 3, 2024)
Bee GCD	\$3,750.00	Yes	Yes
Calhoun County GCD	\$7,500.00	Yes	Yes
Coastal Bend GCD	\$7,500.00	Yes	Yes
Coastal Plains GCD	\$7,500.00	Yes	Yes
Colorado County GCD	\$7,500.00	Yes	Yes
Corpus Christi ASRCD	\$3,750.00		
Evergreen UWCD	\$3,750.00	Yes	Yes
Fayette County GCD	\$3,750.00	Yes	Yes
Goliad County GCD	\$7,500.00		
Pecan Valley GCD	\$7,500.00	Yes	Yes
Refugio GCD	\$7,500.00	Yes	Yes
Texana GCD	\$7,500.00	Yes	Yes
Victoria County GCD	\$7,500.00	Yes	Yes
Total	\$82,500.00		

Due to the funding gap between GCD contributions and Intera's proposed cost, VCGCD and Intera are examining ways to alter the scope of the project to address the funding short fall. VCGCD has suggested the following revisions for consideration by Intera:

Task/Activity	Deliverables	Cost	Proposed Change	Suggested Cost

Kickoff Meeting	Contract for GAM evaluation	\$1,500.00		\$1,500.00
Evaluate Updated GAM and TWDB Benchmark Run with Current	Presentation of findings	\$7,500.00	Eliminate	\$0.00
Meeting to Establish Final Scope. Schedule. and Budget	Contract for Joint Planning	\$1,500.00		\$1,500.00
Task 1 - Attend quarterly Committee meetings	Written status reports and presentation	\$9,000.00	Reduce to 5 Meetings	\$7,500.00
Task 2 - Model groundwater availability associated with proposed DFCs	Draft and final report	\$18,000.00	Limit to 4 Pumping Simulations	\$15,000.00
Task 3 - Document aquifer uses or conditions	Draft and final report	\$4,000.00	Limit to minor update of 3rd Joint Planning Cycle Report	\$2,000.00
Task 4 - Document water supply needs and water management strategies in SWP	Draft and final report	\$3,500.00		\$3,500.00
Task 5 - Document GMA 15 hydrological conditions	Draft and final report	\$5,000.00	Limit to minor update of 3rd Joint Planning Cycle Report	\$2,500.00
Task 6 - Document environmental impacts	Draft and final report	\$4,000.00		\$4,000.00
Task 7 - Document impacts on subsidence	Draft and final report	\$4,000.00		\$4,000.00
Task 8 - Document socioeconomic impacts	Draft and final report	\$6,000.00		\$6,000.00
Task 9 - Document impacts on private property	Draft and final report	\$2,000.00	Limit to minor update of 3rd Joint Planning Cycle Report	\$1,000.00
Task 10 - Document feasibility of achieving DFCs	Draft and final report	\$3,000.00		\$3,000.00

Task 11 - Document other relevant information	Draft and final report	\$3,000.00	Limit to minor update of 3rd Joint Planning Cycle Report	\$1,500.00
Task 12 - Document public comments	Draft and final report	\$4,000.00		\$4,000.00
Task 13 - Prepare explanatory report	Draft and final report	\$14,000.00		\$14,000.00
Task 14 - Technical support in event of petition	To be determined	\$0		\$0
Total		\$90,000.00		\$71,000.00

Staff recommended to the representatives of the funding districts at the GMA 15 meeting to seek additional funding in the amount of \$2,000 to fully fund the project as initially proposed.

Additional contributions could be available for additional GAM simulations, updates to historic pumping in the CGC-GAM, improvements to the explanatory report, or addendums to the GMA 15 explanatory report.

Management Recommendation:

Move to authorize increased an increased contribution of \$2,000 to the GMA 15 Joint Planning Fund.

Item 8.0 - Report regarding Groundwater Policy

Previous Consideration by the Board:

MFC-20240418-8.0 - Report regarding Groundwater Policy.

Management Discussion:

Regarding Management Plan Revisions for FY2024.

No report.

Regarding Rule Amendments for FY2024.

Staff will review the passed legislation of the previous legislative session and coordinate with legal counsel to develop proposed rule revisions for the meeting scheduled for October 2024.

Regarding Legislative Support and Lobbying for FY2024.

No report.

Management Recommendation:

None.

Item 9.0 - Report regarding Administration and Management

Previous Consideration by the Board:

[MFC-20240418-9.0 - Report regarding Administration and Management.](#)

Management Discussion:

Regarding Election Coordination for CY2024.

On June 28, 2024, staff posted the Notice of Candidate Filing Deadline on the website of the district at <https://www.texanagcd.org/election-notices>.

Regarding Financial Audit for FY2023.

See: [MFC-20240718-9.6 - Financial Audit for FY2023.](#)

Regarding Investment Management for FY2024.

See: [MFC-20240718-9.3 - Investments of the District.](#)

Regarding Financial Record Processing and Reporting for FY2024.

See: [MFC-20240718-9.2 - Financial Reports of the District.](#)

See: [MFC-20240718-9.2.1 - Financial Transaction Review.](#)

See: [MFC-20240718-9.4 - Unpaid Accounts Payable.](#)

See: [MFC-20240718-9.9 - Prosperity Bank Depository Services Contract.](#)

Regarding Budget Development for FY2025.

See: [MFC-20240718-9.7 - Preliminary Budget Information for FY2025.](#)

Regarding Asset Tracking for FY2024.

No report.

Regarding Public Funds Training for FY2024.

No report.

Regarding Website Improvements.

No report.

Regarding Public Notice and Meeting Coordination for FY2024.

The next meetings of the Board are scheduled for **August 15, 2024** (Budget and Tax Rate Matters), and **October 17, 2024**, with each meeting to convene at **6:00 PM**. Regular meetings will be rescheduled as necessary and special meeting may be scheduled to address unforeseen issues.

See: [MFC-20240718-9.1 - Minutes of Previous Meeting.](#)

Regarding Performance Audit for FY2023.

See: [MFC-20240718-9.5 - Annual Performance Report of the District.](#)

Regarding Project Management for FY2024.

No report.

Regarding Administrative Policy Review for FY2024.

No report.

Regarding Transparency Reporting for FY2024.

No report.

Regarding Cybersecurity Training for FY2024.

See: [MFC-20240718-9.8 - Cyber Liability and Data Breach Response Coverage.](#)

Regarding Consultant Review for FY2024.

No report.

Regarding Open Government Training for FY2024.

No report.

Regarding District Liability Insurance Review and Renewal.

No report.

Regarding Digital Record Archiving for FY2024.

No report.

Regarding Physical Record Archiving for FY2024.

No report.

Management Recommendation:

None.

Item 9.1 - Minutes of Previous Meeting

Previous Consideration by the Board:

MFC-20240418-9.1 - Minutes of Previous Meeting.

Management Discussion:

The minutes for the previous meeting were sent the board members prior to the meeting.

See: TGCD - Adm - MM - Meeting Minutes - 20240418 - Board of Directors

TGCD - Meeting Minutes - 20240418 - Final.pdf

 [Untitled Attachment](#)

Management Recommendation:

Move to accept and approved the meeting minutes for April 18, 2024, as drafted.

Item 9.2 - Financial Reports of the District

Previous Consideration by the Board:

MFC-20240418-9.2 - Financial Reports of the District

Management Discussion:

The internal financial reports of the District for March, April and May 2024, have been sent to the directors prior to the meeting.

TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240331-01 - March 2024

TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240331-01 - March 2024

 [Untitled Attachment](#)

TGCD - Adm - FM - Internal Financial Reports - IFR-20240331-01 - FY2024M06 - March 2024

TGCD - Internal Financial Report - March 2024

 [Untitled Attachment](#)

TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240430-01 - April 2024

TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240430-01 - April 2024

 [Untitled Attachment](#)

TGCD - Adm - FM - Internal Financial Reports - IFR-20240430-01 - FY2024M07 - April 2024

TGCD - Internal Financial Report - April 2024

 [Untitled Attachment](#)

[TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240531-01 - May 2024](#)

[TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240531-01 - May 2024](#)

 [Untitled Attachment](#)

[TGCD - Adm - FM - Internal Financial Reports - IFR-20240531-01 - FY2024M08 - May 2024](#)

[TGCD - Internal Financial Report - May 2024](#)

 [Untitled Attachment](#)

Management Recommendation:

Move to accept and approve the financial reports for March, April and May 2024.

Item 9.2.1 - Financial Transaction Review

Previous Consideration by the Board:

[MFC-20240418-9.2.1 - Financial Transaction Review](#)

Management Discussion:

The list below identifies each accounts payable transaction that was recorded since April 12, 2024 to July 5, 2024:

1. [ACCTP-20240426-01 - \\$402.50 - Prosperity Bank](#)
2. [ACCTP-20240426-02- \\$2,955.00 - Alison, Bass and Magee](#)
3. [ACCTP-20240429-01 - \\$181.00 - Victoria Advocate](#)
4. [ACCTP-20240520-01 - \\$7,500.00 - VCGCD - GMA15 Cost Share](#)
5. [ACCTP-20240521-01 - \\$834.20 - Prosperity Bank Credit Card](#)
6. [ACCTP-20240618-01 - \\$76.34 - Prosperity Bank Credit Card Acct No. 0816](#)

The list below identifies each accounts receivable transaction that was recorded since April 12, 2024 to July 5, 2024:

1. [ACCTR-20240410-01 - \\$1,292.24 - Tax Collections JCTAC](#)
2. [ACCTR-20240426-01 - \\$1,541.88 - Alcoa Check No. 109](#)
3. [ACCTR-20240429-01 - \\$311.69 - JTAC - Excess Proceeds](#)
4. [ACCTR-20240429-02 - \\$85.51 - Excess Tax Proceeds](#)
5. [ACCTR-20240430-01 - \\$1,450.47 - Interest](#)
6. [ACCTR-20240430-02 - \\$18.07 - Interest](#)
7. [ACCTR-20240510-01 - \\$1,960.87 - Tax Collections](#)
8. [ACCTR-20240531-01 - \\$1,635.48 - Interest](#)
9. [ACCTR-20240531-02 - \\$60.04 - Interest](#)
10. [ACCTR-20240610-01 - \\$1,686.37 - JCTAC Tax Collections](#)
11. [ACCTR-20240624-01 - \\$20.00 - ECV-20240429-04](#)
12. [ACCTR-20240624-02 - \\$20.00 - ECV-20240429-02](#)
13. [ACCTR-20240625-01 - \\$20.00 - Enforcement Settlement Todish Farms](#)

Management Recommendation:

None.

Item 9.3 - Investments of the District

Previous Consideration by the Board:

[MFC-20240418-9.3 - Investments of the District](#)

Management Discussion:

The investment reports for March, April and May 2024, have been sent to the board prior to the meeting.

[TGCD - Adm - FM - Investment Reports - IR-20240331-01 - FY2024M06 - March 2024](#)

TGCD - Investment Report - March 2024

 [Untitled Attachment](#)

[TGCD - Adm - FM - Investment Reports - IR-20240430-01 - FY2024M07 - April 2024](#)

TGCD - Investment Report - April 2024

 [Untitled Attachment](#)

[TGCD - Adm - FM - Investment Reports - IR-20240531-01 - FY2024M08 - May 2024](#)

TGCD - Investment Report - May 2024

 [Untitled Attachment](#)

Management Recommendation:

Move to accept the investment reports for for March, April and May 2024.

Item 9.4 - Unpaid Accounts Payable

Previous Consideration by the Board:

[MFC-20240418-9.4 - Unpaid Accounts Payable](#)

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-20240624-01 - \\$810.00 - Allison, Bass and Magee L.L.P Inv No. 7343](#)

Item 9.5 - Annual Performance Report of the District

Previous Consideration by the Board:

[MFC-20230420-11.1 - Annual Report of the District.](#)

Management Discussion:

Staff will develop and present the performance audit for FY2023 to the Board on July 18, 2024.

Management Recommendation:

None.

Item 9.6 - Financial Audit for FY2023

Previous Consideration by the Board:

[MFC-20231019-9.7 - Financial Audit for the Previous Fiscal Year.](#)

Management Discussion:

On October 19, 2023, the Board accepted the offer of Goldman, Hunt and Notz, LLP to perform the financial audit for the fiscal year ending September 30, 2023, and authorize the firm to begin the audit upon development of the internal financial reports for September 30, 2023.

Mr. Cox of Goldman, Hunt and Notz has informed staff that the audit will be presented at the meeting.

Management Recommendation:

Move to accept and approve the financial audit for the fiscal year ending September 30, 2023.

Item 9.7 - Preliminary Budget Information for FY2025

Previous Consideration by the Board:

[MFC-20230720-9.5 - FY2024 Budget.](#)

Management Discussion:

Staff will develop and present a budget for the fiscal year ending September 30, 2025, at the meeting scheduled for August 15, 2024, that attempts to fund the operations of the District in a manner that provides 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) the avoidance of a budget deficit in Fiscal Year 2024-2025. Management anticipates proposing an increased expense budget due to impacts of inflation.

The anticipated balance of the Operating Fund at the end of the fiscal year is \$61,139.10. The anticipated balance of the Reserve Fund at the end of the fiscal year is \$1,112,845.31.

The VCGCD will consider options regarding the services it provides to other GCDs at the meeting scheduled for July 19, 2024. If the Board of the VCGCD wishes to offer revisions to the current agreement, the VCGCD will provide notice of its cancellation of the current agreement and a new agreement for those services it intends to offer other GCDs. The District may also consider revisions or cancellation of the current agreement to avoid its automatic renewal.

Staff will develop the proposed budget anticipating the commitment of the monies of the Reserve Fund in Fiscal Year 2024-2025 in accordance with the following schedule:

- Groundwater Conservation: 5%
- Groundwater Management: 25%
- Groundwater Monitoring: 25%
- Groundwater Protection: 10%
- 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 2024.

Management Recommendation:

Move to authorize the general manager to publish the required tax rate notices for the district based on the lesser of the No-New-Revenue Tax Rate calculated by the Tax Assessor - Collector for Tax Year 2024 or the Tax Rate for Tax Year 2023.

Item 9.8 - Cyber Liability and Data Breach Response Coverage

Previous Consideration by the Board:

None.

Management Discussion:

TML has created a new cybersecurity insurance fund in response to increased financial exposure from cybercriminal behavior . TML is requiring all entities to deliberately “opt-in” to continue cybersecurity coverage.

TML - Cyber Liability and Data Breach Response Coverage.pdf

 [Untitled Attachment](#)

Management Recommendation:

Move to accept and opt-in to the Core+ edition of the TML Cyber Liability and Data Breach Response Coverage and authorize the general manager to submit any necessary documentation necessary to obtain the coverage for the District at a cost of \$1,250.00.

Item 9.9 - Prosperity Bank Depository Services Contract

Previous Consideration by the Board:

[MFC-20230420-10.3 - Depository Services Contract.](#)

Management Discussion:

Prosperity Bank has offered to extend the depository services agreement with the district until April 30, 2026.
TGCD - Prosperity Bank - Depository Services Contract_001.pdf

 [Untitled Attachment](#)

Management Recommendation:

Move to authorize the General Manager to execute the depository services agreement submitted by Prosperity Bank to extend the depository services agreement with the district until April 30, 2026.

Item 10.0 - Legal Counsel Report

Previous Consideration by the Board:

[MFC-20240418-10.0 - Legal Counsel Report.](#)

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.