

# Refugio Groundwater Conservation District

604 E. Commerce St., Refugio, Texas 78377

P.O. Box 116, Refugio, Texas 78377

Phone (361) 526-1483 | Fax (361) 526-1294 | www.rgcd.org

THE STATE OF TEXAS

REFUGIO COUNTY

The Board of Directors of the Refugio Groundwater Conservation District convened a meeting on January 17, 2022 at 6:00 PM at the First Baptist Church of Woodsboro Fellowship Hall, 309 Johnson Street, Woodsboro, Texas 78393

## Meeting Attendance:

|                  |                                  |         |
|------------------|----------------------------------|---------|
| Precinct 1:      | Mr. John Snyder, Treasurer       | Present |
| Precinct 2:      | Mr. Carroll Borden, President    | Present |
| Precinct 3:      | Vacant                           |         |
| Precinct 4:      | Mr. Fredric Biery, Secretary     | Present |
| At Large:        | Mr. Scott Carter, Vice President | Absent  |
| General Manager: | Mr. Timothy Andruss              | Present |
| Legal Counsel:   | Mr. James Allison                | Present |

## Agenda Item 1: Call the meeting to order and welcome guests.

**Meeting Discussion:** Carroll Borden called the meeting to order at approximately 6:00 PM.

**Board Action:** No action taken.

## Agenda Item 2: Receive public comments.

**Meeting Discussion:** None.

**Board Action:** None.

**Agenda Item 3: Consideration of and possible action on matters related to groundwater management including the efforts and activities of the District regarding permitting as well as complaints, investigations, and enforcement cases associated with permitting.**

### 3.1: Report regarding Groundwater Management

**Meeting Discussion:** Mr. Andruss explained the District has initiated 24 permitting request cases (PRCs) since October 1, 2021.

**Board Action:** None.

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## 3.2 – Groundwater Production Permits

**Meeting Discussion:** Mr. Andruss explained as of January 12, 2022, the volume of groundwater production authorized for:

- 1) water wells permitted under aggregate production permits (well fields and well systems) is 378.71 acre-feet per year,
- 2) water wells not permitted under aggregate production permits is 845.5 acre-feet per year,
- 3) with a combined total of 1,224.21 acre-feet per year.

**Board Action:** None.

## 3.3 – Groundwater Production

**Meeting Discussion:** Mr. Andruss explained as of January 12, 2022, the District has recorded groundwater production of 175.3688 acre-feet during calendar year 2020 from 12 groundwater production reports. The District mailed out 38 notices regarding the groundwater production reporting for nonexempt use wells registered in the RGCD database. Per the rules of the District, required groundwater production reports for calendar year 2021 should be submitted by January 31, 2022.

**Board Action:** None.

## 3.4 – Investigations and Enforcement Cases related to Notice of Intent to Place Casing

**Meeting Discussion:** Mr. Andruss explained as of January 12, 2022, the District had 38 active investigations related to groundwater management.

The District has 14 active investigations associated with well drillers apparently failing to provide notice to the District of intent to place casing into a new well boreholes. Item 4 of Rule 4.2: PERMITTING POLICIES AND PROCEDURES RELATED TO DRILLING PERMITS went into effect on December 14, 2015, and states "A person drilling a well shall provide the District with notice of intent to place casing in the borehole at least two hours and not more than three hours before placing casing in the borehole." Since January 2016, the District has recorded 158 well drillers logs.

**Board Action:** Mr. Borden moved to authorize the General Manager to notify the well drill associated with each investigation, by certified mail, of the requirement to

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provide notice under Rule 4.2 of the Rules of the District and that future investigations identifying potential violations of item 4 of Rule 4.2 will result in the District engaging in enforcement proceedings and possibly levying fines; and authorize the General Manager to close the investigations upon receiving the associated mail receipt. Mr. Snyder seconded the motion. The motion passed unanimously.

## **3.5 – Investigations and Enforcement Cases related to Permit Violations**

**Meeting Discussion:** Mr. Andruss explained as of January 12, 2022, the District had 38 active investigations related to groundwater management.

The District has 16 active investigations associated with well drillers apparently failing to satisfy a requirement of drilling permit. In particular, many of the apparent violations relate to the reported location of the well (GPS coordinate reported on the well log) being outside of the authorized drilling area of the associated drilling permit. Item 1 of Rule 7.1: DRILLING WELLS went into effect on December 14, 2015, and states "A person drilling a well shall locate the well within the authorized drilling area specified on a drilling permit issued by the District." Since January 2016, the District has recorded 158 well drillers logs.

The District believes the apparent violations likely arise because of imprecise or inaccurate GPS coordinates being recorded on well logs, imprecise or inaccurate information being submitted or used to identify the subject property of an application for a drilling permit resulting in the identification of an authorized drilling area that does not encompass the location intended for the new well to be drilled, or a combination of both circumstances. While instances have occurred in which the proposed well was drilled on a property or location not intended by the permit applicant, the District is not aware of this circumstance existing associated with these investigations.

**Board Action:** Mr. Borden moved to authorize the General Manager to notify the property owner and well driller associated with each investigation, by regular mail, of the requirement to drill a well within the authorized drilling area under Rule 7.1 of the Rules of the District and that the information provided to the District suggests a violation of item 1 of Rule 7.1 may have occurred, and that if either party believes that an actual violation occurred to contact the District otherwise the investigation will be closed on March 15, 2022; and authorize the General Manager to close any of the investigations that the District has not been requested to keep active by March 15, 2022. Mr. Biery seconded the motion. The motion passed unanimously.

## **3.6 – Investigations and Enforcement Cases related to Well Completion**

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**Meeting Discussion:** Mr. Andruss explained as of January 12, 2022, the District had 38 active investigations related to groundwater management.

The District has 8 active investigations associated with well drillers apparently failing to properly complete or construct a new well. The investigations are related to the sealing of the annular space of the well, either a failure to report the annular seal information on the report or the annular seal information reported does not appear to satisfy the requirement established in the Rules of the District. Rule 7.2: STANDARDS FOR COMPLETION OF WELLS establishes the certain requirements regarding the sealing of the annular space between the well casing and borehole and went into effect on December 14, 2015. Since January 2016, the District has recorded 158 well drillers logs.

The District will request a revised and complete well logs in those instances in which the annular seal data is missing and close any investigation in which the apparent violation are resolved by March 15, 2022.

The District will initiate an enforcement case for presentation to the Board on April 18, 2022 for those investigation in which the District confirms the reported annular seal data indicates Rule 7.2 has been violated.

**Board Action:** None.

**Agenda Item 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.**

## **4.1 – Investigations and Enforcement Cases related to Groundwater Protection**

**Meeting Discussion:** Mr. Andruss explained as of January 12, 2022, the District had 2 active investigations related to groundwater protection. The District opened the investigations in response to notifications received from TCEQ regarding a contamination event. The District will contact TCEQ and attempt to obtain a status report for each case. Regarding investigation INV-20200129:0444, the District will contact WCID#1 and offer to analyze a sample of unprocessed water for the presence of relevant contaminants. The District will provide the Board with an update on the investigations on April 18, 2022.

**Board Action:** None.

**Agenda Item 5: Consideration of and possible action on matters related to Groundwater Monitoring.**

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## 5.1 – Report regarding Groundwater Monitoring

**Meeting Discussion:** Mr. Andruss explained the District will begin the synoptic water level and water quality monitoring efforts in February 2022. The District will seek authorization to collect water level and water quality measurement from non-exempt-use wells within Refugio County. The graphic below illustrates the sites at which the District has collected water level measurements since 2019 (red dot markers), non-exempt use wells within the Refugio County (black and white cross markers), and production areas (blue hatched polygons) in Refugio County.

**Board Action:** None.

## 5.2 – Drought Monitoring

**Meeting Discussion:** Mr. Andruss explained the U.S. Drought Monitor, produced through a partnership between the National Drought Mitigation Center at the University of Nebraska-Lincoln, the United States Department of Agriculture, and the National Oceanic and Atmospheric Administration, indicates that southern portion of Refugio County was experiencing dry or drought conditions as of January 6, 2022.

**Board Action:** None.

**Agenda Item 6: Consideration of and possible action on matters related to Groundwater Conservation including cost-sharing on a conservation education project.**

## 6.1 – Cost-Sharing related to Promotion of Groundwater Conservation.

**Meeting Discussion:** Mr. Andruss explained the University of Houston - Victoria, through professors Teresa La Sage Clements and Dmitri Sobolev have submitted a proposal to VCGCD and its cooperating districts for a project for professional teacher development and associated student camp focusing on groundwater conservation. The project is described as follows; emphasis added:

*To continue the partnership between UH-Victoria and the VCGCD sustaining the teacher and student environmental groundwater water quality education, we propose the following hands-on teacher professional development opportunity and student camp on how surface and groundwater are polluted and connected. Teachers and students will be recruited from schools within Victoria, Calhoun, Jackson, and Refugio Counties.*

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*Teachers will acquire water quality testing skills, compare well water and watershed quality results. Both teachers and students need to understand how the hydrologic cycle, the Guadalupe River watershed, Texas freshwater, and global freshwater quality are all related. The teachers' knowledge can be transferred to their students in the classroom and improve student understanding of groundwater and the watershed.*

*Up to 10 middle and/or high school teachers completing professional development can earn up to 12 hours of continuing education credit through UHV and the Texas Education Agency. The 10 teachers will experience a well water quality and watershed water quality workshop. Also, one student camp will be held for up to 20 students.*

*The delivery dates of the teacher professional development and the student camps will depend on external environment constraints such as COVID-19 variants and if it is safe for teachers and students to meet face-to-face. The first teacher Professional development workshop was planned for the fall of 2021, but may need to be postponed to spring 22 or summer 22 due to COVID issues.*

The cost to fund the project is \$16,678.00 and is comprised of the following:

Professional Development for 10 Teachers: \$13,028.00

- o Teacher stipend: \$5,000.00
- o Teacher supplies: \$6,500.00
- o Transportation van: \$1,000.00
- o Student lab worker \$240.00
- o Professors, in kind: \$0.00
- o Food: \$288

Student Camp for 20 Students: \$1,272.00

- Teacher facilitators: \$400.00
- Student lab worker \$120.00
- Professors, in kind: \$0.00
- Food: \$252.00
- Transportation van: \$500.00

Physical Aquifer Model: \$1,378.00(the District recommends the use of the Envision 2000 Series - Sand & Gravel Aquifer Model from Creative Lab Works, <http://www.creativelabworks.com/>) Incidentals \$1,000(other teacher and student supplies unforeseen)

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The funding agreement negotiated by the staff of the District establishes a payment model in which actual costs of the project, not to exceed \$16,678.00, would be reimbursed by VCGCD to UHV based on periodic status reports submitted by UHV. The agreement and proposal will be presented to the VCGCD Board of Directors for consideration on January 21, 2022 with a recommendation to accept the proposal and approve the funding agreement for the purposes of promoting groundwater conservation. If the District agrees to share the costs of the project and the other cooperating district do the same, each district would contribute up to \$4,169.50.

**Board Action:** Mr. Snyder moved to accept the proposal for the Teacher Professional Development and Student Camp project and agree to share the costs of the project with VCGCD in an amount not to exceed \$4,169.50 for the purposes of promoting groundwater conservation. Mr. Borden seconded the motion. The motion passed unanimously.

## **Agenda Item 7: Consideration of and possible action on matters related to Groundwater Resource Planning including Groundwater Management Area 15 Joint Planning and regional water planning.**

### **7.1 – Report regarding Groundwater Resource Planning**

**Meeting Discussion:** Mr. Andruss explained that The District participated in the Region L Regional Water Planning Group Meeting convened on November 4, 2021. The District will participate in the Region L Regional Water Planning Group Meeting scheduled for February 3, 2022.

The District participated in the Management Area 15 Meeting on December 9, 2021. At the meeting, the representatives re-affirmed the adoption of proposed DFC for GMA 15, approved the explanatory report for the adopted DFC, approved the special request of Goliad County GCD to request TWDB use increased evaluation criteria when considering feasibility of the adopted DFC. The adopted DFC and associated explanatory report were submitted to TWDB before the required deadline (60 days after the adoption of the DFC). The next meeting of GMA 15 is scheduled for April 14, 2022.

**Board Action:** None.

## **Agenda Item 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.**

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## **8.1 – Report regarding Groundwater Policy**

**Meeting Discussion:** Mr. Andruss explained the staff of the District are currently reviewing the Rules of the District for the purposes of identifying potential revisions to eliminate unnecessary regulations and requirement, simplify regulations and requirements, streamline procedures, needed clarifications, correct grammatical and formatting errors. At the meeting scheduled for April 18, draft revisions to the Rules of the District will likely be presented to the Board for consideration and possible designation as proposed Rules of the District and initiation of rule-making procedures.

**Board Action:** None.

## **Agenda Item 9: Consideration of and possible action on matters related to Groundwater Research.**

**Meeting Discussion:** None.

**Board Action:** None.

## **Agenda Item 10: Consideration of and possible action on matters related to performance management including management goals and objectives of the District.**

**Meeting Discussion:** None.

**Board Action:** None.

## **Agenda Item 11: Consideration of and possible action on matters related to meeting management including minutes of previous meeting.**

### **11.1 – Report regarding Meeting Management**

**Meeting Discussion:** Mr. Andruss explained the proposed schedule of meetings of the Board of Directors for calendar year is April 18 ,2022, July 18, 2022, August 15, 2022(Budget and Tax Rate Matters), and October 17, 2022, with each meeting



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to convene at 6:00 PM. Special meeting may be scheduled to address unforeseen issues.

**Board Action:** Mr. Borden moved to adopt the proposed meeting schedule for CY2022. Mr. Biery seconded the motion. Motion passed unanimously.

## **11.2 – Minutes of the previous meeting**

**Meeting Discussion:** Mr. Andruss explained the minutes for the meeting held on October 18, 2021, were sent the board members prior to the meeting.

**Board Action:** Mr. Biery moved to accept and approve the meeting minutes for October 18, 2021, as drafted. Mr. Snyder seconded the motion. The motion passed unanimously.

**Agenda Item 12: Consideration of and possible action on matters related to financial management including the annual budget of the district, financial reports of the district, bills and invoices of the district.**

## **12.1 – Financial Reports and Records**

**Meeting Discussion:** Mr. Andruss explained the financial records for December 2021 have been compiled, reviewed, and sent to the board members prior to the meeting.

**Board Action:** Mr. Snyder moved to accept and approve the financial records for December. Mr. Borden seconded the motion. The motion passed unanimously.

## **12.2 – Unpaid Accounts Payable**

**Meeting Discussion:** Mr. Andruss explained 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.

**Board Action:** Mr. Borden moved to authorize the general manager to pay the listed items. Mr. Biery seconded the motion. The motion passed unanimously.

**Agenda Item 13: Consideration of and possible action on matters related to office administration and management including personnel, staffing, employment agreements, consultant agreements, inter-local cooperation agreements, and support services provided to and from other groundwater conservation districts.**

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## **13.1 – Report regarding Administration and Management**

**Meeting Discussion:** Mr. Andruss explained on October 5, 2021, Ms. Caitlynn Davenport began her employment with the VCGCD as an Administrative Coordinator. Ms. Davenport will assist with all administrative functions of the District including meeting coordination, public notices, financial record processing, and records management. In addition, Ms. Davenport will, from time to time, open the District office.

**Board Action:** None.

## **13.2 – Publications regarding Groundwater Resources**

**Meeting Discussion:** Mr. Andruss explained recently, two reports relate to groundwater resources and groundwater conservation district were published that the directors may find interesting:

- **Advancing Groundwater Sustainability in Texas: A Guide to Existing Authorities and Management Tools for Groundwater Conservation Districts and Communities** published by the Environmental Defense Fund, and
- **Five Gallons in a Ten Gallon Hat: Groundwater Sustainability in Texas** by the Meadows Center for Water and the Environment at the Texas State University.

**Board Action:** None.

## **Agenda Item 14: Consideration of and possible action on matters related to legal counsel report.**

**Meeting Discussion:** Mr. Allison explained that election is coming up, and that he is verifying that the board members are in the same zone. Also, there have been no legislative changes as of yet.

**Board Action:** None.

## **Agenda Item 15: Adjourn.**

**Meeting Discussion:** None.

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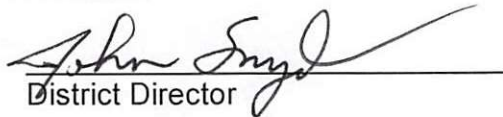
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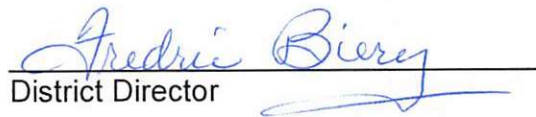
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**Board Action:** Mr. Biery moved to adjourn the meeting after concluding all business of the District. Mr. Snyder seconded the motion. The motion passed unanimously.

The above and foregoing minutes were read and approved on this the 18<sup>th</sup> day of April, 2012.

ATTEST:

  
District Director

  
District Director