

GROUNDWATER MANAGEMENT AREA 8

JOINT PLANNING MEETING

Join by computer, tablet or smartphone at the following link:

<https://global.gotomeeting.com/join/889909501>

or

Join by phone 872-240-3212 with access code: 889-909-501

TUESDAY
October 27, 2020
10:00 AM

**NOTICE OF MEETING
GROUNDWATER MANAGEMENT AREA 8**

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or

Join by phone 872-240-3212 with access code: 889-909-501

Tuesday, October 27, 2020 – 10:00 a.m.

Notice is hereby given that the groundwater conservation districts located wholly or partially within Groundwater Management Area (GMA) 8, as designated by the Texas Water Development Board (TWDB), consisting of the Central Texas Groundwater Conservation District, Clearwater Underground Water Conservation District, Middle Trinity Groundwater Conservation District, North Texas Groundwater Conservation District, Northern Trinity Groundwater Conservation District, Post Oak Savannah Groundwater Conservation District, Prairielands Groundwater Conservation District, Red River Groundwater Conservation District, Saratoga Underground Water Conservation District, Southern Trinity Groundwater Conservation District, and Upper Trinity Groundwater Conservation District will hold a **Joint Planning meeting at 10:00 A.M. on October 27, 2020.**

Notice is hereby given that, in accordance with Governor Abbott's March 16, 2020, action to temporarily suspend certain provisions of the Texas Open Meetings Act, a Joint Planning Meeting will be held via telephone and video conference call beginning at 10:00 a.m. on October 27, 2020. Any member of the public who wishes to participate remotely may do so through the remote access options provided above.

The following items of business will be discussed and potentially acted upon:

1. Invocation.
2. Call meeting to order and establish quorum.
3. Welcome and introductions.
4. Public comment.
5. Consider and act upon approval of minutes from the August 7, 2020, GMA 8 meeting.
6. Receive update from the Texas Water Development Board.
7. Presentation and discussion of the 9 factors pursuant to Texas Water Code Section 36.108(d).
8. Discussion and possible action on margin of error language for the Desired Future Conditions Statements.
9. Discussion and possible action on a resolution to adopt proposed Desired Future Conditions.
10. Discussion and possible action regarding next steps in adopting Desired Future Conditions.
11. Discuss similar rules survey.

12. Discussion of possible agenda items and dates for next GMA 8 meeting.
13. Closing comments.
14. Adjourn.

Dated this 7th day of October, 2020

Joe Cooper, Chair
Groundwater Management Area 8

The above agenda schedules represent an estimate of the order for the indicated items and is subject to change at any time. These public meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting, please call (855) 426-4433 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements.

For questions regarding this notice, please contact Velma Starks at (855) 426-4433, at ntqcd@northtexasqcd.org, or at 5100 Airport Drive, Denison, TX 75020.

At any time during the meeting or work session and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Groundwater Management Area 8 may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

ATTACHMENT 5

**Meeting of the
Groundwater Management Area 8
August 7 2020**

Join by computer, tablet or smartphone at the following link:
<https://global.gotomeeting.com/join/484143909>

or

Join by phone 408-650-3123 with access code: 484-143-909

Minutes

The Groundwater Management Area 8 (GMA 8) district representatives (referred to herein collectively as “the Committee” for easy reference), which consists of representatives from the Central Texas Groundwater Conservation District, Clearwater Underground Water Conservation District, Middle Trinity Groundwater Conservation District, North Texas Groundwater Conservation District, Northern Trinity Groundwater Conservation District, Post Oak Savannah Groundwater Conservation District, Prairielands Groundwater Conservation District, Red River Groundwater Conservation District, Saratoga Underground Water Conservation District, Southern Trinity Groundwater Conservation District, and Upper Trinity Groundwater Conservation District, held a ***Joint Planning meeting at 10:00 A.M. on Friday, August 7, 2020, via telephone and video conference call.***

Notice is hereby given that, in accordance with Governor Abbott’s March 16, 2020, action to temporarily suspend certain provisions of the Texas Open Meetings Act, a Joint Planning Meeting will be held via telephone and video conference call beginning at 10:00 a.m. on August 7, 2020. Any member of the public who wishes to participate remotely may do so through the remote access options provided above.

Groundwater Conservation District Representatives Present:

Central Texas GCD: Mitchell Sodek	Prairielands GCD: Charles Beseda
Clearwater UWCD: Dirk Aaron	Red River GCD: David Gattis
Middle Trinity GCD: Joe Cooper	
North Texas GCD: Ronny Young	Southern Trinity GCD: Peter Kultgen
Northern Trinity GCD: Bob Patterson	Upper Trinity GCD: Doug Shaw
Post Oak Savannah GCD: Gary Westbrook	

Groundwater Conservation District Representatives Absent:

Saratoga UWCD:

1. *Invocation*

Doug Shaw, Upper Trinity GCD, provided the invocation for the meeting.

2. *Call meeting to order and establish quorum*

Chairman Joe Cooper, Middle Trinity GCD, established that a quorum was present and called the GMA 8 meeting to order at 10:02 a.m.

3. Welcome and introductions.

Chairman Joe Cooper, Middle Trinity GCD welcomed the guests present at the meeting.

4. Public Comments.

Kathleen Jackson, TWDB, thanked GMA 8 for the work they do. She gave a brief update on the TWDB.

5. Consider and act upon approval of minutes from the May 15, 2020, GMA 8 meeting

Bob Patterson, Northern Trinity GCD, made the motion to approve the May 15, 2020, GMA 8 meeting minutes. Charles Beseda, Prairielands GCD, seconded the motion. Motion passed unanimously.

6. Discussion and possible action on results from the Central Texas Llano Uplift model run.

James Beach, WSP, provided a presentation regarding the Llano Uplift model run. Mitchell Sodek, Central Texas GCD, provided background information as to why they requested model run through TWDB GAM to help them understand new model. Central Texas GCD paid for the model run. Mitchell Sodek, Central Texas GCD, made the motion that GMA 8 adopts the results from Scenario B using the Llano Uplift Aquifer GAM as the DFCs for the Llano Uplift Aquifers. Doug Shaw, Upper Trinity GCD seconded the motion. Motion passed unanimously.

7. Discuss and possible action regarding GMA 8 declaration of non-relevant aquifers.

James Beach, WSP, provided a presentation regarding non-relevant aquifers. Peter Kultgen, Southern Trinity GCD, made the motion that Nacatoch, Blossom, Brazos River Alluvium and Cross Timbers Aquifers be declared non-relevant for purposes of Joint Groundwater Planning. Bob Patterson, Northern Trinity GCD, seconded the motion. Motion passed unanimously.

8. Presentation, discussion and possible action on options for Desired Future Conditions statements and next steps to establish proposed Desired Future Conditions.

James Beach, WSP, provided presentation. Clearwater UWCD recommends re-adopting current DFCS for the Edwards Balcones Fault Zone Aquifer. Dirk Aaron, Clearwater UWCD provided background and update information. Natalie Ballew, TWDB, informed committee that TWDB is working on model. James Beach, WSP, briefly reviewed Run 11 and DFCs in Explanatory Report. Dirk Aaron, Clearwater UWCD, made the motion for the current round of planning GMA 8 adopts the results of Run 11 as proposed DFCs for the Northern Trinity and Woodbine Aquifers. Charles Beseda, Prairielands GCD, seconded the motion. Motion passed unanimously.

Regarding the Edwards (BFZ) Aquifer, today we are approving this DFC identical resolution to last time with Run 11 and updated numbers for proposed DFCs. For the current round planning GMA 8 proposed the current DFCs for the Edwards BFZ aquifer as defined in Resolution 2017-01 as the proposed DFCs At a later date an updated resolution will be brought back to GMA 8 to be adopted as proposed DFCs David Gattis, Red River GCD made motion to adopt plan to go forward with resolution as presented by Kristen Fancher. Charles Beseda, Prairielands GCD seconded the motion. Motion passed unanimously.

9. Discussion and possible action on margin of error language for the Desired Future Conditions Statement.

James Beach, WSP, provided presentation. Due to the nature of the drawdown calculations, TWDB suggests that the GMA provide “variance assumptions.” For example if the variation of averaged drawdowns calculated by the TWDB is within 5 percent of the proposed DFCs values, then the TWDB assumes the model results are consistent with the proposed DFCs. Question was asked: is 5 percent or 5 feet? Next time confirm whether 5 percent or 5 feet. Next time revisit as agenda item with more detail.

10. Consider and act upon adopting a resolution regarding the reassignment of GMA boundaries between GMA 8 and GMA 6.

Doug Shaw, Upper Trinity GCD provided resolution information. The resolution amends the boundary between GMA 6 and GMA 8: (1) the western portions of Montague, Parker, and Wise Counties that do not overlie the Trinity Aquifer to GMA 6; and (2) the northeastern and southeastern portions of Jack, southeastern portion of Palo Pinto, and southern portion of Shackelford Counties that overlie the Trinity Aquifer to GMA 8. This will put Upper Trinity GCD into both GMA 6 and GMA 8. Doug Shaw, Upper Trinity GCD, made motion to adopt resolution changing GMA 8 and GMA 6 boundaries. Peter Kultgen, Southern Trinity GCD, seconded the motion. Motion passed unanimously.

11. Consider and act upon adopting a resolution regarding the reassignment of GMA boundaries between GMA 8 and GMA 7.

Drew Satterwhite, provided resolution information. The resolution amends the boundary between GMA 7 and GMA 8 to reassign: (1) the sliver in Southeastern Taylor County of the Edwards-Trinity Aquifer to GMA 7; and (2) the sliver in Eastern Taylor County of the Trinity Aquifer to GMA 8. David Gattis, Red River GCD, made motion to adopt resolution reassigning GMA 7 and GMA 8 boundaries. Doug Shaw, Upper Trinity GCD, seconded the motion. Motion passed unanimously.

12. Consider and act upon adopting a resolution regarding the reassignment of GMA boundaries between GMA 8 and GMA 9.

Drew Satterwhite, provided resolution information. The resolution amends the boundary between GMA 9 and GMA 8 to reassign the boundaries based on the delineation of STCGCD’s (Southwestern Travis County Groundwater Conservation District) boundaries: (1) the slivers in Central Travis County outside of the boundaries of STCGCD be reassigned to GMA 8; and (2) the slivers in Central Travis County inside the boundaries of STCGCD be reassigned to GMA 9. Mitchell Sodek, Central Texas GCD, made motion to adopt resolution reassigning the boundaries between GMA 8 and GMA 9. Gary Westbrook, Post Oak Savannah GCD, seconded the motion. Motion passed unanimously.

13. Discussion of possible agenda items and dates for next GMA 8 meeting.

James Beach, WSP, DFCs resolutions with redlined language. Review 9 Factors again as we are adopting proposed DFCs. Discuss Run 11. Discuss margin of error language. Discuss Similar Rules survey. Next meeting, need to reserve Cleburne Conference Center late October time frame.

14. Closing comments.

Chairman Joe Cooper, Middle Trinity GCD, thanked everyone for attending.

15. Adjourn

Bob Patterson, Northern Trinity GCD, made motion to adjourn. Dirk Aaron, Clearwater UWCD, seconded the motion. Chairman Joe Cooper, Middle Trinity GCD, declared the meeting adjourned at 10:55 a.m.

The GMA 8 Committee unanimously approved the minutes on this _____ day of _____, 2020

Recording Secretary

Chairman

ATTACHMENT 9

RESOLUTION TO PROPOSE FOR ADOPTION DESIRED FUTURE CONDITIONS FOR RELEVANT AQUIFERS IN GROUNDWATER MANAGEMENT AREA 8

THE STATE OF TEXAS §
GROUNDWATER MANAGEMENT AREA 8 §
GROUNDWATER CONSERVATION DISTRICTS §

WHEREAS, Section 36.108 of the Texas Water Code requires groundwater conservation districts located entirely or partially within a groundwater management area designated by the Texas Water Development Board (“TWDB”) to propose for adoption desired future conditions (“DFCs”) for the relevant aquifers within each groundwater management area by May 1, 2021, and every five years thereafter;

WHEREAS, House Bill 2215 passed by the 85th Texas Legislature in 2017 provides that the statutory deadline for a GMA to vote on a proposal for the adoption of DFCs under Section 36.108(d) of the Texas Water Code is May 1, 2021, and requires the DFCs to thereafter be approved by resolution of the GMA not later than January 5, 2022;

WHEREAS, the groundwater conservation districts located entirely or partially within Groundwater Management Area 8 (“GMA 8”) as of the date of this resolution are as follows: Central Texas Groundwater Conservation District, Clearwater Underground Water Conservation District, Middle Trinity Groundwater Conservation District, North Texas Groundwater Conservation District, Northern Trinity Groundwater Conservation District, Post Oak Savannah Groundwater Conservation District, Prairielands Groundwater Conservation District, Red River Groundwater Conservation District, Saratoga Underground Water Conservation District, Southern Trinity Groundwater Conservation District, and Upper Trinity Groundwater Conservation District (collectively referenced hereinafter as “GMA 8 Districts”);

WHEREAS, the GMA 8 Districts are each governmental agencies and bodies politic and corporate operating pursuant to Chapter 36 of the Texas Water Code and their specific enabling statutes;

WHEREAS, the GMA 8 Districts each desire to fulfill the requirements of Section 36.108 of the Texas Water Code through mutual cooperation and joint planning efforts;

WHEREAS, the GMA 8 Districts last adopted DFCs for the relevant aquifers within GMA 8 on January 31, 2017;

WHEREAS, the GMA 8 Districts held meetings on July 26, 2019, November 22, 2019, February 26, 2020, May 15, 2020, August 7, 2020, and October 27, 2020 in order to comply with and publicly consider all nine factors listed in Section 36.108(d) of the Texas Water Code;

WHEREAS, the GMA 8 Districts used the best available scientific and hydrogeological data to establish the proposed DFCs;

WHEREAS, the GMA 8 Districts considered multiple model runs to establish the proposed DFCs;

WHEREAS, the GMA 8 Districts considered all of the nine (9) statutory factors set forth in Section 36.108(d) of the Texas Water Code before voting to propose the DFCs for the relevant aquifers in GMA 8, including:

- aquifer uses or conditions within the management area, including conditions that differ substantially from one geographic area to another;
- the water supply needs and water management strategies included in the state water plan;
- hydrological conditions, including for each aquifer in the management area the total estimated recoverable storage as provided by the TWDB executive administrator, and the average annual recharge, inflows, and discharge;
- other environmental impacts, including impacts on spring flow and other interactions between groundwater and surface water;
- the impact on subsidence;
- socioeconomic impacts reasonably expected to occur;
- the impact on the interests and rights in private property, including ownership and the rights of management area landowners and their lessees and assigns in groundwater as recognized under Section 36.002 of the Texas Water Code;
- the feasibility of achieving the desired future condition; and
- any other information relevant to the specific desired future conditions;

WHEREAS, the GMA 8 Districts considered groundwater availability models and other data or information for GMA 8 as required by Section 36.108(d) of the Texas Water Code;

WHEREAS, the DFCs proposed by the GMA 8 Districts provide a balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence in the management area pursuant to Section 36.108(d-2) of the Texas Water Code;

WHEREAS, the GMA 8 Districts will document in the explanatory report required under Section 36.108(d-3) of the Texas Water Code all consideration of the factors and criteria required for proposing DFCs for adoption under Section 36.108 of the Texas Water Code;

WHEREAS, representatives of the GMA 8 Districts convened for a meeting to take up and consider proposing for adoption the DFCs for all relevant aquifers within GMA8, which was open to the public, this day, the 27th day of October, 2020, at 10:00 a.m. and held through a

virtual meeting method authorized by the Governor's March 16, 2020 order on conducting open meetings during the COVID-19 pandemic;

WHEREAS, with voting representatives in attendance from at least two-thirds (2/3) of the GMA 8 Districts, the notice and meeting requirements set forth by Sections 36.108(e) of the Texas Water Code have been met regarding this October 27, 2020 meeting, and a true and correct copy of each of the notices required under Section 36.108(e) is included as Attachment "A" to this resolution, which is fully incorporated herein for all purposes;

WHEREAS, the GMA 8 Districts have adopted administrative procedures for the consideration, proposal, and adoption of DFCs, and the GMA 8 Districts find that the DFCs proposed by this resolution were considered and proposed in compliance with the requirements of those administrative procedures in all respects;

WHEREAS, the GMA 8 Districts find therefore that the notice and meeting requirements to take up, consider, and propose for adoption the proposed DFCs for all relevant aquifers within GMA 8 have been and are satisfied;

WHEREAS, the DFCs proposed by this resolution will be distributed by mail to the GMA 8 Districts, initiating a 90-day public comment period by which each district in GMA 8 must hold a public hearing on the DFCs proposed that are relevant to that district pursuant to Section 36.108(d-2) of the Texas Water Code;

WHEREAS, each district within GMA 8 will thereafter compile a written summary of relevant comments received at the public hearing held by the district, any suggested revisions to the proposed DFCs, and the basis for any such revisions, and will submit its summary report electronically to the GMA 8 Districts, and the GMA 8 district representatives shall reconvene to review the reports, consider any suggested revisions to the proposed DFCs, and finally adopt the DFCs for GMA 8;

WHEREAS, it is the intent and purpose of the GMA 8 Districts by adoption of this resolution to fulfill the DFC proposal requirements of Section 36.108 of the Texas Water Code; and

WHEREAS, the GMA 8 Districts find that the proposed DFCs for adoption in GMA 8 are in each instance merited and necessary to support the management of groundwater resources within the boundaries of the GMA 8 Districts in a manner consistent with the requirements of Chapter 36, Texas Water Code.

NOW, THEREFORE, BE IT RESOLVED BY THE REPRESENTATIVES OF THE GROUNDWATER CONSERVATION DISTRICTS WITHIN GROUNDWATER MANAGEMENT AREA 8:

- 1) Each of the affirmations and recitals set forth above are true and correct and fully incorporated into this resolution.

- 2) No less than two-thirds (2/3) of the authorized voting representatives of the GMA 8 Districts hereby propose the desired future conditions for the relevant aquifers within GMA 8 as those set forth in Attachment "B" to this resolution, which is fully incorporated herein for all purposes.
- 3) The GMA 8 Districts and their agents and representatives, individually and collectively, are further authorized to take any and all actions necessary to implement this resolution, including but not limited to the additional actions required for adoption of the desired future conditions in accordance with Section 36.108 of the Texas Water Code.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 27th day of October, 2020.

ATTEST:

Central Texas Groundwater Conservation District

Clearwater Underground Water Conservation District

Middle Trinity Groundwater Conservation District

North Texas Groundwater Conservation District

Northern Trinity Groundwater Conservation District

Post Oak Savannah Groundwater Conservation District

Prairielands Groundwater Conservation District

Red River Groundwater Conservation District

Saratoga Underground Water Conservation District

Southern Trinity Groundwater Conservation District

Upper Trinity Groundwater Conservation District

ATTACHMENT A

NOTICE OF OCTOBER 27, 2020 GMA 8 MEETING
PROVIDED BY EACH OF THE GMA 8 DISTRICTS

ATTACHMENT B

DESIRED FUTURE CONDITIONS PROPOSED FOR ADOPTION

ADJOURN