

MINUTES
EVERGREEN UNDERGROUND WATER CONSERVATION DISTRICT
October 27, 2017 – REGULARLY SCHEDULED BOARD MEETING

The Meeting of the Board of Directors of the Evergreen Underground Water Conservation District, pursuant to notice, at the District Office, 110 Wyoming Blvd., Pleasanton, Atascosa County, Texas.

Directors Present: Blaine Schorp, President
Frank Kruciak, Vice-President
Diane Savage, Secretary/Treasurer
Clifton Stacy
Jason Peeler
Jay Troell
Sherman Posey

Directors Absent: Thomas Moy III
Larry Fox

Employees Present: Russell Labus, General Manager
Christopher McFarlane, Assistant Manager
Melissa Gonzalez, District Secretary/Bookkeeper
Matthew Pope, Field Technician

Guests Present: Attached
Agenda: Attached.

Declaration of Quorum and Call to Order:

President Schorp declared a quorum present and called the meeting to order at 9:16 a.m. The meeting was posted and filed as required by law.

Pledge of Allegiance.

Recess to Public Hearings

Public Hearing- Proposed District Rule Amendments

a. Call to Order

President Schorp called the Public Hearing to Order at 9:17 a.m.

b. Public Comments:

Carl Hummel and Tina Shearman stated that they want to give their time to John Oneacre, Hydrologist for NADA.

Jessica Hardy stated that she noticed that the term sustainable yield was taken out of the rules and would like that put back in, would like the amendments attached to the SMT's permits be a standard procedure for industrial use permits, and in regards to self-monitoring that if the district staff feels a permittee is not reporting truthfully that a meter be installed. Mrs. Hardy mentioned that she does have other comments but all pertain to the technical part of the rules that will be done at a later time. Mrs. Hardy asked that if we plan on following the Robert Rules of Order and Attorney, Monique Norman said that is a bylaws issue not a rules issue.

Susana Consecro, Attorney for NADA submitted comments and made copies for all the board members. Ms. Consecro briefly went over all points in the comments and said she would like to sit down with the district to discuss some changes to the rules as soon as possible. (Comments are attached)

John Oneacre, Hydrologist for NADA said the concern he sees with the well owners in southern Karnes County and northern Goliad County is the groundwater does not recognize legal boundaries. Mr. Oneacre mentioned that there is a discrepancy if the Evangeline Aquifer even occurs at the test well site because TWDB has a well right on the other side of the county line which says it is in the Evangeline Aquifer, so he feels this needs to be ironed out. Mr. Oneacre went on to describe the characteristics of the Evangeline Aquifer in other studies performed in Goliad County. Mr. Oneacre said there should be standardized procedures in our rules to run these kinds of pump tests.

David Morgan stated that he would like to see different groundwater production limits on wells depending on what aquifer they are in since all aquifers are not the same. Mr. Morgan would like the board to consider putting in our rules protection of all aquifers since he feels the concentration of our studies in regards to brackish water are mainly on the Carrizo-Wilcox aquifer.

Herb Williams, General Manager with SS Water Supply said that in the proposed rules he did not see a waiver or exemption for an increase of production limits. Mr. Williams explained different instances to where they may need to come to the district and ask for an increase in order for them to stay in compliance with TCEQ so he asked that a waiver for production increase be put in the rules. Attorney, Monique Norman said she has taken note of the issue and will look at language to put in the rules to address it.

Larry Bartek asked for clarification whether turf grass is considered agriculture or commercial. Attorney, Monique Norman stated according to Chapter 36 it is agriculture but at the same time we cannot treat it differently and considered for beneficial use. Mr. Bartek said that he would like to see more regulation on water waste by having more extensive well monitoring and feels that we have the regulation of exempt wells well covered in the rules.

Steven Leggett stated that our rules should apply not on county lines but on aquifer lines. Mr. Leggett said that the EUWCD should look at the Goliad GCD's rules when it comes to regulating the Evangeline Aquifer. Mr. Leggett feels the rules should be different for different areas in the district not a blanket set of rules for the whole district.

c. Approve Resolution #2017-18-4 Adopting the Proposed District Rule Amendments:

Director Savage moved to approve Resolution #2017-18-4 adopting the Proposed District Rule Amendments. Director Troell seconded the motion, and there being no further discussion the motion carried unanimously.

d. Adjourn:

President Schorp declared the Public Hearing adjourned at 10:19 a.m.

Public Hearing- Water Well Drilling and Production Permit Applications

a. Call to Order

President Schorp called the Public Hearing to order at 10:19 a.m.

b. Public Comments:

None.

c. Drilling/Production Permit Applications:

The Board was presented with one drilling and production permit application for Quentin Marsh (Production Permit#PA00439) for new well to be located in Atascosa County. Director Troell moved to approve the drilling and production permit. Director Savage seconded the motion, and there being no further discussion the motion carried.

The Board was presented with 5 drilling and production permit applications for John Braudaway, Jr. (Production Permits #PK00332, PK00333, PK00334, PK00335, PK00336) for new wells to be located in Karnes County. Director Stacy moved to approve the five drilling and production permits. Director Kruciak seconded the motion, and there being no further discussion the motion carried unanimously.

The Board was presented with 2 drilling and production permit applications for John Braudaway, Jr. (Production Permits #PK00337, PK00338) for new wells to be located in Karnes County. Director Stacy moved to approve the two drilling and production permits. Director Savage seconded the motion, and there being no further discussion the motion carried unanimously.

The Board was presented with 2 drilling and production permit applications for John Austin Braudaway et al. (Production Permits #PK00339, PK00340) for new wells to be located in Karnes County. Director Stacy moved to approve the two drilling and production permits. Director Kruciak seconded the motion, and there being no further discussion the motion carried unanimously.

d. Permits on Existing Wells:

The Board was presented with one production permit application for Quentin Marsh (Permit #PA00440), for an existing well located in Atascosa County. Director Troell moved to approve the production permit. Director Savage seconded the motion and there being no further discussion the motion carried unanimously.

e. Adjourn:

President Schorp declared the Public Hearing adjourned at 10:29 a.m.

Reconvene to Regular Meeting.

Production Permit Renewals:

None.

Public Comments on Agenda Items or Other District Business, Limited to 5 Minutes Each:

None.

Approval of Minutes from the September 29, 2017 Board of Directors Meeting:

The minutes of the September 7th meeting were presented to the Board. Director Stacy moved to approve the minutes as presented. Director Savage seconded the motion, and there being no further discussion the motion carried unanimously.

Approval of Report of Bills Paid, Deposits, and Financial Statements for September 2017:

The report of bills paid, deposits, and financial statements for September was presented to the Board. Director Savage moved to receive and file the report. Director Stacy seconded the motion, and there being no further discussion the motion carried unanimously.

Appointment of a Scholarship Committee and Approve Scholarship Question for 2018:

President Schorp appointed Directors Savage, Stacy, Kruciak and Fox as the Scholarship Committee. The Scholarship Committee agreed to meet shortly after the meeting to choose a question for the essay.

Discuss and Consider EUWCD Sponsorship of the South Texas Home, Garden, and Environmental Show:

Director Savage moved to approve a general sponsorship in the amount of \$2500.00. Director Stacy seconded the motion, and there being no further discussion the motion carried unanimously.

Presentation and Proposal for Installation of Pressure Transducers in the EUWCD Monitor Wells by Southwest Research Institute:

Nate Toll with Southwest Research Institute gave a presentation. General Manager, Russell Labus stated that the district will continue working with SWRI to get permanent transducers and locations. No action was taken.

Summary of Induced Seismicity Research in EUWCD by Southwest Research Institute:

Nate Toll gave a slide presentation.

Staff Report on District Activities:

- **Meetings and Conferences Attended and Schedule of Upcoming Meetings:**

- General Manager, Russell Labus attended a GMA 15 meeting that was held at the Goliad GCD office.
- Region L meeting on Thursday, November 2, 2017.

- **Legislative Updates:**

General Manager, Russell Labus stated that he sent an email regarding the House Committee on Natural Resources interim charges.

- **Exempt Well Registrations:**

Assistant Manager, Chris McFarlane said that he is still compiling the exempt wells but so far there are 35.

- **Monitor Well Report and Water Sampling Activity:**

Field Technician, Matt Pope said that in Atascosa and Frio County, especially far west that the monitor wells are rebounding, the monitor wells around the ASR are looking good, and that he is very pleased with all the well levels. Mr. Pope mentioned that he did a couple flow tests for Quentin Marsh, and took some baseline water samples in Karnes County around the test well area and is waiting for results.

Assistant Manager, Chris McFarlane said that Karnes and Wilson Counties stayed fairly consistent and the monitor well levels look great compared to the past couple years around this time.

- **Complaints and Investigations:**

None.

- **Other District Activities:**

General Manager, Russell Labus told the board that in front of them are a couple quotes for a downhole inspection camera. Mr. Labus said that there is an immediate use for this tool in our district in order to have more wells for monitoring, especially since most older wells do not have any data which is needed for monitoring purposes. Mr. Labus mentioned other instances where the camera will be valuable to the district as well as ways the district can recoup some of the costs to purchase the downhole camera.

The board authorized General Manager, Russell Labus to purchase a downhole inspection camera not to exceed \$15,000.00.

Consider and Take Appropriate Action on Items to be Placed on the Next Agenda:

- Nueces River Authority Invoice.

Set Date and Time for the Next Board Meeting:

The Board agreed to set the next meeting date for Thursday, November 30, 2017 at 09:00 a.m. at the District Office in Pleasanton, TX 78064.

Adjourn:

Director Troell moved to adjourn the meeting. Director Posey seconded the motion, and there being no further business to come before the Board, President Schorp declared the meeting adjourned at 12:13 p.m.


Blaine Schorp, President

ATTEST:


Diane Savage, Secretary/Treasurer