

**Victoria County Groundwater Conservation District  
Meeting Minutes for May 9, 2025**

THE STATE OF TEXAS  
VICTORIA COUNTY

**Item 1 - Convene Meeting**

Mr. Andruss explained that staff completed the necessary public notification requirements for the meeting.

**Board Action:** Mr. Meek called the meeting to order at 9:00 AM and call the roll of representatives:

Precinct 1: Mr. Jerry Hroch, Vice President: Present.

Precinct 2: Mr. Thurman Clements, Jr., Director : Present.

Precinct 3: Mrs. Barbara Dietzel, Secretary : Present.

Precinct 4: Mr. Mark Meek, President: Present.

At Large: Mr. Kenneth Eller, Director : Absent.

General Manager: Tim Andruss : Present.

General Counsel: Jim Allison : Present.

**Item 2 - Receive Public Comment**

No public comment was given at this time.

**Item 3 - Groundwater Management (Permitting)**

**Topic 3.1 - Report**

Mr. Andruss provided the following information:

Regarding Well Registration Processing for FY2025.

As of May 2, 2025, staff had received 28 well registration applications (ARWs) since October 1, 2024.

As of May 2, 2025, staff had received 55 Notices of Intent to Drill a Well (NIDWs) since October 1, 2024.

Regarding Production Permit Renewal Processing for FY2025.

As of May 2, 2025, staff had received 0 production permit renewal requests (ARPs) since October 1, 2024.

Regarding Permit Processing for FY2025

As of May 2, 2025, staff had initiated 0 permitting request case (PRCs) since October 1, 2024.

As of May 2, 2025, staff had 9 permitting request cases pending.

1. PRC-20211110-01 - ARW-20211109-01/03/ADW-20211109-05/AOW-20211109-02/04/06 - William G. Hoad - Pending
2. PRC-20220329-01 - ADW-20220322-01/AOW-20220322-02 - Michael Dillon Hannasch - Pending
- 3.

PRC-20220624-01 - ADW-20220624-01 - Kenneth and Jennifer Charbula/AOW-20220624-02 - Kenneth and Jennifer Charbula - John and Gladys Stockbauer - Pending

4. PRC-20220705-03 - ADW-20220630-02/AOW-20220630-03 - Chase Thompson - Pending
5. PRC-20231003-01 - ANHUPPW-20230925-03 - Ray Young - Pending
6. PRC-20231003-02 - ANHUPPW-20230926-01 - Kevin Broll - Pending
7. PRC-20231003-04 - AAP-20230815-01 - VCWCID1 - R1GW-000311 - Pending/Contested
8. PRC-20231226-01 - ANHUPPW-20231226-01 - The Barn - Pending/Uncontested
9. PRC-20240913-01 - ARP-20240726-01 - Argent Trust Company, Trustee of the William M. Murphy, III Testamentary Trust - Pending/Uncontested

As of May 2, 2025, staff had 250 active or approved production permits recorded in the permitting database with a combined amount of authorized groundwater production per year of 115,2761 acre-feet.

Regarding Groundwater Production Report Processing for CY2024.

As of May 2, 2025, staff had processed 240 groundwater production reports for the preceding calendar year since October 1, 2024.

As of May 2, 2025, staff had recorded groundwater production reports for 241 water wells reporting 28,410 acre-feet of groundwater production during CY2024. (TWDB estimated the volume of groundwater produced for rural domestic, livestock, mining, and rig supply exempt uses in Victoria County in Year 2020 was 1,920 acre-feet.) See: TWDB - Projected Exempt Groundwater Use Estimates.)

Regarding Manage Investigations related to Permitting Violations for FY2025.

As of May 2, 2025, staff had initiated 3 investigations related to groundwater management (i.e., permitting) since October 1, 2024.

As of May 2, 2025, staff had 3 active investigations related to groundwater management (i.e., permitting).

1. INV-20250210-01 - Potential Violation of Failure to Report Groundwater Production - Rice Irrigation - Active
2. INV-20250214-01 - Unpermitted Non-Exempt - Active
3. INV- 20250425-01 - Failure to Satisfy Rules of the District - Production Reporting for CY2024 - Active

Regarding Manage Enforcement Cases related to Permitting Violations for FY2025.

As of May 2, 2025, the Board had initiated 10 enforcement case violations related to groundwater management (i.e., permitting) since October 1, 2024.

As of May 2, 2025, staff had 10 unresolved enforcement cases related to groundwater management (i.e., permitting).

See:

1. ECV-20250425-01
2. ECV-20250425-02
3. ECV-20250425-03
4. ECV-20250425-04

5. ECV-20250425-05
6. ECV-20250425-06
7. ECV-20250425-07
8. ECV-20250425-08
9. ECV-20250425-09
10. ECV-20250425-10

Mr. Andruss commented that staff would review wells associated with previously expired production permit in an effort to identify instances of wells being used to produce groundwater for non-exempt uses without a valid production permit.

### **Topic 3.2 - Investigation of Failures to Report Groundwater Production for CY2024**

Mr. Andruss explained on December 23, 2024, staff reviewed and updated well registration data associated for the first courtesy notice regarding groundwater production reporting.

On January 2, 2025, staff mailed out first courtesy notices to registered well owners regarding the requirement to report groundwater production for calendar year 2024.

On March 5, 2025, staff produced courtesy notices for groundwater production reporting for wells for which groundwater production reporting is required and groundwater production reports for CY2024 had not been received by the district.

On March 13, 2025, staff mailed out second courtesy notice for production reports for CY2024 that had not been received by the district.

On April 25, 2025, the compliance specialist initiated investigation INV- 20250425-01 - Failure to Satisfy Rules of the District - Production Reporting for CY2024 - Active.

As of April 25, 2025, the District has identified 10 wells under investigation INV- 20250425-01 for which RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS has potentially been violated by the well owner by failing to report the volume of groundwater produced from the non-exempt-use well for the previous calendar year (January 1 to December 31) during January of the current calendar year.

On April 25, 2025, the compliance specialist identified the owner for each of the subject wells of investigation INV- 20250425-01. For each well, the compliance specialist classified the potential violators into the following groups based the provisions of RULE 11.10: PENALTIES of the Rules of the District:

- Group 1: Persons with one violation and no previous violations (4 potential violators);
- Group 2: Persons with multiple violations and no previous violations (0 potential violators);  
and
- Group 3: Persons with a previous violation of the related rule in the previous 5-year period (6 potential violators).

On April 30, 2025, staff mailed via certified mail, send the district's first notice of violation to owners of the subject wells.

For potential violators in Group 1, the notice of violation will inform the owner that 1) staff believes RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE was violated for calendar year 2024, 2) staff will present a list of outstanding potential violations to the Board of Directors during the Board of Director Meeting in July 2025 with a recommendation to set a \$100.00 penalty for the violation per RULE 11.10: PENALTIES of the Rules of the District unless

evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District.

For potential violators in Group 3, the notice of violation will inform the owner that 1) staff believes RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE was violated for calendar year 2024, 2) staff will present a list of outstanding potential violations to the Board of Directors during the Board of Director Meeting in July 2025 with a recommendation to set a \$250.00 penalty for the violation per RULE 11.10: PENALTIES of the Rules of the District unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District.

**Board Action:** None.

**Topic 3.3 - Investigation of Potential Violation of Rules - PRC-20231003-04 - R1GW-00311 - VCWCID1**

Mr. Andruss explained on January 24, 2025, staff of VCGCD opened an investigation INV-20250124-01 to investigate the alleged violations made by members of the public during the permit hearing for PRC-20231003-04 - R1GW-000311 - VCWCID 1 held on January 17, 2025. Staff investigated the following potential violations:

**Potential Violation 1:** VCWCID1 improperly located well R1GW-000311 within 50 feet of potential sources of contamination such as a failing sewer line, washateria, underground fuel storage tanks.

RULE 1.1: DEFINITIONS OF TERMS

WASTE OF GROUNDWATER means:

5. The pollution or harmful alteration of groundwater in a groundwater reservoir by saltwater or by other deleterious matter admitted from another stratum or from the surface of the ground.

RULE 2.1: DRILLING WELLS

8. No person drilling a well shall locate a well closer than fifty feet (50 feet) to any potential source of contamination.

9. No person shall locate a potential source of contamination closer than fifty feet (50 feet) to any well.

Rule 11: POLICIES RELATED TO WASTE, VIOLATIONS, INVESTIGATIONS, AND ENFORCEMENT

2. No person shall pollute or harmfully alter the character of the groundwater resources of the district by causing or allowing undesirable water or other deleterious matter to enter strata beneath the surface of the ground.

4. No person shall commit waste of groundwater as that term is defined in the rules of the district.

**Potential Violation 2:** VCWCID1 failed to obtain and maintain the necessary ownership or control of the groundwater resources associated with well R1GW-000311 to seek the amendment of the production permits Production Permits - AP-20101119-03 - Victoria WCID 1 (GW-000311, GW-000312) and Production Permits - VP-20101119-05 - Victoria County WCID No. 1 to authorize the groundwater production from well R1GW-000311.

PRODUCTION AREA means the spatial boundary and extent of the area within the boundary of ownership or control of groundwater resources associated with a production permit that:

1. encompasses the location of the subject well, subject well field, or subject well system; and encompasses sufficient area to satisfy the associated groundwater production limitations under which the permit was issued by the district if the production permit authorizes non-historic use; or
2. encompasses the location of the subject well, subject well field, or subject well system; and encompasses the portion of the ownership or control of groundwater resources associated with the validated historic use of the permit if the production permit authorizes historic use.

**RULE 4.1: GENERAL POLICIES RELATED TO PERMITS**

14. The district shall require groundwater produced under a production permit to originate from non-exempt-use wells located within the production area of the production permit.

**RULE 5.1: GENERAL POLICIES RELATED TO PROTECTION OF HISTORIC USE PERMITTING**

1. No person shall produce groundwater from a grandfathered well, grandfathered well field, or grandfathered well system without obtaining and maintaining ownership or control of the groundwater resources from the subject well, well field, or well system.

7. The well owner, well field owner, or well system owner of a grandfathered non-exempt-use well, a grandfathered non-exempt-use well field, or a grandfathered non-exempt-use well system shall maintain the ownership or control of groundwater rights associated with the groundwater resources from which the subject grandfathered non-exempt-use well, subject grandfathered non-exempt-use well field, or subject grandfathered non-exempt-use well system historically produced groundwater.

**Potential Violation 3:** VCWCID1 placed well R1GW-000311 in service prior to the district amending production permits Production Permits - AP-20101119-03 - Victoria WCID 1 (GW-000311, GW-000312) and Production Permits - VP-20101119-05 - Victoria County WCID No. 1.

**RULE 4.1: GENERAL POLICIES RELATED TO PERMITS**

18. No person shall operate a well to produce groundwater to be used for any purpose other than those uses defined as exempt use prior to obtaining a production permit from the district unless the subject well satisfies the definition of an original exempt-use grandfathered well or an original exempt-use non-grandfathered well.

**RULE 1.1: DEFINITIONS OF TERMS**

**EXEMPT USE** means the use or operation of a well or set of wells for exempt-use purposes.

**EXEMPT-USE PURPOSES** means:

1. producing groundwater for domestic use purposes;
2. producing groundwater for livestock or poultry watering purposes;
3. producing groundwater for firefighting purposes;
4. producing groundwater for groundwater monitoring purposes in a volume that does not exceed five thousand gallons (5,000 gallons) of water per year; or
5. otherwise exempt under Section 36.117, Water Code.

**ORIGINAL EXEMPT-USE GRANDFATHERED WELL** means a well that 1) existed on the original date the rules of the district were adopted, 2) satisfied the definition of an exempt use well as defined in the version of the rules of the district adopted on April 26, 2019, and 3) an administratively complete application to register the well or well log had been

submitted to or obtained by the district prior to the date the version of the rules of the district adopted on April 26, 2019, were superseded.

ORIGINAL EXEMPT-USE NON-GRANDFATHERED WELL means a well that 1) was drilled after the original date the rules of the district were adopted, 2) satisfied the definition of an

exempt use well as defined in the version of the rules of the district adopted on April 26, 2019, and 3) an administratively complete application to register the well or well log had been submitted to or obtained by the district prior to the date the version of the rules of the district adopted on April 26, 2019, were superseded.

**Potential Violation 4:** VCWCID1 failed to plug well GW-000311, a deteriorated well, as required under the rules of the district.

**RULE 2.6: REPLACING WELLS**

1. The owner of a deteriorated well shall repair or plug the deteriorated well in accordance with rules and regulations of the state of Texas.

**RULE 1.1: DEFINITIONS OF TERMS**

DETERIORATED WELL means a well that, because of its condition, will cause or is likely to cause pollution of any water in this state, including groundwater.

REPLACEMENT WELL means a well drilled for the purposes of replacing a registered well that is deteriorated provided the new well is drilled within one hundred yards (100 yards) of and constructed in a manner consistent with the construction of the well being replaced including the production zones and the production capacity.

**Sec. 1901.255. PLUGGING WATER WELL.**

(c) Not later than the 180th day after the date a landowner or other person who possesses an abandoned or deteriorated well learns of its condition, the landowner or other person shall have the well plugged or capped under standards and procedures adopted by the commission.

(d) Not later than the 30th day after the date the well is plugged, a driller, licensed pump installer, or well owner who plugs an abandoned or deteriorated well shall submit a plugging report to:

- (1) the board of directors of the groundwater conservation district in which the well is located, if the well is located in the boundaries of a groundwater conservation district; and
- (2) the executive director.

**Based on the information developed through the investigation, the general manager made the following conclusions regarding the potential violations:**

**Matter to Investigate 1.1 - did the well driller who drilled well R1GW-000311 locate the well "closer than fifty feet (50 feet) to any potential source of contamination?**

Based on the site visit conducted on January 28, 2025, staff found no evidence that well R1GW-000311 was located closer than 50 feet to a potential source of contamination.

**Matter to Investigate 1.2 - did anyone locate a potential source of contamination, such as leaking sewer lines, underground fuel storage containers, and sources of**

**contamination associated with laundry facility, closer than 50 feet to well R1GW-000311 or other unplugged wells located at the site?**

Based on the site visit conducted on January 28, 2025, staff found no evidence of potential sources of contamination located with 50 feet of well R1GW-000311.

**Matter to Investigate 1.3 - did/is VCWCID1 committing waste of groundwater per item 5 of the definition of waste or item 2 or item 4 of Rule 11 of the Rules of the District?**

Based on the observations made during site visits conducted on January 28, 2025, and February 18, 2025, as well as the lab results for the water sample collected on February 18, 2025, staff found no evidence that groundwater from the subject well has been polluted or harmfully altered by saltwater or by other deleterious matter admitted from another stratum or from the surface of the ground.

**Matter to Investigate 2.1 - did VCWCID1 obtain and maintain the necessary ownership or control of the groundwater resources associated with well R1GW-000311 to seek the amendment of the subject production permits?**

Based on 1) the documentation provided on February 3, 2025, by legal counsel for VCWCID1 that contains an instrument filed with the County Clerk of Victoria County described as a "Correction Instrument" dated January 30, 2025, 2) the ownership information obtained from the website of the Victoria Central Appraisal District on April 3, 2025, and 3) the absence of any evidence indicating contested or unclear title to the subject tract of land, staff found no evidence that VCWCID1 has not presently obtained control the groundwater resources associated with properties that encompass the location of the subject wells through the Water Well Facilities Area Agreement between VCWCID1 and Emerald City Investments Series 1, LLC contained within the amendment application and the production area that would result from the approval of the amendment request by the Board of Directors.

Based on the ownership information obtained from the website of the Victoria Central Appraisal District on May 1, 2025, staff found no evidence that the Confirmation of the Contiguous Tracts of Groundwater Control document within the amendment application bundle is inaccurate or misrepresent the boundaries of control held by VCWCID1.

**Matter to Investigate 3.1 - did VCWCID1 operate well R1GW-000311 to produce groundwater for non-exempt-use purposes prior to obtaining a production permit from the district?**

Based on comments made by the well operator at the site on January 28, 2025, Mr. Jacob Gonzales, staff believes well R1GW-000311 has been operated since January 3, 2025, in violation of item 18 of Rule 4.1. Item 18 of Rule 4.1 states "No person shall operate a well to produce groundwater to be used for any purpose other than those uses defined as exempt use prior to obtaining a production permit from the district unless the subject well satisfies the definition of an original exempt-use grandfathered well or an original exempt-use non-grandfathered well."

**Matter to Investigate 4.1 - did VCWCID1 plug well GW-000311 (which must be a deteriorated well if the new well is to satisfy the definition of a replacement well for**

**GW-000311) "[n]ot later than the 180th day after the date a landowner or other person who possesses an abandoned or deteriorated well learn[ed] of its condition?**

Based on the site visit conducted on January 28, 2025, staff found no evidence that well GW-000311 was not plugged and found no evidence that the well was improperly plugged.

The general policy of the district is to assist potential violators in achieving compliance with the Rules of the District whenever possible through administrative procedures in lieu of initiating enforcement proceedings. Any continuing violation of item 18 of Rule 4.1 by VCWCID1 could be resolved and compliance with the Rules of the District achieved by the approval of the permit amendment request sought by VCWCID1 through permitting request case PRC-20231003-04. See Topic 3.4 - Permit Hearing - PRC-20231003-04.

**Board Action:** None.

**Topic 3.4 - Permit Hearing - PRC-20231003-04**

Mr. Andruss explained the following:

On January 17, 2025, the Board of Directors convened a hearing associated with permitting request case PRC-20231003-04.

The Board recessed the hearing and held the record open to afford the opportunity to the parties to submit written documentation related to the request.

The following audio recording of the hearing was archived.

On January 24, 2025, Mr. Andruss instructed staff of the district to undertake an investigation of potential violations identified based on public comments offered during the permit hearing on January 17, 2025. See: INV- 20250124-01.

Of the four potential violations investigated under investigation INV-20250124-01, Mr. Andruss found evidence of only one violation related to item 18 of Rule 4.1 of the Rules of the District. Item 18 of Rule 4.1 states "No person shall operate a well to produce groundwater to be used for any purpose other than those uses defined as exempt use prior to obtaining a production permit from the district unless the subject well satisfies the definition of an original exempt-use grandfathered well or an original exempt-use non-grandfathered well." Based on comments made by the well operator at the site on January 28, 2025, Mr. Jacob Gonzales, staff believes well R1GW-000311 has been operated since January 3, 2025, in violation of item 18 of RULE 4.1. On May 5, 2025, Mr. Andruss concluded his evaluation of the evidence developed through the investigation and closed the investigation.

Members of the public and representatives were present and gave statements.

**Board Action:**

Mr. Clements moved to reconvene and record the permit hearing for permitting request case PRC-20231003-04 at approximately 9:20 AM. Mrs. Dietzel seconded motion. The motion passed unanimously.

Mr. Clements moved to conclude the hearing and cease recording for permitting request case PRC-20231003-04 at approximately 9:43 am. Mrs. Dietzel seconded the motion. The motion passed unanimously.

Mr. Hroch moved to deny the request for a contested case hearing for permitting case PRC20231003-04 as requested by Ms. Tiki Venglar, Mr. David Hernandez, and Mr. Erik Hernandez, and amend historic use production permit VP-20101119-05 and aggregate permit AP-20101119-03

authorizing the production of groundwater under the permits from well R1GW-000311. Mrs. Dietzel seconded the motion. The motion passed unanimously.

#### **Item 4 - Groundwater Protection**

##### **Topic 4.1 - Report**

Mr. Andruss provided the following information:

Regarding Well Inspections for FY2025.

As of May 2, 2025, staff had recorded 37 well inspection forms (WIFs) since October 1, 2024.

Regarding Manage Investigations related to Groundwater Protection for FY2025.

As of May 7, 2025, staff had initiated 1 investigation related to Groundwater Protection since October 1, 2024.

As of May 7, 2025, staff had 1 active investigation related to Groundwater Protection.

See: Investigation - INV-20250507.1331 - Potential Contamination of Groundwater - Active

Regarding Manage Enforcement Cases related to Groundwater Protection for FY2025.

As of May 2, 2025, the Board had initiated 0 enforcement case violations related to Groundwater Protection since October 1, 2024.

As of May 2, 2025, staff had 0 unresolved enforcement case violations related to Groundwater Protection.

##### **Topic 4.2 - Investigation of Potential Groundwater Contamination**

Mr. Andruss explained on May 7, 2025, staff opened investigation INV-20250507.1331 related to a potentially significant degradation to groundwater quality near Serene Drive in Southern Victoria County. Initial effort to confirm a water quality change indicate that a significant change has occurred.

VCGCD - Chart of TDS measurements near Serene Drive.png

VCGCD - Vicinity Diagram of Serene Drive.png

On May 7, 2025, Ms. Howell contacted the district to inquire about assistance available from the district to address the apparent changes in water quality and future replacement wells.

**Board Action:** Mr. Clements moved to authorize the general manager to expand the effort to investigate water quality conditions and changes near Serene Drive in Southern Victoria County to include monitoring plan development, assistance of technical consultants and water quality sampling and laboratory analysis. Mr. Hroch seconded the motion. The motion passed unanimously.

#### **Item 5 - Groundwater Monitoring**

##### **Topic 5.1 - Report**

Mr. Andruss provided the following information:

Regarding Monitor Drought Conditions for FY2025.

As of May 5th, 2025, the U.S. Drought Monitor (<https://www.drought.gov/states/texas/county/victoria>) indicates that 100% of Victoria County was experiencing drought or abnormally dry conditions.

As of May 5th, 2025, 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>) indicates that 100% of Victoria County is experiencing drought conditions.

Regarding Synoptic Aquifer Monitoring for FY2025.

As of May 5th, 2025, staff had collected 62 water level measurements since October 1, 2024.

Regarding Advanced Aquifer Monitoring for FY2025.

Regarding Baseline Water Quality Aquifer Monitoring for FY2025.

Regarding Ad-Hoc Baseline Water Quality Sampling for FY2025.

As of May 5th, 2025, staff had collected 6 water quality field measurements since October 1, 2024.

As of May 5th, 2025, staff had collected 2 water quality samples since October 1, 2024.

As of May 5th, 2025, staff had received 2 water quality lab reports since October 1, 2024.

Regarding Annual Water Level Assessment for FY2025.

Regarding Annual Water Quality Assessment for FY2025.

Regarding Monitoring Network Assessment and Improvement Project for FY2025.

Regarding Synoptic Aquifer Monitoring for PVGCD for FY2025.

On April 21, 2025, Mr. Immenhauser, Aquifer Monitoring Technician, attended the meeting of the Victoria County Soil and Water Conservation District to notify the SWCD of the District's incentives related to aquifer monitoring (See: <https://www.vcgcd.org/incentivization-of-monitoring-program>) and seek assistance in recruiting additional participants for the district's aquifer monitoring program.

## **Item 6 - Groundwater Conservation**

### **Topic 6.1 - Report**

Mr. Andruss provided the following information:

Regarding Promote Conservation for FY2025.

On March 19, 2025, staff submitted an application to the Texas Water Development Board for the Fiscal Year 2025 Agriculture Water Conservation Grants Program on behalf of the Victoria County Groundwater Conservation District, the Calhoun County Groundwater Conservation District, the Refugio Groundwater Conservation District, and the Texana Groundwater Conservation District. The application seeks a total of \$179,200 as a grant from TWDB under this application. The cooperating districts will contribute \$60,912 to the project if the requested funding is granted by the Texas Water Development Board and accepted by the cooperating districts.

Regarding Conservation Education and Teacher Professional Development for FY2025.

## **Item 7 - Groundwater Resource Planning**

### **Topic 7.1 - Report**

Mr. Andruss provided the following information:

Regarding Regional Water Planning Participation for FY2025.

The South Central Texas Regional Water Planning Group (Region L) met on February 20, 2025.

The next meeting of the group is scheduled to meet on May 21, 2025. See:

<https://www.regionltexas.org/>.

Regarding GMA 15 Joint Planning for 4th Planning Cycle in FY2025.

The representatives of Groundwater Management Area 15 met on April 10, 2025, at the Ag Extension Offices in Wharton, Texas. Mr. Andruss attended the meeting to participate in 4th Cycle of the Joint Planning as required under Chapter 36 of the Texas Water Code. The next meeting is scheduled for July 10, 2025, in Victoria, Texas. See: <https://www.vcgcd.org/groundwater-management-area-15>.

### **Topic 7.2 - Joint Planning and Desired Future Conditions**

Mr. Andruss explained the mission of the Victoria County Groundwater Conservation District is to develop sound water conservation and management strategies designed to conserve, preserve, protect,

and prevent waste of groundwater resources for long-term sustainability within Victoria County for the benefit of the landowners, citizens, economy, and environment of Victoria County.

The management plan of the district states:

"For the purpose of managing the use of groundwater within Victoria County, the district may define sustainable use as the use of an amount of groundwater in Victoria County as a whole or any management zone established by the district that does not exceed any of the following conditions:

1. the long-term average historical groundwater production from aquifers in Victoria County established by the district prior to the establishment of the desired future condition of aquifers in a groundwater management area in which the district is located; or
2. the desired future conditions of aquifers in Victoria County established by a groundwater management area in which the district is located; or
3. The amount of modeled available groundwater resulting from the establishment of a desired future aquifer condition by the district or a groundwater management area in which the district is located; or
4. the estimated long-term average historical amount of annual recharge of the aquifer or aquifer subdivision in which the use occurs as recognized by the district; or
5. any other criteria established by the district as being a threshold of use beyond which further use of the aquifer or aquifer subdivision may result in a specified undesirable or injurious condition."

The desired future condition (DFC) for GMA 15 is expressed as a condition to not exceed an average drawdown of 13 feet in the Gulf Coast Aquifer within GMA 15 at the end of year 2080. The DFC for Victoria County is expressed as a condition to not exceed an average drawdown of 5 feet in the Gulf Coast Aquifer within GMA 15 at the end of year 2080.

The modeled available groundwater (MAG) of the Gulf Coast Aquifer within the Victoria County is estimated to be 59,948 acre-feet per year. This MAG value was developed using the Central Gulf Coast Groundwater Availability Model recalibrated by TWDB in 2004 (CGC-GAM).

As of May 2, 2025, staff had 250 active or approved production permits recorded in the permitting database with a combined amount of authorized groundwater production per year of 115,2761 acre-feet.

As of May 2, 2025, staff had recorded groundwater production reports for 241 water wells reporting 28,410 acre-feet of groundwater production during CY2024. (TWDB estimated the volume of groundwater produced for rural domestic, livestock, mining, and rig supply exempt uses in Victoria County in Year 2020 was 1,920 acre-feet.)

Based on Intera's report and presentation on the analysis of CY2023 water levels using the geostatistical approach for Jackson County, Victoria County, Calhoun County, and Refugio County, water levels in Victoria County in the calendar year 2023 for the Chicot and the Evangeline Aquifers, combined, have recovered 5.6 feet since the calendar year 2000. The water levels in the Chicot Aquifer, alone, have declined 4.2 feet in Victoria County and the water levels in the Evangeline Aquifer, alone, have recovered 14.8 feet since the calendar year 2000. The 5-year rolling average water level change for Victoria County (CY2019 - CY2023) is 5.4 feet recovery since year 2000.

VCGCD - Intera - Report re 2023 Water Levels - 20241218 - Table 5.png

The representatives of Groundwater Management Area 15 have been asked to provide preliminary DFC statements for the portion of their territory within GMA 15, pumping scenarios for modeling groundwater production impacts at year 2080, and a set of water wells to be used in the assessment of socio-economic impacts.

In light of water level change data, recent groundwater production data, and recent and potential changes in the regulatory framework associated with brackish groundwater, the Board might consider submitting two preliminary DFC statements and related pumping scenarios for consideration. Several scenarios are offered for consideration:

Scenario 1: DFC Maintenance - preliminary Desired Future Condition for Victoria County expressed as a condition to not exceed an average drawdown of 5 feet in the Gulf Coast Aquifer at the end of year 2080 with the previous pumping distribution used to develop the DFC for Victoria County.

Scenario 2: DFC Maintenance and Deep Saline Production - Desired Future Condition for Calhoun County expressed as a condition to not exceed an average drawdown of 5 feet in the Chicot and Evangeline Aquifers, combined at the end of year 2080 with the previous pumping distribution used to develop the DFC for Victoria County and as a condition to not exceed an average drawdown of 20 feet in the Burkeville and Jasper Aquifers, combined at the end of year 2080 with the previous pumping distribution used to develop the DFC for Victoria County increased to 40,000 acre-feet per year in Victoria County.

**Board Action:** None.

### **Topic 7.3 - Evaluation of CSGC-GAM for District Uses**

Mr. Andruss explained although the representatives of GMA 15 have decided, in coordination with TWDB staff, to use the Central Gulf Coast Groundwater Availability Model recalibrated by TWDB in 2004 (CGC-GAM) for evaluation desired future conditions during the current joint planning cycle instead of the draft Groundwater Availability Model for the Central and Southern Portions of Gulf Coast Aquifer System in Texas recalibrated in 2025 (draft CSGC-GAM), TWDB has indicated its intent is to use the draft CSGC-GAM for development of Modeled Available Groundwater (MAG) values. The MAG values are used by regional water planning groups for evaluation water management strategies and by GCDs to evaluate permitting requests.

On April 10, 2025, the representatives of GMA 15 authorized Intera, as the technical consultant to the GMA, to evaluate the utility of the draft CSGC-GAM for joint planning purposes such as regional groundwater modeling, demonstration on DFC feasibility, and evaluating socio-economic impacts of a proposed DFC.

The GMA 15 evaluation will not assess the utility of the draft CSGC-GAM for GCD purposes such as developing district-level DFCs, evaluating aquifer impacts associated with production permit requests, assessing and predicting subsidence, assessing and predicting saltwater intrusion, or assessing and predicting the consequences of incentivizing deep saline groundwater production.

On April 21, 2025, Dr. Young of Intera submitted a proposal at management's request for the evaluation of the draft CSGC-GAM for district purposes for Refugio, Victoria, Calhoun, and Jackson Counties. The budget for the project is \$50,000, \$12,500 per district.

Texana GCD and Refugio GCD have agreed to share in the cost of this project in amounts not to exceed \$12,500 contingent on the District and Calhoun County GCD approving the project and agreeing to cost share equally.

**Board Action:** Mr. Clements moved to 1) accept and approve the project to evaluate the draft CSGC-GAM for district purposes for Refugio, Victoria, Calhoun, and Jackson Counties, 2) move to contribute \$12,500 to fund the project, and 3) authorize the general manager to pay associated invoices from Intera, contingent upon CCGCD approving the project and agreeing to cost share equally. Mr. Hroch seconded the motion. The motion passed unanimously.

## **Item 8 - Groundwater Policy**

### **Topic 8.1 - Report**

Mr. Andruss provided the following information:

Regarding Management Plan Revisions for FY2025.

Regarding Rule Amendments for FY2025.

Regarding Legislative Support and Lobbying for FY2025.

On February 18, 2025, staff forwarded the resolution adopted by the Board on January 27, 2025, regarding compensation for directors to Senator Kolkhorst and Representative Louderback.

## **Item 9 - Administration and Management**

### **Topic 9.1 - Report**

Mr. Andruss provided the following information:

Regarding Employment Management for FY2025.

Regarding Election Coordination for CY2025.

Regarding Financial Audit for FY2024.

Regarding Investment Management for FY2025.

Regarding Financial Record Processing and Reporting for FY2025.

Regarding Budget Development for FY2026.

Regarding Asset Tracking for FY2025.

Regarding Public Funds Training for FY2025.

Regarding GIS Data Quality Control for FY2025.

Regarding Public Notice and Meeting Coordination for FY2025.

The next meeting of the Board is scheduled for July 18, 2025, to convene at 9:00 AM. The meeting will be held at the Dr. Pattie Dodson Health Center Building. Regular meetings will be rescheduled as necessary and special meeting may be scheduled to address unforeseen issues.

Regarding Public Notice and GMA 15 Meeting Coordination for FY2025.

Regarding Performance Audit for FY2024.

Regarding Project Management for FY2025.

Regarding Administrative Policy Review for FY2025.

Regarding Transparency Reporting for FY2025.

Regarding Cybersecurity Training for FY2025.

Regarding Consultant Review for FY2025.

Regarding Open Government Training for FY2025.

Regarding District Liability Insurance Review and Renewal for FY2025.

Regarding GCD Support for FY2025.

Regarding Digital Record Archiving for FY2025.

Regarding Physical Record Archiving for FY2025.

### **Topic 9.2 - Minutes of Previous Meeting**

Mr. Andruss explained the minutes for the previous meeting were sent to the board members prior to the meeting.

See: Meeting Minutes - 20250117 - Board of Directors.

**Board Action:** Mr. Clements moved to accept and approve the meeting minutes for January 17, 2025. Mr. Hroch seconded the motion. The motion passed unanimously.

### **Topic 9.3 - Investments of the District**

Mr. Andruss explained the investment reports for December 2024, January 2025, February 2025 and March 2025, have been drafted by the administrative coordinator and reviewed and executed by the investment officer/general manager.

As of March 31, 2025, the combined balance of all funds, on a cash-basis, totaled \$5,471,128.81.

**Board Action:** Mr. Clements moved to accept the investments reports for December 2024, January 2025, February 2025 and March 2025. Mr. Hroch seconded the motion. The motion passed unanimously.

### **Topic 9.4 - Financial Transaction Review**

Mr. Andruss explained as of April 30, 2025, since January 1, 2025, there have been 75 accounts payable transactions and 64 accounts receivable transactions recorded.

### **Topic 9.5 - Financial Reports of the District**

Mr. Andruss explained that the internal control review and internal financial reports for December 2024, January 2025, and February 2025, have been compiled by Caitlynn Davenport, Administrative Coordinator, and forwarded to the directors prior to the meeting.

**Board Action:** Mr. Clements moved to accept and approve the internal control review reports and the internal financial reports for December 2024, January 2025, and February 2025. Mr. Hroch seconded the motion. The motion passed unanimously.

### **Topic 9.6 - Unpaid Invoices and Bills**

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. Clements moved to authorize the general manager to pay the following items:

1. ACCTP-20250506-03 - \$847.70 - Tim Andruss - Travel

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

### **Topic 9.7 - Performance Audit for FY2024**

Mr. Andruss presented the performance audit for FY2024.

**Board Action:** Mr. Clements moved to accept and approve the FY2024 performance audit as presented. Mr. Hroch seconded the motion. The motion passed unanimously.

### **Topic 9.8 - Training Records**

Mr. Andruss explained on April 8, 2025, Director Boone of TGCD inquired about training records for the directors of TGCD. In response to the inquiry, staff have investigated training records for TGCD and the District.

The following is an audit of required documentation for directors:

#### **Precinct 1: Mr. Jerry Hroch**

VCGCD - Statement of Officer - J. Hroch

VCGCD - Oath of Office - J. Hroch

#### **Precinct 2: Mr. Thurman Clements**

VCGCD - Statement of Officer - T. Clements

VCGCD - Oath of Office - T. Clements

**Precinct 3: Mrs. Barbara Dietzel**

VCGCD - Statement of Officer - B. Dietzel

VCGCD - Oath of Office - B. Dietzel

**Precinct 4: Mr. Mark Meek**

VCGCD - Statement of Officer - M. Meek

VCGCD - Oath of Office - Mark Meek

**At Large: Mr. Kenneth Eller**

VCGCD - Statement of Officer - K. Eller

VCGCD - Oath of Office - K. Eller

The directors of the district are required to complete training related to open meetings offered by the Office of the Attorney General:

**Open Meetings Act Training**

Per the website of the Attorney General of Texas (<https://www.texasattorneygeneral.gov/open-government/governmental-bodies/pia-and-oma-training-resources/open-meetings-act-training>):

"Members of a governmental body subject to the Open Meetings Act (OMA) are required to participate in education training sessions pursuant to section 551.005 of the Texas Government Code. The training requirement applies to all elected or appointed officials who participate in meetings subject to the OMA. However, it does not apply to public officials who do not conduct business in meetings subject to the OMA. For example, law enforcement officials, auditors, or county clerks are not required to complete training under the OMA.

The law requires that members subject to the OMA complete training within 90 days of taking the oath of office or otherwise assuming the responsibilities of office."

The website of the Attorney General of Texas provides a video for the training. Upon completion of the training course video, a certificate of course completion is displayed for the trainee. Staff will upload any training certificates related to the Open Meetings Act into the records of the district upon receipt.

The attached file is an example of the certificate generated by the website after completing the course.

Open Meetings Act Training Confirmation - TAA - 20230502.pdf

**Public Information Act Training**

Per the website of the Attorney General of Texas (<https://www.texasattorneygeneral.gov/open-government/governmental-bodies/pia-and-oma-training-resources/public-information-act-training>):

"Texas Government Code section 552.012 requires elected or appointed public officials to complete an open records training course. The training requirement applies to:

1. a member of a multimember governmental body;
2. the governing officer of a governmental body that is headed by a single officer rather than by a multimember governing body; or
- 3.

the officer for public information of a governmental body, without regard to whether the officer is elected or appointed to a specific term.

The law requires that the specified public officials complete the training course within 90 days of taking the oath of office or otherwise assuming the responsibilities of office. A public official may assign a public information coordinator to satisfy the training requirement for the public official if the coordinator is primarily responsible for administering the responsibilities of the public official or governmental body under the Public Information Act. The designated coordinator is required to complete the training course within 90 days of the date the coordinator assumes the duties as coordinator."

The website of the Attorney General of Texas provides a video for the training. Upon completion of the training course video, a certificate of course completion is displayed for the trainee. The attached file is an example of the certificate generated by the website after completing the course. Mr. Andruss serves as the officer for public information of the district.

Public Information Act Training Confirmation - TAA - 20230502.pdf

### **Cybersecurity Training**

Per Chapter 2054 of the Government Code

(<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.2054.htm>):

*Sec. 2054.5191. CYBERSECURITY TRAINING REQUIRED: CERTAIN EMPLOYEES AND OFFICIALS.*

*(a) Each state agency shall identify state employees who use a computer to complete at least 25 percent of the employee's required duties. At least once each year, an employee identified by the state agency and each elected or appointed officer of the agency shall complete a cybersecurity training program certified under Section 2054.519.*

*(a-1) At least once each year, a local government shall:*

*(1) identify local government employees and elected and appointed officials who have access to a local government computer system or database and use a computer to perform at least 25 percent of the employee's or official's required duties; and*

*...*

*(2) require the employees and officials identified under Subdivision (1) to complete a cybersecurity training program certified under Section 2054.519.*

State-certified training related to cybersecurity can be accessed from the website of the Texas Municipal League - Risk Pool (<https://info.tmlirp.org/cyber-security-training>).

The District does not have employees and none of the directors satisfy the condition under Sec. 2054.5191(a-1)(1). The district obtains services from employees of the Victoria County Groundwater Conservation District via an interlocal agreement. The employees of the Victoria County Groundwater Conservation District are required to complete a cybersecurity training program certified under Section 2054.519.

VCGCD - Confirmation of Cybersecurity Training - FY2024.pdf

### **Public Funds Investment Act and Public Funds Collateral Act Training**

The individual who serves as an investment officer of the district is required to complete training on the investment and collateralization of public funds. Mr. Andruss serves as the investment officer for the district.

VCGCD - TAGD - PFI Training Certificate - Tim Andruss - 20230607

**Board Action:** None.

### **Topic 9.9 - Prosperity Agreement**

Mr. Andruss explained the district received a Public Funds Collateral and Pledge Agreement from Prosperity Bank to be signed.

VCGCD - Prosperity Bank - Collateral and Pledge Agreement - 20250415.pdf

**Board Action:** Mr. Clements moved to accept and approve the Public Funds Collateral and Pledge Agreement provided by Prosperity Bank. Mr. Hroch seconded the motion. The motion passed unanimously.

### **Topic 9.10 - Credit Card Account and Routine Expenses**

Mr. Andruss explained to improve administrative efficiency and reduce the likelihood of interruption of subscriptions such as internet services, phone services, and computer subscription fees, staff intend to use the VCGCD credit card account to pay existing subscription fees and miscellaneous expenses instead of the credit card of the cooperating districts. The expenses incurred by the District on behalf of the cooperating district will be recovered as an expense through regular and routine invoicing of cooperating districts for the services provided by the District to each cooperating district. Staff will assign reimbursements to a new budget line item for the purpose.

**Board Action:** None.

### **Topic 9.11 - Health Insurance Premiums**

Mr. Andruss explained the District provides health benefits to all employees. The District obtains health benefits coverage from TX Health Benefits Pool (TXHB). TXHB requires employers to enroll 100% of their benefits-eligible employees unless a waiver is obtained from TXHB for approved reasons including employees receiving medical coverage from their previous employer.

The District contributes \$500.00 per month toward each employee's health coverage premium.

Employees with granted a waiver from TXHB are not enrolled in the group's program and the District does not contribute an funds for those employees and those employees do not receive a health benefit from the District. Currently, the District has one employee that has received a waiver from TXHB.

**Board Action:** Mr. Clements moved to authorize the general manager to increase the gross monthly pay of each employee with a valid health benefit waiver from the health benefit provider by \$500.00.

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

### **Topic 9.12 - New Employee Evaluations and Step Increases**

Mr. Andruss explained as part of effort to implement the current interlocal cooperation agreements with Calhoun County GCD, Refugio GCD, and Texana GCD, the District hired two new employees: Makayla Scott, Compliance Specialist; and Lisa Ramirez, Administrative Coordinators. New employees, upon hiring, are informed that the initial six months of employment are considered a probationary permit during which their performance would be carefully monitored and evaluated.

The General Manager has reviewed the performance of the new employees and employees that did not receive a merit increase their wages. In each case, the performance of the employee has exceeded the minimum satisfactory level and demonstrated the ability to be a high performing staff member of the District

**Board Action:** Mr. Clements moved to authorize the general manager to increase the wages of Ms. Davenport, Ms. Scott, and Mr. Ramirez by one pay step effective for payroll payments after June 1, 2025. Mr. Hroch seconded the motion. The motion passed unanimously.

### Topic 9.13 - Office Consolidation and Space

Mr. Andruss explained staff has investigated office space options at many locations including potentially viable options at Victoria County's office building at 311 E. Constitution St, UHV Northwest Campus, Wells Fargo Building on Mockingbird, Heritage Mark on Navarro St, and space available on Ben Wilson.

As of May 6, 2025, the District has receive proposals and draft lease agreements for three options as summarized below. The draft lease agreements submitted with the proposals have been submitted to legal counsel for review.

Option 1: Wells Fargo Building on Mockingbird, Rooms 103, 104, and 108

1. 2,660 square feet,
2. \$3,645.75 per month rent + \$460 per month utilities and custodial services, 5 year term
3. \$49,269 estimated annual cost

This option offers the District the greatest amount of operational flexibility, efficiency, and autonomy with sufficient space to hold board meetings and GMA 15 meetings and store the records of the district within the lease space and would likely afford the district the opportunity to avoid \$200-\$400 per month associated with off-site record storage in the future.

Option 2: Heritage Mark Building, Suite 306

1. 1,770 square feet, reservable conference room for meetings
2. \$2,920 per month + NNN (annual expenses prorated estimate to equal one months rent), 5 year term
3. \$37,960 estimated annual cost

This option is a viable solution the District's office space with less operational flexibility, efficiency, and autonomy if staff can reserve the conference room for public meetings. The District would likely continue to realize expenses associated with off-site record storage. This option may considered relatively inconvenient by the public given the office suite would be on the 3rd floor and conference room is located on the 2nd floor of the building.

Option 3: 3506 N. Ben Wilson St., Suite H and I

1. 2,988 square feet,
2. \$2,000 per month, 5-year term
3. \$27,000 estimated annual cost

This option is a viable solution the District's office space with less operational flexibility and efficiency given the layout of the space with many small offices, lack of a central reception area, and relatively smaller conference room for public meeting. This option has sufficient space to store the records of the district within the lease space and would likely afford the district the opportunity to avoid \$200-\$400 per month associated with off-site record storage in the future.

The District will need to purchase office furnishings for its new office space. Based on published prices of office furniture, staff anticipates expenses of approximately \$25,000 to furnish the office.

**Board Action:** Mr. Clements moved to 1) authorize the general manager and legal counsel negotiate a final lease agreement with the landlord for the Wells Fargo Building on Mockingbird, and authorize the president to execute, as long as there are no substantial changes, and 2) authorize the general manager to purchase office furnishings for the new office space in an amount not to exceed \$25,000. Mr. Hroch seconded the motion. The motion passed unanimously.

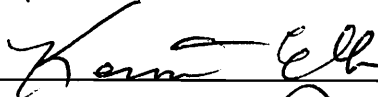
### Item 10 - Legal Counsel Report


Mr. Allison was present and gave his report.

**Item 11.0 - Adjourn Meeting**

Mr. Clements moved to adjourn the meeting at approximately 11:08 AM. Mrs. Dietzel seconded the motion. The motion passed unanimously.

THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON THIS THE 18 DAY OF July A.D. 2015.

  
\_\_\_\_\_  
Director of the Victoria County Groundwater Conservation District

ATTEST:   
\_\_\_\_\_  
Director of the Victoria Groundwater Conservation District