

Victoria County Groundwater Conservation District



Directors:

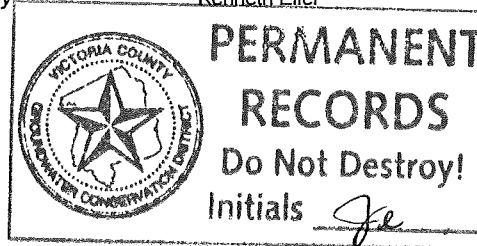
Mark Meek
President

Jerry Hroch
Vice-President

Barbara Dietzel
Secretary

Thurman Clements
Kenneth Eller

**THE STATE OF TEXAS
VICTORIA COUNTY**



The Victoria County Groundwater Conservation District Board of Directors' Special Called Meeting convened in the Pattie Dodson Health Center, Classroom #108 A, 2805 N. Navarro St., Victoria, Texas, at 6:00 p.m. on July 13, 2009.

Present: Mark Meek, President, Precinct No. 4
Thurman Clements, Precinct No. 2
Barbara Dietzel, Secretary, Precinct No. 3
Kenneth Eller, Precinct No. 3, At Large
Tim Andruss, General Manager
James Allison, Attorney

Absent: Jerry Hroch, Vice President, Precinct No. 1

CALL TO ORDER – 1.

President Mark Meek called the meeting to order at 6:00 p.m.

WELCOME GUESTS – 2.

President Meek welcomed the following guests – Jerry James-City of Victoria, Lynn Short-City of Victoria, Paul Polasek-City of Victoria, Bryan Serold-GBRA, John Figer-TSEPA, Mark & Kim Krueger-South Texas OyBlast, David Oeltjen-Leeper Water Well, James Dodson-Citizen.

PUBLIC COMMENT – 3.

None

CITY OF VICTORIA GROUNDWATER PRODUCTION – 4.

The District became aware of a plan by the City of Victoria to exchange groundwater for surface water by reading a newspaper article titled *City works to maintain water quality* in the Victoria Advocate on July 9, 2009. In the article, it is stated that "The city requested state permission to draw well water and pump it into the Guadalupe River."

At a previous meeting, Mr. James of the City of Victoria had informed the Board that the City would be attempting to amend some of its surface water rights through TCEQ to alter the diversion points and that this amendment request may include a groundwater exchange in times of drought. The Board requested that Mr. James make a

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presentation to the Board at an upcoming meeting to explain the details of the groundwater exchange aspects of the amendment request.

Mr. James and Mr. Short provided the Board with a brief overview of the groundwater exchange plan referred to in the newspaper article. The explanation of the plan included the following aspects:

- The plan was coordinated and approved by TCEQ in writing;
- The City would have to stop river water diversions at the current river flow rates based on its surface water rights;
- The South Texas Water Master would allow the City to continue river diversions provided the amount of surface water diverted was replaced by groundwater;
- The plan allows for the most efficient and effective use of the water resources available to the City as the conversion over to groundwater supplies from surface water supplies would be expensive and would require a great deal of distribution line flushing;
- Groundwater would only be used during drought conditions;
- Groundwater production would not exceed the City's historic pumping amount of approximately 11,000 acre feet per year;
- Groundwater is currently being pumped from 5 well locations into the storm sewer system which ultimately drains collected water into the Guadalupe River;
- The plan requires the City to produce an additional 10% of groundwater above the amount of surface water to account for evaporative and infiltration losses between the wells and the storm sewer outfall;
- The surface water diversion point is up-stream of the storm sewer outfall;
- The City has never previously pumped groundwater into the Guadalupe River;
- The City is required under its TCEQ permits to return all water collected to the Guadalupe River.

Mr. Allison, VCGCD Attorney, explained that the production of groundwater must be put to a beneficial use as defined by the State of Texas and District. In addition, groundwater produced under the City's historic municipal use must be put to the same use today as it was in the past.

Mr. Allison requested that City provide to the District the following information prior to the next regular meeting scheduled for July 17, 2009:

- 1. A written copy of the City's plan to exchange groundwater for surface water;**
- 2. A copy of any briefings prepared by the City's attorneys regarding authority to exchange groundwater for surface water;**
- 3. A copy of the special order from TCEQ authorizing the exchange of groundwater for surface water;**
- 4. Written documentation establishing that this use of groundwater is a beneficial municipal use.**

CLOSED MEETING: PURSUANT TO VTCA GOVERNMENT CODE 551 – 5.

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2805 N. Navarro St. Suite 210, Victoria, Texas 77901, Phone (361)579-6863, Fax (361)579-0041

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MOTION by Mr. Meek and seconded by Mr. Eller, to move for the VCGCD Board of Directors to go into Closed Meeting at 6:40 p.m., pursuant to V.T.C.A. Government Code 551.071, to conduct private consultation with VCGCD Attorney regarding matter protected by the Attorney-Client privilege or V.T.C.A. Government Code regarding personnel. Motion carried four (4) ayes and zero (0) nays.

RETURN TO OPEN MEETING: PURSUANT TO VTCA GOVERNMENT CODE 551 – 6.

MOTION by Mr. Meek and seconded by Mr. Clements, to move for the VCGCD Board of Directors to return to Open Meeting at 7:25 p.m., pursuant to V.T.C.A. Government Code 551.102, to return to Open Meeting to take any action deemed necessary based upon discussion in closed meeting. Motion carried four (4) ayes and zero (0) nays.

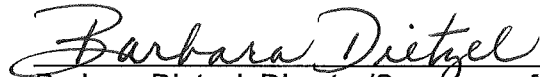
DISCUSSION AND ACTION RELATED TO CLOSED MEETING – 7.

MOTION by Mr. Clements and seconded by Mr. Eller, to move for the VCGCD Board to take no action at this time and to instruct General Manager Tim Andruss and Attorney James Allison to continue to investigate the City/Victoria/TCEQ plan for groundwater production and report back to the Board. Motion carried four (4) ayes and zero (0) nays.

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ADJOURN – 8.

MOTION by Mr. Eller and seconded by Mr. Clements, to move for the Victoria County Groundwater Conservation District Board of Directors to adjourn the VCGCD Special Called Meeting at 7:27 p.m. Motion carried four (4) ayes and zero (0) nays.


Barbara Dietzel, Director/Secretary of the Victoria
County Groundwater Conservation District
Board of Directors

THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON

THIS THE 25th DAY OF September 25, 2009 A.D. 2009.

ATTEST:


Secretary, Victoria County
Groundwater Conservation District


Vice President, Victoria County
Groundwater Conservation District