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Post Oak Savannah Groundwater Conservation District

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Public Hearings  
July 27, 2021 – 3:00 p.m.  
Post Oak Savannah GCD Offices  
310 East Ave. C  
Milano, Texas

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**PUBLIC HEARINGS AMENDED AGENDA**

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**AMENDED Notice is hereby given that the Board of Directors of the Post Oak Savannah Groundwater Conservation District will hold Public Hearings on Permit Applications on July 27, 2021, at 3:00 pm. In consideration of concerns regarding the Coronavirus Disease (COVID-19), the District Offices will be open only to the Directors, Staff and Consultants, Applicants and their Consultants, as well as any individuals or entities who have timely filed their Notice and Request to be considered for Affected Party Status in accordance with the District’s Rules. All others are encouraged to attend virtually.**

**Members of the public who wish to attend virtually and listen, observe, or actively participate during the public comment portion may join this meeting from their computer, tablet or smartphone at:**

<https://global.gotomeeting.com/join/345589349>

*You may also dial in for audio only using your phone at:*

United States: [+1 \(669\) 224-3412](tel:+16692243412)

Access Code: 345-589-349

**To actively participate with public comments at the appropriate portion of the Public Hearing, please email the General Manager ([gwestbrook@posgcd.org](mailto:gwestbrook@posgcd.org)) with your name by July 27, 2021 at 11:00 am.**

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**PUBLIC HEARINGS**

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**Public Hearings will be held in accordance with Section 7, Section 8 and/or Section 14, Post Oak Savannah Groundwater Conservation District Rules concerning:**

- 1. Amendments to Existing Drilling and Operation Permit, POS-D&O-0148, by ALCOA, USA Corp; and**
- 2. Transport Permit for ALCOA, USA Corp.**

**Any Contested Case Hearings shall follow the procedure set out in Section 14.5, Post Oak Savannah GCD Rules. Opportunity for Public Comments in accordance with Section 551.007, Texas Government Code, on the Permits shall take place after the above-referenced, applicable procedures for the Public Hearings are completed but before the District’s Board takes action.**

1. Pledge of Allegiance
2. Invocation
3. Call to Order and establish quorum
4. Preliminary Hearing – Taking up by Presiding Officer any requests for affected party status and a contested case hearing.
5. Public Hearing on Amendments to Existing Drilling and Operation Permit. Alcoa USA Corp. (Alcoa), whose address is P.O. Box 1491, Rockdale, TX 76567, submitted an application on May 17, 2021, to amend Alcoa’s existing Drilling and Operating Permit No. POS- D&O 0148, as amended (Permit 0148). Permit 0148 currently authorizes Alcoa to produce 25,000 acre-feet of water per year from the Simsboro formation from a system of 56 wells (32 of which are existing dual use historic use wells authorized to be used under both Alcoa’s Historic Use Permit and Permit 0148, and 24 of which are permitted but not yet constructed wells authorized to be used under Permit 0148) located on the nearly 25,000 acres of land and groundwater rights overlying the Simsboro that Alcoa owns in Milam County. The water is currently authorized to be used for industrial use on Alcoa’s Milam County property. Alcoa requests that Permit 0148 be amended to (1) authorize use of the water for the following purposes: municipal, industrial, manufacturing, and commercial; and (2) authorize use of the water anywhere within Milam County (which is within the District), and anywhere within Williamson County and three counties that are adjacent to Williamson County: Lee, Travis, and Bell Counties (all four of which are outside the District). No change in location or modification of any of the 56 currently authorized wells is requested. No increase in the currently authorized 25,000 acre-feet per year aggregate annual production under Permit 0148 or the currently authorized rate of production from any well is requested. The permit currently has a term that ends November 13, 2052. Alcoa requests that the term be extended approximately 9 years, to a date that is 40 years from the date of issuance of the amended permit.
  - Presentation by Applicant of Direct Case
  - Cross Examination of Witnesses from Applicant’s Direct Case

- Presentation by District of any Direct Case
  - Cross Examination of Witnesses from District's Direct Case
  - Redirect by Applicant of any additional information or witnesses
  - Cross Examination by District of any Redirect
  - Redirect by District of any additional information or witnesses
  - Cross Examination by Applicant of any Redirect
  - Oral Arguments and Closing
6. Public Hearing on Application for a Transport Permit. Alcoa USA Corp. (Alcoa), whose address is P.O. Box 1491, Rockdale, TX 76567, submitted an application on May 17, 2021, for a Transport Permit to authorize transport from the District of 25,000 acre-feet of water per year produced from the Simsboro formation under Alcoa's Permit 0148, as that permit is requested to be amended, for use anywhere in Williamson County and three counties that are adjacent to Williamson County: Lee, Travis, and Bell Counties (all four of which are outside the District). Less than 25,000 acre-feet of water per year will be transported for use outside the District if a portion of the 25,000 acre-feet per year authorized aggregate annual production under Permit 0148 is committed for use and actually used in Milam County (which is inside the District). Alcoa requests that the term of the Transport Permit be 40 years from the date of issuance of the permit, to match the requested extended term for Alcoa's Permit 0148.
- Presentation by Applicant of Direct Case
  - Cross Examination of Witnesses from Applicant's Direct Case
  - Presentation by District of any Direct Case
  - Cross Examination of Witnesses from District's Direct Case
  - Redirect by Applicant of any additional information or witnesses
  - Cross Examination by District of any Redirect
  - Redirect by District of any additional information or witnesses
  - Cross Examination by Applicant of any Redirect
  - Oral Arguments and Closing
7. Public Comments on Public Hearing
8. Presiding Officer shall Close the Record
9. Consider Amendments to Existing Drilling and Operation Permit. Alcoa USA Corp. (Alcoa), whose address is P.O. Box 1491, Rockdale, TX 76567, submitted an application on May 17, 2021, to amend Alcoa's existing Drilling and Operating Permit No. POS- D&O 0148, as amended (Permit 0148). Permit 0148 currently authorizes Alcoa to produce 25,000 acre-feet of water per year from the Simsboro formation from a system of 56 wells (32 of which are existing dual use historic use wells authorized to be used under both Alcoa's Historic Use Permit and Permit 0148, and 24 of which are permitted but not yet constructed wells authorized to be used under Permit 0148) located on the nearly 25,000 acres of land and groundwater rights overlying the Simsboro that Alcoa owns in Milam County. The water is currently authorized to be used for industrial use on Alcoa's Milam County property. Alcoa requests that Permit 0148 be amended to (1) authorize use of the water for the following purposes: municipal, industrial, manufacturing, and commercial; and (2) authorize use of the water anywhere within Milam County (which is within the District), and anywhere within Williamson County and three counties that are adjacent to Williamson County: Lee, Travis, and Bell Counties (all four of which are outside the District). No change in location or modification of any of the 56 currently authorized wells is requested. No increase in the currently authorized 25,000 acre-feet per year aggregate annual production under Permit 0148 or the currently authorized rate of production from any well is requested. The permit currently has a term that ends November 13, 2052. Alcoa requests that the term be extended approximately 9 years, to a date that is 40 years from the date of issuance of the amended permit. The Board may:
- grant the Amendment;
  - grant the Amendment with special conditions; or
  - deny the Amendment.
10. Consider Application for a Transport Permit. Alcoa USA Corp. (Alcoa), whose address is P.O. Box 1491, Rockdale, TX 76567, submitted an application on May 17, 2021, for a Transport Permit to authorize transport from the District of 25,000 acre-feet of water per year produced from the Simsboro formation under Alcoa's Permit 0148, as that permit is requested to be amended, for use anywhere in Williamson County and three counties that are adjacent to Williamson County: Lee, Travis, and Bell Counties (all four of which are outside the District). Less than 25,000 acre-feet of water per year will be transported for use outside the District if a portion of the 25,000 acre-feet per year authorized aggregate annual production under Permit 0148 is committed for use and actually used in Milam County (which is inside the District). Alcoa requests that the term of the Transport Permit be 40 years from the date of issuance of the permit, to match the requested extended term for Alcoa's Permit 0148. The Board may:
- grant the Application;
  - grant the Application with special conditions; or
  - deny the Application.

## 11. Adjourn Public Hearing

Signed this 19<sup>th</sup> day of July, 2021

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Elaine Gerren, Administrative Assistant

The Post Oak Savannah Groundwater Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-455-9900 at least 24 hours in advance if accommodation is needed.

<sup>1</sup> During the meeting, the Board reserves the right to go into executive session for any of the following purposes: real estate, litigation, or personnel matters under V.T.C.A., Government Code Sections 551.072, 551.071, and 551.074, respectively, or for any item on the above agenda for which an executive session is permitted by law.

<sup>1</sup> Public comments will be limited to three (3) minutes from each individual desiring to speak. The public comment period will be limited to one hour. Board members are prohibited by law from discussing matters presented under this item, except for placement on a future agenda.