

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT**  
**Rules Committee Meeting**  
**POSGCD District Offices**  
**310 East Avenue C**  
**Milano, TX 76556**  
**February 1, 2021 – 7:00 a.m.**  
**Minutes**

A video recording of this meeting is available at  
<https://posgcd.org/agendas-minutes/posgcd-agendas-minutes/>

**Directors Present**

Sidney Youngblood  
Becky Goetsch  
Dana McClaren  
Tommy Tietjen

**Directors Absent**

None

**Staff Present**

Gary Westbrook  
Courtney Gentry  
Doug Box  
Bobby Bazan

**Others Present**

None

**Others Present Online**

Barbara Boulware-Wells	The Knight Law Firm
Steve Young	Intera
Blaire Parker	SAWS
James Bené	R.W. Harden
Shan Rutherford	Terrill Waldrop
Stefan Schuster	EPCOR
Steven Siebert	SAWS

**MINUTES**

**1. Pledge of Allegiance**

Director Becky Goetsch led the pledges to the flags of the United States and Texas.

**2. Invocation**

General Manager Gary Westbrook gave the invocation.

**3. Call to order**

7:06 a.m.

**4. Comprehensive overview of possible amendments to District Rules, including but not limited to Section 1.1 Definition of Terms, Section 1.1.2 Ownership Interest Conflict or Question, Section 4.3 Monitoring Requirements, Section 5 Production Limitations, Section 7.1 General Permit and Registration Provisions, Section 7.15 Operating Permits, Section 10 Conjunctive Use, Section 12 Well Location and Completion, Section 13.1 Waste, Section 15 Investigations and Enforcement, Section 16.4 Actions Based on Monitoring Results, Section 16.6 Adjusting Maximum Production Permitted**

Mr. Westbrook provided draft amendments to the District Rules for discussion and noted that the document was on the District's website. He covered each section in the draft handout.

In Section 1.1.2, the word Board was changed to District for clarification. In Section 4.3, an amendment to the language used in this section was made for further explanation to the Rules. In Section 4.7, language was added to give District, Staff and Consultants some flexibility to work with permittees on monitoring to gather better science using wells in certain areas that could be beneficial to monitor impacts. In Section 7.1, clarification was added to state that after 40-year term permits have expired, renewal permits will be renewed for 5-year terms.

Becky Goetsch asked about previous discussion in the Rules Committee Meeting on January 20<sup>th</sup>, 2022. It was previously discussed that Barbara Boulware-Wells would look at other cases that might allow us to grandfather 40-year permits that are already in place and not allow 40-year permits from here on out. Mrs. Boulware-Wells does not have draft language for this change at this time. She will provide that research as soon as she possibly can.

Mrs. Boulware-Wells is concerned we are potentially creating a different class moving forward if we change permit terms to 5 years. She does not recommend we move forward with this at this time until she is satisfied that we are not creating a different class.

Becky Goetsch requests Barbara continues her research on the subject of permit terms. At this time, she wants to proceed with the current change to amendment 7.1 and work further on having the permit terms updated.

Section 12.1, language was added to clarify what a driller is required to have before proceeding with the drilling of a well.

Section 12.4 requires addition of ½ inch plug in the well seal for all new wells. This will not change the cost of the well.

Section 16.4.5, clarification was added to this section to explain DFC exceedance. 16.4.6, language added protect against unreasonable impacts to existing wells and possibly future wells.

Rule 15.3, Rule Enforcement: clarification was provided on steps for violations. Section 3, new language has been added to clarify actions to be taken for permit violations. A table showing minimum and maximum penalty fees was added in 15.4. Dana McClaren requested clarification that the penalties are per day to avoid issues later.

Mr. Westbrook asked Mrs. Boulware-Wells if she can complete research on terms of new permits and have it back in time for a committee meeting prior to a March board meeting related Rules hearing. An agenda will be prepared to include section 15 and section 7.

Becky Goetsch asked for any further questions or topics of discussion. There were no further questions or discussions.

**5. Adjourn**

The meeting adjourned at 7:59 a.m.

**THE ABOVE MINUTES OF THE DFC COMMITTEE OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON FEBRUARY 1, 2022 WERE APPROVED AND ADOPTED BY THAT BOARD ON \_\_\_\_\_, 2022.**

**Attest:**

\_\_\_\_\_  
Becky Goetsch, Chair

\_\_\_\_\_  
Gary Westbrook, General Manager

Date \_\_\_\_\_