



CITY OF HIGHLAND HAVEN
510 Highland Drive, Suite A
Highland Haven, Texas 78654-8278
Telephone: 830-265-4366

AGENDA – BOARD OF ALDERMAN MEETING

DATE: Tuesday, January 16, 2024

TIME: 7:00 p.m.

PLACE: Highland Haven Community Center

1. Open Meeting and Establish Quorum/Roll Call– Mayor

Mayor Pro Tem Terry Nuss	☐ Present	☐ Absent
Aldersperson Don Hagans	☐ Present	☐ Absent
Aldersperson Bruce Robertson	☐ Present	☐ Absent
Aldersperson Lynn Smith	☐ Present	☐ Absent
Aldersperson Terry Smith	☐ Present	☐ Absent

2. Pledge of Allegiance & Thought

3. Recognize Visitors

4. Announcements, Proclamations or Presentations

5. Public Comment

(At this time, any person with business before the BOA not scheduled on the agenda may speak to the Board. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

ACTION ITEMS

6. Consider Consent items:

The items listed are considered to be routine and non-controversial by the Board of Aldermen and will be approved by one motion, there will be no separate discussion of these items unless a Board member so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.

a. Meeting Minutes for January 2, 2024

b. December 2023 Financials

c. December 2023 Utility Report

7. Discuss with possible action – LCRA Grant application.

DISCUSSION / INFORMATION ITEMS

8. Personnel -

a. City Administrator

b. FMLA

9. Discussion of upcoming May Election deadlines:

a. Candidate Filing Dates: January 17, 2024, through February 16, 2024

b. Election Date: May 4, 2024

c. Positions include Mayor and 2 Alderman positions. Incumbents Mayor Olan Kelley, Alderman Terry Nuss and Don Hagans.

10. Discussion – Joint Primary Election, Tuesday March 5, 2024

a. Early Voting Locations

b. Election Day Voting Locations

11. Discussion – Eclipse – April 8, 2024.

12. Review Planning and Zoning Commission Recommendations to BOA

a. Proposed draft of commercial zoning.

13. Review assignments for the Planning and Zoning Commission
 - a. Review of current Planning and Zoning assignments
 - i. Commercial Zoning planning
 - b. The next P&Z meeting is scheduled for January 22, 2024, at 3:00pm.
14. Legislative Updates –
15. Drainage Issues –
16. Water Storage Tank Project Report
17. Review Water System –
 - a. Lead and Copper Rule Revisions
 - i. Service Line Inventory
 - b. Maintenance and Operations Issues
 - c. Portable generator connections
 - d. Central Texas Groundwater Conservation District
 - i. CTGCD Stakeholder Report – Presentation
 - ii. CTGCD Stakeholder Committee Report 10-30-23
 - iii. Pumping Permit
 - iv. Drought Status – Stage 4
 - v. 15% Mandatory Water Restrictions
 - e. Drought Contingency Plan
18. Review Solid Waste Services –
19. Mayor's Reports
 - a. Codification Project Update
20. Aldermen Comments

Special meeting – Monday January 22, 2024, at 5:00 p.m., City Hall

Next regular meeting – Tuesday February 6, 2024, at 7:00 p.m., Highland Haven Community Center

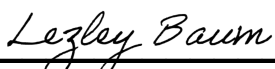
Adjournment.

Posted: January 11, 2024

CERTIFICATION OF POSTING

I, LEZLEY BAUM, CERTIFY THAT THE FOREGOING AGENDA HAS BEEN POSTED AT HIGHLAND HAVEN CITY HALL, 510 HIGHLAND DRIVE, SUITE A; HIGHLAND HAVEN, TX ON THE INDOOR AND OUTDOOR NOTICE BOARDS OF CITY HALL WHICH ARE ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THE CITY WEBSITE AT WWW.HIGHLANDHAVENTX.COM ON THURSDAY, January 11, 2024, BY 5:00 PM AND REMAINED SO POSTED FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.





Lezley Baum, City Secretary

THIS MEETING SHALL BE CONDUCTED PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.001 ET SEQ. AT ANY TIME DURING THE MEETING THE BOARD RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION ON ANY OF THE ABOVE POSTED AGENDA ITEMS IN ACCORDANCE WITH THE SECTIONS 551.071 (Advice of Counsel), 551.072 (Real Property), 551.073 (Gifts or Donations), 551.074 (Personnel), 551.076 (Security), 551.087 (Economic Development) and/or 418.183 (Homeland Security).



CITY OF HIGHLAND HAVEN
510 Highland Drive, Suite A
Highland Haven, Texas 78654-8278
Telephone: 830-265-4366

MINUTES – BOARD OF ALDERMAN MEETING

DATE: Tuesday, January 2, 2024

TIME: 7:00 p.m.

PLACE: Highland Haven Community Center

- | | | |
|---|----------------------------------|---------------------------------|
| 1. Open Meeting and Establish Quorum/Roll Call– Mayor | | |
| Mayor Pro Tem Terry Nuss | ✓Present | ☐ Absent |
| Aldersperson Don Hagans | ✓Present | ☐ Absent |
| Aldersperson Bruce Robertson | ✓Present | ☐ Absent |
| Aldersperson Lynn Smith | ✓Present | ☐ Absent |
| Aldersperson Terry Smith | ☐ Present | ✓Absent |

Mayor Kelley opened the meeting at 7:00 pm.

2. Pledge of Allegiance & Thought

Mayor Kelley led in the Pledge of Allegiance.

3. Recognize Visitors – **There were no visitors**
4. Announcements, Proclamations or Presentations
5. Public Comment

(At this time, any person with business before the BOA not scheduled on the agenda may speak to the Board. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

No public comments

ACTION ITEMS

6. Consider Consent items:
- The items listed are considered to be routine and non-controversial by the Board of Aldermen and will be approved by one motion, there will be no separate discussion of these items unless a Board member so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.*

- a. Meeting Minutes for December 19, 2023

Motion to approve consent items made by Lynn Smith, seconded by Terry Nuss.

Vote 4-0

7. Discuss with possible action – Special meeting date for public hearings on submitted replat's.

Motion was made by Terry Nuss to have the Board of Alderman Special Meeting at 5:00 pm January 22, 2024 at City Hall, seconded by Lynn Smith.

Vote 4-0

DISCUSSION / INFORMATION ITEMS

8. Personnel -
- a. City Administrator
9. Discussion – Eclipse – April 8, 2024
10. Discussion of upcoming May Election deadlines:
- a. Candidate Filing Dates: January 17, 2024, through February 16, 2024
- b. Election Date: May 4, 2024
- c. Positions include Mayor and 2 Alderman positions. Incumbents Mayor Olan Kelley,

11. Review Planning and Zoning Commission Recommendations to BOA
12. Review assignments for the Planning and Zoning Commission
 - a. Review of current Planning and Zoning assignments
 - i. Commercial Zoning planning
 - b. The next P&Z meeting is scheduled for January 11, 2024.
13. Legislative Updates –
14. Drainage Issues –
15. Water Storage Tank Project Report
16. Review Water System –
 - a. Lead and Copper Rule Revisions
 - i. Service Line Inventory
 - b. Maintenance and Operations Issues
 - c. Portable generator connections
 - d. Central Texas Groundwater Conservation District
 - i. Pumping Permit
 - ii. Drought Status – Stage 4
 - iii. 15% Mandatory Water Restrictions
 - e. Drought Contingency Plan
17. Review Solid Waste Services –
18. Mayor's Reports
 - a. Codification Project Update
 - b. Hill Country Coalition recap

19. Aldermen Comments

Next regular meeting – Tuesday January 16, 2024, at 7:00 p.m., Highland Haven Community Center

Adjournment.

Motion to adjourn was made by Terry Nuss, seconded by Don Hagans.

Vote 4-0

The meeting adjourned at 7:50 pm

Olan Kelley, Mayor

ATTEST

Lezley Baum, City Secretary

City of Highland Haven

Monthly Financial Report

Fiscal Year
2023-2024

Period Ending
December-23

City of Highland Haven
Combined Balance Sheet
As of December 31, 2023

4:33 PM

01/10/2024

Accrual Basis

	General Fund	Water Fund	Solid Waste	TOTAL
ASSETS				
Current Assets				
Checking/Savings				
100 · Gen Fund - First United	154,683.84	0.00	0.00	154,683.84
106 · Gen Fund - TexPool -Investment	529,364.56	0.00	0.00	529,364.56
203 · CNB Water Operating	0.00	165,623.86	0.00	165,623.86
205 · CNB- HHWS (GO Bond Ser)	0.00	1,530.49	0.00	1,530.49
206 · TexPool - HHWS Investment	0.00	326,709.93	0.00	326,709.93
300 · CNB- HH Solid Waste	0.00	0.00	59,331.98	59,331.98
Total Checking/Savings	684,048.40	493,864.28	59,331.98	1,237,244.66
Total Current Assets	684,048.40	493,864.28	59,331.98	1,237,244.66
Fixed Assets				
15000 · Fixed Assets				
15100 · City Hall Building	44,338.00	0.00	0.00	44,338.00
15101 · City Hall Land	1,155.00	0.00	0.00	1,155.00
15103 · Street & Drainage Improvements	336,767.00	0.00	0.00	336,767.00
15105 · Furniture & Equipment	16,823.52	0.00	0.00	16,823.52
15200 · Highland Haven Water Sys				
15201 · HHWS - Infrastructure	0.00	992,409.00	0.00	992,409.00
15202 · HHWS - Building & Structures	0.00	45,234.00	0.00	45,234.00
15203 · Equipment	0.00	62,768.00	0.00	62,768.00
15205 · HHWS-Land	0.00	20,000.00	0.00	20,000.00
15209 · Intangible Assets	0.00	170,115.00	0.00	170,115.00
Total 15200 · Highland Haven Water Sys	0.00	1,290,526.00	0.00	1,290,526.00
Total 15000 · Fixed Assets	399,083.52	1,290,526.00	0.00	1,689,609.52
16000 · Accumulated Depreciation	-316,484.93	-512,688.00	0.00	-829,172.93
16001 · Accumulated Amortization	0.00	-118,631.00	0.00	-118,631.00
Total Fixed Assets	82,598.59	659,207.00	0.00	741,805.59
TOTAL ASSETS	766,646.99	1,153,071.28	59,331.98	1,979,050.25
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
Accounts Payable	4,217.72	5,301.79	7,722.39	17,241.90
Total Accounts Payable	4,217.72	5,301.79	7,722.39	17,241.90
Other Current Liabilities				
21000 · Const. Deposits/Permits				
21100 · Clean-up Deposits	18,725.00	0.00	0.00	18,725.00
Total 21000 · Const. Deposits/Permits	18,725.00	0.00	0.00	18,725.00
24000 · Payroll Liabilities				
2100 · Withheld taxes payable	857.05	0.00	0.00	857.05
24100 · 941 Taxes Payable	4,571.32	0.00	0.00	4,571.32

	General Fund	Water Fund	Solid Waste	TOTAL
24200 · TWC - SUI Payable	515.58	0.00	0.00	515.58
Total 24000 · Payroll Liabilities	5,943.95	0.00	0.00	5,943.95
22200 · Bonds Payable - Current	0.00	100,000.00	0.00	100,000.00
Total Other Current Liabilities	24,668.95	100,000.00	0.00	124,668.95
Total Current Liabilities	28,886.67	105,301.79	7,722.39	141,910.85
Long Term Liabilities				
26000 · Long Term Liabilities				
26200 · 2016 HHWS Bond Payable	0.00	415,000.00	0.00	415,000.00
Total 26000 · Long Term Liabilities	0.00	415,000.00	0.00	415,000.00
Total Long Term Liabilities	0.00	415,000.00	0.00	415,000.00
Total Liabilities	28,886.67	520,301.79	7,722.39	556,910.85
Equity				
39000 · Retained Earnings	718,904.95	597,685.31	61,718.13	1,378,308.39
Net Income	18,855.37	35,084.18	-10,108.54	43,831.01
Total Equity	737,760.32	632,769.49	51,609.59	1,422,139.40
TOTAL LIABILITIES & EQUITY	766,646.99	1,153,071.28	59,331.98	1,979,050.25

General Fund
Profit & Loss Budget Performance
 October through December 2023

2:34 PM
 01/10/2024
 Accrual Basis

	Oct - Dec 23	YTD Budget	Annual Budget
Ordinary Income/Expense			
Income			
8000 · General Fund Revenue			
8100 · Taxes			
8110 · Property Taxes Collected	77,806.04	115,000.00	293,661.00
8120 · Sales and Use Tax	7,926.20	7,083.00	28,350.00
Total 8100 · Taxes	85,732.24	122,083.00	322,011.00
8200 · Franchise Fees			
8240 · Solid Waste	0.00	1,289.00	5,150.00
8210 · Cable TV	1,230.79	1,811.00	7,250.00
8220 · Electrical	8,436.39	5,000.00	20,000.00
8230 · Telephone	80.49	61.00	250.00
Total 8200 · Franchise Fees	9,747.67	8,161.00	32,650.00
8300 · Building Permits / Inspections			
8310 · Building Permits	6,210.00	7,247.00	29,000.00
8330 · Inspections	4,950.00	2,503.00	10,000.00
Total 8300 · Building Permits / Inspections	11,160.00	9,750.00	39,000.00
8400 · Other Income			
8420 · Miscellaneous Income	152.00	0.00	0.00
8410 · ROW - License Agreement	500.00	500.00	500.00
Total 8400 · Other Income	652.00	500.00	500.00
8500 · Charges for Services			
8510 · Lot Mowing Program Fees	0.00	0.00	2,000.00
8520 · Copies, FAX & Phone Usage	0.00	7.00	25.00
8530 · Newsletter Copy Fee	230.86	250.00	250.00
8540 · Newsletter Postage Fee	372.00	350.00	350.00
8550 · Re-Plat & Variances	0.00	258.00	1,050.00
Total 8500 · Charges for Services	602.86	865.00	3,675.00
8600 · Public Safety			
8610 · Child Safety Fund	206.48	0.00	0.00
Total 8600 · Public Safety	206.48	0.00	0.00
8900 · Investment Income			
8910 · Interest Income	4,845.14	1,003.00	4,000.00
Total 8900 · Investment Income	4,845.14	1,003.00	4,000.00
Total 8000 · General Fund Revenue	112,946.39	142,362.00	401,836.00
Total Income	112,946.39	142,362.00	401,836.00
Gross Profit	112,946.39	142,362.00	401,836.00
Expense			
60000 · EXPENSES - GENERAL FUND			
61100 · Personnel Services			
61101 · Aministrative Services	5,000.01	21,253.00	85,000.00

	Oct - Dec 23	YTD Budget	Annual Budget
61102 · Secretary Salary	13,364.00	13,190.00	52,754.00
61103 · Acccounting / Utility Coord.	12,786.25	12,618.00	50,472.00
61104 · Building Permit Officer	3,780.00	3,780.00	15,120.00
61105 · Temporary Employee	0.00	718.00	2,862.00
61110 · Payroll Taxes / FICA	2,672.17	3,940.00	15,775.00
61111 · Texas Workforce Commission	0.00	28.00	100.00
61112 · Direct Deposit Fees	26.11	28.00	100.00
61113 · Employee Health Insurance	0.00	3,000.00	12,000.00
Total 61100 · Personnel Services	37,628.54	58,555.00	234,183.00
61200 · Administrative & Office			
61201 · Miscellaneous Office Supplies	505.97	661.00	2,650.00
61202 · Equipment replacement	7,680.00	1,575.00	6,300.00
61203 · Newsletter Copy Charge	48.80	103.00	400.00
61204 · Newsletter Postage	198.00	164.00	650.00
61205 · Printing, Binding, Reproduction	0.00	267.00	1,050.00
61206 · Software	2,108.33	1,997.00	8,000.00
61207 · Postage	32.15	211.00	850.00
61208 · Public Notice Publication	156.00	525.00	2,100.00
61209 · Variances & Re-plats	0.00	253.00	1,000.00
61210 · Travel Reimbursement	0.00	136.00	550.00
61211 · Schools & Training	125.00	1,622.00	6,500.00
61212 · Recognition & Awards	0.00	61.00	250.00
61213 · Food & Beverage	0.00	61.00	250.00
61214 · Bank Fees	0.00	42.00	150.00
Total 61200 · Administrative & Office	10,854.25	7,678.00	30,700.00
61300 · Street Maintenance & Repair			
61301 · Contract Repair	0.00	1,317.00	5,250.00
61302 · Material & Supplies	0.00	1,575.00	6,300.00
Total 61300 · Street Maintenance & Repair	0.00	2,892.00	11,550.00
61400 · Maintenance & Repair			
61401 · Equipment Repair & Maintenance	0.00	129.00	525.00
61402 · Buildings / Infastructure	0.00	1,704.00	6,825.00
Total 61400 · Maintenance & Repair	0.00	1,833.00	7,350.00
61500 · Professional Services			
61501 · Judge Expenses	300.00	300.00	1,200.00
61502 · Accountants Fees-Audit	620.00	1,603.00	6,400.00
61503 · Attorneys Fees	1,065.00	1,317.00	5,250.00
61504 · Ordinance Codification	0.00	1,050.00	4,200.00
61505 · Burnet County Tax Appraisal Fee	0.00	1,003.00	4,000.00
61506 · I / T Support	1,692.00	1,097.00	4,400.00
61508 · Burnet Co Election Fee	0.00	1,186.00	4,750.00
61509 · Consultant Fees	0.00	525.00	2,100.00
61510 · Website Hosting	1,248.00	267.00	1,050.00
61511 · Recruitment	0.00	267.00	1,050.00

	Oct - Dec 23	YTD Budget	Annual Budget
61520 · Fund Accounting Software	0.00	2,250.00	9,000.00
Total 61500 · Professional Services	4,925.00	10,865.00	43,400.00
61600 · Utilities			
61601 · Electric	285.87	267.00	1,050.00
61605 · Communications	1,450.56	1,575.00	6,300.00
Total 61600 · Utilities	1,736.43	1,842.00	7,350.00
61700 · Services & Charges			
61701 · Janitorial Service	50.00	164.00	650.00
61702 · Inspection Fees	1,450.00	1,317.00	5,250.00
61705 · Contract Mowing	0.00	267.00	1,050.00
61706 · Landscaping	50.00	525.00	2,100.00
61708 · Buoy Maintenance	1,251.40	1,997.00	8,000.00
61709 · Lot Mowing Program Expense	0.00	497.00	2,000.00
61710 · Insurance	4,644.22	4,800.00	4,800.00
61711 · Notary Public Cert.	0.00	375.00	375.00
Total 61700 · Services & Charges	7,445.62	9,942.00	24,225.00
61800 · Membership Fees / Dues			
61804 · CAMPO	0.00	350.00	350.00
61801 · Capcog	50.00	50.00	50.00
61803 · Texas Municipal League	651.00	600.00	600.00
61805 · Texas Municipal Clerks Assoc	125.00	150.00	150.00
Total 61800 · Membership Fees / Dues	826.00	1,150.00	1,150.00
61900 · Public Safety			
61901 · Security Camera	275.00	253.00	1,000.00
61902 · Granite Shoals VFD	21,250.00	21,889.00	87,550.00
61903 · Marble Falls EMS	3,483.30	3,486.00	13,935.00
61904 · Emergency Response Supplies	0.00	122.00	500.00
61905 · Emergency Management Program	0.00	1,256.00	5,000.00
Total 61900 · Public Safety	25,008.30	27,006.00	107,985.00
62900 · Capital Improvement			
62901 · Community Center Technology	5,135.00		
Total 62900 · Capital Improvement	5,135.00		
Total 60000 · EXPENSES - GENERAL FUND	93,559.14	121,763.00	467,893.00
66000 · Payroll Expenses	531.88		
Total Expense	94,091.02	121,763.00	467,893.00
Net Ordinary Income	18,855.37	20,599.00	-66,057.00
Other Income/Expense			
Other Income			
76000 · Interfund Transfers			
76010 · Transfers In			
76010.2 · Transfer In - HHWS Fund	0.00	62,000.00	62,000.00
76010.3 · Transfer In - HHSW Fund	0.00	15,000.00	15,000.00
Total 76010 · Transfers In	0.00	77,000.00	77,000.00
Total 76000 · Interfund Transfers	0.00	77,000.00	77,000.00

	Oct - Dec 23	YTD Budget	Annual Budget
Total Other Income	0.00	77,000.00	77,000.00
Other Expense			
76001 · Interfund Transfers.			
76020.4 · Transfer Out - General Fund CIP	0.00	130,000.00	130,000.00
Total 76001 · Interfund Transfers.	0.00	130,000.00	130,000.00
Total Other Expense	0.00	130,000.00	130,000.00
Net Other Income	0.00	-53,000.00	-53,000.00
Net Income	18,855.37	-32,401.00	-119,057.00

Water Fund
Profit & Loss Budget Performance
 October through December 2023

2:36 PM
 01/10/2024
 Accrual Basis

	Oct - Dec 23	YTD Budget	Annual Budget
Ordinary Income/Expense			
Income			
9000 · HHWater System Revenue			
9200 · Charges for Services			
9210 · Water Sales	70,185.48	68,747.00	275,000.00
9220 · Tap Fees	4,500.00	2,250.00	9,000.00
Total 9200 · Charges for Services	74,685.48	70,997.00	284,000.00
9230 · HHWS Miscellaneous Income			
9231 · Miscellaneous Income	35.00	47.00	200.00
Total 9230 · HHWS Miscellaneous Income	35.00	47.00	200.00
9250 · Investment Income			
9251 · Interest Income	4,420.23	375.00	1,500.00
Total 9250 · Investment Income	4,420.23	375.00	1,500.00
Total 9000 · HHWater System Revenue	79,140.71	71,419.00	285,700.00
Total Income	79,140.71	71,419.00	285,700.00
Expense			
62000 · EXPENSES-WATER SYSTEM FUND			
62150 · 2016 Bond Series Expenses			
62151 · 2016 Series Bond Interest	0.00	0.00	8,300.00
62152 · 2016 Bond Series Principal	0.00	0.00	100,000.00
Total 62150 · 2016 Bond Series Expenses	0.00	0.00	108,300.00
62200 · Administrative / Office			
62201 · Office Supplies	379.34	628.00	2,500.00
62206 · Software	216.57	1,631.00	6,500.00
62207 · Postage	1,083.03	1,003.00	4,000.00
62208 · Public Notice Publication	0.00	47.00	200.00
62210 · Travel Reimbursement	0.00	82.00	325.00
62212 · Bank Fees	5.00	47.00	200.00
62213 · Food & Beverage	0.00	129.00	525.00
Total 62200 · Administrative / Office	1,683.94	3,567.00	14,250.00
62350 · Chemicals			
62351 · Misc. Chemicals	829.18	647.00	2,600.00
Total 62350 · Chemicals	829.18	647.00	2,600.00
62400 · Maintenance & Repairs			
62402 · Repairs & Service Work	2,087.50	2,625.00	10,500.00
62403 · Buildings / Infrastructure	303.24	1,247.00	5,000.00
62405 · Material-pipe,pumps,meters	6,672.19	2,892.00	11,550.00
62407 · Generator Maint and Repairs	709.75	1,997.00	8,000.00
Total 62400 · Maintenance & Repairs	9,772.68	8,761.00	35,050.00
62500 · Professional Services			
62502 · Accounting/Audit Fees	1,240.00	1,317.00	5,250.00

	Oct - Dec 23	YTD Budget	Annual Budget
62503 · Attorneys Fees	725.00	267.00	1,050.00
62511 · Engineering Fees	1,250.00	267.00	1,050.00
62512 · Lab Fees	515.00	1,050.00	4,200.00
62513 · Contract Operator	7,500.00	8,751.00	35,000.00
Total 62500 · Professional Services	11,230.00	11,652.00	46,550.00
62600 · Utilities			
62601 · Electric	1,335.28	1,875.00	7,500.00
62604 · Telephone	0.00	253.00	1,000.00
62605 · Answering Service	111.91	0.00	0.00
Total 62600 · Utilities	1,447.19	2,128.00	8,500.00
62700 · Services & Charges			
62705 · Contract Mowing Expense	0.00	403.00	1,600.00
62712 · Tap Installation	1,100.00	750.00	3,000.00
62713 · Storage Facilities	0.00	500.00	500.00
62714 · Johnston East Well Water Usage	45.64	125.00	500.00
62715 · TCEQ	960.40	1,050.00	1,050.00
Total 62700 · Services & Charges	2,106.04	2,828.00	6,650.00
62800 · Membership Fees/Dues			
62807 · AWWA Membership	0.00	400.00	400.00
62806 · TRWA Membership	0.00	550.00	550.00
Total 62800 · Membership Fees/Dues	0.00	950.00	950.00
62900 · Capital Projects			
62901 · Water Tank Project	16,987.50		
Total 62900 · Capital Projects	16,987.50		
Total 62000 · EXPENSES-WATER SYSTEM FUND	44,056.53	30,533.00	222,850.00
Total Expense	44,056.53	30,533.00	222,850.00
Net Ordinary Income	35,084.18	40,886.00	62,850.00
Other Income/Expense			
Other Expense			
76001 · Interfund Transfers			
76020 · Transfers Out			
76020.1 · Transfer Out to General Fund	0.00	62,000.00	62,000.00
Total 76020 · Transfers Out	0.00	62,000.00	62,000.00
Total 76001 · Interfund Transfers	0.00	62,000.00	62,000.00
Total Other Expense	0.00	62,000.00	62,000.00
Net Other Income	0.00	-62,000.00	-62,000.00
Net Income	35,084.18	-21,114.00	850.00

Solid Waste
Profit & Loss Budget Performance
 October through December 2023

4:29 PM
 01/10/2024
 Accrual Basis

	Oct - Dec 23	YTD Budget	Annual Budget
Ordinary Income/Expense			
Income			
9500 · Solid Waste Revenue			
9600 · Charges For Services			
9610 · SW Residential Collection	20,737.90	31,247.00	125,000.00
Total 9600 · Charges For Services	20,737.90	31,247.00	125,000.00
9650 · Franchise Fees			
9651 · Waste Services Franchise Fee	1,621.69	0.00	0.00
Total 9650 · Franchise Fees	1,621.69	0.00	0.00
9800 · Investment Income			
9801 · Interest Income	15.70	14.00	50.00
Total 9800 · Investment Income	15.70	14.00	50.00
Total 9500 · Solid Waste Revenue	22,375.29	31,261.00	125,050.00
Total Income	22,375.29	31,261.00	125,050.00
Expense			
63000 · EXPENSES - SOLID WASTE FUND			
63500 · Professional Services			
63513 · Waste Contractor Costs	32,433.83	24,750.00	99,000.00
63514 · Household Haz Waste Program	0.00	497.00	2,000.00
63515 · Haz Waste Spill Response Fund	0.00	497.00	2,000.00
63516 · Bulk Trash Pick-UP	0.00	628.00	2,500.00
63517 · Document Shredding	50.00	0.00	750.00
Total 63500 · Professional Services	32,483.83	26,372.00	106,250.00
Total 63000 · EXPENSES - SOLID WASTE FUND	32,483.83	26,372.00	106,250.00
Total Expense	32,483.83	26,372.00	106,250.00
Net Ordinary Income	-10,108.54	4,889.00	18,800.00
Other Income/Expense			
Other Expense			
76001 · Interfund Transfers			
76020 · Transfers Out			
76020.1 · Transfer Out to General Fund	0.00	15,000.00	15,000.00
Total 76020 · Transfers Out	0.00	15,000.00	15,000.00
Total 76001 · Interfund Transfers	0.00	15,000.00	15,000.00
Total Other Expense	0.00	15,000.00	15,000.00
Net Other Income	0.00	-15,000.00	-15,000.00
Net Income	-10,108.54	-10,111.00	3,800.00

City of Highland Haven Utility Report Calendar Year 2023

Collections:

Total Utility System	# of CC & eCheck	Percent of Payments	CC & eCheck Amt	# of ACH	Percent of Payments	ACH AMT	# of Cash / Check	Percent of Payments	Cash/Ck Amt	# of Payments	Amount Collected
January-23	94	26%	\$ 6,326	116	32%	\$ 7,920	151	42%	\$ 16,181	361	\$ 30,427
February-23	95	26%	\$ 7,340	117	32%	\$ 8,443	156	42%	\$ 12,870	368	\$ 28,652
March-23	101	26%	\$ 7,548	116	30%	\$ 8,094	171	44%	\$ 18,714	388	\$ 34,356
April-23	96	26%	\$ 6,890	121	33%	\$ 8,455	152	41%	\$ 13,448	369	\$ 28,794
May-23	98	26%	\$ 7,125	121	32%	\$ 8,535	156	42%	\$ 15,044	375	\$ 30,704
June-23	92	25%	\$ 6,603	121	32%	\$ 8,686	160	43%	\$ 18,179	373	\$ 33,467
July-23	98	26%	\$ 8,218	125	33%	\$ 8,841	159	42%	\$ 18,963	382	\$ 36,021
August-23	96	25%	\$ 7,650	127	33%	\$ 9,839	157	41%	\$ 20,070	380	\$ 37,558
September-23	95	27%	\$ 8,795	127	36%	\$ 9,725	135	38%	\$ 17,850	357	\$ 36,370
October-23	101	26%	\$ 8,202	125	32%	\$ 9,223	162	42%	\$ 20,073	388	\$ 37,498
November-23	104	28%	\$ 7,955	129	35%	\$ 9,194	139	37%	\$ 12,839	372	\$ 29,988
December-23	94	26%	\$ 6,615	127	35%	\$ 9,087	137	38%	\$ 14,558	358	\$ 30,260
CAL YR 2023	1,164	26%	89,265	1,472	33%	106,042	1835	41%	\$ 198,789	4,471	394,095

Billing:

Total Utility System	# of Water Customers	# of Trash Customers	Total # Billed	# of Electronic Billing	Percent of Electronic Billing	# of Gallons Billed	Water Billed	Trash Billed	Total Billing
January-23	402	348	435	76	17%	1,229,700	\$ 19,013	\$ 10,135	\$ 29,148
February-23	402	348	436	75	17%	1,042,600	\$ 17,996	\$ 10,135	\$ 28,130
March-23	404	350	438	75	17%	1,103,900	\$ 18,547	\$ 10,202	\$ 28,749
April-23	404	350	438	76	17%	1,266,200	\$ 19,324	\$ 10,202	\$ 29,526
May-23	404	350	438	75	17%	1,239,800	\$ 19,475	\$ 10,225	\$ 29,699
June-23	403	351	440	75	17%	1,636,500	\$ 21,470	\$ 10,253	\$ 31,722
July-23	405	351	440	75	17%	2,333,000	\$ 25,220	\$ 10,253	\$ 35,473
August-23	406	351	439	77	18%	2,684,300	\$ 26,896	\$ 10,253	\$ 37,148
September-23	407	351	440	78	18%	1,943,200	\$ 22,969	\$ 10,253	\$ 33,222
October-23	408	353	442	78	18%	1,449,000	\$ 20,304	\$ 10,298	\$ 30,602
November-23	408	353	440	78	18%	1,111,200	\$ 18,663	\$ 10,298	\$ 28,961
December-23	408	352	441	81	18%	983,300	\$ 17,675	\$ 10,269	\$ 27,944
CAL YR 2023	4,861	4,208	5,267	919	17%	18,022,700	\$ 247,552	\$ 122,773	\$ 370,324

TCEQ Permit: 665 water taps

City of Highland Haven Utility Report Calendar Year 2023

[HOME](#)

Highland Haven	# of Water Customers	# of Trash Customers	Total # Billed	# of Gallons Billed	Water Billed	Trash Billed	Total Billing
January-23	310	275	331	800,000	\$ 13,345	\$ 8,026	\$ 21,371
February-23	310	275	331	683,600	\$ 12,896	\$ 8,026	\$ 20,921
March-23	311	276	333	683,200	\$ 12,912	\$ 8,065	\$ 20,977
April-23	311	274	333	793,100	\$ 13,214	\$ 8,009	\$ 21,223
May-23	311	274	333	774,200	\$ 13,220	\$ 8,009	\$ 21,228
June-23	311	275	335	951,100	\$ 13,671	\$ 8,037	\$ 21,708
July-23	313	275	336	1,427,600	\$ 15,713	\$ 8,037	\$ 23,750
August-23	313	276	336	1,790,800	\$ 17,471	\$ 8,065	\$ 25,536
September-23	314	276	336	1,330,200	\$ 15,597	\$ 8,065	\$ 23,662
October-23	314	276	336	1,008,200	\$ 14,231	\$ 8,054	\$ 22,284
November-23	314	278	336	795,400	\$ 13,431	\$ 8,110	\$ 21,541
December-23	314	277	336	752,500	\$ 13,241	\$ 8,082	\$ 21,323
CAL YR 2023	3,746	3,307	4,012	11,789,900	\$ 168,942	\$ 96,582	\$ 265,524

Shady Acres Rte 3	# of Water Customers	# of Trash Customers	Total # Billed	# of Gallons Billed	Water Billed	Trash Billed	Total Billing
January-23	66	57	75	228,000	\$ 3,249	\$ 1,625	\$ 4,875
February-23	66	57	76	239,700	\$ 3,327	\$ 1,625	\$ 4,952
March-23	67	58	76	258,000	\$ 3,465	\$ 1,653	\$ 5,118
April-23	67	60	76	246,600	\$ 3,314	\$ 1,710	\$ 5,023
May-23	67	59	76	199,700	\$ 3,176	\$ 1,682	\$ 4,857
June-23	67	59	76	323,500	\$ 3,880	\$ 1,682	\$ 5,562
July-23	67	59	76	311,300	\$ 3,571	\$ 1,682	\$ 5,253
August-23	68	59	76	305,900	\$ 3,581	\$ 1,682	\$ 5,262
September-23	68	58	76	213,300	\$ 3,171	\$ 1,653	\$ 4,824
October-23	68	60	77	181,400	\$ 3,076	\$ 1,710	\$ 4,786
November-23	68	58	75	141,200	\$ 2,934	\$ 1,653	\$ 4,587
December-23	68	58	76	141,100	\$ 2,929	\$ 1,653	\$ 4,582
CAL YR 2023	807	702	911	2,789,700	\$ 39,671	\$ 20,010	\$ 59,681

Nobles Rte 2	# of Water Customers	# of Trash Customers	Total # Billed	# of Gallons Billed	Water Billed	Trash Billed	Total Billing
January-23	25	16	28	88,300	\$ 1,342	\$ 484	\$ 1,825
February-23	25	16	28	56,100	\$ 1,173	\$ 484	\$ 1,656
March-23	25	16	28	53,700	\$ 1,134	\$ 484	\$ 1,618
April-23	25	16	28	47,000	\$ 1,091	\$ 484	\$ 1,575
May-23	25	17	28	62,900	\$ 1,151	\$ 534	\$ 1,685
June-23	24	17	28	65,400	\$ 1,102	\$ 534	\$ 1,636
July-23	24	17	27	103,400	\$ 1,274	\$ 534	\$ 1,809
August-23	24	16	26	105,300	\$ 1,262	\$ 506	\$ 1,768
September-23	24	17	27	81,800	\$ 1,182	\$ 534	\$ 1,716
October-23	25	17	28	66,700	\$ 1,167	\$ 534	\$ 1,701
November-23	25	17	28	50,700	\$ 1,121	\$ 534	\$ 1,655
December-23	25	17	28	46,400	\$ 1,094	\$ 534	\$ 1,628
CAL YR 2023	296	199	332	827,700	\$ 14,092	\$ 6,181	\$ 20,273

Camp Champions Rte 4	# of Water Customers	# of Trash Customers	Total # Billed	# of Gallons Billed	Water Billed	Trash Billed	Total Billing
January-23	1	0	1	113,400	\$ 1,077	\$ -	\$ 1,077
February-23	1	0	1	63,200	\$ 600	\$ -	\$ 600
March-23	1	0	1	109,000	\$ 1,036	\$ -	\$ 1,036
April-23	1	0	1	179,500	\$ 1,705	\$ -	\$ 1,705
May-23	1	0	1	203,000	\$ 1,929	\$ -	\$ 1,929
June-23	1	0	1	296,500	\$ 2,817	\$ -	\$ 2,817
July-23	1	0	1	490,700	\$ 4,662	\$ -	\$ 4,662
August-23	1	0	1	482,300	\$ 4,582	\$ -	\$ 4,582
September-23	1	0	1	317,900	\$ 3,020	\$ -	\$ 3,020
October-23	1	0	1	192,700	\$ 1,831	\$ -	\$ 1,831
November-23	1	0	1	123,900	\$ 1,177	\$ -	\$ 1,177
December-23	1	0	1	43,300	\$ 411	\$ -	\$ 411
CAL YR 2023	12	0	12	2,615,400	\$ 24,846	\$ -	\$ 24,846

Pumping:

Total Utility System	# of Gallons Billed	Gallons Pumped	# of Gallons Loss	Percent of Water Loss	Number of Acre Feet	Percent of CTGCD Permit	CAL YR 2022	% of Change
January-23	1,229,700	1,430,600	200,900	14.04%	4.39	6.30%	1,399,500	2.22%
February-23	1,042,600	1,194,700	152,100	12.73%	3.67	5.26%	1,490,800	-19.86%
March-23	1,103,900	1,217,600	113,700	9.34%	3.74	5.36%	1,410,300	-13.66%
April-23	1,266,200	1,392,700	126,500	9.08%	4.27	6.13%	2,507,800	-44.47%
May-23	1,239,800	1,343,700	103,900	7.73%	4.12	5.92%	2,596,100	-48.24%
June-23	1,636,500	1,775,900	139,400	7.85%	5.45	7.82%	2,981,000	-40.43%
July-23	2,333,000	2,487,700	154,700	6.22%	7.63	10.95%	3,128,800	-20.49%
August-23	2,684,300	2,867,900	183,600	6.40%	8.80	12.63%	3,972,600	-27.81%
September-23	1,943,200	2,157,400	214,200	9.93%	6.62	9.50%	2,280,600	-5.40%
October-23	1,449,000	1,640,100	191,100	11.65%	5.03	7.22%	2,640,700	-37.89%
November-23	1,111,200	1,301,200	190,000	14.60%	3.99	5.73%	2,112,000	-38.39%
December-23	983,300	1,143,600	160,300	14.02%	3.51	5.04%	1,445,600	-20.89%
CAL YR 2023	18,022,700	19,953,100	1,930,400	9.67%	61.23	87.85%	27,965,800	-28.65%

Central Texas Groundwater Conservation District Permit: 82 Acre Feet = 26,719,782 gallons./2023 15% Mandatory Reduction - 69.7 Acre Feet = 22,711,814 (One acre-foot equals 325,851 gallons.)

Per CTGCD - As of January 1, 2023, has imposed a mandatory 15% decrease from the total annual permitted volume.

With this 15% reduction, we have 69.7 Acre feet = 22,711,814 gallons

Total Utility System	# of Gallons Billed	2023 Gallons Pumped	Acre Feet Pumped	# of Gallons Lost	Percent Pumped Water Lost	Percent of CTGCD Permit Pumped	2022 Gallons Pumped	% Change 2022 VS 2023 Pumped	Difference 2022 VS 2023 (gals) pumped
January-23	1,229,700	1,430,600	4.39	200,900	14.04%	6.30%	1,399,500	2.22%	31,100
February-23	1,042,600	1,194,700	3.67	152,100	12.73%	5.26%	1,490,800	-19.86%	(296,100)
March-23	1,103,900	1,217,600	3.74	113,700	9.34%	5.36%	1,410,300	-13.66%	(192,700)
April-23	1,266,200	1,392,700	4.27	126,500	9.08%	6.13%	2,507,800	-44.47%	(1,115,100)
May-23	1,239,800	1,343,700	4.12	103,900	7.73%	5.92%	2,596,100	-48.24%	(1,252,400)
June-23	1,636,500	1,775,900	5.45	139,400	7.85%	7.82%	2,981,000	-40.43%	(1,205,100)
July-23	2,333,000	2,487,700	7.63	154,700	6.22%	10.95%	3,128,800	-20.49%	(641,100)
August-23	2,684,300	2,867,900	8.80	183,600	6.40%	12.63%	3,972,600	-27.81%	(1,104,700)
September-23	1,943,200	2,157,400	6.62	214,200	9.93%	9.50%	2,280,600	-5.40%	(123,200)
October-23	1,449,000	1,640,100	5.03	191,100	11.65%	7.22%	2,640,700	-37.89%	(1,000,600)
November-23	1,111,200	1,301,200	3.99	190,000	14.60%	5.73%	2,112,000	-38.39%	(810,800)
December-23	983,300	1,143,600	3.51	160,300	14.02%	5.04%	1,445,600	-20.89%	(302,000)
CAL YR 2023	18,022,700	19,953,100	61.23	1,930,400	9.67%	87.85%	27,965,800	-28.65%	(8,012,700)

Central Texas Groundwater Conservation District Permit:

82 Acre Feet = 26,719,782 gals/**2023 15% Mandatory Reduction 69.7 Acre Feet = 22,711,814 gals** (One acre-foot equals 325,851 gallons.)

CTGWCD imposed 15% mandatory reduction on pumping permit as of January 1, 2023 due to Stage 4 Drought Status

Certification of Health Care Provider for
Family Member's Serious Health Condition
under the Family and Medical Leave Act

U.S. Department of Labor
Wage and Hour Division



**DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR.
RETURN TO THE PATIENT.**

OMB Control Number: 1235-0003
Expires: 6/30/2026

The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave to care for a family member with a serious health condition to submit a medical certification issued by the family member's health care provider. 29 U.S.C. §§ 2613, 2614(c)(3); 29 C.F.R. § 825.305. The employer must give the employee **at least 15 calendar days** to provide the certification. If the employee fails to provide complete and sufficient medical certification, his or her FMLA leave request may be denied. 29 C.F.R. § 825.313. Information about the FMLA may be found on the [WHD website](http://www.dol.gov/agencies/whd/fmla) at www.dol.gov/agencies/whd/fmla.

SECTION I - EMPLOYER

Either the employee or the employer may complete Section I. While use of this form is optional, this form asks the health care provider for the information necessary for a complete and sufficient medical certification, which is set out at 29 C.F.R. § 825.306. **You may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308.** Additionally, you **may not** request a certification for FMLA leave to bond with a healthy newborn child or a child placed for adoption or foster care.

Employers must generally maintain records and documents relating to medical information, medical certifications, recertifications, or medical histories of employees or employees' family members created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

(1) Employee name: _____
First Middle Last

(2) Employer name: _____ Date: _____ (mm/dd/yyyy)
(List date certification requested)

(3) The medical certification must be returned by _____ (mm/dd/yyyy)
(Must allow at least 15 calendar days from the date requested, unless it is not feasible despite the employee's diligent, good faith efforts.)

SECTION II - EMPLOYEE

Please complete and sign Section II before providing this form to your family member or your family member's health care provider. The FMLA allows an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to the serious health condition of your family member. If requested by your employer, your response is required to obtain or retain the benefit of the FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). **You are responsible for making sure the medical certification is provided to your employer within the time frame requested, which must be at least 15 calendar days.** 29 C.F.R. §§ 825.305-825.306. Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA leave request. 29 C.F.R. § 825.313.

(1) Name of the family member for whom you will provide care: _____

(2) Select the relationship of the family member to you. The family member is your:

- ☐ Spouse ☐ Parent ☐ Child, under age 18
☐ Child, age 18 or older and incapable of self-care because of a mental or physical disability

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. The terms "child" and "parent" include in loco parentis relationships in which a person assumes the obligations of a parent to a child. An employee may take FMLA leave to care for an individual who assumed the obligations of a parent to the employee when the employee was a child. An employee may also take FMLA leave to care for a child for whom the employee has assumed the obligations of a parent. No legal or biological relationship is necessary.

Employee Name: _____

(3) Briefly describe the care you will provide to your family member: **(Check all that apply)**☐ Assistance with basic medical, hygienic, nutritional, or safety needs ☐ Transportation☐ Physical Care ☐ Psychological Comfort ☐ Other: _____(4) Give your **best estimate** of the amount of leave needed to provide the care described:

(5) If a **reduced work schedule** is necessary to provide the care described, give your **best estimate** of the reduced schedule you are able to work. From _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy), I am able to work _____ (hours per day) _____ (days per week)

Employee Signature _____ Date _____ (mm/dd/yyyy)

SECTION III - HEALTH CARE PROVIDER

Please provide your contact information, complete all relevant parts of this Section, and sign the form below. A family member of your patient has requested leave under the FMLA to care for your patient. The FMLA allows an employer to require that the employee submit a timely, complete, and sufficient medical certification to support a request for FMLA leave to care for a family member with a serious health condition. For FMLA purposes, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. For more information about the definitions of a serious health condition under the FMLA, see the chart at the end of the form.

You also may, but are **not required** to, provide other appropriate medical facts including symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment. Please note that some state or local laws may not allow disclosure of private medical information about the patient's serious health condition, such as providing the diagnosis and/or course of treatment.

Health Care Provider's name: (Print) _____

Health Care Provider's business address: _____

Type of practice / Medical specialty: _____

Telephone: _____ Fax: _____ E-mail: _____

PART A: Medical Information

Limit your response to the medical condition for which the employee is seeking FMLA leave. Your answers should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. **After completing Part A, complete Part B to provide information about the amount of leave needed.** Note: For FMLA purposes, "incapacity" means the inability to work, attend school, or perform regular daily activities due to the condition, treatment of the condition, or recovery from the condition. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b).

(1) Patient's Name: _____

(2) State the approximate date the condition started or will start: _____ (mm/dd/yyyy)

(3) Provide your **best estimate** of how long the condition lasted or will last: _____

(4) For FMLA to apply, care of the patient must be medically necessary. Briefly describe the type of care needed by the patient (e.g., assistance with basic medical, hygienic, nutritional, safety, transportation needs, physical care, or psychological comfort).

Employee Name: _____

(5) Check the box(es) for the questions below, as applicable. For all box(es) checked, the amount of leave needed must be provided in Part B.

☐ **Inpatient Care:** The patient (☐ has been / ☐ is expected to be) admitted for an overnight stay in a hospital, hospice, or residential medical care facility on the following date(s): _____

☐ **Incapacity plus Treatment:** (e.g. outpatient surgery, strep throat)

Due to the condition, the patient (☐ has been / ☐ is expected to be) incapacitated for more than three consecutive, full calendar days from: _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy).

The patient (☐ was / ☐ will be) seen on the following date(s): _____

The condition (☐ has / ☐ has not) also resulted in a course of continuing treatment under the supervision of a health care provider (e.g. prescription medication (other than over-the-counter) or therapy requiring special equipment)

☐ **Pregnancy:** The condition is pregnancy. List the expected delivery date: _____ (mm/dd/yyyy).

☐ **Chronic Conditions:** (e.g. asthma, migraine headaches) Due to the condition, it is medically necessary for the patient to have treatment visits at least twice per year.

☐ **Permanent or Long Term Conditions:** (e.g. Alzheimer's, terminal stages of cancer) Due to the condition, incapacity is permanent or long term and requires the continuing supervision of a health care provider (even if active treatment is not being provided).

☐ **Conditions requiring Multiple Treatments:** (e.g. chemotherapy treatments, restorative surgery) Due to the condition, it is medically necessary for the patient to receive multiple treatments.

☐ **None of the above:** If none of the above condition(s) were checked, (i.e., inpatient care, pregnancy) no additional information is needed. Go to page 4 to sign and date the form.

(6) If needed, briefly describe other appropriate medical facts related to the condition(s) for which the employee seeks FMLA leave. (e.g., use of nebulizer, dialysis)

PART B: Amount of Leave Needed

For the medical condition(s) checked in Part A, complete all that apply. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine if the benefits and protections of the FMLA apply.

(7) Due to the condition, the patient (☐ had / ☐ will have) **planned medical treatment(s)** (scheduled medical visits) (e.g. psychotherapy, prenatal appointments) on the following date(s): _____

(8) Due to the condition, the patient (☐ was / ☐ will be) **referred to other health care provider(s)** for evaluation or treatment(s).

State the nature of such treatments: (e.g. cardiologist, physical therapy) _____

Provide your **best estimate** of the beginning date _____ (mm/dd/yyyy) and end date _____ (mm/dd/yyyy) for the treatment(s).

Provide your **best estimate** of the duration of the treatment(s), including any period(s) of recovery (e.g. 3 days/week)

Employee Name: _____

(9) Due to the condition, the patient (☐ was / ☐ will be) **incapacitated for a continuous period of time**, including any time for treatment(s) and/or recovery.

Provide your **best estimate** of the beginning date _____ (mm/dd/yyyy) and end date _____ (mm/dd/yyyy) for the period of incapacity.

(10) Due to the condition, it (☐ was / ☐ is / ☐ will be) medically necessary for the employee to be absent from work to provide care for the patient on an **intermittent basis** (periodically), including for any episodes of incapacity i.e., episodic flare-ups. Provide your **best estimate** of how often (frequency) and how long (duration) the episodes of incapacity will likely last.

Over the next 6 months, episodes of incapacity are estimated to occur _____ times per (☐ day ☐ week ☐ month) and are likely to last approximately _____ (☐ hours ☐ days) per episode.

Signature of Health Care Provider _____ Date: _____ (mm/dd/yyyy)

Definitions of a Serious Health Condition (See 29 C.F.R. §§ 825.113-.115)

Inpatient Care

- An overnight stay in a hospital, hospice, or residential medical care facility.
- Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.

Continuing Treatment by a Health Care Provider (any one or more of the following)

Incapacity Plus Treatment: A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either:

- o Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or,
- o At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.

Pregnancy: Any period of incapacity due to pregnancy or for prenatal care.

Chronic Conditions: Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.

Permanent or Long-term Conditions: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer's disease or the terminal stages of cancer.

Conditions Requiring Multiple Treatments: Restorative surgery after an accident or other injury; or, a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 15 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.



IMPORTANT DATES FOR CANDIDATES

CITY OF HIGHLAND HAVEN

GENERAL ELECTION - MAY 4, 2024

December 18, 2023	Deadline to Post Notice of Candidate Filing.
January 1, 2024	First day to file a ballot by mail.
January 17, 2024	First day to file for a Place on the General Election Ballot.
February 16, 2024	Last day to Order General election for May 4, 2024.
February 16, 2024	Last day to file for place on ballot as regular candidate.
February 20, 2024	Last day to file for place on ballot as write-in candidate.
April 4, 2024	Last Day to register to vote for May 4, 2024 election date.
April 22, 2024	First Day of Early Voting.
April 23, 2024	Last day to apply for a ballot by mail.(received not postmarked)
April 30, 2024	Last day of early voting by Personal Appearance.
May 4, 2024	Election DayPolls open 7am – 7pm

*****OATHS OF OFFICE FOR NEWLY ELECTED OFFICIALS*****

Joint Primary Election, Tuesday, March 5, 2024

Early Voting Locations and Hours

Burnet County, Texas

Polling Place			Address		City	
AgriLife Auditorium *Main EV Location Bertram Community Center Granite Shoals Community Center Marble Falls Region 13			607 N. Vandever 340 S. Gabriel St. 1208 N. Phillips Ranch Rd. 802 Steve Hawkins Pkwy.		Burnet, TX 78611 Bertram, TX 78605 Granite Shoals, TX 78654 Marble Falls, TX 78654	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<i>Feb. 19</i> Presidents Day No voting	<i>Feb. 20</i> 8am-5pm	<i>Feb. 21</i> 8am-5pm	<i>Feb. 22</i> 7am-7pm	<i>Feb. 23</i> 8am-5pm	<i>Feb. 24</i> 8am-5pm *AgriLife 7am-7pm
<i>Feb. 25</i> *AgriLife Only <i>10am-4pm</i>	<i>Feb. 26</i> 8am-5pm *AgriLife 7am-7pm	<i>Feb. 27</i> 8am-5pm *AgriLife 7am-7pm	<i>Feb. 28</i> 8am-5pm *AgriLife 7am-7pm	<i>Feb. 29</i> 7am-7pm	<i>March 1</i> 8am-5pm *AgriLife 7am-7pm	

La Elección Primaria Conjunta, Martes, el 5 de Marzo del 2024

Lugar y Horario de Votación Adelante

Condado de Burnet, Texas

Centro de Votación			Domicilio		Ciudad	
*AgriLife Auditorium Bertram Community Center Granite Shoals Community Center Marble Falls Region 13			607 N. Vandever 340 S. Gabriel St. 1208 N. Phillips Ranch Rd. 802 Steve Hawkins Pkwy.		Burnet, TX 78611 Bertram, TX 78605 Granite Shoals, TX 78654 Marble Falls, TX 78654	
Domingo	Lunes	Martes	Miércoles	Jueves	Viernes	Sábado
	<i>el 19 de feb.</i> día del Presidente <i>no votar</i>	<i>el 20 de feb.</i> 8am-5pm	<i>el 21 de feb.</i> 8am-5pm	<i>el 22 de feb.</i> 7am-7pm	<i>el 23 de feb.</i> 8am-5pm	<i>el 24 de feb.</i> 8am-5pm *AgriLife 7am-7pm
<i>el 25 de feb.</i> AgriLife Only! 10am-4pm	<i>el 26 de feb.</i> 8am-5pm *AgriLife 7am-7pm	<i>el 27 de feb.</i> 8am-5pm *AgriLife 7am-7pm	<i>el 28 de feb.</i> 8am-5pm *AgriLife 7am-7pm	<i>el 29 de feb.</i> 7am-7pm	<i>el 1 de mar.</i> 8am-5pm *AgriLife 7am-7pm	

ELECTION DAY VOTE CENTERS!

Burnet County has County Wide Polling Locations known as Vote Centers. We are pleased to announce that as a registered voter in Burnet County, you may vote on election day at the nearest polling location that is open no matter where you are in the County. You do not have to vote at your home precinct. See the list below which contains all 19 polling locations which are all Vote Centers.

Please call us if you have questions! 512-715-5288 Polling locations change depending on the type of election. Locations for the March 5, 2024 Primary elections are now posted below. Due to the Republican Party not wanting to participate in Joint Primary Elections, and the lack of voting equipment to accommodate this request, we are forced to only open 12 of our vote centers on March 5, 2024, election day.		
	Locations in GREEN will be open on Election Day, March 5, 2024 from 7 a.m. – 7 p.m. CLICK HERE FOR EARLY VOTING SCHEDULE AND LOCATIONS!	
Precinct Number	Location	Status
All	Burnet County AgriLife MAP! 607 N. Vandever St., Burnet 78611	OPEN
All	Spicewood Community Center MAP! 7901 CR 404, Spicewood 78669	OPEN
All	Silver Creek Community Center MAP! 101 CR 128, Burnet 78611	OPEN
All	Highland Haven Community Center MAP! 118 Blackbird Dr., Highland Haven, TX 78654	OPEN
All	Naruna Church Bldg. MAP! 9170 FM 1478 Lampasas 76550	OPEN
All	Bertram Community Center MAP! 340 S. Gabriel St., Bertram 78605	OPEN

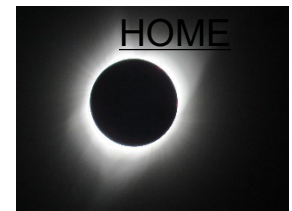
All	Briggs Community Center MAP! 215 Loop 308, Briggs 78608	OPEN
All	Oakalla Community Center MAP! 29011 FM 963, Oakalla 78608	OPEN
All	Granite Shoals Comm Center MAP! 1208 N. Phillips Ranch Rd, Granite Shoals 78654	OPEN
All	Texas Tech University at Highland Lakes MAP! 806 Steve Hawkins Pkwy., Marble Falls 78654	OPEN
All	Meadowlakes City Hall MAP! 177 Broadmoor St # B, Meadowlakes, TX 78654	OPEN
All	Church of Christ MAP! 711 Broadway, Marble Falls 78654	OPEN



ECLIPSE GUIDE FOR HIGHLAND HAVEN RESIDENTS

TOTAL SOLAR ECLIPSE – MONDAY APRIL 8, 2024

Plan for increased traffic and crowded stores April 5-9



Have prescriptions
filled



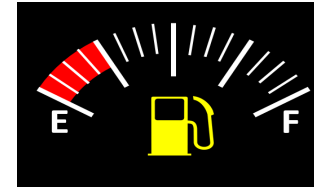
Have Cash
available



Proper eye
protection



Run errands
beforehand



Fill your gas tank



Stock up on
Supplies

PLANNING AHEAD CAN REDUCE STRESS

Expect slower cell,
internet service,
possible issues with
processing
debit/credit cards.

Grocery shopping
early will allow stores
time to restock, while
you avoid crowds.

Schedule
appointments before
or after the eclipse.

ANTICIPATE LOCAL IMPACTS

There will be extra
traffic – especially
on the day of the
eclipse.

Expect longer lines
at gas stations,
stores, and
restaurants.

PUBLIC HEALTH REMINDERS

Have proper eye
protection when
viewing the eclipse!

Ensure you have an
adequate supply of
prescription
medications on hand.

Have a first aid kit
stocked and on hand.

PERSONALIZE EMERGENCY PLANS

Now is the perfect time
to review your family's
emergency plan.

Decide in advance how
you will communicate
with loved ones,
especially if cell service is
slow.

Designate a meeting
point if you get
separated in a crowd.

A total solar eclipse is a once-in-a-lifetime opportunity, but it also requires some preparation and caution. By following these tips, you can enjoy the eclipse safely and responsibly.

SECTION III – ZONING DISTRICTS

SUBSECTION x (pp8-9)

DISTRICT X: COMMERCIAL / LIGHT INDUSTRIAL

1. AREA (legal description)

2. PURPOSE: The purpose of the general commercial district is to set aside defined land areas within the city, commensurate with anticipated demand, for commercial uses that serve the surrounding community with retail goods and services, in locations where transportation access can be maximized, while creating an environment to enhance the public image of the city, encourage economic investment, and provide attractive gateways into the city.

No area, building, or structure may be used, constructed, or altered except for those permitted by the City.

Regulation of general commercial district development is intended to support the rural and recreational quality of life enjoyed by residents and property owners of the city by promoting business uses typical of a small Texas Hill Country Community.

Property Owners may, by petition to the City, request business use of a property zoned other than Commercial/Light Industrial. Petitions will be considered on a case-by-case basis, according to the defined Purpose of this Chapter, subject to the guidelines defined in **articleXX.XX** Conditional Uses and will be permitted or prohibited by vote of the Board. (Definition)

3. USE REGULATIONS:

Buildings, structures, land, or premises will not be used, and buildings or structures will not hereinafter be erected, constructed, or altered, except for one or more of the following uses:

A. PERMITTED USES

Antique shops
Arts, craft, hobby shop (inside sales)
Bakery, confectionary – retail and/or commercial sales
Bank, credit union
Barber shop, beauty shop
Building materials, hardware (inside sales)
Business services
Cabinet, upholstery shop
Cafes, cafeterias, restaurants
Camera, photography
Computer Repair and Assembly
Convenience store
Clinics without Overnight Services
Department, sporting goods, novelty, variety, toy stores
Drapery, needlework, weaving shops

Florists
Gas station
Gym, fitness center
Household or office furniture/furnishings, appliance stores
Jewelry, optical goods stores
Laundry/dry cleaning substation
Package liquor stores
Pharmacy
Shoe and leather repair
Apparel shop

Uses not listed are subject to requesting a variance from the City, reference (Cite)

B. PROHIBITED USES

Uses not specifically permitted above are prohibited, including but not limited to:

Bars (define per TX statute)

Temporary/portable storage buildings.

Major auto repair, auto body repair, auto or auto parts painting, storage.

Outdoor sales or storage of merchandise.

Veterinarian/kennel services

Sales/repair/resale/manufacture/refurbishment or storage of:

- a) Boats
- b) Trailers
- c) Mobile homes
- d) Recreational vehicles
- e) Sport/power sports vehicles

Laundry/dry cleaning plants

Junkyards

Sexually oriented businesses, including but not limited to:

- a) Modeling studios
- b) Dating/escort services

Display/sale/promotion of any product that adversely affects the health, safety or general welfare of residents of the City.

Hotels/Motels

Recycling or waste disposal facilities

Subdivision sales offices

Smoke/vape shops

Pawn shops (not certified under TX statute – cite needed))

Cemeteries

Mobile food vehicles (?are we sure?)

Tattoo/piercing shops

Tents or temporary buildings

Recycling

Mining/quarrying activities

C. CONDITIONAL USES: non-conforming or conditional uses are permitted in only two distinct instances.

1. Property owners may receive approval of conditional use by a positive vote of the Board of Aldermen.
2. Property owners who are actively using property for unapproved conditional purposes on (date of ordinance approval) may continue to use that property for that purpose, under the following conditions:
 - a. There will be no future expansion of such facilities or uses;
 - b. If existing facilities are expanded or remodeled, such conditional use becomes subject to the full force of this ordinance, including but not limited to, requirement that conditional use is granted only by positive vote of the Board of Aldermen;
 - c. Sale of said property will not convey conditional use approval to subsequent property owners. Conditional use of said property by new owner will be subject to the full force of this ordinance, including but not limited to, requirement that conditional use is granted by positive vote of the Board of Aldermen.

D: GENERAL CONDITIONS AND LIMITATIONS

1. That the use is not objectionable, as defined by a positive vote of the Board of Aldermen, due to traffic, odor, excessive light pollution, smoke, dust, noise, vibration or similar nuisance and that such odors, smoke, dust noise or vibration be generally contained within the property, except that which is caused by customer and employee vehicles.
2. No building shall be erected, and no existing building shall be moved, structurally altered, added to or enlarged, nor shall any land, building or premises be used or designated for use for any purpose or in any manner other than provided for hereinafter in the zoning district in which the land or premises is located; provided, however, that necessary structural repairs may be made where health and safety are endangered.

4. SITE DEVELOPMENT REQUIREMENTS

- A. **PURPOSE:** The purpose of this section is to provide control over the structures in business and industrial areas of the City so that they will complement existing activities, structures and neighborhoods, and conform to future plans of the City's growth.

- B. REVIEW: An applicant for a building permit for new construction or remodeling on any property zoned Commercial must submit to the City for review a description of the activity to be conducted, the location, building plans, site plans with drawings, dimensions and specifications.
- C. SITE PLAN SUBMISSION: A site plan shall be accurately and legibly drawn to scale with dimensions, and shall show the following items, as may be applicable for review of the proposed improvements:
1. Point of references to accurately locate the site;
 2. The boundary of the existing property;
 3. Existing and/or proposed buildings;
 4. Proposed occupancy;
 5. Parking layout and drives;
 6. Means of ingress and egress;
 7. Loading areas;
 8. Fire lanes;
 9. Areas to be landscaped;
 10. Screening;
 11. Public and private sidewalks;
 12. Refuse facilities with screening;
 13. Adjoining streets and alleys, including curbs, medians and storm drains;
 14. Drainage, electric, telephone, gas, cable television, and other utility easements;
 15. Zoning;
 16. Size of buildings;
 17. Computations of building areas for each occupancy, site area, and parking ration;
 18. Existing or proposed water and sanitary sewer lines;
 19. Sign locations;
 20. Other such information as considered essential by the Planning Commission or City.
- D. APPROVAL: approval will be given based upon the appropriateness to the specific activity at the specific location, with regards to existing activities, structures and neighborhoods, and to the plans of the City.
- E. ELEMENTS OF SITE PLAN APPROVAL:
- The following will be used as guidelines in determining the acceptability of submitted designs:
1. Minimum lot size will be one (1) acre.
 2. Minimum square footage of buildings used for business and services will be ???

3. Drainage, driveways, sewage and water utilities, and traffic flow plans must be approved by all governing County and State entities before final approval of site plan will be granted by the Board of Alderman.
4. All plans submitted must comply with the building codes in effect for the City at the time said plans are submitted. (cite Ordinance #40/56?)
5. Surface area of any building façade must be a material approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building. Wood must be properly painted, stained, protected, sealed or otherwise treated appropriate for the type of wood material used.
6. Masonry buildings must use brick, stone, stucco and similar materials. If concrete or cinderblock is used, it must be textured and painted, or coated with stucco or a similar material.
7. Driveways and parking areas must be graded and paved, or graveled with a dust-free material (includes granite gravel).
8. Minimum landscaped open space must be provided as follows:
 - a) Office uses: fifteen percent of lot area;
 - b) Commercial uses: ten percent of lot area;
 - c) Industrial uses: five percent of lot area.Said area must be landscaped with grass, trees, shrubs, flowers, native vegetation or drought-resistant plants.
9. Material used on the framing or exterior of any structure must be a material approved for use by a national model code published within the last three code cycles, that applies to the construction, renovation, maintenance, or other alteration of the building. Antique, reclaimed or recycled material may be used on interior surfaces at the property owner's discretion.
10. All heating and air conditioning equipment shall be screened from the view from any public street.
11. Rear yards shall be required, only in the instance where the property abuts, along its rear lot line, property zoned and used for residential purposes, in which case a ten foot rear yard shall be provided between General Commercial and Residential uses, and not less than a twenty foot rear yard between Industrial and Residential uses. No yard or other open space

provided to comply with provisions of this Subchapter shall be considered s providing a yard or open space for a building on any other lot.

12. Outside storage and trash receptacles shall be enclosed from view by the general public by a solid fence constructed of with masonry or wood, the fence shall be a minimum of six feet tall. Where an industrial use property abuts a Residential use, a solid fence with a minimum height of eight feet shall be provided along the entire common boundary. No outside storage or trash receptacle shall be higher than the height of screening. All screening shall be maintained in a safe and slightly condition at all times. All General Commercial or Industrial district trash dumpsters shall be serviced from the owner's property.

F. REJECTION: If the review results in a rejection of the plans, the City will send a letter of rejection to the applicant within five business days after rejection is given stating the specific reasons for the rejection. The applicant may modify the plans accordingly, and resubmit the new plans to the City at any time after this notice is received.

G. APPEALS: Any person may appeal the City's decision (rejection) to the board of adjustments.

H. LARGE COMMERCIAL RETAIL: TBD

I. MINIMUM LOT FRONTAGE: TBD

J. MAXIMUM DENSITY: TBD

K. MINIMUM BUILDING SETBACKS: TBD

L. HEIGHT LIMITATIONS: No building shall be less than ten feet or more than twenty-five feet in height.

M. LOT COVERAGE: TBD

N. OPEN SPACE: Minimum landscaped open space must be provided as follows:

1. Office uses – Fifteen percent of lot area;
- 2.. Commercial uses – Ten percent of lot area;
3. industrial uses – Five percent of lot area.

O. BUFFER REQUIREMENTS: TBD

P. SIGN REGULATIONS

Permitted commercial signs must be on the same lot as the business establishment to which they refer, and comply with all setbacks for the relevant Zoning District..

1. Temporary signs, movable marquees, and banners are prohibited, except for construction signs during development. (cite?)
2. Commercial signs in Districts A and D for the purposes of advertising a business approved as Conditional use are prohibited.

3. Commercial signs in Districts C and X shall not be within 25 feet of a residential district; must be stationary and non-flashing if illuminated, and shall comply with other applicable provisions of this ordinance and any other applicable ordinance of the City.
4. Commercial signs in District B must be approved by a positive vote of the Board.

Q. OFF-STREET PARKING

The following rules shall be applied in computing minimum required off-street parking spaces for each individual business operating on the property:

1. Three (3) parking spaces for a business with a floor area of up to 500 square feet.
2. One (1) additional parking space for every 200 square feet of floor area in excess of 500 square feet.
3. One (1) additional parking space for each vehicle used in connection with the business.
4. ADA spaces must be provided in accordance with Federal, State, and County requirements.
5. Size of Parking Spaces
 - a) All parking spaces shall contain a minimum of 166½ square feet and shall be approximately nine feet in width and 18½ feet in depth. All parking spaces, parking or maneuvering aisles and driveways shall be of a surface material approved by the city building official.
 - b) A maximum of 25 percent of the required number of parking spaces may be compact size, measuring 7½ feet in width and 15 feet in depth. Such compact spaces shall be located in groups of at least five spaces per group and shall be conspicuously identified by appropriate signs and markings.

R. OFF-STREET LOADING REQUIREMENTS

Any business use that receives or distributes materials or merchandise by vehicle shall provide, when required by use district regulations, off-street loading spaces in accordance with the following requirements:

1. Floor area shall mean the gross floor area of use.
2. Fractional spaces shall be rounded to the next higher whole space.
3. Whenever a building or use, existing on the date of the ordinance from which this chapter is derived, is enlarged by more than 250 percent? In floor area or area of use, the entire building or use shall then and thereafter comply with the off-street loading requirements.

4. Off-street loading spaces shall be located on the same lot as the building or use served.
5. A loading space shall contain a minimum of 420 feet and shall be approximately 12 feet in width and 35 feet in length. All loading spaces, maneuvering aisles and driveways shall be paved.
6. One loading space for each 5,000 square feet of floor area for the first 15,000 square feet of floor area. One additional loading space for each (xxxx) square feet of additional floor space in excess of 15,000 square feet.

S. DRAINAGE: TBD

T. DRIVEWAYS: TBD

U. ACCESS: TBD

V. LIGHTING: TBD

W. BINDING SITE PLAN

Compliance by the applicant to the site plan submitted and approved will be determined by the City's designee. Should said designee determine that actual construction varies from the approved plans, City designee may issue a violation, applicant may be subject to a fine, and a stop-work order may be issued until such variance is resolved.

APPENDIX B - CTGCD STAKEHOLDER COMMITTEE REPORT 10.30.23

DISTRICT, LEGAL, and TECHNICAL PRESENTATIONS TO STAKEHOLDERS



225 South Pierce
Burnet, TX 78611

512-756-4900

www.centraltexasgcd.org



History

- May 25, 2005 - Enabling Act Became Effective
- Sept. 24, 2005 - Confirmation Election Passed
 - Formed to keep from being under jurisdiction of Travis & Williamson Counties.
- Feb. 6, 2006 – Adopted Bylaws
- December 2006 – Hired General Manager
- April 7, 2008 1st Public Hearing on Rules
- Aug. 31, 2009 Adopted Rules
- Rules amended 10 times and last on Dec. 20, 2019

CTGCD Mission Statement

- “Conserve, preserve, protect, and recharge the groundwater resources of Burnet County, and to prevent waste and degradation of the quality of those groundwater resources”

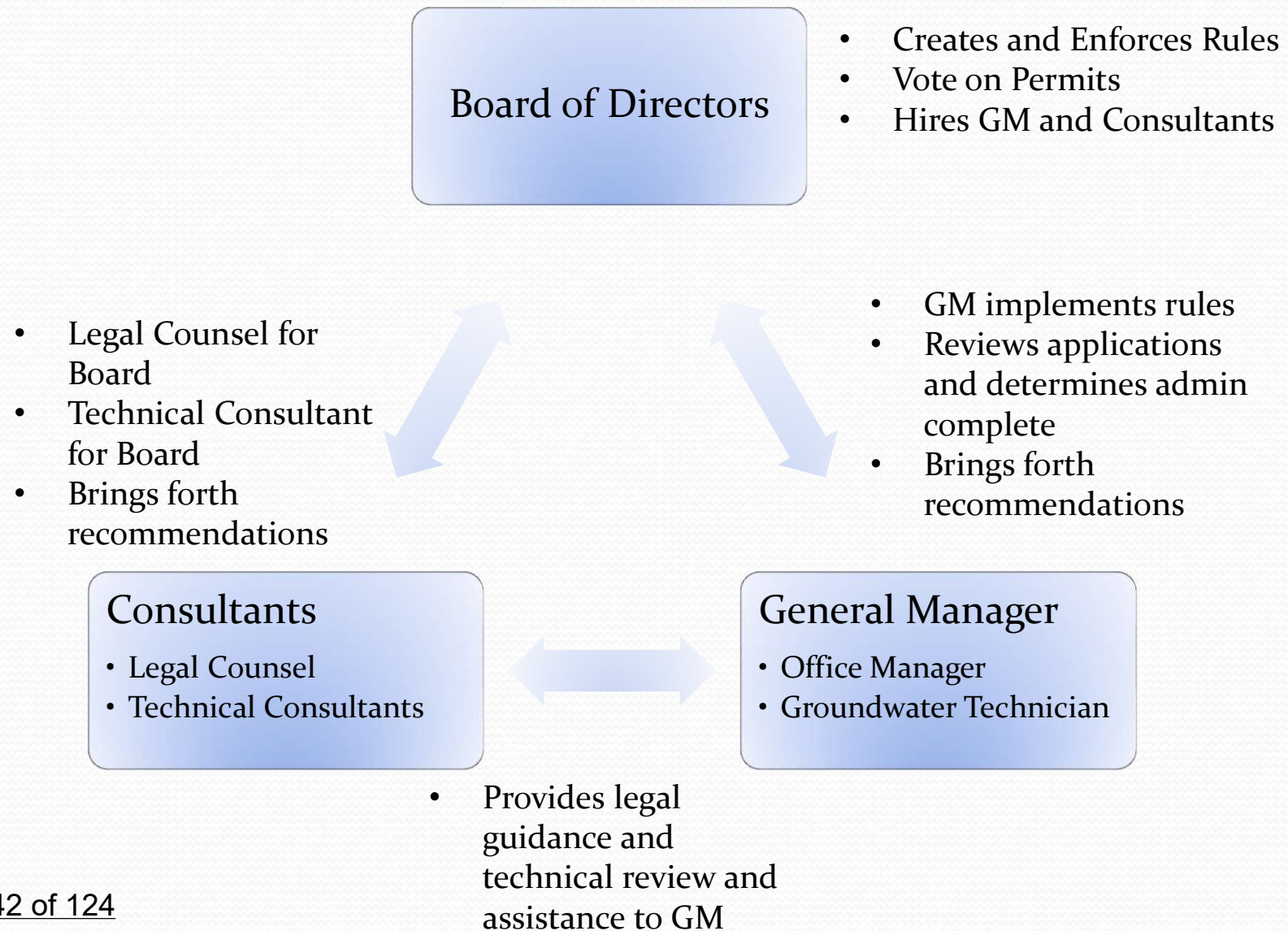


Board & Staff

- 5 Elected Board Members
- Mitchell Sodek – General Manager
 - 13 years with District
 - Previously District Hydrologist
- Donnita Coats – Office Manager
 - 16 years with District
 - 5 years with other Districts
- Shrader Davis – Groundwater Technician
 - Started with District in 2022

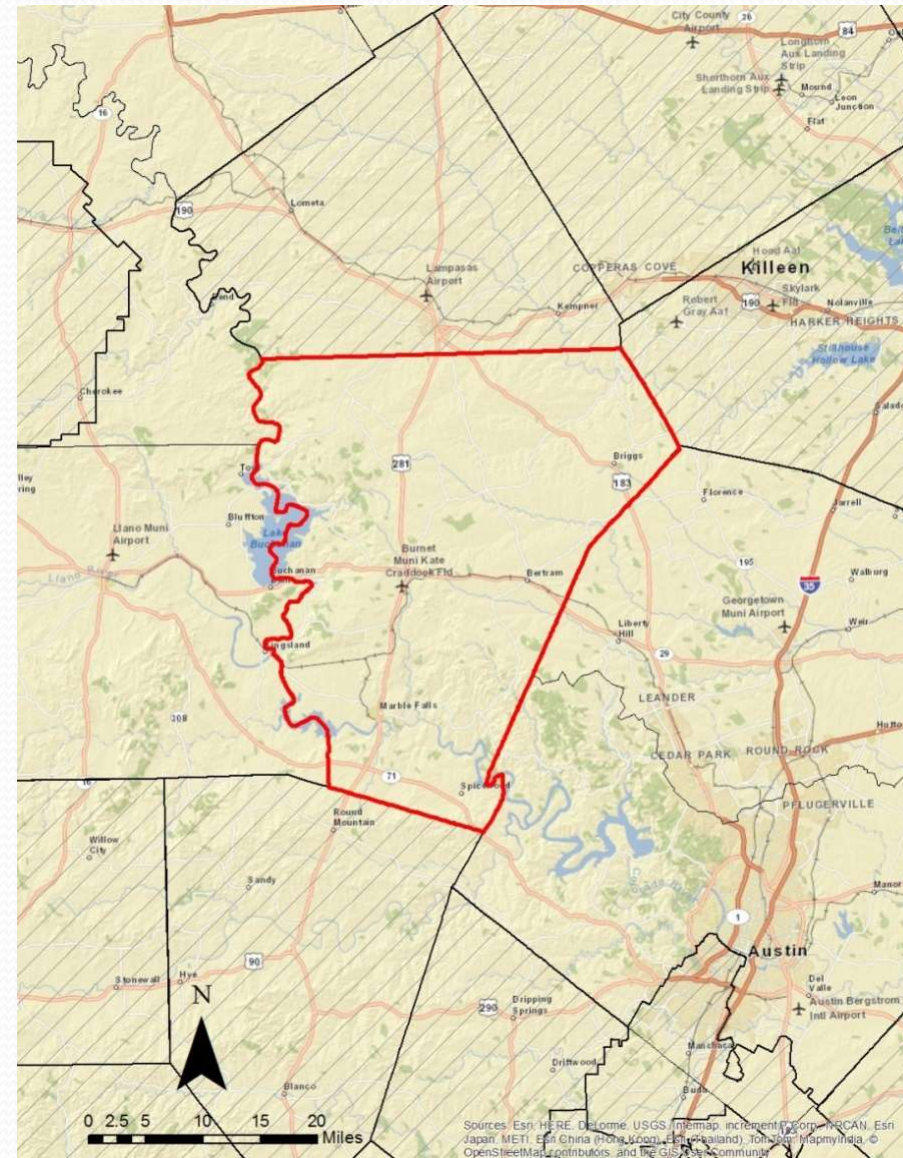
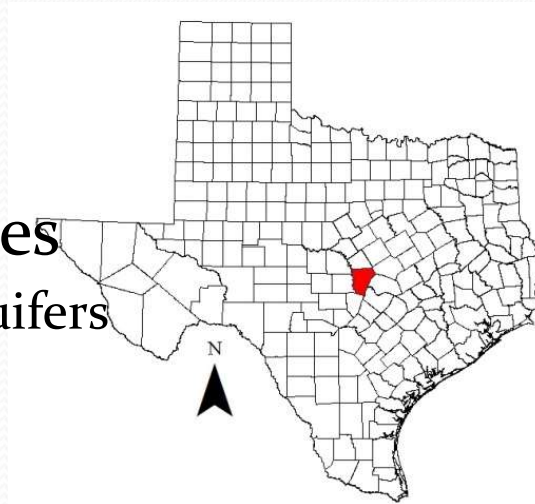
At-Large - King
Pct. 1 - Griffis-Ba
Pct. 2 - Rowney
Pct. 3 - Will
Pct. 4 - Bindseil

Organizational Chart



Central Texas GCD

- Ad valorem tax-based
 - 2022 rate \$0.0057/\$100
- No Current Fees
- Burnet County
 - pop 49,130 (2020)
 - 1,021 sq. miles
- 6 aquifers -> sub-aquifers



GCD Requirements

- Develop a Management Plan.
- Adopt and Enforce Rules to implement the Plan.
- Develop and adopt :
 - Desired Future Conditions (DFC's)
 - Modeled Available Groundwater(MAG)

CTGCD Authority

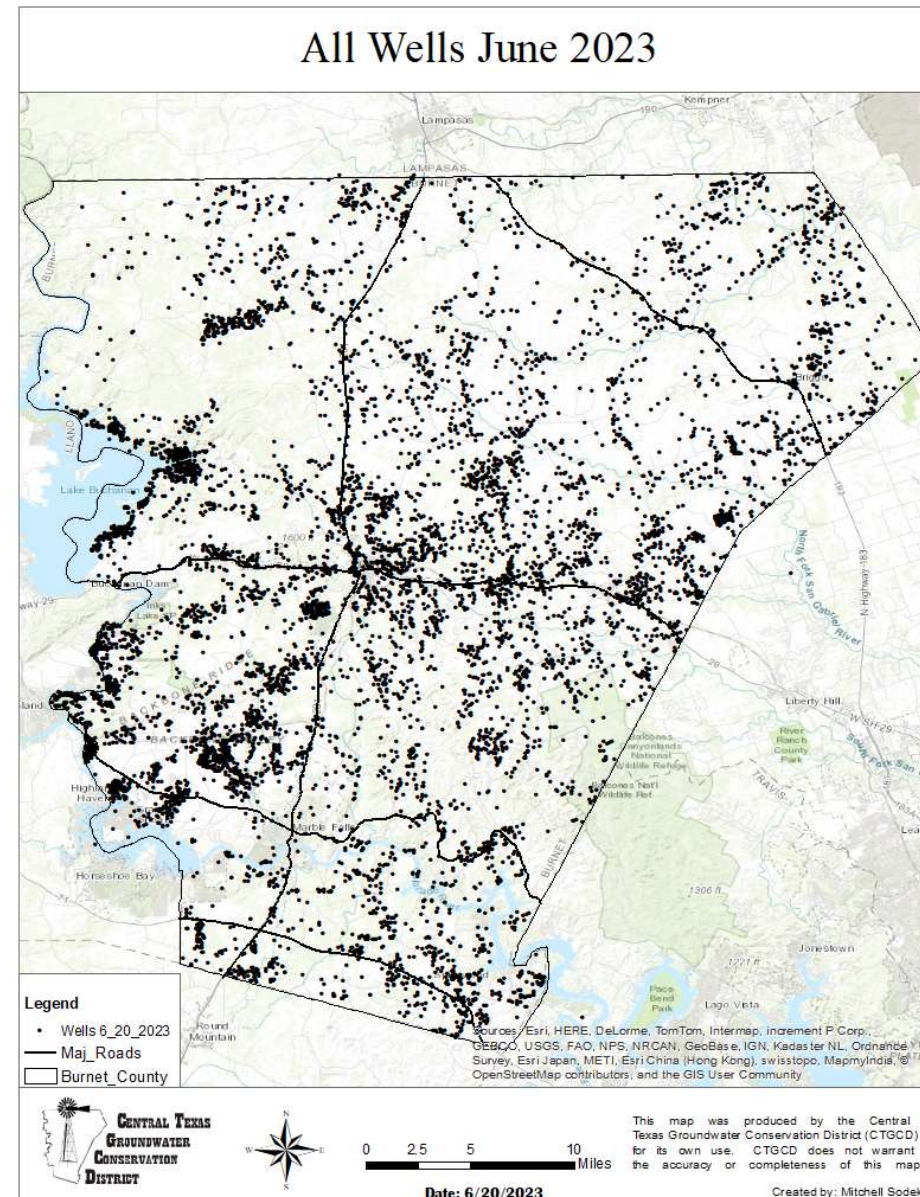
- Texas Water Code Chapter 36
- Enabling Act
- CTGCD Rules

GCD's Authority

- Make and enforce rules including:
 - Register all wells
 - Permit groundwater production based on tract size or use
 - Limit well spacing
 - Well completion standards
 - Exempt wells from requirements to obtain drilling and operating permits

Uniqueness of CTGCD

- Complex Aquifer Systems
 - Relatively modest amounts of water
- Diverse water use
- High growth
 - Ranchettes-private wells
 - Industrial
- Surface water influences
- Enabling legislation powers



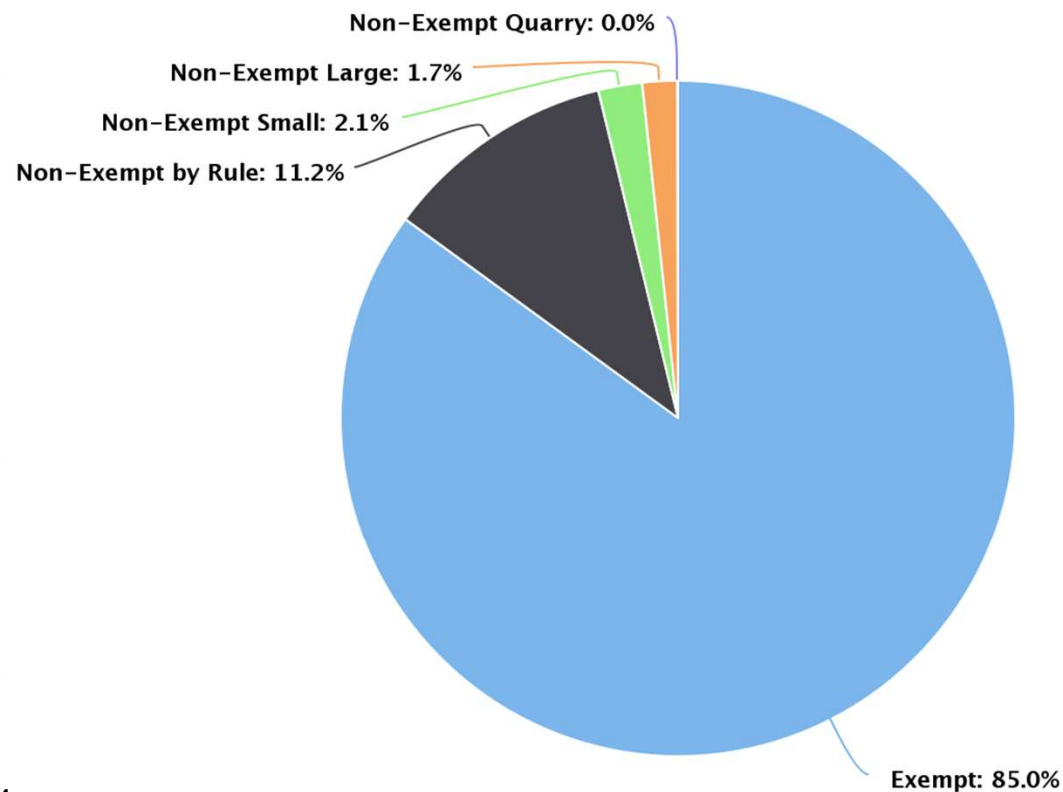
Types of Permits

Exempt	Non-Exempt by Rule	Non-Exempt Small	Non-Exempt Large	Non-Exempt Quarry
Rule 3.40	Rule 3.67	Rule 3.62	Rule 3.62	Ch 13
25,000 gallons per 24 hr	25,000 gallons per 24 hr	Less than 50 gpm and 10 acft	Greater than 50 gpm or 10 acft	Quarry pits
No meter	No Meter	Meter	Meter	Alternate metering
Greater than 10 ac	10 ac or less		Hydrogeologic investigation	

* Also Grandfather Use Permits and Existing and New DLP Permits

Permits

Exempt Wells	Non-exempt by Rule Wells	Non-exempt Permits	Meters Required
5116	713	Permits = 151 Wells = 307	68 Permits



Challenges

- Balance of Needs for Conservation and Needs for Development
 - Competing interests
- High Growth in Rural Subdivisions
 - Out of town and out of state users
- Growing Municipalities
 - Property rights considerations
- Large and Growing Industrial Sector
 - Aggregate mining
- Conservation and Environment
 - Spring and stream flows

Questions?

- Contact info
 - Mitchell Sodek- General Manager
 - email: sodek@centraltexasgcd.org
 - 512-756-4900
 - www.centraltexasgcd.org
 - 225 South Pierce Burnet, TX 78611



CTGCD

Stakeholder Meeting

July 21, 2023

Bill Dugat III
Bickerstaff Heath Delgado Acosta LLP
3711 S. MoPac Expwy.
Bldg. 1, Suite 300
Austin, TX 78746
bdugat@bickerstaff.com

Overview

- GCD Authority and Purpose
- Groundwater Ownership
- Exempt and Non-Exempt Wells
- Permitting
- Spacing and Production
- Waste and Beneficial Use
- Subdivision Regulation

CTGCD Authority

Powers and duties described in:

- Chapter 36, Texas Water Code
- Chapter 8810, Texas Special District Local Law Codes

GCD can exercise only authority that the Texas Legislature has clearly granted or can be reasonably implied to carry out the grant of powers.

GCD Purpose

- GCDs created to provide for the conservation, preservation, protection, recharging, and prevention of waste of groundwater and to control subsidence
- GCDs are states preferred method of groundwater management to:
 - protect property rights
 - balance conservation and development of groundwater
 - use best available science in conservation and development through district rules

Ownership of Groundwater

- Landowner owns groundwater beneath the land as real property
- Under Rule of Capture, landowner can pump as much water as the landowner chooses, without liability to surrounding landowners so long as not for the purpose of maliciously harming neighbors, pumping for wasteful use, or causing subsidence

Ownership (cont'd)

- GCD cannot divest or deprive a landowners of its rights. But GCD may:
 - apply spacing and tract size requirements
 - regulate production
- Regulation can rise to the level of a “taking”. Courts look at:
 - economic impact of regulation
 - extent to which regulation interferes with investment back expectation
 - the reasonableness of the GCD regulation in light of goals to be achieved and expected impacts

Exempt v. Non-Exempt Wells

Except for “exempt” wells, a GCD shall require a permit for drilling, equipping, operating, completing, substantially altering well size or pumps or change of use.

CTGCD may require permits for activity that extracts or allows the escape of more than 25,000 gpd.

So, what’s exempt?

Exempt Wells in CTGCD

- Well drilled before 9/1/09 (existing well) that is incapable of producing more than 25,000 gpd, regardless of tract size
- Well operating/drilled between 9/1/09-10/15/18:
 - meets tract size and spacing
 - incapable of producing more than 25,000 gpd
 - if on a tract less than 10 acres
 - casing is less than 5" diameter

Exempt Wells in CTGCD

- Well operating/drilled between 9/1/09-10/15/18 on any size tract so long as platted before 9/1/09 (and not subsequently subdivided into smaller tracts):
 - casing is less than 5” diameter
 - incapable of producing more than 25,000 gpd
- Well drilled and operated after 10/15/18 on tract greater than 10 acres:
 - incapable of producing more than 25,000 gpd
 - meets spacing requirements

Permitting

Considerations for granting or denying non-exempt well:

- Application conforms to Ch. 36 and District Rules
 - Whether proposed use of water unreasonably affects existing groundwater and surface water resources, existing permit holder or surrounding landowners
 - Use of water is consistent with District's management plan
 - Applicant agrees to avoid waste and achieve water conservation
 - Use reasonable diligence to protect water quality and follow plugging requirements
 - Beneficial use of the water
 - Satisfaction of spacing
 - Whether permit would authorize more water than projected use
 - The effect of the amount of groundwater on achieving the DFC
 - to the extent possible permitted and exempt production achieves the DFC
- * Can require meters
- * Cannot consider other factors outside of Ch. 36 and Chapter 8810 such as alternative water supplies, reuse.

Spacing and Production

To minimize drawdown, control subsidence, prevent well interference, and water quality degradation, a district by rule may regulate:

- Spacing (property lines and adjoining wells)
- Production limits
 - Based on acreage or tract size
 - Acreage assigned to well site
 - Volume/acre
 - Managed depletion
- Existing/historic use
- CTGCD Production Limits
 - Historic use
 - 1 af/CCA Ellenburger-San Saba aquifers
 - ½ af/CCA all other aquifers

CTGCD tract sizes and well spacing

GCD regulates production of permittees NOT end users or exempt well owners

Waste and Beneficial Use

Waste means any one or more of the following:

- (A) withdrawal of groundwater from a groundwater reservoir at a rate and in an amount that causes or threatens to cause intrusion into the reservoir of water unsuitable for agricultural, gardening, domestic, or stock raising purposes;
- (B) the flowing or producing of wells from a groundwater reservoir if the water produced is not used for a beneficial purpose;
- (C) escape of groundwater from a groundwater reservoir to any other reservoir or geologic strata that does not contain groundwater;
- (D) 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;
- (E) willfully or negligently causing, suffering, or allowing groundwater to escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or road ditch, or onto any land other than that of the owner of the well unless such discharge is authorized by permit, rule, or order issued by the commission under Chapter 26;
- (F) groundwater pumped for irrigation that escapes as irrigation tailwater onto land other than that of the owner of the well unless permission has been granted by the occupant of the land receiving the discharge; or
- (G) for water produced from an artesian well, “waste” also has the meaning assigned by [Section 11.205](#).

Waste and Beneficial Use

(cont'd)

Use for a beneficial purpose means use for:

- (A) agricultural, gardening, domestic, stock raising, municipal, mining, manufacturing, industrial, commercial, recreational, or pleasure purposes;
- (B) exploring for, producing, handling, or treating oil, gas, sulphur, or other minerals; or
- (C) any other purpose that is useful and beneficial to the user.

GCD generally cannot exceed statutory definitions of waste and beneficial use

Vanity Ponds

- Specific authority to regulate in the Hill Country PGMA, which does not include the CTGCD
- Other districts address issue based on waste definition
- No clear guidance in the Courts

GCD Cannot Regulate Subdivisions

GCD can assist county or city in water availability certification.

Generally requires:

- Plat application must include a PE/PG certification that there is an adequate supply of groundwater
- Certification also submitted to TWDB and GCD
- Certification must conform to TCEQ rules regarding aquifer testing and water quality analysis

CTGCD

Stakeholder Meeting

July 21, 2023

Bill Dugat III

Bickerstaff Heath Delgado Acosta LLP

3711 S. MoPac Expwy.

Bldg. 1, Suite 300

Austin, TX 78746

bdugat@bickerstaff.com



Groundwater 101

Neil Deeds

August 15, 2023



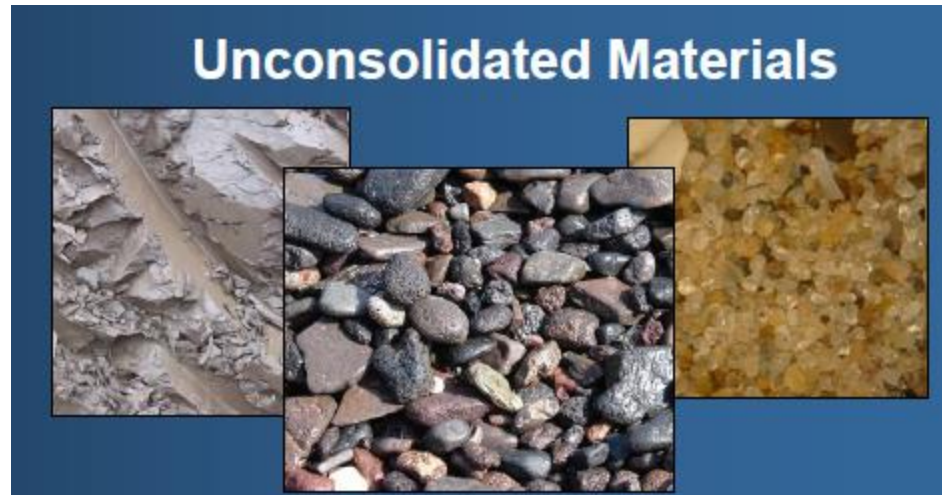
Outline

- Groundwater 101
 - Background
 - A few definitions
 - Groundwater flow
- Aquifers of Burnet County
- Data requirements for groundwater modeling/assessments
- Well spacing and well interference

what is an **aquifer**?

- an aquifer is geologic media that can yield economically usable amounts of water.

DIRT

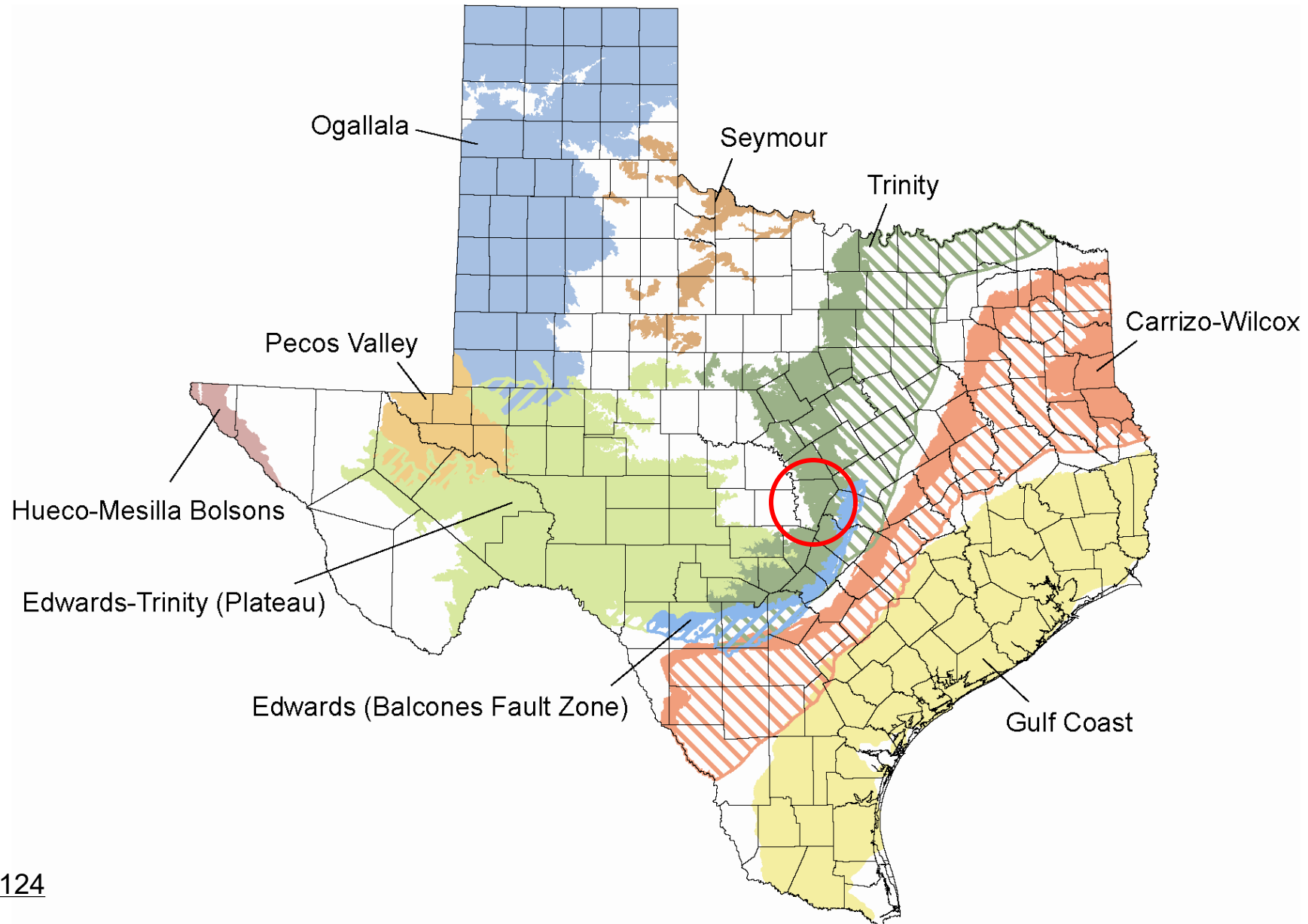


ROCK

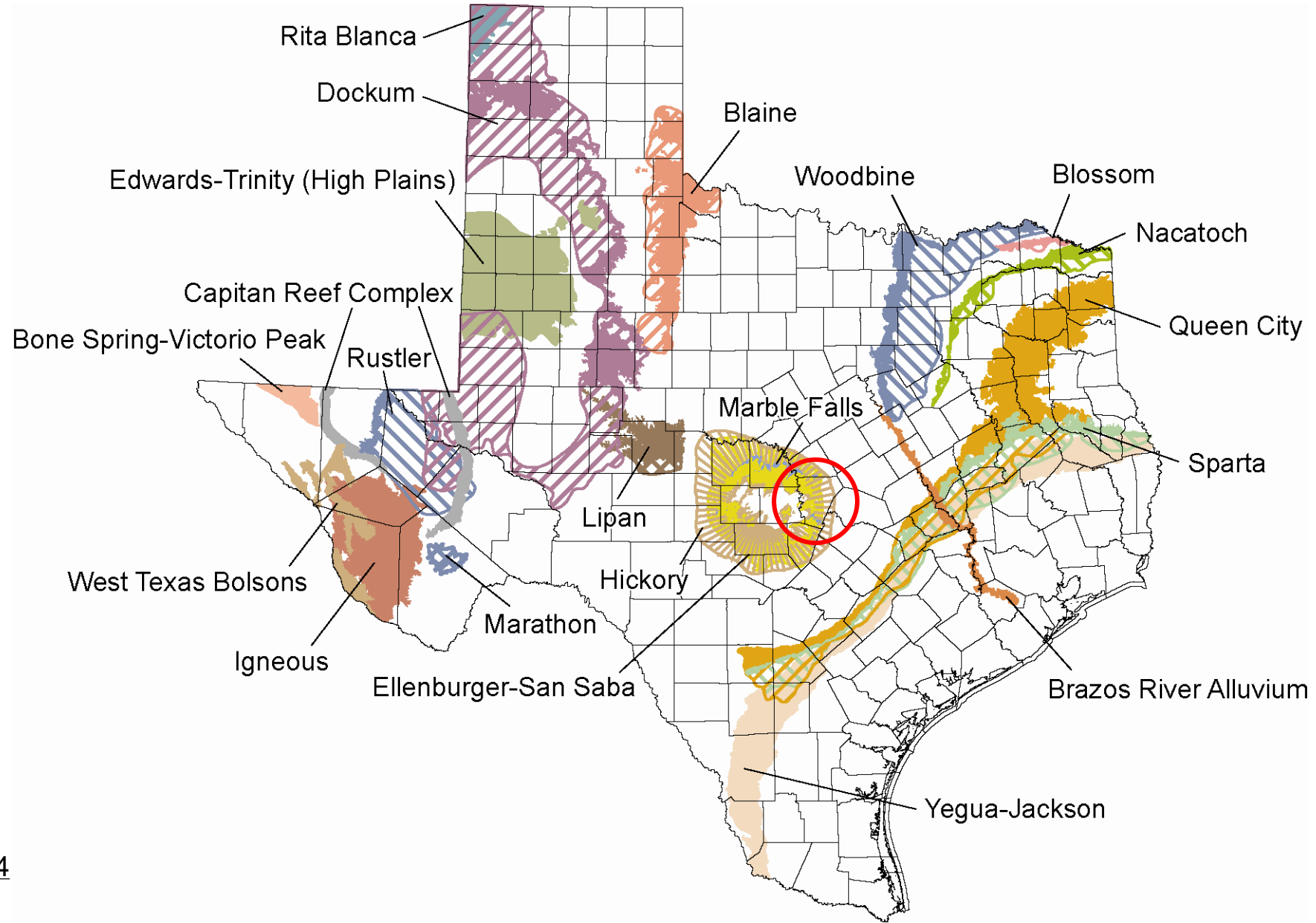


Nine Major Aquifers In Texas

[HOME](#)

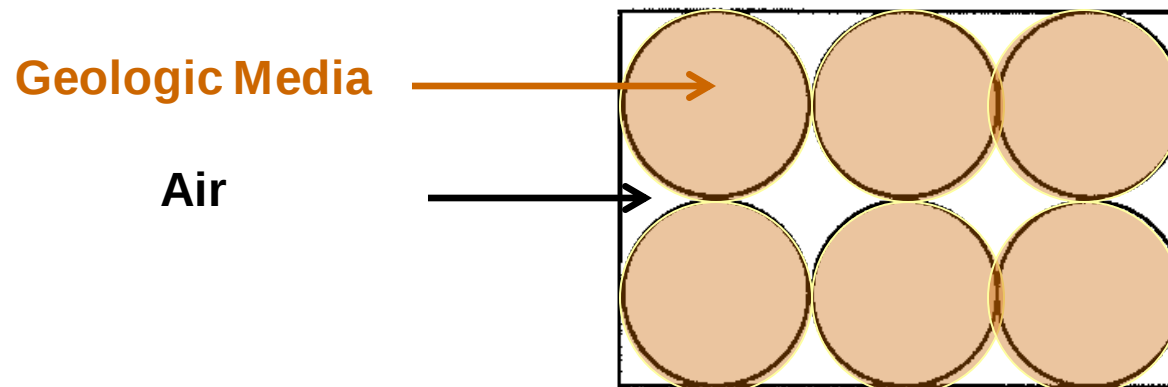


Twenty-one Minor Aquifer in Texas



what is porosity?

- porosity is the space not occupied by geologic media
- porosity is occupied by either a gas (ie. air) or a liquid (i.e. groundwater)
- porosity is typically expressed as a percentage



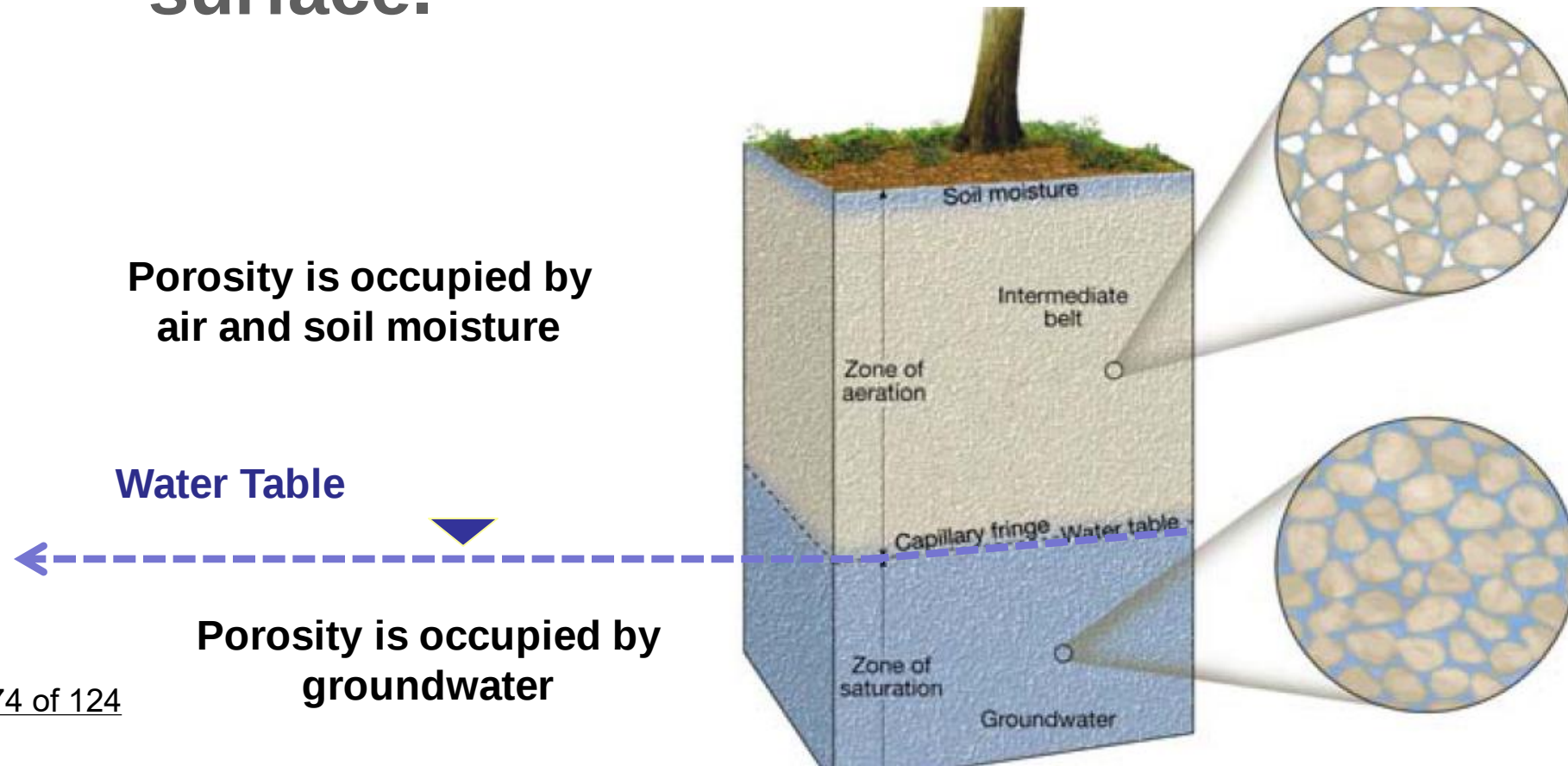
Some values for porosity?

Material	Porosity (%)	Material	Porosity (%)	Material	Porosity (%)
Gravel, coarse	28†	Sandstone, medium	37	Claystone	43
Gravel, medium	32†	Limestone	30	Shale	6
Gravel, fine	34†	Dolomite	26	Till, predominantly silt	34
Sand, coarse	39	Dune sand	45	Till, predominantly sand	31
Sand, medium	39	Loess	49	Tuff	41
Sand, fine	43	Peat	92	Basalt	17
Silt	46	Schist	38	Gabbro, weathered	43
Clay	42	Siltstone	35	Granite, weathered	45
Sandstone, fine	33				

† These values are for repacked samples, all others are undisturbed. Source: Morris and Johnson, 1967.

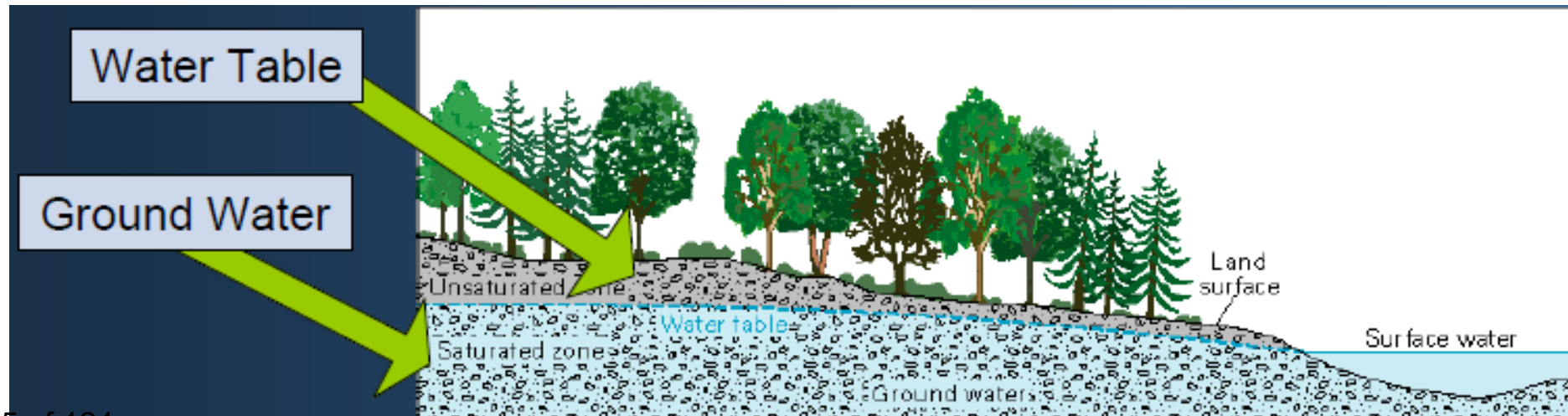
what is a vadose zone?

- The vadose zone (or unsaturated or aeration zone) is the unsaturated geologic media beneath the land surface.



what is a water table?

- A water table is where the saturated zone meets the vadose (unsaturated) zone.
- A water table occurs where the groundwater is under atmospheric pressure



what is permeability? hydraulic conductivity ? transmissivity?

- Terms that describe the ease with which water flows through geologic media.



- Scientific side note: permeability is independent of fluid type; hydraulic conductivity is specific to water and relative to a unit area; and transmissivity is specific to water and relative to the thickness of the aquifer and a unit width.

what is recharge?

- Recharge is water that infiltrates to the water table of an aquifer.

Natural

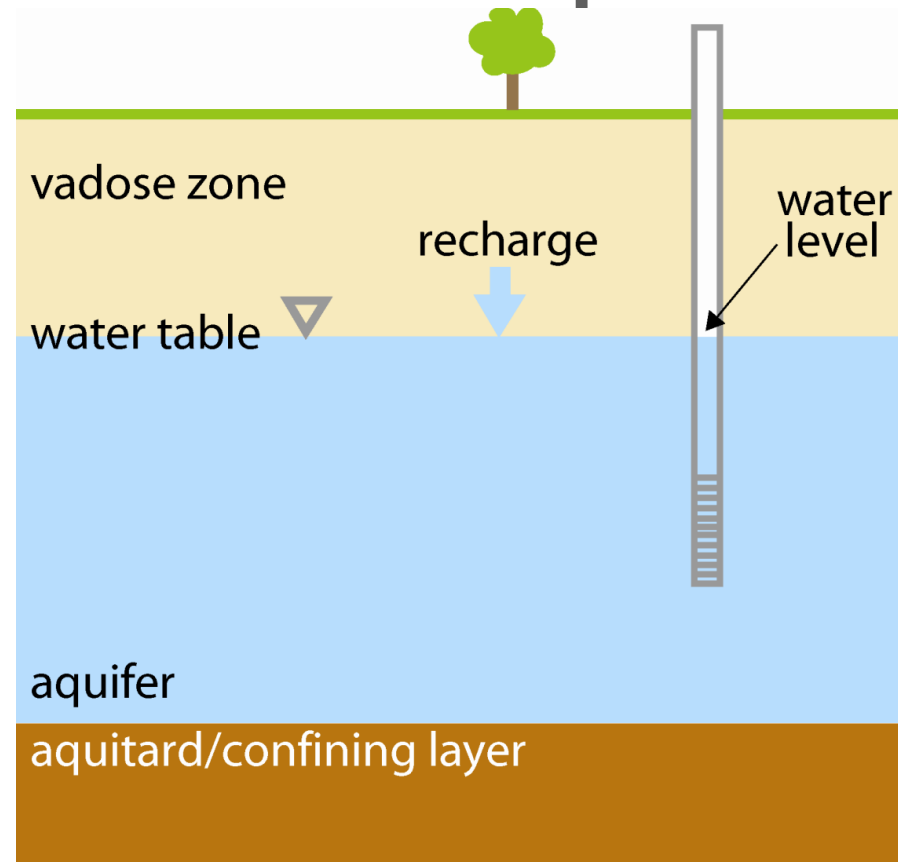
- Precipitation
- Infiltration by streams and lakes
- Melting snow

Artificial

- Recharge wells
- Water spread over land in pits, furrows, ditches
- Small dams in stream channels to detain and deflect water

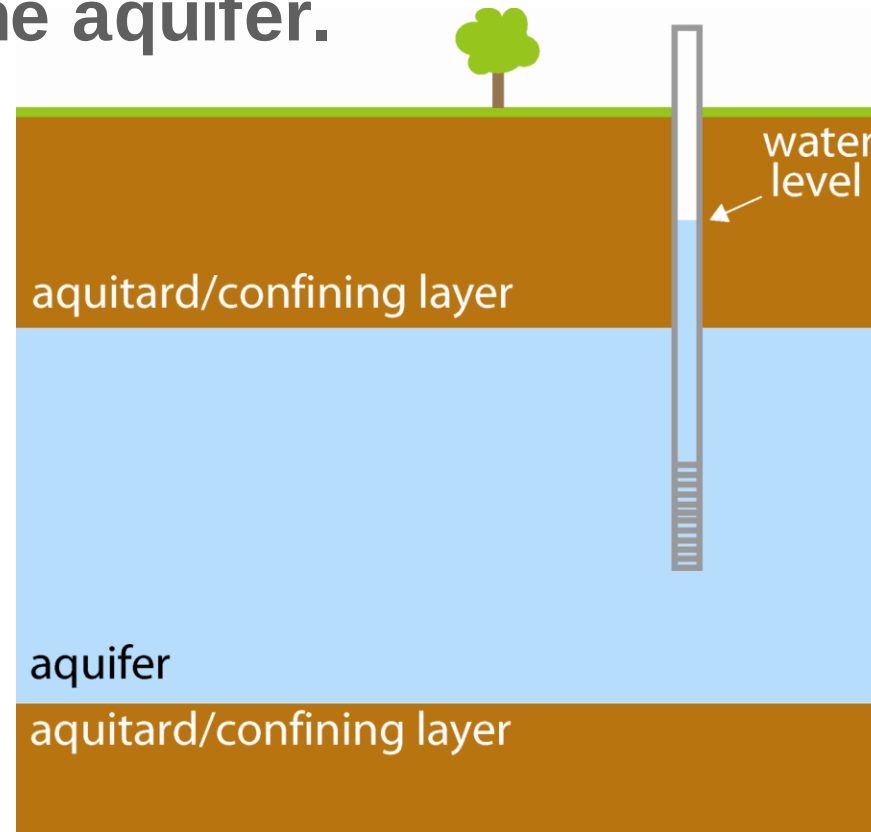
what is an unconfined aquifer?

- An unconfined aquifer is an aquifer that is bounded by a confining layer at its bottom but not at its top.



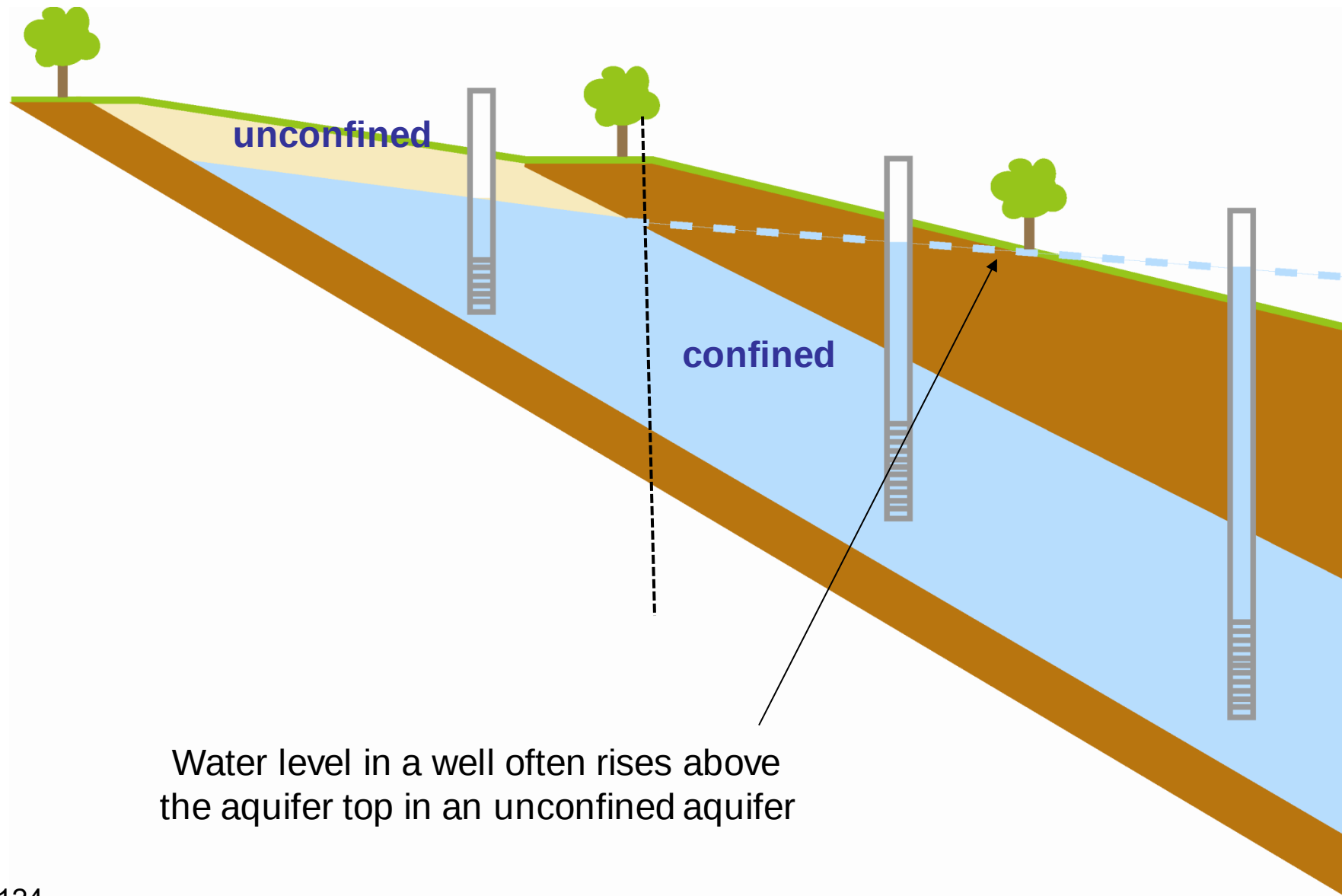
what is a confined aquifer?

- A confined aquifer is an aquifer that is bounded by confining layers at its bottom and top and where the water level rises above the top of the aquifer.



same aquifer: unconfined and confined

[HOME](#)

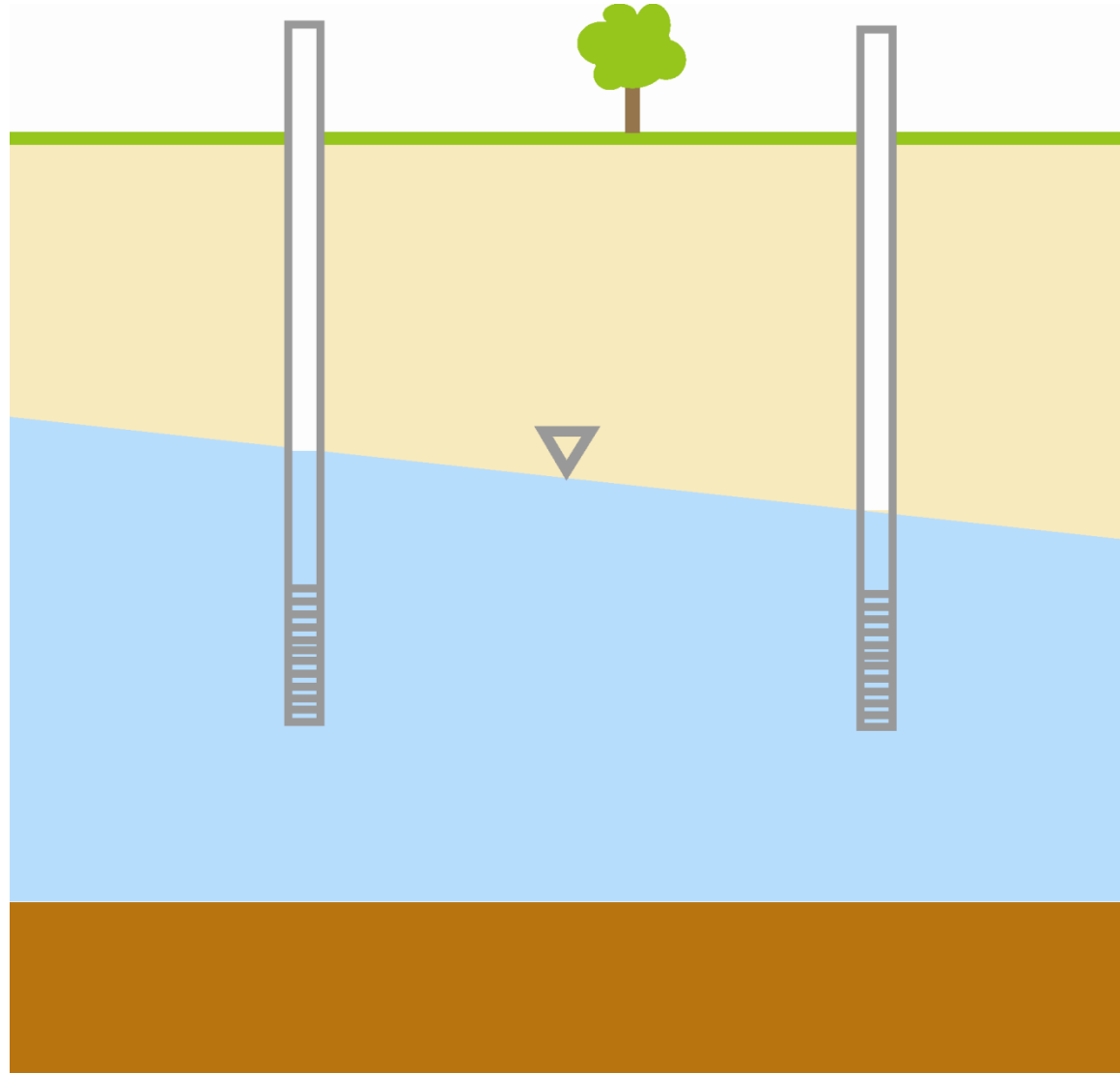


Water level in a well often rises above the aquifer top in an unconfined aquifer

2 rules of groundwater flow

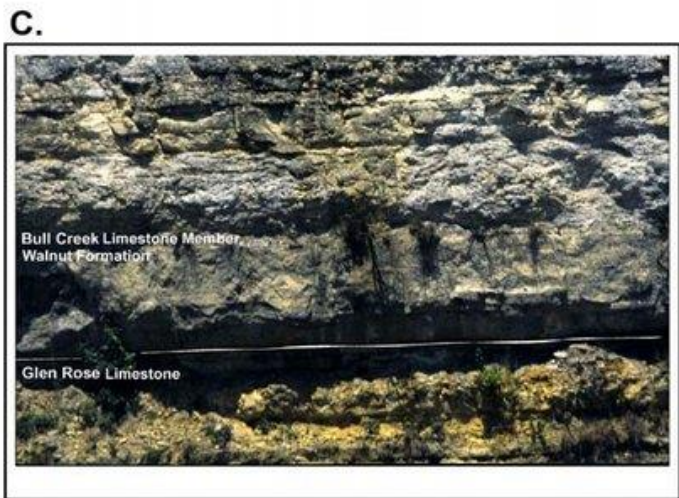
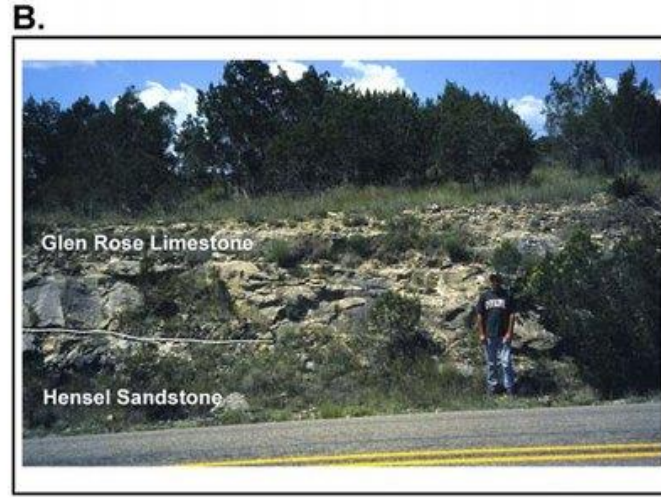
- water flows downhill (to lower potential energy)
- water flows uphill to money

water flows downhill (to lower potential energy)



Aquifers in Burnet County

Fractured rocks and sandstones

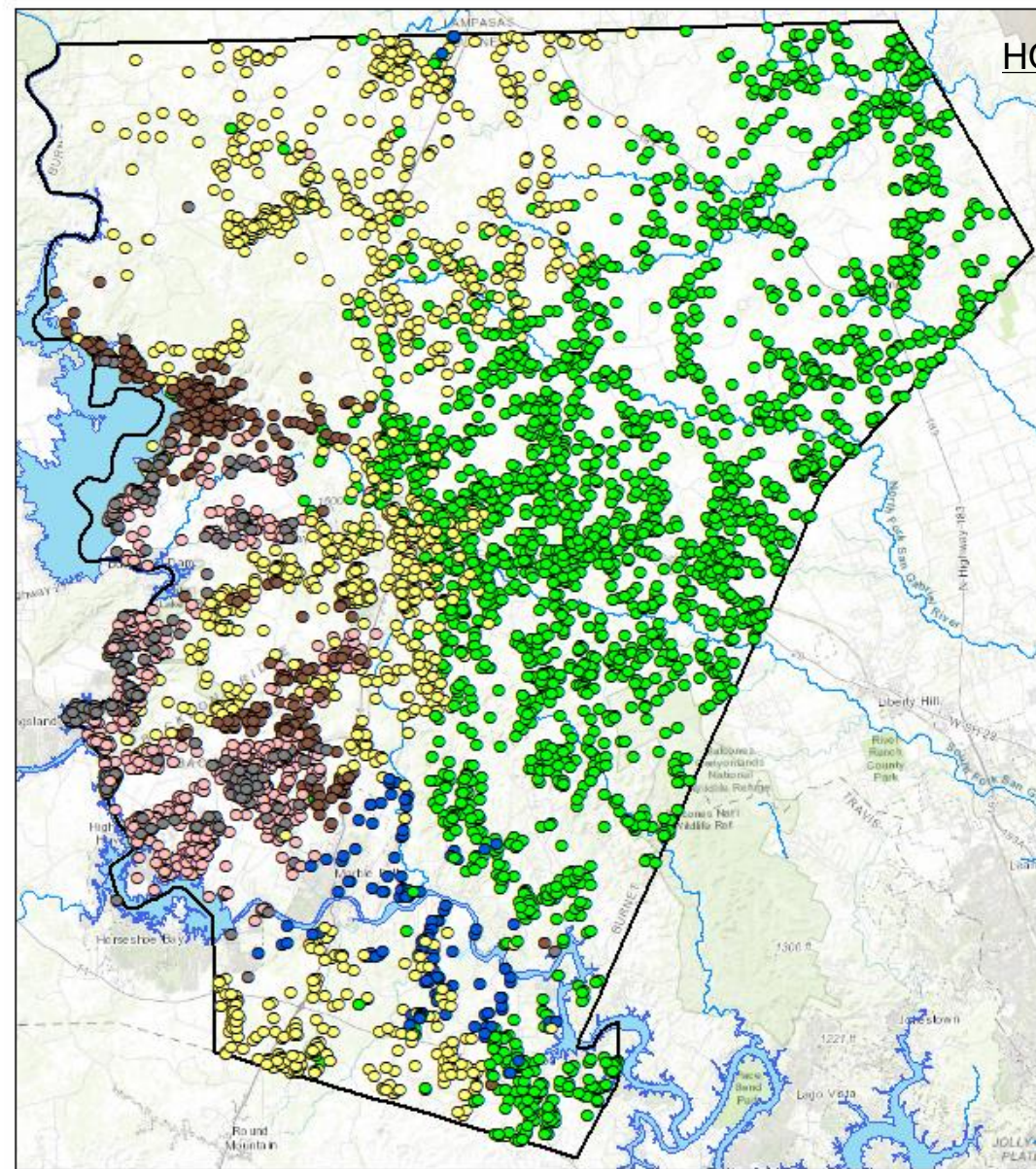
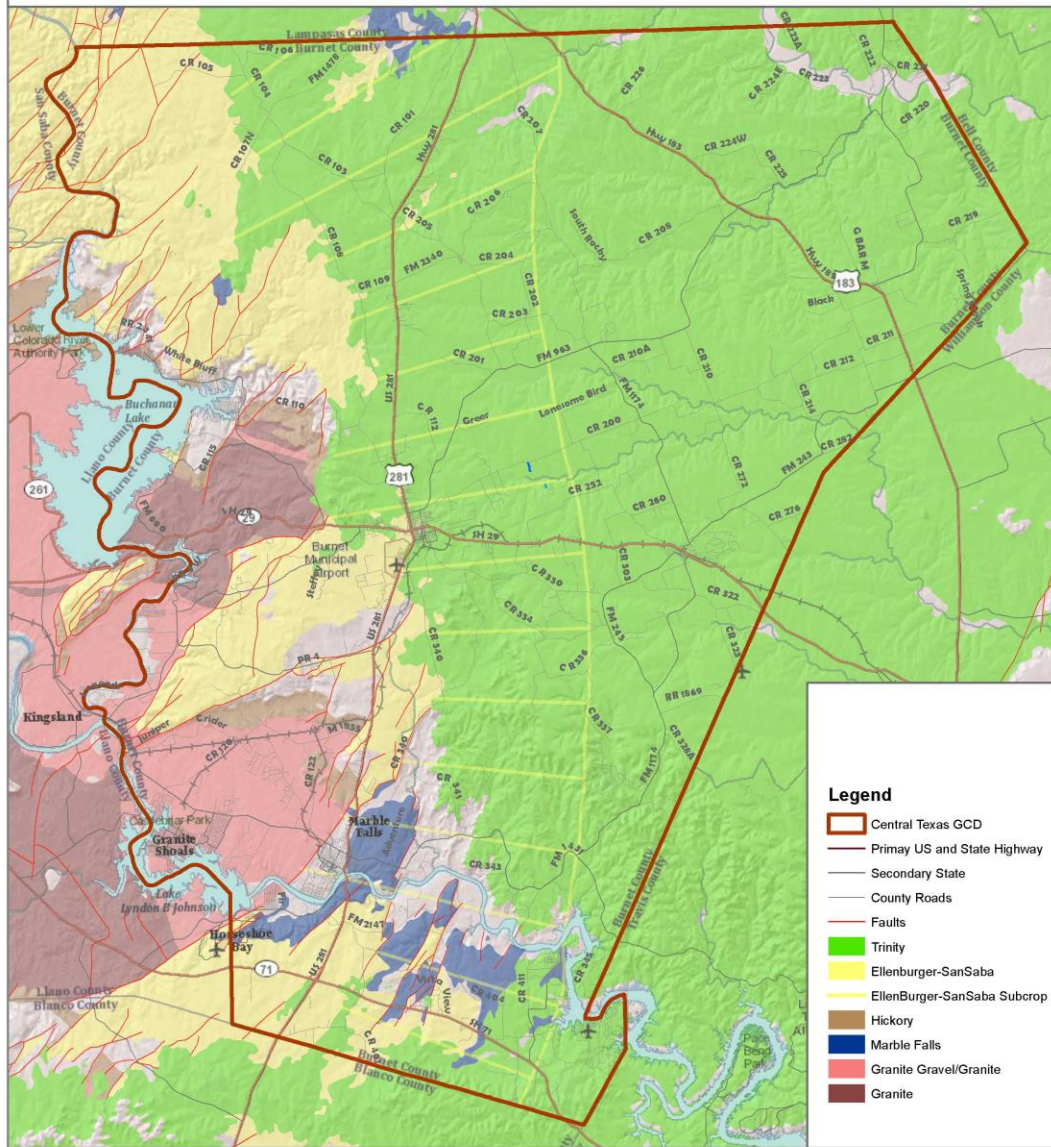


Honeycut Formation, Ellenburger Group, south of San Saba, Texas.



San Saba Limestone Member, southeast of Brady, Texas.

Central Texas GCD Aquifer Map



Structure

Trinity Aquifer

Travis Peak is the most productive "formation group" in the Trinity

Hensel is the most productive formation in the Travis Peak

Geologic Units								
Era	System	Group	Formation	Member or Unit	Hydrogeologic Units			
Cenozoic	Quaternary	Pleistocene to Recent floodplain (alluvium and fluvial terrace deposits)				localized alluvial aquifers		
Mesozoic	Cretaceous	Edwards Group	Segovia Formation			Edwards Plateau Aquifer	Edwards Trinity aquifer	
			Fort Terrett Formation	Kirchburg evaporite Mbr.				
				Dolomite Member				
				Burrowed Member				
				Basal Nodular Bed Member		confining bed		
		Trinity Group	Glen Rose Limestone		Upper Member	Upper and Middle Trinity Aquifer		
			Travis Peak equivalent	Hensell Sand	Bexar	Lower Member		
				Cow Creek Limestone				
				Hammett Shale		confining bed		
				Sligo				
				Sycamore Sand				
				Hosston				
Paleozoic	Pennsylvanian	Canyon Group	undivided		confining beds			
		Strawn Group	undivided					
		Bend Group	Smithwick					
			Marble Falls Limestone		undivided	Marble Falls aquifer		

Structure

Llano Uplift Aquifer

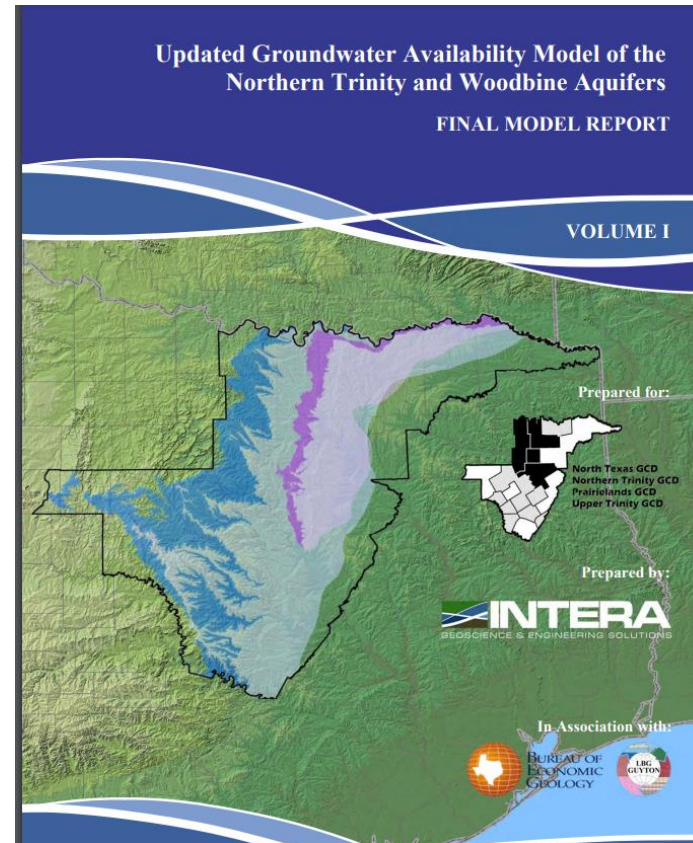
Paleozoic	Pennsylvanian	Canyon Group		undivided		confining beds	
		Strawn Group		undivided			
		Band Group	Smithwick		undivided		
			Marble Falls Limestone				
	Mississippian and Devonian	Composed of youngest to oldest – Barnett Formation(Miss.),Chappel Limestone(Miss) Houy Formation(Dev) and the Stribling Formation (Dev)					Usually confining beds
	Ordovician	Ellenberger Group	Honeycut Formation		undivided	Ellenburger-San Saba aquifer	
			Gorman Formation		undivided		
			Tanyard Formation	Staendebach Member			
				Threadgill Member			
	Cambrian	Moore Hollow Group	Wilberns Formation	San Saba Member		confining beds	
				Point Peak Member			
				Morgan Creek Limestone Mbr		Mid-Cambrian aquifer	
				Welge Sandstone Member			
			Riley Formation	Lion Mountain Sandstone Mbr		confining beds	
				Cap Mountain Limestone Mbr			
				Hickory Sandstone Member		Hickory aquifer	
Precambrian	Llanite Oat Creek Granite					Usually confining beds	
	Six Mile Granite Pegmatite and quartz veins						
	Town Mountain Granite Melaryolite dikes						
	Red Mountain Gneiss Coal Creek Serpentine						
	Mafic igneous rocks Packsaddle Schist						
	Lost Creek Gneiss Valley Springs Gneiss						

Granite
Granite Grave

Groundwater Modeling

- A model is a **simplified** representation of a physical system
- Models can be useful for
 - Improving understanding of a current system by allowing realistic integration of existing data
 - Predicting effects of proposed activities, i.e. “you can’t measure the future, but you can simulate it”

TWDB has official models of the aquifers in Burnet County



Numerical Model Report: Minor Aquifers of the Llano Uplift Region of Texas (Marble Falls, Ellenburger-San Saba, and Hickory)



Report By:
Jianyou (Jerry) Shi, Ph.D., P.G.
Radu Boghici, P.G.
William Kohlrenken

and

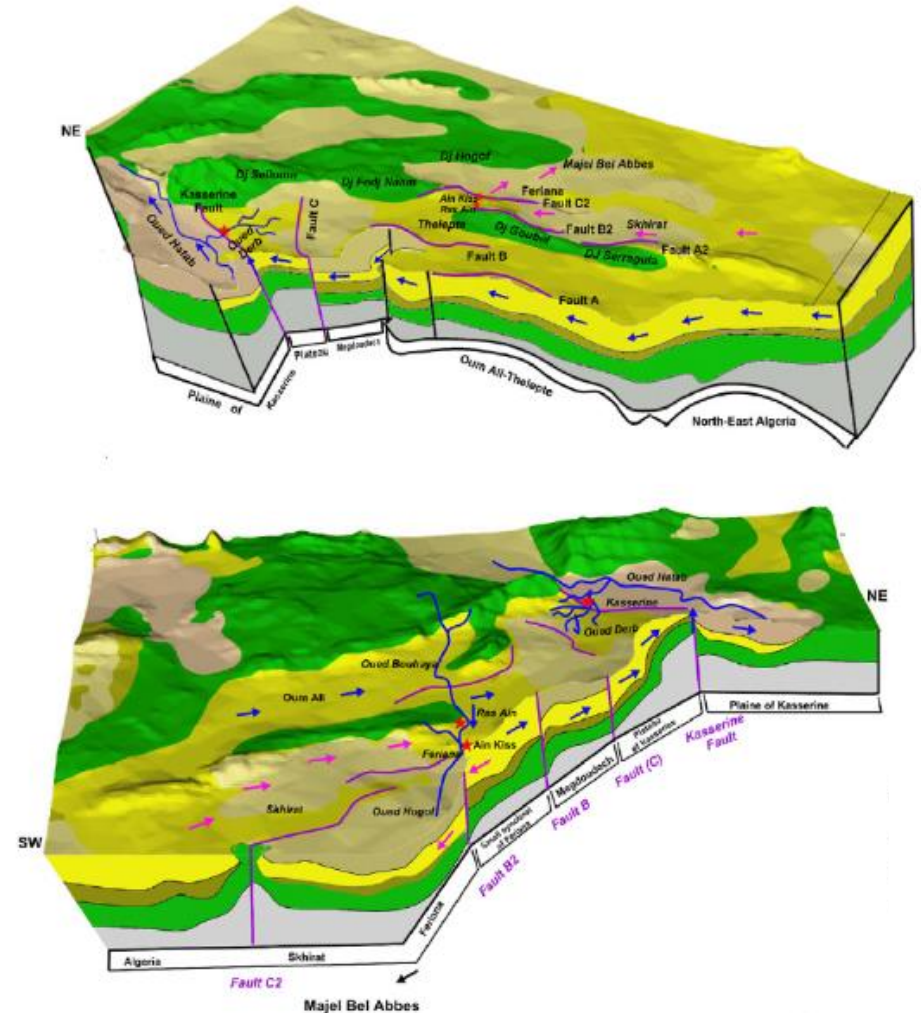
William Hutchison, Ph.D., P.E., P. G.
Independent Groundwater Consultant

Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711-3231

November 4, 2016

Data Requirements for Groundwater Models

- Structure and Stratigraphy
- Hydraulic Properties
- Water Levels and Groundwater Flow Direction
- Recharge and Discharge



Primary Data Sources in Burnet County^{HOME}

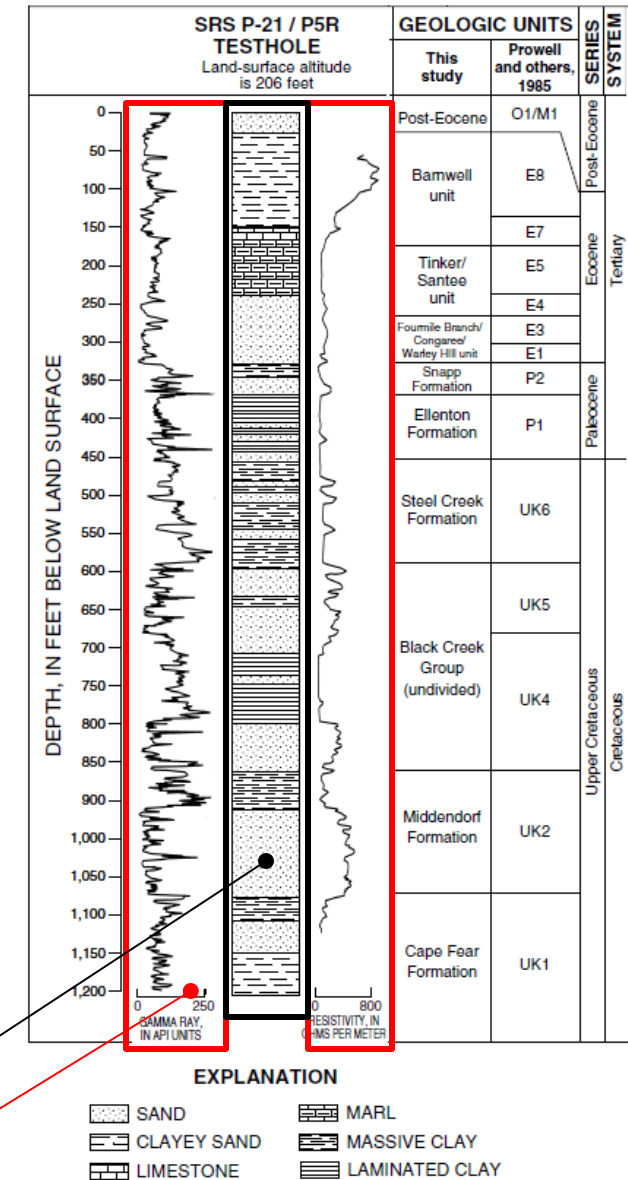
- **Water availability studies**
 - Required by Burnet County for new subdivisions
 - Reviewed by CTGCD
 - Data
 - Geophysical logs (structure and stratigraphy)
 - Aquifer tests (hydraulic properties)
 - Water levels (limited)
- **CTGCD Non-exempt Well Permitting**
 - Geophysical logs (structure and stratigraphy)
 - Aquifer tests (hydraulic properties)
 - Pumping amounts (primary source)
 - Water levels (limited)
- **CTGCD Water Level Monitoring Network**
 - Primary source of water levels
- **CTGCD/USGS Springflow Monitoring**
 - Primary source of spring discharge records

Aquifer Structure and Stratigraphy

- Geologists group sediments into formations typically based on age (when the material was deposited) and/or physical characteristics
- Well logs are typically used to estimate the location of the tops and bottoms of these units
- Borelogs are prepared during drilling by examination of drill cuttings or soil samples and identifying the lithology (e.g. sand/clay/rock) of the material
- Geophysical logs are prepared by raising or lowering a set of probes in a well to identify specific lithology and hydrologic properties.

Borelog of lithology

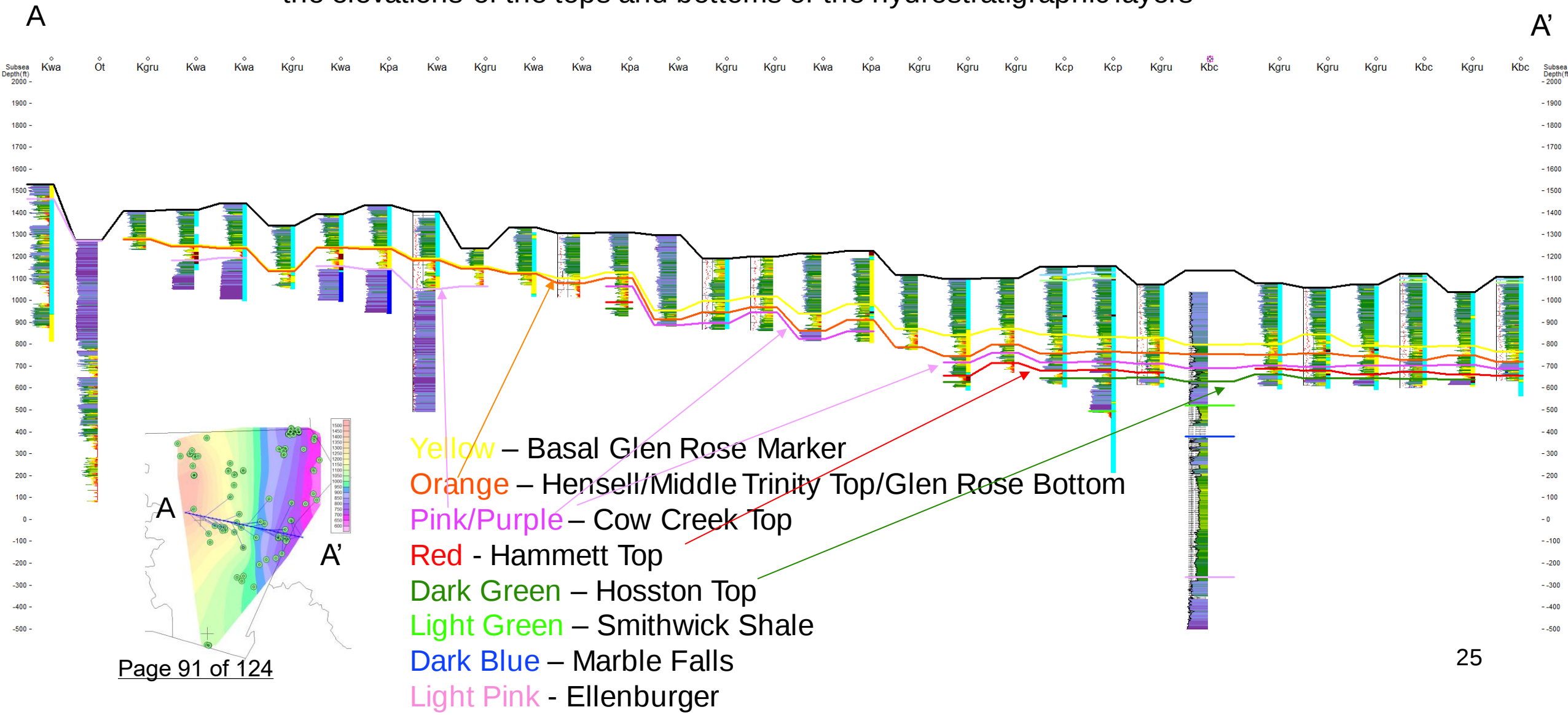
Geophysical Log



Aquifer Structure and Stratigraphy

[HOME](#)

- Well logs are combined through “correlation” to produce site-wide estimates of the elevations of the tops and bottoms of the hydrostratigraphic layers

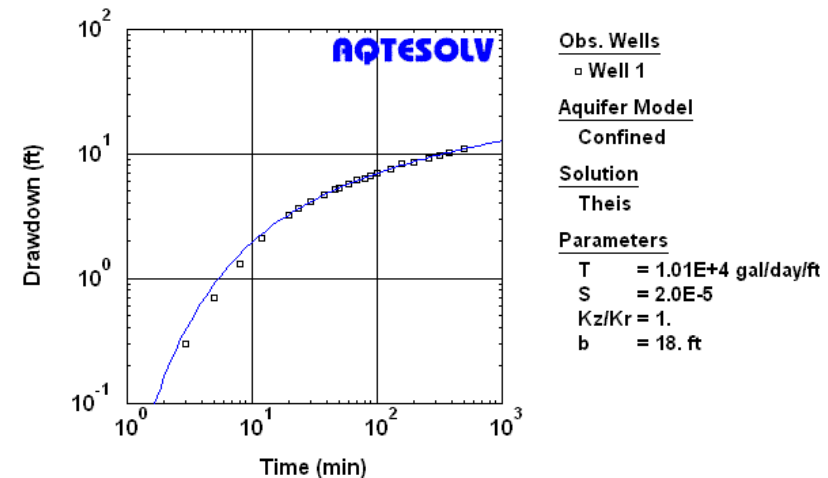


Hydraulic properties

- Hydraulic properties are typically determined from measuring water levels in wells under pumping conditions
- The simplest is a **slug test**, where a small volume is removed from a well and the water level response is measured
 - Typically for low productivity sediments
 - Has a small radius of influence
- The “gold standard” is a 24 hour or longer constant rate **aquifer test**
 - Has a larger radius of influence
 - Storativity can be estimated if a second, nearby well is monitored at the same time



Slug test picture from <https://www.vgwacademy.com/>



Water levels and groundwater flow direction

[HOME](#)

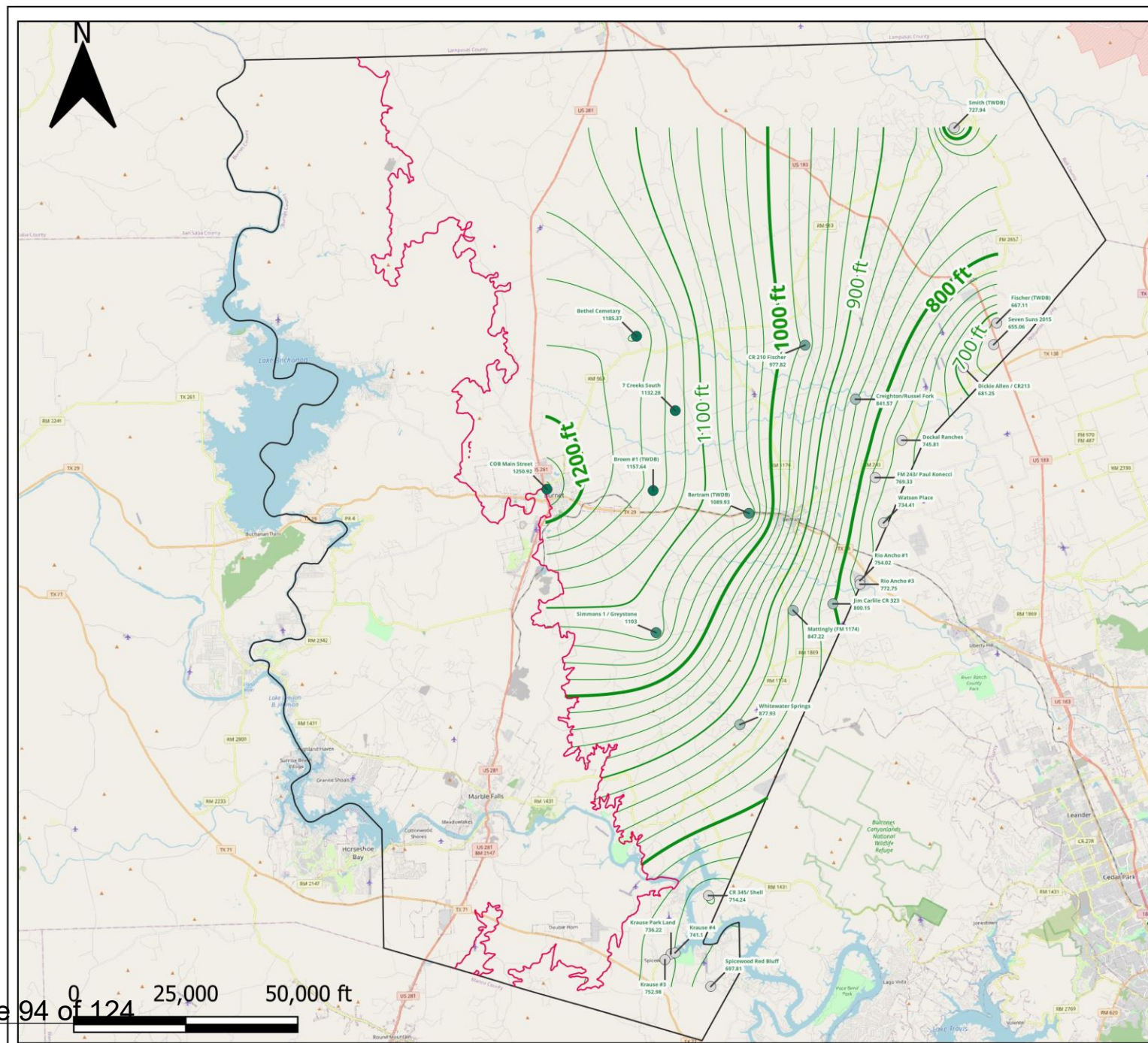
- Water levels can be measured either manually or with downhole instrumentation
- Manual water level measurements are taken using either steel tape or an “e-line” which beeps when water is encountered
- Transducers or “trolls” can be placed downhole to take frequent measurements
- These transducers can either be hooked to data loggers or set up to communicate through a network



from USGS
circular 1217



In-situ brand transducer



2022 GWE (ft AMSL)

-  655 - 774
 774 - 893
 893 - 1013
 1013 - 1132
 1132 - 1251
 Trinity Aquifer Delineation
 2022 GWE Contours
 Burnet County

Notes:

Contour interval = 20 feet

Water levels are the annual average from 2022

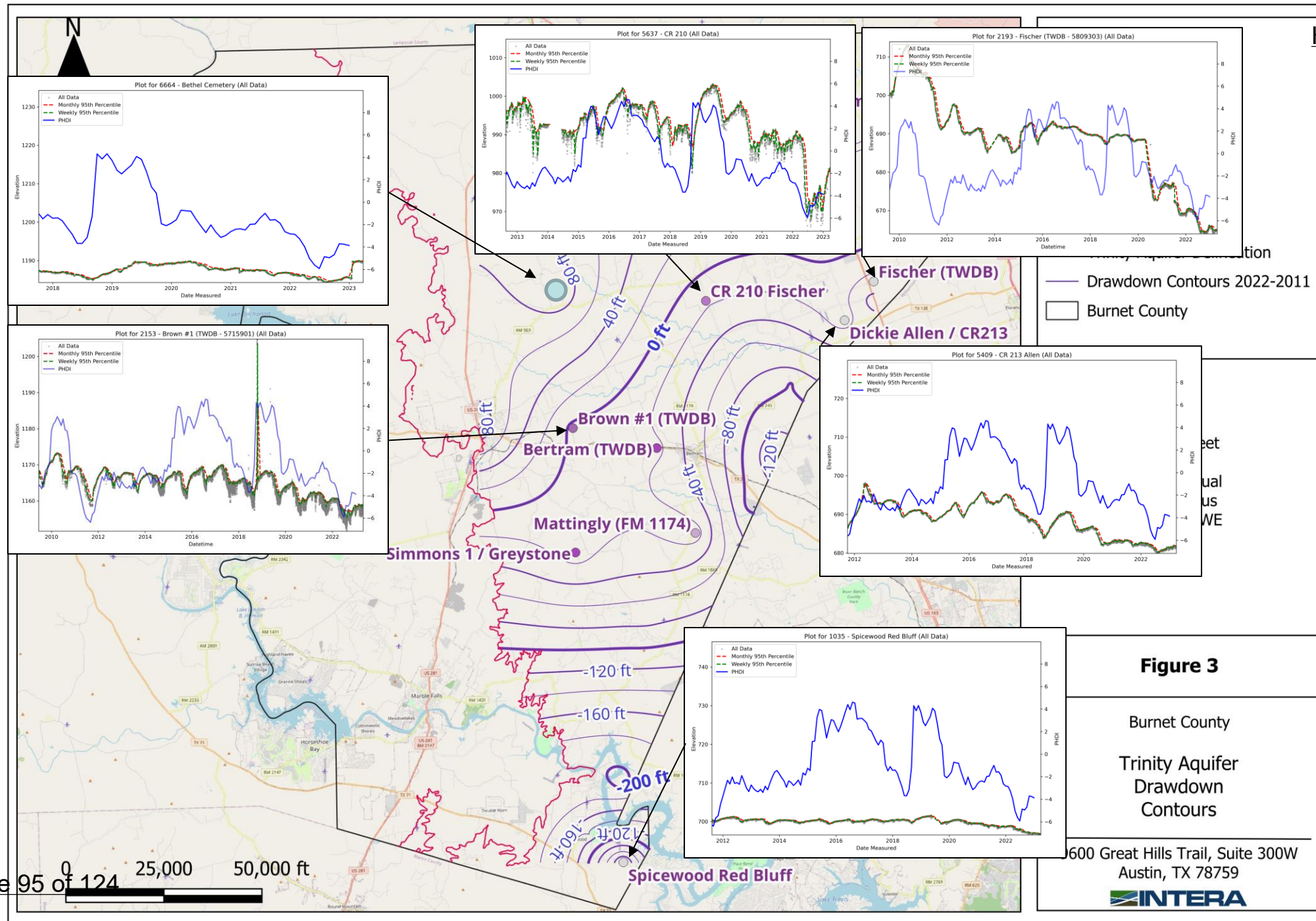
Figure 2

Burnet County

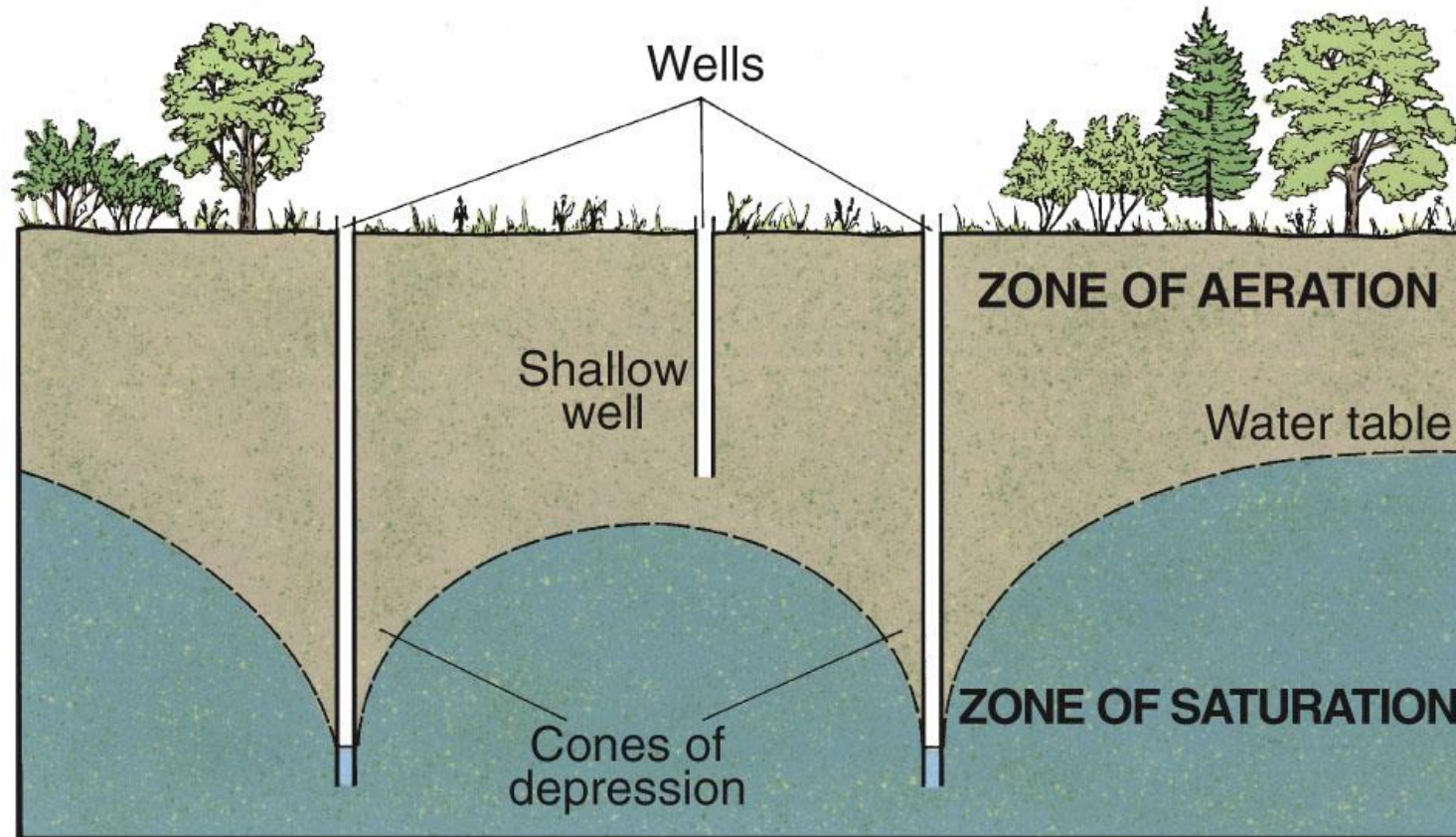
Trinity Aquifer
Water Levels 2022

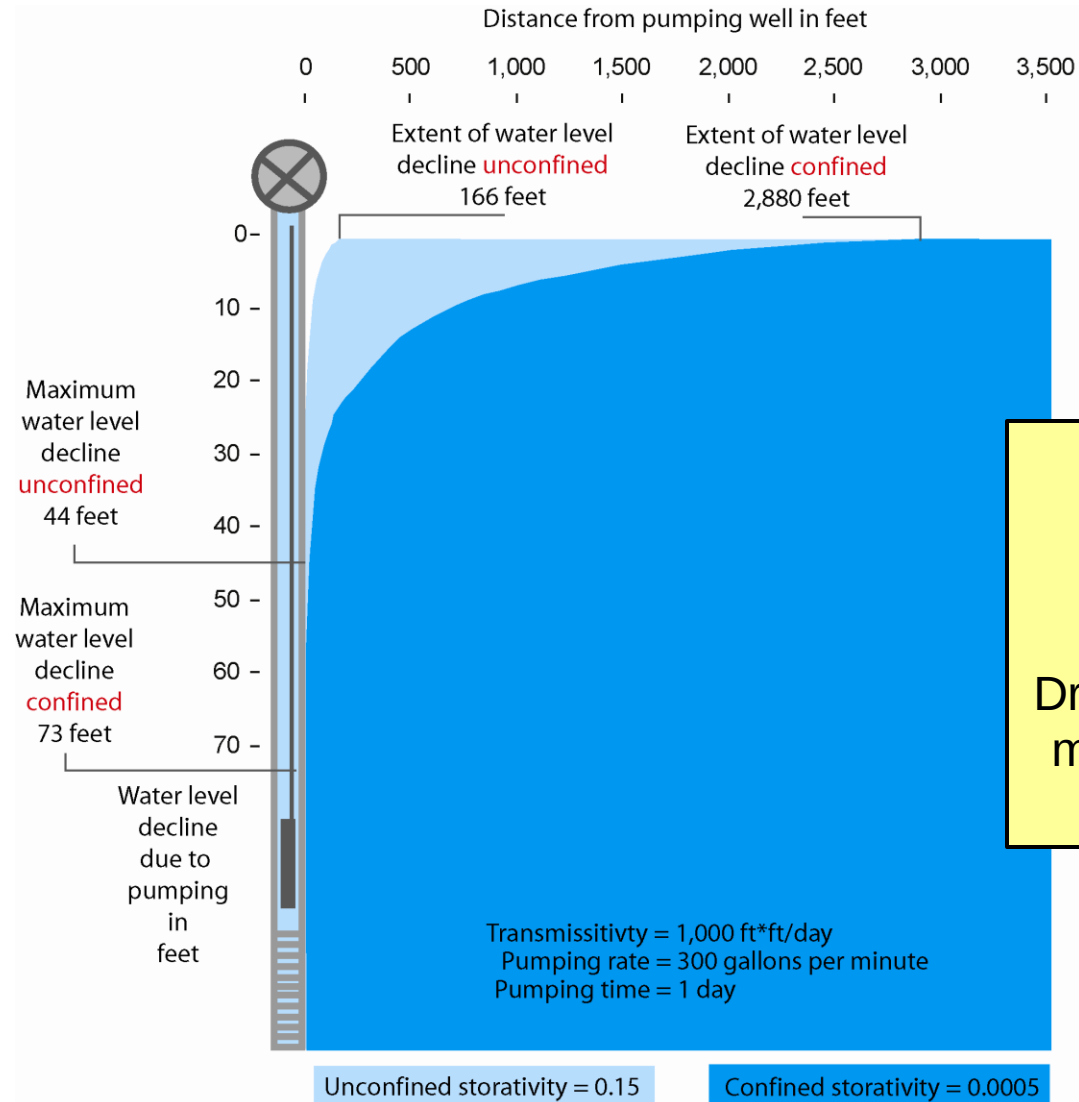
9600 Great Hills Trail, Suite 300W
Austin, TX 78759





Well Spacing

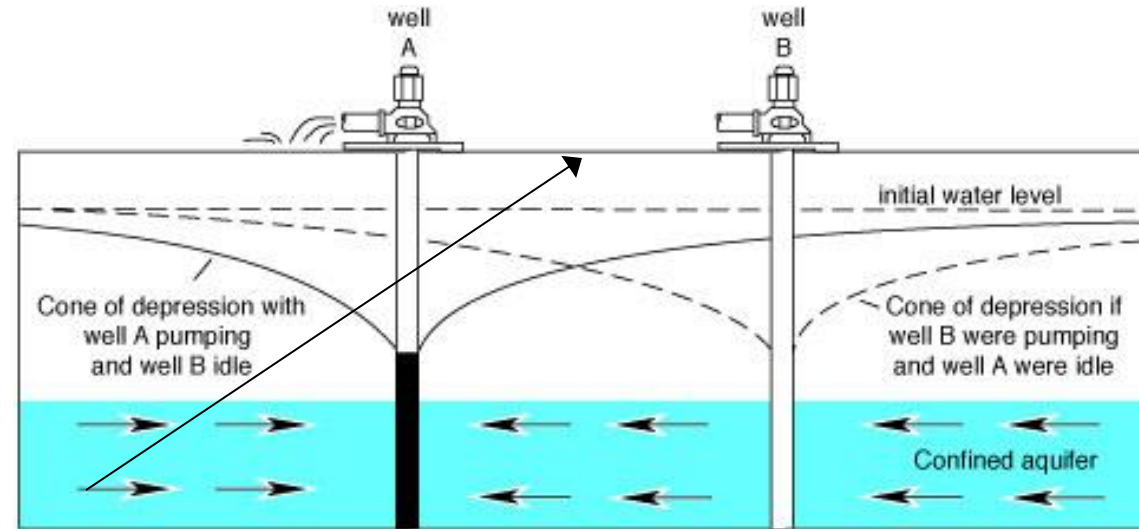




Drawdown is change in groundwater level from some prior time

Drawdown is generally smaller in magnitude and radial extension for unconfined aquifers

Well Spacing – Managing Impacts Locally



Well Interference:
Drawdowns add up

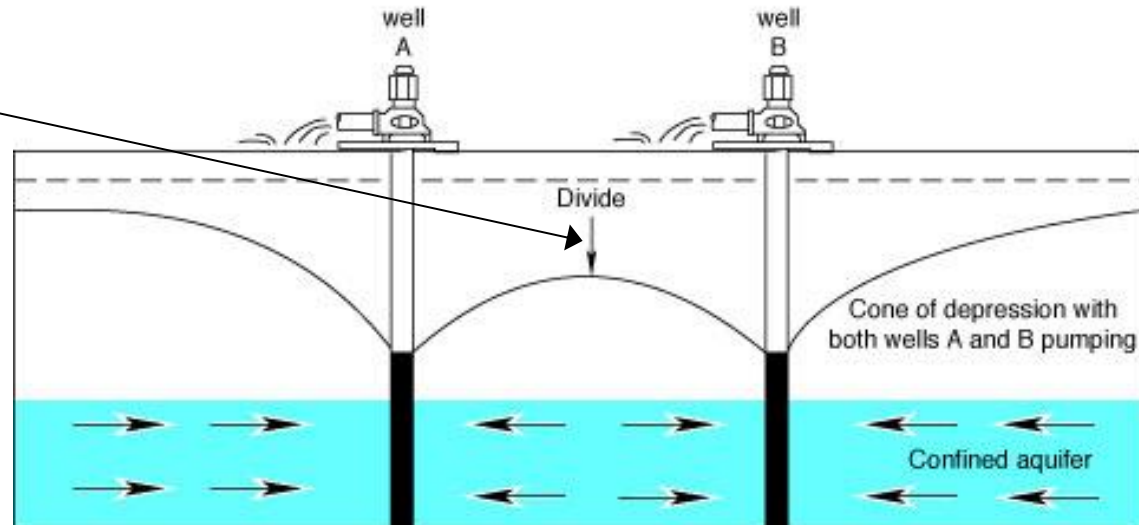
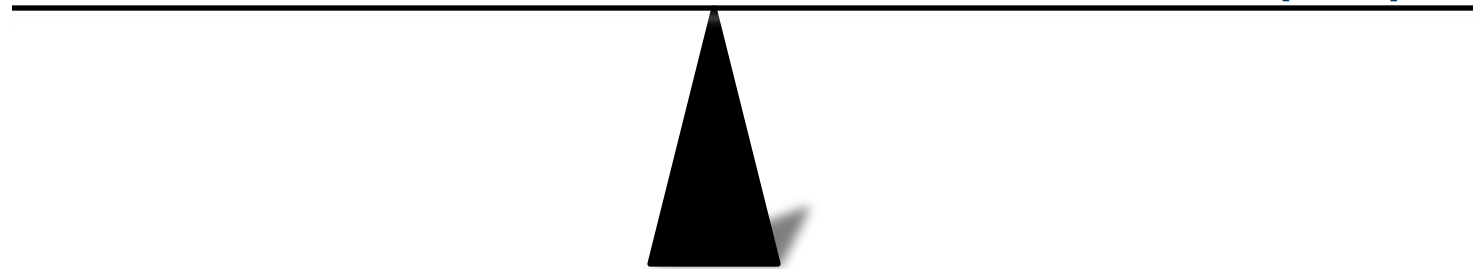


Image source: Heath (1983)

Competing Goals of Well Spacing Rules

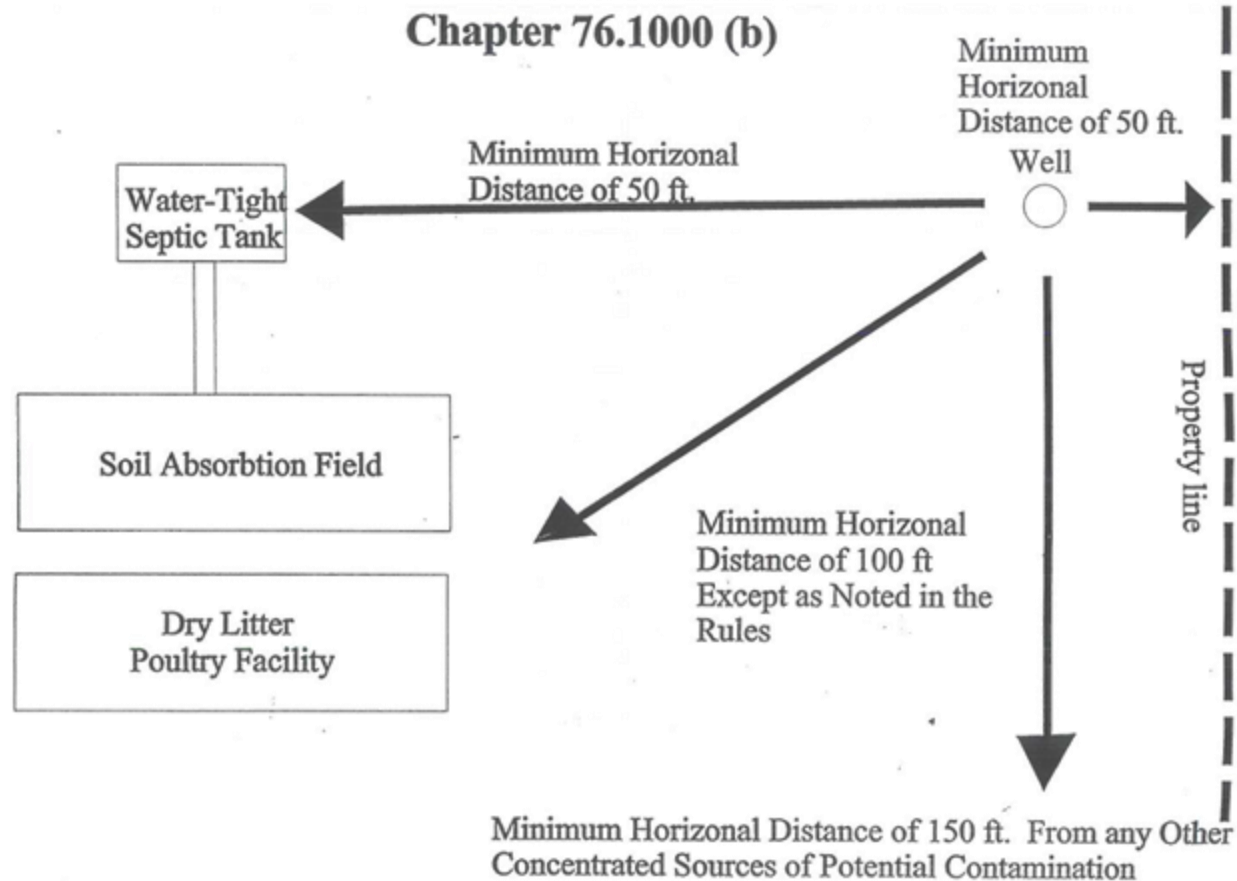
Adequately protect
the investment of
existing well owners
by minimizing
impacts of new wells

Not unnecessarily
limit a landowner's
use of groundwater
beneath their
property



Texas Dept. of Licensing and Regulation^{HOME} Rules

Well Location Chapter 76.1000 (b)



TDLR rules primary for wellhead protection

Typical Well Spacing Approaches

Rule Basis

- Impact of new well(s) on an existing well
- Pumping rate per foot (e.g. 0.5 gpm/ft of spacing)

Implementation

- Spacing from all wells
- Spacing from wells in the same (or a neighboring) aquifer
- **Property size as surrogate**

Questions?



Central Texas Groundwater Conservation District 2023 Rule Revisions Stakeholder Committee Report

Section 1: Purpose, Process and Members

Section 2: Stakeholder Recommendations

Section 3: Individual Statements by Stakeholders

Section 4: Meeting Notes

Appendix A: Stakeholder Guidelines

Appendix B: Presentations (Separate Attachment)

Section 1: Purpose and Process

The Central Texas Groundwater Conservation District (CTGCD or District) Stakeholder Committee (SC) was convened by the CTGCD Board of Directors (Board) for the purpose of gaining stakeholder input and insight on the District's Rules from a range of perspectives. The Board requested applications from the community and chose eleven members representing a diversity of perspectives of on groundwater use to fill the committee. The following individuals were selected as the CTGCD Stakeholder Committee: Michael Brown, Zach McMahon, Michael Berg, John Baladez, Olan Kelly, John Branigan, Karen Bruett, Darrel Peckham, Delbert Cain, Amber Cardenas, and Andy Carson.

Sarah Faust, of Ross Strategic, was contracted as a neutral facilitator for the SC meetings. The SC met 5 times from June 2023-October 2023. The SC reviewed informational presentations on the history, legal, and hydrogeologic contexts for groundwater management within the District from the General Manager, the CTGCD General Counsel, and the CTGCD Hydrogeologist. The SC was presented with several proposals for revising various topics within the District rules, including concepts initiated from the General Manager and from the Stakeholders themselves, as well as a redline of the District rules.¹ The group discussed each proposal, and the facilitator noted the various perspectives offered. For some proposals a consensus recommendation was reached, for others consensus was not reached and the various perspectives are reported for the Board's consideration.

Section 2: Stakeholder Committee Recommendations

This section provides an abbreviated summary of the topics considered, and the Stakeholder Committee's recommendations. Greater detail on the SC discussion and perspectives on each topic is provided in the Meeting Notes included in Section 4 of this report. Next to each topic is the meeting number of the meeting at which the topic was discussed so that the notes for that topic can be easily located within this report.

- 1) **Substantial Alteration/Permit Amendment when volume of water withdrawn increased by more than 5%** (District Rules §§ 1.01 (66), 3.63(a), 3.71(c)(3)) - Meetings 2 and 4

¹ The presentations on proposals for revising topics are not attached to this report but can be provided on request to the Facilitator or General Manager.

This topic was initially discussed at Meeting 2, and then re-addressed at Meeting 4. Please refer to both sets of Meeting Notes for the full discussion and perspectives.

The SC considered at Meeting 2 a proposal to modify the definition of a substantially altered well to include a well that changes its volume of pumping by more than 5% without a physical change to the well or pump. In the Meeting 2 discussion, it was preliminarily decided that the SC would like to see an alternative/hybrid approach to alternative presented. The GM's alternative proposal was presented at Meeting 4:

"Require hydrogeologic investigation of permitted large wells (50+gpm or >10-acre feet) when an application is made for a permit amendment to increase the annual permitted volume by more than 5%; the permit amendment application would be grandfathered from application of spacing and tract size requirements."

SC Recommendation: There was strong support for this proposal by the SC, with 5 of 7 members present at Meeting 4 supporting the proposal. The perspective of a member not supporting this proposal was that these wells should not be grandfathered from spacing and tract size requirements; another member's perspective was that a management zone type of water allocation structure would be preferred to the current water allocation system.

2) Contiguous Controlled Acres (District Rules §§1.01(13), 3.21, 5.02)) – Meeting 2

The SC discussed the existing rule regarding contiguous controlled acres, with particular emphasis on the minimum common boundary required in order for the acreage on the separate tracts to be considered contiguous to the well:

"Separate tracts of land must share a common boundary of at least one-eighth of the length of the total tract perimeter of the tract without the well or at least 500 linear feet, whichever is shorter, in order for the acreage on the separate tracts to be considered contiguous to the well."

SC Recommendation: There was support for keeping the rule "as is" with most of the SC present finding the existing rule to be sufficient with no reason to modify the rule. Some members thought the rule could be improved. There was the suggestion of a removing the common boundary option of 500-linear feet, so that a common boundary is defined by 1/8 of total tract perimeter without the well. Another suggestion was to provide a variance procedure where a well owner can show the 1/8th total tract perimeter cannot reasonably be obtained. In responding to the variance proposal members stated it would be hard to determine what was sufficient evidence the landowner could use as demonstration the acreage to establish the common boundary needed could not be reasonably obtained; and it would be difficult to define the factors the Board would consider and evaluate that would be equitable and fair. In a follow up communication a stakeholder offered that the committee would have benefited from a more in-depth explanation of the rule and the history of the rule in operation within the District.

3) Spacing and Tract Size (Appendix A) – Meeting 3

Spacing and tract size apply to new wells drilled on tracts platted after September 1, 2009. The current tract size requirements from Appendix A of the District Rules are: Trinity Aquifer – 2 acre minimum; All other aquifers – 1 acre minimum. An increase in minimum tract size could decrease dense concentrations of tracts depending on individual wells, which have increased along with rural subdivision development within the District. Increased minimum tract size could prevent excessive drawdown caused by cumulative pumping of wells. This approach aims to reduce the well density to address the issue. The SC was asked to

consider if the minimum tract sizes should be larger, and to which aquifers the larger tract sizes would apply.

SC Recommendation: There was a diversity of viewpoints from the group on this issue and not full support for any single option. There was support from many members of the group for the District to research using management zones to establish tract sizes and/or gallons per day per acre based on known hydrogeology and aquifer impacts. There was support for both reducing minimum tract size where it was supported by science, and for increasing minimum tract size where necessary to achieve conservation.

3A) Management Zones (District Rules, Chapter 4)– Meeting 5

Two stakeholders presented position statements on the use of management objectives and management zones. Management zones were described as recognizing the hydrogeological differences in aquifers and water availability within CTGCD Management zones would allow for areas of low or problematic groundwater availability within the District to be managed based on the needs of that particular area, for example an area with a shallow zone that experiences significant drawdown would be treated differently than an area that does not respond the same way to withdrawal pressure. One of the stakeholders stated the spacing and tract size as convenient and easy rules, but transitioning to management zones could allow for managing wells based on aquifer health, groundwater availability, sustainability and future water availability. Another stakeholder would identify maximum allowable impact based on aquifer yield and use these parameters as “speed limits” within a particular management zone, using ongoing management and tweaking to respond to identified aquifer impacts.

The General Manager added that CTGCD has been looking into utilizing Management Zones under Chapter 4 of its rules The CTGCD Management Plan, Section 8, describes District authority to establish management zones and the how the district could develop total production in a management zone and manage in relation to sustainable yield.

- There was full support of the Stakeholders present to: Recommend the District assess available data and identify data gaps for needed data with a goal of utilizing its authority to establish management zones under Chapter 4 of the District Rules, in order to manage sustainable yield based on aquifer impacts and hydrogeology.

4) Non-Exempt Permit by Rule Wells (District Rule § 3.67) – Meeting 3

The District requested SC feedback on additional requirements for Permit by Rule wells. Input from stakeholders was requested on additional requirements including:

- Reduced well pumping capacity, currently maxed at 25,000 gpd (17.36 gpm)
- Require an annual permitted amount
- Require a meter
- Require different pump capacities such as column pump size, horsepower, etc.
- Require hydrogeologic investigation

SC Recommendation: There was strong support for requiring permit by rule wells on tracts of 10 acres or less to comply with metering, annual permitted volume, relaxed posting (posting notice of application for

General Manager approval), and not requiring hydrogeologic investigation for small wells; in regard to implementation there was strong support for applying any changes to permit by well rules into the future, but not established wells.

5) **Spacing Variance Procedure** (District Rule §6.03(d)) – Meeting 4

At Meeting 4, the General Manager (GM) presented a concept of changing the procedure from Board to General Manager approval for approval of a spacing variance when “absence of objection letters” are obtained by the applicant in compliance with District Rule § 6.03(d) (absence of objection is obtained from the property or well owner whose property or well is located within the applicable minimum distance require by rule).

SC Recommendation: There was full support from all members present for changing from Board to General Manager approval when “absence of objection letters” are received as described in 6.03(d).

6) **Conversion of Exempt to Non-Exempt Wells** – Meeting 4

The General Manager presented a proposal to add a rule Section 3.68 “Permits for Exempt Wells Converted to Non-Exempt Wells” that would require exempt wells that are converted to non-exempt wells to obtain a permit and comply with District Rules sections 3.60-3.64 as determined applicable by the General Manager or Board. The example provided for discussion was an existing domestic well that is converted to non-exempt irrigation well would be required to obtain a permit and comply with applicable District Rules.

SC Recommendation: This proposal received nearly full support of the SC members present. One member shared the perspective that they do not support the proposal because it perpetuates the existing permit and water allocation system and instead would favor a system where, in the example given, the well would be allowed to convert to an irrigation use and the volume of water withdrawn from the well would be determined based on a management objective or management zone specifically designated to manage water levels in its designated zone. This member also thought spacing and tract size minimums should not be applicable because the well was already existing prior to the District.

7) **Well Completion Standards** (District Rule § 6.04)– Meeting 4

The General Manager presented a proposal that would change the requirement for the annular seal in a well to be filled from a minimum of 10 feet to 50 feet or to the top of the first potable water bearing strata above 50 feet, if the well is targeting that interval for production. The new requirement would only apply to new wells drilled after adoption of the rule or wells that are re-drilled or re-cased.

SC Recommendation: This proposal had full support of all the Stakeholder Committee members present.

8) **Petition for Rule Change** – Meeting 4

The General Manager presented a new Rule § 7.83 which would implement new legislation requiring groundwater districts to adopt a rule providing a process for petition for adoption or modification of rules.

SC Recommendation: This proposal had full support of all the Stakeholder Committee members present.

9) **Aggregate Wells** (District Rules §1.01 (37), (64) – Meeting 4

The General Manager proposed a change to the Definition of Large Well § 1.01(37) that would add to the definition “An aggregate system that operates in such a manner that the wells’ combined production

produces more than 10 acre-feet per year, or that will have a maximum capacity of more than 50 gallons per minute will be considered a Large Well; and add to the definition of Small Well 1.01(64) to provide that "An aggregate system that operates in such a manner that the wells' combined production produces 10 acre-feet of water per year or less, and that will have a maximum capacity of 50 gallons per minute or less will be considered a Small Well."

The purpose of the change is to capture scenarios when individual wells are pumping water below applicable thresholds (such as Large Well) but more than one well is pumping for the same enterprise or operation such as a subdivision, facility, or irrigated acreage.

SC Recommendation: This proposal had the full support of the Stakeholder Committee member present with a request to consider clarifying the language used in the definition (e.g. "Large Well means a well or wells ...") and to review whether the mixing of rates on maximum capacity is accurately reflective of District Goals.

10) **Civil Penalties** (Appendix C) - Meeting 4

A Stakeholder suggested that the Stakeholder Committee review the District's Civil Penalty Schedule for Major and Minor Violations contained in Appendix C of the District Rules. Minor violation penalties are currently \$50-\$100 and Major violation penalties are currently \$250.00 to \$500.00. Additional civil penalties could be sought if a civil suit for injunction and damages were pursued. Water well construction, Completion and sealing requirement violations carry penalties of \$250.00 - \$500.00 plus costs of remediation.

The SC discussed whether the current penalties are providing a deterrent to potential violators and are "enough to get someone's attention."

SC Recommendation: There was nearly full support of the SC members present to recommend that the Board review the penalties to see if they recover the District's administrative costs and staff time in assessing rule compliance and pursuing enforcement, and to look into increasing penalties to a level that would recoup the District's costs. One member recommended the Board leave the penalties as they are.

11) **Rainwater Collection Incentive** – Meeting 5

A Stakeholder presented a concept to incentivize rainwater collection, or alternative supply to groundwater. Under this proposal new well permits would pay a \$1,500 fee/deposit to the District. The fee would be returned if within two years of the permit being issued the permit holder installs a 2,000 gallon or larger rainwater collection tank with a minimum 1,000 square foot rainwater collection area (or proportionally appropriate collection area to tank size). If the permit holder chooses not to collect the rainwater collection system the funds would be used by the CTGCD for water conservation programs. The purpose of this proposal is to incentivize conservation of groundwater, to educate the water users in the district on the need to conserve and prevent waste.

SC Recommendation: The SC did not support recommending this specific proposal, but does encourage the District to continue to collaborate with other entities such as the Burnet County on water conservation and to educate water users on the need for water conservation and to be a clearinghouse of information in regard to drought tolerant landscaping, alternative supply options such as rainwater collection, and other water conservation programs.

Section 3: Individual Stakeholder Statements

Stakeholders were invited, but not required, to submit a statement of no more than 200 words for inclusion in the Stakeholder Committee Report. Below are the statements that were submitted to the Facilitator, appearing in alphabetical order.

John Branigan:

I wanted to thank the district for allowing us to have input into these future changes.

These are my feelings regarding our time together. I feel like there are some members of our group that are against any growth in the county. I felt that attitude is and will be counterproductive to the desired results of the groundwater district and overall groundwater management. I don't see the logic in that thought process because the available aquifer data does not support that type of drastic actions. I felt that the overall consensus of the group were that management zones would be beneficial to the district and those should be implemented sooner rather than later. There are already monitor wells and water studies that can be utilized to gather starting data for those zones. This should outweigh our time discussing spacing and pumping limitations.

It is callous to state this fact, but the reality is that some wells are going to go dry and cost people money no matter what the district does. All decisions and future decisions from the district should be based on science and studies rather than blanket restrictions. In this case one size does not fit all.

Mike Brown:

The CTGCD (Central Texas Groundwater Conservation District) and its stakeholders should focus on establishing an Aquifer management plan.

The management plan should include enough monitoring wells for each management zone.

There must be clear justification and appropriate costs incurred by those management zones that do not have adequate groundwater to meet their demands and there must be clear justification along with appropriate benefits received for those management zones that do have excess groundwater.

The infrastructure to convey water from one management zone to another should also be considered in the management plan.

There must be clear justifications and the opportunity for appeals by stakeholders for any proposed water rights restrictions.

Karen Bruett:

Manage Water, not Wells

Many CTGCD “rules” we were asked to review, appear to lack a strong scientific basis but have served as a useful and convenient means for regulating wells. These include rules regarding Spacing and Tract Size, Contiguously Controlled Acres, and Minimum Acreage Requirements. The goal of CTGCD should be to move away from these somewhat arbitrary rules and begin managing water based on the best available aquifer data.

Consensus of our group was to move (quickly) to aquifer management, groundwater management zones, and to utilize hydrogeologic data to ensure adequate water availability for current and future residents (DFC). This marks a shift from managing wells to managing water – and will require data on water availability, aquifer drawdowns, aquifer recharge, and the forecasting of future conditions. It will likely also involve adjusting the maximum gpd limits on existing wells (based on zone and acreage), establishing new annual permitted amounts, and installing meters. Should a property owner wish to pull more than the allotted gpd or acre feet per year than the new zoning allows, they would need to initiate a hydrogeologic investigation. The district also needs a mechanism for the transfer of water from one zone to another.

Darrel Peckham:

Our focus should be on addressing the root causes of groundwater management challenges. This entails shifting from Planning Desired Future Conditions to Maximum Allowable Impacts (DFCs), ensuring clear justifications for restrictions, and harnessing the benefits of Management Zones.

Addressing Issues and Proposing Solutions:

1. Understanding Aquifer Limitations (science):
 - Aquifers are self-limiting, constrained by factors like water movement through rock, inflow, and storage.
 - Landowners' pumping capacity is determined by aquifer conditions and economic factors.
2. Justifying Restrictive Groundwater Management (management objective):
 - Clear and concise justifications are essential when imposing restrictive management measures.
 - Critical is identifying the conditions requiring restrictions and determining the impact limit that aligns with the management purpose.
3. Replacing Planning DFCs with Maximum Allowable Impacts DFCs:
 - Shifting from planning estimates to management objectives.
 - Establishing guiding principles for effective management.
4. Effective Management (by Zones):
 - Each aquifer subdivision, similar to speed zones on a road, should have its set of management tools tailored to its unique characteristics (scientific understanding).
 - Monitoring conditions influencing our management goals is crucial.

- Success relies on having observable triggers that activate restrictive management.
- Middle Pecos GCD's MZ1 serves as an excellent model using index wells.

Section 4: Meeting Notes

MEETING 1 NOTES (June 21, 2023):

Challenges

The Stakeholders were asked "In your experience, what are the challenges to managing groundwater in manner that protects the long-term interests of the community?"

- A stakeholder raised the question: How do we define community? Permittees, developers, well owners, all water consumers in county, businesses, emergency services.
- In group discussion, the Stakeholders Identified the following challenges:
 - **Data and information gaps**
 - Need to predict water demand and availability in order to allocate withdrawals to ensure sufficient supply.
 - Need information on household water usage
 - Pre-2009 grandfathered wells creates a gap.
 - **Need for education and communication around water supply**
 - Help community understand groundwater
 - You can't see groundwater supply because its underground; need education similar level to San Antonio and monitor wells on news.
 - Do developers/subdividers understand water availability when they make decisions
 - Do homebuyers understand water availability when they purchase
 - How to give groundwater users guidance and understand their responsibilities
 - Municipalities are switching to automatic metering and able to track per household use more carefully, can the GCD do anything like this?
 - How can GCD contribute to community understanding of water supply issues and encourage and facilitate more efficient water use and conservation?
 - **Balancing conservation of groundwater supply with development and population growth**
 - Population Growth within Burnet County is putting pressure on water supplies.
 - New subdivisions using groundwater and accelerating drawdown.

- Municipalities seeking to stretch water supplies but also looking for additional water rights to serve incoming residents
- Incoming residents without knowledge of water resource issues.
- Example of 1,000 acre ranch being divided into 210 4-5 acre lots, each with individual wells. Groundwater availability study shows new individual wells will have to be very deep. New groundwater withdrawals from those wells will accelerate drawdown of nearby shallow wells.
- County regulates subdivisions, since 2019 County has required water availability certification since 2019, GCDs review and give technical opinion
- **Value of water relative to the cost of water**
 - CTGCD does not charge pumpage fees.
 - Traditional culture of green lawns and swimming pools less viable given population growth and demand on water supply
 - CTGCD definition of waste too vague?
- **Groundwater and surface water nexus**
 - Complex surface water and groundwater supply in Burnet County
 - How can groundwater and surface water and different jurisdictions work together to understand future water demand and supply holistically
- **Alternative supply**
 - Water reuse – how can this be incorporated to stretch existing supply
 - How can new development be incentivized to incorporate rainwater catchment, stormwater catchment and re-irrigation, more integrated water planning.

Legal and Technical Questions

The Stakeholders were asked “Are there technical or legal aspects of the District’s Rules that you would like to learn more about to prepare for discussions?”

Legal Questions:

- ☐ What is GCD authority to consider impact to surrounding wells in permitting and providing water availability certification to county.
- ☐ What is GCD authority to regulate choices made by developers or subdividers for water supply for new development?
- ☐ What is GCD role in authorizing new individual wells on 4-5 acre lots, and what are considerations GCD may include?
- ☐ What GCD rules are apply to this type of situation (example 1,000 acre ranch subdivided into 4-5 acre lots)?

- ☐ What are GCD options to incentive and/or require alternative supply as part of a permit? I.e. surface water, water reuse, etc.
- ☐ What is the district authority to require meters?
- ☐ What is GCD authority to define waste? How does it relate to beneficial use? Can GCD regulate groundwater used for stock ponds, vanity ponds, swimming pools, irrigating large lawns?
- ☐ Can GCD regulate maximum allowable use per household?

Technical Questions:

- ❖ What is the location and type of information the District has for monitor wells? How is that used?
- ❖ How is recharge accounted for in groundwater availability monitoring? How much does drought and lack of rainfall affect groundwater availability?

MEETING 2 NOTES (July 21, 2023):

Substantially Altered Well Rule:

The Stakeholders reviewed a proposed redline that would:

- Change the definition of substantially altered well to include wells that increase the pumpage volume by 5% or more even without physically altering the well. The change would require these wells to be treated like new wells with regard to spacing and the requirements for hydrogeologic investigation.

The Stakeholder Committee identified the following challenges that could be addressed by the proposal:

- Data and information gaps: The rule change would provide opportunity to evaluate changed conditions of groundwater by requiring hydrogeologic investigations for wells increasing the water volume by 5% or more.
- Balancing conservation and development: The effect on adjacent wells and surrounding landowners through a hydrogeologic investigation could be evaluated.
- A member noted that from his perspective the proposed change does not help protect the long-term interests of the community.

Discussion identified strengths of the proposed rule change:

- It is a relatively small change in the rules, in terms of the number and extensiveness of changes required, to achieve the desired result.
- This change in the rules can catch many scenarios.
- Well owners that may be affected can weigh their options and adjust their planning accordingly.
- Addresses challenges related to data and information gaps; and balancing conservation and development.

Weaknesses or vulnerabilities of the proposed rule change:

- A member highlighted:
 - Other components of the definition are physical changes to a well but this change in total volume did not address a physical change to the well and did not fit in with the other components of the definition from this member's perspective.
 - Because non-exempt wells that are not physically changed may be treated as a new well under this proposed change, owners of wells that do not meet spacing requirements triggered by the change to the withdrawal volume may not be able to achieve the desired groundwater withdrawal volume without acquisition of real property or groundwater rights.
 - In proposing a solution for municipal wells, a member asked if municipal wells could be considered differently? Legal counsel advised it is not a viable option to treat municipal wells differently.
 - A member noted issues with the wording and asked why regulate land owners total production on a well if it falls below their annual acre-foot capacity?

An alternative proposal was suggested in which a hydrogeologic investigation is required for existing wells that change their withdrawal volume by more than 5%, but the well would not be treated as a new well in regard to spacing requirements. This alternative addresses the perceived weakness of the difficulty of existing wells complying with spacing requirements that were not required when the well was developed.

- The CTGCD General Manager will consider drafting a redline of the alternate proposal for further consideration by the Stakeholder Committee.

A committee member suggested another alternative proposal in which the change in volume is addressed in the well permit and a rule is developed for "substantially altered permits."

- The CTGCD General Manager will attempt to draft a proposal following this suggestion for consideration by the group along with the other alternative proposal described above (related to change being a substantial alteration to the well but not requiring spacing to be met).

Contiguous Controlled Acres

The Stakeholder Committee discussed the existing rule regarding contiguous controlled acres, with particular emphasis on the minimum common boundary required in order for the acreage on the separate tracts to be considered contiguous to the well:

- "Separate tracts of land must share a common boundary of at least one-eighth of the length of the total tract perimeter of the tract without the well or at least 500 linear feet, whichever is shorter, in order for the acreage on the separate tracts to be considered contiguous to the well."
- The language "or at least 500 linear feet, whichever is shorter" was added in 2019 to give more flexibility to landowners in creating contiguous tracts.

Stakeholder Committee members were asked to reflect on 1) the challenges addressed by the existing rule, 2) the strengths and weaknesses of the existing rule, and 3) any suggestions committee members may have for revisions to the rule.

The Stakeholder Committee identified as strengths of the existing rule:

- A committee member identified that the 2019 change addressed a lot of problems.
- Another member stated the rule is working.
- A member recognized that when a city needed to acquire acreage and water rights quickly in order to meet their water needs, they were able to do so quickly because of the 500-foot common boundary allowance.

The Stakeholder Committee identified weaknesses of the existing rule:

- A committee member found the rule to be confusing.
- Members felt the use of 1/8 of the length of total perimeter or 500-feet to determine contiguous acreage was not scientific and was not protective of correlative rights.
- A committee member expressed concern that longer, skinnier tracts are more likely to be adjacent to other wells that could be affected.
- Committee members expressed concern that a small lot well owner could see impacts to a well from adjacent well owners that acquire a large contiguous tract using the contiguously controlled acres criteria.

Additional Thoughts:

- A member felt it is important to give municipalities the ability to gain additional acreage for production through land leases with willing owners and to connect those resources with permitted easements.
- As rural development becomes more common there will be a larger demand to connect permitted acreage for production.
- Some committee members thought the rule could be improved. One stakeholder strongly encourages the removal of the common boundary option of 500-linear feet that was added in 2019, so that a common boundary is defined by 1/8 of total tract perimeter without the well. This stakeholder also recommended adding a variance options that could allow for allocation of water on a per acre basis where a well owner shows the 1/8th total tract perimeter cannot reasonably be obtained.
 - In responding to the variance idea, stakeholders felt that it would be hard to determine what was sufficient evidence the landowner could use as demonstration the acreage to establish the common boundary needed could not be obtained; and it would be difficult to define the factors the Board would consider and evaluate that would be equitable and fair.
- The Committee member suggesting a change to the rule will provide additional language for the Committee's consideration.
- A stakeholder offered the perspective that it is important for well owners to be able to gain additional acreage for production through agreements (not necessarily leases) with adjacent owners, and if the District moved to regulating the amount of water allowed per acre (not per well)

based on the management zone, and established a permitting process that allowed multiple land owners to pool their properties for additional water capacity, this might be a solution.

- When asked if the rule was working and the Stakeholder Committee saw any need to change the rule, most of the Committee found the existing rule to be sufficient as is.

MEETING 3 NOTES (August 15, 2023):

Spacing and Tract Size

The Stakeholder Committee discussed Spacing and Tract Size. Spacing and Tract Size apply to new wells drilled on tracts platted after September 1, 2009.

The District is exploring increasing tract size for all aquifers and requested Stakeholder Committee feedback. The District has experienced a significant increase in rural subdivisions, resulting in dense concentration of tracts that depend on individual wells. As the District evaluates the sustainability of long-term groundwater supplies and seeks to prevent excessive drawdown caused by the cumulative pumping of wells, they are seeking feedback on a possible increase to the minimum tract size. This approach aims to reduce the well density to address the issue.

The General Manager reviewed the current tract size requirements from Appendix A of the District Rules:

Trinity Aquifer – 2 acre minimum

All other aquifers – 1 acre minimum

The General Manager gave examples of tract size minimums for other hill country GCDs², noting that GCDs within a PGMA (Priority Groundwater Management Area) Texas Water Code, Chapter 35) where the GCD has aligned tract size minimums with county subdivision regulations were to be viewed somewhat differently because Burnet County is not in a PGMA.

The Stakeholder Committee worked through a set of discussion prompts:

- What are some potential issues with raising the tract size?
- What is a reasonable tract size minimum for the Trinity Aquifer?
- What is a reasonable tract size minimum for other aquifers?
- Should it be the same across the District aquifers?

²Minimum tract size to drill a well on a tract that was subdivided:

- Headwaters GCD, Kerr Co – 10 acres
- Cow Creek GCD, Kendall Co – 6 acres
- Prairielands, Clearwater, Upper Trinity GCDs – 2 acres

Other counties in Priority Groundwater Management Areas have county regulations for larger minimum tract sizes in accordance with ch 35:

- Blanco – 5 acres
- Travis – 3 to 5 acres
- Gillespie - 3 acres

- Should the rule allow for exceptions when subdividing a tract without meeting minimum tract size?

Stakeholder member identified issues with raising the tract size:

- Affordability: A member identified that raising the minimum tract size on which a new well could be located would raise the cost of acquiring land that meets the District permitting requirements for a groundwater allocation.
 - A member stated that this may happen in the short term but in the long term the price of a larger tract could come down as those would be the tract sizes available based on the regulatory conditions.
 - Other members had a different perspective that land value will continue to increase over time and the cost of a tract of land over 2 acres will keep people from being able to obtain acreage sufficient to meet the minimum tract size.
- Reasonable Tract Size Minimums:
 - A member stated that it is arbitrary to use tract size across all aquifers and even across one aquifer if that aquifer has differing hydrogeologic conditions. An example of was pointed out using a slide from the Technical Presentation showing Trinity Aquifer drawdown contours. In one area where drawdown had stayed stable, that area could be treated differently than an area such as Spicewood where increased drawdown was demonstrated.
 - A member suggested reducing tract size to 1-acre minimum tract sizes where it is supported by water availability studies. This member did not see justification for increasing tract size without scientific justification if existing tract minimums would be supported by water availability science.
 - A member expressed support for larger minimum tract sizes with an exception for individually held properties, so that an individual with a small house on 2 acres or so could get a permit. This member's perspective was that the rules needed to "protect the little guy", rather than developers subdividing lots.
 - Members discussed subdivision of tracts which places multiple individual wells close together, and if there was any way the District rules could prohibit this and require developers to create a public water supply.
 - Well spacing was identified as the tool that would govern well density on multiple lots.
 - Burnet County subdivision rules allow a 1 acre minimum for lots with a well and septic system.
 - A member shared their perspective that the priority is to conserve water and prevent waste. This member had interviewed residents and believed this perspective was shared by others. To achieve conservation, the District should use all tools and authority needed to conserve water.
 - Raising tract size would support conservation.
 - This member expressed concern with a 2-acre minimum lot size providing sufficient long-term sustainability of water supplies.
 - This member suggested that the tools should be utilized to their fullest extent and the District should establish the largest minimum tract size as allowed by law.

- A concern was raised as to how municipalities would be affected by a change in minimum lot size or spacing and how to keep current water customers that are dissatisfied with watering restrictions from using private wells.
 - The suggestion was made that municipalities could ban private wells.
 - A comment was made that these changes would be proposed for newly subdivided tracts only and would not affect existing tracts.
- Management Objectives: A member asked what is the management objective of tract size minimums and spacing?
 - The management objective of spacing was described as a tool to limit close well spacing in dense subdivisions and to limit drawdown and impacts to nearby wells.
 - The suggestion was made to determine unreasonable impacts to wells and then determine appropriate rules and tools required to achieve that objective, possibly through management zones.
 - A member gave the example of the Permian Basin where a GCD uses maximum allowable impact as determined by monitoring at the property line.
 - Hydrogeology based management zones. The group discussed managing groundwater withdrawals on a variable basis and determining tract size within different defined zones based on hydrogeology.
 - Clearwater UWCD in Bell County was given as an example.
- Consistency Across Aquifers:
 - Members stated that tract size over different aquifers should be based on the science related to the characteristics of those aquifers.
- There was a diversity of viewpoints from the group on this issue. There was support from many members of the group for the District to research using management zones to establish tract sizes based on known hydrogeology and aquifer impacts. There was also support for reducing minimum tract size where it was supported by science, and for increasing minimum tract size where necessary to achieve conservation.

Non-Exempt Permit by Rule Wells

District Rule 3.67 provides a permit by rule for certain non-exempt wells located on a tract of land that is 10 acres or less. Eligible wells are authorized to operate without an individual permit. Eligibility criteria includes 1) drilled after October 15, 2018; 2) located on a tract of land that is ten acres or less; 3) meets spacing requirements found in Appendix A; 4) is equipped so that it is incapable of producing more than 25,000 gallons per 24-hour period; and 5) is not a part of an aggregate well system.

The General Manager explained that the District has seen an increase in Permit By Rule wells drilled in the past 5 years. Background information was provided that Permit by Rule wells are mostly centered in new developments with clusters of wells. Cumulative drawdown can pose challenges, especially in areas with a high concentration of this particular type of well. To ensure long term availability of groundwater supplies and to mitigate any unreasonable effects cause by the cumulative pumping, the District is exploring management strategies for this particular well class. Prior to adoption of Rule 3.67 in 2018, all wells that produced under 25,000 gallons per day were exempt, even on tracts less than 10 acres. The original intent

of establishing Rule 3.67 was to allow for more management of wells that were on tracts of 10 acres or less, including implementation of drought restrictions.

The District is interested in getting stakeholder feedback on additional requirements for Permit by Rule wells. Input from stakeholders was requested on various options:

Options could include:

- Reduced well pumping capacity, currently maxed at 25,000 gpd (17.36 gpm)
- Require an annual permitted amount.
- Require a meter.
- Require different pump capacities such as column pump size, horsepower, etc.
- Require hydrogeologic investigation.
- Several members shared their perspective that the same rules should apply to these wells as all other non-exempt wells, including metering, annual permitted volume, and posting notice of permit by rule application for General Manager approval. This would apply to all wells on tracts 10 acres or less.
 - The cost and logistics of publishing notice in the newspaper was raised as an issue, and a suggestion was made to relax the publishing requirement for these wells.
- A member suggested not requiring hydrogeologic investigation for small wells.
- The perspective that “permit by rule” wells should comply with metering, annual permitted volume, relaxed posting, and not requiring hydrogeologic investigation for small wells had strong support among the committee.
- Members discussed implementation of any rule changes as to established wells or only in the future and building in time for compliance. There was initially strong support applying any changes to permit by well rules into the future, but not established wells. This issue may need further consideration at a subsequent meeting.

MEETING 4 NOTES (September 21, 2023):

Spacing Variance Procedure

The General Manager (GM) presented a concept of changing the procedure for approval or denial of a spacing variance when “absence of objection letters” are obtained by the applicant in compliance with rule 6.03(d) (absence of objection is obtained from the property or well owner whose property or well is located within the applicable minimum distance require by rule) from requiring Board consideration to GM approval.

- All member present supported changing from Board to General Manager approval when “absence of objection letters” are received as described in 6.03(d).

One Working Group member recommended that the Board consider a broader variance procedure that could be applicable to other sections of the District's rules, for example the contiguous controlled acres requirement. As an example of variance procedures, a committee member suggested looking to municipal zoning laws to see if there were any workable examples for a broad variance procedure.

Conversion of Exempt to Non-Exempt Wells

The General Manager presented a proposal to add a rule Section 3.68 "Permits for Exempt Wells Converted to Non-Exempt Wells" that would require exempt wells that are converted to non-exempt wells to obtain a permit and comply with District Rules sections 3.60-3.64 as determined applicable by the General Manager or Board. The example provided for discussion was an existing domestic well that is converted to non-exempt irrigation well would be required to obtain a permit and comply with applicable District Rules.

- This proposal received nearly full support of the Stakeholder Committee members present. One member shared the perspective that they do not support the proposal because it perpetuates the existing permit and water allocation system and instead would favor a system where, in the example given, the well would be allowed to convert to an irrigation use and the volume of water withdrawn from the well would be determined based on a management objective or management zone specifically designated to manage water levels in its designated zone. This member also thought spacing and tract size minimums should not be applicable because the well was already existing prior to the District.

Substantial Alteration/Permit Amendment when volume of water withdrawn increased:

The SC has previously considered (at Meeting 2) a proposal that would modify the definition of a substantially altered well to include a well that changes its volume of pumping by more than 5% without a physical change to the well or pump. In the Meeting 2 discussion, it was preliminarily decided that the SC would like to see an alternative to the proposal. The GM's alternative proposal was presented to require hydrogeologic investigation of permitted large wells (50+gpm or >10-acre feet) when an application is made for a permit amendment to increase the annual permitted volume by more than 5%, but this permit amendment application would be grandfathered from application of spacing and tract size requirements.

- There was strong support for this proposal by the SC, with 5 of 7 members present supporting. The perspectives for not supporting this proposal were that the spacing and tract size requirements should apply to these wells; and another member's perspective was that a management zone type of water allocation structure would be preferred to the current water allocation system.
 - As part of the discussion as to whether existing, currently permitted wells that change the volume of water or pump capacity should have to meet spacing and tract size, the SC asked about the basis for the existing spacing and tract size. The District did not have readily available information as to how the original spacing and tract size rules were developed.
 - The SC discussed that in addition to spacing and tract size, even where not applicable there is the hydrogeologic investigation report that provides additional data and a safety net when it is a required element; other members shared that the hydrogeologic investigation could be used as justification to support additional pumping over current allocations in a management zone type water allocation structure.

Well Completion Standards

The General Manager presented a proposal that would change the requirement for the annular seal in a well to be filled from a minimum of 10 feet to 50 feet or to the top of the first potable water bearing strata above 50 feet, if the well is targeting that interval for production. The new requirement would only apply to new wells drilled after adoption of the rule or wells that are re-drilled or re-cased.

- This proposal had support of all the Stakeholder Committee members present.

Petition for Rule Change

The General Manager presented a new Rule 7.83 which would implement new legislation requiring groundwater districts to adopt a rule providing a process for petition for adoption or modification of rules.

- This proposal had support of all the Stakeholder Committee members present.

Aggregate Wells

This item was not originally scheduled for discussion at Meeting 4 but was raised by a Stakeholder in response to the redline that was sent out prior to Meeting 4. In the redline, the General Manager proposed a change to the Definition of Large Well 1.01(37) that would add to the definition "An aggregate system that operates in such a manner that the wells' combined production produces more than 10 acre-feet per year, or that will have a maximum capacity of more than 50 gallons per minute will be considered a Large Well; and a change to the definition of Small Well 1.01(64) to provide that "An aggregate system that operates in such a manner that the wells' combined production produces 10 acre-feet of water per year or less, and that will have a maximum capacity of 50 gallons per minute or less will be considered a Small Well."

The purpose of the change is to capture scenarios when individual wells are pumping water below applicable thresholds (such as Large Well) but more than one well is pumping for the same enterprise or operation such a subdivision, facility, or irrigated acreage.

- This proposal had the full support of the Stakeholder Committee member present with a request to consider clarifying the language used in the definition (e.g. "Large Well means a well or wells ...") and to review whether the mixing of rates on maximum capacity is accurately reflective of District Goals.

Civil Penalties

This item was not originally scheduled for discussion at Meeting 4 but was raised by a Stakeholder in as an additional topic for consideration. A Stakeholder suggested that the Stakeholder Committee review the District's Civil Penalty Schedule contained in Appendix C of the District Rules. Minor violation penalties are currently \$50-\$100 and Major violation penalties are currently \$250.00 to \$500.00. Additional civil penalties could be sought if a civil suit for injunction and damages were pursued. Water well construction, Completion and sealing requirement violations carry penalties of \$250.00 - \$500.00 plus costs of remediation.

The Stakeholder Committee discussed whether the current penalties are providing a deterrent to potential violators and are "enough to get someone's attention."

- Most of the Stakeholder Committee present recommended that the Board review the penalties to see if they recover the District's administrative costs and staff time in assessing violations and look into increasing penalties to a level that would recoup the District's costs. One member present recommended the Board leave the penalties as they are.

MEETING 5 NOTES (October 17, 2023)

Rainwater Collection Incentive

A Stakeholder presented a concept to incentivize rainwater collection, or alternative supply to groundwater. Under this proposal new well permits would pay a \$1,500 fee/deposit to the district. The fee would be returned if within two years of the permit being issued the permit holder installs a 2,000 gallon or larger rainwater collection tank with a minimum 1,000 square foot rainwater collection area (or proportionally appropriate collection area to tank size). If the permit holder chooses not to install the rainwater collection system the funds would be used by the CTGCD for water conservation programs. The purpose of this proposal is to incentivize conservation of groundwater, to educate the water users in the district on the need to conserve and prevent waste.

Stakeholders had varying perspectives on this proposal.

- One stakeholder believed that the tax rate charged by the District should be sufficient funds to manage groundwater without additional fees charged to permit holders. Another perspective was that this proposal restricts the use of individual well owners in using their groundwater and that the fee amount is arbitrary.
- Another stakeholder was concerned that the program is voluntary and the District cannot require the use of the rainwater; if a permit holder installed the rainwater system there are not actual groundwater savings achieved unless the rainwater is actually used.
- Other stakeholders suggested that incentivizing water conservation by offsetting costs of rainwater collection could come from Burnet County.
- The SC did not support recommending this specific proposal, but does encourage the District to continue to collaborate with other entities such as the Burnet County on water conservation and to educate water users on the need for water conservation and to be a clearinghouse of information in regard to drought tolerant landscaping, alternative supply options such as rainwater collection, and other water conservation programs.

Raising Minimum Tract Size, Rule Implementation, Extending Water Availability Study Timeframe

The Stakeholder Committee also considered proposals from a stakeholder regarding raising minimum tract size, implementing rule changes as soon as possible to address the current drought, and raising the water availability study requirement to 40 years. The Stakeholders did not form recommendations on these proposals.

Management Zones

Two stakeholders presented position statements on the use of management objectives and management zones. Management zones were described as recognizing the hydrogeological differences in aquifers and water availability within CTGCD and managing groundwater withdrawal based on management objectives defined for unique zones. Management zones would allow for areas of low or problematic groundwater availability within the District to be managed based on the needs of that particular area, for example an area with a shallow zone that experiences significant drawdown would be treated differently than an area that does not respond the same way to withdrawal pressure. One of the stakeholders stated the spacing and tract size as convenient and easy rules, but transitioning to management zones could allow for managing wells based on aquifer health, groundwater availability, sustainability and future water availability. Another stakeholder would identify maximum allowable impact based on aquifer yield and use these parameters as “speed limits” within a particular management zone, using ongoing management and tweaking to respond to identified aquifer impacts.

Stakeholder discussion of management zones reflected:

- Establishing management zones and assigning objectives is complex.
- One stakeholder preferred correlative apportionment of acre feet per year to acreage based on a zone’s total groundwater availability; rather than individual well permitting.
- One stakeholder preferred permitted withdrawals based on maximum allowable impact within a zone. Maximum allowable impact is designed to establish aquifer yield and management objectives.
- It would be very important to communicate what is allowed within a zone.
- Developer groundwater studies and District studies are available to determine groundwater capacity within different parts of the District.
- It is important to include appropriate notice and hearing for proportional adjustments when that is undertaken.
- One stakeholder was interested in the District and County being able to discuss with a potential developer the existing groundwater uses and per capita use within a zone and the potential remaining groundwater availability within a zone, so that developers have an idea of long-term potential of their projects.
- Designation and use of management zones would have to also meet Chapter 36 requirements.

The General Manager added that CTGCD has been looking into utilizing Management Zones under Chapter 4 of its rules. The District started data collection in 2010, and they want to get the science right and ensure they have the data needed to accurately define and manage zones. The CTGCD Management Plan, Section 8, describes the District’s management objectives in establishing management zones and the how the district could develop total production in a management zone and manage in relation to a sustainable yield. The General Manager explained the purposes of spacing and tract size within District rules and how those could still be utilized within a management zone, to accomplish all the goals of groundwater management.

- There was full support of the Stakeholders present to: Recommend the District assess available data and identify data gaps for needed data with a goal of utilizing its authority to establish management zones under Chapter 4 of the District Rules, in order to manage sustainable yield based on aquifer impacts and hydrogeology.

Draft Report

The Stakeholder Committee was provided with a copy of the Draft Stakeholder Report prior to the meeting. The Stakeholders were given an opportunity to discuss the draft recommendations and give the Facilitator direction on finalizing the report.

APPENDIX A

**Central Texas Groundwater Conservation District
Rule Revision Stakeholder Committee Guidelines**

The Central Texas Groundwater Conservation District (“CTGCD” or “District”) Stakeholder Committee (“Stakeholder Committee”) will serve as an important forum for the CTGCD Board to gain stakeholder input and insight on the District’s Rules from a range of perspectives. The Stakeholder Committee purpose is to encourage broader public involvement with CTGCD and to provide independent input to the District Board on the District’s potential revisions to its rules. The Stakeholder Committee will be informed by: Texas Water Code Chapter 36, CTGCD enabling legislation and the CTGCD District Rules.

Desired Outcomes of the Stakeholder Committee Process:

- The insights and perspectives of Stakeholder Committee members have been meaningfully considered.
- Stakeholder Committee input informs the development of the District Rule Revisions.
- The Stakeholder Committee comes away from this work with an understanding that the process was complete, accurate, fair, and transparent.

Stakeholder Committee Operating Guidelines:

- This Stakeholder Committee will be convened for 4-5 meetings.
- To support candid and fluid dialogue during Stakeholder Committee discussions, individual member observations are presumed to reflect their personal, not organizational perspectives. Members can, at any time, specifically indicate that an observation reflects their affiliated organization’s official policy or messaging.
- In providing their input, Committee members are encouraged to consider the CTGCD’s mission of managing groundwater resources in a manner that protects the long-term interests of the community.
- Members are encouraged to frame observations in terms of needs and interests, not in terms of positions. Opportunities for finding solutions increase dramatically when discussion focuses on needs and interests.
- Members are encouraged to come to the process to work together collaboratively and offer ideas and solutions.
- If a member is unable to attend, they are encouraged to offer thoughts in advance, based on materials distributed prior to the meeting.
- Stakeholder Committee members are specifically requested to refrain from characterizing the views of other Stakeholder Committee members in any public statements.
- Where there are opportunities for consensus recommendations the group may pursue consensus, but members will not be asked to reach consensus on all issues. When consensus is used, the Stakeholder Committee operates under the following definition of consensus:

The group will have reached consensus on an issue when it agrees upon a single alternative and each participant can say:

- *I believe that other participants understand my point of view.*
- *I believe I understand other participants' points of view.*
- *Whether or not I prefer this alternative, I support it because it was arrived at openly and fairly, based on good information, and it is the best decision for us at this time.*

In instances where consensus is not sought and/or cannot be reached, the varying perspectives of members can be presented in a succinct statement.

Technical Support for the Advisory Committee:

- The District may provide technical input or respond to questions or request for analysis from Stakeholder Committee members, depending upon the extent resources are available.

Facilitation

- The Stakeholder Committee is supported by a third-party facilitator. The facilitator is a neutral third party with no stake in the outcome of the discussions.
- The Facilitator will manage any meeting disruptions, as needed.
- Stakeholder Committee members may communicate directly with the third-party facilitator, but the facilitator's ability to provide response and analysis may be limited by resources.
- The final report will be prepared by the third-party facilitator in close consultation with CTGCD staff and with opportunity for review by the Stakeholder Committee membership. This report will be the written record of Committee deliberations.

Public Participation

- Public observers may attend and observe meetings, but they will not be invited to join the discussion.
- Opportunities for written and spoken public input will be provided at District Board meetings.

APPENDIX B – PDF of District, Legal and Technical Presentations

Sent as separate attachment