

RECHARGE

Your Groundwater Resource

Post Oak Savannah Groundwater Conservation District Newsletter

VOLUME 8

Winter 2015



General Manager Update

2015 has again proven to be a very busy year for the District. These were some of the events which garnered attention of staff, consultants and Directors.

Legislation- Each odd numbered year begins with the Texas Legislature in session, and bills filed that affect how the District manages groundwater are considered, tracked and dealt with. Bills were passed into law regarding the authority of groundwater conservation districts (GCDs) and required procedure for some actions.

Petition- About the time the legislature was winding down a landowner in the District filed a petition with the Texas Commission on Environmental Quality (TCEQ). The TCEQ is the state agency charged with the responsibility of determining if a GCD is accomplishing its management strategies as outlined in its management plan and state law. The petition alleged the District did not have the management strategies, Rules and Management Plan in place necessary to accomplish the District's management goals and protect the aquifers of the District. After several months of evaluations, including receiving comment from interested parties, and having fully vetted the District's strategies, Rules and Management Plan, the TCEQ found in favor of the District and dismissed the petition.

Blue Water/Abengoa/Vista-Ridge project- This project has certainly garnered the lion's share of attention for all things water since San Antonio Water Systems announced almost 2 years ago they would enter into negotiations to purchase groundwater from Blue Water Systems who has groundwater leases and a permit to produce groundwater in Burleson County. There has been quite a bit of mis-information around the area concerning this project and the District's role in this project. Because of this I will spend a few lines revisiting the District's responsibilities in protection of the groundwater resources of the District.

First of all, the District's role today is the same as it has been since its creation in 2001 by the legislature, i.e., conserve, preserve, and protect the groundwater resources in Milam and Burleson Counties, and respect the landowner's right to use/produce the groundwater beneath their land. The District adopted its initial management strategies, Management Plan, and Rules in 2004 and has amended them frequently, with the last amendments in 2014. During that time the District has continuously studied the aquifers of the District, spending approximately \$966,000 on hydrology, which is the science of understanding aquifers and their characteristics, as well as other science and research, to continue to update the Management Plan and Rules. This diligent practice provides for protection of the water levels in all aquifers of the District which will ensure water will be available for future generations in these two counties, while allowing landowners to produce from those aquifers. Multiple recent court cases and legislation have made it clear the water beneath the surface of the land belongs to the landowner and that person has the right to produce that water. A GCD has no authority regarding the actual lease of groundwater rights. A GCD does have the authority to reasonably regulate that production in order to protect the re-

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source and the rights of property owners, based on scientific evidence, but does not have the authority to deny the landowner his/her right to produce. The District's Rules continue to provide for equal treatment of all landowners, continuous monitoring of aquifer water levels, and authority to reduce the amount of water that may be produced under permits as needed to manage and protect these aquifers and insure availability of groundwater for all. Our District has seven different water bearing formations (aquifers) within the boundaries of our two counties. One of the aquifers, the Wilcox, has an abundance of water in the District. The District was created to regulate production from those aquifers in such a way as to protect them far into the future. Landowners have the right to produce their groundwater from their property for any beneficial use, and by law POSGCD must treat all landowners the same regardless of how or where they choose to use their groundwater. So, as state laws forbid a GCD from adopting rules to prohibit export of groundwater from a District, many landowners have chosen to sell or lease the rights to their groundwater to an agent who will attempt to market that property to an entity who may desire to produce and export it out of the District. That is the case in the SAWS/Abengoa/Vista Ridge project as landowners have leased their groundwater rights to Blue Water Systems who represented those rights in acquiring permits to produce groundwater to market to SAWS. State law makes clear a GCD's role is strictly regulatory to manage aquifers, and as such, POSGCD has established Rules & strategies that comply with the multiple requirements imposed by State law and these have been in place for over 10 years to equitably regulate production of groundwater and protect the aquifers in the District.

Update of Groundwater Availability Model (GAM) for Queen City, Sparta, and Carrizo-Wilcox Aquifers- GAMs are used by GCDs to evaluate current aquifer conditions as well as to predict aquifer conditions to better manage the resource. After 6 years of working with the state, neighboring GCDs, and others, the GAM we use for our area will be updated with the newest and most current information. This update will include a vast amount of information which was not included previously, and will improve the GAMs predictive capabilities so that the District can make better informed decisions about permitting & allowable production. The total effort for the GAM update will cost approximately \$800,000 over the next three years, of which the District will fund \$230,000.

Director Appointments- POSGCD's 10 Directors are appointed by the Commissioner's Courts of each county. This Fall the Milam County Commissioner's Court re-appointed Steven Wise, with at-large representation, and Bob Wilson, representing Rural Water interests. The Burleson Co. Commissioner's Court reappointed Tommy Tietjen, representing Municipal interests, and Bob Ware representing Rural Water interests. Congratulations to our re-appointed Directors!

2016 Budget Adopted- The highlights for the 2016 POSGCD Budget include: \$1,000,000 for Groundwater Conservation Grants (please see associated story, page 3 for this year's recipients). Also included again is \$50,000 to be used to assist landowners in plugging abandoned water wells and fire departments in purchase of foam & foam application equipment, and \$100,000 earmarked for improvements to the GAM. New for this year is \$220,000 for remodeling of the newly purchased building which will become the District's new office in 2016.

2015 Annual Groundwater Summit

POSGCD hosted the 2nd Annual Milam & Burleson Counties Groundwater Summit in Caldwell August 12, 2015. There were presenters from a variety of backgrounds from hydrologists to attorneys and perspective from both the private and public sectors. To get a complete overview of the Summit, you can check out POSGCD's past events page on their website at <http://www.posgcd.org/category/past-events/>.

The Summit started with an introduction to hydrology by Texas Water Development Board's Deputy Executive Administrator for Water Science and Conservation, Robert Mace.



The Summit then turned to focus more on the hydrology and planning efforts in the Central Carrizo-Wilcox

aquifer with a presentation from James Beach with LBG-Guyton and a Groundwater Management Area (GMA) 12 Panel. General Managers Gary Westbrook of POSGCD, Alan Day of BVGCD and Jim Totten of LPGCD provided an update on the efforts of the GMA to manage and protect the aquifers in the central part of the Carrizo-Wilcox area together.

The crowd then enjoyed a review of new legislation from the Keynote Speaker, Stacey Steinbach, Deputy Assistant General Manager for the Texas Water Conservation Association. The theme continued with a case update from Deborah Trejo with Kemp Smith Law Firm.

Billy Howe with Texas Farm Bureau and Jason Skaggs with Texas and Southwest Cattle Raisers discussed the balance of property rights and groundwater regulation. Their presentation added the landowner perspective to the Groundwater Summit.

Neil Deeds with Intera and Principal Engineer George King wrapped up the Summit with presentations on new changes in groundwater. Deeds discussed Aquifer Storage and Recovery, a new strategy that stores water underground. King discussed salt water disposal, where is it commonly occurring and the associated risks.

You can find more information on the Groundwater Summit by visiting our website, posgcd.org/category/past-events/.

Water Conservation Grant Awards

Post Oak Savannah GCD approved grant awards for 5 local water utilities in the Burleson and Milam counties. Grant awards for the 2015 year totaled over \$985,000. These grant awards will be used for projects in the District to enhance water conservation. Below the recipients of the grant awards are listed for 2015. Since 2006, POSGCD has awarded 69 grants totaling approximately \$8.8 million to local water utilities in the District. These grant amounts have funded projects which would have otherwise been paid for by citizens in the District.

Minerva WSC	\$50,618.00
Burleson County Mud	\$388,780.00
Gause WSC	\$122,018.00
Birch Creek Rec	\$287,600.00
Lyons WSC	\$137,000.00

Monitoring Network Update!

Starting back in February, the District continued its annual well monitoring efforts from where it had left off the previous year. Covering several hundred miles of Burleson and Milam county roads, water levels in 106 monitoring wells were measured. Out of the 106 wells, 26 wells were added to the monitoring program this year. Although some new wells were volunteered into the program by well owners, a majority (19) of this years added wells come from continuing monitoring efforts established by the hydrogeologic consulting firm RW Harden & Associates on behalf of ALCOA.

All the data collected is used to observe aquifer health and the District's compliance with Desired Future Conditions (DFCs). Table 1 is a summary of the average drawdown, by aquifer, that has occurred in the shallow zone and the entire formation and notes if the average drawdown is compliant with current DFCs. The drawdown values are calculated by 3-year average levels in the year 2000 (1999-2001) to 3-year average levels in the year 2012 (2011-2013) for wells that were measured in both the year 2000 and 2012. The results conclude that, at current, average drawdown for all aquifers (where data is available) are compliant with approved DFCs and response thresholds are not exceeded. A more complete analysis of the monitoring data is available from [at: http://www.posgcd.org/wp-content/uploads/2015/03/11.10.2015_Presentation-MonitoringProgram.pdf](http://www.posgcd.org/wp-content/uploads/2015/03/11.10.2015_Presentation-MonitoringProgram.pdf)

Aquifer	Management Zone	Desired Future Condition ¹	Number of Wells ²	Average Drawdown ³	DFC Compliant ⁴
Sparta	Shallow	10	0	3.6	yes
	Entire	30	3	3.5	yes
Queen City	Shallow	10	4	3.1	yes
	Entire	30	5	3.1	yes
Carrizo	Shallow	20	0	6.5	yes
	Entire	65	1	6.7	yes
Calvert Bluff (Upper Wilcox)	Shallow	20	7	0	yes
	Entire	140	11	-11.4	yes
Simsboro (Middle Wilcox)	Shallow	20	12	9.6	yes
	Entire	300	14	11.1	yes
Hooper (Lower Wilcox)	Shallow	20	4	6.2	yes
	Entire	180	5	7.1	yes
Yegua Jackson	Shallow	15	0	na	unknown
	Entire	100	1	16.4	yes
Brazos River Alluvium	Milam	5	0	na	unknown
	Burleson	6	7	4.9	yes

¹all DFCs are from Jan. 2000 to Dec. 2059 except BRAA, which is from Jan. 2010 to Dec. 2059

²only includes wells common to both 2000 and 2012

³best estimate of calculated drawdown from 2000 to 2012

⁴unknown is based on insufficient data and requires additional information

POSGCD Mission Statement—Our mission is to strategically manage the groundwater resources of Burleson and Milam counties in order to protect against aquifer depletion and pollution and to ensure an adequate water supply for future generations. Through responsible management, we will accomplish this undertaking of preservation by collecting data, monitoring groundwater levels, regulating excessive production, permitting, educating the public and coordinating with neighboring districts for mutual benefit. Groundwater conservation districts are the state's preferred method of groundwater management through rules developed, adopted, and promulgated by a district. (Texas Water Code, Sec. 36.0015)

JOIN THE MONITORING NETWORK

WHAT:

The District uses info gathered by wells in the monitoring network to make informed management decisions and to ensure the health of our aquifers

WHO:

Anyone with a registered groundwater well in the District can volunteer

HOW:

Contact Bobby Bazan @ 512-455-9900 or by email at bbazan@posgcd.org

District Calendar of Events

December:

No Board meeting
17th—GMA 12 Meeting
24-25 — Closed for Christmas

January:

1st —Closed for New Years

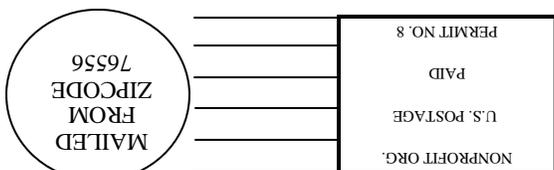
*POSGCD Board Meetings are normally on the 2nd Tuesday of the month unless there is no business to be conducted Please check our website for specific Board Meeting dates and times.

ARE WE PROVIDING INFORMATION YOU NEED?

Contact us at the District offices or email us at gwestbrook@posgcd.org with your suggestions for information you want included. Also, the newsletter is available for download on our website. You may contact us to stop receiving this newsletter via US Mail.



POSGCD was created to conserve and regulate the use of groundwater through monitoring of aquifer levels and production and encourage conservation rules which limit pumping, thereby extending the quantity and quality of the water available in all of the aquifers in Milam and Burleson counties. POSGCD is a member of the Texas Alliance of Groundwater Districts (TAGD).



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