

GMA -12 MEETING, FEBRUARY 4, 2016

COMMENTS OF

LEAGUE OF INDEPENDENT VOTERS OF TEXAS

(501(c)(4), TEXAS NON-PROFIT)

and

NEIGHBORS FOR NEIGHBORS

(501(c)(3), Texas Non-profit)

DELIVERED IN WRITING AND EDITED AS NECESSARY IN ORAL COMMENTS
FOR TIME CONSTRAINTS

For the record, my name is Michele Gangnes, I have been a Lee County landowner since 1998 and active in water issues for my county since 1999, and I am speaking on behalf of two organizations, both of which I serve as a member of the board of directors.

The League of Independent Voters of Texas is a Texas non-profit membership organization formed in 2013. The League seeks to create cross-partisan coalitions of urban and rural citizens, and to educate and advocate on issues affecting our water and other natural resources, government accountability, and the preservation of Texans' local control over their lives and livelihoods.

Neighbors for Neighbors is a long-standing Central Texas grass-roots 501(c)(3) organization based in Lee and Bastrop counties. We have been active in water issues and property rights issues affecting our two counties since 1999. We actively assisted and supported the formation and confirmation of our Lost Pines Groundwater Conservation District.

We commend the GMA Districts and their representatives for overseeing an open and transparent review process, and for allowing the public to participate in the discussions during this process. We have monitored your proceedings in person, through colleagues and through

GMA-12 information on the Post Oak Savannah GCD website. And we look forward to a public meeting wherein the GMA-12 members give full consideration to all the comments they have received, prior to any action on the DFC.

We agree with Environmental Stewardship (ES) that a meaningful consideration of the nine factors that includes the concerns raised by ES, along with a review of the mandates provided by the Texas Water Code and the Conservation Amendments of the Texas Constitution, can lead to a pathway to achieve the intent of this process. We further agree that the GMA has a good start on that body of work. Our two organizations intend to timely submit the proper form for submission of comments on the nine factors in addition to these comments.

I am here today to offer information to Mr. Totten, my groundwater district and this GMA for consideration in your DFC process, which information will be included in our formal submission referenced above. Specifically, both organizations support and concur in the presentation of Environmental Stewardship (ES) today. We include in that support the various presentations and documentation that ES has submitted to date.

Our organizations rely with confidence on the technical proficiency, as well as the sincerity and integrity of ES Executive Director Steve Box's submissions to GMA-12. We believe you have benefitted from his thought-provoking, and carefully and responsibly produced information. Actually, we mostly are grateful for the public service that he willingly performs. He benefits all of our constituents and members, as well as his own.

The focus of my two organizations on water issues is state water policy with respect to groundwater, and the implementation of that policy in GMA-12 and its member GCDs. To the extent ES has deemed appropriate for the integrity of its submissions, I have collaborated with

Mr. Box over the years on developing an overall philosophy of how state water policy on groundwater, including with respect to its contribution to the health of our state's surface waters, should be structured. In particular, we have worked hard to articulate what he calls the “conservation standard” Texas must determine for our aquifers. He has articulated that philosophy exactly as our two organizations would.

We unequivocally join ES’s recommendations that GMA-12 take the following actions in completing the current round of the DFC review and adoption process:

- Readopt the currently adopted DFCs unchanged until the GAM improvements have been completed and adopted.
- GMA-12 should continue to consider establishing DFCs for unconfined segments.
- Focus discussion and technical analysis on how to define and develop a sustainable conservation standard to guide development of DFCs once the GAM improvements have been adopted.
- Finalize development of conservation standard during the next round of DFC review when revised DFCs can be adopted after consideration of this concept.

I will end with a recommendation respected hydrologist Bill Hutchinson made in invited testimony to the Legislature about the interaction between groundwater and surface water. He recommended *the importance of state level policies* that provide for the continued ability of *local entities* to comprehensively address issues related to groundwater management. Our local GCDs’ role in protecting and conserving our aquifers is ever-increasing, and I respectfully urge that each district in this GMA not be complacent in your attitudes and assumptions but to deliberate on the DFCs on the basis that groundwater planning and regulation is an iterative process and requires adaptive management.

As I said to you once before, my simple mind translates that into “please keep an open mind, for the duration of your service, and act accordingly to protect and conserve our aquifers”.

As noted above, our two organizations will submit additional comments with the “official” form for doing so, at which time we will amplify these comments.

We appreciate your work.

Sincerely,

Michele G. Gangnes
Director, League of Independent Voters
Director and Vice-President, Neighbors for Neighbors

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Encl.: Press Release, League of Independent Voters of Texas, February 2, 2016 prior to Hearing on Interim Charge 2 by House Natural Resources Committee

*****FOR IMMEDIATE RELEASE*****

9:00 am, February 2, 2016

CONTACT: Michele Gangnes, League of Independent Voters (512) 461-3179, info@independentleaguextx.org

HEAD: Central Texas Aquifer Levels to Plummet Due to Four Mega-Pumping Permits – New Hydrogeological Report Released as Interim Hearings on Water Begin in Texas Legislature

AUSTIN, TEXAS – February 2, 2016 – A new report by groundwater hydrologist George Rice documents the effects of future pumping on Central Texas aquifers. The report adds to the information provided by Rice in the only published study of the effects of the \$3.4 billion Vista Ridge Project, which the San Antonio City Council approved in November 2014. The Vista Ridge Project will require the annual export of 50,000 acre-feet of groundwater from a well field in Burleson County to San Antonio.

The report being released today uses the State's own Groundwater Availability Model (GAM) to predict that the Vista Ridge Project pumping combined with projected pumping in the Lost Pines groundwater district in Bastrop and Lee counties (two counties adjacent to the Vista Ridge well field) will cause Simsboro Aquifer water-well levels to exceed the drawdown targets known as the Desired Future Conditions. The approved pumping permits for Forestar and LCRA, together with the permit being sought by End Op will account for up to 81,000 acre-feet/year of Simsboro pumping. Asked to comment on criticisms of using the GAM for these purposes, Rice said: "While the GAM does have some shortcomings, it is the best tool available for determining what will happen when large amounts of groundwater are pumped from the Carrizo-Wilcox Aquifer."

The predicted dramatic drawdowns due to pumping an additional 131,000 acre-feet annually will cause the Desired Future Conditions to be exceeded in 2020 in the Lost Pines groundwater district and before 2030 in the Post Oak Savannah groundwater district of Burleson and Milam counties.

State Representative John Cyrier for Texas House District 17, which includes Bastrop, Caldwell, Gonzales, Karnes and Lee counties (all counties which overlie the Simsboro) said: "Many of my rural constituents view Rice's report as confirming that moving massive amounts of groundwater away from their land and their livelihoods on a permanent basis would be devastating to their families and to our aquifers. Through statewide strategies for water-neutral development, we can meet future needs without depleting our groundwater and surface water systems for future generations."

It has become clear San Antonio must either offload the expensive Vista Ridge water it does not currently need or risk overburdening its ratepayers. The realization that the excess water may unleash development in the sensitive areas of the Texas Hill Country, while damaging a rural aquifer and two major rivers, caused Lee County landowner and water rights activist, Michele Gangnes of the League of Independent Voters to say: "Mr. Rice's report begs the question how San Antonio and other water peddlers expect these projects to be sustainable. We have to have more legislators than our own John Cyrier, whom we deeply appreciate, willing to work to give us a seat at the table and an opportunity to publicly debate whether the mass movement of water makes any sense, and whether the goal of state water policy should be to deplete our groundwater."

The press conference to release Rice's report immediately preceded the Texas House Natural Resources Committee held to address House Speaker Joe Straus's Interim Charge 2:

Evaluate the status of water markets in Texas and the potential challenges of expanded markets for water. Include the evaluation of greater interconnections between water systems

through both engineered and natural infrastructure. Examine opportunities for incentives from areas receiving water supplies to areas providing those supplies that could benefit each area.

Committee Chair Rep. Jim Keffer invited testimony from a variety of stakeholders and special interests except landowners who, under Texas law, own the groundwater underlying them.

A regional network of water rights and environmental groups, including Save Our Springs Alliance which commissioned the recent Rice report, has been working to educate policy-makers about the detrimental effects of the Vista Ridge Project. See the [Vista Ridge position paper](#) and the League of Independent Voters' video entitled, "I Oppose the San Antonio Hose" on their home page.

The main predictions of the new report are:

Greatly-increased drawdown of Simsboro wells:

The report predicts that while the current baseline pumping of the Simsboro will decrease the water-well levels by an average of 209 feet (Lost Pines) and 279 feet (Post Oak) from 2000 to 2060, the addition of the Vista Ridge Project/End Op/Forestar/LCRA pumping starting in 2020 will cause the Simsboro water-well levels to decrease by an average of as much as 505 feet (Lost Pines) and 517 feet (Post Oak) by 2060.

The predicted drawdowns may cause some shallow wells in the recharge zone in Milam and Lee counties to go dry, while requiring other property owners and communities to lower pumps in deeper Simsboro wells.

NOTE: The attached map illustrates the predicted maximum drawdowns in the Simsboro Aquifer which will impact more than 17 counties and over 6,169 square miles of Central Texas.

Required cutbacks in Simsboro pumping:

The Desired Future Conditions for the Simsboro will be exceeded when the drawdowns reach 237 feet (Lost Pines) and 300 feet (Post Oak) – the report predicts that the Vista Ridge Project/End Op/Forestar/LCRA pumping will cause this to happen before 2030. When the Desired Future Conditions are exceeded, the groundwater districts will be required to drastically reduce the Simsboro pumping.

Reduced groundwater contributions to the Colorado and Brazos rivers:

The report also predicts that the excessive pumping would reduce the flow of groundwater to the Colorado and Brazos rivers.

*Copies of the Rice Report can be accessed at <http://NoVistaRidge.org/learn-more/documents/>
Rice will also be speaking at the Texas Water Symposium scheduled for February 11 in San Marcos. The Symposium's topic is the health and long-term sustainability of the Carrizo-Wilcox Aquifer (the Simsboro is a formation of the Carrizo-Wilcox). For more information, contact the Hill Country Alliance.*

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Effects of Groundwater Pumping in LPGCD & POSGCD

George Rice, January 2016



