

2012

The Southern Trinity Groundwater Conservation District:

Managing Groundwater Supply in McLennan County





Outline

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 - Reporting and responsibilities

PART I

An Introduction to Groundwater Conservation Districts



**History of
groundwater conservation districts
(GCDs) in Texas**

Groundwater Conservation Districts (GCDs) in Texas

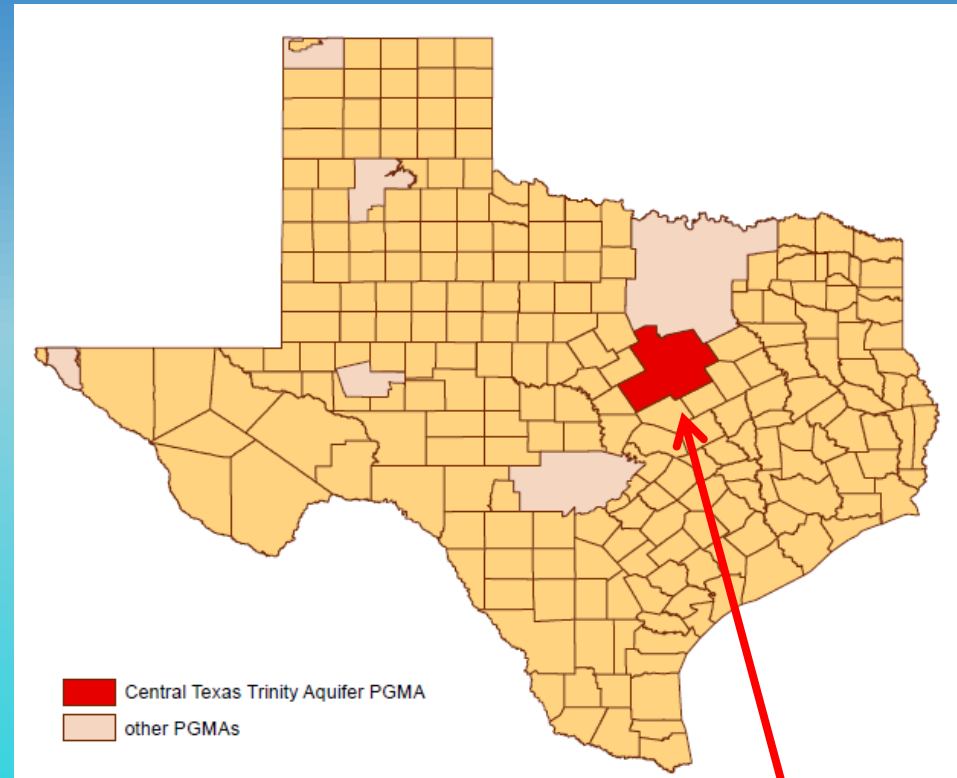


- Groundwater conservation district (GCD): a local unit of government authorized by the Texas Constitution and Texas Legislature to manage and protect groundwater
- The first GCDs in Texas were created more than 50 years ago
 - More GCDs created in the last 20 years, and have been given more authority
- GCDs are charged with: jointly **planning**, developing **desired future conditions** (DFCs) for groundwater, and adopting **management plans and rules** to implement joint planning and other local goals that are consistent with the Water Code

Priority Groundwater Management Areas (PGMAs)



- 1997: Senate Bill 1
 - Designation of PGMAs by TCEQ
- **PGMA**: A region that is experiencing or that is expected to experience groundwater problems within 25 years
- **Counties in a PGMA were given two years to form a groundwater conservation district**



2005: McLennan, Coryell, Bosque, Hill and Somervell Counties designated as a PGMA



District Powers to Regulate

- GCDs are charged with: jointly planning, developing DFCs, and adopting management plans and rules to implement joint planning and other local goals, consistent with the Water Code.

Texas Water Code 36.101(a) provides a broad-based grant of authority to GCDs, authorizing them to **“make and enforce rules . . . to provide for conserving, preserving, protecting, and recharging of the groundwater . . . in order to control subsidence, prevent degradation of water quality, or prevent waste of groundwater** and to carry out the powers and duties provided by this chapter.”



Limitations on districts' powers

- Amendments to the Water Code now requires district rulemaking to consider, in addition to conservation and protection of groundwater, “the groundwater ownership and rights described in Section 36.002.”
- Section 36.002(a) states, “The legislature recognizes that a landowner owns the groundwater below the surface of the landowner’s land as real property.” Section 36.002 goes on to state that these rights “entitle the landowner . . . to drill for and produce the groundwater below the surface of real property . . . ” but then notes that the section does not “affect the ability of a district to regulate groundwater production” under the chapter.

Joint groundwater planning



- Districts are required to participate in joint planning groups comprised of all GCDs within a designated groundwater management area (GMA). These joint planning groups approve by a 2/3 vote the desired future condition (“DFC”) for each aquifer within their area and submit that DFC to the Texas Water Development Board (TWDB).
- The TWDB then provides each district and joint planning group with “managed available groundwater” (MAG) amounts based on the DFCs.
- Each GCD is then required to adopt a management plan and submit that plan to TWDB, addressing particular identified issues, including water supply needs, management goals and the estimated amount of water used and recharged annually within the district.

Districts required to adopt rules consistent with plan and DFCs



- Districts are required to adopt rules consistent with their management plan, and “to the extent possible, shall issue permits up to the point that the total volume of exempt and permitted groundwater production will achieve an applicable desired future condition under Section 36.108.”
 - DFC = desired future condition
- Thus, the modeled available groundwater amounts serve as a kind of limit on permitted withdrawals by local GCDs throughout Texas.



District rulemaking procedures

- Procedurally, GCDs are required to provide notice and an opportunity to be heard prior to adopting rules.
- GCDs are required to provide at least 20 days notice prior to a rulemaking hearing.
- Public comments may be submitted orally or in writing at rulemaking hearings.
- Interested persons before GCDs may submit a written request to the district to be notified of all rulemaking hearings in a calendar year.

The Southern Trinity Groundwater Conservation District



Southern Trinity GCD

Purpose: Conserve, preserve, protect, recharge and prevent the waste of groundwater

- Created in 2007
- Manages groundwater in McLennan Co.



Southern Trinity GCD – Board of directors



- District is made up of 4 precincts
- County Commissioners appoint one director to represent each precinct
- County Judge appoints one director to represent district at large
- Directors determine policy regarding groundwater withdrawal and use in the district



Current Directors:

- Precinct 1 – Glen Thurman
- Precinct 2 – Cullen Harris
- Precinct 3 – Scooter Radcliffe
- Precinct 4 – Rodney Kroll
- At Large – Marc Scott



Southern Trinity GCD – key documents



- Several documents define and guide the operation of STGCD:
 - District bylaws (adopted Aug. 27, 2009)
 - District management plan (adopted Jan. 7, 2010)
 - District rules (adopted Dec. 15, 2011)
- Current versions of the documents can be downloaded from our website:

<http://southerntrinitygcd.org/management.html>

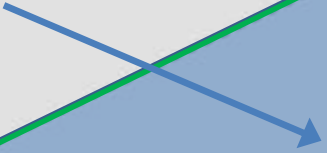
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Southern Trinity GCD – Jurisdiction

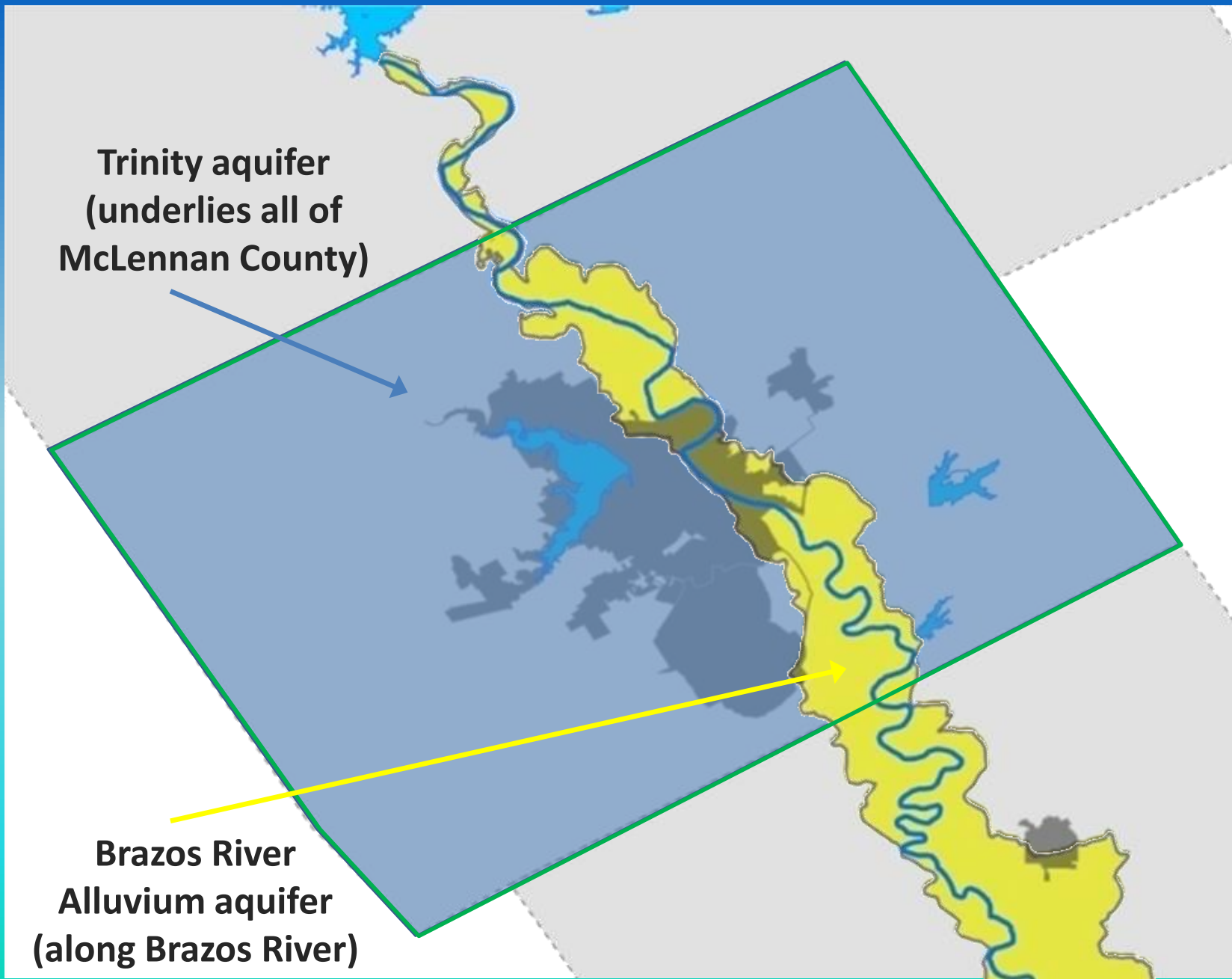
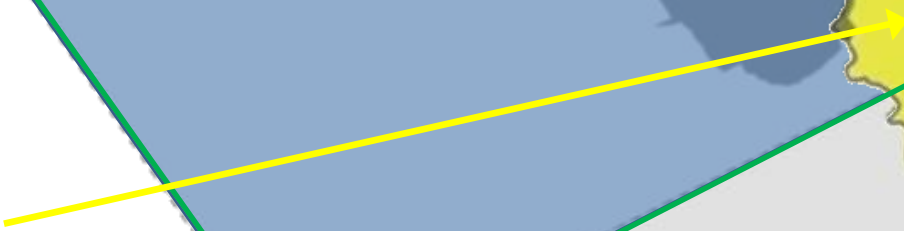


- STGCD manages groundwater in two defined aquifers within the county:
 - **The Trinity Aquifer:** A deep, confined aquifer that underlies all of McLennan County
 - **The Brazos River Alluvium Aquifer:** A shallow, unconfined aquifer located along the Brazos River basin
- STGCD also manages groundwater in any undefined aquifers in McLennan County
- Aquifer descriptions can be found in sections 1.2, 3.1, and 3.2 of the District Management Plan

**Trinity aquifer
(underlies all of
McLennan County)**



**Brazos River
Alluvium aquifer
(along Brazos River)**





District Rules

- Rules guide the operation of the district
- Adopted to achieve the objectives of:
 - Article XVI, Section 59, Texas Constitution,
 - The District Act, Chapter 36, Texas Water Code,
 - The District’s approved groundwater management plan, and
 - Other general laws applicable to the District.



District Rules - contents

CHAPTER 1. Definitions and General Provisions

CHAPTER 2. Board

CHAPTER 3. District Staff

CHAPTER 4. District Records

CHAPTER 5. Groundwater Production

- A. General provisions
- B. Groundwater production limitations
- C. Groundwater production permits
- D. Groundwater exportation permits
- E. Well exempt from permits
- F. Registration of wells
- G. Interim production status

CHAPTER 6. Well Management

- A. General Provisions
- B. Well spacing and location requirements
- C. Well drilling permits
- D. Well drillers
- E. Capping of wells
- F. Plugging of abandoned or deteriorated wells
- G. Reworking and replacing a well

CHAPTER 7. Fees

CHAPTER 8. Meters

CHAPTER 9. Procedures Before the District

- A. General
- B. Requirements for applications and registrations
- C. Application and registration processing by the District
- D. Contested case hearing procedures
- E. Procedures for adoption of rules and management plan

CHAPTER 10. Water Quality

CHAPTER 11. Investigations and enforcement

Questions?

(End of Part I)

