

RESOLUTION TO ADOPT DESIRED FUTURE CONDITIONS
FOR GROUNDWATER MANAGEMENT AREA 16 AQUIFERS

STATE OF TEXAS

RESOLUTION # 2017-01

GROUNDWATER MANAGEMENT AREA 16

WHEREAS, Texas Water Code 36.108 requires the Groundwater Conservation Districts located whole or in part in a Groundwater Management Area ("GMA") designated by the Texas Water Development Board to adopt desired future conditions for the relevant aquifers located within the management area;

WHEREAS, the Groundwater Conservation Districts located wholly or partially within Groundwater Management Area 16 ("GMA 16"), as designated by the Texas Water Development Board, as of the date of this resolution are as follows: Bee Groundwater Conservation District, Kenedy County Groundwater Conservation District, Brush Country Groundwater Conservation District, Duval County Groundwater Conservation District, Starr County Groundwater Conservation District, Corpus Christi Aquifer Storage and Recovery Conservation District, Live Oak Underground Water Conservation District, Red Sands Groundwater Conservation District, McMullen Groundwater Conservation District, and San Patricio County Groundwater Conservation District (collectively referred to as "Member Districts");

WHEREAS, the Board Presidents or their Designated Representatives of districts in GMA 16 have met at various meetings and conducted joint planning in accordance with Chapter 36.108, Texas Water Code since 2011 and;

WHEREAS, Section 36.108 of the Texas Water Code requires the Member Districts in GMA 16 to consider groundwater availability models and other data or information for the management area and vote on a proposal for adoption of DFC's for each relevant aquifer within GMA 16 by May 1, 2016, which GMA Member Districts accomplished on October 28, 2015, and;

WHEREAS, GMA 16, having given proper and timely notice, held an open meeting of the GMA 16 Member Districts on January 17, 2017 and;

WHEREAS, GMA 16 has solicited and considered public comment at specially called Public Meeting, including the meeting on January 17, 2017 and ;

WHEREAS, the GMA 16 Member Districts received and considered technical advice regarding local aquifers, hydrology, geology, recharge characteristics, local groundwater

demands and usage, population projections, ground and surface water inter-relationships, and other considerations that affect groundwater conditions and;

WHEREAS, in developing the proposed DFC's for the relevant aquifers within GMA 16, the Member Districts considered the nine statutory factors set forth in Section 36.108 (d) of the Texas Water Code and ;

WHEREAS, pursuant to Section .36.108(d-2) of the Texas Water Code the Member Districts also considered in the development of the proposed DFC's the balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence in GMA 16 and;

WHEREAS, following public discussion and due consideration of the current and future needs and conditions of the aquifers in question, the current and projected groundwater demands, and the potential effects on springs, surface water, habitat, and water dependent species through the year 2060, GMA 16 Member Districts have analyzed drawdown estimations from numerous pumping scenarios using the Lower Gulf Coast Groundwater Availability Model and have voted on a motion made and seconded to adopt a Desired Future Condition (DFC) stated as follows:

Groundwater Management Area 16 adopts Desired Future Conditions for each county within the groundwater management area (county-specific DFC's) and adopts a Desired Future Condition for the counties in the groundwater management area (gma-specific DFC's). The Desired Future Condition for the counties in the groundwater management area shall not exceed an average drawdown of 62 feet for the Gulf Coast Aquifer System at December 2060. Desired Future Conditions for each county within the groundwater management area (county-specific DFC's) shall not exceed the values specified in Table A-1 at December 2060.

Table A-1: Desired Future Conditions for GMA 16 expressed as an Average Drawdown between January 2000 and December 2069.

Bee GCD: 76 feet of drawdown of the Gulf Coast Aquifer System;

Live Oak UWCD: 34 feet of drawdown of the Gulf Coast Aquifer System;

McMullen GCD: 9 feet of drawdown of the Gulf Coast Aquifer System;

Red Sands GCD: 40 feet of drawdown of the Gulf Coast Aquifer System;

Kenedy County GCD: 40 feet of drawdown of the Gulf Coast Aquifer System;

Brush Country GCD: 69 feet of drawdown of the Gulf Coast Aquifer System;

Duval County GCD: 104 feet of drawdown of the Gulf Coast Aquifer System;

San Patricio County GCD: 48 feet of drawdown of the Gulf Coast Aquifer System;

Starr County GCD: 69 feet of drawdown of the Gulf Coast Aquifer System;

Non-District Cameron: 70 feet of drawdown of the Gulf Coast Aquifer System;

Non-District Hidalgo: 118 feet of drawdown of the Gulf Coast Aquifer System;

Non-District Kleberg: 28 feet of drawdown of the Gulf Coast Aquifer System;

Non-District Nueces: 21 feet of drawdown of the Gulf Coast Aquifer System;

Non-District Webb: 113 feet of drawdown of the Gulf Coast Aquifer System;

Non-District Willacy: 40 feet of drawdown of the Gulf Coast Aquifer System.


WHEREAS, the GMA 16 Member Districts evaluated and determined that the Yegua-Jackson Aquifer in Jim Hogg, Duval, Live Oak, and Starr Counties and the Carrizo-Wilcox Aquifer in Bee, Live Oak, and McMullen Counties are not relevant for planning purposes within GMA 16 and no DFC is required.

NOW THEREFORE BE IT RESOLVED, that the Groundwater Management Area 16 Member Districts do hereby document, record and confirm a Desired Future Condition stated above was adopted by all member districts present.

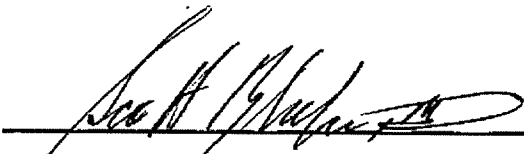
AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 17th day of January 2017.

ATTEST:



Bee Groundwater Conservation District



Live Oak Underground Water Conservation District

Ronnie Stewart

McMullen Groundwater Conservation District

Armando Vela

Red Sands Groundwater Conservation District

Andy Saxe

Kenedy County Groundwater Conservation District

Jefferson

Corpus Christi Aquifer Storage and Recovery Conservation District

D. Kelly

Brush Country Groundwater Conservation District

Chris

Duval County Groundwater Conservation District

McK

San Patricio County Groundwater Conservation District

Starr County Groundwater Conservation District

9/24/2014

DUVAL COUNTY GROUNDWATER DISTRICT RESOLUTION NO.
A RESOLUTION CONCERNING PILOT PROGRAM FOR WATER QUALITY SAMPLING

WHEREAS, the Duval County Groundwater District (THE DISTRICT) is a groundwater conservation district in Duval County, Texas created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution; and

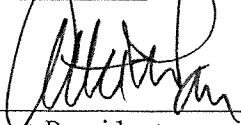
WHEREAS, THE DISTRICT, recognizes that abandoned water wells, pose a hazard to human health and to the safety and natural purity of the underground aquifers that the District is impressed with conserving and protecting; and

WHEREAS, THE DISTRICT, desires to implement a pilot program designed to enhance education of the public on the quality of water in groundwater wells in Duval County, and to gain attempt to monitor, survey and sample the groundwater quality and contents within the District throughout the District to the dangers of abandoned water wells and to actively address the public purpose to help eliminate and minimize the dangers and hazards to the environment as well as human safety and contamination of our precious aquifers; and

WHEREAS, THE DISTRICT'S BOARD OF TRUSTEES, have here by this resolution determined that an expenditure of a portion of its funds to create a pilot program to sample and test well water from wells of participating individuals and entities willing to participate in the well water quality sampling program would primarily promote the public purpose of eliminating and minimizing the danger and hazards to environmental and human safety and the prevention of contamination to our aquifers, by the sampling of well water contents within the District and the preservation and collection of such data, and that such program would also promote a public education and dissemination of need for protection and conservation of our natural resources, and that such goals serve a valid, vital and primary district public purpose;

NOW THEREFORE, the DISTRICT resolves to establish its pilot program to accept applications from individuals and entities to test the water quality and contents of existing and the DISTRICT shall establish sufficient controls on such expenditures to ensure that the district's purposes are carried out, including but not limited to, insuring that all such testing results shall be uniformly performed, that on-site sampling be authorized by the owner and conducted or performed under District guidelines and that data regarding the well be filed and preserved by the District both before and after initial sampling operations, and that all applicant's wells be registered with the District,

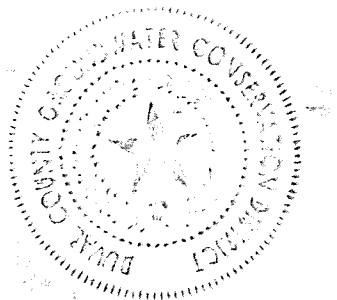
SO RESOLVED by majority vote of District Commissioners in open meeting
THIS 24th DAY OF September 2014.



District President

Attest 

District Secretary



STATE OF TEXAS

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RESOLUTION

COUNTY OF DUVAL

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DUVAL COUNTY
GROUNDWATER CONSERVATION DISTRICT REGARDING LEGISLATION
AFFECTING BRACKISH GROUNDWATER DEVELOPMENT**

WHEREAS, the Duval County Groundwater Conservation District (District) is a groundwater conservation district (GCD) governed by Chapter 36, Texas Water Code and Chapter 8852, Texas Special District Local Law Code and District Rules; and

WHEREAS, the District was established for the purpose of providing for the conservation, preservation, protection, recharging and prevention of waste of groundwater and of groundwater reservoirs in the District’s jurisdictional; and

WHEREAS, the District is composed of territory in Duval County; and

WHEREAS, the Gulf Coast Aquifer is the major aquifer within the District’s boundaries; and

WHEREAS, the water quality within the Gulf Coast Aquifer varies with significant quantities of both fresh and brackish groundwater; and

WHEREAS, heavy municipal or industrial pumpage of groundwater will cause an up-dip migration, or saltwater intrusion, of poor-quality water into the freshwater portions of the Gulf Coast Aquifer within the District; and

WHEREAS, there is no distinction between the production of brackish and fresh groundwater in terms of pumping effect on the Gulf Coast Aquifer and on impacts on existing wells; and

WHEREAS, best science dictates that the brackish and fresh groundwater within the District be regulated the same; and

WHEREAS, the Texas Legislature through Texas Water Code Chapter 36 has authorized GCDs as local political subdivisions of the State and has designated them as the State’s preferred means of managing groundwater and groundwater reservoirs; and

WHEREAS, the Texas Supreme Court, in *Sipriano v. Great Spring Waters of America, Inc.*, emphasized that Water Code § 36.0015 explicitly states that GCD’s are the State’s preferred method of groundwater management; and

WHEREAS, legislation that treats the regulation of brackish groundwater differently than freshwater is not supported by good science; and

WHEREAS, legislation that removes brackish groundwater from GCD regulation is inconsistent with Water Code Chapter 36 and the decision of the Texas Supreme Court; and

WHEREAS, the District opposes legislation that treats fresh and brackish groundwater regulation differently and removes brackish groundwater from GCD regulation because any such legislation not based on sound policy or science.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE DUVAL COUNTY GROUNDWATER CONSERVATION DISTRICT THAT:

1. The District opposes legislation that treats the regulation of fresh and brackish groundwater differently and removes brackish groundwater from GCD regulation.
2. The General Manager is authorized to provide this resolution to members of the Texas Legislature and to express the District's concerns.

The motion passed with 4 ayes and 0 nays.

PASSED, APPROVED, AND MADE EFFECTIVE on MARCH 25, 2015.



Atlee M. Parr Board President



Roberto Garcia, Board Secretary