

## **FOR DISCUSSION PURPOSES ONLY**

### **BRAZOS G RWPG**

**Regional Policy on:** **'Coordination between Groundwater Conservation Districts and Regional Water Planning Groups', Issue #1**

**Member Assignment:** **Groundwater Workgroup**

#### **1. Groundwater Issues**

##### **1.1. Rule of Capture**

- Support retaining the rule of capture as currently modified within GCDs and reaffirm the State's policy that local groundwater conservation districts are the preferred method for managing Texas' groundwater resources.

##### **1.2 Role of GCD's**

- Support local control--retain the right for single county GCDs to exist and for new ones to be created. Although the same aquifer may underlie various counties, different management strategies may be needed to address differences within an aquifer from one area to another and varying development issues from county to county (and even within the same county). Encourage coordination among districts managing the same aquifer.
- Increase TWDB staff resources to provide a staff hydrogeologist for each of the GMAs to provide data related assistance and technical expertise to all districts within the GMA.
- Define common groundwater terms for GCDs to use such as the amount of groundwater that can be withdrawn on a sustainable basis without resulting in significant, sustained declines; the annual amount of withdrawals authorized by a local district; projected groundwater supply; total useable amount of groundwater within an aquifer; total aquifer storage; recharge; inflows; discharge; and outflows.
- Provide GCDs with litigation assistance.
- Create a statewide GCD for areas not currently within a GCD, with an option for these counties to join an existing GCD.
- Site-specific conflicts should not drive state water policy. The appropriate forum for resolving site-specific conflicts with policymaking bodies is state district court. Judicial review through the state court system is the appropriate forum for oversight of GCD decisions.

##### **1.3 Historic Use Standards**

- Allow implementation of historic use standards if GCD determines policy is necessary to effectively manage groundwater within their jurisdiction.

#### **2. Surface Water Issues**

##### **2.1. Interbasin Transfers and Junior Water Rights**

- Support policy to treat the movement of surface water and groundwater in the same, equitable manner.

**3. Conjunctive Management/Statewide Aquifer Issues**

3.1. Regional Water Planning Process

- Support the Regional Water Planning process with state funding and/or technical assistance.
- Create an expedited notice and hearing process for minor permit amendments to the Regional Water Plans.
- Clarify role of Regional Water Planning Groups and Groundwater Conservation Districts. Establish clear policy for conflict resolution. Regional Water Plans should reflect management goals and groundwater availability established by the GCDs.

3.2. Conjunctive Use of Both Surface and Groundwater Resources

- Marketing efforts should be consistent with local Groundwater Conservation District's groundwater management plan.
- Make efforts to level the playing field for desalination to enable it to be recognized as a cost-comparative alternative to current surface and groundwater strategies.
- Strengthen programs and increase funding to address abandoned oil and gas wells to minimize contamination of surface and groundwater supplies.

3.3. Water Marketing

- Key component for water marketing projects must involve mechanisms to benefit the exporting communities.
- GCDs should have the ability to prohibit export in areas of the state that cannot meet their own water needs.

3.4. Water Conservation

- Promote BMP's developed by the Water Conservation Implementation Task Force.

3.5. Lease/Sale of State Water Rights

- Guidelines should be established governing the sale of groundwater from state-owned lands. Protecting the long-term water needs of the area of origin should be a first priority.
- Groundwater production from state-owned lands within a GCD should be subject to the district's rules. Production outside of the boundaries of a district should be subject to some form of oversight such as rules set by neighboring districts in the same groundwater management area.
- Before any water is sold or leased from state-owned lands, thorough studies should be performed to that local decision makers can make informed choices on the proper rate of withdrawal.