

**MANAGEMENT PLAN**

**AND**

**RULES**

**OF THE**

**TEXANA GROUNDWATER**

**CONSERVATION DISTRICT**

# TEXANA GROUNDWATER CONSERVATION DISTRICT MANAGEMENT PLAN

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# **TEXANA GROUNDWATER CONSERVATION DISTRICT MANAGEMENT PLAN**

## **PURPOSE AND INTENT**

The Texana Groundwater Conservation District was created to conserve, preserve, protect and prevent waste of the groundwater resources of Jackson County. The district was created by an Act of the 77<sup>th</sup> Legislature of the State of Texas, Regular Session, 2001 Senate Bill No. 2 and HB 3798 and is charged with managing the Gulf Coast Aquifer in Jackson County. The goal of managing this aquifer shall be accomplished by this management plan and its accompanying rules. (The district shall also establish the policies of water conservation, public information and technical research by cooperation and coordination with the citizens of the district and equitable enforcement of this plan and its accompanying rules.) This plan shall be adopted, for planning purposes, for a 10 year period.

## **AREA TO BE SERVED**

Jackson County lies in south-central Texas on the Gulf Coastal Plain and is bounded by Victoria, Calhoun, Matagorda, Wharton, and Lavaca Counties. The boundaries of the district include the incorporated towns of Edna and Ganado, and unincorporated towns, LaWard, Lolita, and Vanderbilt. The district's economy is primarily agricultural.

## **POLICY**

It shall be the policy of the board of directors that the most beneficial use of groundwater in Jackson County is to provide for the future groundwater needs of the citizens. Groundwater shall be conserved, preserved, protected, and waste prevented so that the economy of Jackson County will be ensured of growth for future generations. The board of directors with the cooperation of the citizens of the district shall implement this management plan and its accompanying rules to achieve this goal.

## **TECHNICAL RESEARCH AND STUDIES**

The district, in cooperation with the Texas Water Development Board and the Texas Natural Resource Conservation Commission, shall conduct studies to monitor the water level in the Gulf Coast Aquifer to determine if there is any danger of damaging this aquifer due to over production. The district shall also establish monitoring wells along the edge of the zone of unusable water to determine if any movement of this area is occurring.

The district will identify at least four (4) (one in each Commissioner precinct) new existing wells per year and the strata from which they are producing.

The district will continue to gather data and improve the data gathering methods to ensure all future district plans are based on the best information available. The district, as part of

its data gathering plan, will monitor the same twenty wells in the district annually for water level, and conduct chemical analyses of five selected wells to check water quality annually.

## **GROUNDWATER RESOURCES OF JACKSON COUNTY**

The Texas Water Development Board estimated the groundwater available to Jackson County is 87,876 acre-feet. Thus it can be assumed that pumpage up to this amount can be sustained by recharge.

Current and Projected Water Use by District:

Year	2000	2010	2020	2030	2040	2050
Total acre-feet – County	112,500	113,200	113,200	113,500	113,8800	114,100
Total Irrigation	107,700	107,900	107,800	107,900	107,900	108,100
Total Municipality	2,700	2,600	2,500	2,500	2,400	2,400
Total Manufacturing	1,000	1,800	1,900	2,200	2,400	2,700

This chart shows that the amount of water needed for Texana Groundwater Conservation District usage will mostly remain constant out to the year 2050 A. D.

## **CONSERVATION AND EFFICIENT USE**

Water is the most precious natural resource on Earth. The district shall promote conservation as a way of life, in order to conserve fresh water for future generations. The district shall require wells in areas that are in danger of over producing groundwater and damaging the aquifer to restrict production by means of production permits and monitoring the amount of water produced. The district will work with water utilities, agricultural, and industrial users to promote the efficient use of water so that we may conserve water. The district will keep abreast of developments in water conservation and update its requirements as needed. The District in coordination with the Natural Resources Conservation Service shall coordinate its efforts for the most efficient use of groundwater resources in the district.

## **PREVENTION OF WASTE**

Waste is defined in the Rules of the District Rule Number 1.

The Rules of the District Rule Number 2 give the practices and voidances to be followed by the District to prevent waste.

## **SUBSIDENCE**

Subsidence is not a factor (at this time) with this aquifer.

## **PUBLIC INFORMATION**

A well informed public is vital to the proper operation of a groundwater district. The district will keep the citizens of the district informed by means of timely newspaper articles and public service radio and television announcements. As part of the public

information program the Directors of the District and the District Manager will make presentations to any public gathering, as requested, in order to keep the citizens informed about District activities and to promote proper use of available groundwater. The District plans an ongoing program to assist teachers at public schools with education of children on issues of groundwater conservation and the hydrology of our area.

## **REGULATION**

The goal of this plan is to ensure that the citizens of the district will have adequate water for the future. The District will adopt regulations to control groundwater withdrawals by means of spacing and production limits. In regulating groundwater withdrawals, the district shall take into account several factors, including:

1. Economic and domestic impact of conservation measures.
2. The degree and effect of water table conditions in any given area and its effect on neighboring wells.
3. The hydrological characteristics of the aquifer within the District.

The District will use all technical resources at its disposal to evaluate the effectiveness of regulation and determine if any further action is warranted to have water available for future generations.

## **REGULATORY ACTION PLAN**

Pursuant to Chapter 36 of the Texas Water Code, this District will enforce the rules of the District to meet the goals of regulating the production of groundwater within the District. These rules will govern the permitting of wells to be drilled and the production of water from permitted wells. The rules shall be adhered to and shall be based on the best technical evidence available.

## **PERMITS AND ENFORCEMENT**

The District may deny permits or limit groundwater withdrawals following the guidelines stated in the rules of the District and this plan. In determining whether to issue a permit or limit groundwater withdrawal, the District will consider the public benefit against individual hardship after considering all appropriate testimony and all relevant factors that include:

1. The purpose of the rules of the District.
2. The objectives and requirements of the plan.
3. The economic impact on the applicant from grant or denial of the permit or terms prescribed by the permit.
4. The equitable distribution of available groundwater.

In carrying out its purpose, the District may require the reduction of groundwater withdrawal to amounts that will not cause the water table to drop to a level that would cause harm to the aquifer. To achieve this purpose the District may, on its discretion and based on information obtained through its monitoring procedures, amend or revoke any permits after notice and hearing.

The District will enforce the terms and conditions of permits and its rules by enjoining the permittee in a court of competent jurisdiction as provided for in Chapter 36.102 of the Texas Water Code.

## **EQUITY AND DISCRETION**

The District shall treat all citizens of the District with equality. Upon applying for a permit to drill a water well or a permit to increase the capacity of an existing well the Board of Directors shall take into consideration all circumstances concerning the applicant's situation. The Board may grant an exception to the rules of the District when granting permits to prevent hardship or economic loss, also taking into consideration hydrological, physical, or geophysical characteristics. Therefore, temporary exceptions to the general rule for a specific area may be necessary if an economic hardship will be created that is significantly greater for one person than for others in the district. In considering the granting of an exception, the Board will factor any adverse impact on adjacent landowners. The exercising of discretion by the Board shall not be construed so as to limit the power of the Board.

This plan prescribes a production ratio of groundwater withdrawal based upon the number of acres of land owned by a property owner or water rights holder. The number of acres of land that are within the Certificate of Convenience and Necessity (CCN) of a public or private water utility may be taken into consideration when granting a permit to produce water.

## **COOPERATION AND COORDINATION**

Public cooperation is essential for this plan to accomplish its objectives. The district will work with the public, local and state government to achieve the goals set forth in this plan. The district will coordinate activities with all public and private water suppliers, industrial, and agricultural users to help them conserve groundwater. The Texas Natural Resource Conservation Commission is the agency charged with protecting the state's water resources, and the Texas Water Development Board is the agency responsible for water resources planning and promotion of water conservation practices. The district will continue to work with both of these agencies to conserve, preserve, and protect water resources, and prevent waste as outlined in this plan.

## **SPACING REQUIREMENTS AND PRODUCTION RATIOS**

### **1. EXEMPT WELLS**

This plan and its accompanying rules shall exempt wells from permits as Provided for in Chapter 36.117 of the Texas Water Code.

### **2. SPACING**

No well shall be drilled such that said well shall be located closer than one hundred (100) feet to the property line. Spacing of new wells from an existing well shall be according to the classification as set forth in Rule 5.5 in the rules of the District.

## **TRANSPORTATION OF WATER FROM THE DISTRICT**

Transportation of water from the district requires a permit, as stated in District Rule 6.8. An applicant for a transportation facility permit will be assessed an application fee to cover the District's costs of administering the permit process. The District may assess administrative fees so that the District can recover the expenses incurred administering such facility as provided for in Chapter 36.205 of the Texas Water Code.

## **GROUNDWATER PROTECTION AND NATURAL RESOURCE ISSUES**

Section 26.401 of the Texas Water Code states that: "In order to safeguard present and future groundwater supplies, usable and potential usable groundwater must be protected and maintained."

A change of more than -10% in the average level of the 15 wells monitored annually by the TWDB would necessitate a change in pumping on a district wide basis.

Groundwater contamination may result from many sources, including current and past oil and gas production, agricultural activities, industrial and manufacturing processes, commercial and business endeavors, domestic activities, and natural sources that may be influenced or may result from human activities. The district shall take appropriate measures to monitor activities that are either causing, or have the potential threat to cause groundwater contamination. Due to permeability of aquifer outcrops and recharge zones, there is a greater threat of groundwater contamination from surface pollution in recharge and outcrop regions, and the district will monitor those areas more closely.

The District will meet with the local representative of the Railroad Commission of Texas to discuss oil related activities that could endanger the groundwater.

## **FEES**

A deposit of \$100.00 is required with notice of intent to drill a test hole and is fully refundable upon receipt of the driller's log and proof of proper plugging of the test hole or the deposit may be applied to the permit to drill a water well.

Water well drilling permits require a deposit of \$175.00, of which \$100.00 is refundable upon receipt of the driller's log and completed production permit.

A permit to rework, re-equip or alter a water well is the same as a water well drilling permit and shall be accompanied by a deposit of \$175.00, of which \$100.00 is refundable upon receipt of an updated production permit.

There shall be no charge of any kind for registration of an existing well.

Copies of District rules or the District's management plan shall be available at the District's office at \$.10 per page.

## **PLAN IMPLEMENTATION**

The Texana Groundwater Conservation District shall implement these goals and policies with the desired effect of carrying them to completion within the five year scope of adoption.

## **CONSISTENCY WITH REGIONAL PLAN**

There is no regional plan at this time.

## **GOALS, MANAGEMENT OBJECTIVES AND PERFORMANCE STANDARDS**

**Technical – To establish and maintain an aquifer monitoring network.**

**MANAGEMENT OBJECTIVE:** The District will locate at least four (4) wells, to be checked annually for water levels, within one year of the adoption of this plan.

**PERFORMANCE STANDARD:** The District will check water levels within the same 30 day period every year.

**MANAGEMENT OBJECTIVE:** The District will identify at least one new existing well in each precinct annually, the strata from which they are producing and incorporate this data into a map of wells in the district.

**PERFORMANCE STANDARD:** The District will enter wells in database within two working days of receipt.

**MANAGEMENT OBJECTIVE:** The District will select at least one well in each precinct within one year of the adoption of this plan, to be checked for water quality annually, with emphasis on wells at or near the zone of bad water or potential pollution sources.

**PERFORMANCE STANDARD:** The District will check wells for chemical analysis within the same 30 day period annually.

**EFFICIENCY STANDARD:** Well monitoring is not to exceed annual budget with a cost per well estimated annually.

Methodology for Tracking of Progress in achievement of District Management Goals.

The District manager will annually report to the District Board the number of each of the management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in during the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District Office.

**Groundwater Resources – To investigate aquifer within the District and improve the level of knowledge.**

**MANAGEMENT OBJECTIVE:** The District will study the results of the Gulf Coast Aquifer study, if one is complete, with possible revisions to the Rules of the District as soon as possible.



**PERFORMANCE STANDARD:** The District will complete review of spacing and production rules within 360 days after the study is complete.

**EFFICIENCY STANDARD:** Review not to exceed annual budget.

Methodology for Tracking of Progress in achievement of District Management Goals.

The District manager will annually report to the District Board the number of each of the management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in During the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District Office.

### **Subsidence**

Subsidence is not a factor at this time with the aquifer within the District.

**Current and Projected Groundwater Needs and Conjunctive Surface Water Use – To coordinate drought contingency planning to reinforce surface water supply by using ground water.**

**MANAGEMENT OBJECTIVE:** The District will gather water production data, from public water suppliers, and will publish these figures every January, beginning two (2) years after District approval.

**PERFORMANCE STANDARD:** The District will enter production data in a database within 2 working days of receipt.

**MANAGEMENT OBJECTIVE:** The District will compile records from other users in order to project future water use.

**PERFORMANCE STANDARD:** The District will aid the municipalities of Jackson County in achieving the least cost for future water production.

**MANAGEMENT OBJECTIVE:** The District will coordinate drought contingency planning in Jackson County.

Methodology for Tracking of Progress in achievement of District Management Goals.

The District Manager will annually report to the District Board the number of each of the management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in during the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management

goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District office

**Conservation and Efficient Use – To promote conservation and efficient use of the aquifer within the District.**

**MANAGEMENT OBJECTIVE:** The District will enforce Classification, Spacing, and Production Provisions as stated in the Rules of the District.

**PERFORMANCE STANDARD:** The manager will annually report to the District Board of Directors the number of new wells permitted for the previous year.

**MANAGEMENT OBJECTIVE:** Meet with the water supply entities in the District annually to discuss water conservation.

**PERFORMANCE STANDARD:** The District will meet annually with these entities.

**MANAGEMENT OBJECTIVE:** The District will meet with consumers of groundwater, at their request, to review water use and possible conservation measures that could be initiated.

**PERFORMANCE STANDARD:** The District will meet with Jackson County irrigators and discuss irrigation efficiency annually.

**Methodology for Tracking of progress in achievement of District Management Goals.**

The District Manager will annually report to the District Board the number of each of the management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in during the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District office.

**Prevention of Waste – To prevent and control waste of groundwater within the District.**

**MANAGEMENT OBJECTIVE:** The District will identify abandoned and deteriorated wells.

**PERFORMANCE STANDARD:** The District will act on complaints of abandoned and deteriorated wells within 30 days of receipt.

**MANAGEMENT OBJECTIVE:** The District will educate the public about wasteful practices.

**PERFORMANCE STANDARD:** The District will include information about wasteful water use practices in articles published in newspaper articles annually.

Methodology for Tracking of Progress in achievement of District Management Goals.

The District manager will annually report to the District Board the number of each of management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in during the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District office.

**Public Information – To inform the public on aquifer conditions and water conservation.**

**MANAGEMENT OBJECTIVE:** The District will publish groundwater production figures for the county in a newspaper of general circulation beginning one year after approval of the District.

**PERFORMANCE STANDARD:** The District will publish figures in January of each year.

**MANAGEMENT OBJECTIVE:** The District will publish an information article in July of each year with conservation measures that can be taken.

**PERFORMANCE STANDARD:** The District will publish an article in July of each year.

Methodology for Tracking of Progress in achievement of District Management Goals.

The District manager will annually report to the District Board the number of each of the management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in during the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District office.

**Cooperation and Coordination – To promote cooperation between water management entities and user groups within the District.**

**MANAGEMENT OBJECTIVE:** The District will meet with Jackson County annually to update future plans and areas of mutual concern.

**PERFORMANCE STANDARD:** The District will attend annual meetings and informational updates.

**MANAGEMENT OBJECTIVE:** The District will meet with Jackson County Commissioners annually to update future plans and areas of mutual concern.

**PERFORMANCE STANDARD:** The District will attend annual meetings and information updates.

**Groundwater Protection and Natural Resource Issues – To protect the aquifer within the District from damage due to mineral exploration activities.**

**MANAGEMENT OBJECTIVE:** The District will contact the Railroad Commission and coordinate its efforts with this agency in locating abandoned oil wells upon receiving complaints from citizens.

**PERFORMANCE STANDARD:** The District will survey sites of an abandoned oil well within 30 days of receipt of a complaint.

**EFFICIENCY STANDARD:** The District will act on complaints within 60 days.

**MANAGEMENT OBJECTIVE:** The District Manager will meet with the local Texas Railroad Commission engineering technician monthly or as needed to review oil well permits and oil related activity that could endanger the aquifer.

**MANAGEMENT OBJECTIVE:** The District will meet with the Railroad Commission every month or as needed.

**MANAGEMENT OBJECTIVE:** The District will act on complaints of abandoned water wells.

**PERFORMANCE STANDARD:** The District will survey sites of an abandoned water well within 30 days of receipt of a complaint.

**EFFICIENCY STANDARD:** The District will act on complaints within 60 days.

Methodology for Tracking of Progress in achievement of District Management Goals.

The District Manager will annually report to the District Board the number of each of the management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in during the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District Office.

**Transportation of Water from the District – To provide for reasonable allocation of water resources to be transported outside the District and monitor this activity.**

**MANAGEMENT OBJECTIVE:** The District will receive monthly reports of groundwater transported out of the district and will publish this information in January along with the other water production numbers.

**PERFORMANCE STANDARD:** The District will post reports to a database within 2 working days and publish a report annually.

## Methodology for Tracking of Progress in achievement of District Management Goals.

The District Manager will annually report to the District Board the number of each of the management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in during the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District office.

**TEXANA GROUNDWATER CONSERVATION DISTRICT**

**MANAGEMENT PLAN**

**TEXANA GROUNDWATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS:**

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Manager, Barry Miller (830-672-1047), of Gonzales County Underground Water Conservation District, gave permission to use the Gonzales County Management Plan in the Texana Groundwater Conservation District plan. Texana can use any or all of the Gonzales Management Plan.

A. A. Rodgers  
10:35 A. M. Friday,  
December 1, 2000

P. S. Permission to use Gonzales Management Plan was granted in a telephone conversation between Barry Miller (Manager) and A. A. Rodgers (Texana Groundwater Conservation District Chairman.)

TEXAS STATE WATER DEVELOPMENT BOARD  
 DISTRICT 2  
 TEXAS STATE WATER DEVELOPMENT BOARD  
 DISTRICT 2

District Number: 2      District Name: TEXAS STATE WATER DEVELOPMENT BOARD DISTRICT 2      Counties Included: Jackson

Method of Creation: Special Law      Confirmation Date: 11/06/01      Vote For / Against: 538/486

Enabling Legislation: SB 1911 - 76th Leg. - 1999      Date of Enabling Act Dissolution: 09/01/2003

Creation Date: 09/01/99      Dissolution Comment:

Confirmation Election Required: Required After 9/1/2001      Number of Directors: 7

Validation Legislation: CH 307 (HB 1274) and CH 966 (SB 2) Acts of the 77th Leg. 2001      Director Selection Method: Staggered 4-Year Terms

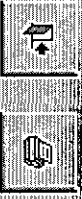
District Status: Confirmed      Directors Representation: 4 County Precincts: 3

Status Comment:      Directors Status: Initial

Within a Groundwater Management Area: No      Name of Groundwater Management Area: None

Within a PGMA: No      Name of PGMA: None

PGMA Comment:      Size of District: Single      Status Sort Code: 2



## Only Promises

Monday October 29, 2001

Editor, The Advocate:

As I read the article on the Crossroads groundwater board (*Advocate*, Oct. 23) I could not find any mention that all the promises, pledges and policies are set in stone and not to be changed *after we* (voters) approve a groundwater district. Why are we to vote "yes" when, throughout the article, it was stated that state law gives the district power to (a) take private land -- "oh no, we pledge not to" -- (b) to be paid \$150 a day and \$9000 a year -- "that's not our policy" -- (c) to prohibit water mining by limiting how much water is drawn and sold -- "we promise."

While you are in any local grocery, read the labels on Oasis (Houston), Everest (Corpus Christi), and Hill Country (San Antonio) bottled water. You will find that they are processed in the cities that are crying that they are running out of water to drink and need our water. Then why is Everest sucking off Lake Texana and selling it back to us, instead of using it for their own "thirsty" citizens in Corpus Christi? Doesn't that kinda give a hint as to what a groundwater district has for its agenda -- control and \$\$\$ or water conservation?

Oh, yes, one more minor point to remember: They will decide "after" it's voted in, just what specific rules and regulations will apply. They are just too busy now to give us facts so we can make up our minds on this non-important issue.

So, drink up folks, for if you vote yes on a groundwater district, they will decide how much you can drink (use) and how much to charge you for drinking (using) it.

Please vote **no** on groundwater conservation district propositions 1 and 2 and have a drink of H2O on me.

**CAROLYN JESSUP**



**Regional Water Planning Area Project Manager Review of  
Groundwater Conservation District Management Plan for  
Conflicts With a TWDB Approved Regional Water Plan**

<b>Review of the Groundwater Conservation District Management Plan for Conflict With TWDB Approved Regional Water Plan(s)</b>	<b>Yes</b>	<b>No</b>
13(a). Did the District provide a letter by certified mail, return receipt requested to all Regional Water Planning Groups formed under authority of TWC §16.053 (c) in which any part of the District is located, asking the Regional Water Planning Group to review the groundwater management plan and specify any areas of conflict with the Texas Water Development Board approved regional water plan? 31TAC §356.6 (a)(5)	yes	13 (a)
13(b). Did any Regional Water Planning Group formed under authority of TWC §16.053 (c) indicate any potential conflict between the groundwater conservation district management plan and a Texas Water Development Board approved regional water plan? 31TAC §356.6 (a)(5)		No
13(c). Did reviewer identify any potential conflicts between the management plan and the Texas Water Development Board approved regional water plan? TWC §36.1071 (e)(4), 31TAC §356.6 (a)(5) [If answering Yes, please provide a written explanation]		No
Signify an affirmative response with YES Signify a negative response with NO Signify that a checklist item is not applicable with (N/A)		

**AFFIRMATION OF COMPLETION OF THE GROUNDWATER CONSERVATION DISTRICT  
MANAGEMENT PLAN REVIEW PROCESS BY TEXAS WATER DEVELOPMENT BOARD**

The undersigned does affirm and attest that the management plan submitted by:

**Texana Groundwater Conservation District**

has been reviewed and the contents of which have been found to fulfill the requirements of TWC §36.1071 (e)(4) and 31TAC Ch. 356.6 (a)5, as defined by the TWDB groundwater management plan review checklist.

**David Meesey**

**P**

Project Manager for Region \_\_\_\_\_

(Please Print Project Manager's Name)

  
 (Project Manager's Signature)

Date 9/14/04

**Groundwater Management Plan  
Texana Groundwater Conservation District**

**Purpose:**

To determine potential conflict of district's plan with the Regional Water Plan (RWP)

**Method:**

Total Groundwater Availability Identified in the RWP (2010)	= 87,876 acre-feet
Total Projected Groundwater Availability Identified in the District Plan (2010)	= 87,876 acre-feet

**Conclusion:**

Since the total usable amount of groundwater in the district's plan is equal to that in the RWP, a conflict with the RWP does not exist.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**LAVACA Regional Planning Group**  
**P.O. Box 429**  
**Edna, TX 77957**

2. Article Number  
 (Transfer from service label)

**7003 1680 0007 4099 3795**

PS Form 3811, August 2001

Domestic Return Receipt

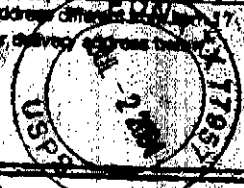
10250-09-01-1000

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*x Julie Koran*  Agent  Addressee

B. Received by (Printed Name)  
*Julie Koran* C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below



3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

13  
(a)

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**LNRA**  
**Box 429**  
**Edna, TX 77957**

2. Article Number  
 (Transfer from service label)

**7003 1680 0007 4099 3818**

PS Form 3811, August 2001

Domestic Return Receipt

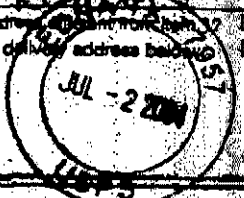
10250-09-01-1000

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*x Julie Koran*  Agent  Addressee

B. Received by (Printed Name)  
*Julie Koran* C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below



3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

12

T W D B  
RECEIVED

AUG 06 2004

August 4, 2004

ROUTE TO: \_\_\_\_\_

CC TO: KW, BM, RP, DM

Mr. J. Kevin Ward  
P. O. Box 13231  
1700 N. Congress Avenue  
Austin, Texas 78711-3231

Attention: Rima Petrossian

Re: Compliance Agreement between Texas Commission on Environmental  
Quality and Texana Groundwater Conservation District

Dear Mr. Ward:

In a letter dated August 2, 2004 Mr. Steve Musick (Texas Commission on Environmental Quality) stated the Texana Groundwater Conservation District should submit the adopted Management Plan to the Executive Administrator of the Texas Water Development Board for certification consideration; and provide TCEQ with a copy of the District's submitted letter.

I hereby, with respect, make this request of certification of the Management Plan.

A copy of Mr. Musick's letter of August 2, 2004 is enclosed, and copy of the Management Plan.

Sincerely,



A. A. Rodgers  
President of the Board of Directors  
Texana Groundwater Conservation District  
8051 County Road 283  
Edna, Texas 77957

c: Mr. Steve Musick, TCEQ

Enclosures

Kathleen Hartnett White, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Larry R. Soward, *Commissioner*  
Margaret Hoffman, *Executive Director*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 02, 2004

Mr. A.A. Rodgers, Chairman  
Texana Groundwater Conservation District  
8051 County Road 283  
Edna, Texas 77957-5109

Re: Texana Groundwater Conservation District  
Management Plan Noncompliance Review

Dear Mr. Rodgers:

On July 27, 2004, TCEQ received a letter from you dated July 21, 2004, and copies of other items. These items included return receipts from Lavaca Navidad River Authority and the Lavaca Regional Planning Group proving that the District had sent letters indicating that it had adopted a management plan by resolution of the District Board. There was also a published notice of the public meeting held on June 30, 2004, at which the District adopted the management plan, and a copy of the management plan.

After examination of provided District documentation, the TCEQ concludes that the District must submit the adopted management plan to the Executive Administrator of the Texas Water Development Board (EATWDB) for certification consideration and provide TCEQ with a copy of the District's submittal letter. Within 10 days of certification by EATWDB, the District must provide TCEQ with a copy of the certified management plan and correspondence from the TWDB certifying the plan. These actions would satisfy specific provision 5 of the CA.

The TCEQ thanks the Board of Directors and you for your cooperation and diligence during this noncompliance review. If you have any questions about this issue or about TCEQ procedures related to this noncompliance review, please contact Mr. Steve Musick, Team Leader Groundwater Planning and Assessment, at (512) 239-4514 or by email at [smusick@tceq.state.tx.us](mailto:smusick@tceq.state.tx.us).

Sincerely,



Steve Musick, Team Leader  
Office of Environmental Policy, Analysis and Assessment  
Texas Commission on Environmental Quality

SM/jl

cc: Mr. William Mullican, Texas Water Development Board

**MANAGEMENT PLAN**  
**OF THE**  
**TEXANA GROUNDWATER**  
**CONSERVATION DISTRICT**

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*Original*

**TEXANA GROUNDWATER  
CONSERVATION DISTRICT MANAGEMENT PLAN  
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# **TEXANA GROUNDWATER CONSERVATION DISTRICT MANAGEMENT PLAN**

## **PURPOSE AND INTENT**

The Texana Groundwater Conservation District was created to conserve, preserve, protect and prevent waste of the groundwater resources of Jackson County. The district was created by an Act of the 77<sup>th</sup> Legislature of the State of Texas, Regular Session, 2001 Senate Bill No. 2 and HB 3798 and is charged with managing the Gulf Coast Aquifer in Jackson County. The goal of managing this aquifer shall be accomplished by this management plan and its accompanying rules. (The district shall also establish the policies of water conservation, public information and technical research by cooperation and coordination with the citizens of the district and equitable enforcement of this plan and its accompanying rules.) This plan shall be adopted, for planning purposes, for a 10 year period. 9

## **AREA TO BE SERVED**

Jackson County lies in south-central Texas on the Gulf Coastal Plain and is bounded by Victoria, Calhoun, Matagorda, Wharton, and Lavaca Counties. The boundaries of the district include the incorporated towns of Edna and Ganado, and unincorporated towns, LaWard, Lolita, and Vanderbilt. The district's economy is primarily agricultural.

## **POLICY**

It shall be the policy of the board of directors that the most beneficial use of groundwater in Jackson County is to provide for the future groundwater needs of the citizens. Groundwater shall be conserved, preserved, protected, and waste prevented so that the economy of Jackson County will be ensured of growth for future generations. The board of directors with the cooperation of the citizens of the district shall implement this management plan and its accompanying rules to achieve this goal.

## **TECHNICAL RESEARCH AND STUDIES**

The district, in cooperation with the Texas Water Development Board and the Texas Natural Resource Conservation Commission, shall conduct studies to monitor the water level in the Gulf Coast Aquifer to determine if there is any danger of damaging this aquifer due to over production. The district shall also establish monitoring wells along the edge of the zone of unusable water to determine if any movement of this area is occurring.



The district will identify at least four (4) (one in each Commissioner precinct) new existing wells per year and the strata from which they are producing.

The district will continue to gather data and improve the data gathering methods to ensure all future district plans are based on the best information available. The district, as part of its data gathering plan, will monitor the same twenty wells in the district annually for water level, and conduct chemical analyses of five selected wells to check water quality annually.

### **Management of Groundwater Supplies**

The District will manage the supply of groundwater within the District in order to conserve the resource while seeking to maintain the economic viability of all resource user groups, public and private. In consideration of the economic and cultural activities occurring within the District, the District will identify and engage in such activities and practices, that if implemented would result a reduction of groundwater use. An observation network shall be established and maintained in order to monitor changing storage conditions of groundwater supplies within the District. The District will make a regular assessment of water supply and groundwater storage conditions and will report those conditions to the Board and to the public. The District will undertake, as necessary and co-operate with investigations of the groundwater resources within the District and will make the results of investigations available to the public upon adoption by the Board.

The District will adopt rules to regulate groundwater withdrawals by means of spacing and production limits. The District may deny a well construction permit or limit groundwater withdrawals in accordance with the guidelines stated in the rules of the District. In making a determination to deny a permit or limit groundwater withdrawals, the District will consider the public benefit against individual hardship after considering all appropriate testimony.

The relevant factors to be considered in making a determination to deny a permit or limit groundwater withdrawals will include:

- 1) The purpose of the rules of the District
- 2) The equitable distribution of the resource
- 3) The economic hardship resulting from grant or denial of a permit or the terms prescribed by the permit

In pursuit of the Districts mission of protecting the resource, the District may require reduction of groundwater withdrawals to amounts, which will not cause harm to the aquifer. To achieve this purpose, the District may, at the Boards discretion amend or revoke any permits after notice and hearing. The determination to seek the amendment or revocation of a permit by the District will be based on aquifer conditions observed by the District. The District will enforce the terms and conditions of permits and the rules of the District by enjoining the permit holder in a court of competent jurisdiction as provided for in TWC 36.102.

A contingency plan to cope with the effects of water supply deficits due to climatic or other conditions will be developed by the District and will be adopted by the Board after notice and hearing. In developing the contingency plan, the District will consider the economic effect of conservation measures upon all water resource user groups, the local implications of the degree and effect of changes in water storage conditions, the unique hydrogeologic conditions of the aquifers within the District and the appropriate conditions under which to implement the contingency plan.

## GROUNDWATER RESOURCES OF JACKSON COUNTY

The Texas Water Development Board estimated the groundwater available to Jackson County is 87,876 acre-feet. Thus it can be assumed that pumpage up to this amount can be sustained by recharge.

This chart shows that the amount of water needed for Texana Groundwater Conservation District usage will mostly remain constant out to the year 2050 A. D.

### Projected Water Demands Texana Groundwater Conservation District Jackson County

RWPG	WUG	River Basin	Category	2000	2010	2020	2030	2040	2050
P	Edna	Lavaca	Municipal	1,503	1,466	1,404	1,383	1,355	1,348
P	Ganado	Lavaca	Municipal	393	381	366	357	347	345
P	County-Other	Colorado-Lavaca	Municipal	247	236	221	214	205	203
P	County-Other	Lavaca	Municipal	507	485	454	440	422	417
P	County-Other	Lavaca-Guadalupe	Municipal	83	80	76	74	71	71
P	Irrigation	Colorado-Lavaca	Irrigation	39,760	39,779	39,799	39,822	39,845	39,874
P	Irrigation	Lavaca	Irrigation	51,615	51,638	51,665	51,693	51,726	51,761
P	Irrigation	Lavaca-Guadalupe	Irrigation	16,379	16,387	16,395	16,405	16,415	16,425
P	Livestock	Colorado-Lavaca	Livestock	323	323	323	323	323	323
P	Livestock	Lavaca	Livestock	452	452	452	452	452	452
P	Livestock	Lavaca-Guadalupe	Livestock	148	148	148	148	148	148
P	Manufacturing	Colorado-Lavaca	Manufacturing	999	1,797	1,893	2,157	2,427	2,703
P	Manufacturing	Lavaca	Manufacturing	3	6	6	7	8	9
P	Mining	Colorado-Lavaca	Mining	19	14	7	2	0	0
P	Mining	Lavaca	Mining	28	23	22	19	19	20
P	Mining	Lavaca-Guadalupe	Mining	47	13	9	6	2	1
<b>Total Projected Water Demands (acre-feet per year) =</b>				<b>112,506</b>	<b>113,228</b>	<b>113,240</b>	<b>113,502</b>	<b>113,765</b>	<b>114,100</b>

Source: Table 2, 2002 State Water Planning Database

TWDB: 05/20/2004

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**Projected Water Supply**  
**Texana Groundwater Conservation District**  
**Jackson County**

WUG	River Basin	Source Type	Source Name	2000	2010	2020	2030	2040	2060
Edna	Lavaca	Groundwater	Gulf Coast Aquifer	1,503	1,466	1,404	1,383	1,355	1,348
Ganado	Lavaca	Groundwater	Gulf Coast Aquifer	393	361	366	357	347	345
County-Other	Colorado-Lavaca	Groundwater	Gulf Coast Aquifer	247	236	221	214	205	203
County-Other	Lavaca	Groundwater	Gulf Coast Aquifer	507	485	454	440	422	417
County-Other	Lavaca-Guadalupe	Groundwater	Gulf Coast Aquifer	83	80	76	74	71	71
Irrigation	Colorado-Lavaca	Groundwater	Gulf Coast Aquifer	17,029	17,045	17,067	17,079	17,090	17,092
Irrigation	Lavaca	Surface Water	Goldenrod Creek Run-of-River	0	0	0	0	0	0
Irrigation	Lavaca	Surface Water	Navidad River Run-of-River	943	943	943	943	943	943
Irrigation	Lavaca	Surface Water	Sutherland Creek Run-of-River	118	118	118	118	118	118
Irrigation	Lavaca	Groundwater	Gulf Coast Aquifer	48,002	47,055	47,224	47,327	47,438	47,500
Irrigation	Lavaca	Groundwater	Gulf Coast Aquifer	1,048	1,046	1,046	1,045	1,045	1,044
Irrigation	Lavaca-Guadalupe	Groundwater	Gulf Coast Aquifer	18,733	18,770	18,776	18,783	18,790	18,791
Livestock	Colorado-Lavaca	Groundwater	Gulf Coast Aquifer	323	323	323	323	323	323
Livestock	Lavaca	Groundwater	Gulf Coast Aquifer	452	452	452	452	452	452
Livestock	Lavaca-Guadalupe	Surface Water	Livestock Local Supply	0	0	0	0	0	0
Manufacturing	Colorado-Lavaca	Surface Water	Texana Lake/Reservoir	1,832	1,832	1,832	1,832	1,832	1,832
Manufacturing	Colorado-Lavaca	Groundwater	Gulf Coast Aquifer	0	0	261	525	795	1,071
Manufacturing	Lavaca	Groundwater	Gulf Coast Aquifer	510	1,533	1,212	892	567	242
Mining	Colorado-Lavaca	Groundwater	Gulf Coast Aquifer	19	14	7	2	0	0
Mining	Lavaca	Groundwater	Gulf Coast Aquifer	28	23	22	19	19	20
Mining	Lavaca-Guadalupe	Groundwater	Gulf Coast Aquifer	47	13	9	6	2	1
<b>Total Projected Water Supply (acre-feet per year) =</b>				<b>91,817</b>	<b>91,815</b>	<b>91,815</b>	<b>91,814</b>	<b>91,814</b>	<b>91,813</b>

TWDB  
05/20/2004

**Projected Groundwater Availability**  
**Texana Groundwater Conservation District**  
**Jackson County**

Source Name	Source Type	Source County	River Basin	2000	2010	2020	2030	2040	2060
Gulf Coast Aquifer	Groundwater	Jackson	Colorado-Lavaca	17,618	17,618	17,879	18,143	18,413	18,689
Gulf Coast Aquifer	Groundwater	Jackson	Lavaca	51,395	51,395	51,134	50,870	50,600	50,324
Gulf Coast Aquifer	Groundwater	Jackson	Lavaca-Guadalupe	18,863	18,863	18,863	18,863	18,863	18,863
<b>Total Projected Groundwater Availability (acre-feet per year) =</b>				<b>87,876</b>	<b>87,876</b>	<b>87,876</b>	<b>87,876</b>	<b>87,876</b>	<b>87,876</b>

Source: Table 4, 2002 State Water Planning Database

TWDB: 05/20/20

## Region P: Regional Water Management Strategies

WUG River Basin	WMS	Source County	2000	2020	2030	2040	2060
Colorado-Lavaca	Overdrafting the Aquifer	Jackson	22,731	22,732	22,743	22,755	22,782
Lavaca	Overdrafting the Aquifer	Jackson	1,504	2,334	2,260	2,182	2,156
Lavaca-Guadalupe	Overdrafting the Aquifer	Jackson	148	148	148	148	148
Total Projected Groundwater Management Strategies (ac-ft per year)=			24,383	25,214	25,151	25,085	25,086

Source: Table 12, 2002 State Water Planning Database

TWDB: 5/20/04

## Estimated Groundwater Pumpage for Jackson County (acre-feet) Texas Water Development Board

Aquifer	Year	Municipal	Manufacturing	Power	Mining	Irrigation	Livestock
Gulf Coast	1980	3254	1824	0	161	132000	381
Gulf Coast	1984	1900	1396	0	225	94844	468
Gulf Coast	1985	2660	1313	0	201	69520	497
Gulf Coast	1986	2612	1259	0	177	68890	639
Gulf Coast	1987	2293	1292	0	126	69112	488
Gulf Coast	1988	2285	1805	0	170	96366	520
Gulf Coast	1989	2079	1969	0	170	66505	532
Gulf Coast	1990	1874	1933	0	170	89898	525
Gulf Coast	1991	1805	1781	0	121	72678	535
Gulf Coast	1992	1833	1988	0	121	62824	554
Gulf Coast	1993	1837	1733	0	121	56658	574
Gulf Coast	1994	1829	1487	0	121	66427	600
Gulf Coast	1995	1771	1309	0	113	59065	488
Gulf Coast	1996	1774	1484	0	113	78356	444
Gulf Coast	1997	1734	1539	0	112	41267	445
Gulf Coast	1998	1695	1510	0	110	58204	520
Gulf Coast	1999	1782	1542	0	110	48355	547
Gulf Coast	2000	1982	1584	0	110	44236	511

## Groundwater Recharge

According to the "Groundwater Recharge in Texas" by Dr. Bridget Scanlon (see <http://www.twdb.state.tx.us/gam/resources/resources.htm>) the Chicot, Evangeline, and Jasper aquifers have a recharge rate of 0.0004 - 0.12 in/yr (Hay, 1999, method: groundwater modeling). According to 1996-1997 Texas Almanac the total area of Jackson County is 829.5 square miles.

## Increasing Recharge by Natural or Artificial Means

The natural or artificial recharge in the District might be increased by the construction of small retention structures on ephemeral streams to impound storm-water run-off.

## Plan Implementation

The Texana Groundwater Conservation District shall implement these goals and policies with the desired effect of carrying them to completion within the five year scope of adoption.

## **Public Information**

A well informed public is vital to the proper operation of a groundwater district. The district will keep the citizens of the district informed by means of timely newspaper articles and public service radio and television announcements. As part of the public information program the Directors of the District and the District Manager will make presentations to any public gathering, as requested, in order to keep the citizens informed about District activities and to promote proper use of available groundwater. The District plans an ongoing program to assist teachers at public schools with education of children on issues of groundwater conservation and the hydrology of our area.

## **Regulation**

The goal of this plan is to ensure that the citizens of the district will have adequate water for the future. The District will adopt regulations to control groundwater withdrawals by means of spacing and production limits. In regulating groundwater withdrawals, the district shall take into account several factors, including:

1. Economic and domestic impact of conservation measures.
2. The degree and effect of water table conditions in any given area and its effect on neighboring wells.
3. The hydrological characteristics of the aquifer within the District.

The District will use all technical resources at its disposal to evaluate the effectiveness of regulation and determine if any further action is warranted to have water available for future generations.

## **Actions, Procedures, Performance and Avoidance for Plan Implementation**

The District will implement the provisions of this plan and will utilize the provisions of this plan as a guidepost for determining the direction or priority for all District activities. All operations of the District, all agreements entered into by the District and any additional planning efforts in which the District may participate will be consistent with the provisions of this plan.

The District will adopt rules relating to the permitting of wells and the production of groundwater. The rules adopted by the District shall be pursuant to TWC§ 36 and the provisions of this plan. All rules will be adhered to and enforced. The promulgation and enforcement of the rules will be based on the best technical evidence available.

The District will seek the cooperation in the implementation of this plan and the management of groundwater supplies within the District. All activities of the District will be undertaken in co-operation and coordinated with the appropriate state, regional or local water management entity.

## **Equity and Discretion**

The District shall treat all citizens of the District with equality. Upon applying for a permit to drill a water well or a permit to increase the capacity of an existing well the Board of Directors shall take into consideration all circumstances concerning the applicant's

situation. The Board may grant an exception to the rules of the District when granting permits to prevent hardship or economic loss, also taking into consideration hydrological, physical, or geophysical characteristics. Therefore, temporary exceptions to the general rule for a specific area may be necessary if an economic hardship will be created that is significantly greater for one person than for others in the district. In considering the granting of an exception, the Board will factor any adverse impact on adjacent landowners. The exercising of discretion by the Board shall not be construed so as to limit the power of the Board.

## **CONSERVATION AND EFFICIENT USE**

Water is the most precious natural resource on Earth. The district shall promote conservation as a way of life, in order to conserve fresh water for future generations. The district shall require wells in areas that are in danger of over producing groundwater and damaging the aquifer to restrict production by means of production permits and monitoring the amount of water produced. The district will work with water utilities, agricultural, and industrial users to promote the efficient use of water so that we may conserve water. The district will keep abreast of developments in water conservation and update its requirements as needed. The District in coordination with the Natural Resources Conservation Service shall coordinate its efforts for the most efficient use of groundwater resources in the district.

## **PREVENTION OF WASTE**

Waste is defined in the Rules of the District Rule Number 1.

The Rules of the District Rule Number 2 give the practices and voidances to be followed by the District to prevent waste.

## **SUBSIDENCE**

Subsidence is not a factor (at this time) with this aquifer and is not considered applicable as a management goal.

## **GOALS, MANAGEMENT OBJECTIVES AND PERFORMANCE STANDARDS**

Methodology for Tracking of Progress in achievement of all District Management Goals.

The District manager will annually report to the District Board the number of each of the management objectives accomplished for each of the stated activities in the preceding year. The number of instances each activity was engaged in during the year will be referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated to measure the District's progress in achieving its management goals. The annual District Manager's report will be received by the District Board and upon approval shall be available to the public at the District Office.

### **Providing the Most Efficient Use of Groundwater 31 TAC §256.5(a)(1)(A)**

**Technical – To establish and maintain an aquifer monitoring network.**

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**MANAGEMENT OBJECTIVE:** The District will locate at least four (4) wells, to be checked annually for water levels, within one year of the adoption of this plan.

**PERFORMANCE STANDARD:** The District will check water levels within the same 30 day period every year.

**MANAGEMENT OBJECTIVE:** The District will identify at least one new existing well in each precinct annually, the strata from which they are producing and incorporate this data into a map of wells in the district.

**PERFORMANCE STANDARD:** The District will enter new wells in database within two working days of identification.

**MANAGEMENT OBJECTIVE:** The District will select at least one well in each precinct within one year of the adoption of this plan, to be checked for water quality annually, with emphasis on wells at or near the zone of bad water or potential pollution sources.

**PERFORMANCE STANDARD:** Number of wells the District measures for chemical analysis within the same 30 day period annually.

**EFFICIENCY STANDARD:** Well monitoring is not to exceed annual budget with a cost per well estimated annually.

**Conservation and Efficient Use – To promote conservation and efficient use of the aquifer within the District.**

**MANAGEMENT OBJECTIVE:** The District will enforce Classification, Spacing, and Production Provisions as stated in the Rules of the District.

**PERFORMANCE STANDARD:** The manager will annually report to the District Board of Directors the number of new wells permitted for the previous year.

**MANAGEMENT OBJECTIVE:** Meet with the water supply entities in the District annually to discuss water conservation.

**PERFORMANCE STANDARD:** The District will meet annually with these entities.

**MANAGEMENT OBJECTIVE:** The District will meet with consumers of groundwater, at their request, to review water use and possible conservation measures that could be initiated.

**PERFORMANCE STANDARD:** The District will meet with Jackson County irrigators and discuss irrigation efficiency annually.

**Controlling and Preventing Waste of Groundwater 31 TAC §256.5(a)(1)(B)**

**Groundwater Resources – To investigate aquifer within the District and improve the level of knowledge.**

**MANAGEMENT OBJECTIVE:** The District will study the results of the Gulf Coast Aquifer study, if one is complete, and propose possible revisions to the Rules of the District, if indicated or necessary.

**PERFORMANCE STANDARD:** The District will complete a review of spacing and production rules within 360 days after the study is complete.

**EFFICIENCY STANDARD:** Review not to exceed annual budget.

**Prevention of Waste – To prevent and control waste of groundwater within the District.**

**MANAGEMENT OBJECTIVE:** The District will investigate complaints of abandoned and deteriorated wells within 30 days of receipt of complaint.

**PERFORMANCE STANDARD:** Number of complaints received annually will be reported to the Board annually.

**MANAGEMENT OBJECTIVE:** The District will educate the public about wasteful practices. The District will write at least one article each year and include information about wasteful water use practices to be published in a local newspaper or District newsletter annually.

**PERFORMANCE STANDARD:** Number of articles published each year in the local newspaper or District newsletter.

**Controlling and Preventing Subsidence 31 TAC §256.5(a)(1)(C)**

**Subsidence**

Subsidence is not a factor at this time with the aquifer within the District and is not considered an applicable goal .

**Addressing Conjunctive Surface Water Management Issues 31 TAC §256.5(a)(1)(D)**

**Current and Projected Groundwater Needs and Conjunctive Surface Water Use – To coordinate drought contingency planning to reinforce surface water supply by using groundwater.**

**MANAGEMENT OBJECTIVE:** The District will gather water production data from at least one public water supplier, enter production numbers into a database, and will publish these figures every January, beginning two (2) years after District adoption of the management plan.

**PERFORMANCE STANDARD:** Each year the District will enter annual production data in a database within 2 working days of receipt.

**Addressing Natural Resource Issues that Impact the Use and Availability of Groundwater and Which are Impacted by the Use of Groundwater 31 TAC §256.5(a)(1)(E)**

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**Groundwater Protection and Natural Resource Issues – To protect the aquifer within the District from damage due to mineral exploration activities.**

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**MANAGEMENT OBJECTIVE:** The District will contact the Railroad Commission and coordinate its efforts with this agency in locating abandoned oil wells upon receiving complaints from citizens.

**PERFORMANCE STANDARD:** The District will survey sites of an abandoned oil well within 30 days of receipt of a complaint.

**EFFICIENCY STANDARD:** The District will act on complaints within 60 days.

**MANAGEMENT OBJECTIVE:** The District Manager will meet with the local Texas Railroad Commission engineering technician monthly or as needed to review oil well permits and oil related activity that could endanger the aquifer.

**MANAGEMENT OBJECTIVE:** The District will meet with the Railroad Commission every month or as needed.

**MANAGEMENT OBJECTIVE:** The District will act on complaints of abandoned water wells.

**PERFORMANCE STANDARD:** The District will survey sites of an abandoned water well within 30 days of receipt of a complaint.

**EFFICIENCY STANDARD:** The District will act on complaints within 60 days.

**Addressing Conservation 31 TAC §356.5(a)(1)(G)**

**Public Information – To inform the public on aquifer conditions and water conservation.**

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**MANAGEMENT OBJECTIVE:** The District will publish groundwater production figures for the county in a newspaper of general circulation beginning one year after approval of the District.

**PERFORMANCE STANDARD:** The District will publish figures in January of each year.

**MANAGEMENT OBJECTIVE:** The District will publish an information article in July of each year with conservation measures that can be taken.

**PERFORMANCE STANDARD:** The District will publish figures in January of each year.

**Addressing Drought Conditions 31 TAC §356.5(a)(1)(F)**

**Cooperation and Coordination – To promote cooperation between water management entities and user groups within the District.**

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**MANAGEMENT OBJECTIVE:** The District will compile records from other users in order to project future water use. The District will aid the municipalities of Jackson County in achieving the both least cost for future water production and coordinate drought contingency planning. The District will attend annual meetings and informational updates.

**PERFORMANCE STANDARD:** Coordinate or attend at least one meeting annually, inviting other users, Jackson County, and Jackson County municipalities, to discuss and strategize about future water use, production, and drought contingency planning .

**MANAGEMENT OBJECTIVE:** The District will meet with Jackson County Commissioners annually to update future plans and areas of mutual concern.

**PERFORMANCE STANDARD:** Number of meetings attended annually.

### **Additional Goal**

**Transportation of Water from the District – To provide for reasonable allocation of water resources to be transported outside the District and monitor this activity.**

**MANAGEMENT OBJECTIVE:** The District will receive monthly reports of groundwater transported out of the district and will publish this information in January along with the other water production numbers.

**PERFORMANCE STANDARD:** The District will post reports to a database within 2 working days and publish a report annually.

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## **COOPERATION AND COORDINATION**

Public cooperation is essential for this plan to accomplish its objectives. The district will work with the public, local and state government to achieve the goals set forth in this plan. The district will coordinate activities with all public and private water suppliers, industrial, and agricultural users to help them conserve groundwater. The Texas Natural Resource Conservation Commission is the agency charged with protecting the state's water resources, and the Texas Water Development Board is the agency responsible for water resources planning and promotion of water conservation practices. The district will continue to work with both of these agencies to conserve, preserve, and protect water resources, and prevent waste as outlined in this plan.

## **Groundwater District Rules and Regulations**

### **REGULATORY ACTION PLAN**

8

Pursuant to Chapter 36 of the Texas Water Code, this District will enforce the rules of the District to meet the goals of regulating the production of groundwater within the District.

These rules will govern the permitting of wells to be drilled and the production of water from permitted wells. The rules shall be adhered to and shall be based on the best technical evidence available.

## **PERMITS AND ENFORCEMENT**

The District may deny permits or limit groundwater withdrawals following the guidelines stated in the rules of the District and this plan. In determining whether to issue a permit or limit groundwater withdrawal, the District will consider the public benefit against individual hardship after considering all appropriate testimony and all relevant factors that include:

1. The purpose of the rules of the District.
2. The objectives and requirements of the plan.
3. The economic impact on the applicant from grant or denial of the permit or terms prescribed by the permit.
4. The equitable distribution of available groundwater.

In carrying out its purpose, the District may require the reduction of groundwater withdrawal to amounts that will not cause the water table to drop to a level that would cause harm to the aquifer. To achieve this purpose the District may, on its discretion and based on information obtained through its monitoring procedures, amend or revoke any permits after notice and hearing.

The District will enforce the terms and conditions of permits and its rules by enjoining the permittee in a court of competent jurisdiction as provided for in Chapter 36.102 of the Texas Water Code.

*This plan prescribes a production ratio of groundwater withdrawal based upon the number of acres of land owned by a property owner or water rights holder. The number of acres of land that are within the Certificate of Convenience and Necessity (CCN) of a public or private water utility may be taken into consideration when granting a permit to produce water.*

## **SPACING REQUIREMENTS AND PRODUCTION RATIOS**

### **1. EXEMPT WELLS**

This plan and its accompanying rules shall exempt wells from permits as Provided for in Chapter 36.117 of the Texas Water Code.

### **2. SPACING**

No well shall be drilled such that said well shall be located closer than one hundred (100) feet to the property line. Spacing of new wells from an existing well shall be according to the classification as set forth in Rule 5.5 in the rules of the District.

## **TRANSPORTATION OF WATER FROM THE DISTRICT**

Transportation of water from the district requires a permit, as stated in District Rule 6.8. An applicant for a transportation facility permit will be assessed an application fee to cover the District's costs of administering the permit process. The District may assess administrative fees so that the District can recover the expenses incurred administering such facility as provided for in Chapter 36.205 of the Texas Water Code.

## **GROUNDWATER PROTECTION AND NATURAL RESOURCE ISSUES**

Section 26.401 of the Texas Water Code states that: "In order to safeguard present and future groundwater supplies, usable and potential usable groundwater must be protected and maintained."

A change of more than -10% in the average level of the 15 wells monitored annually by the TWDB would necessitate a change in pumping on a district wide basis.

Groundwater contamination may result from many sources, including current and past oil and gas production, agricultural activities, industrial and manufacturing processes, commercial and business endeavors, domestic activities, and natural sources that may be influenced or may result from human activities. The district shall take appropriate measures to monitor activities that are either causing, or have the potential threat to cause groundwater contamination. Due to permeability of aquifer outcrops and recharge zones, there is a greater threat of groundwater contamination from surface pollution in recharge and outcrop regions, and the district will monitor those areas more closely.

The District will meet with the local representative of the Railroad Commission of Texas to discuss oil related activities that could endanger the groundwater.

### **FEES**

A deposit of \$100.00 is required with notice of intent to drill a test hole and is fully refundable upon receipt of the driller's log and proof of proper plugging of the test hole or the deposit may be applied to the permit to drill a water well.

Water well drilling permits require a deposit of \$175.00, of which \$100.00 is refundable upon receipt of the driller's log and completed production permit.

A permit to rework, re-equip or alter a water well is the same as a water well drilling permit and shall be accompanied by a deposit of \$175.00, of which \$100.00 is refundable upon receipt of an updated production permit.

There shall be no charge of any kind for registration of an existing well.

Copies of District rules or the District's management plan shall be available at the District's office at \$.10 per page.

**Resolution to Adopt the Texana Groundwater Conservation District  
Groundwater Management Plan**

**TEXANA GROUNDWATER CONSERVATION DISTRICT  
MANAGEMENT PLAN**

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**TEXANA GROUNDWATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS:**

*Steve Riddle*

*Lupe V. Warty*

*Wanda S. Sible*

*William E. Ellmest*

*William A. Stuberberg*

*A. A. Rodgers*

Manager, Barry Miller (830-672-1047), of Gonzales County Underground Water Conservation District, gave permission to use the Gonzales County Management Plan in the Texana Groundwater Conservation District plan. Texana can use any or all of the Gonzales Management Plan.

A. A. Rodgers  
10:35 A. M. Friday,  
December 1, 2000

**ROC COSPER**  
*Professional Land Services*  
3645 FM 234 S  
Edna, Texas 77957  
361-782-2998 off  
361-935-2806 cell  
361-782-0165 fax

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June 30, 2004

To: Mr. Red Rodgers

Fax No: (361) 782-2253

From: Roc Cosper

Re: acknowledgement

Mr. Rodgers:

See attached requested notary acknowledging execution of the  
Management Plan of the Texana Groundwater Conservation District.

Sincerely,

  
Roc Cosper

State of Texas

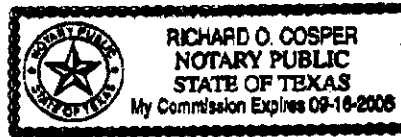
County of Jackson

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Before me RICHARD O. COSPER on this day personally appeared Steve Riddle, Larry Waits, Darrell Sklar, Willard E. Albrecht, William A. Sturhenberg, and A. A. Rodgers, known to me to be the persons whose names are subscribed to the forgoing instrument and acknowledged to me that they executed the same for the purposes therein expressed.

Given under my hand and seal of office the 30TH day of JUNE, 2004.

RICHARD O. COSPER



# Jackson County Herald-Tribune

75¢

2 Sections

GATEWAY TO LAKE TEXANA

June 23, 2004

## Groundwater Group to meet Wednesday

Texana Groundwater Conservation District of Jackson County will hold a public meeting at 7 p.m. Wednesday, June 30 in the Hafernick Building at Lake Texana.

The purpose of this meeting is to obtain public input into the drafting of the Management Plan of Texana Groundwater Conservation District. For more information contact Willard Ubricht at 782-2283.



**FAX COVER PAGE**

To: Lina Petrossian

Fax Number: 512-936-0889

Telephone Number: 512-936-2420

Number of Pages (including cover):

From: Hope Rodgers, for Tefara Groundwater  
Conservation District

Fax Number: 361-782-2253

Telephone Number: 361-782-2663

Comments: Items you requested were sent to Mr. Steve Musick on July 21, 2004. I am sending copies of our letter of July 21, Mr. Musick's reply of August 2, and our letter to Mr. J. Kevin Ward to your attention of August 4. Also attached is copy of the green cards certifying receipt of letters to surface water entity and to the Regional Water Planning Group.

I could not locate the published notice of hearing which original may have been sent to Mr. Musick. Advise if I need to get another from newspaper office.

July 21, 2004

Mr. Steve Musick, Leader  
Groundwater Planning Assessment Team, MC-147  
Technical Analysis Division  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

Mr. Musick:

Enclosed are copies of the following:

1. Letter to LNRA and Lavaca Regional Planning Group that the Texana Groundwater Conservation District had adopted a Management Plan by resolution of the District Board.
2. Return receipts as proof that LNRA and Lavaca Planning Group received the adopted Management Plan.
3. The published notice of the Public Meeting held on June 30, 2004.
4. Minutes of meeting of the Texana Groundwater Conservation District June 30 Public Meeting and the minutes of the Public Meeting when the District Board adopted, by Resolution, the Management Plan.
5. Copy of the adopted Management Plan.

I believe I have enclosed all items requested in the letter from Texas Commission on Environmental Quality to A. A. Rodgers dated March 4, 2004. If not, please advise.

Sincerely,



A. A. Rodgers  
Texana Groundwater Conservation District  
8051 County Road 283  
Edna, Texas 77957  
361-782-2663

Kathleen Hartnett White, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Larry R. Soward, *Commissioner*  
Margaret Hoffman, *Executive Director*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 02, 2004

Mr. A.A. Rodgers, Chairman  
Texana Groundwater Conservation District  
8051 County Road 283  
Edna, Texas 77957-5109

Re: Texana Groundwater Conservation District  
Management Plan Noncompliance Review

Dear Mr. Rodgers:

On July 27, 2004, TCEQ received a letter from you dated July 21, 2004, and copies of other items. These items included *return receipts from Lavaca Navidad River Authority* and the Lavaca Regional Planning Group proving that the District had sent letters indicating that it had adopted a management plan by resolution of the District Board. There was also a published notice of the public meeting held on June 30, 2004, at which the District adopted the management plan, and a copy of the management plan.

After examination of provided District documentation, the TCEQ concludes that the District must submit the adopted management plan to the Executive Administrator of the Texas Water Development Board (EA/TWDB) for certification consideration and provide TCEQ with a copy of the District's submittal letter. Within 10 days of certification by EA/TWDB, the District must provide TCEQ with a copy of the certified management plan and correspondence from the TWDB certifying the plan. These actions would satisfy specific provision 5 of the CA.

The TCEQ thanks the Board of Directors and you for your cooperation and diligence during this noncompliance review. If you have any questions about this issue or about TCEQ procedures related to this noncompliance review, please contact Mr. Steve Musick, Team Leader Groundwater Planning and Assessment, at (512) 239-4514 or by email at [smusick@tceq.state.tx.us](mailto:smusick@tceq.state.tx.us).

Sincerely:



Steve Musick, Team Leader  
Office of Environmental Policy, Analysis and Assessment  
Texas Commission on Environmental Quality

SM/jl

cc: Mr. William Mullican, Texas Water Development Board

August 4, 2004

Mr. J. Kevin Ward  
P. O. Box 13231  
1700 N. Congress Avenue  
Austin, Texas 78711-3231

Attention: Rima Petrossian

Re: Compliance Agreement between Texas Commission on Environmental  
Quality and Texana Groundwater Conservation District

Dear Mr. Ward:

In a letter dated August 2, 2004 Mr. Steve Musick (Texas Commission on Environmental Quality) stated the Texana Groundwater Conservation District should submit the adopted Management Plan to the Executive Administrator of the Texas Water Development Board for certification consideration; and provide TCEQ with a copy of the District's submitted letter.

I hereby, with respect, make this request of certification of the Management Plan.

A copy of Mr. Musick's letter of August 2, 2004 is enclosed, and copy of the Management Plan.

Sincerely,



A. A. Rodgers  
President of the Board of Directors  
Texana Groundwater Conservation District  
8051 County Road 283  
Edna, Texas 77957

c: Mr. Steve Musick, TCEQ

Enclosures