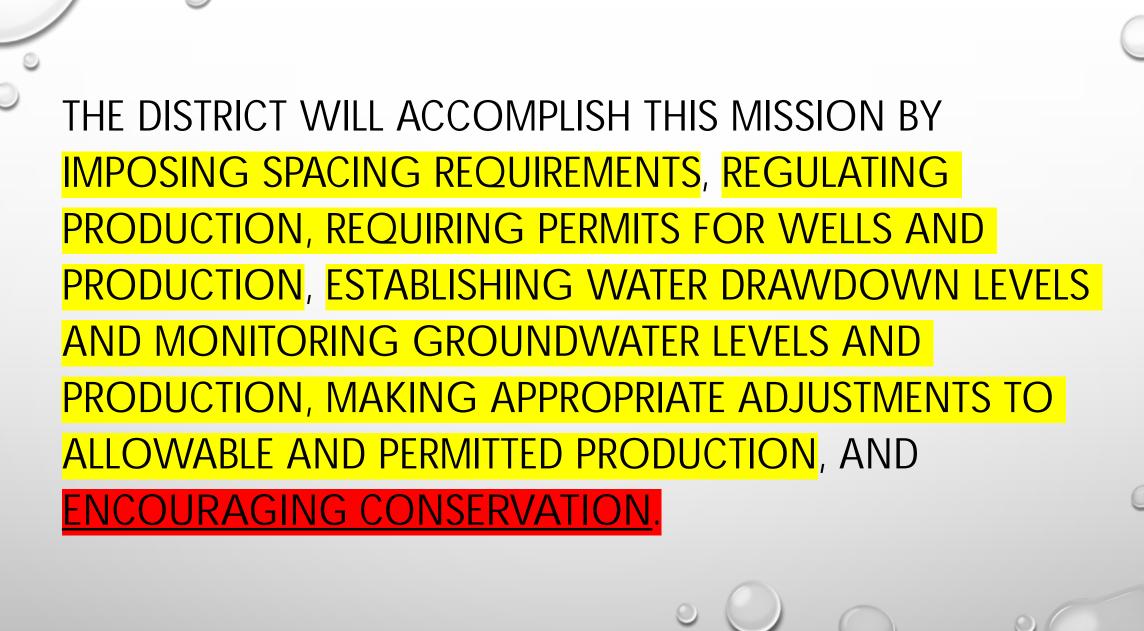


## **POSGCD AQUIFER** CONSERVANCY **PROGRAM**

THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT (POSGCD) MISSION IS TO PROVIDE FOR THE CONSERVATION, PRESERVATION, PROTECTION, RECHARGING, AND PREVENTION OF WASTE OF GROUNDWATER, AND TO PROTECT GROUNDWATER USERS, BY ADOPTING AND ENFORCING RULES CONSISTENT WITH STATE LAW.



## Post Oak Savannah Aquifer Conservancy Program

- 1. INTRODUCE A NEW CONCEPT IN GROUNDWATER CONSERVATION
- 2. LANDOWNERS WORKING TOGETHER IN PARTNERSHIP WITH DISTRICT
- 3. CONSERVE GROUNDWATER FOR FUTURE GENERATIONS
- 4. MAKE THIS NEW PROGRAM THE BEST IT CAN BE FOR YOU
- 6. LANDOWNERS RETAIN FULL OWNER SHIP OF ALL PROPERTY
- 6. EXEMPT WELLS ARE OK



## PURPOSE:

TO CREATE A LEGACY OF STEWARDSHIP BY ENABLING LANDOWNERS TO COMMIT THEIR GROUNDWATER RESOURCES INTO A LONG TERM CONSERVATION PROGRAM

### WHY ARE WE IMPLEMENTING THIS PROGRAM

# TO ENCOURAGE CONSERVATION BY REWARDING LANDOWNERS FOR KEEPING THEIR WATER IN PLACE



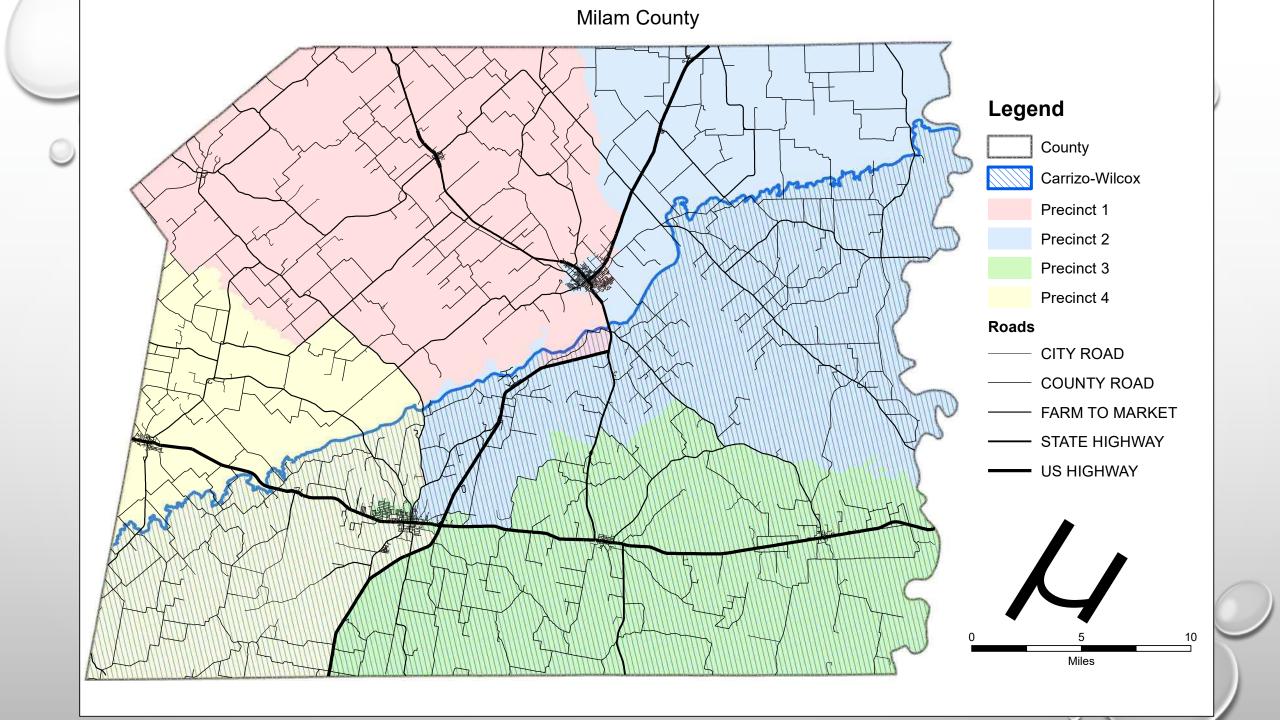
## BENEFITS

- HELP CONSERVE GROUNDWATER FOR FUTURE GENERATIONS
- FINANCIAL REWARD FOR LANDOWNERS FOR CONSERVING WATER IN OUR AQUIFERS
- JOIN WITH OTHER LIKE MINDED WATER CONSERVATIONIST
- YOU CAN STILL HAVE YOUR PERSONAL WELL (EXEMPT WELL)
- YOU CAN STILL PARTICIPATE IN OUR OTHER PROGRAMS RAINWATER HARVESTING,
   ABANDONED WELL PLUGGING GRANT AND WELL ASSISTANCE PROGRAM
- IN THE FUTURE THIS COULD BE A DETERRENT TO NEW LARGE WATER PROJECTS



### WHO IS ELIGIBLE

YOU MUST OWN LAND ABOVE THE CARIZZO WILCOX AQUIFER





## WILL THERE BE LESS WATER IN THE AQUIFERS IN 50 YEARS?

YES!



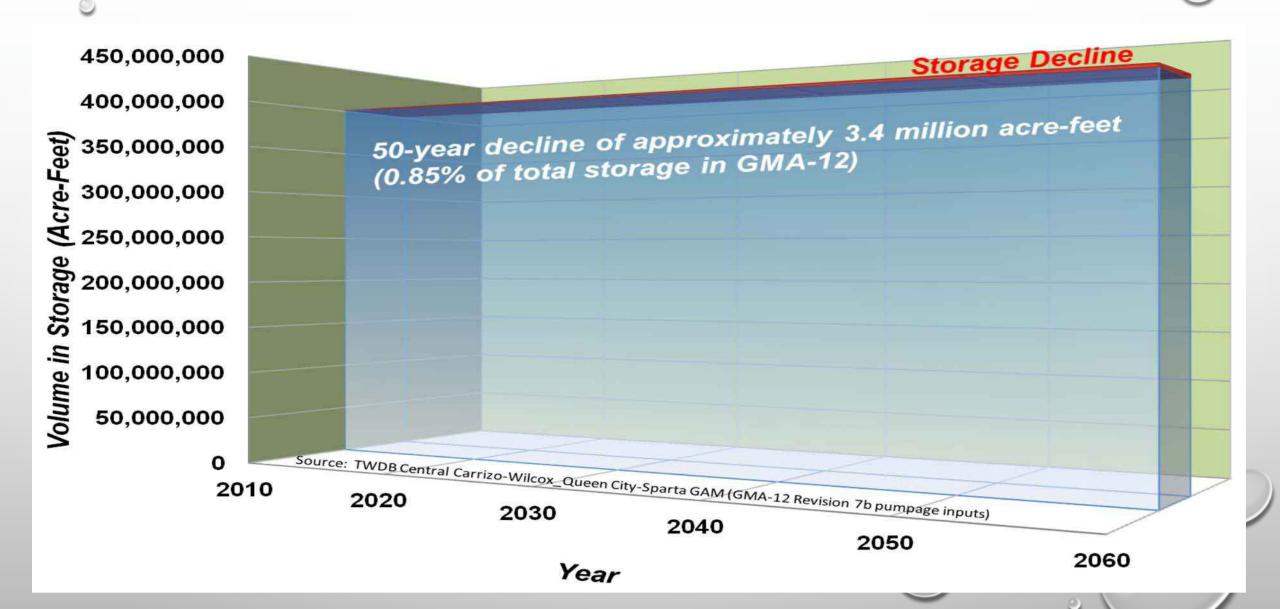
IT IS **ESTIMATED** THAT THE **POPULATION** OF TEXAS IS **GROWING BY** MORE THAN 1,000 PER DAY

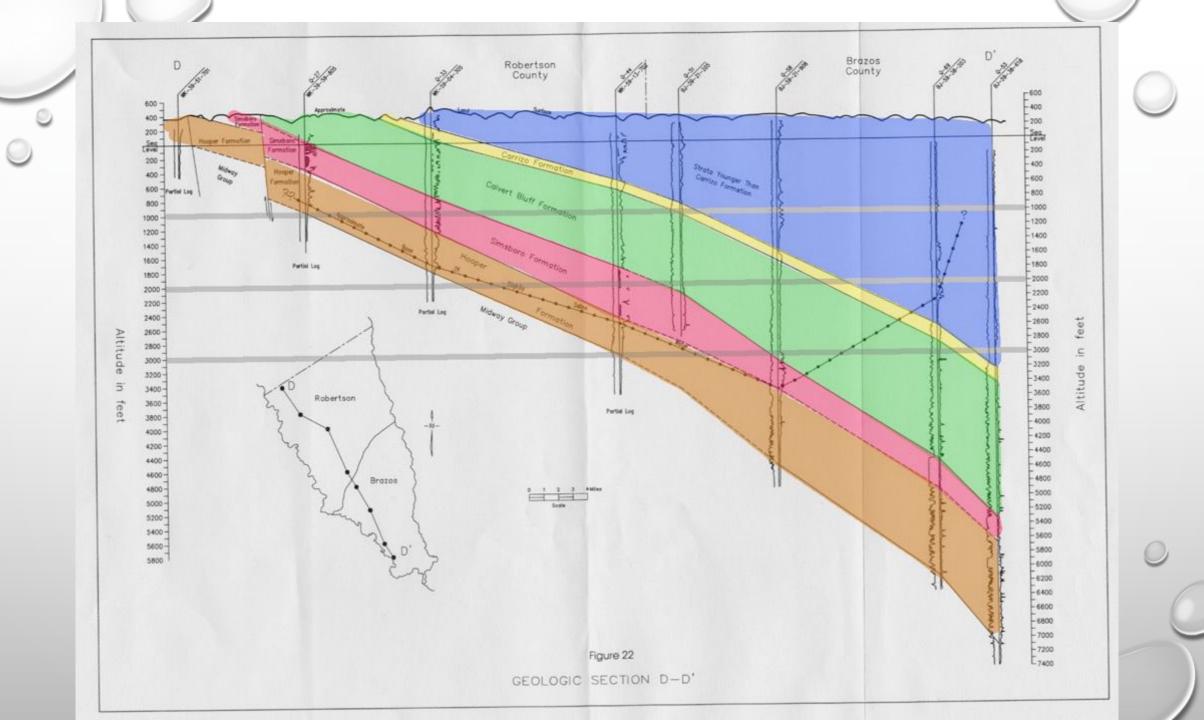


## WILL WE RUN OUT OF WATER?

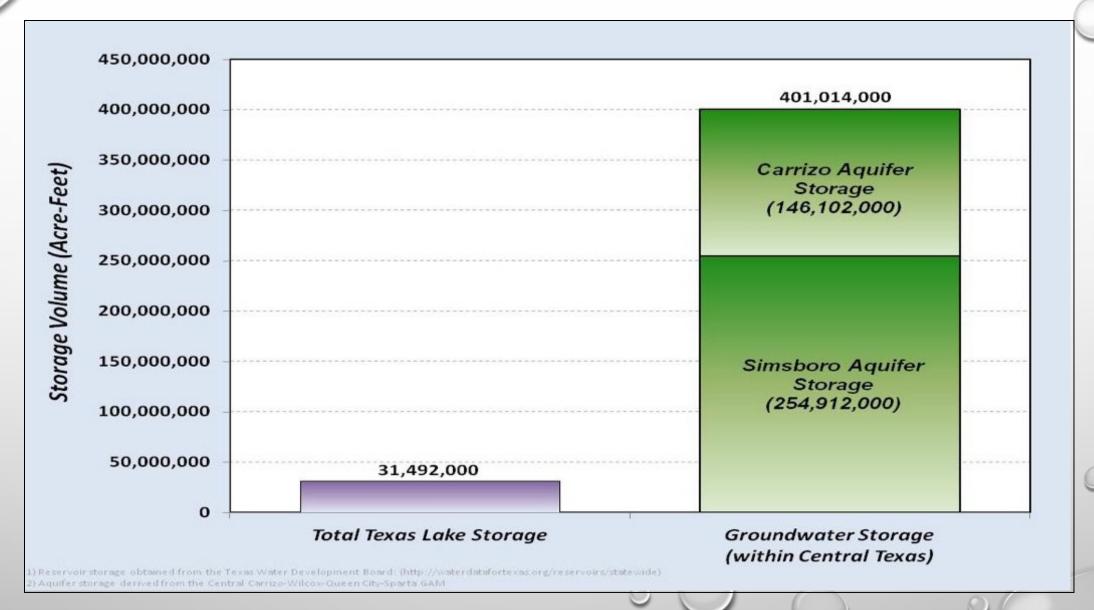
NO!

### SIMSBORO & CARRIZO STORAGE





#### WATER IN STORAGE

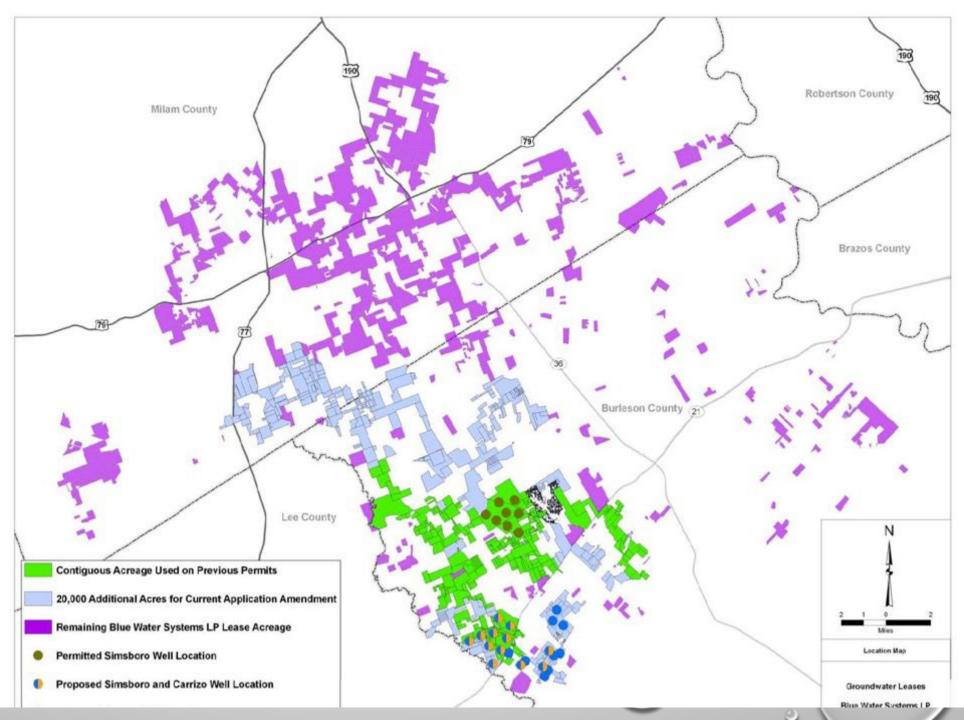


## WILL THIS STOP VISTA RIDGE?

## IT WAS NOT DESIGNED TO



In 2000 **Estimated** >35,000 Acres leased before **POSGCD** Created



### POST OAK SAVANNAH GCD HISTORY

- 2002- POSGCD SUCCESSFUL CONFIRMATION ELECTION (2/3)
- 2004- POSGCD ADOPTED FIRST MANAGEMENT PLAN & RULES
- 2005- POSGCD ADOPTED MANAGEMENT ZONES & RESTRICTIONS FOR WATER LEVEL CHANGE IN DEEP & SHALLOW AREAS OF AQUIFERS
- 2005- LEGISLATURE HB1763 GMA JOINT PLANNING WITH DESIRED FUTURE CONDITIONS (DFCS) REQUIRED
- 2006- POSGCD FIRST CONSERVATION GRANT PROGRAM (UNDER AUTHORITIES FROM CHAPTER 36 & ENABLING LEGISLATION)
- 2018- DRAFT PACP UNANIMOUSLY APPROVED BY POSGCD BOARD



## THE BASICS: OWNERSHIP OF GROUNDWATER, TWC 36.002

 TWC 36.002 STATES: THE GROUNDWATER OWNERSHIP AND RIGHTS DESCRIBED BY THIS SECTION: (1) ENTITLE THE LANDOWNER,... TO DRILL FOR AND PRODUCE THE **GROUNDWATER BELOW THE SURFACE OF REAL PROPERTY, SUBJECT TO SUBSECTION** (D), WITHOUT CAUSING WASTE OR MALICIOUS DRAINAGE OF OTHER PROPERTY OR NEGLIGENTLY CAUSING SUBSIDENCE, BUT DOES NOT ENTITLE A LANDOWNER,... TO THE RIGHT TO CAPTURE A SPECIFIC AMOUNT OF GROUNDWATER BELOW THE SURFACE OF THAT LANDOWNER'S LAND; AND (2) DO NOT AFFECT THE EXISTENCE OF COMMON LAW DEFENSES OR OTHER DEFENSES TO LIABILITY UNDER THE RULE OF CAPTURE.



## THE BASICS: PURPOSE OF A GCD TEXAS WATER CODE (TWC) 36.0015

**GROUNDWATER CONSERVATION DISTRICTS** ... ARE THE STATE'S PREFERRED METHOD OF GROUNDWATER MANAGEMENT IN ORDER TO PROTECT PROPERTY RIGHTS, BALANCE THE CONSERVATION AND **DEVELOPMENT** OF GROUNDWATER TO MEET THE NEEDS OF THIS STATE, AND USE THE BEST AVAILABLE SCIENCE IN THE CONSERVATION AND DEVELOPMENT OF GROUNDWATER THROUGH RULES DEVELOPED, ADOPTED, AND PROMULGATED BY A DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.

## DO WE SELL WATER?

## NO! WE ARE A REGULATORY AGENCY OF THE STATE OF TEXAS



## GCD RULEMAKING POWER TWC 36.101

- A DISTRICT MAY MAKE AND ENFORCE RULES LIMITING PRODUCTION...
- IN ADOPTING A RULE UNDER THIS CHAPTER, A DISTRICT SHALL:
- (1) CONSIDER ALL GROUNDWATER USES AND NEEDS;
- (2) DEVELOP RULES THAT ARE FAIR AND IMPARTIAL;
- (3) CONSIDER THE GROUNDWATER OWNERSHIP AND RIGHTS DESCRIBED BY SECTION 36.002;
- (4) CONSIDER THE PUBLIC INTEREST IN CONSERVATION, PRESERVATION, PROTECTION
- (5) CONSIDER THE GOALS DEVELOPED AS PART OF THE DISTRICT'S MANAGEMENT PLAN (36.108-DFCS)
- (6) NOT DISCRIMINATE BETWEEN LAND THAT IS IRRIGATED... AND LAND ENROLLED IN A FEDERAL CONSERVATION PROGRAM



## GUIDELINES AND INFORMATION



I. FUNDED BY FEES ANNUALLY COLLECTED IN ADVANCE BY THE DISTRICT

II. VOLUNTARY PARTICIPATION BY LANDOWNERS

III. LANDOWNER MAINTAINS OWNERSHIP AND CONTROL OF PRIVATE PROPERTY RIGHTS

(EXEMPT WELLS- OK!)



## A. TERM COMMITMENTS WITH BONUSES TBD FOR LENGTH OF TIME

- 1. FIVE YEARS- TBD (ESTIMATE \$5-\$6 ACRE/
- YEAR AS BEGINNING VALUE FOR DISCUSSION PURPOSES)
- 2. TEN YEARS- TBD
- 3. TWENTY YEARS- TBD



B. PACP NEW MEMBER SIGN-UP PERIOD ANNUALLY (90 DAY PERIOD. BEGINNING EACH JUNE 1)

C. OWNER MUST OWN BOTH SURFACE OF LAND AND UNENCUMBERED GROUNDWATER RIGHTS

D. NO ASSIGNMENT OR PERMITTED USES OF THE COMMITTED RESOURCES DURING TERM



E. EXCLUDES EXEMPT WELLS UNDER POSGCD RULES (DOMESTIC, LIVESTOCK, ETC., )

F. DOCUMENTED AND SWORN APPLICATION

G. NO EXIT FROM THE AGREEMENT BY LANDOWNER DURING TERM



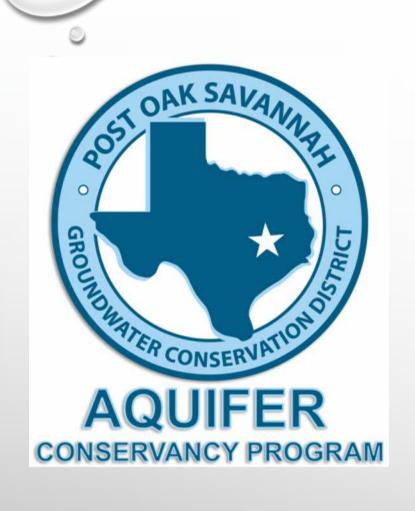
H. BINDING ON HEIRS AND ASSIGNS FOR LENGTH OF TERM

I. EXECUTED BY
CONSERVATION STEWARDSHIP
AGREEMENT, WITH SIGNAGE
FOR PROPERTY



J. PROPERTY LOCATED OVER CARRIZO-WILCOX AQUIFERS WITHIN POSGCD AS DETERMINED BY POSGCD

K. PARTICIPATION IN PACP DOES NOT DISQUALIFY LANDOWNERS FROM ANY OTHER DISTRICT PROGRAM



#### JUNE-JULY, 2018

- CONDUCT SURVEY
- HOST TOWNHALL MEETINGS TO GIVE AND RECEIVE INFO
- ENGAGE OFFICIALS & LANDOWNERS FOR ASSISTANCE

AUGUST 7, 2018- BOARD MEETING UPDATE AND REVIEW

AUGUST 15, 2018- PUBLIC UPDATE AT MILAM AND BURLESON COUNTIES GROUNDWATER SUMMIT WITH Q&A PAMPHLETS, AND "SUPPORT" SIGNS FOR PUBLIC

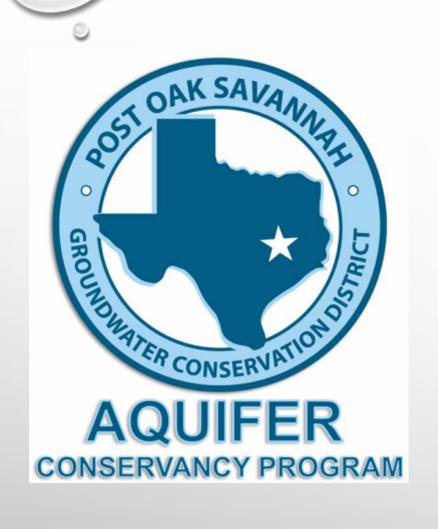


Sept. 4, 2018- Board Meeting Update and Review

October 2, 2018- Publish Draft PACP for 60 Day Comment Period

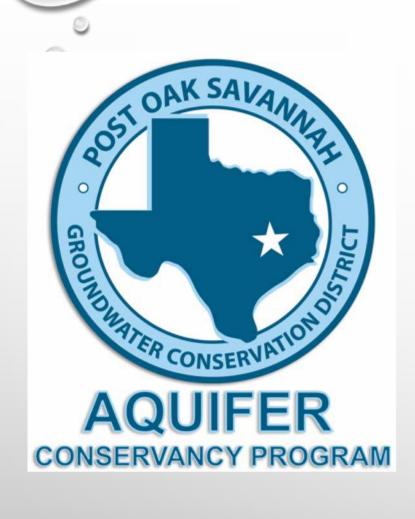
December 4, 2018- Board Review and consider comments received

January 8, 2019- Board adoption



JUNE 1, 2019- BEGIN INITIAL 90-DAY SIGN-UP

OCTOBER 1, 2019- RECEIVE PACP SIGNUP DATA AND DEVELOP 2020 BUDGET FOR PACP



 NOVEMBER 2019-ADOPT BUDGET AND FEES TO FULLY FUND PACP

• JANUARY 2021-PAYMENTS BEGIN FOR FIRST COMMITMENTS





## **QUESTIONS?**

**CONTACT INFO:** 

**GARY WESTBROOK** 

GENERAL MANAGER

POST OAK SAVANNAH GCD

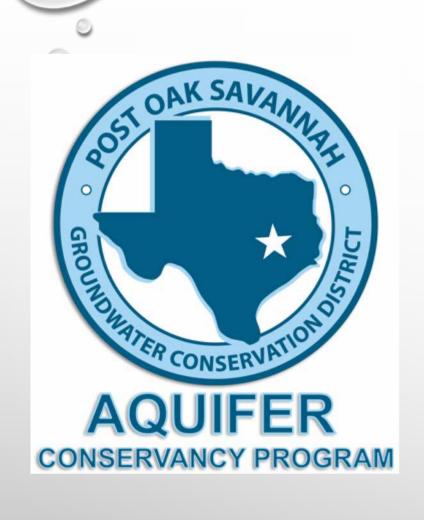
PHONE: 512-455-9900

FAX: 512-455-9909

EMAIL: <u>GWESTBROOK@POSGCD.ORG</u>

WEBSITE: WWW.POSGCD.ORG

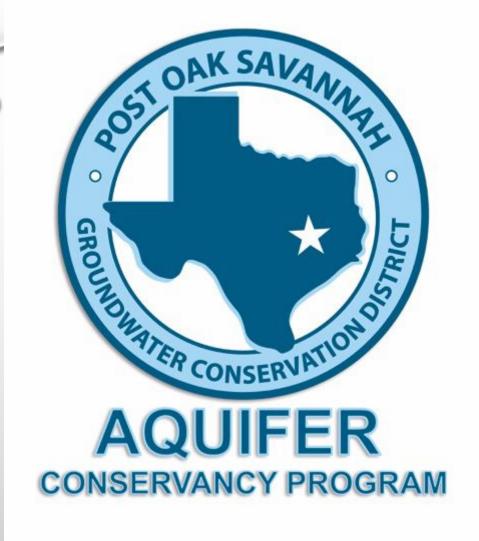
Serving the Citizens of Milam and Burleson Counties



## PACP AMBASSADOR

## **PROGRAM**:

- 1. RESPECTED BY PUBLIC
- 2. SUPPORT CONSERVATION OF AQUIFERS
- 3. WILLING TO PARTICIPATE IN ORIENTATION ON PACP AND CARRY THE MESSAGE



### POST OAK SAVANNAH GROUNDWATER CONSERVATION

AQUIFER CONSERVANCY
PROGRAM
FOR MORE INFO SEE OUR
WEBSITE

WWW.POSGCD.ORG

OR CALL OUR OFFICE 512-455-9900

