

METGCD DFC Comments Received – Summary of Comments

The Mid-East Texas Groundwater Conservation District (METGCD) is required under Section 36.108(d-2) of the *Texas Water Code* to submit to Groundwater Management Area 12 (GMA 12) a summary of the comments it received during the public comment period for the proposed desired future conditions (DFC's) that are relevant to METGCD. After proper notice was posted and published pursuant to Sections 36.063 and 36.108(d-2) of the *Texas Water Code*, and during the public comment period, the METGCD did not receive verbal or written comments about DFC's proposed for the Yegua-Jackson, Sparta, Queen City, Carrizo/Wilcox aquifers in the METGCD's three counties of Madison, Leon, and Freestone. The comments received were essentially directed to GMA 12 as a water planning entity and can be categorized under the following five general topics. A summary of the relevant comments received is provided in the following paragraphs.

Critically Impacting Domestic/Livestock Well Owners

Comments addressing this issue received from:

Andy Weir speaking on behalf of the Simsboro Aquifer Defense Fund
Kermit Heaton
Melanie Pavals speaking on behalf of the Pines & Prairies Land Trust
Renate Suitt
Environmental Stewardsip
POSGCD
Linda Curtis

The listed commentors were all individuals or associations outside the boundaries of METGCD expressing concerns about artesian water levels mainly in counties west of the Brazos River. There were no specific comments regarding proposed METGCD DFC's.

Surface Water Flow Adversely Impacted by Groundwater Pumping

Comments addressing this issue from:

Kermit Heaton
Melanie Pavlas speaking on behalf of the Pines & Prairies Land Trust
Renate Suitt
Miriam Vaughn
Environmental Stewardship
Eric Allmon (Perales, Allmon & Ice, P.C.)
Linda Curtis

The listed commentors were all individuals or associations outside of the boundaries of METGCD expressing concerns about environmental stream flow along a segment of the Colorado River from Bastrop, Texas southward. Environmental Stewardship expressed a desire for GMA 12 to adopt the same pumping files used during the last round of planning and insert those files into the updated Groundwater Availability Model (GAM).

Concerns about the adverse impact of groundwater pumping on stream flow in the Colorado River was the common theme. The Brazos River basin, which includes the Navasota River on the western border of METGCD, was briefly mentioned by Environmental Stewardship.

There is a need for more study of groundwater and surface water interaction leading to the development of an applicable model.

Sustainable Pumping DFC's Should be Adopted

Comments addressing this issue received from:

Kermit Heaton
Melanie Pavlas speaking on behalf of the Pines & Prairie Land Trust
Miriam Vaughn
Environmental Stewardship
Eric Allmon (Perales, Allmon & Ice, P.C.)

The listed commentors were all individuals or associations expressing concerns about reduced streamflow and adverse impacts on exempt wells. There were no challenges to our proposed District DFC's. Commentors put forth the idea that GMA 12 should develop DFC's that are based on Sustainable pumping. GCD's are legally mandated to consider the statutory factors listed in Section 36.108(d) of the *Texas Water Code* and:

“ . . . provide a balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control subsidence in the management area.”

Exempt and permitted production are considered in the DFC's required factors and production/conservation balance.

Socioeconomic and Property Rights not Properly Considered

Comments addressing this issue received from:

Andy Weir speaking on behalf of the Simsboro Aquifer Water Defense Fund
Kermit Heaton
Melanie Pavlas speaking for the Pines & Prairies Land Trust

Renate Suitt
Eric Allmon (Perales, Allmon & Ice, P.C.)
Linda Curtis

The listed commentors were all individuals or associations expressing concerns that two of the nine factors mandated for consideration, socioeconomic impacts and property rights, were not properly considered. There were no challenges to proposed METGCD DFC's.

Artesian head reduction within an aquifer was anticipated during the development of Chapter 36, *Texas Water Code*. There are private property rights owners that do not want the artesian water level in aquifers beneath their property to decline over time and those that do accept artesian head decline as groundwater is pumped. The METGCD respects and considers private property rights each time a permit is granted, or an exempt well is approved.

Monitoring Well System Should be Established for the Colorado River Alluvium

Comments addressing this issue received from:

Environmental Stewardship

The comment received from Environmental Stewardship asks GMA 12 representatives to develop and implement a monitoring well system for the Colorado River Alluvium. The comment is best addressed by districts located along the Colorado River.

All the comments received during the comment period are appreciated and will be considered as the district continues in the GMA 12 planning efforts.