

Preliminary Framework for the Five-Year Review

Background:

District Rule 7.1.9 requires that all operating permits undergo review every five (5) years beginning January 1, 2025, and every five (5) years thereafter, as outlined in Rule 16.5. During the five-year review, operating permits may be modified to conform with intervening changes in District rules and policies, management plan or state law or to accommodate aquifer conditions.

The purpose of the five-year operating permit review is to meet the management objectives described in Rule 16.1 which states that groundwater availability will be conserved, preserved, and protected by well spacing, permit requirements, and/or limiting water drawdown levels within the Management Zones listed in Section 5 of the Management Plan. The reviews may result in reductions in the maximum production allowed under a permit consistent with Rules 16.6 and 16.7. The review will be performed to comply with District's rules and regulations, *Chapter 36, Texas Water Code*, and adopted Desired Future Conditions. Specifically, the review will evaluate:

- a. If actions are required to comply with the District Management Plan based upon District Monitoring Results (Rule 16.4), and
- b. If actions are required to manage total groundwater production on a long-term basis to achieve the applicable desired future condition.
- c. If the pumping associated with a permitted well or aggregate wells is causing unreasonable impacts as defined in Rule 16.4.6.

Five-Year Review Process/Timeline:

1. District engages with the TWDB to discuss the revised geology used in OPMAN and used to assign District wells to aquifers (August, 2024)
2. District completes draft Compliance Evaluation Report of DFCs and PDLs. (November 2024)
3. District finalizes guidance document for evaluating DFCs and PDLs for compliance. (November, 2024)
4. District finalizes the Compliance Evaluation Report of DFCs and PDLs. (December, 2025)
5. The District sends out letters to permittees to initiate and explain the 5-year review process. The letter will include guidelines and will reference the compliance evaluation results from December 2024. (January 31, 2025)
6. District Professional Geologist (INTERA) completes evaluations of permits for unreasonable impacts (Rule 16.4.6) and makes determination of which permittees may cause or may be causing unreasonable impacts. (April 15, 2025)
7. District notifies permittees of determination of unreasonable impacts and if they need to comply with rule 16.4.8. (April 30, 2025)

8. Notified permittees return verification of information or update information concerning the permit(s) in question to District. (May 20, 2025)
9. District completes evaluations of returned verification of information or updated information for possible changes in maximum production allowances per Management Zone based on results of evaluation of compilation. (June 30, 2025).
10. Based upon scientific review/determination of results of evaluation of compilation, District notifies permittees of planned approach of Level 3 is reached, proposed changes to permitted amounts, and posts notice of a public hearing to be held November 15, 2025 (July 1, 2025)
11. Permittees and public comments on proposed changes to permitted amounts are due to District. (September 1, 2025)
12. Professional Geologist (INTERA) reviews and develops proposed permit renewals based upon scientific findings and comments received. District posts proposed permit renewals and comments received. (September 30, 2025)
13. District holds public hearings on individual permits (November 15, 2025)
14. District Board issues order with Permit Renewals January 10, 2026

Documents to be Created or Updated to Incorporate the Five-Year Review

- 1.) 5-year Renewal process
- 2.) 5-year Renewal Notification
- 3.) Update the Guidance Document for Evaluating DFCs and PDLs
- 4.) Criteria and process for adjusting maximum production allotment per acre basis on exceedances for thresholds for DFCs and PDLs
- 5.) Criteria and process for adjusting permit based on unreasonable impacts
- 6.) Flow chart of POSGCD documents and applications to help permittee navigate web site

Renewal Evaluation:

Once the District notifies a permittee of a determination of unreasonable impacts and the need to comply with Rule 16.4.8. (April 30, 2025), the permittee shall return the verification of information or update information concerning the permit to the District. (May 20, 2025)

The renewal evaluation will be structured into five sections. Each section and the general content to be verified will be described below.

Administrative Information (Rule 7.4.4)

- Name of Permittee on File
- Authorized Agent
- Permit No.
- Property associated with the well contiguous acres
- Contact Information

Well Information (Rule 7.4.4)

- Description and documentation of any changes to the well(s) associated with the permit since the last permit issuance.
- Documentation of changes to the well completion or pump and pump settings for permitted well(s)
- Pictures of well(s)
- Geophysical well logs
- Any water level and water quality data previously not shared with POSGCD.
- Current Drought contingency plan or Conservation Plan

Operations (Rule 7.4.4)

- Is the Permittee a local water utility as defined in these Rules and is permitted thereunder to provide water in a defined service area?
- Does the permittee have access to a local utility water source and would the permittee be willing to obtain water through that utility to prevent unreasonable impacts to users?
- Is the Permitted production part of a conjunctive use project that involves water supplies other than fresh groundwater with a TDS value less than 1,000 mg/L?
- Has the Permittee received an Aquifer Storage & Recovery or a Managed Aquifer Recharge permit from TCEQ as a mechanism for reducing pumping impacts to groundwater resources?
- Is the Permitted production part of a conjunctive use project that involves water supplies other than fresh groundwater with a TDS value less than 1,000 mg/L?
- Does the Permittee have a water conservation plan filed with the District?
 - If so, please summarize activities under that plan in the past 5 years or since the plan's inception.
- Projects of annual pumping rates for next 10 years
- Does the Permittee have a voluntary mitigation program approved by the District?

Modeling (Applications for wells with pumping rate ≥ 500 gpm (Rule 7.4.5)

- Prediction of pumping impacts on water levels over the next 30 years

Regulatory Compliance (Rule 7.4.4)

- Declaration that the permittee has complied with District rules, including reporting of monitoring data and water use reports.
- Evaluation of pumping on impact around property boundary
- Evaluation of unreasonable impacts (defined in Rule 16.4.6).