

PECAN VALLEY GROUNDWATER CONSERVATION DISTRICT
NOTICE OF HEARING ON DISTRICT MANAGEMENT PLAN
DECEMBER 14, 2023

NOTICE IS HEREBY GIVEN to all interested persons in DeWitt County, Texas:


That the Board of Directors of the Pecan Valley Groundwater Conservation District (“District”) will hold a public hearing to discuss, consider, receive public comments, and act upon adoption of amendments to the District’s Management Plan.

The hearing will be held on Thursday, December 14, 2023, at 10:00 a.m. at the District’s office located at 1009 N. Esplanade St., Cuero, Texas 77954. Comments on the Management Plan may be presented in written or verbal form at the hearing, and persons interested in submitting written comments in advance may do so by sending comments to the District at 1009 N. Esplanade St., Cuero, Texas 77954. Any person who desires to appear at the hearing and present comments may do so in person, by legal representative, or both. The hearing posted in this notice may be recessed from day to day or continued where appropriate. At the conclusion of this hearing or any time or date thereafter, the Management Plan may be adopted in the form presented or as amended based upon comments received from the public, Texas Water Development Board, District staff, consultants, or the Board of Directors without any additional notice or hearing.

A copy of the Management Plan is available by requesting a copy by email to director@pvgcd.org, by accessing the District’s website at www.pvgcd.org, or by reviewing or obtaining a copy of the Management Plan in person at 1009 N. Esplanade St., Cuero, Texas 77954. The District is committed to compliance with the Americans with Disabilities Act (ADA). Any person who needs special accommodations should contact District staff at (361) 275-8188 at least 24 hours in advance if accommodation is needed. Any person who wishes to receive more detailed information on this notice should contact District staff at (361) 275-8188.

END OF NOTICE

Notice issued on November 16, 2023 by:



Cindy Parma, General Manager
Pecan Valley Groundwater Conservation District

POSTED:
Pecan Valley Groundwater Conservation District Office
PVGCD website: www.pvgcd.org



GROUNDWATER MANAGEMENT PLAN

PECAN VALLEY

GROUNDWATER CONSERVATION DISTRICT

Adopted 10/22/2003

1st Revision 02/17/2009

2nd Revision 03/18/2014

3rd Revision 01/15/2019

4th Revision 12/14/23

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District Mission

The Pecan Valley Groundwater Conservation District (District) provides for the conservation, preservation, protection, recharging, and prevention of waste of the groundwater within the defined boundary of the district, through sound management strategies, while protecting private property rights.

The Pecan Valley Groundwater Conservation District will pursue this goal through the gathering of scientific data regarding the hydrological characteristics of the aquifers that underlie DeWitt County, and the adoption and enforcement of fair and appropriate rules governing well spacing and production and use of the groundwater, and through a monitoring program to manage groundwater withdrawal within the district to a sustainable yield of the aquifer.

Purpose of Management Plan

Senate Bill 1, enacted by the 75th Texas Legislature in 1997, and Senate Bill 2, enacted by the 77th Texas Legislature in 2001, established a comprehensive statewide water resource planning process and the actions necessary for groundwater conservation districts to manage and conserve the groundwater resources of the State of Texas. These bills required all groundwater conservation districts to develop a management plan which defines the groundwater needs and groundwater supplies within each district and the goals each district has set to achieve its mission.

In addition, the 79th Texas Legislature enacted House Bill 1763 in 2005 that requires joint planning among districts that are in the same groundwater management area. These districts must jointly agree upon and establish the desired future conditions of the aquifers within their respective groundwater management areas. Through this process, the districts will submit the desired future conditions to the Executive Administrator of the Texas Water Development Board, who, in turn, will provide each district within the groundwater management area with ~~estimates the amount~~ of modeled available groundwater ~~for within~~ each district. The modeled available groundwater will be based on the desired future conditions jointly established for each aquifer within the groundwater management area.

Technical information, such as the desired conditions of the aquifers within the jurisdiction of the district and the amount of modeled available groundwater from such aquifers is required by statute to be included in the management plan of the district and will guide the regulatory and management policies of the district. This management plan is intended to satisfy the requirements of Senate Bill 1, Senate Bill 2, House Bill 1763, the statutory requirements of Chapter 36 of the Texas Water Code, and the rules and requirements of the Texas Water Development Board.

DISTRICT INFORMATION

Creation

The district was created by House Bill 3231, 77th Texas Legislature. The citizens of DeWitt County ratified the district through a confirmation election held on November 6, 2001.

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Directors

The Pecan Valley Groundwater Conservation District Board of Directors consists of five members, elected by the voters of DeWitt County and serve a four-year term. The district recognizes the same four precincts as the DeWitt County Commissioners, along with an at-large position. The terms of the director positions are staggered on a two-year election interval in even numbered years.

Authority

The district has the rights and responsibilities provided in Texas Water Code, Chapter 36, and Texas Administrative Code, Title 31, Chapter 356.

Revenue/Fees

The district receives income from property taxes and fees imposed on production amounts of non-exempt permitted wells and application fees.

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CRITERIA FOR PLAN APPROVAL

Time Period of this Plan

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This Plan will become effective, after notice and hearing, and upon adoption by the PVGCD Board of Directors, and approval as administratively complete by the Texas Water Development Board. This plan will remain in effect until replaced by a revised plan approved by the Texas Water Development Board.

Notice and Hearing Related to Plan Adoption

Public notices documenting that this plan was considered and adopted following appropriate public hearings are included in Appendix D.

Coordination with Regional Surface Water Management Entities

Letters transmitting this plan to the surface water management entities of the DeWitt County region are included in Appendix E.

**Pecan Valley Groundwater Conservation District Board of Director
Resolution Adopting Management Plan**

A copy of the resolution approved by the Board of Directors of the Pecan Valley
Groundwater Conservation District adopting this plan is included in Appendix F.

ESTIMATES OF TECHNICAL INFORMATION REQUIRED BY THE TEXAS WATER CODE AND TEXAS ADMINISTRATIVE CODE

Estimate of modeled available groundwater in the district based on desired future conditions

Texas Water Code 36.001 defines modeled available groundwater as “the amount of water that the executive administrator determines may be produced on an average annual basis to achieve a desired future condition established under Section 36.108.”

The joint planning process set forth in Texas Water Code 36.108 must be collectively conducted by all groundwater conservation districts within the same groundwater management area. The district is a member of Groundwater Management Area 15.

Groundwater Management Area 15 completed the ~~third~~ ~~second~~-round of the joint planning process to determine the desired future condition of the aquifers within the groundwater management area.

District representatives adopted the desired future condition, by resolution, for the Gulf Coast Aquifer within Groundwater Management Area 15 on October 14, 2021. ~~April 29, 2016~~. The adopted desired future conditions were then forwarded to the Texas Water Development Board for development of the modeled available groundwater calculations.

~~The desired future condition for the entire area is stated as follows: “Drawdown of the Gulf Coast Aquifer System shall not exceed an average of 13 feet in December 2069 from estimated year 2000 conditions.” The resolution adopting the desired future condition for Groundwater Management Area 15 states the gma-specific DFC “for the counties in the groundwater management area shall not exceed an average drawdown of 13 feet for the Gulf Coast Aquifer System at December 2080.~~

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The resolution adopting the desired future condition for Groundwater Management Area 15 states the county-specific DFC for DeWitt County ~~is stated~~ as follows: “Drawdown of the Gulf Coast Aquifer System shall not exceed an average of 17 feet at December 2080.” ~~2069 from estimated 2000 conditions.~~

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The technical consultant of Groundwater Management Area 15 ~~submittal~~ submitted the adopted desired future conditions and explanatory report for Groundwater Management Area 15 on December 13, 2021, to Texas Water Development Board. The submitted package for the Groundwater Management Area 15 can be ~~found~~ accessed here:

https://www.twdb.texas.gov/groundwater/dfc/docs/2021/GMA15_DFCExpRep_2021.pdf?d=24664.79999999702

The Texas Water Development Board reported the modeled available groundwater for Groundwater Management Area 15 ~~based on the desired future condition~~ in GAM Run ~~21-020 16-025~~ MAG, which is incorporated into this management plan as Appendix C.

The modeled available groundwater, in acre-feet per year (AFY), of the Gulf Coast Aquifer within the district per Table 2 of the GAM Run 21-020 MAG specifies the following values for the district:

County	Year						
	2010 <u>2020</u>	2020 <u>2030</u>	2030 <u>2040</u>	2040 <u>2050</u>	2050 <u>2060</u>	2060 <u>2070</u>	2069 <u>2080</u>
DeWitt	15,471 <u>17,993</u>	15,476 <u>17,958</u>	15,476 <u>17,912</u>	14,485 <u>17,827</u>	14,485 <u>17,806</u>	14,485 <u>17,784</u>	14,485 <u>17,772</u>

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Estimate of amount of groundwater being used within the district on an annual basis

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The district recognizes the estimate of the amount of groundwater being used within the district on an annual basis, according to information provided by the Texas Water Development Board, totals 10,276 acre-feet in year 2019. Refer to Appendix A and the 2022 State Water Plan Datasets for additional information.

Estimate of annual amount of recharge from precipitation to the groundwater resources within the district

The district recognizes the estimate of the amount of water recharging the groundwater resources within the district from precipitation, according to information provided by the Texas Water Development Board, totals 9,832 acre-feet. Refer to Appendix B for additional information.

Estimate for each aquifer, annual volume of water that discharges from the aquifer to springs and any surface water bodies, including lakes, streams, and rivers

The district recognizes the estimate of the annual volume of water discharging from the aquifer to springs and any surface water bodies for each aquifer, including lakes, streams, and rivers within the district, according to information provided by the Texas Water Development Board, totals 9,967 acre-feet. Refer to Appendix B for additional information.

Estimate of annual volume of flow into and out of the district within each aquifer, and between aquifers in the district

The district recognizes the estimate of the annual volume of groundwater flowing into the district within each aquifer, according to information provided by the Texas Water Development Board, totals 2,200 acre-feet. The district recognizes the estimate of the annual volume of groundwater flowing out of the district within each aquifer, according to information provided by the Texas Water Development Board, totals 10,652 acre-feet. The district recognizes the estimate of the net annual volume of groundwater flowing between aquifers in the district, according to information provided by the Texas Water Development Board, totals 889 acre-feet. Refer to Appendix B for additional information.

Estimate of projected surface water supply within the district according to the most recently adopted state water plan

The district recognizes the sum of projected surface water supplies, according to information provided by the Texas Water Development Board, is 1,014 acre-feet for year 2030 and 1,010 acre-feet for year 2070. Refer to Appendix A and the 2022 State Water Plan Datasets for additional information.

Estimate of projected total demand for water within the district according to the most recently adopted state water plan

The district recognizes the sum of projected water demands, according to the Texas Water Development Board, is 9,973 acre-feet for year 2030 and 7,358 acre-feet for year 2070. Refer to Appendix A and the 2022 State Water Plan Datasets for additional information.

CONSIDER THE WATER SUPPLY NEEDS AND WATER MANAGEMENT STRATEGIES INCLUDED IN THE ADOPTED STATE WATER PLAN

The district recognizes the sum of projected water supply needs within the district, according to information provided by the Texas Water Development Board, is 1,935 acre-feet in 2030 and decreases to 0 acre-feet in 2070.

The district recognizes the Municipal Water Conservation Strategy and the Local Gulf Coast Aquifer Development are projected to supply 2,501 acre-feet of water in the district in 2030 and 3,091 acre-feet of water in the district in 2070.

The 2017 State Water Plan identifies water supply needs for DeWitt County for the Gonzales County WSC, irrigation and mining water user groups. The sum of projected water supply needs is 118 acre-feet in year 2020 and decreases to 2 acre-feet in year 2070.

~~The 2017 State Water Plan identifies water management strategies for DeWitt County as the development of the Carrizo-Wilcox Aquifer for Gonzales County WSC and the development of mining supply from the Gulf Coast Aquifer.~~

The district has implemented well spacing, production limits and historic use protections within the rules of the district and utilizes these regulations to evaluate permitting requests. Refer to Appendix A and the 2022 State Water Plan Datasets for additional information.

DETAILS ON THE DISTRICT MANAGEMENT OF GROUNDWATER

District Authority and Management Rules and Policies

The Texas Legislature has determined that GCDs, such as the Pecan Valley Groundwater Conservation District, are the state's preferred method of groundwater management. The Texas Legislature codified its groundwater management policy decision in Section 36.0015 of the Texas Water Code, which provides that GCDs will manage groundwater resources through rules developed and implemented in accordance with Chapter 36 of the Texas Water Code. Chapter 36 establishes directives for GCDs and the statutory authority to carry out such directives to enable GCDs to have the proper tools to protect and preserve the groundwater resources within their boundaries. The district will give strong consideration to the economic and cultural activities which occur within the district and which rely upon the continued use of groundwater.

The district will use the regulatory tools it has been given by Chapter 36 to properly address the groundwater issues within DeWitt County, such as groundwater quality and groundwater supply. The district believes that the prevention of contamination of its groundwater resources through abandoned and deteriorated water wells is important. Wells that have been abandoned or not properly maintained provide direct conduits or pathways that allow contamination from the surface to quickly reach the groundwater resources of the district. To address the threats to the water quality of its groundwater resources, the district requires, through its rules, that all abandoned, deteriorated, or replaced wells be plugged in compliance with the Water Well Drillers and Pump Installers Rules of the Texas Department of Licensing and Regulation. The district will also place a priority on the capping of water wells that the well owner plans to use at a later date in order to eliminate waste, prevent pollution, and stop future deterioration of the well casing.

The district has established a monitoring well network to monitor the changing storage conditions of the groundwater supplies within the district. The district will make a regular assessment of water supply and groundwater storage conditions and has reported and will continue to report those conditions to the District Board of Directors and to the public. The district has also worked and will continue to work with any local governmental entities or agencies of the State of Texas on any well monitoring efforts or well investigations which are conducted.

The district is using the regulatory tools granted to GCDs by Chapter 36 to preserve and protect the existing and historic users of groundwater within the district. The Texas Legislature empowered the district to protect existing users of groundwater, which are those individuals or entities currently invested in and using groundwater or the groundwater resources within the district for a beneficial purpose, and preserve historic use by historic users, which are those individuals or entities who used groundwater beneficially in the past. The district strives to protect and preserve such use to the extent practicable under the goals

and objectives of this management plan. In accordance with Section 36.116 of the Texas Water Code, the district is also protecting historic use through district rules on spacing of wells and production limits on groundwater to the extent practicable consistent with this management plan.

In order to better manage the groundwater resources of DeWitt County during times of high demand or within areas of high demand, the district may establish Critical Groundwater Depletion Areas and adopt different rules for those areas. The district may also adopt different rules for each subdivision of an aquifer or geologic strata located in whole or in part within the boundaries of the district or each geographic area overlying a subdivision of an aquifer located in whole or in part within the boundaries of the district. The district has adopted rules to regulate groundwater withdrawals by means of spacing and/or production limits. The relevant factors to be considered in making a determination to grant or deny a permit or limit groundwater withdrawals shall include those set forth in the Chapter 36 of the Texas Water Code, and the rules of the district.

ACTIONS, PROCEDURES, PERFORMANCE AND AVOIDANCE FOR PLAN IMPLEMENTATION

The district will use the management plan to guide the district in its efforts to preserve and protect the groundwater resources of DeWitt County. Operations of the district, agreements entered into by the district and planning efforts in which the district may participate will be consistent with the provisions of this plan.

A copy of the Rules of Pecan Valley Groundwater Conservation District may be found at www.pvgcd.org. 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 the TWC Chapter 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 shall treat all citizens with equality. Citizens may apply to the district for discretion in enforcement of the rules on grounds of adverse economic effect or unique local conditions. In granting of discretion to any rule, the Board shall consider the potential for adverse effect on adjacent landowners. The exercise of said discretion by the Board shall not be construed as limiting the power of the Board.

The district may amend the district rules as necessary to comply with changes to Chapter 36 of the Texas Water Code and to insure the best management practices of the groundwater in the district. The implementation of the rules of the district will be based on the best available scientific and technical data, and on fair and reasonable evaluation.

The district is committed to work and plan with other groundwater conservation districts in Groundwater Management Area 15. The district will use the management plan as part of its cooperation efforts with the neighboring groundwater conservation districts. The district will manage the supply of groundwater within the district based on desired future conditions and modeled available groundwater resulting from the Groundwater Management Area 15 cooperative planning process, exempt and non-exempt wells and groundwater demands, and the district's best available data.

The district has encouraged and will continue to encourage public cooperation in the implementation of the management plan for the district.

METHODOLOGY TO TRACK DISTRICT PROGRESS IN ACHIEVING MANAGEMENT GOALS

The General Manager of the district will prepare and present an annual report to the Board of Directors evaluating the impact of the district's activities on its goals, management objectives, and performance standards. The annual report will be presented within ~~420~~ 180 days following the completion of the district's fiscal year.

MANAGEMENT GOALS, OBJECTIVES AND PERFORMANCE STANDARDS

A. Providing the Most Efficient Use of Groundwater

Objective: Develop and maintain a Water Well Registration Program for tracking well information for wells within the district's boundaries.

Performance Standard: Each year, the district will summarize within the annual report, the changes related to water well registration, including the number of new and existing wells registered.

Objective: Develop and maintain a Water Well Permitting Program for tracking all permits authorizing water well operation and groundwater production.

Performance Standard: Each year, the district will summarize within the annual report, the changes related to water well permitting, including the number of new applications and the disposition of the applications.

B. Controlling and Preventing Waste of Groundwater

Objective: Initiate a program to identify the location of abandoned wells that will include a survey of landowners, well drillers, and the Texas Railroad Commission regarding any known abandoned wells, and initiate actions as necessary to enforce the notice, plugging and other requirements of Section 1901.255, Occupations Code.

Performance Standard: Include in the annual report the number of water well inspections resulting from these activities.

C. Controlling and Preventing Subsidence

This goal is not applicable to the Pecan Valley Groundwater Conservation District at this time because no significant subsidence has occurred in DeWitt County. The district will continue to monitor conditions for evidence of subsidence, and take appropriate action should significant subsidence develop.

The district reviewed the technical report titled [Final Report: Identification of the Vulnerability of the Major and Minor Aquifers of Texas to Subsidence with Regard to Groundwater Pumping](#); TWDB Contract Number 1648302062. The report, in Section 4.2.4, characterizes all portions of DeWitt County as medium or higher risk of subsidence. This report represents the best available science on the matter of subsidence in Texas.

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D. Addressing Conjunctive Surface Water Management Issues

Objective: Participate in the regional water planning process by attending at least ~~two~~ one South Central Texas Regional Water Planning Group (Region L) meetings ~~held during the fiscal year.~~

Performance Standard: ~~Report annually to the Board~~ Summarize within annual report the ~~attendees,~~ dates and the number of meetings attended by representatives of the district during the preceding fiscal year.

E. Addressing Natural Resource Issues that Impact the Use and Availability of Groundwater and which are Impacted by the Use of Groundwater

Objective: Develop and maintain a Water Quality Monitoring Program.

Performance Standard: Each year, the district will summarize within the annual report the monitoring activities including 1) the number of wells monitored and ~~the year to year change of water quality~~ 2) the water quality measurements collected during the preceding fiscal year.

F. Addressing Drought Conditions

Objective: Collect and review drought condition information related to DeWitt County and the surrounding region of Texas ~~on a monthly basis, from the following website at least four meetings of the Board of Directors during the fiscal year;~~ <https://www.waterdatafortexas.org/drought/>.

Performance Standard: ~~Each year~~ The District will summarize within the annual report the ~~monthly drought information, including U.S. Drought Monitor; additionally~~ the number of weeks and/or months that the District experienced drought based on the U.S. Drought Monitor and the number of instances drought information was considered by the Board of Directors during the preceding fiscal year. ~~will be reported in the annual report.~~

G. Addressing Conservation, Recharge Enhancement, Rainwater Harvesting, Precipitation Enhancement, and or Brush Control where appropriate and cost effective

Objective: Promote conservation, rainwater harvesting ~~and or~~ brush control within DeWitt County at least once during the fiscal year.

Performance Standard: The district will summarize within the annual report number of instances the district promoted conservation, rainwater harvesting or brush control during the preceding fiscal year. ~~the activities related to conservation, rainwater harvesting and brush control, including the number of~~

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~~educational materials developed and/or delivered to local schools, the number of public speaking events and presentations, the number of community events participated in, and the number of educational publications.~~

Goals related to Recharge Enhancement and Precipitation Enhancement are deemed to be not appropriate or cost-effective programs for the district at this time because there are no existing programs in nearby counties in which the district could participate and share costs.

H. Addressing the Desired Future Conditions

Objective: The district will monitor water levels of at least twelve (12) water wells within the district per year. ~~and evaluate whether the average change in water levels is in conformance with the desired future conditions adopted by the district. The district will estimate the total annual groundwater production for each aquifer based on water use reports, estimated exempt use and other relevant information and compare these production estimates to the modeled available groundwater report.~~

Performance Standard: Each year the district will summarize within the annual report the monitoring activities, including 1) the number of wells monitored; 2) the water level measurements collected during the preceding fiscal year; and 3) report the average annual change of water levels ~~and compare them to evaluate achievement of~~ the district's adopted desired future conditions. ~~The district will also record the estimated annual production from each aquifer and compare these amounts to the modeled available groundwater report. These production amounts will also be reported in the annual report.~~

List of Appendices

| **Appendix A** - Estimated Historical Water Use and ~~2012~~ 2022 State Water Plan Datasets provided by Texas Water Development Board

| **Appendix B** – Groundwater Availability Model Run ~~12-024~~ 18-011 provided by Texas Water Development Board

| **Appendix C** – Groundwater Availability Model Run GAM 21-020 ~~10-028~~ MAG

Appendix D – Public Notices Regarding Hearing Related to Plan Adoption

Appendix E – Letters Coordinating with Regional Surface Water Management Entities

Appendix F – Pecan Valley Groundwater Conservation District Board of Director Resolution Adopting Revised Management Plan

Appendix G – Minutes of Pecan Valley Groundwater Conservation District Board of Directors Meetings related to the public hearing for and adoption of the Management Plan

Appendix H – Pecan Valley Groundwater Conservation District contact information