RESOLUTION #22-007

RESOLUTION FOR THE ADOPTION OF THE DESIRED FUTURE CONDITION FOR THE GULF COAST AQUIFER THAT APPLIES TO THE LONE STAR GROUNDWATER CONSERVATION DISTRICT

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

WHEREAS, the Lone Star Groundwater Conservation District ("Lone Star") was created by the Legislature of the State of Texas by the Act of May 17, 2001, 77th Leg., R.S., ch. 1321, 2001 Tex. Gen. Laws 3246, as amended (the "Enabling Act"), as a groundwater conservation district operating under Chapter 36, Texas Water Code, and the Enabling Act; and

WHEREAS, pursuant to § 35.151 of the Texas Water Code, the Texas Water Development Board ("TWDB") has designated groundwater management areas that, together, cover all major and minor aquifers in the state, and, through Title 31 Texas Administrative Code §356.21, the TWDB has designated the area encompassing all of Austin, Brazoria, Chambers, Fort Bend, Galveston, Grimes, Hardin, Harris, Jasper, Jefferson, Liberty, Montgomery, Newton, Orange, Polk, San Jacinto, Tyler, Walker, Waller, and Washington counties as Groundwater Management Area No. 14 ("GMA 14"); and

WHEREAS, Lone Star and four other groundwater conservation districts, Bluebonnet Groundwater Conservation District, Brazoria Groundwater Conservation District, Lower Trinity Groundwater Conservation District, and Southeast Texas Groundwater Conservation District, (collectively referred to herein as the "Districts") are located wholly or partially within GMA 14; and

WHEREAS, the Districts are authorized by Chapter 36, Texas Water Code, to engage in joint planning activities for the coordinated management of the aquifers located in GMA 14, and are required to establish desired future conditions ("DFC(s)") for the relevant aquifers within GMA 14; and

WHEREAS, Section 36.108 of the Texas Water Code requires representatives from the Districts to hold joint planning meetings for the consideration of DFC options, the proposal of DFCs for adoption, and after the contemplation of comments and suggested revisions provided by the public and Districts, the adoption of DFCs for each relevant aquifer in GMA 14 and the submission of an explanatory report to the TWDB; and

WHEREAS, the District representatives for GMA 14 have engaged in joint planning activities and developed DFCs, and on January 5, 2022, the District representatives for GMA 14 took final action to adopt DFCs for the relevant aquifers in GMA 14 by resolution and then submitted the Desired Future Conditions Explanatory Report to the TWDB as required by Section 36.108(d-3) of the Texas Water Code; and

WHEREAS, the DFCs adopted by the District representatives of GMA 14 are described in terms of no less than 70 percent median available drawdown remaining in 2080 or no more than an average of 1.0 additional foot of subsidence between 2009 and 2080; and

WHEREAS, Section 36.108(d-4) of the Texas Water Code states "after a district receives notification from the Texas Water Development Board that the desired future conditions resolution and explanatory report

under Subsection (d-3) are administratively complete, the district shall adopt the applicable desired future conditions in the resolution and report"; and

WHEREAS, Lone Star received a letter notifying Lone Star that the Executive Administrator of the TWDB has determined that the DFC resolution and explanatory report are administratively complete, and therefore Lone Star may proceed with the adoption of the DFC that applies to Lone Star in compliance with Section 36.108(d-4) of the Texas Water Code; and

WHEREAS, for the reasons set forth in Lone Star's Summary Report for Public Comments Received and Position Paper submitted to the Districts in GMA 14, the Lone Star Board finds that the DFC of no less than 70 percent median available drawdown remaining in 2080 is reasonable and necessary for the effective and prudent management of groundwater resources within Montgomery County; and

WHEREAS, the Lone Star Board also finds that all notice requirements for a meeting, held this day, to take up and consider the adoption of the DFC described herein that applies to Lone Star have been, and are, satisfied;

NOW, THEREFORE, be it resolved by the Board of Directors of the Lone Star Groundwater Conservation District that the following DFC is hereby established for the Gulf Coast Aquifer as the DFC that applies to Lone Star:

No less than 70 percent median available drawdown remaining in 2080.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 13th day of September, 2022.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
James Spigener, Board President

ATTEST:

_____
Larry Rogers, Secretary