

RESOLUTION TO ADOPT DESIRED FUTURE CONDITIONS
FOR RELEVANT AQUIFERS IN GROUNDWATER MANAGEMENT AREA 8

THE STATE OF TEXAS	§
	§
GROUNDWATER MANAGEMENT AREA 8	§
	§
GROUNDWATER CONSERVATION DISTRICTS	§

WHEREAS, Section 36.108 of the Texas Water Code requires groundwater conservation districts located entirely or partially within a groundwater management area (“GMA”) designated by the Texas Water Development Board (“TWDB”) to adopt desired future conditions (“DFCs”) for the relevant aquifers located within the management area;

WHEREAS, the groundwater conservation districts located entirely or partially within Groundwater Management Area 8 (“GMA 8”) as of the date of this resolution are as follows: Central Texas Groundwater Conservation District, Clearwater Underground Water Conservation District, Middle Trinity Groundwater Conservation District, North Texas Groundwater Conservation District, Northern Trinity Groundwater Conservation District, Post Oak Savannah Groundwater Conservation District, Prairielands Groundwater Conservation District, Red River Groundwater Conservation District, Saratoga Underground Water Conservation District, Southern Trinity Groundwater Conservation District, and Upper Trinity Groundwater Conservation District (collectively referenced hereinafter as “the GMA 8 Districts”);

WHEREAS, the GMA 8 Districts are each governmental agencies and bodies politic and corporate operating pursuant to Chapter 36 of the Texas Water Code and their specific enabling statutes;

WHEREAS, the GMA 8 Districts each desire to fulfill the requirements of Section 36.108 of the Texas Water Code through mutual cooperation and joint planning efforts;

WHEREAS, Section 36.108(d-3) of the Texas Water Code requires the GMA 8 Districts to approve a resolution adopted by a two-thirds (2/3) vote of all the district representatives not later than January 5, 2022, and every five years thereafter;

WHEREAS, the GMA 8 Districts secured hydrogeologic and engineering consulting services to provide technical support in their efforts to establish requisite DFCs;

WHEREAS, the representatives of the GMA 8 Districts held meetings on July 26, 2019, November 22, 2019, February 26, 2020, May 15, 2020, August 7, 2020, October 27, 2020, and November 4, 2021, in order to comply with their statutory duty and to publicly consider the factors and criteria required for proposing DFCs for adoption under Section 36.108 of the Texas Water Code;

WHEREAS, in developing proposed DFCs for the relevant aquifers in GMA 8, the GMA 8 Districts utilized the best available scientific and hydrogeological data;

WHEREAS, the GMA 8 Districts conducted multiple model runs using the TWDB approved aquifer Groundwater Availability Models (“GAMs”) to provide insight to the impacts of pumping and to help establish proposed DFCs;

WHEREAS, the GMA 8 Districts considered all of the nine (9) statutory factors set forth in Section 36.108(d) of the Texas Water Code before voting to propose the DFCs for the relevant aquifers in GMA 8, including:

- 1) aquifer uses or conditions within the management area, including conditions that differ substantially from one geographic area to another;
- 2) the water supply needs and water management strategies included in the state water plan;
- 3) hydrological conditions, including for each aquifer in the management area the total estimated recoverable storage as provided by the TWDB executive administrator, and the average annual recharge, inflows, and discharge;
- 4) other environmental impacts, including impacts on spring flow and other interactions between groundwater and surface water;
- 5) the impact on subsidence;
- 6) socioeconomic impacts reasonably expected to occur;
- 7) the impact on the interests and rights in private property, including ownership and the rights of management area landowners and their lessees and assigns in groundwater as recognized under Section 36.002 of the Texas Water Code;
- 8) the feasibility of achieving the desired future condition; and
- 9) any other information relevant to the specific desired future conditions;

WHEREAS, pursuant to Section 36.108(d-2) of the Texas Water Code, the GMA 8 Districts also considered the balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence in the management area;

WHEREAS, after consideration of multiple GAM runs and other data and information relevant to the development of DFCs as required by Section 36.108 of the Texas Water Code, the representatives of the GMA 8 Districts voted to approve proposed DFCs for the relevant aquifers in GMA 8 on October 27, 2020, at a publicly held meeting;

WHEREAS, the proposed DFCs approved by the representatives of the GMA 8 Districts were distributed by mail to each GMA 8 District, initiating a 90-day public comment period by which each GMA 8 District held a public hearing on the proposed DFCs relevant to that district pursuant to Section 36.108(d-2) of the Texas Water Code;

WHEREAS, each GMA 8 District compiled a written summary report inclusive of relevant comments received on the proposed DFCs, any suggested revisions to the proposed DFCs, and the basis for any such revisions;

WHEREAS, the GMA 8 Districts' summary reports were submitted to the GMA 8 Administrator District for review and consideration by GMA 8;

WHEREAS, in compliance with Section 36.108(d-3) of the Texas Water Code, the representatives of the GMA 8 Districts reconvened and held a public meeting to review the reports submitted by the GMA 8 Districts and consider any suggested revisions to the proposed DFCs;

WHEREAS, there were no substantive revisions to the proposed DFCs adopted on October 27, 2020 submitted by any of the GMA 8 Districts;

WHEREAS, in order to finally adopt the DFCs, as required by Section 36.108(d-3) of the Texas Water Code, the representatives of the GMA 8 Districts convened for a meeting, which was duly noticed and open to the public, this day, November 4, 2021, at 10:00 a.m. at the Prairielands Groundwater Conservation District Office, to take up and consider the adoption of the DFCs for all relevant aquifers within GMA 8;

WHEREAS, of the eleven (11) GMA 8 Districts, the meeting this day was attended by duly appointed voting representatives from the following districts (as indicated):

- ☐ Central Texas Groundwater Conservation District
- ☐ Clearwater Underground Water Conservation District
- ☐ Middle Trinity Groundwater Conservation District
- ☐ North Texas Groundwater Conservation District
- ☐ Northern Trinity Groundwater Conservation District
- ☐ Post Oak Savannah Groundwater Conservation District
- ☐ Prairielands Groundwater Conservation District
- ☐ Red River Groundwater Conservation District
- ☐ Saratoga Underground Water Conservation District
- ☐ Southern Trinity Groundwater Conservation District
- ☐ Upper Trinity Groundwater Conservation District;

WHEREAS, the representatives of the GMA 8 Districts have adopted administrative procedures for the consideration, proposal, and adoption of DFCs, and the representatives of the GMA 8 Districts find that the DFCs set forth in this resolution were considered, proposed, and adopted in compliance with the requirements of those administrative procedures in all respects;

WHEREAS, the GMA 8 Districts find that the notice and meeting requirements to review, consider, and adopt DFCs for all relevant aquifers within GMA 8 have been and are satisfied, with a true and correct copy of each of the notices required under Section 36.108(e) of the Texas Water Code attached hereto in Attachment A and incorporated herein for all purposes;

WHEREAS, the GMA 8 Districts have documented in the explanatory report required under Section 36.108(d-3) of the Texas Water Code all consideration of the factors and criteria required for adopting DFCs under Section 36.108 of the Texas Water Code; and

WHEREAS, the GMA 8 Districts find that the adoption of the DFCs provided herein are in each instance merited and necessary to support the management of groundwater resources within the boundaries of the GMA 8 Districts in a manner consistent with the requirements of Chapter 36, Water Code.

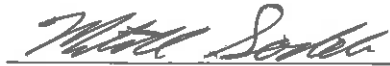
NOW, THEREFORE, BE IT RESOLVED BY THE REPRESENTATIVES OF THE GROUNDWATER CONSERVATION DISTRICTS WITHIN GROUNDWATER MANAGEMENT AREA 8:

1. Each of the affirmations and recitals set forth above are true and correct and fully incorporated into this resolution.
2. No less than two-thirds (2/3) of the authorized voting representatives of the GMA 8 Districts hereby adopt the DFCs for the relevant aquifers within GMA 8 as those set forth in Attachment B to this resolution, which is fully incorporated herein. For purposes of all calculations related to the adopted DFCs that are conducted by the TWDB, the GMA 8 Districts assume the model results are consistent with the proposed DFCs if the average drawdowns calculated by the TWDB are within five percent (5%) or five feet (5'), whichever is larger, of the proposed DFC drawdown values.
3. The GMA 8 Districts and their agents and representatives, individually and collectively, are further authorized to take any and all actions necessary to implement this resolution, including but not limited to the additional actions required for adoption of the DFCs in accordance with Section 36.108 of the Texas Water Code.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 4th day of November, 2021.

ATTEST:



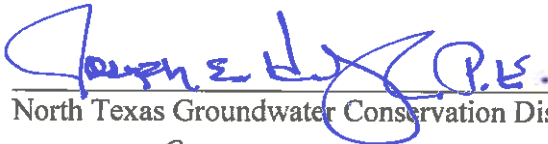
Central Texas Groundwater Conservation District



Clearwater Underground Water Conservation District



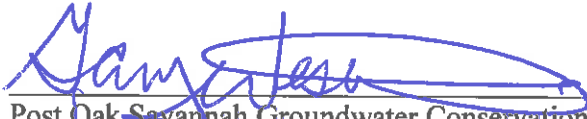
Middle Trinity Groundwater Conservation District



North Texas Groundwater Conservation District



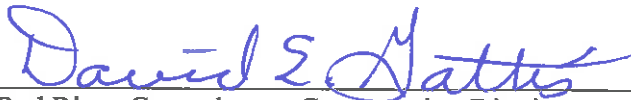
Northern Trinity Groundwater Conservation District



Post Oak-Savannah Groundwater Conservation District



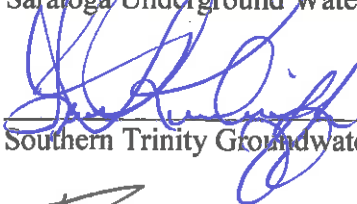
Prairielands Groundwater Conservation District



Red River Groundwater Conservation District



Saratoga Underground Water Conservation District



Southern Trinity Groundwater Conservation District



Upper Trinity Groundwater Conservation District