

# Water Politics in Texas

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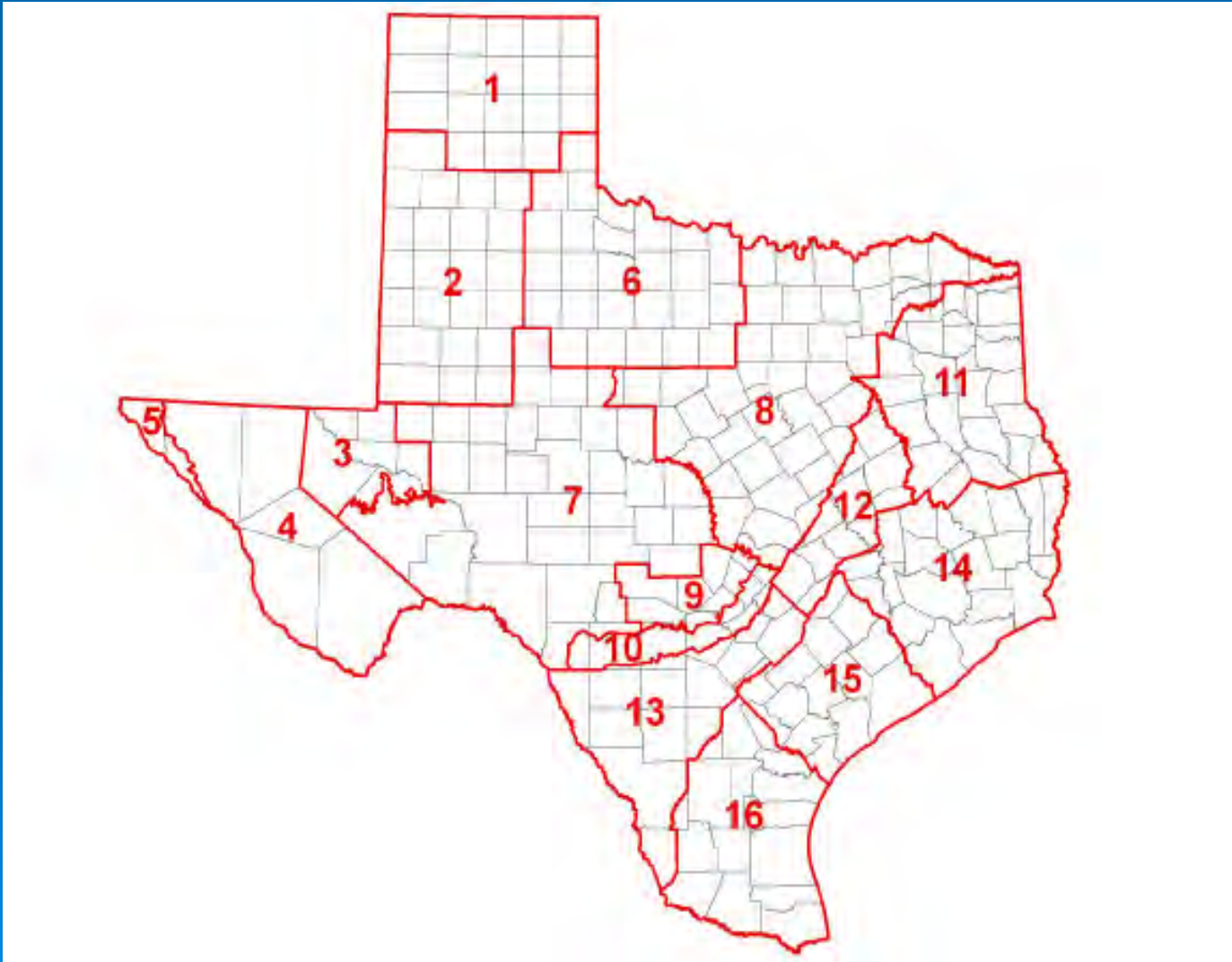
# Water is a Local Issue

- Groundwater Laws
  - Surface Water Laws
  - Water Conservation BMPs
  - Priority of Water Users - Electricity
  - Water Availability
  - Water Quality
  - Cost Structure
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# Groundwater in Texas

- The Texas Water Development Board (TWDB) has delineated 16 Groundwater Management Areas (GMA).

# Groundwater Management Areas



# Groundwater in Texas

- The Texas Water Development Board (TWDB) has delineated 16 Groundwater Management Areas (GMA).
- 30 Aquifers – 9 Major and 21 Minor
  - Produce 59% of the total water (in 2003)
  - 79% of the groundwater was used for irrigation
  - 82% of all groundwater came from one aquifer (Ogallala).
- These 16 GMAs are then subdivided into 99 Groundwater Conservation Districts (GCDs) – which is the state's preferred method of managing groundwater.



Confirmed Groundwater Conservation Districts

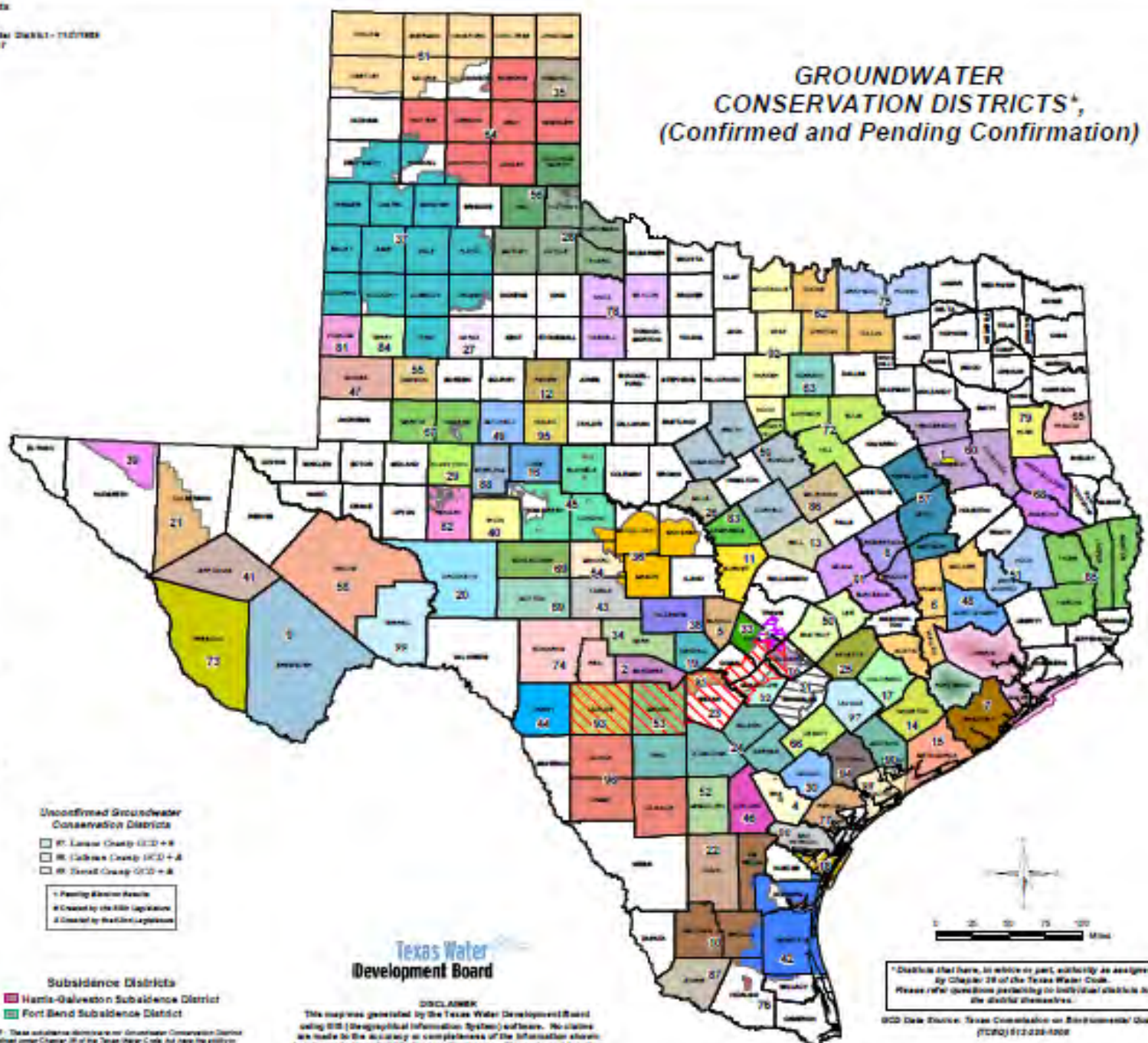
1. Anderson County UWCD - 09/17/1987
2. Badland County River Authority & Ground Water District - 11/27/1988
3. Barlow Springs-Balchou Aquifer CD - 07/1/1987
4. Bee GCD - 10/22/2001
5. Blanco-Pedernales GCD - 10/22/2001
6. Burleson GCD - 11/6/2002
7. Brazoria County GCD - 11/6/2002
8. Brazos Valley GCD - 11/6/2002
9. Brewster County GCD - 11/6/2001
10. Brooks County GCD - 11/6/2002
11. Central Texas GCD - 09/22/2000
12. Childress GCD - 11/6/2002
13. Clearwater UWCD - 03/17/1989
14. Coastal Bend GCD - 11/6/2001
15. Coastal Plains GCD - 11/6/2001
16. Coke County UWCD - 11/4/1988
17. Colorado County GCD - 11/6/2001
18. Corpus Christi AAWCD - 01/11/2004
19. Cow Creek GCD - 11/6/2002
20. Crockett County GCD - 10/21/1991
21. Culberson County GCD - 02/19/99
22. Darral County GCD - 11/20/2000
23. Edwards Aquifer Authority - 10/8/1998
24. Ector GCD - 03/01/1988
25. Fayette County GCD - 11/6/2001
26. Fox Crossing Water District - 04/19/99
27. Garza County UWCD - 11/6/1998
28. Garfield GCD - 02/23/2002
29. Glasscock GCD - 02/27/1981
30. Goliad County GCD - 11/6/2001
31. Gonzalez County UWCD - 11/21/1994
32. Grady County GCD - 11/14/1998
33. Hays Trinity GCD - 03/20/02
34. Headwaters GCD - 11/6/1991
35. Hemphill County UWCD - 11/6/1997
36. Hill County UWCD No. 1 - 01/4/1982
37. Hill County UWCD No. 2 - 03/19/91
38. Hill County UWCD - 03/19/91
39. Hockley County UWCD No. 1 - 10/1/1987
40. Hunt County GCD - 02/19/88
41. Jeff Davis County UWCD - 11/21/1992
42. Kennedy County GCD - 11/21/2004
43. Kinney County GCD - 03/20/02
44. Kinney County GCD - 11/21/2002
45. Lipscomb GCD - 11/6/1997
46. Live Oak UWCD - 11/21/1998
47. Llano Estacado UWCD - 11/21/1998
48. Lona Lona GCD - 11/6/2001
49. Lona Lona GCD - 2/22/02
50. Lost Pines GCD - 11/6/2002
51. Lott County GCD - 11/21/1998
52. McCulloch GCD - 11/6/2001
53. Medina County GCD - 02/19/1991
54. Menard County UWCD - 01/4/1982
55. Mesa UWCD - 10/21/1991
56. Mexia GCD - 11/6/1998
57. Mid-Band Texas GCD - 11/6/2002
58. Middle Pecan GCD - 11/6/2002
59. Middle Trinity GCD - 04/02/02
60. Naches & Trinity Valleys GCD - 11/6/2001
61. Navejo GCD - 10/19/88
62. Navejo Texas GCD - 01/12/2004
63. Navarro Trinity GCD - 01/12/2004
64. Neches GCD - 02/17/1988
65. Panola County GCD - 11/6/2001
66. Pecan Valley GCD - 11/6/2001
67. Permian Basin UWCD - 02/19/1988
68. Pecos Valley GCD - 11/6/2001
69. Pecos Valley GCD - 11/6/2001
70. Pecos Valley GCD - 11/6/2001
71. Post Oak-Sanantonio GCD - 11/6/2002
72. Pottsville GCD - 01/22/00
73. Prentiss County UWCD - 02/17/1988
74. Real-Seminola C and R Dist. - 02/19/88
75. Red River GCD - 01/22/00
76. Red River GCD - 11/6/2002
77. Refugee GCD - 11/6/2001
78. Rolling Plains GCD - 10/17/1998
79. Rock County GCD - 03/20/04
80. San Patricio County GCD - 01/22/00
81. Sandy Land UWCD - 11/21/1998
82. Santa Rita UWCD - 01/21/1988
83. Santiago UWCD - 10/17/1988
84. South Plains UWCD - 08/19/82
85. Southeast Texas GCD - 11/23/2004
86. Southern Trinity GCD - 01/22/00
87. Starr County GCD - 10/21/87
88. Sterling County UWCD - 10/17/1987
89. Sutton County UWCD - 04/19/88
90. Tarrant GCD - 11/6/2001
91. Trinity Star Line GCD - 11/23/2002
92. Upper Trinity GCD - 11/6/2001
93. Uvalde County UWCD - 01/18/82
94. Victoria County GCD - 03/20/02
95. West-Tex GCD - 11/6/2002
96. Winkler GCD - 11/21/1998

- Unconfirmed Groundwater Conservation Districts
- 87. Lamar County GCD - A
  - 88. Calhoun County GCD - A
  - 89. DeWitt County GCD - A
1. Pending Election Results  
 A Created by the State Legislature  
 B Created by the Local Legislature

- Subsidence Districts
- Harris-Galveston Subsidence District
  - Fort Bend Subsidence District

UWCD - These subsidence districts are Groundwater Conservation Districts as defined under Chapter 20 of the Texas Water Code. For more information regarding groundwater protection in general and subsidence (Public Law 93-107) please see the legislative history.

# GROUNDWATER CONSERVATION DISTRICTS\*, (Confirmed and Pending Confirmation)



**Texas Water Development Board**

**DISCLAIMER**  
 This map was generated by the Texas Water Development Board using GIS (Geographical Information System) software. We warrant only to the accuracy of the information shown herein and to the authority for the particular use. The scale and location of all mapped data are approximate.

\* Districts that have, in whole or part, authority as assigned by Chapter 20 of the Texas Water Code. Please refer questions pertaining to individual districts to the district themselves.

GCD Data Source: Texas Commission on Environmental Quality (TCEQ) 01-228-1008

Map updated August 2012

# 6 Regional GCD Alliances

- When GCDs overlay common aquifers
- Why?
  - To Manage the larger aquifers on a more regional basis
  - To share staff and resources
- These regional alliances are the first step that has resulted in some consistency between GCDs.

# Purpose of GMAs and GCDs

- Conservation
- Preservation
- Protection
- Aquifer Recharge
- Prevention of Waste from Groundwater Reservoirs
- Control Subsidence



# Primary Authorities of GCDs

- To permit water wells and determine the rules governing:
  - Spacing
  - Drilling
  - Equipping
  - Completion or Alteration
- To develop a comprehensive water management plan
- To adopt the necessary rules to implement that management plan

# Lack of Uniformity

- Water is considered a local issue so there is little consistency required from one GCD to another.
- Many GCDs are determining water use categories and corresponding water rates – often without any customer input.
- It could help if there was a consistent set of rules for the GMAs & GCDs to operate.

# SB 332 – 2011 Texas Legislature

- Recognizes that a landowner owns the groundwater below the surface as real property.
- Entitles the landowner to drill for and to produce groundwater.
- Does not provide the right to capture a specific amount of groundwater.
- Confirms a District's ability to limit or prohibit drilling based on spacing or tract size and regulate the production
- Adds other considerations in adopting GCD rules:
  - Public interest in conservation & protection
  - Controlling subsidence

# Edwards Aquifer Authority v. Day/McDaniel

- Case ruling recognizes and upholds the passage of SB 332
- Confirms ownership does not preclude the regulation of groundwater for conservation purposes, even if it is private property.
- However, a landowner's **existing** interest in groundwater cannot be **taken** for public use without **adequate** compensation.
- So, where does “Regulation” constitute a “Taking”?

# Surface Water in Texas

- All surface water is owned by the State.
- Groundwater becomes surface water when it enters a natural channel or waterway.
  - If it is pumped directly from a groundwater well into a holding pond, it remains groundwater.
  - If it is piped from the groundwater well to a holding pond, it is still groundwater.
  - If it is transported from the groundwater well to a holding pond through an unlined surface stream or natural waterway, it is now surface water and is owned by the State.



# Lower Colorado River Authority (LCRA)

- LCRA is responsible for managing all the water resources of the Lower Colorado River basin (from the upper end of the Highland Lakes drainage basin to Matagorda Bay).
- Operates from a TCEQ (Texas Commission on Environmental Quality) approved Water Management Plan.
- Manage all water use contracts in the basin.
- Develop water conservation strategies and programs.
- Manage Drought Contingency Plans and Pro-Rata Curtailment during droughts.

# LCRA - WMP

- TCEQ requires the Water Management Plan to be updated a minimum of every 10 years.
- The WMP determines how the stored water in Lakes Buchanan and Travis are managed for all stakeholders.
- Identifies lake storage triggers that initiate the Drought Contingency Plans and Pro Rata Curtailment in order to survive a drought as severe as the Drought of Record (1950s).

# Other LCRA Initiatives

- Water Conservation Strategies
- All water customers must have both:
  - A Drought Contingency Plan
  - A Pro-Rata Curtailment Plan
- Watershed Protection
- I have found the LCRA to be very inclusive of the golf industry.
  - They invite and encourage our involvement and input
  - They recognize our expertise in irrigation technology, management and cultural practices.
- Unfortunately, that is not always the case in many parts of the state or across the country.

# What Else?

- Expect activists to attempt to apply other federal acts like the Clean Water Act & the NPDES General Permit to continue to reduce the use of water, fertilizer and plant protectants.
- The Clean Air Act is the newest area being attacked.
  - Tier IV Emissions - Regulation of Greenhouse Gas is already impacting many types of maintenance equipment.
- Expect noise limits and restrictions to intensify as well.

# Golf has a Great Story

- Contributes significant social, recreational, economic, environmental, entertainment, wellness, community and charitable benefits.
  - Have a long and well documented history of protecting the environment and our natural resources.
    - Water Conservation
    - Water Quality Protection
    - Wildlife Habitat
    - Many Other Stewardship Initiatives
- 



# Golf Course Water Use

- Total National Water Consumption (from the United States Geologic Survey (USGS):
  - 408 Billion GPD (148.92 Trillion GPY)
  - About 1/3 is used for Irrigation (137 Billion GPD)
- Golf Course Water Consumption (GCSAA Water Use and Conservation Survey):
  - 2.09 Billion GPD (762 Billion GPY)
- Golf uses 0.5% of the water used in the US.
- Golf accounts for 1.5% of the total irrigation in the US.

# University of California Article

Scott R. Templeton, David Zilberman & Mark S. Henry

- Compared golf courses to all agricultural crops
- Golf generated:
  - 8X Revenues / AF Water used
  - 6.4X Revenues / Acre of land used
  - Golf was better than any crop except strawberries, flowers & nurseries
- The article stated that the water use lessons learned on golf courses should be used to improve the affordability of lower value crops.
- Stated that golf courses and other venues for recreation can add significant value to rural and other economics.

# What Can We Do?

- Form a Government Relations Committee
- Develop your own BMPs and Environmental Resume – Several Chapters already have.
- Support grassroots letter writing campaigns
- **Develop relationships** with local legislators and stakeholder groups – knock on their doors - be included when local legislation is being drafted
  - We met with members of the Water Conservation Advisory Council (of the TWDB) regarding updates to the Golf Course Water Conservation BMPs.
  - Sub-group to assist with the evaluation of existing golf course WCBMPs for modification/adoption.

# What Else Can We Do?

- Stay informed on issues through Science Based information (support University research)
- **Stick to the facts** – avoid emotions
- Network with peers
- Inform your members or golfers so they can support you.
- Ask for help

# Support Organizations

- USGA Green Section
- GCSAA has been an invaluable resource
  - Greg Lyman, Environmental Programs Director
  - Chava McKeel, Senior Manager for Information and Public Policy
    - Monitors federal, state & local government activities.
    - Assist with Compliance – 1-on-1 counseling, personal assistance and online tools.



# Other Coalitions

- Environmental Institute For Golf (EIFG)
- We Are Golf
- TARO (Texas Alliance of Recreational Organizations)
  - Alliance with Lone Star GCSA, NTPGA, STPGA, TXGA, TTA, CMAA Texas Lone Star Chapter & USTA Texas Section
  - Much stronger at raising funds
  - Provide a Legislative Week in Review summarizing the Texas Legislature activities.

# SO GET INVOLVED

- There are all sorts of legislators and activists out there that oppose everything, and Golf can be an easy target if we let it.
- We need to tell our story because we have a good one to tell.
- It won't get any better by remaining on the sidelines - **SO WE MUST GET INVOLVED**
- The alternative is to just accept being regulated to death.
- Because there is nobody out there telling our story or Regulating the Regulator, so it's up to us.

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