

- SUBJECT:** Evaluation period for priority groundwater management area designation
- COMMITTEE:** Natural Resources — favorable, without amendment
- VOTE:** 10 ayes — Ritter, Beck, Creighton, Hopson, Keffer, Larson, Lucio, Martinez Fischer, D. Miller, Price
- 0 nays
- 1 absent — T. King
- WITNESSES:** For — (*Registered, but did not testify:* Jim Conkwright, High Plains Underground Water Conservation District; Harvey Everheart, Mesa Underground Water Conservation District; V.A. Stephens, Hemphill County Underground Water Conservation District; C.E. Williams, Panhandle Groundwater Conservation District)
- Against — None
- On — (*Registered, but did not testify:* Cary Betz, Kelly Mills, Texas Commission on Environmental Quality)
- BACKGROUND:** To enable effective management of the state’s groundwater resources in areas where critical groundwater problems exist or may exist in the next 25 years, the Legislature has authorized the Texas Commission on Environmental Quality (TCEQ), the Texas Water Development Board (TWDB), and the Texas Parks and Wildlife Department to study, identify, and delineate priority groundwater management areas (PGMAs) and create groundwater conservation districts within those areas, if necessary. “Critical groundwater problems” are defined as shortages of surface water or groundwater, land subsidence resulting from groundwater withdrawal, or contamination of groundwater supplies.
- DIGEST:** HB 2112 would extend the current 25-year study horizon for possible PGMA designation to 50 years.

TCEQ could adopt rules regarding:

- the creation of a groundwater conservation district over a PGMA that was designated as a critical area before September 1, 1997; and
- the addition of a PGMA to an existing groundwater conservation district.

The bill would validate all governmental acts and proceedings, including adoption of TCEQ rules, for the creation of a groundwater conservation district in a PGMA designated as a critical area before September 1, 1997.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011. It would apply only to a designation of a PGMA made by TCEQ on or after the effective date.

**SUPPORTERS  
SAY:**

Many areas of the state produce significant amounts of groundwater without proper oversight and regulation by an existing groundwater conservation district. Other areas, while not currently producing significant amounts of groundwater, are projected to see increased production and potential problems like shortages, land subsidence, and contamination of groundwater supplies.

To enable effective groundwater management, the TCEQ and TWDB project future groundwater production using a 25-year study horizon to determine areas where oversight and regulation may be needed.

HB 2112 would extend the current 25-year study horizon for possible PGMA designation to 50 years. This would allow for more comprehensive projections to occur across the state so that PGMA designations could be made where needed. Additionally, the 50-year PGMA study horizon would better correspond with the current statewide planning process in place for the State Water Plan.

**OPPONENTS  
SAY:**

The state's projected population increase and demand for water in the next 50 years is expected to exceed the current supply. Extending the current 25-year study horizon for possible PGMA designation to 50 years would effectively make any area of the state that was not currently regulated by a groundwater conservation district a possible PGMA designation and subject to regulation.

NOTES: The companion, SB 313 by Seliger, passed the Senate by 30-0 on March 22 and was reported favorably, without amendment, by the House Natural Resources Committee on March 31, making it eligible to be considered in lieu of HB 2112.