



The Future of Water in Texas

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Texas Bankers Association
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Types of Water

- **Surface Water** – all of the water under ordinary flow, underflow and tides of every flowing river, natural stream, lake, bay, arm of the Gulf of Mexico, and stormwater, floodwater, or rain water of every river, natural stream, canyon, ravine, depression and watershed in the state. (Texas Water Code §11.021)
- **Groundwater** – water percolating below the surface of the earth.

Surface Water

- Regulated and permitted by the Texas Commission on Environmental Quality (TCEQ)
- Texas and TCEQ use the prior appropriation doctrine – first in time is the first in right.

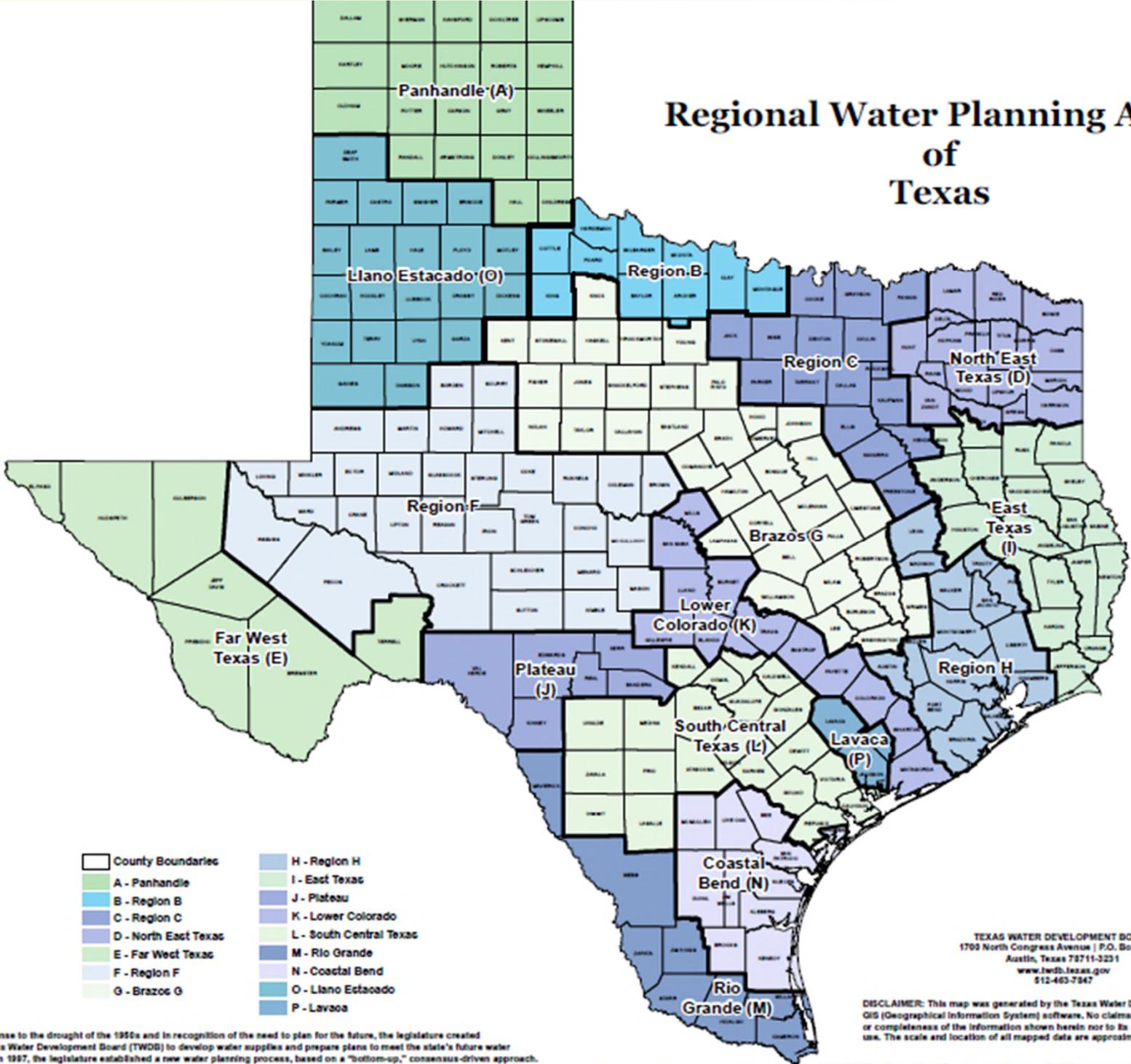
Groundwater

- Senate Bill 332 - 2011
 - Established in Section 36.002 of the Texas Water Code that a landowner owns the groundwater below the surface of the landowner's land as real property.
- Edwards Aquifer Authority v. Day
 - Confirmed the Legislature's statement of Texas groundwater law and stated that a landowner's right to produce groundwater is subject to the regulation of groundwater conservation districts (GCDs).

Recent Texas Water Legislation

- Senate Bill 1 – 1997
- Senate Bill 2 – 2001
- Senate Bill 3 – 2007
- House Bill 4, HB 1025, and SJR 1 – 2013

Regional Water Planning Area of Texas



- County Boundaries
- A - Panhandle
- B - Region B
- C - Region C
- D - North East Texas
- E - Far West Texas
- F - Region F
- G - Brazos G
- H - Region H
- I - East Texas
- J - Plateau
- K - Lower Colorado
- L - South Central Texas
- M - Rio Grande
- N - Coastal Bend
- O - Llano Estacado
- P - Lavaca

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DISCLAIMER: This map was generated by the Texas Water Development Board's GIS (Geographical Information System) software. No claims are made to the accuracy or completeness of the information shown herein nor to its suitability for a specific use. The scale and location of all mapped data are approximate. Map date: 10/2010

In response to the drought of the 1950s and in recognition of the need to plan for the future, the legislature created the Texas Water Development Board (TWDB) to develop water supplies and prepare plans to meet the state's future water needs. In 1987, the legislature established a new water planning process, based on a "bottom-up," consensus-driven approach. Coordinating this water planning process are 16 planning groups, one for each regional water planning area (see map). The planning groups, each made up of about 70 members, represent a variety of interests including agriculture, industry,

MISSION: The Texas Water Development Board's (TWDB) mission is to provide leadership, planning, financial assistance, information, and education

State Water Implementation Fund for Texas (SWIFT) Legislative Package

- HB 4 - provides the framework and administration of the SWIFT and State Water Implementation Revenue Fund (SWIRFT) and the re-organization of the Texas Water Development Board (TWDB).
- Senate Joint Resolution (SJR)1 – proposes an amendment to Texas Constitution to create the SWIFT and SWIRFT to assist in the financing of water projects.
- HB 1025 - authorizes a one-time \$2 billion placement of funds from the Economic Stabilization Fund (Rainy Day Fund) into the SWIFT if the voters

Prop 6 – Approval of SWIFT by Texas Voters on November 5

- Voters of Texas approved Proposition 6 to amend the Texas Constitution to create the SWIFT.
- Proposition 6 approved by 73.37% of the voters.
- 836,424 voters voted in favor of Prop. 6
- 303,547 voters voted against Prop. 6

HB 4 (Ritter/Fraser) – SWIFT, SWIRFT, and TWDB Re-Organization

- Provides for framework and administration of SWIFT and SWIRFT.
- Re-organized several aspects of TWDB, including the leadership structure.
- TWDB will now have 3 full-time board members instead of 6 part-time board members.
- An advisory committee for the SWIFT is established which is comprised of the Comptroller and members appointed by Speaker and Lt. Governor. The advisory committee must make recommendations to the TWDB regarding the use of money in the SWIFT.
- Requires prioritization of projects by RWPGs and TWDB.
- TWDB must create a point system for prioritization of projects.

HB 4 (Ritter/Fraser) – SWIFT, SWIRFT, and TWDB Re-Organization

- SWIFT and SWIRFT were created to leverage \$2 billion to finance the nearly \$30 billion worth of water supply projects identified in the State Water Plan.
- The funds are revolving and self-supporting in nature.
- The funds are to be used to subsidize interest rates, to allow for longer and incremental repayment terms, and to enable entities to have deferral periods on the repayment of funds needed for water projects.

HB 4 (Ritter/Fraser) – Timelines for Action

- Sept. 1 = Board members appointed by Governor Perry begin terms.
- Nov. 5 = Voters approved Proposition 6
- ASAP after Nov. 5 = Advisory Committee members appt.
- Dec. 1 = RWPG stakeholder committee submits project prioritization standards to TWDB and TWDB must approve.
- Sept. 1, 2014 = RWPGs submit final prioritization of projects from 2011 RWPGs.
- March 1, 2015 = Deadline for TWDB adoption of rules.

TWDB Board Members Appointed by Governor Perry

- On August 16, 2013, Governor Perry appointed 3 board members to the TWDB pursuant to HB 4.
- Carlos Rubinstein, Bech Brunn, and Mary Ann Williamson will serve full-time effective September 1, 2013.
- Rubinstein will serve as chair of the board for a term to expire at the pleasure of the governor.

Texas Groundwater Management / Law

- Exciting time to be involved with water issues in Texas
- Water management and Texas law governing water is evolving and organic
- 1997 – 38 GCDs in existence
- 2013 – 99 GCDs with 3 GCDs awaiting confirmation elections

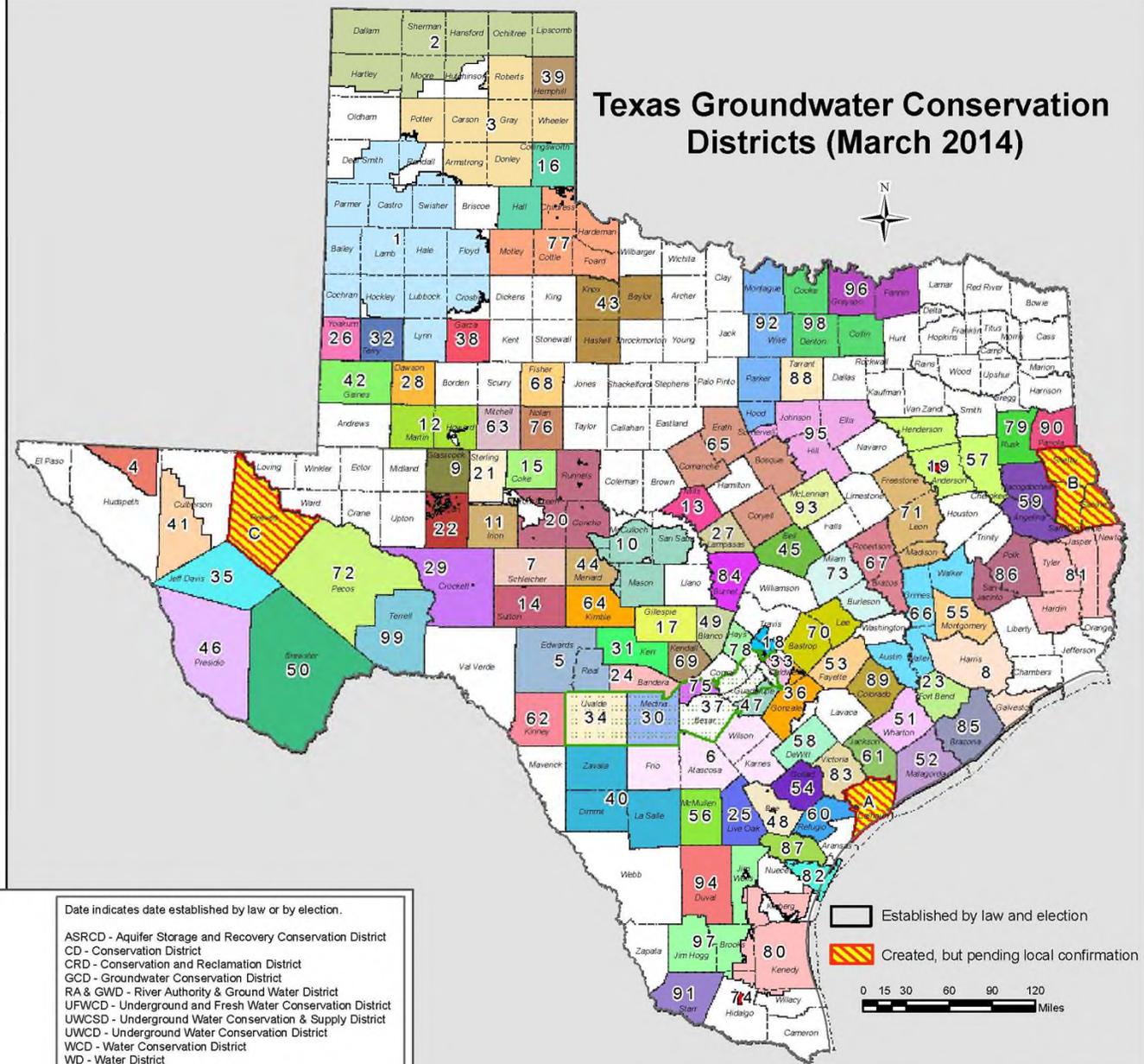
Groundwater Conservation Districts

- | | |
|---|---|
| 1 High Plains UWCD No. 1 - 9/29/1951 | 53 Fayette County GCD - 11/6/2001 |
| 2 North Plains GCD - 1/2/1955 | 54 Goliad County GCD - 11/6/2001 |
| 3 Panhandle GCD - 1/21/1956 | 55 Lone Star GCD - 11/6/2001 |
| 4 Hudspeth County UWCD No. 1 - 10/5/1957 | 56 McMullen GCD - 11/6/2001 |
| 5 Real-Edwards C and R District - 5/30/1959 | 57 Neches & Trinity Valleys GCD - 11/6/2001 |
| 6 Evergreen UWCD - 8/30/1965 | 58 Pecan Valley GCD - 11/6/2001 |
| 7 Plateau UWC and Supply District - 3/4/1974 | 59 Pineywoods GCD - 11/6/2001 |
| 8 Harris-Galveston Subsidence District- 4/23/1975 | 60 Refugio GCD - 11/6/2001 |
| 9 Glasscock GCD - 8/22/1981 | 61 Texana GCD - 11/6/2001 |
| 10 Hickory UWCD No. 1 - 8/14/1982 | 62 Kinney County GCD - 11/2/2002 |
| 11 Irion County WCD - 8/2/1985 | 63 Lone Wolf GCD - 2/2/2002 |
| 12 Permian Basin UWCD - 9/21/1985 | 64 Kimble County GCD - 5/3/2002 |
| 13 Fox Crossing Water District - 4/4/1986 | 65 Middle Trinity GCD - 5/4/2002 |
| 14 Sutton County UWCD - 4/5/1986 | 66 Bluebonnet GCD - 11/5/2002 |
| 15 Coke County UWCD - 11/4/1986 | 67 Brazos Valley GCD - 11/5/2002 |
| 16 Mesquite GCD - 11/4/1986 | 68 Clear Fork GCD - 11/5/2002 |
| 17 Hill Country UWCD - 8/8/1987 | 69 Cow Creek GCD - 11/5/2002 |
| 18 Barton Springs/Edwards Aquifer CD - 8/13/1987 | 70 Lost Pines GCD - 11/5/2002 |
| 19 Anderson County UWCD - 10/17/1987 | 71 Mid-East Texas GCD - 11/5/2002 |
| 20 Lipan-Kickapoo WCD - 11/3/1987 | 72 Middle Pecos GCD - 11/5/2002 |
| 21 Sterling County UWCD - 11/3/1987 | 73 Post Oak Savannah GCD - 11/5/2002 |
| 22 Santa Rita UWCD - 8/19/1989 | 74 Red Sands GCD - 11/5/2002 |
| 23 Fort Bend Subsidence District - 8/28/1989 | 75 Trinity Glen Rose GCD - 11/5/2002 |
| 24 Bandera County RA & GWD - 11/7/1989 | 76 Wes-Tex GCD - 11/5/2002 |
| 25 Live Oak UWCD - 11/7/1989 | 77 Gateway GCD - 5/3/2003 |
| 26 Sandy Land UWCD - 11/7/1989 | 78 Hays Trinity GCD - 5/3/2003 |
| 27 Saratoga UWCD - 11/7/1989 | 79 Rusk County GCD - 6/5/2004 |
| 28 Mesa UWCD - 1/20/1990 | 80 Kenedy County GCD - 11/2/2004 |
| 29 Crockett County GCD - 1/26/1991 | 81 Southeast Texas GCD - 11/2/2004 |
| 30 Medina County GCD - 8/26/1991 | 82 Corpus Christi ASRCD - 6/17/2005 |
| 31 Headwaters UWCD - 11/5/1991 | 83 Victoria County GCD - 8/5/2005 |
| 32 South Plains UWCD - 2/8/1992 | 84 Central Texas GCD - 9/24/2005 |
| 33 Plum Creek CD - 5/1/1993 | 85 Brazoria County GCD - 11/8/2005 |
| 34 Uvalde County UWCD - 9/1/1993 | 86 Lower Trinity GCD - 11/7/2006 |
| 35 Jeff Davis County UWCD - 11/2/1993 | 87 San Patricio County GCD - 5/12/2007 |
| 36 Gonzales County UWCD - 11/2/1994 | 88 Northern Trinity GCD - 5/15/2007 |
| 37 Edwards Aquifer Authority - 7/28/1996 | 89 Colorado County GCD - 11/6/2007 |
| 38 Garza County UWCD - 11/5/1996 | 90 Panola County GCD - 11/6/2007 |
| 39 Hemphill County UWCD - 11/4/1997 | 91 Starr County GCD - 11/6/2007 |
| 40 Wintergarden GCD - 11/7/1998 | 92 Upper Trinity GCD - 11/6/2007 |
| 41 Culberson County GCD - 5/2/1998 | 93 Southern Trinity GCD - 6/19/2009 |
| 42 Llano Estacado UWCD - 11/3/1998 | 94 Duval County GCD - 7/25/2009 |
| 43 Rolling Plains GCD - 1/26/1999 | 95 Prairielands GCD - 9/1/2009 |
| 44 Menard County UWCD - 8/14/1999 | 96 Red River GCD - 9/1/2009 |
| 45 Clearwater UWCD - 8/21/1999 | 97 Brush Country GCD - 11/3/2009 |
| 46 Presidio County UWCD - 8/31/1999 | 98 North Texas GCD - 12/1/2009 |
| 47 Guadalupe County GCD - 11/14/1999 | 99 Terrell County GCD - 11/6/2012 |
| 48 Bee GCD - 1/20/2001 | |
| 49 Blanco-Pedernales GCD - 1/23/2001 | |
| 50 Brewster County GCD - 11/6/2001 | |
| 51 Coastal Bend GCD - 11/6/2001 | |
| 52 Coastal Plains GCD - 11/6/2001 | |

Pending Confirmation

- A - Calhoun County GCD
- B - Deep East Texas GCD
- C - Reeves County GCD

Texas Groundwater Conservation Districts (March 2014)



Texas Commission on Environmental Quality



This map was prepared by the TCEQ for display purposes only. No claims are made to the accuracy or completeness of the information shown herein nor is this map suitable for any other use. The scale and location of mapped data are approximate. The groundwater conservation district boundaries are not land survey data and may not accurately depict legal descriptions. For more information about this map, please contact TCEQ - Water Supply Division, Groundwater Planning & Assessment Team at (512) 239-4691.

Date indicates date established by law or by election.

- ASRCD - Aquifer Storage and Recovery Conservation District
- CD - Conservation District
- CRD - Conservation and Reclamation District
- GCD - Groundwater Conservation District
- RA & GWD - River Authority & Ground Water District
- UFWCD - Underground and Fresh Water Conservation District
- UWCD - Underground Water Conservation & Supply District
- UWCD - Underground Water Conservation District
- WCD - Water Conservation District
- WD - Water District

Established by law and election

Created, but pending local confirmation

