



June 25, 2025

VIA EMAIL: gwestbrook@posgcd.org

Gary Westbrook

Post Oak Savannah Groundwater Conservation District

PO Box 92

Milano, Texas 76566

Re: General Comments Regarding GMA 12's Desired Future Conditions for
June 27, 2025 Joint Planning Meeting

Dear Groundwater Management Area 12 Members:

As an owner of real property, including groundwater rights, the Lower Colorado River Authority (LCRA) is directly impacted by the decisions regarding Desired Future Conditions (DFCs) of Groundwater Management Area 12 (GMA12) and its member groundwater conservation districts (GCDs). For some time now LCRA has been monitoring the ongoing DFC discussions within GMA 12. As these discussions have progressed, LCRA has become increasingly concerned that fundamental requirements associated with establishing DFCs pursuant to Chapter 36 of the Texas Water Code have yet to be given any serious consideration.

GMA12 has held a number of meetings over the last couple of years featuring presentations as well as some discussion of the nine factors that a GCD must consider when adopting a DFC under Texas Water Code 36.108(d). However, a review of the agendas, meeting materials, meeting recordings and minutes fail to reveal any substantive discussions of how the GCDs are considering these required factors, or to identify any specific criteria or metrics GCDs intend to use to evaluate or consider these factors. Further, there has been virtually no discussion as to how the member GCDs will satisfy the ultimate mandate of Texas Water Code 36.108(d-2) that DFCs "must provide a 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."

Before GMA12 proceeds further in its consideration of DFCs for this region, LCRA urges the member GCDs to specifically identify how they will decide what the "highest practicable level of groundwater production" is within their district and by what criteria or metrics they plan to do the balancing required by section 36.018(d-2). In the absence of this information, it appears that GMA 12 members have defacto pursued DFCs that err on the side of non-production and maintain this posture as the status quo with no analysis whatsoever of how the nine factors are affected by such an approach. Additionally, there is no evidence showing how any of this reflects the "balance" required by 36.108(d-2).

Gary Westbrook
June 25, 2025
Page 2 of 2

Stated plainly, just having a high-level presentation on the law's provisions does not meet the requirements of it. Along those lines, the lack of any clear and objective criteria or methodology by which a district plans to meet these requirements leaves stakeholders with no meaningful basis upon which to provide feedback prior to adopting DFCs.

LCRA appreciates the opportunity to provide this feedback.

If you have any questions or would like additional information, please feel free to contact me at 512-578-7083.

Sincerely,



John B. Hofmann
Executive Vice President, Water