

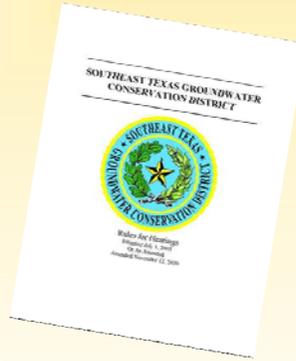
The SETGCD Well Monitor

Volume 13, Issue 1
Fall 2020



District to Update and Amend its Rules

The District will hold a public hearing on November 12, 2020 prior to the beginning of the November monthly board meeting to allow for public comments on proposed rule changes. The District hasn't amended or updated its District Rules (general operating rules) since the fall of 2014. The District will also be amending its Rules for Hearings (procedural rules related to contested case hearings as well as public hearings for rule changes) which haven't been updated or amended since their adoption in July of 2005.



Generally speaking, most of the changes address updates that have been made to Chapter 36 of the Texas Water Code and issues that have arisen within the District. One change that is being considered is the addition of language classifying water wells utilized by emergency management agencies such as Emergency Services Districts (ESDs) or individual Volunteer Fire Departments (VFDs) as exempt wells with no gallons per minute restrictions. It will also allow water wells that have been drilled for the oil and gas industry to be transferred to these emergency management agencies giving them access to water at various locations throughout their service areas.

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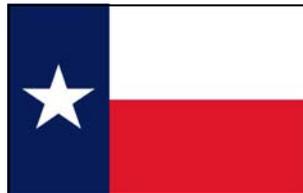
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TEXAS 87th Legislative Session

As 2020 draws to a close, the 87th Texas Legislative Session will start to gear up. Pre-filing of bills will begin on November 9th, 2020 with the Session open in earnest on January 12, 2021 and running through May 31st.



It is amazing how significantly different one session can be from the next. During the last session, groundwater regulations didn't see a lot of change; however, it was rather active on several issues including flood planning, school finance, property tax, and the budget. The upcoming session, like the previous one, isn't expected to be one in which we will see much change with regard to groundwater. There may be a few bills to address items that have been considered in past sessions that still deserve some consideration. One item that, in my opinion, is in serious need of consideration is Section 36.1083 of the Texas Water Code which is the portion of the water code on contesting Desired Future Conditions. Groundwater Management Areas (GMAs) were created to require groundwater districts sharing the same resource (in our case the Gulf Coast Aquifer) to do some regional planning and to set Desired Future Conditions (DFCs). These are long term goals and are required to be readdressed and re-adopted every 5 years. The DFCs must be "reasonable" and can be contested by any affected person with a justiciable interest. The process of contesting DFCs can be costly to groundwater districts and since they are only goals and that are re-addressed every five years, the process is potentially unnecessarily burdensome.

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Did You Know?

Pure water does not conduct electricity ("pure" water is not naturally found however).

Water is sticky. Most molecules similar to H2O are gases at room temperature.

The first ever known vending machine dates back to the 1st century AD. It was used to dispense water, holy water.

District Rules and Rules for Hearing

(Continued from page 1)

A brief description of the substantive proposed changes to the District Rules are:

Proposed Changes to District Rules:

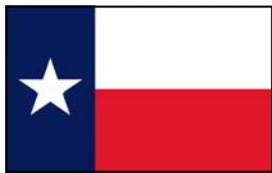
- Rule 1.1(l) - In addition to adding wells utilized by emergency management agencies as exempt wells, language has been added to address the exempt status of Aquifer Storage and Recovery wells (ASR wells). These wells are permitted through TCEQ and are legislatively exempt wells; however, in some circumstances an operating permit may be required.
- Rule 3.8 - This change requires that exempt wells under Rule 1.1(l) must either be plugged or permitted within 30 days of the change of well status. This is specifically designed to encourage exempt oil and gas related water wells to be plugged after the hydrocarbon well has been completed.
- Rule 5.2 - Removes language referring to an attached Drilling Permit as "Appendix A".
- Rule 5.3 - Removes confusing and obsolete language.
- Rule 5.4(k) - Adds language referring to Guidelines for Hydrogeologic Report as "Appendix A".
- Rule 5.4(k)(ii) - Removal of language due to the addition of proposed Rule 5.14, regarding permit amendments.
- Rule 5.4 - Final Paragraph, removing language no longer relevant due to the proposed addition of "Appendix A" and the Guidelines for Hydrogeologic Report.
- Rule 5.6(a) - Language related to the DFCs and items that must be considered when issuing permits.
- Rule 5.6(proposed c) - An increase of the thresholds in which the General Manager may consider issuing a permit without Board action if certain criteria are met.
- Proposed Rule 5.14 - This section is new and meant to define major and minor permit amendments. It also provides language allowing the General Manager to issue an amended permit for minor amendments and requires that major amendments be addressed by the Board.
- Proposed Rule 5.16 - Language addressing a requirement of Chapter 36 to automatically renew permits if the permittee is in good standing with the District.
- Rule 7.2 - The inclusion of language requiring water well drillers to provide the District with a copy of any plugging report.
- Appendix A - Guidelines for Hydrogeologic Reports (required only for water wells capable of 250,000 gallons per day or more).

Proposed Changes to Rules For Hearings:

As mentioned earlier, the Rules for Hearings have not been updated or amended since initially adopted in 2005. The proposed changes include formatting and typographic changes that are not substantive and those will not be addressed here.

- Rule for Hearing 1.2.1 - Inclusion of language specific to rule change hearings.
- Rule for Hearing 2 - A minor change including language referencing Chapter 36 of the Texas Water Code.
- Rule for Hearing 2.3 - A change to allow for the District to hold hearings at any location properly noticed, as well as providing for a hearing to be held in Travis County should a request be made pursuant to Chapter 36.416 that a contested case be conducted by the State Office of Administrative Hearings.
- Rule for Hearing 3.2 - Language providing for the District to be able to delegate a contested case hearing to the State Office of Administrative Hearings.
- Rule for Hearing 3.5 - This removes the obsolete requirement that the hearing being recorded on audio cassette and provides for any type of audio or video recording.
- Rule for Hearing 5 - A change in the section title adding language to provide for determining Affected Parties.
- Rule for Hearing 5.3 - New language designating who can request a contested case and how to make that request.
- Rule for Hearing 5.4 - New language to help determine "Affected" parties.

Copies of the proposed changes to both the District Rules and Rules for Hearings can be found on the District's website at: <http://www.setgcd.org/rules/>



87th Legislative Session, cont. The Legislators will have some hurdles right from the beginning as they will have to wend their way through holding meetings in the Covid-19 era. There is quite a bit of speculation, but nothing specific, on how things will operate. One possibility being considered is an abbreviated regular session followed up later in the summer with a special session; however, at

this time it is all speculation.

Current expectations on the upcoming legislative session are that the main issues to be discussed will be a number of items related to the Covid-19 pandemic, first and foremost being the state budget as it has been seriously stressed by reduced sales tax collections. Other items thought to be on the list of high priority issues are redistricting, business liability related to Covid-19, school finance and re-opening, and disaster assistance.

The Legislators will no doubt have their hands full this session!

GMA 14 / Desired Future Conditions / Lone Star G.C.D.

Groundwater Management Area 14 continues its path to develop and adopt Desired Future Conditions (DFCs); the DFCs are a physically measurable management goal such as a specific amount of static groundwater level loss over time. The five Members of GMA 14 (the Lower Trinity, Lone Star, Bluebonnet, Brazoria, and Southeast Texas groundwater conservation districts) have made considerable progress considering the hurdle Covid-19 has presented. The Group has met six times so far this year, four of those meetings via the internet and a “virtual” meeting format. This has actually increased attendance at the GMA 14 meetings and I believe has facilitated additional dialogue by providing easier access to the meeting.

GMA 14 has a significant issue to resolve as the Lone Star Groundwater Conservation District, which is contiguous with the boundary of Montgomery County, has a moderate amount of subsidence occurring in the southern portion of their District. Setting DFCs for the entire GMA when one area is experiencing conditions very different (subsidence and immense growth) than the rest of the GMA is very difficult. Additionally Lone Star would like to increase the Managed Available Groundwater (MAG) within the District. This means

more pumping and more impacts to water levels not only within the Lone Star District but to its neighboring counties as well.

The previous Board of Directors of the Lone Star Groundwater Conservation District had a conservation minded

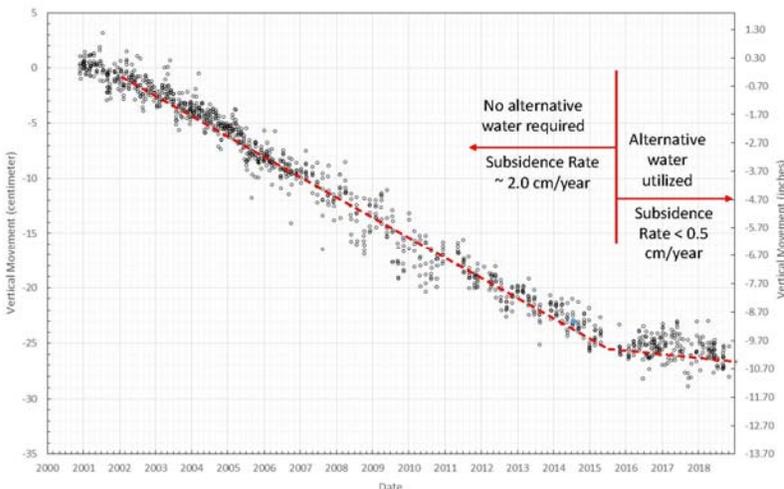
approach to groundwater management. As you can see from the graph below, when the previous Board’s Groundwater Reduction Plan (GRP) was put into affect (2015/2016), the subsidence rate in The Woodlands dropped dramatically almost immediately.

The current board has a different philosophy and has already changed it rules and pulled back from the GRP. They have done this in large part based on the premise of private property rights. Texas law states that a landowner owns the water beneath the property; however, it also states that groundwater conservation districts are the preferred method of managing groundwater. It becomes much more complicated when you take

into account that one landowner’s pumping of groundwater can cause property damage to another landowner. Finding a balance is key.

Chapter 36 of the Texas Water Code lists nine required elements that must be considered prior to a GMA adopting DFCs, and on November 18, 2020 GMA 14 will be discussing private property rights and how they relate to groundwater pumping and groundwater conservation district management.

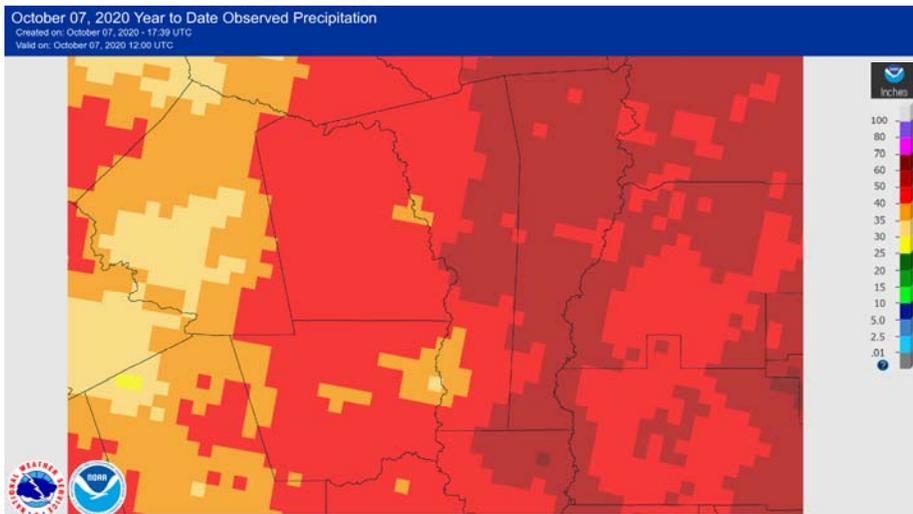
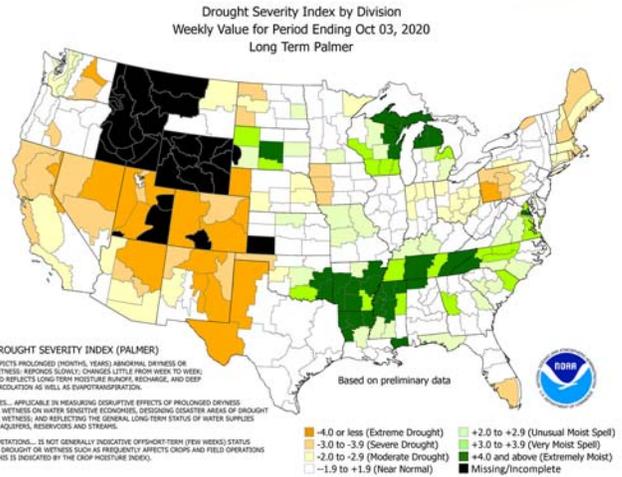
GMA 14 meeting notices/agendas and virtual meeting registration links can be found on the District’s website typically 10–15 days prior to the scheduled meeting.



DROUGHT CONDITIONS

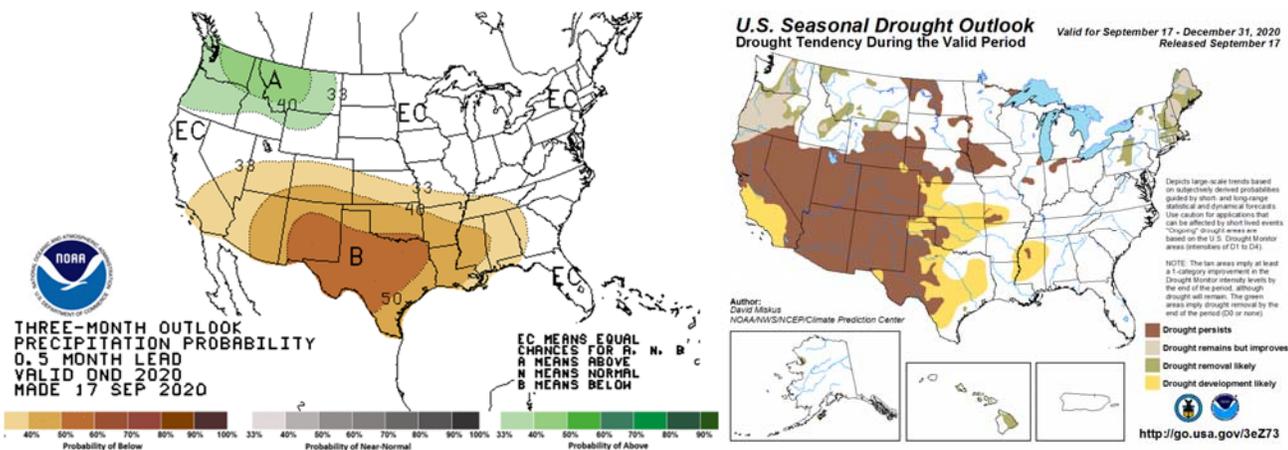
As you can see from the October 3, 2020 U.S. Palmer Drought Severity Index, although much of West Texas has been experiencing some drought conditions through the summer, most of the state is now near normal (including all of east Texas); however, North and West Texas are experiencing some “extreme” drought conditions.

The October 7, 2020 Year to Date Observed Precipitation Map indicates that most of our District has received average rainfall for the year with most of Newton County surpassing its annual rainfall average. The majority of the District has already received between 40–60 inches for the year (with two months still remaining); however, it appears some small areas are below average so far.



U.S. SEASONAL DROUGHT OUTLOOK

The U.S. Seasonal Drought Outlook, valid September 17, 2020—December 31, 2020, indicates that drought conditions within the District are unlikely through the remainder of the year. That being said, the September 17, 2020 NOAA Three-Month Precipitation Probability map indicates that most of the state is expected to see below normal chances of precipitation for the next three months which could lead to our area seeing some minor drought conditions set in.



CONSERVATION CORNER

Groundwater Waste Reduction—Every Drop Counts, Why Not Conserve It

Did you know that you likely use between 50 to 100 gallons of water each day? Every single day. That's between 18,000 - 36,000 gallons each year per person. And the mind-boggling part? The largest household use of water is flushing the toilet. We are literally flushing one of the earth's most precious natural resources down the toilet.

That's the bad news. The good news is there is much you can do to conserve water and every drop does count. Just ask anyone who has experienced a long term drought.



First let's figure out your toilet's water use. It should say somewhere on it how many gallons it uses per flush. If it uses 1.6 gallons per flush, it meets the current federal standard. Bonus points if it says 1.28 gallons per flush and meets the Environmental Protection Agency's (EPA) WaterSense standards. That's a savings of 20% over the

1.6-gallon model. If your toilet is an older, much less efficient model it is likely using between 3 and 6 gallons of water per flush. According to EPA, if all of the inefficient toilets in the country were replaced with WaterSense models, it would equal 640 billion gallons of water savings per year. That's equivalent to the amount of water that flows over Niagara Falls for two weeks.

Whether you already have a low-flow toilet or not, be sure it is functioning properly and not leaking. To do this, open the back of the toilet and drop in a few drops of food coloring. If that color appears in the toilet bowl within the next 15 minutes or so, you have a leak that needs to be fixed as soon as possible (be sure to flush within 20 minutes to prevent staining).

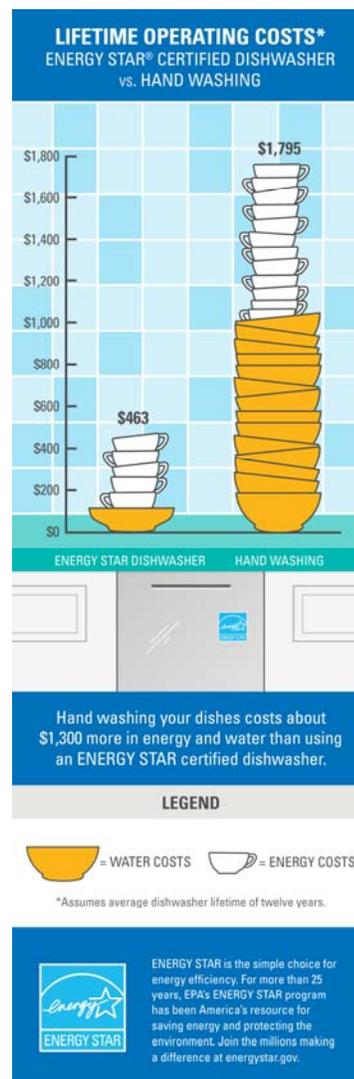
Even though toilets are the biggest household user of water, they may not be the only way you are wasting water in the bathroom. If you turn off the water while brushing your teeth, a household of four can easily save up to eight gallons of water per day—that's nearly 3,000 gallons per year.

The shower is another place with the potential to save a lot of water. Federal regulations mandate that showerheads can't exceed 2.5 gallons of flow per minute, but the very best water saving showerheads use 2 gallons per minute or less. Not only can you conserve water by installing a low-flow showerhead, but you can also save energy (and money) on water heating.

washing full loads. If you do have to wash a small load, be sure to use the appropriate water level setting. Also, look for Energy Star clothes washers, which clean clothes using 35% less water and 20% less energy than standard appliances.

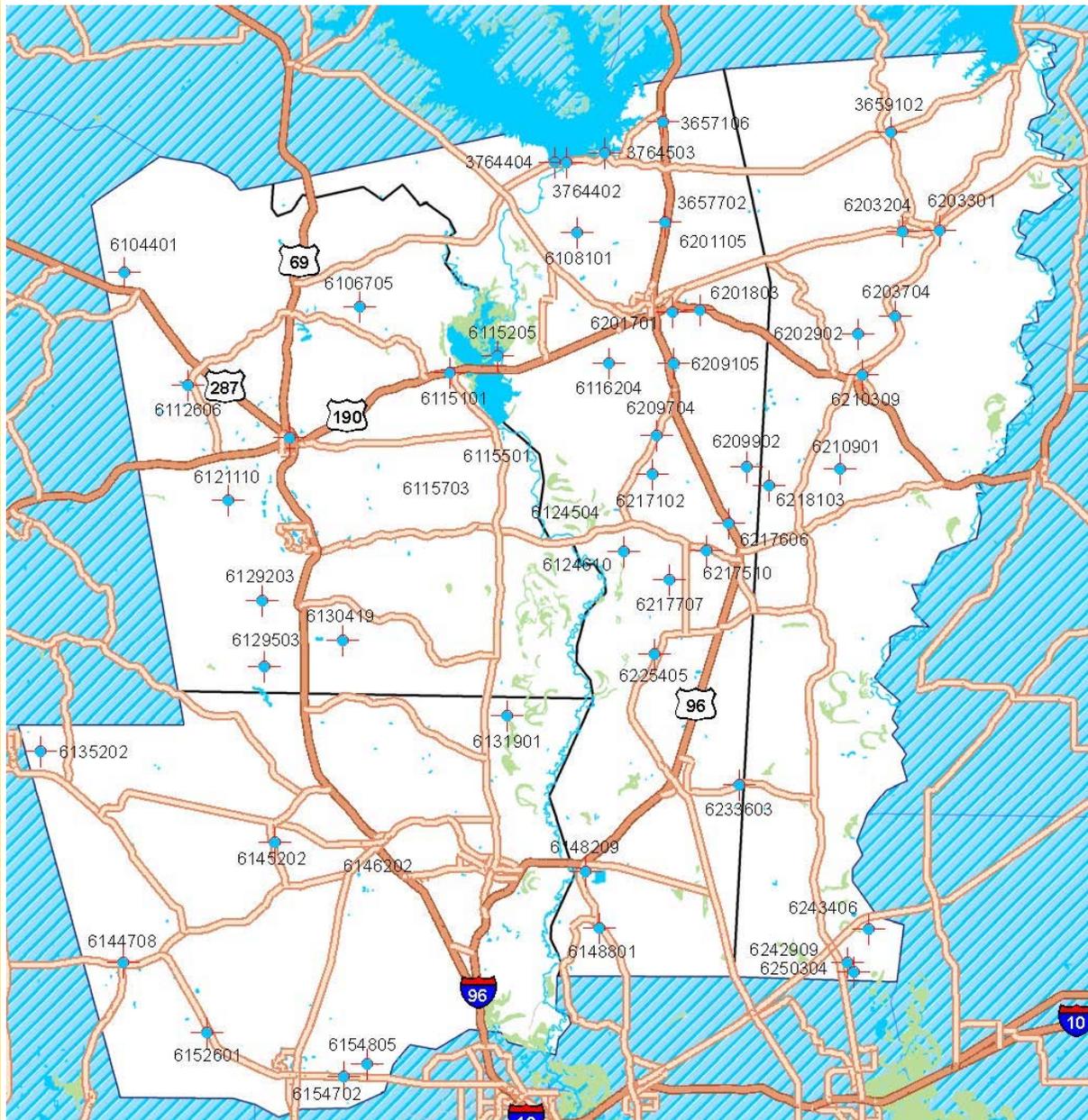
When it comes to the dishwasher, just as with the clothes washer, you will get the best efficiency by making sure the dishwasher is full before running. And as for doing dishes by hand, don't bother. An Energy Star rated dishwasher uses as little as 3 gallons per load. Even older dishwashers typically use less than 10 gallons, while washing dishes by hand can easily take more than 20 gallons.

If you follow these tips for water conservation, you are bound to make your home a water conscience one.



When it is time to do laundry, be sure you are only

Static Water Level Observation Well Locations & State ID



What Is A Static Water Level? The Static Water Level is the distance from the surface of the ground down to the water table when a well is not being pumped. This is sometimes called the resting water level. For example, a static water level reading of -25 feet means that the distance from the ground down to the water table is 25 feet.

In the data on the following page is a column indicating the amount of static water level change from the previous year. If the number is positive, it means that the water level has dropped in that particular well. If the change is a negative number, as most of them are, it means that the water level is higher than the previous year. Typically large drops or rises are indicative of shallow wells that are susceptible and reactive to wet and dry periods. Conversely, deep wells are very stable and often show little change in static water level even after long periods of drought or periods of excessive precipitation.

STATIC WATER LEVEL READINGS

State Wel ID	County	Date Drilled	Well Depth	Early W.L. Reading /		May 2009	Spring 2019	Spring 2020	1 year change
				Year *					
6131901	Hardin	1940	53	-38.79	1942	-25.35	-30.25	-32.28	2.03
6135202	Hardin	2003	363	-64	2003		-54.8	-55.92	1.12
6144708	Hardin	1957	72	-24.12	1942	-24.21	-25.57	-24.72	-0.85
6145202	Hardin	2009	220	-12	2009		-5.66	-7.05	1.39
6146202	Hardin	1951	577	-9.16		-56.86			0.00
6152601	Hardin	1948	764	-21	1948	-29.67	-18.57	-20.14	1.57
6154702	Hardin	1951	1027	-23.94	1966	-25.2	-25.00	-26.57	1.57
6154805	Hardin	1998	618	-60	1998		-26.35	-26.5	0.15
3657106	Jasper	1938	20	-8.7	1997	-4.69	-4.20	-5.10	0.90
3657702	Jasper	1994	378	-117.7	1997	-117.61	-115.23	-114.18	-1.05
3764402	Jasper	1962	300	-114.3	-114	-113.27	-108.15	-108.70	0.55
3764404	Jasper	1982	260	-66	1982	-46.83	-44.31	-44.90	0.59
3764503	Jasper	1981	260	-33.2	1997	-32.33	-29.10	-30.85	1.75
6108101	Jasper	1958	47	-42.5	1963	-40.82	-37.72	-39.10	1.38
6115205	Jasper	1984	442	39.96	1984	28.18	40.53	39.96	-0.57
6116204	Jasper	1965	220	-51.7	1997	-51.61	-50.42	-50.65	0.23
6124610	Jasper	1998	200	-33.16	2008	-30.59	-29.69	-31.09	1.40
6148209	Jasper	1947	1295	-66.79	1956	-177.09	-201.08	-194.48	-6.60
6148221	Jasper	pre 1956	671	-22.47	1956	-28.92	-27.10	-27.64	0.54
6148801	Jasper	1903	1084	-6.85	1960	-5.38	-6.65	-6.67	0.02
6201701	Jasper	1963	1004	-67.25	1971	-93.42	-75.75	-84.70	8.95
6201803	Jasper	1995	884	-85.1	1997	-85.54	-80.92	-81.25	0.33
6209105	Jasper	1967	15	-4.15	1997	-1.38	-2.45	-3.43	0.98
6209704	Jasper	1952	40	-35.84	1997	-34.4	-33.90	-33.89	-0.01
6209902	Jasper	pre 1997	40	22.8	1997	-16.13	-16.52	-18.00	1.48
6217102	Jasper	1950	80	-54.85	1997	-80.00	-54.85	-54.70	-25.30
6217510	Jasper	pre 1997	140	-15.9	1997	-14.7	-14.41	-14.06	-0.35
6217606	Jasper	1964	70	-7.8	1997	-1.09	-1.55	-2.45	0.90
6217707	Jasper	1950	28	-9.35	1997	-4.15	-3.28	-6.55	3.27
6225405	Jasper	1983	120	-58	1997	-57.5	-55.22	-54.96	-0.26
6233603	Jasper	1940	18	-14.7	1997	-10.92	-6.88	-10.63	3.75
3659102	Newton	2000	170	-98.76	2009		-86.04	-88.64	2.60
6202902	Newton	pre 1999	24	-13.03	1999	-11.65	-9.55	-10.33	0.78
6203204	Newton	1979	645	-65.4	1994	-68.15	-65.88	-65.35	-0.53
6203301	Newton	1964	1050	-38.75	1992	-45.42	-36.55	-36.67	0.12
6203704	Newton	1989	640	-169	1989	-172.78	-171.16	-171.00	-0.16
6210309	Newton	1964	1218	-61.38	1993	-65.93	-63.33	-64.61	1.28
6210901	Newton	1951	300	-13.68	1964	-16.48	-15.50	-15.42	-0.08
6218103	Newton	1980	208	-32.3	1992	-33.99	-33.95	-34.43	0.48
6242909	Newton	1981	590	-39.15	1992	-36.03	-35.61	-35.65	0.04
6243406	Newton	1981	598	-30	1981	-26.29	-24.13	-24.66	0.53
6250304	Newton	1983	420	-40	1989	-35.58	-35.58	-35.15	-0.43
6104401	Tyler	1935	860	-169.39	1960	-168.71	-164.57	-164.32	-0.25
6106705	Tyler	1984	288	-145	1984		-147.08	-145.85	-1.23
6112606	Tyler	1960	250	-121.64	1964		-123.03	-122.81	-0.22
6113802	Tyler	1951	582	-155	1953	-174.13	-163.03	-163.53	0.50
6115101	Tyler	1964	68	-31.66	1964	-33.09	-31.58	-32.32	0.74
6121110	Tyler	pre 1971	18	-13.4	1971	-3.96	-1.02	-3.52	2.50
6129203	Tyler	pre 1953	30	-22.73	1953	-15.38	-16.52	-19.97	3.45
6129503	Tyler	2008	250	-20	2008		-16.63	-18.97	2.34
6130419	Tyler	pre 1965	22	-13.01	1965	-3.62	-3.25	-6.48	3.23
6129804	Tyler		580				-27.95	-29.45	1.50

Universal Water Facts (or should we say water facts about the Universe)

- ◆ In space, the boiling point of water decreases as air pressure decreases. Because of the vacuum of space (zero air pressure) water will first boil then freeze.
- ◆ The International Space Station uses distillation to recycle as much as 93% of its water. This includes sweat, urine, and grey water.
- ◆ Astronomers have found the largest and furthest reservoir of water in the universe. It is 12 billion light years away surrounding a quasar. It is estimated to be equivalent to 140 trillion times more water than the water in all of our oceans.
- ◆ Callisto, a moon of Jupiter, is believed to have an ice crust that is over 100 miles thick with a 6 mile deep ocean below it.
- ◆ Recently NASA’s Hubble Telescope discovered K2 -18b, an Earth sized planet outside our Solar System with water vapor, an equilibrium temperature similar to Earth’s, and an atmosphere.

CALENDAR OF EVENTS

November 12, 2020	SETGCD—Public Hearing and Regular monthly Board meeting - Virtual—Via Zoom
November 26 & 27, 2020	Thanksgiving Break—District office closed
December 2020	SETGCD — Board Holiday, No Regular Meeting
December 24 & 25, 2020	Christmas Break—District office closed
<i>Due to Covid 19 the location of each meeting will be set as we near the meeting date. We may continue to meet virtually via the internet for a few more meetings.</i>	
January 1, 2021	New Years Day—District office closed
January 14, 2021	SETGCD—Regular meeting of the Board
January 18, 2021	Martin Luther King Jr. Day— District office closed
February 11, 2021	SETGCD—Regular meeting of the Board
February 15, 2021	Presidents Day—District office closed
March 11, 2021	SETGCD—Regular meeting of the Board

*“Till taught by pain, men really know not what good water is worth”
-Byron*

Southeast Texas Groundwater
Conservation District

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PLEASE
PLACE
STAMP
HERE

«Mr#/Mrs/Ms#» «First» «Last»
«Water System»
«Street»
«City», «State» «ZIP»