

WATER: Texas' oversight of groundwater supplies needs improvement -- report (03/12/2009)

April Reese, E&E Western reporter

The Lone Star State's strategy for managing its groundwater supplies fails to ensure that natural springs will be protected, or that the state's aquifers will remain a sustainable water source into the future, according to a new report from an environmental group.

The [report](#), "Down to the Last Drop," released this week by the Environmental Defense Fund, found that while the state has made progress in managing its groundwater resources, it still has work to do in assuring a viable long-term water supply that takes into account future demand in the face of climate change, increasing demand for rural water supplies from the state's cities, and protecting ecological values.

A decade of rising groundwater consumption in Texas has led to the creation of about 91 local "water conservation districts," typically at the county level. Those districts, which must be "confirmed" by the state, have authority to issue groundwater permits. And in 2005, the Legislature set up a process for delineating 16 "groundwater management areas," aimed at assessing how much groundwater is available in each region and coming up with a "desired future condition" for groundwater resources. Those plans are due next year.

But that process fails to ensure the long-term viability of the state's groundwater resources, according to the report, authored by EDF staffers Laura Brock Marbury and Mary Kelly. Instead of taking a county-by-county approach to permitting, EDF says local districts should combine efforts to manage groundwater across broad regions that depend on the same aquifer. Further complicating water management in the state are laws that do not recognize the connectivity of groundwater and surface water, resulting in decisions that could jeopardize one or the other, the report warns.

"Texas must ensure that the groundwater resources we've just begun to fully understand are managed in a way that will support the water needs of our state and our environment into the foreseeable future," the report states.

According to a separate [report](#) from State Comptroller Susan Combs, groundwater provides almost 60 percent of all freshwater available in the state. In an accompanying letter, Combs noted that Texas' population is growing at almost twice the national rate, and that water demand is expected to increase 27 percent by 2060. If that demand is not met, it could cost businesses and workers in the state about \$9.1 billion per year by 2010 and \$98.4 billion per year by 2060, she said.

"Our argument is that now is the time to set up the checks and balances to make sure those spring flows are reserved and make sure the water is available in the future," said EDF's Brock Marbury. "If pumping proceeds without some sort of framework, then in the future it's going to be too late. It would be hard to go back in time and limit how much you pump. Better to get it right now and have strong limits on how you protect those things."



A new report says Texas law has failed to adequately recognize the interconnectivity of surface and groundwater resources. High-capacity irrigation wells like this one draw billions of gallons annually from the state's aquifers. Photo courtesy of U.S. Geological Survey.

But some water managers disagree. Gregory Ellis, executive director of the Texas Alliance of Groundwater Districts, said the new approach to managing groundwater resources needs to be given time to work.

"We are four years into a five-year process on planning, and right now, frankly, would be the worst possible time to make a change," Ellis said. "We need to get through 2010, and then if there are problems, we'll address them on a regional or county basis. It's awfully early to say this is a flawed process when we're still in the middle of it."

Furthermore, merging county districts into regional ones would be more bureaucratic, more expensive, and less effective than the current system of more localized management, Ellis said.

Leslie Anderson, a spokeswoman with the Texas Water Development Board, said that some districts are already coordinating surface water and groundwater management decisions. "Groundwater conservation districts have the option to do this under current law," she said in an e-mail responding to questions about the report.

On EDF's argument that the groundwater management area process should ensure sustainable use of the state's aquifers over the long-term, Anderson said that it is up to the individual districts to make that call. "The districts in each groundwater management area decide whether or not they want to manage in a sustainable manner."

But Brock Marbury said it makes more sense to require sustainable management now, while the groundwater management policy is still taking shape. "We're not recommending overhauling the process completely, just that the GMAs need to have a little more guidance on how to actually make these decisions," she said.

"We really need to get this right," Brock Marbury added. "We've created this almost Band-Aid approach to groundwater management, but we'll continue to rely on groundwater, so we really need to roll up our sleeves and get it right this time. We can't put it off any longer."

[Click here](#) to read the EDF report.

[Click here](#) to read the Texas state comptroller's report.

April Reese writes from Santa Fe, N.M.

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