

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT
MEETING HELD MARCH 13, 2024**

**A RESOLUTION RELATED TO
AQUIFER CONSERVATION ALLIANCE PETITION FOR ANNEXATION
AND
WILLIAMSON COUNTY COMMISSIONERS COURT'S PUBLIC DECLARATION
COMMITTING TO GROUNDWATER INVESTIGATION**

WHEREAS, the Clearwater Underground Water Conservation District (CUWCD) is a political subdivision of the State of Texas and underground water conservation district created and operating under and by virtue of Article XVI, Section 59, of the Texas Constitution; Texas Water Code Chapter 36; the District's enabling act, Act of May 27, 1989, 71st Legislature, Regular Session, Chapter 524 (House Bill 3172), as amended by Act of April 25, 2001, 77th Legislature, Regular Session, Chapter 22 (Senate Bill 404), Act of May 7, 2009, 81st Legislature, Regular Session, Chapter 64 (Senate Bill 1755), and Act of May 27, 2015, 84th Legislature, Regular Session, Chapter 1196, Section 2 (Senate Bill 1336)(omnibus districts bill); and the applicable general laws of the State of Texas; and confirmed by voters of Bell County on August 21, 1999; and

WHEREAS, the Aquifer Conservation Alliance (ACA) of Williamson County is a non-profit organization seeking to educate and advocate for the residents, business owners, and developers in Western Williamson County on the issues surrounding our groundwater supply; and

WHEREAS, Williamson County (WilCo) Commissioners Court is a body politic and corporate created and operating pursuant to Article IX, Section 1, and Article XI, Section 1 of the Constitution of Texas; the Texas Local Government Code; and the applicable, general laws of the State of Texas; and

WHEREAS, the ACA petitioned CUWCD on September 6, 2023 for annexation of western Wilco pursuant to Texas Water Code (TWC) § 36.325(a), as landowners of a defined area of territory not already in a groundwater conservation district (GCD), and did file with CUWCD requesting inclusion of a portion of their county; and

WHEREAS, the ACA determined that CUWCD would comply with TWC § 36.326 that a GCD's board by order **shall** set the time and place of separate public hearings on the accepted petition to include territory in the GCD; and

WHEREAS, the Board of Directors of CUWCD appropriately ordered on the 10th day of January 2024, that two lawfully prescribed public hearings be held on February 12th and 13th in Cedar Park TX and in Belton TX, respectively, and that each hearing was noticed properly in accordance with applicable law; and

WHEREAS, the Board of Directors of CUWCD, in regular board meeting on February 14th, deliberated on the comments of the two public hearings and voted 5-0 to deny the ACA petition, one reason stated being the cost of elections in WilCo being egregiously higher than the cost of same in Bell County; and

WHEREAS, the Board of Directors of CUWCD empathize with the petitioners that groundwater is not being appropriately managed, as evidenced by testimony during the two public hearings; and

WHEREAS, District 54 State Representative, Brad Buckley, introduced House Bill 152 directing Texas Water Development Board to study the Trinity and Edwards aquifers in all, or portions of Bell, Burnet, Milam, Travis, and Williamson Counties during the 87th regular session of the Texas Legislature at the request of his constituents, who were having serious groundwater drawdown issues; and

WHEREAS, the Board of Directors of CUWCD commended the Williamson County Commissioners Court (WCCC) at this regular board meeting on the 13th day of March, 2024, for their previously approving an approximately \$1 million dollar allocation for a contracted underground water study of aquifers to identify aquifer levels, usage and long-term sustainability for population growth; and

WHEREAS, on May 23, 2023, the WCCC authorized its Purchasing Agent to advertise and receive sealed qualifications for Consulting Services for the Williamson County Groundwater Study under #23RFSQ79; and

WHEREAS, after a selection process by an appointed committee, the above Groundwater Study was awarded to LRE Water, LLC (LRE) on December 19th, 2023; and

WHEREAS, LRE is already contracted with partnering regional experts, and, by funding, those partners including CUWCD, Central Texas GCD, Southwest Travis County GCD, Travis County, the Bureau of Economic Geology and Baylor University to provide the first major groundwater study of WilCo; and

WHEREAS, WilCo by their own resolution on the 9th day of January 2024, pledged that they are eager to receive the results of the LRE contracted “**WilCo Groundwater Study**” and “**will**” endeavor to take actions that are identified in the study to protect the long-term viability of aquifers in the County, while also protecting local control of their vital water resource; and

WHEREAS, the CUWCD Board has expressed that their hearts go out to the well owners in WilCo, yet the risk to CUWCD’s funds and the election cost of the prescribed confirmation election is contradictory to the conservative guiding principles of CUWCD; and

NOW, THEREFORE, BE IT RESOLVED THAT: the CUWCD looks forward to the results of the WilCo Groundwater Study, and the positive impact of the expenditures of federal monies from the **American Rescue Plan Act (ARPA)** in Williamson County, by WCCC, for public viewing, and to be reviewed by the **Aquifer Conservation Alliance**, the CUWCD directors, staff, geoscience consultants, and **Groundwater Management Area 8 GCD** members, so that best available science, funded by federal tax dollars (**ARPA**), is shared with the greater central Texas region, thus affording all a much more precise and enhanced understanding of the Edwards BFZ Aquifer and the North Trinity Woodbine Aquifer, indeed regionally-shared natural resources of Texas; and

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT: CUWCD requests and expects that the study be shared with the **Texas Commission on Environmental Quality (TCEQ)** and **Texas Water Development Board (TWDB)** in a manner that they can incorporate the findings and provide those into the biannual Priority Groundwater Management Report to the **89th Texas Legislature** in accordance with **Section 35.018 of the Texas Water Code**.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT: the Board of CUWCD pledges to assist WCCC, the citizens of WilCo, and any groundwater conservation district that may, in the future,

include portions, or all, of WilCo by cooperating and coordinating with regards to groundwater management. CUWCD has a wealth of scientific groundwater data funded over many years by the citizens of Bell County that is always available to any interested parties. The experienced staff of CUWCD are also available for consultation, if requested.

The above recitals are true and correct;

The Board of Directors of the District hereby adopts this rendered position of the District; and be it said that the General Manager of the District or his designee shall make this resolution available to printed media, as well as local, state, and federal elected officials, and their staffs.

This resolution shall take effect immediately upon adoption.

AND IT IS SO ORDERED.

Upon motion duly made by Director Gary Young and seconded by Director Jody Williams, and upon discussion, the Board voted 5 in favor and 0 opposed, 0 abstained, and 0 absent, and the motion thereby Carried, on this 13th day of March 2024.

CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT

By: Leland Gersbach
Leland Gersbach, Board President

ATTEST:

Gary Young
Gary Young, Board Secretary