



The Hays County Commissioners Court is hosting a Public Meeting February 5th at 5:30 PM.

Objective: This is a posted Commissioners Court meeting that will be held in a round table format to discuss the Electro Purification proposed project and short- midterm water needs along the corridor.

Location: Hays County Government Center at 712 Stagecoach Trail, San Marcos, Texas 78666

Agenda:

1. Discuss and express concerns about the current proposed Electro Purification project
2. Better understand short and midterm water needs of the corridor and how we can work together to meet those needs
3. Discuss how we can work together to pass legislation that covers unregulated zones within aquifer areas to specifically ensure commercial uses have a local authority overseeing the project and permitting process
4. Discuss how we can work together to collect and develop the science needed to ensure the Electro Purification project is sustainable, and discuss mitigation plans to ensure protections for citizens and environmental resources in the well field impact area

Entities invited and encouraged to participate:

Guadalupe - Blanco River Authority (GBRA)	City of San Marcos
Lower Colorado River Authority (LCRA)	Senator Donna Campbell
Hays Caldwell Public Utility Agency (HCPUA)	Representative Jason Isaac
Anthem MUD – Clark Wilson	Plum Creek Conservation District
City of Mountain City	Plum Creek Watershed Partnership
City of Kyle	Hays Trinity Groundwater Conservation District
City of Buda	Edwards Aquifer Authority
Goforth Water Supply SUD	Barton Springs /Edwards Aquifer Conservation District

** In order to have a full, informed discussion, the County would like to have public officials and support staff from your agencies that are germane to this issue. It is at the discretion of the political subdivisions that have been invited to determine if they will post a meeting for their jurisdiction. There will be seating for two (2) elected officials/board members in the front of the meeting room at the main table. In addition, reserved space for up to two (2) staff members will be provided between the main table and public seating area. Additional space will be available in the public seating area for those not seated at the main table or staff area.

Please RSVP with the names of attendees for your entity (Maximum of 2 elected officials/board members and 2 staff members) by Monday, February 2nd to janice.jones@co.hays.tx.us .



RESOLUTION OF THE HAYS COUNTY COMMISSIONERS COURT

**STATE OF TEXAS
COUNTY OF HAYS**

WHEREAS, Chapter 36 of the Texas Water Code states groundwater conservation districts may be created “in order to provide for the conservation, preservation, protection, recharging, and prevention of waste of groundwater, and of groundwater reservoirs or their subdivisions, and to control subsidence caused by withdrawal of water from those groundwater reservoirs or their subdivisions, consistent with the objectives of Section 59, Article XVI, Texas Constitution”; and

WHEREAS, it is recognized that the boundaries of groundwater conservation districts, counties, and other jurisdictions are not consistent with the hydrogeology of the area, creating ineffective regulations which are further complicated by the existence of multiple aquifers and geological conditions within certain groundwater conservation districts; and

WHEREAS, in order to protect the private property rights of individuals, the Texas Legislature amended Chapter 36 of the Texas Water Code in 2011 by adding language which includes, “the legislature recognizes that a landowner owns the groundwater below the surface of the landowner’s land as real property”; and

WHEREAS, Chapter 36 of the Texas Water Code further confirms that a landowner, including a landowner’s lessees, heirs, or assigns, is entitled to produce groundwater below the surface of real property, “without causing waste or malicious drainage of other property”; and

WHEREAS, the existence of aquifer areas not regulated by local groundwater conservation districts, creates the possibility that landowner property rights may be infringed upon by the commercial production of groundwater that results in the malicious drainage of the landowner’s real property; and

WHEREAS, these unregulated areas of aquifers further create inconsistencies in rules and regulations for commercial production of groundwater which can detrimentally affect market principles and create barriers to competition; and

WHEREAS, the ability to produce groundwater for domestic and agricultural uses is paramount to the individual rights of all Texans;

NOW, THEREFORE, BE IT RESOLVED, that the Hays County Commissioners Court supports legislation to establish the proper local regulation of commercial and non-exempt groundwater production in aquifer areas currently outside of the respective groundwater conservation districts in Hays County.

PASSED AND APPROVED this 3rd day of February, 2015.

Judge Bert Cobb, M.D.
Hays County Judge

Debbie Ingalsbe
Commissioner, Precinct 1

Mark Jones
Commissioner, Precinct 2

Will Conley
Commissioner, Precinct 3

Ray Whisenant
Commissioner, Precinct 4

Attest:

Liz. O Gonzalez
County Clerk