

Q: How much power does the groundwater district actually have? Can the Texana Groundwater Conservation District prevent the State of Texas or other governing body from overruling our permits and exemptions and enforcing their own water management practices if such a case arises?

A: With adequate funding, the groundwater district can implement a plan to protect the groundwater from over-pumping and assure sufficient water to supply local historic, existing users, including municipal, industrial, and agricultural users. Without a valid plan and the means to administer it, the groundwater will be subject to unlimited transfer to other areas, without regard to local needs. As long as the district exercises this responsibility, the state will not intrude. However, the district must meet minimum standards. This will require local funding, including a minimal property tax.

Jim Allison

Q. What has changed since the previous ad valorem tax issue was voted down?

A. There are a number of things that have changed since the issue was voted down last time. The most obvious change has been the changing of the Board of Directors. We have seven new board members and an advisory committee working on a new, less restrictive, less intrusive, non-punitive set of rules for the district. We have decided to pursue changing our enabling legislation and remove the eminent domain powers granted to the district. We are asking for the least amount of ad valorem tax funding (.01/\$100 valuation) that has ever been asked for. We have changed the district rule structure from a complex, hard to understand structure to a more citizen friendly structure by allowing the grandfathering of wells, exempting wells and removing any fees for applications, permits, registrations and production permits. We are offering a historic use protection and a voluntary registration of wells. We are trying to be as transparent and informative as possible by keeping our website updated with any new material we are considering. We are trying to be as open-minded as we can so that every citizen's comments are considered. We want to create something that will protect our water, and us, but not penalize us for being water users. For more information visit our website at: www.co.jackson.tx.us/ips/cms/TexanaGroundwater.html.

Q: What will happen if the Texana Groundwater Conservation District does not have adequate funding to operate?

A: Because it has no funding, the district has failed to meet certain statutory requirements, such as adoption of a management plan and rules, registration of new exempt wells, and permitting of new non-exempt wells. The district has been granted an extension to meet these requirements. If the district does not meet these requirements, the Texas Commission on Environmental Quality may dissolve the district, ending its existence, or assume operation of the district. If the district is dissolved, our groundwater will be unprotected and available for mass transfer to other parts of the state or subjected to administration by a state agency.
Jim Allison, TGCD attorney

A: If the tax election fails, we don't know how the state will go forward. What we do know is, if we are unable to obtain local funding this time, the district will be canceled and the future management of the groundwater in Jackson County will be determined by the state. *Patrick Brozowski, LNRA general manager*

Q: What happens next?

A: It all depends on what happens on Nov.2!

Even if the .01/\$100 ad valorem tax proposition passes, we won't be receiving significant tax revenues for almost a year, so for most of the first year we will be learning everything we can about GCD's and getting prepared to operate the district. We will have to get busy preparing for well registrations and permits, data collection, final management plan and rules approvals, etc.... We will be back in compliance with TCEQ in January. We will also be pursuing the eminent domain changes to our enabling legislation when the Texas Legislature is back in session.

If the tax option doesn't pass, then we will have to explore the option of state control. We will not be able to function without funding, so this is the last opportunity we have to conserve, preserve, and protect the groundwater under Jackson County with a locally elected board of directors.

This is the last Groundwater Q & A column that I will be writing before election day, I hope I have addressed all the questions and concerns that pertain to the passage of the \$.01/\$100 ad valorem tax proposition for the Texana Groundwater Conservation District. For a recap of previous Q & A columns published in the *Jackson County Herald-Tribune*, visit our website at: www.co.jackson.tx.us/ips/cms/TexanaGroundwater.html.

I would like to thank all of you that have donated time, money, or even advice to the district. Without the community involvement and support we couldn't have accomplished so much in so little time. Please take the time to cast your ballots for the Texana Groundwater Conservation District on Tuesday, Nov. 2, 2010!