The Siege on the Simsboro

A Cautionary Tale

presented by Michele G. Gangnes, Esq. Director, Lee County





Simsboro Aquifer
Water Defense Fund

Simsboro Aquifer Water Defense Fund

~~ A Texas non-profit, 501c3 qualified organization. We are based over the central Carrizo-Wilcox Aquifer, including the ancient water of the Simsboro formation, probably the most coveted water in the State

~~Working to leave a legacy of aquifers that last forever~~





SAWDF's Mission

To act for the protection and conservation of the central Carrizo-Wilcox Aquifer, especially the Simsboro, and the rivers, streams and springs nurtured by the aquifer.

To defend the rights of those who live over the aquifer and who seek to leave a legacy of sustainable water resources for future Texans.

What does our State Constitution mean when it says "conservation and development of natural resources" is a "public right and duty"?? ~~ WE think it means:

Balance conservation versus development!

Aquifers sustainable in perpetuity

Healthy rivers, streams and springs

Prosperous rural economies

How is that balance achieved?

Rule of Capture must be subject to meaningful regulation

No "managed depletion" of aquifers, aka "no mining" of groundwater

Groundwatersurface water interdependence recognized Present and future generations of all Texans protected

PRIVATE WATER MARKETER'S (AND LCRA'S) "AQUIFER DEPLETION MISSION" IN THE SIMSBORO

"Stake out huge permits ~ it's a Liquid Gold Rush!"

One acre-foot (326,000 gallons) of groundwater TODAY is worth at least \$1,000/year!

So what, if we don't have customers? ~~ if we can pump it, they will come!

No worries, our lobbyists and "our" legislators will take care of us if we over-pump!

Our State Constitution regards conservation and development of natural resources as a public right and duty ---- what does this mean? ~~ THEY think it means:

Rule of Capture rules!!

Trust us, the Simsboro is full of water!

Trust us, the Rivers will be fine!

(Who cares about rural economies anyway?)

But what about balance and sustainability? What about not exceeding recharge so we don't "mine" our aquifers? It doesn't matter ~~ "availability" ("TERS") is the name of the game!

"Total Estimated Recoverable Storage"

The aquifer is "available" to the last drop!

Don't worry~ we'll *only* take 25% of what's "available"! SAWS SAYS:
"Rural folks will
just have to
move – we need
their water!"

Groundwater management areas must consider TERS before setting their "desired future conditions" ~ it's the only factor that matters to the water marketers!

TERS is a set of "recovery scenarios" of 25%-75% of total aquifer volume

Even 25% is an astronomical number for the Simsboro

Water marketers say: "Let it be the limit! Forget balance! Forget recharge!"

TWDB: it "may represent" an upper limit on how much can be pumped

What does "TERS" take into account? ... Oops, the question should be "what <u>doesn't</u> it consider?"

Does *not*consider effects
of pumping *or*water quality
degradation

Water levels dropping below pumps

Land surface subsidence (high risk in Lee/Bastrop counties) Changes to groundwater-surface water interactions

Groundwater districts in each groundwater management area must decide what their aquifer should look like in fifty years ~ for us, that's "how much <u>average</u> drawdown can we stand"? 300 feet? 400 feet? How about 600-1200 feet?

These drawdowns define our "Desired Future Conditions"

Dangerous to use "demand" numbers to set DFC

Should use recharge rather than demand

Lost Pines and GMA 12 "reverse engineer" DFC with demand not recharge

When the "TERS mentality" begins to take over the Desired Future Conditions debate --- and the permitting debate --- this is dangerous.

The water marketers have the ear of powerful legislators.

At least one leading Senator seems to think our Lost Pines District ought to look more like the Post Oak District --- the District that gave us Vista Ridge.

None of these issues are settled – but if the Legislature is in session, none of us are safe!

Each session
brings new
forays into
aquifer and rural
destruction

"GRIDZILLA" – 60-inch pipeline for Vista Ridge over 7 counties

Further erosion of aquifer rights and landowner rights to their groundwater

Guardians of our rivers (LCRA) should get out of groundwater!

As we enter the Session, what is the status of permitting in the Simsboro?

Just looking at Lost Pines GCD and Post Oak GCD, it's not pretty!

Lee and
Burleson
counties are the
"sweet spots"
for marketers

Bastrop and Milam will feel plenty of effects, too!

5 export permits totaling 170,500 AFY (55.6B gal/yr) issued or pending

How many acre-feet are being exported now?

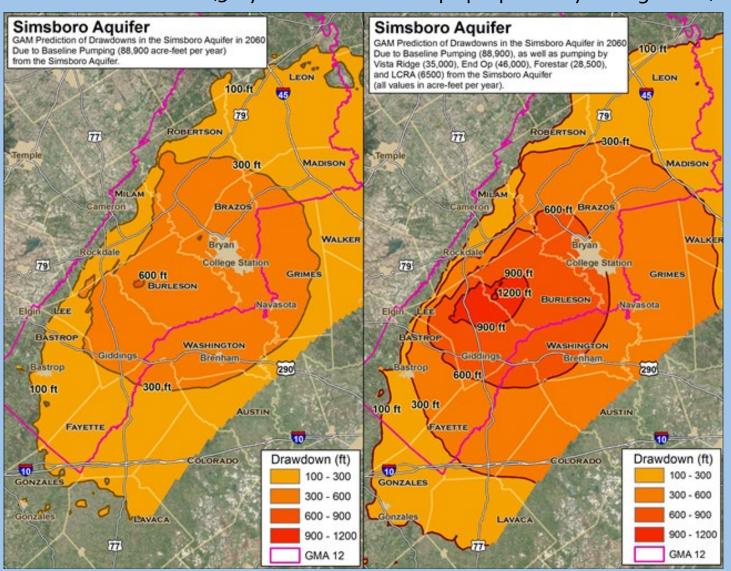
Only Vista Ridge and SH130 Projects in Post Oak are, or will be pumping by 2020

Forestar and End
Op in Lee and
Bastrop counties
don't have
customers

Alcoa/Luminant have mining wells convertible to municipal use

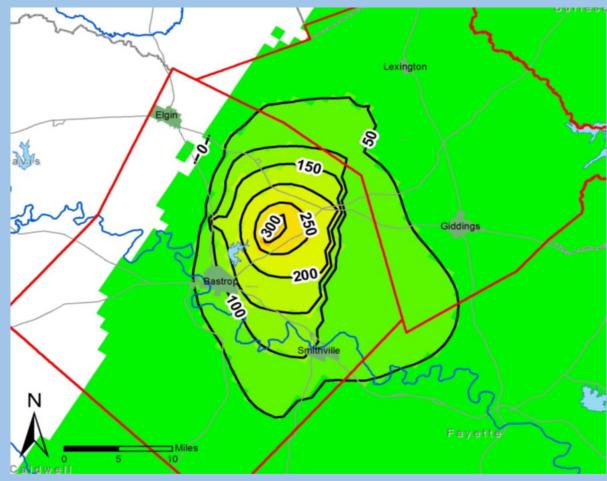
LCRA is in a contested case on its proposed 25,000 AFY permit

The "Before and After" of the Siege on the Simsboro (50-year drawdown maps prepared by George Rice)



But wait! The preceding maps do not include projected (additional) 50-year drawdown from LCRA pending permit for 25,000 AFY. (Map prepared by Lost Pines' hydrologist, Donnelly &

Associates.)



Our viewpoint is at opposite ends of the spectrum from the for-profit water grabbers---and even from LCRA as the steward of the Colorado River.

Our viewpoint is sometimes even at odds with the State's preferred groundwater regulators --- our groundwater districts.

For the fourth time in its history, the Lost Pines GCD is in the midst of litigation about its permitting.

Three of those times, landowners have been among those asking to contest a large permit – they believe their "3 minutes of public comment" is not enough.

State water law says landowners own the groundwater beneath their land, as a vested property right.

ALL owners of groundwater want a seat at the permitting table...

We know litigation is not the final answer, nor is the answer simply to play defense at the Legislature (even though we have to do both).

The answer is to have our state understand our Liquid Gold can no longer be the "go to" solution for all water needs --- but too many private special interests are hoping to get rich off of groundwater.

We need all Texans to have their voices heard --- starting now--- in order for our aquifers and Texas to both be truly "sustainable in perpetuity".

Simsboro Aquifer Water Defense Fund

1290 CR B Lexington TX 78947

info@simsborowaterdefensefund.org

Michele G. Gangnes, Esq. mggangnes@aol.com 512-461-3179

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Thank you!