

Conroe Council approves resolution, letter criticizing Lone Star Groundwater Conservation District for regulations

By Brandon K. Scott | Posted: Tuesday, May 5, 2015 4:20 pm

The Conroe City Council approved a resolution with a scathing letter to the Texas Groundwater Management Area 14, calling on the Lone Star Groundwater Conservation District to implement regulations for production consistent with desired future conditions (DFC).

Those desired future conditions for Conroe and five other cities in Montgomery County that formed a coalition, arguing against the mandate to reduce the county's underground water production by one-third by 2016, is still unclear.

Conroe, specifically, contends the proposed 64,000 acre-feet-per-year limit is a flawed approach to providing water to the community "based on virtually no science."

Mayor Webb Melder and three city council members voted for the resolution.

Councilman Duke Coon, who questioned some of the language in the resolution, was the lone abstaining vote. Councilman Gil Snider was not present at the special meeting.

"To put our reason for writing bluntly, Conroe has lost confidence in the LSGCD's regulation of groundwater within Montgomery County," Melder states in the letter. "As a result, the City Council and I concluded that Conroe should express its very serious concerns directly to GMA 14, as you the District Representatives to GMA 14, undertake GMA 14's statutory obligation to adopt updated desired future condition for the four different aquifers that underlie not only Montgomery County, but also adjacent counties."

Melder further states Conroe is not alone in its "exasperation with LSGCD's non-responsiveness to the concerns of Montgomery County citizens," adding that private parties and other governmental entities in the county have the same increasingly urgent concerns about the LSGCD.

'Frustrating' process

When Coon asked John D. Bleyl, who represents Conroe on the LSGCD board, whether he lost confidence in the district, Bleyl expressed frustration that board members are not getting all the information they need to make proper decisions.

"This whole DFC process has been frustrating because I have not seen the full picture of the impacts, the timing, all of those things," Bleyl said. "So from that perspective, yes, I've lost confidence in some of the district staff members and consultants because of that."

Board member M. Scott Weisinger, who represents all cities except Conroe, said that while he has

“all the confidence” in the board, he has lost confidence in the district’s legal staff and consultants.

“I have reason to believe there is information that is being withheld to the board,” Weisinger said.

According to the letter, Conroe is asking GMA 14 not to follow what the mayor calls an incorrect past practice of attempting to establish balkanized, county-by-county desired conditions for the aquifers underlying the GMA 14, which covers 20 counties from the Brazos River to the Louisiana border.

Regional planning

Melder said he wants the GMA 14 to engage in regional planning for the aquifers, which would account for the anticipated growth in the county’s largest city and the second largest producer of groundwater in the county.

He cites the minutes of the management area’s joint planning group meeting from nearly two years ago, when it was determined that adjusting the pump amount to match a particular desired condition would be work intensive and reviewing pump figures and projected demands would be a more direct method to determine the desired DFC.

Melder said this is not the process contemplated by the Texas Water Code.

“Under that flawed approach, LSGCD’s arbitrary 64,000 acre-feet-per-year limit becomes a self-fulfilling mandate,” Melder said. “LSGCD adopted that limitation, based on virtually no science, and reported it to the GMA 14, (which put that number into the model) and calculated supposed DFCs for Montgomery County based on the LSGCD’s limit.”

According to LSGCD’s website, population growth in the county has created an “overwhelming demand” that cannot be met by existing groundwater supplies, according to the LSGCD’s website

Bill Mullican, a hydrologist with Mullican & Associates who works with the LSGCD, has said the district should diversify water supplies.

Mullican told The Courier last August that even though plenty of water is in the aquifer, the cost of getting it out of the ground could be preventative.

The Courier previously reported that as part of the LSGCD’s Groundwater Reduction Plan, the San Jacinto River Authority is constructing 55 miles of water transmission lines that will deliver water from Lake Conroe to residents in the county. Total cost of the project, which is still under construction, is about \$500 million.

Montgomery County primarily draws from the Evangeline and Jasper aquifers.

How much reduction is affordable over time?

Later in the day, the LSGCD board’s Findings and Review Committee held a public workshop to

discuss public participation in the GMA 14 joint-planning efforts.

LSGC staff also offered progress reports on remaining tasks for district representatives.

The debate centers on how much reduction in water levels can the district afford over time.

Jace Houston, who serves on the LSGCD board representing the San Jacinto River Authority, said the district's regulations are not based on storage, rather the cost of chasing falling water lines.

“What drove the board in the early 2000s to adopt a goal of trying to achieve a sustainable water level was economics,” Houston said. “Water utilities can't keep up with falling yields. Our wells become money pits. You keep pouring money down the well and there's a point at which the yield will become so low that it's not cost effective.

“You can't drill enough wells to meet the customer demand in our region. That's the practical reality we deal with as utilities.”

Houston added it has been well-known for decades the cheaper option is to use water from the aquifer that is fresh and requires no treatment as opposed to building surface water plants. He said the district would not stop using fresh aquifer water if it did not have to.