

**RESOLUTION#08-001**

**ESTABLISHING PREFERENCES FOR DESIRED FUTURE CONDITIONS  
OF THE TRINITY AQUIFER IN GROUNDWATER MANAGEMENT AREA 8**

THE STATE OF TEXAS

§

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

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**Whereas**, the Upper Trinity Groundwater Conservation District (the “District”) was created as a groundwater conservation district by the 80<sup>th</sup> Texas Legislature under the authority of Section 59, Article XVI, of the Texas Constitution, and in accordance with Chapter 36 of the Texas Water Code by the Act of May 25, 2007, 80th Leg., R.S., ch. 1343, 2007 Tex. Gen. Laws 4583, codified at TEX. SPEC. DIST. LOC. LAWS CODE ANN. ch. 8830 (“the District Act”);

**Whereas**, the District is a governmental agency and a body politic and corporate;

**Whereas**, is statutorily charged with protecting the quantity and the quality of groundwater within the counties of Montague, Wise, Parker, and Hood, Texas;

**Whereas**, the District is located in Groundwater Management Area 8 ("GMA 8"), as designated by the Texas Water Development Board ("TWDB");

**Whereas**, the Texas Legislature has mandated that the districts located in each Groundwater Management Area, including GMA 8, adopt Desired Future Conditions for each major and minor aquifer located in the GMA and submit them to the TWDB for inclusion in the State Water Plan;

**Whereas**, the Board of Directors of the District has retained the services of a highly qualified hydrogeologist to study the reports, data, groundwater availability models, and other information concerning the Trinity Aquifer and its subdivisions in the GMA 8 region, both in the District and in adjacent counties in the region;

**Whereas**, the Board of Directors of the District has received numerous presentations and reports from its hydrogeologist regarding the status of the Trinity Aquifer, and is of the opinion that available information indicates that the initial Desired Future Conditions proposed by Groundwater Management Area 8 will result in an unsustainable condition for the Trinity aquifer;

**Whereas**, the Board of Directors of the District has received information regarding water use and demand in counties adjacent to the District indicating that a concerted management effort is needed between the District and counties adjoining the District, as groundwater production in the District affects groundwater levels in adjacent counties and vice versa;

**Whereas**, the Board of Directors of the District believes that sufficient water resources are necessary for the continued growth and viability of the District's economy;

**Whereas**, the Board of Directors of the District is not aware of any presently available alternative to groundwater that could supply the water demands of large portions of the District;

**Whereas**, it will take many years to identify, develop, and construct alternative sources of water to supply the demands of the people and businesses within the District and to convert users from groundwater to surface water or other alternative supplies;

**Whereas**, it is the desire of the Board of Directors of the District to preserve the availability of water from the Trinity aquifer for future generations;

**Whereas**, the best information available today indicates that the sustainable level of usage for the Trinity Aquifer in the District and neighboring counties was surpassed many years ago by the increasing demand;

**Whereas**, the Desired Future Condition chosen today must, by statute, be reviewed and or revised and re-submitted in not more than five (5) years;

**Whereas**, the Upper Trinity Groundwater Conservation District intends to accumulate, maintain and process accurate information through the monitoring process over the next five (5) years;

**Whereas**, the information available in five (5) years may be more accurate than the information available today;

**Whereas**, the Board of Directors of the District intends that the Desired Future Conditions chosen today will be adjusted when more accurate data is available;

**Whereas**, the Board of Directors of the District has been forced to endure a level of ever increasing frustration as they tried to utilize a defective predictive tool and questionable data in order to achieve the best decision possible;

**Whereas**, the Board of Directors of the District looks forward to the day when a better model is available and better data can be entered into that model so that better decisions can be made;

**Whereas**, the express desire of the Board of Directors of the District is to ultimately arrive at a Desired Future Condition that will allow the Trinity aquifer to provide sustainable water to future generations of residents of the District;

**Whereas**, the decision required today must be reasonable and acceptable to the residents of the District given the best available information on current usage within the District;

**Whereas**, the Board of Directors of the District understand that the usage from the Trinity aquifer must be reduced over time in order to secure the availability of groundwater from the Trinity aquifer for future generations;

**Whereas,** the Board of Directors of the District is in a legal quandary regarding how to establish Desired Future Conditions that represent its desire to ultimately manage the Trinity Aquifer on a sustainable basis in the long-term once alternative water supplies can be brought on-line while allowing for continued growth on groundwater in the near-term until such alternative supplies are available;

**Whereas,** the Board of Directors of the District has determined that the best course of action presently is to establish Desired Future Conditions for the Trinity Aquifer that will result in Managed Available Groundwater numbers that will support continued growth on groundwater resources in the near-term, and to revisit those Desired Future Conditions periodically as alternative water supplies become available in the District in order to promote sustainable management of the groundwater resources of the Trinity Aquifer in the long-term;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:**

1. The above recitals are true and correct.
2. The Board of Directors of the Upper Trinity Groundwater Conservation District hereby recommend to the Boards of Directors of the other member districts of GMA 8 and their designated representatives that the initial Desired Future Conditions for the Trinity aquifer be set at the following levels for the following counties:

Montague County: 506 acre feet per year  
Wise County: 8,414 acre feet per year  
Parker County: 11,751 acre feet per year  
Hood County: 11,001 acre feet per year  
Cooke County: 7,018 acre feet per year  
Denton County: 18,132 acre feet per year  
Tarrant County: 17,606 acre feet per year  
Johnson County: 16,349 acre feet per year

3. The Board of Directors and its officers are further authorized to take any and all actions necessary to implement this resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT**

By: \_\_\_\_\_  
President

\_\_\_\_\_  
Secretary