

Calhoun County Groundwater Conservation District Management Plan

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| Calhoun County Groundwater Conservation District Board of Directors Management Plan Original Adoption: | May 31, 2017 |
| Texas Water Development Board Administrative Management Plan Original Approval: | July 18, 2017 |

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DISTRICT MISSION

The mission of the Calhoun County Groundwater Conservation District (DISTRICT) is to develop sound water conservation and management strategies designed to conserve, preserve, protect, and prevent waste of groundwater resources for long-term sustainability within Calhoun County for the benefit of Calhoun County's landowners, citizens, economy, and environment.

The DISTRICT will implement these strategies through the acquisition and dissemination of hydrogeological information, the development of programs and incentives to conserve and protect groundwater resources, and the adoption and enforcement of fair and appropriate rules governing the production and protection of the groundwater resources within Calhoun County.

PURPOSE OF THE MANAGEMENT PLAN

Senate Bill 1, enacted by the 75th Texas Legislature in 1997, and Senate Bill 2, enacted by the 77th Texas Legislature in 2001, established a comprehensive statewide water resource planning process and the actions necessary for groundwater conservation districts to manage and conserve the groundwater resources of the state of Texas. These bills required all groundwater conservation districts to develop a management plan which defines the groundwater needs and groundwater supplies within each district and the goals each district has set to achieve its mission.

In addition, the 79th Texas Legislature enacted House Bill 1763 in 2005 that requires joint planning among districts that are in the same groundwater management area. These districts must jointly agree upon and establish the desired future conditions of the aquifers within their respective groundwater management areas. Through this process, the groundwater conservation districts will submit the desired future conditions to the executive administrator of the Texas Water Development Board who, in turn, will provide each district within the groundwater management area with the amount of modeled available groundwater within each district. The modeled available groundwater will be based on the desired future conditions jointly established for each aquifer within the groundwater management area.

Technical information, such as the desired future conditions within the DISTRICT'S jurisdiction and the amount of modeled available groundwater from such aquifers is required by statute to be included in the DISTRICT's management plan and will guide the DISTRICT's regulatory and management policies. This management plan is intended to satisfy the requirements of Senate Bill 1, Senate Bill 2, House Bill 1763, the statutory requirements of Chapter 36 of the Texas Water Code, and the rules and requirements of the Texas Water Development Board.

DISTRICT INFORMATION

Creation

The DISTRICT was created by Senate Bill 1290, 82nd Legislature and continued by Senate Bill 1835, 83rd Legislature, and codified as Chapter 8860, Special District and Local Laws Code. The citizens of Calhoun County through a confirmation election held on November 4, 2014 ratified the DISTRICT. The boundaries of the District are conterminous with those of Calhoun County, Texas. The DISTRICT was formed to protect, conserve, and prevent waste of the groundwater resources beneath the area of Calhoun County. To manage the groundwater resources under its jurisdiction, the DISTRICT is charged with the rights and responsibilities specified in its enabling legislation; the provisions of Chapter 36 of the Texas Water Code; this Management Plan, and the District Rules.

Directors

The Calhoun County Groundwater Conservation District Board of Directors consists of five members. These five directors are elected by the voters of Calhoun County and serve a four-year term. The DISTRICT observes the same four precincts as the Calhoun County Commissioners' with one at-large position. Director terms are staggered on a two-year election interval in even numbered years.

Authority

The DISTRICT has the rights and responsibilities provided in Chapter 36 of the Texas Water Code and Chapter 356 of Title 31 of the Texas Administrative Code. The DISTRICT has the authority to undertake hydrogeological studies, adopt a management plan, provide for the permitting of certain water wells, and implement programs to achieve statutory requirements. The DISTRICT has rule-making authority to implement its policies and procedures to manage the groundwater resources of Calhoun County.

Location and Extent

The boundaries of the DISTRICT are the same as Calhoun County. This area encompasses approximately 1,032 square miles. The District is bounded by Refugio County, Victoria County, Jackson County, and Matagorda County.

GROUNDWATER RESOURCES OF CALHOUN COUNTY

Depositions from sediment-laden rivers, currents from the Gulf of Mexico, and storm waves have influenced the geologic formations in Calhoun County. The fluctuation of the coastline over geologic eons contributed to the deposition of sediments within the Calhoun County as well. The geologic formations in the Calhoun County according to their depositional age are summarized in Figure 1. The Gulf Coast Aquifer underlies Calhoun County.

Figure 1: Geologic and Hydrogeological Units of the Gulf Coast Aquifer in Calhoun County.

| Stratigraphic Unit | | Hydrogeologic Unit |
|----------------------------|------------------|--------------------|
| Alluvium | | Chicot Aquifer |
| Beaumont Clay | | |
| Montgomery Formation | Lissie Formation | |
| Bentley Formation | | |
| Willis Sand | | |
| Goliad Sand | | Evangeline Aquifer |
| Fleming Formation | | |
| Oakville Sandstone | | Jasper Aquifer |
| Catahoula Sandstone (Tuff) | | |

The Gulf Coast Aquifer System is conceptualized to comprise of four distinct aquifer components: Chicot, Evangeline, Burkeville Confining Unit and the Jasper aquifer (Baker, 1979). These aquifer components are included within the Central Gulf Coast Groundwater Availability Model developed by the Texas Water Development Board (Chowdhury and Mace, 2004). The Chicot Aquifer is utilized the most within Calhoun County. The Chicot Aquifer outcrops across the entire county. The thickness of the Chicot aquifer ranges between approximately 500 feet to 1,200 feet in Calhoun County. The thickness of the Evangeline aquifer ranges between approximately 1,100 feet to 1,600 feet in Calhoun County. The Chicot and Evangeline aquifer consist of interbedded sands, silts and clays. The sand content is higher in the Evangeline aquifer compared to the Chicot aquifer. The water quality in the aquifer generally deteriorates along the coast.

STATEMENT OF GUIDING PRINCIPLES

The DISTRICT recognizes that the groundwater resources of Calhoun County and the region are of vital importance to the many users who are dependent on these valuable resources. In addition, the DISTRICT recognizes that the landowners have an ownership right in the groundwater resources associated with their properties and are the primary stewards of the groundwater resources associated with their properties. The DISTRICT will work with interested parties, especially landowners, in Calhoun County to conserve, preserve, protect, and prevent waste of this most valuable resource, for the benefit of the landowners, the public, the local economy, and the environment.

The DISTRICT's management plan is intended to serve as a tool to focus the thoughts and actions of those given the responsibility for the execution of the DISTRICT's activities as well as to provide information to the staff of the DISTRICT, landowners, and others responsible for the execution of, or compliance with, the DISTRICT's policies and rules. The DISTRICT will carry out its programs and responsibilities in implementing this management plan in a prudent and cost effective manner. The DISTRICT, with public input, will adopt and enforce rules necessary to implement this management plan.

CRITERIA FOR PLAN APPROVAL

Planning Horizon

The time period for this plan is 10 years from the date of approval by the Texas Water Development Board. This plan will be reviewed within five years as required by §36.1072(e) of the Texas Water Code. The DISTRICT will consider the necessity to amend the plan and re-adopt this management plan with or without amendments as required by §36.1072(e) of the Texas Water Code.

This management plan will remain in effect until replaced by a revised management plan approved by the Texas Water Development Board.

Notice and Hearing Related to Plan Adoption - TWC §36.1071(a)

Public notices documenting that this plan was considered and adopted following appropriate public hearings are included in Appendix D.

Coordination with Regional Surface Water Management Entities - TWC §36.1071(a)

Letters transmitting this plan to the surface water management entities of the Calhoun County region for coordination purposes are included in Appendix E.

Calhoun County Groundwater Conservation District Board of Director Resolution Adopting Management Plan

A copy of the DISTRICT's resolution adopting this plan is included in Appendix F.

ESTIMATES OF TECHNICAL INFORMATION REQUIRED BY §36.1071 OF THE TEXAS WATER CODE AND RULE 356.52 OF TITLE 31 OF THE TEXAS ADMINISTRATIVE CODE

Estimate of Modeled Available Groundwater in the DISTRICT based on Desired Future Conditions – TWC §36.1071(e)(3)(A) and 31 TAC 356.52(a)(5)(A)

Modeled available groundwater is defined in §36.001 of the Texas Water Code as "the amount of water that the executive administrator determines may be produced on an average annual basis to achieve a desired future condition established under Section 36.108." Desired future condition is defined in §36.001 of the Texas Water Code as "a quantitative description, adopted in accordance with §36.108 of the Texas Water Code, of the desired condition of the groundwater resources in a management area at one or more specified future times." The desired future condition of an aquifer may only be determined through joint planning with other groundwater conservation districts in the same groundwater management area as required by the 79th Legislature with the passage of House Bill 1763 into law.

The DISTRICT is located in Groundwater Management Area 15. The groundwater conservation districts of Groundwater Management Area 15 completed the second-round of joint planning process to determine the desired future condition of the aquifers within the groundwater management area.

District representatives of Groundwater Management Area 15 adopted, by resolution, the desired future condition for Gulf Coast Aquifer within Groundwater Management Area 15 on April 29, 2016. The administrator of Groundwater Management Area 15 submitted the adopted desired future conditions and explanatory report for Groundwater Management Area 15 on June 23, 2016 to Texas Water Development Board. The Texas Water Development Board designated the Groundwater Management Area 15 Explanatory Report administratively complete on October 20, 2016. The Texas Water Development Board provided the Modeled Available Groundwater estimates for Groundwater Management Area 15 to district representatives on March 22, 2017.

The desired future condition for the entire area is stated as follows:

"Drawdown of the Gulf Coast Aquifer System shall not exceed an average of 13 feet in December 2069 from estimated year 2000 conditions."

The desired future condition for Calhoun County is stated as follows:

"Drawdown of the Gulf Coast Aquifer System shall not exceed an average of 5 feet in December 2069 from estimated year 2000 conditions."

The Texas Water Development Board reported the modeled available groundwater for Groundwater Management Area 15 based on the desired future condition in GAM Run 16-025 MAG which is incorporated into this management plan as Appendix C. The

modeled available groundwater, in acre-feet per year (AFY), of the Gulf Coast Aquifer within the DISTRICT per Table 1 of the GAM Run 16-025 MAG report is as follows:

| Year | | | | | |
|-----------|-----------|-----------|-----------|-----------|-----------|
| 2020 | 2030 | 2040 | 2050 | 2060 | 2069 |
| 7,565 AFY | 7,565 AFY | 7,565 AFY | 7,565 AFY | 7,565 AFY | 7,565 AFY |

Estimate of amount of groundwater being used within the district on an annual basis – TWC §36.1071(e)(3)(B) and 31 TAC 356.52(a)(5)(B)

Please refer to Appendix A.

Estimate of annual amount of recharge from precipitation to the groundwater resources within the district – TWC §36.1071(e)(3)(C) and 31 TAC 356.52(a)(5)(C)

Please refer to Appendix B.

Estimate for each aquifer, annual volume of water that discharges from the aquifer to springs and any surface water bodies, including lakes, streams, and rivers – TWC §36.1071(e)(3)(D) and 31 TAC 356.52(a)(5)(D)

Please refer to Appendix B.

Estimate of annual volume of flow into and out of the district within each aquifer and between aquifers in the district – TWC §36.1071(e)(3)(E) and 31 TAC 356.52(a)(5)(E)

Please refer to Appendix B.

Estimate of projected surface water supply in the district according to the most recently adopted state water plan – TWC §36.1071(e)(3)(F) and 31 TAC 356.52(a)(5)(F)

Please refer to Appendix A.

Estimate of projected total demand for water in the district according to the most recently adopted state water plan – TWC §36.1071(e)(3)(G) and 31 TAC 356.52(a)(5)(G)

Please refer to Appendix A.

**CONSIDER THE WATER SUPPLY NEEDS AND WATER
MANAGEMENT STRATEGIES INCLUDED IN THE ADOPTED STATE
WATER PLAN – TWC §36.1071(e)(4)**

Please refer to Appendix A.

DETAILS ON THE DISTRICT MANAGEMENT OF GROUNDWATER

The Texas Legislature established that groundwater conservation districts are the preferred method of groundwater management in TWC §36.0015. The DISTRICT will manage the use of groundwater within Calhoun County in order to protect, preserve, conserve, and prevent waste of the resource while seeking to maintain the economic viability of all resource user groups, public and private. The DISTRICT seeks to manage the groundwater resources of Calhoun County as practicably as possible as established in the plan. In consideration of the economic and cultural activities occurring within Calhoun County, the DISTRICT will identify and engage in such activities and practices, that if implemented may result in the reasonable and effective protection, preservation, conservation, waste prevention of groundwater in Calhoun County. The DISTRICT will manage groundwater resources through rules developed and implemented in accordance with Chapter 36 of the Texas Water Code and the provisions of the DISTRICT's enabling legislation.

For the purposes of this management plan, the following definitions are used:

- Protection of groundwater is the activity and practice of seeking to prevent harm or injury to a groundwater resource.
- Preservation of groundwater is the activity and practice of seeking to extend the useful longevity or life of a groundwater resource.
- Conservation of groundwater is the activity and practice of seeking to use a groundwater resource in a manner that appropriately balances the impacts associated with consuming the resource and preserving the resource for the future.
- Waste prevention of groundwater is the activity and practices seeking to prevent the use of groundwater in any manner defined as waste in Section 36.001 of the Texas Water Code.

An observation well network will be established and maintained by the DISTRICT in order to monitor changing water levels and water quality of groundwater supplies within Calhoun County. When a monitoring well network has been established, the DISTRICT will make a regular assessment of water supply and groundwater storage conditions, water quality conditions and will report those conditions to the Calhoun County Groundwater Conservation District Board of Directors and to the public. The DISTRICT may undertake, as necessary, investigations of the groundwater resources within Calhoun County and will make the results of investigations available to the public. The DISTRICT will co-operate with investigations of the groundwater resources of Calhoun County undertaken by other local political subdivisions or agencies of the State of Texas.

In order to better manage groundwater resources the DISTRICT may establish management zones for; and adopt different rules for:

1. Each aquifer, subdivision of an aquifer, or geologic strata located in whole or in part within Calhoun County; or

2. Each geographic area overlying an aquifer or subdivision of an aquifer located in whole or in part within Calhoun County.

For the purpose of managing the use of groundwater within Calhoun County, the DISTRICT may define sustainable use as the use of an amount of groundwater in Calhoun County as a whole or any management zone established by the DISTRICT that does not exceed any of the following conditions:

1. The long-term average historical groundwater production from aquifers in Calhoun County established by the DISTRICT prior to the establishment of the desired future condition of aquifers in a groundwater management area in which the DISTRICT is located; or
2. The desired future conditions of aquifers in Calhoun County established by a groundwater management area in which the DISTRICT is located; or
3. The amount of modeled available groundwater resulting from the establishment of a desired future aquifer condition by the DISTRICT or a groundwater management area in which the DISTRICT is located; or
4. The estimated long-term average historical amount of annual recharge of the aquifer or aquifer subdivision in which the use occurs as recognized by the DISTRICT; or
5. Any other criteria established by the DISTRICT as being a threshold of use beyond which further use of the aquifer or aquifer subdivision may result in a specified undesirable or injurious condition.

The DISTRICT may adopt rules that protect historic use of groundwater in Calhoun County to the maximum extent practical and consistent with this plan and the goals and objectives set forth herein. The DISTRICT may impose more restrictive conditions on non-historic-use permits and non-historic-use permit amendments to increase use by historic users if the limitations:

1. Apply to all non-historic-use permits and non-historic-use permit amendments to increase use by historic users, regardless of the type or location of use;
2. Bear a reasonable relationship to the DISTRICT's management plan; and
3. Are reasonably necessary to protect historic use.

The DISTRICT may adopt rules to regulate groundwater withdrawals by means of spacing and/or production limits. The relevant factors to be considered in making a determination to grant or deny a permit or limit groundwater withdrawals shall include those set forth in the DISTRICT enabling Legislation, Chapter 36 of the Texas Water Code, and the rules of the District. The District may employ technical resources at its disposal, as needed, to evaluate the groundwater resources available within Calhoun County and to determine the effectiveness of regulatory or conservation measures. In consideration of particular individual, localized or District-wide conditions, including without limitation climatic conditions, the DISTRICT may, by rule, allow an increase or impose a decrease in the total production in a management zone above or below the sustainable amount for a period of time considered necessary by the DISTRICT in order to accomplish the purposes set forth in Chapter 36 of the Texas Water Code, or the DISTRICT's enabling legislation. The exercise of said discretion by the Calhoun County

Groundwater Conservation District Board of Directors shall not be construed as limiting the power of the Calhoun County Groundwater Conservation District Board of Directors.

ACTIONS, PROCEDURES, PERFORMANCE AND AVOIDANCE FOR PLAN IMPLEMENTATION – TWC §36.1071(e)(2)

The DISTRICT will implement the provisions of this plan and will utilize the provisions of this plan as a guidepost for determining the direction or priority for all DISTRICT activities. All operations of the DISTRICT, all agreements entered into by the DISTRICT, and any additional planning efforts in which the DISTRICT may participate will be consistent with the provisions of this plan.

Rules adopted by the DISTRICT for the permitting of wells and the use of groundwater shall comply with Chapter 36 of the Texas Water Code, including §36.113 of the Texas Water Code, and the provisions of this management plan. All rules will be adhered to and enforced. The promulgation and enforcement of the rules will be based on the best technical evidence available to the DISTRICT.

The DISTRICT's rules are available at the following website addresses:
www.calhouncountygcd.org

METHODOLOGY FOR TRACKING DISTRICT PROGRESS IN ACHIEVING MANAGEMENT GOALS – 31TAC 356.52(a)(4)

The staff of the DISTRICT will prepare and present an annual report to the Calhoun County Groundwater Conservation District Board of Directors regarding the DISTRICT's performance in achieving management goals and objectives for the fiscal year. The report will be presented within 120 days following the completion of the DISTRICT's fiscal year. The DISTRICT will maintain the report on file for public inspection at the District's offices upon adoption at a meeting of the Calhoun County Groundwater Conservation Board of Directors.

GOALS, MANAGEMENT OBJECTIVES and PERFORMANCE STANDARDS

Providing the most efficient use of groundwater – TWC §36.1071(a)(1) and 31 TAC 356.52(a)(1)(A)

Objective: Develop and maintain a water well registration program for tracking well information for wells within Calhoun County.

Performance Standard: Each year, the DISTRICT will summarize within the annual report the changes related to water well registration including the number of non-grandfathered and grandfathered wells registered.

Objective: Develop and maintain a water well permitting program for processing and tracking all permits authorizing groundwater production.

Performance Standard: Each year, the DISTRICT will summarize within the annual report the changes related to water well permitting including the number of new applications and the disposition of the applications.

Controlling and preventing waste of groundwater – TWC §36.1071(a)(2) and 31 TAC 356.52(a)(1)(B)

Objective: Develop and maintain a water well inspection program for non-exempt wells.

Performance Standard: Each year, the DISTRICT will summarize within the annual report the findings of the inspection activities including information regarding the number of wells that require improvement to control or prevent waste of groundwater.

Controlling and preventing subsidence – TWC §36.1071(a)(3) and 31 TAC 356.52(a)(1)(C)

This category of management goal is not applicable to the DISTRICT at this time because no significant subsidence has occurred in Calhoun County. The DISTRICT will monitor geological conditions for evidence of subsidence, particularly in high groundwater production areas near the coast and take appropriate action should subsidence develop.

Addressing conjunctive surface water management issues – TWC §36.1071(a)(4) and 31 TAC 356.52(a)(1)(D)

Objective: Participate in the regional water planning process by attending at least one South Central Texas Regional Water Planning Group (Region L) meeting per year.

Performance Standard: Each year, the DISTRICT will summarize within the annual report the representatives of the DISTRICT, dates, and the number of meetings of the South Central Texas Regional Water Planning Group attended.

Addressing natural resource issues which impact the use and availability of groundwater, and which are impacted by the use of groundwater – TWC §36.1071(a)(5) and 31 TAC §356.52(a)(1)(E)

Objective: Develop and maintain a water quality monitoring program.

Performance Standard: Each year, the DISTRICT will summarize within the annual report the monitoring activities including the number of wells monitored and the year-to-year change of water quality.

Addressing drought conditions – TWC §36.1071(a)(6) and 31 TAC 356.52(a)(1)(F)

Objective: Collect and review drought condition information related to Calhoun County and the surrounding region of Texas.

Performance Standard: Each year, the District will summarize within the annual report the drought condition information collected and reviewed.

Addressing conservation, recharge enhancement, rainwater harvesting, precipitation enhancement, or brush control, where appropriate and cost-effective – TWC §36.1071(a)(7) and 31 TAC 356.52(a)(1)(G)

Objective: Promote conservation, rainwater harvesting or brush control within Calhoun County.

Performance Standard: Each year, the DISTRICT will summarize within the annual report the activities directly related to conservation, rainwater harvesting or brush control including participation in scientific investigations and studies, educational materials developed and delivered to local schools, cooperative educational contributions and grants, public speaking events and presentations, community event participation, and educational publications.

Recharge enhancement and precipitation enhancement are deemed to be

not appropriate or cost-effective programs for the DISTRICT at this time because there are no existing recharge enhancement or precipitation enhancement programs operating in nearby counties in which the DISTRICT could participate and share costs. The costs of operating a single-county recharge enhancement or precipitation enhancement program are prohibitive and would require the DISTRICT to increase taxes. Therefore, these goals are not applicable to the DISTRICT at this time.

Addressing the desired future conditions adopted by the district under Section 36.108 – TWC §36.1071(a)(8) and 31 TAC 356.52(a)(1)(H)

Objective: Develop and maintain a water level monitoring program.

Performance Standard: Each year, the DISTRICT will summarize within the annual report the water level monitoring activities including the number of wells monitored and the year-to-year change of water level.

Objective: Analyze water level monitoring information to evaluate water level trends and determine the degree to which the DISTRICT is complying with the desired future conditions of Gulf Coast Aquifer in Calhoun County.

Performance Standard: Each year, the DISTRICT will summarize within the annual report the water level trends and the conclusions regarding the DISTRICT's compliance with the desired future condition of the Gulf Coast Aquifer in Calhoun County.

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Appendix A. Estimated Historical Water Use and State Water Plan Datasets
provided by Texas Water Development Board

Appendix B. Groundwater Availability Model Run 15-010 provided by Texas Water Development Board

Appendix C. Groundwater Availability Model Run 16-025 MAG

Appendix D. Public Notices Regarding Hearings Related to Plan Adoption

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Appendix F. Calhoun County Groundwater Conservation District Board of
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Appendix G. Minutes of Calhoun County Groundwater Conservation District Board of Director Meeting related to the public hearings for and adoption of the Management Plan

Appendix H. Calhoun County Groundwater Conservation District Contact Information