

THE CITY OF WOODCREEK

RESOLUTION NO. 25-03-26

WHEREAS, Chapter 36 of the Texas Water Code states groundwater conservation districts may be created “in order to provide for the conservation, preservation, protection, recharging, and prevention of waste of groundwater, and of groundwater reservoirs or their subdivisions, and to control subsidence caused by withdrawal of water from those groundwater reservoirs or their subdivisions, consistent with the objectives of Section 59, Article XVI, Texas Constitution”; and

WHEREAS, in order to protect the private property rights of individuals, the Texas Legislature amended Chapter 36 of the Texas Water Code in 2011 by adding language which includes, “the legislature recognizes that a landowner owns the groundwater below the surface of the landowner’s land as real property”; and

WHEREAS, if aquifers are not reasonably regulated by local groundwater conservation districts, irreparable damage could be done to our natural resources and landowner property rights may be infringed upon by the commercial production of groundwater that results in the malicious drainage of the landowner’s real property; and

WHEREAS, in order for groundwater conservation districts to properly manage groundwater resources, districts require adequate funding for operations and the gathering of scientific information necessary for sound management strategies; and

WHEREAS, the Hays Trinity Groundwater Conservation District’s (HTGCD) enabling legislation provided limited funding mechanisms, and

WHEREAS, the HTGCD’s primary funding mechanism, connection fees, will diminish as permitted water reaches the maximum amount allowed, resulting in little to no funding for the district at a time when groundwater resource management will be of great importance;

NOW, THEREFORE, BE IT RESOLVED, that the City of Woodcreek City Council supports legislation to amend the HTGCD’s enabling legislation that gives standard Chapter 36 of the Texas Water Code authority to manage and protect the Trinity Aquifer for the long-term benefit of all of its users; and allow for reasonable production fees.

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this, the 26th day of March, 2025, by a vote of ___ ayes to ___ nays to ___ abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:

Jeff Rasco, Mayor

Taffy Barker, City Clerk

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