

CHAPTER 7 – DROUGHTS AND DECLARATION OF A CRITICAL GROUNDWATER DEPLETION AREA (CGDA)

SECTION 7.1 – PLAN FOR DROUGHT CONDITONS

RULE 7.1.1 – PURPOSE

- a) Statement of Purpose – The District will have available procedures intended to preserve and prolong the availability of water during drought conditions to the extent possible.
- b) District Responsibilities – The District may develop and make available guidelines and procedures for the benefit of well owners, well operators and water users within the District regarding groundwater availability and use during drought conditions. These guidelines will be available on the District web site. District staff will be responsible for disseminating information on these guidelines and procedures to constituents.

RULE 7.1.2 – IMPLEMENTATION

- a) Designation of Conditions – The District shall define and declare a drought and its specific stages by using either the Palmer Drought Severity Index or the Drought Severity Classification Table put forth by the National Drought Mitigation Center. These two classifications are presented in the table below along with associated possible impacts.

Drought Severity Classification	Possible Impacts	Palmer Drought Index Classifications	
		Palmer Drought Index	Classification
D0	Going into drought: short-term dryness slowing planting, growth of crops or pastures. Coming out of drought: some lingering water deficits; pastures or crops not fully recovered.	-1.0 to -1.99	Mild drought
D1	Some damage to crops, pastures; streams, reservoirs, or wells low, some water shortages developing or imminent; voluntary water-use restrictions requested.	-2.0 to -2.99	Moderate drought
D2	Crop or pasture losses likely; water shortages common; water restrictions imposed.	-3.0 to -3.99	Severe drought
D3	Major crop/pasture losses; widespread water shortages or restrictions.	-4.0 to -4.99	Extreme drought
D4	Exceptional and widespread crop/pasture losses; shortages of water in reservoirs, streams, and wells creating water emergencies.	-5.0 or less	Exceptional drought

- b) Declaration of Drought Classifications – When conditions warrant a drought severity classification of D2 through D4, the District will issue a public warning that will be published on the front page of the District’s web site or stated regularly on the District’s Facebook page.
- c) Drought Mitigation – All drought mitigation plans will be addressed when the District designates a Category One Critical Groundwater Depletion Area. Board powers for this eventuality are outlined in Rule 7.2.2.

RULE 7.1.3 – OTHER AGENCY PLANS

- a) Submission to the District – Each permittee who is required by another agency or political subdivision of the state to maintain a drought management plan shall submit a copy of the plan to the District in order to assist the District in monitoring the success of drought management efforts within the District.

SECTION 7.2 – CRITICAL GROUNDWATER DEPLETION AREA (CGDA)

RULE 7.2.1 – DECLARATION OF A CRITICAL GROUNDWATER DEPLETION STUDY AREA

- a) Definition – Prior to a possible CGDA designation, the District may designate a study area. This designation will alert registered well owners that the District is undertaking studies of a defined area to determine if factors have occurred or will likely occur that may cause the designation of a CGDA.
- b) Impact on Well Owners – The designation of a study area by the District requires no hearing and no action on the part of registered well owners within the boundaries of the study area. The notification is intended to be for the purposes of apprising well owners of the District’s ongoing studies.
- c) Duration – The study area designation will remain in place until such time that the Board deems it unnecessary or until there is a full declaration of a CGDA.
- d) Notice – In order to alert District constituents of a Critical Groundwater Depletion Study Area designation, the

District may provide notice on their website and/or Facebook account.

RULE 7.2.1 – DECLARATION OF A CGDA

- a) **Indicators** – The Board may declare an area a CGDA if there is compelling evidence of any of the following:
 - i. Significant sustained drawdown of the water table;
 - ii. A significant reduction of artesian pressure;
 - iii. Detection of an area of an aquifer which may indicate a groundwater (or aquifer) mining situation (a non-sustainable yield); and/or,
 - iv. Local climate indicators, such as the Palmer Hydrological Drought Severity Index or the Drought Severity Classification Table put forth by the National Drought Mitigation Center, indicate severe and sustained dry conditions.
- b) **Public Notice and Hearings** – Prior to establishing a CGDA, the District will make groundwater data available and invite public comment. A public hearing will be held prior to declaration of a CGDA.
- c) **CGDA Categories** – A CGDA will be classified into one of the following categories:
 - i. **Category One** – This classification will be assigned to an area experiencing critical depletion of groundwater due to climatic events where the ability of the aquifer to provide sustainable yields at normal usage rates is seriously impaired.
 - ii. **Category Two** – This classification will be assigned to an area experiencing critical depletion of groundwater due to pumpage that has caused or will shortly cause the groundwater or aquifer to fall below sustainable yield on a long-term or permanent basis. This condition is not primarily caused by but could be exacerbated by short-term climatic conditions.

RULE 7.2.2 – PROCEDURES AFTER DECLARATION OF A CGDA

- a) **Public Notification** – Once a CGDA is declared and delineated, the area shall be given a unique name or number for identification purposes and all registered well owners in the area will be notified either individually or through public media. Notification of pertinent Board decisions related to a CGDA will be made to all registered well and landowners within the CGDA by published notice in a local newspaper of general circulation and/or on the District’s website and Facebook page.
- b) **Board Powers** – When the Board declares and delineates a CGDA, the Board may require or mandate any or all of the following:
 - i. A percentage reduction in groundwater usage first toward those wells with Operating Permits and if necessary wells with Existing and Historic Use Permits;
 - ii. Delay of new well permits;
 - iii. An increase in well spacing requirements;
 - iv. Constraints on the irrigation of golf courses, parks, athletic facilities or other public properties;
 - v. Constraints on the irrigation of crops and on the use of groundwater for construction activities.
- c) **Monitoring Pumpage** – Owners or operators of permitted wells within the CGDA that are required to report usage (per Rule 3.3.9, 3.4.11, and/or 3.5.10) shall provide the District with reports on the amount of water produced from each well under permit in CGDA on forms provided by the District on a schedule determined by the Board. For any well owner or operator of a permitted well within the CGDA that does not have an approved flow meter or other measuring device, the Board has the right and authority to require, at owner’s expense, that a District approved metering device be installed on that well. If the Board has not required metering devices on wells, production volume reports shall be provided by accurate estimates such as recording duration of pumpage and the well output capacity (gpm).
- d) **Request for Change in Water Allocation** – Owners or operators of permitted wells within the CGDA may request a temporary change in water allocation through petition to the Board. Decisions on such requests will be made consistent with prudent groundwater and aquifer management, the effect on other well owners in the CGDA, and the degree of necessity for the request.
- e) **Violation and Penalty** – If it is determined that a well owner or well operator has violated any of the rules mandated during a CGDA, the District has the right to assess a civil penalty as provided for in Section 36.102 of the Texas Water Code and Chapter 9 of these rules.