

**RESOLUTION ADOPTING THE DEVELOPMENT OF A THREE YEAR WELL
MONITORING GROWTH AND IMPLEMENTATION PLAN
FOR THE LOST PINES GROUNDWATER CONSERVATION DISTRICT**

WHEREAS, the Lost Pines Groundwater Conservation District (the "District") was created in 1999 by Senate Bill 1911, 76th Texas Legislature, pursuant to Section 59, Article 16 of the Texas Constitution and Article 7880-3c, Texas Civil Statutes (now Chapter 36, Texas Water Code); ratified by the 77th Texas Legislature in 2001; and confirmed by voters in Bastrop and Lee counties in November 2002; and

WHEREAS, the Texas Supreme Court opined in Edwards Aquifer Authority vs. Day that "districts have broad statutory authority" under the Tex. Water Code § 36.101(a), whereby "A district may make and enforce rules, including rules limiting groundwater production based on tract size or the spacing of wells, to provide for conserving, preserving, protecting, and recharging of the groundwater or of a groundwater reservoir or its subdivisions in order to control subsidence, prevent degradation of water quality, or prevent waste of groundwater and to carry out the powers and duties provided by this chapter;" and

WHEREAS, the District Board of Directors ("Board") is responsible for the management of all the affairs of the district pursuant to Tex. Water Code §36.057(a);

WHEREAS, pursuant to Tex. Water Code §36.106, a district may survey the groundwater reservoir to determine the quantity of water available for production and use and to determine the improvements, development, and recharging needed by a reservoir;

WHEREAS, pursuant to Tex. Water Code §36.107, a district may carry out any research projects deemed necessary by the board;

WHEREAS, pursuant to Tex. Water Code §36.1071, the District adopted a management plan incorporating a policy to "undertake investigations of the District's groundwater resources, including through the Monitoring Well Program, and will cooperate with investigations of groundwater resources and the interaction of groundwater and surface water by TWDB, TCEQ, GMA 12 or other entities";

WHEREAS, the Board finds that expanding the well monitoring program, and monitoring surface water impacts, are critical to survey the condition of the groundwater and surface water within the boundaries of the District and is consistent with state law and the District's Management Plan;

WHEREAS, the District Board has employed a General Manager and his staff as District employees to assist with managing the District;

WHEREAS, the Board seeks to establish this resolution related to the development, growth, implementation and maintenance of a well monitoring plan (the "Plan") over the next three years. Before November of 2022, the District shall develop a 3-year Groundwater Monitoring Growth and Implementation Plan consistent with the District's Management Plan and District Rules to monitor water levels, water quality and pumping in permitted wells for each alluvial, aquifer and subdivision thereof in the District.

The District shall review the geographic and vertical distribution of existing monitoring wells in the District, identify and document potential new monitoring wells and develop a plan to partner with municipalities, utilities, TWDB, USGS, TCEQ, Bastrop and Lee Counties, other agencies, as applicable, Mitigation Reimbursement Fund recipients and private well owners to ensure continued availability of monitoring wells and data collection from them by the District to provide adequate and thorough monitoring throughout the District. The Management Committee shall propose new Desired Future Condition management zones, or management zones, consistent with the District Rules and Management Plan, subject to Board approval. The District shall develop a plan to partner with well owners, acquire, or install new monitoring wells to fill in gaps in geographic or vertical distribution. The District shall address the need for any new District owned wells in the Rights Of Way (ROW) along county roads with Bastrop and Lee Counties.

The Plan will include monitoring surface waters in relationship to the aquifers in the District. A geographic area shall not be considered adequately monitored until each aquifer and subdivision in the District is monitored. The Plan shall address manual monitoring versus automated monitoring and include a plan for the use of vendor monitoring equipment. The Plan shall include the number of and type of vendor equipment along with associated estimate budget costs year by year for the implementation. The Plan shall provide an annual budget for the 3-year acquisition of new monitoring equipment, professional services, new drilling and all other related costs, including any recurring costs.

A policy defining well and surface water monitoring locations, goals and performance standards, consistent with the Management Plan, shall be developed for this Plan by the Infrastructure Committee, voted on by the Board and adhered to by the District. The Infrastructure Committee, in coordination with the General Manager, shall be responsible for developing the Plan and submitting it to the Board for consideration.

WHEREAS, the Board has reviewed this and seeks to adopt and to establish policies for the governance of the District's well and surface water monitoring.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lost Pines Groundwater Conservation District that the development of a 3-year well monitoring growth and

implementation plan, is adopted, and that a copy of this resolution be posted on the District's website.

PASSED AND EFFECTIVE ON May 18, 2022.

LOST PINES GROUNDWATER
CONSERVATION DISTRICT

ISSUED:

By: Sheril Smith
Sheril Smith, President
Board of Directors

ATTEST: Elvis Hernandez
By: Elvis Hernandez
Elvis Hernandez, Secretary-Treasurer
Board of Directors