

GMA 9 Public Comments Received

Summary of Comments

Ronnie and Janet Buchert submitted concerns regarding:

- 1) The drawdown for the Trinity Aquifer being calculated as a combined average of the Middle Trinity and the Lower Trinity Aquifers, when they are two separate aquifers with different characteristics.
- 2) The fact that the second highest scenario was selected, Scenario 6 in GAM Task 10-005.
- 3) That Headwaters GCD is increasing their DFC in the Middle Trinity from an average of 30 feet to 39.2 feet.
- 4) Managing the aquifers in Kerr County as a whole, when Headwaters GCD established the East Kerr Management Zone due to the special geological features of the Trinity Aquifers in eastern Kerr County.
- 5) That the East Kerr Study, completed by Advanced Groundwater Solutions in 2022, needs to be refreshed.
- 6) That the water level drawdowns in eastern Kerr County are drastically lower than in the western and central areas of the county and increasing the DFC in the Middle Trinity to 39.2 feet could be disastrous.
- 7) In conclusion, suggests that Headwaters GCD leave the proposed DFCs unchanged, as they currently exist.

The full version of the received comments are included on the next page.

Summarized Response to Comments

Many of these comments are related to the East Kerr Management Zone in Kerr County, which is managed through Headwaters GCD's District Rules, and do not correlate to the GMA 9's Desired Future Conditions process.

GAM Task 10-005 Scenario 6 was selected by GMA 9 in consideration of the factors listed in TWC 36.108(d) and (d-2).

The drawdowns in GAM Task 10-005 Scenario 6 have not changed since they were originally modeled in 2010. The drawdowns consistent with Scenario 6 that are specific to Kerr County have always been and are proposed to continue to be 56.8 feet for the Middle Trinity, 58.2 for the Lower Trinity, and an overall Trinity drawdown of 39.2 feet. Consequently, these are the same DFCs that Headwaters GCD uses to measure their annual DFC Achievement Tracking. The proposed DFCs for this current planning cycle are simply being elaborated to state these specific drawdowns for Kerr County, rather than only stating the relative proposed DFCs for GMA 9. Therefore, Headwaters GCD is not increasing the DFC drawdowns for Kerr County.

Thank you for allowing this opportunity to comment on the proposed changes to HGCD DFC.

Of note: (1) The GMA-9 proposal provided by General Manager Monica Thibodeaux during a recent HGCD monthly meeting looks to the average drawdown in the Middle Trinity and the Lower Trinity together, from 2008-2025, as the Trinity Aquifer.

(2) HGCD is using a 2010 scenario study (drawdown based on pumping) to support their changes: increase in drawdown (increases depletion) over longer time period (slows depletion). HGCD picked scenario 6, which is the second highest pumping/drawdown, and leads to the -39.2' through 2080. HGCD notes that they are under the DFC target (based on drawdowns from 2008), which apparently allows them to increase drawdowns despite what other members of GMA-9 are doing. See slide 18, which shows the MT and the LT separately over the years, and then a simple average drawdown : $-16=(-5+-27)/2$. As a 16 foot drawdown by 2026 is less than a 30 foot drawdown by 2060, HGCD believes that this justifies the change to 39.2 feet by 2080.

(3) Why this is problematical:

- * Managing 2 separate aquifers as a combined aquifer, when the 2 aquifers have different characteristics.

- * Managing Kerr county as a whole, when HGCD has previously established the EKMZ to manage/conserves/preserve East Kerr County Trinity aquifers because of their special geologic features (e.g./, recharge, etc). In effect, HGCD uses averaging to treat everyone in Kerr County as being similar (even though there is a special management zone). Thus, while the rest of the county does not have the same issues as the EKMZ, and can increase pumping, the EKMZ is in a critical position and urgently needs to cut back pumping to slow the drawdown (see below). In effect, the increase in the DFC for the county will have an even more drastic impact in the EKMZ than if the DFC stayed the same. The numbers tell us that the EKMZ is well ahead of the current DFC projections, no matter the math and monitor wells used to reach that number.

- * James Beach did a groundwater study for HGCD in 2022, which caused HGCD to evaluate the rapid decline in East Kerr and establish the EKMZ with lower production caps to slow the depletion. This study needs to be refreshed, considering the new businesses and additional pumping production in the EKMZ since then (not modeled), the stage 3/4 droughts (not modeled), the new Center Point to Comfort sewer line (not modeled), etc., and the increase in the DFC as proposed.

- * Based on data submitted by HGCD to the TWDB (which include data from the EKMZ), separate calculations for the EKMZ using the same process and same numbers for the EKMZ showed a completely different picture than that for the county: where the county (including the EKMZ) was -5 (MT) and -27 (LT), the subset of numbers

for the EKMZ resulted in -60 (MT) and -91 (LT). Clearly, an increased drawdown in the MT and LT as proposed could have disastrous impacts in the EKMZ.

* To counter the above, HGCD ran calculations which included EKMZ wells that were that were not included in their TWDB submission. However, these calculations were also problematical, as they also showed significant declines above the 30' /39.2' target by 2060 and 2080, and suggested that their TWDB submission was inaccurate and not the best data (it didn't include such additional EKMZ wells). It's not good to impeach your own submissions to win an argument that was lost anyway.

(4) We believe that it is problematic to make the adjustments as noted above, especially when all GMA 9 members, with the exception of Bexar County, are adopting DFC's under the proposed GMA 9 2080 DFC of thirty feet. Blanco and Hays County are 11 feet under the proposed 2080 target of thirty feet. HGCD should look at ways to truly manage/conserves/preserve the aquifers in Kerr County. This would include keeping the DFC as is, and making appropriate policy changes (which we have discussed with HGCD at length.) Currently, there are only a handful of production permits that are restricted to the new production caps established in the EKMZ in 2022. Increasing the DFC beyond the current limits, which has currently been surpassed by the EKMZ, and applying an increased DFC of -39.2 feet out to 2080 is unrealistic not just for future water resources in the EKMZ but for the entire county.

If the District intends to adopt the increased DFC of -39.2 feet then it needs to demonstrate how it is going to bring the EKMZ into line with the rest of the county. A more conservative approach is needed if the District wants to fulfill its mission to protect, conserve and preserve the water resources in Kerr County. It is antithetical for the district to designate a specific area as a "management zone" and then treat that "management zone" as if it doesn't exist.

Respectfully,

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