

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Natural Resources
For SB 1080

Compiled on: Tuesday, April 18, 2023 8:53 PM

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Hearing Date: April 18, 2023 8:00 AM

Michael Orosco
self
Lexington, TX

I am a landowner in Lee County.

I am submitting this testimony in favor of SB 1080.

My access to groundwater has been directly impacted by the pumping from the Vista Ridge water export project from Burleson County to San Antonio. On November 16, 2022, I testified before the Texas Senate Committee on Water, Agriculture & Rural Affairs regarding these impacts on our community in the Lost Pines Water Conservation District.

In December 2020, the pumping from the Vista Ridge water export project caused the water column in my domestic well to fall below the depth of the pump. Despite lowering the pump by 100 feet, I lose more than 2 feet of water column monthly. As a result, I may soon have to drill a new well at a cost of \$40,000 - \$50,000. This is not an isolated incident, as many neighbors along County Road 411 in Lexington and the wider Lee County community are experiencing similar issues.

Unfortunately, this situation is just the beginning. The proposed development of numerous large water export projects will only worsen the problem, causing others to suffer if we do not act.

While water access is crucial for the state's growth and prosperity, it is unfair for rural property owners and communities to bear the burden of water loss, remedial capital investment, lost income, property value erosion, and mental stress for the benefit of water proprietors such as Vista Ridge and the San Antonio Water System.

SB 1080 gives the Lost Pines Groundwater Conservation District an essential tool for mitigation assistance when commercial export projects, like Vista Ridge, compromise water access and impact the private infrastructure investments made by domestic well owners. I am grateful to Senator Kolkhorst for authoring this legislation and to Representative Gerdes for bringing it to this Committee.

I strongly urge the Natural Resources Committee to support SB 1080.

Thank you for your consideration and the opportunity to comment on the proposed bill.

Carlos Rubinstein

SELF and on behalf of Belding Farms and Cockrell Investment Partners

Austin, TX

Mr. Chairman and Members of the Committee:

My name is Carlos Rubinstein. I previously served as TCEQ Commissioner and Chairman of the TWDB. Today I assist Belding Farms and Cockrell Investment Partners on sustainable groundwater management concerns. I am submitting our comments FOR SB 1080 by Senator Kolkhorst.

Belding Farms, owned by Cockrell Investment Partners, participated in various hearings during the interim session where groundwater concerns, including water availability model and desired future conditions (DFC) deficiencies were discussed. We heard and share the concerns from landowners that testified before this Committee relative to impacts caused by groundwater transport projects. We are not opposed to a landowner's desire to market their groundwater, including for uses outside of a district. However, to quote from landowners testifying before this Committee, situations where "someone has monetized my property right to groundwater for a project I never participated in" resonates with us.

We applaud the spirit behind SB-1080. Authorizing the Lost Pines Groundwater Conservation District to establish a mitigation fund to "provide reimbursement for the cost of repairing wells to access groundwater below the potentiometric surface of the aquifer or subdivision of an aquifer" is a strong step in the right direction. We recognize that a nearby GCD to Lost Pines GCD had already, in a forward thinking and proactive manner, established a mitigation fund for impacts caused by the same groundwater transport project impacting Lost Pines GCD landowners.

The same project specifics and noted impacts to nearby owners of groundwater that SB-1080 intends to mitigate in Lost Pines GCD are occurring or will soon occur in other parts of Texas. The Committee has heard testimony from various parts of the state, including from Belding Farms, about our concerns that mirror the impacts that SB-1080 intends to mitigate.

For these reasons, we recommend that the Committee consider expanding the authority and clarity of SB-1080 as it relates to Lost Pines GCD, to be applicable to all GCDs in Texas.

For all of the reasons stated, I respectfully submit these comments on behalf of Belding Farms and Cockrell Investment Partners in support of SB 1080; and thank the Committee for your consideration of our recommended change.

Carlos Rubinstein
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Jeri Matthys
Retired Citizen Lee County TX
Lexington, TX

I would like to go on record as being in favor of SB 1080. We need to allow Lost Pines Groundwater Conservation District to mitigate for our well owners. These losses have been devastating to our County.

Andrew Wier

Simsboro Aquifer Water Defense Fund [SAWDF]

Bastrop, TX

Good morning, Chairman King and members of the Committee. My name is Andy Wier. I am a landowner with a domestic well in the Simsboro formation of the Carrizo-Wilcox Aquifer and the Executive Director for the Simsboro Aquifer Water Defense Fund [SAWDF], a non-profit working with landowners, businesses, and government to protect the Carrizo-Wilcox and private property rights in groundwater.

In the interim hearing in August of last year— when Representative Gerdes was campaigning for House District 17— members of this Committee heard from landowners in the Lost Pines Groundwater Conservation District who testified about widespread problems from sudden and unexpected depressurization of their domestic and livestock wells. SAWDF testified that in rural areas like the Lost Pines district, domestic and livestock wells should be recognized as a "public water supply" system and recommended state assistance in keeping residents in water.

The Senate also held interim hearings, where Senator Kolkhorst actively listened to her constituents and responded with this local bill. SB 1080 addresses the urgent need to mitigate the water supply problems and enlists the Lost Pines Groundwater Conservation District as the appropriate entity to implement this task. This legislation:

- was drafted with input from the Lost Pines GCD and district stakeholders,
- has no anticipated fiscal impact on the State,
- does NOT create new regulatory fees, and
- is fair, reasonable, and serves the public good.

For all these reasons, SAWDF urges you to “favorably” vote SB 1080 out of the Committee.

Thank you. I am happy to answer any questions.

Linda Curtis, Director

League of Independent Voters of Texas

Bastrop, TX

We support this legislation and adopt any comments submitted by Andy Wier for the Simsboro Aquifer Water Defense Fund, the Lost Pines Groundwater Conservation District and Greg Ellis, Esq.