

Groundwater districts are a wellspring of controversy in rural counties

By BILL HANNA, FORT WORTH STAR-TELEGRAM (March 12, 2009)

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For Parker County resident Kathy Chruscielski, moving to the country a decade ago seemed like the best of both worlds. She fell in love with the scenic rolling hills of Remuda Ranch Estates, a few miles west of the Tarrant County line.

"We have these beautiful hills, yet we can be in Fort Worth within a matter of minutes," Chruscielski said. "It's like having one foot in the country and one in the city."

She learned that it has its downside.

In January 2002, Chruscielski was forced to drill a new well after her old one went dry.

"They told us when we bought this place that groundwater levels had remained the same for the last 40 years," Chruscielski said with a rueful laugh. "Then I learned differently."

She started the online newsletter PARCHED to address groundwater issues in Parker County and backed the creation of a groundwater district as she watched other wells go dry during recent droughts. She became concerned as some new subdivisions in the county tapped groundwater for man-made ponds and lawns.

Groundwater is a critical issue in Texas because it is the source of 59 percent of the water used, according to the 2007 State Water Plan. The danger is that the aquifers – underground pools of water that are a lifeline to farmers, rural residents and many cities – could eventually be depleted. To avoid that, the Legislature decided that groundwater districts should create plans that could limit how much water is pumped.

Many of Chruscielski's neighbors view groundwater districts as another unwanted layer of bureaucracy.

But the Texas Commission on Environmental Quality said most North Central Texas counties are exceeding or close to exceeding what can safely be taken out of the Trinity Aquifer, the huge underground pool of groundwater in this region.

And as the population swells in once-rural counties such as Parker, Hood, Wise and Montague, the tensions are likely to keep growing.

'An illegal operation'

The Upper Trinity Groundwater Conservation District, which covers those counties, was created by the Legislature in 2007. The four counties banded together in part to avoid being lumped in with large urban areas like Tarrant County. They felt they would have little or no political clout, said Bob Patterson, the district's executive director.

When the district began imposing rules and user fees in recent months, though, many city officials and residents began complaining that it had gone too far, too fast.

"I have told our city not to give them any money, not to cooperate with them," Willow Park Mayor Marvin Glasgow said. "The entire setup is confusing. In my mind, they are an illegal operation."

New groundwater districts in Tarrant and McLennan counties are also struggling with funding, and other counties are scrambling to create local groundwater districts more to their liking. Many districts are close to bankruptcy since legislators essentially designed them as unfunded mandates, said Laura Marbury, Texas water projects director for the Environmental Defense Fund.

"The state is requiring them to enforce rules that affect these resources, and if anybody comes up and sues over these rules, the state says, 'Sorry, " Marbury said.