



TAGD

TEXAS ALLIANCE OF
GROUNDWATER DISTRICTS

TAGD's GUIDE TO TEXAS GCDs

CHAPTER 36, TEXAS WATER CODE

All GCDs are governed by the laws defined in Chapter 36 of the Texas Water Code. Chapter 36 provides specific instruction on operational, permitting, procedural, and planning requirements.

ACCOUNTABILITY & OVERSIGHT

As political subdivisions, GCDs are subject to special purpose district laws. Additionally, GCDs are subject to local accountability through local boards and public input, as well as state agency and judicial oversight. GCDs are also accountable to each other through the GMA process and development of DFCs.

CONSERVATION & PROTECTION

The fundamental mandate of a GCD is to balance the protection of the resource with a landowners' right to produce water. GCD rules protect groundwater by ensuring fair access to and long term management of the resource.

COOPERATIVE MANAGEMENT

All GCDs are required to set cooperative management goals within their GMAs through the adoption of a DFC. This requires GCDs to coordinate their groundwater usage and manage cooperatively within an aquifer.



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NOT ALL AQUIFERS ARE CREATED EQUAL

Texas has 9 major and 21 minor aquifers, and each operates differently. GCD rules are designed to address the different hydrogeologic characteristics of each aquifer. GCD rules must allow for differences in hydrology between and within aquifers.

LOCAL CONDITIONS

Different groundwater uses require different management. The type, frequency, and volume of groundwater usage can affect the aquifer. For example, groundwater produced for agriculture in a rural area may allow different spacing than groundwater produced for a public water supply in an urban area. Chapter 36 allows GCDs to address local conditions in their rules.

ENABLING LEGISLATION MATTERS

Most GCDs are locally created by legislative action. A GCD's individual enabling legislation defines the districts characteristics, including its financing and exemptions. A GCD's enabling legislation and its subsequent rules affect its management.

PROPERTY RIGHTS & MARKET TRANSACTIONS

GCDs ensure equal protection of all property rights and investment-backed expectations. GCDs also provide regulatory certainty for market transactions through permitting and by managing to the DFC.

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