

How Do You Form a Groundwater Conservation District (GCD) ?

GCDs (also known as “districts”) can be created by one of four procedures:

1. GCDs can be established through the action of the Legislature. Typical legislation follows a framework for authorizing district powers and duties, appointing temporary directors, and establishing procedures for confirmation and subsequent director’s elections. However, the legislation may enable a district with additional authorities, such as water control and improvement authority, or limit a district’s powers, such as the power of eminent domain, or limit the GCD’s ad valorem tax rates.
2. A GCD can be created through a landowner petition procedure based on State law in Subchapter B, Chapter 36 of the Texas Water Code. This procedure begins with a petition filed by property owners within the proposed district’s area and continues with consideration by the Texas Commission on Environmental Quality (TCEQ) of first, that the boundaries of the proposed GCD provide for effective management of the groundwater resources, and then whether the proposed GCD can be adequately funded to carry out its purposes. The TCEQ considers the benefit of the proposed district and the feasibility of the proposed district’s programs. If the TCEQ acts favorably with regard to the petition, temporary directors are named and a confirmation election is held.
3. A GCD can be created by the TCEQ on its own motion in a designated Priority Groundwater Management Area (PGMA) through a procedure similar in principle to procedure (2) above, but in which action is initiated by the TCEQ rather than by petition. This method of creation is authorized only when local actions are not taken to create a GCD following the designation of a PGMA. The PGMA designation procedure includes extensive local participation through stakeholder outreach. If the TCEQ creates a GCD on its own motion in a PGMA, temporary directors are appointed by the county commissioner’s court(s) and an election is then held to elect directors.
4. An alternative to creating a new GCD is to add territory to an existing district, if an existing district is willing to accept the new territory. One form of addition of territory begins with a petition from an individual landowner directly to the GCD’s board of directors. In this case, the board’s decision is sufficient to include the property. For larger areas, groups of landowners or entire counties can petition a GCD’s board for inclusion. After hearings and the board’s acceptance of the petition, a confirmation election is held.

For maps, publications, and additional information, go to:

- TCEQ’s GCD webpage at <https://www.tceq.texas.gov/groundwater/districts.html>;
- The Texas Water Development board’s GCD webpage at http://www.twdb.texas.gov/groundwater/conservation_districts/index.asp;
- The Railroad Commission of Texas at <http://www.rrc.state.tx.us/>;
- The Texas A&M AgriLife Extension Service’s *Questions about Groundwater Conservation Districts in Texas* (publication B-6120) at <http://www.agrilifebookstore.org/Default.asp>; and,
- The Texas Alliance of Groundwater Districts at <http://www.texasgroundwater.org/>.

For additional Frequently Asked Questions (FAQs) related to groundwater quantity, groundwater quality, septic systems, water wells, administrative entities, and publications, visit the Texas Groundwater Protection Committee's FAQ webpage at <http://tgpc.state.tx.us/frequently-asked-questions-faqs/>.