

No. 2025-05-01

**LOST PINES GROUNDWATER CONSERVATION DISTRICT
RESOLUTION REGARDING CLASS V INJECTION WELLS WITHIN THE DISTRICT**

WHEREAS, the Lost Pines Groundwater Conservation District (the “District”) was created in 1999 by Senate Bill 1911 of the 76th Texas Legislature, pursuant to Section 59, Article 16 of the Texas Constitution and Article 7880-3c, Texas Civil Statutes (now codified in Chapter 36 of the Texas Water Code); and

WHEREAS, the creation of the District was ratified by the 77th Texas Legislature in 2001 and confirmed by voters in Bastrop and Lee Counties in November 2002; and

WHEREAS, the District is responsible for ensuring the long-term sustainability, quality, and safety of groundwater supplies for beneficial uses, such as, municipal, agricultural, domestic, and industrial uses within Bastrop and Lee Counties; and

WHEREAS, under Chapter 36 of the Texas Water Code, groundwater conservation districts are recognized as the state’s preferred method of groundwater management; and

WHEREAS, Section 36.101 of the Texas Water Code authorizes groundwater conservation districts to adopt rules to prevent the degradation of groundwater quality; and

WHEREAS, according to the Texas Commission on Environmental Quality (“TCEQ”), Class V injection wells are used to inject nonhazardous fluids into or above formations that contain underground sources of drinking water;

WHEREAS, despite the Legislature declaring groundwater conservation districts as the states’ preferred method for groundwater management, TCEQ retains exclusive authority to site and permit Class V injection wells in the District; and

WHEREAS, Class V injection wells pose environmental risks to aquifers located in the territory of the District;

WHEREAS, Class V wells pose potential risks to groundwater quality due to their typically shallow construction, varied operational standards, and potential to create adverse chemical reactions between the injected water and native, fresh groundwater;

WHEREAS, contamination of groundwater from Class V wells can be difficult or impossible to remediate and may irreversibly degrade the aquifer or drinking water supplies, leading to significant public health concerns and economic burdens on water users;

WHEREAS, the District opposes the injection of fluids through Class V wells into fresh groundwater within its jurisdiction, where “fresh groundwater” means water with bacteriological, physical, and chemical properties suitable and feasible for beneficial use for any lawful purpose; and

WHEREAS, the District supports injection of fluids through Class V wells only when limited to (1) designated brackish groundwater production zones or (2) aquifer formations that produce only brackish groundwater; and

WHEREAS, for the purposes of this Resolution, “designated brackish groundwater production zone” has the meaning assigned by Section 36.1015 of the Texas Water Code;

WHEREAS, for the purposes of this Resolution, and according to the Texas Water Development Board, “brackish groundwater” contains dissolved minerals in the range of 1,000 to 9,999 milligrams per liter (mg/L);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LOST PINES GROUNDWATER CONSERVATION DISTRICT THAT:

1. The District formally expresses its concern regarding the potential environmental and public health risks posed by Class V injection wells to the aquifers located within its boundaries.
2. The District opposes the injection of any fluids through Class V wells into fresh groundwater within the District.
3. The District supports the injection of fluids through Class V wells only into:
 - a. a designated brackish groundwater production zone, as defined by law; or
 - b. an aquifer formation that exclusively produces brackish groundwater.

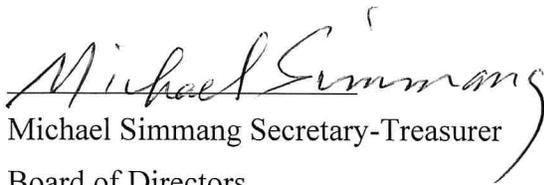
PASSED AND APPROVED ON May 21, 2025, by the Board of Directors of the Lost Pines Groundwater Conservation District.

LOST PINES GROUNDWATER
CONSERVATION DISTRICT

By: 

Elvis Hernandez, President
Board of Directors

ATTEST:


Michael Simmang Secretary-Treasurer
Board of Directors