

Opinion: It's time to pay attention to the water we cannot see

By Vanessa Puig-Williams
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Texas' rivers are iconic. The groundwater that sustains them is invisible.

We see the dichotomy in state law. Naturally flowing water in rivers and streams is owned by the state and held in trust for the public good. That's because we can see that water and what it means. It provides for our cities, towns, farms, and ranches. We live, work and play beside it. And we rely on state law to prevent it from vanishing.

But groundwater law offers far less protection. In many areas of Texas, people have the right to pump as much groundwater as they want. Even where

groundwater is managed by local conservation districts, the law allows overpumping to occur, causing groundwater levels to decline.

This can also cause rivers to decline. That's because groundwater and surface water are intrinsically connected — nearly a third of the water in Texas' rivers originates underground. Texas law, unfortunately, doesn't fully recognize this connection.

The state's population is booming, its climate is ever more susceptible to drought, and underground aquifers are increasingly vulnerable. That's a huge risk to farmers, ranchers, big cities, small towns and wildlife. It also threatens the rivers and streams Texas is trying to protect.

Beneath the Surface, a new Environmental Defense Fund report outlining five major groundwater management challenges in Texas, shows that in many places, overstressed aquifers are already affecting life above-ground.

The Devils River in West Texas is considered the state's most unspoiled and wild river. A huge amount of public and private investment has gone into protecting it. But studies by the Texas Water Development Board show that significant pumping from the Edwards-Trinity Aquifer, which feeds the river, can affect its surface water flow.

Val Verde County, where the Devils River originates, lacks a groundwater conservation district — a local agency with some authority to limit groundwater pumping. As Beneath the Surface notes, local residents and landowners worry that unregulated groundwater pumping will affect their property rights to groundwater, harm flow to the Devils River and the nearby San Felipe Springs, and even affect the Rio Grande.

There's more. Wimberley, just southwest of Austin, is home to a beloved spring-fed swimming hole called Jacob's Well — a vertical cave dropping straight down into the Middle Trinity Aquifer. The spring provides about 20% of the Blanco River's baseflow and 100% of the flow in Cypress Creek, which flows through the heart of town.

In 2000, Jacob's Well stopped flowing for the first time in recorded history. In 2008 and 2009, the well stopped flowing again, and then again in 2011 and 2013. This month, overpumping and a lack of rain has reduced Jacob's Well to a trickle. The community is trying to save it.

Last year, after a lengthy, science-driven stakeholder engagement process, the Hays Trinity Groundwater Conservation District adopted rules to maintain spring flow from Jacob's well and to protect rural water supply wells from

going dry. The rules create a 39-square-mile management zone that cuts permitted pumping when spring flow drops below a certain level, an indication of declining groundwater levels in the area. It's a step toward conjunctive management of groundwater and surface water.

It's also the exception in Texas.

Texas needs a clearer view of how groundwater pumping impacts surface water. By letting science guide management decisions at the local and state level, Texas can protect groundwater and the communities and ecosystems — and rivers and streams — it supports.

In its interim report released last month, the Texas House Committee on Natural Resources recommended creating an advisory board to develop recommendations for “improving the understanding and management of groundwater and surface interactions in Texas.”

This is a good first step. It would help Texans find a badly needed, Texas-specific solution to water management — one that preserves the state's economy, its natural resources, and Texans' lives and livelihoods.

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