

**RESOLUTION**  
**Resolution Number: 2008-12-19-B**  
**Resolution Adopting the Victoria County**  
**Groundwater Conservation**  
**Injection Well Policy**  
**December 19, 2008**

WHEREAS, the Victoria County Groundwater Conservation District ("District") was created by the Legislature of the State of Texas in Acts 2005, 79th Leg., H.B. 3423; and

WHEREAS, § 36.061 of the Texas Water Code requires a groundwater conservation district to adopt certain policies for the district; and

WHEREAS, the Board of Directors of the Victoria Groundwater Conservation District believes that the voters should be fully informed on important groundwater issues, including the policies of the groundwater district; and

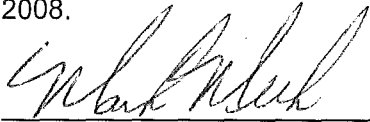
WHEREAS, under Chapter 36, Texas Water Code, the District is responsible for the protection of the groundwater within the District; and

WHEREAS, groundwater is an invaluable and essential resource for the sustained development of Victoria County; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE VICTORIA COUNTY GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:

The Injection Well Policy of the District attached hereto is hereby adopted; and, The Injection Well Policy so adopted shall be effective from the date of adoption and continue in effect until modified by the Board of Directors.

ADOPTED by a vote of   3   ayes and   0   nays on this 19<sup>th</sup> day of October, 2008.



Mark Meek, President

I, the undersigned, do hereby certify that the above Resolution was adopted by the Board of Directors of the Victoria County Groundwater Conservation District on the 24<sup>th</sup> day of October, 2008.



Barbara Dietzel  
Secretary, Board of Directors

**VICTORIA COUNTY  
GROUNDWATER CONSERVATION  
DISTRICT**

**Injection Well Policy**

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## **Section 1. Policy Purpose**

The purpose of this policy is to document the manner in which the Victoria County Groundwater Conservation District (District) will respond to applications for new injection wells or applications to modify an existing injection well. Injection wells represent a risk to groundwater resources as a potential source of groundwater contamination. The District was created the Texas Legislature for the purpose of:

In order to provide for the conservation, preservation, protection, recharging, and prevention of waste of groundwater, and of groundwater reservoirs or their subdivisions, and to control subsidence caused by withdrawal of water from those groundwater reservoirs or their subdivisions, consistent with the objectives of Section 59, Article XVI, Texas Constitution, groundwater conservation districts may be created as provided by this chapter. Groundwater conservation districts created as provided by this chapter are the state's preferred method of groundwater management through rules developed, adopted, and promulgated by a district in accordance with the provisions of this chapter.

## **Section 2. District Mission**

The mission of the Victoria County Groundwater Conservation District (District) is to develop sound water conservation and management strategies designed to conserve, preserve, protect, and prevent waste of groundwater resources within Victoria County for the benefit of Victoria County's landowners, citizens, economy, and environment.

The District will implement these strategies through the acquisition and dissemination of hydrogeologic information, the development of programs and incentives to conserve and protect groundwater resources, and the adoption and enforcement of fair and appropriate District rules governing the production and use of the groundwater resources within the District.

### **Section 3. Concerns associated with Injection Wells**

The District recognizes that injection wells are necessary for the on-going production of oil and gas wells within Victoria County while posing a significant risk to groundwater resources. The purpose of this section is to outline the concerns the District holds regarding injection wells and their impact on Victoria County.

#### **Topic 3.01 Protection of Groundwater Resources**

The District is responsible for implementing management strategies to protect the groundwater resources of Victoria County. Injection wells, by their very nature, pose a significant risk to the groundwater resources particularly in terms of the quality of groundwater. Waste materials pass through groundwater resources as they are being pumped in to the disposal zone. This presents an opportunity for the waste materials to escape the injection well and contaminate the groundwater resources. The District seeks to minimize the risk of groundwater contamination and degradation of water quality potentially caused by injection wells.

#### **Topic 3.02 Economic Development Interests of Property Owners**

The District respects the rights of property owners including their right to develop property to their economic benefit. The District realizes that development of injection wells as well as the use of injection wells benefit local residents and is important to oil and gas industry within Victoria County. The District seeks to minimize its impact on property owners' attempts to develop their property.

#### **Topic 3.03 Permitting Process**

The permitting process for injection wells is presently regulated by state agencies – Texas Railroad Commission and Texas Commission on Environmental Quality. Each agency has developed rules and procedures for processing applications for injection wells. While these rules may facilitate the efficient handling of permit requests, the lack of groundwater conservation district involvement requires extra vigilance on the part of the District. The District shall review the permitting applications related to injection wells and will develop procedures that allow it to adequately review and protest, if necessary, all injection well permitting. The District seeks to ensure that the any proposed injection well is properly designed and constructed to ensure that necessary requirements in terms of construction or operation are included in any resulting permits.

### **Topic 3.04      Injection Well Operation and Maintenance**

The operation and maintenance of injection wells are of critical importance to protecting the groundwater resources of Victoria County. Proper operation and maintenance throughout the operational period combined with the proper design and development of the well should provide a reasonable level of protection to the groundwater resources of Victoria County. The District seeks to ensure that all injection wells are properly operated and maintained and that all permit operational requirements are complied with.

## **Section 4. Procedures**

The purpose of this section is to document the general procedures of the District related to tracking, reviewing and evaluation, and protesting injection well permits.

### **Topic 4.01 Monitoring and Tracking of Injection Well Permit Applications**

The General Manager of the District will develop internal tasks and processes that will make all reasonable efforts to monitor the permitting activities related to injection wells. These processes will include the continuous monitoring of agency websites and local newspaper legal notices for permit applications. All permit applications for injection wells within Victoria County will be entered into a database and kept current in order to facilitate other internal processes as well as reporting.

For those applications for injection wells within Victoria County, the General Manager will immediately request a copy of all application documentation from the responsible agency upon discovery of the application.

The General Manager will present to the District's Board of Directors a report of all new injection well permit applications at the monthly district meeting.

### **Topic 4.02 Application Review and Assessment**

The General Manager of the District will make an initial assessment of the new applications based on the information provided with the applications along with the District's understanding of the circumstances related to the proposed injection well such as adjacent land use or nearby wells.

The General Manager may seek the support of qualified professionals in the review and evaluation of the application in order to form a sound assessment of the application and its risk to groundwater resources of Victoria County.

Whenever possible and practical, the General Manager will seek specific authorization from the District's Board of Directors to engage consultants for the review and evaluation of an application. However, given the short protest period and monthly cycle for monthly district meeting, prior authorization may not be practical.

### **Topic 4.03 Protesting Permit Applications**

The General Manager, based on his assessment of the application, may register a formal protest to an application on the behalf of the District. Prior to submitting any protest, the

General Manager will notify the District's Board of Directors of all protests to be submitted on the behalf of the District. The General Manager will call and post a special called meeting in the event any of the District's Directors request such a meeting.

In the event that there is inadequate time to sufficiently review an injection well permit application prior to the end of the protest period, the General Manager will register a formal protest.

Whenever possible and practical, the General Manager will seek specific authorization from the District's Board of Directs to register a formal protest to an injection well permit application. However, given the short protest period and monthly cycle for monthly district meeting, prior authorization may not be practical.

The General Manager will present to the District's Board of Directors a status report of all injection well permit applications under protest by the District at the monthly district meeting.

#### **Topic 4.04 Protest Preparations**

The General Manager may seek the support of qualified professionals in the review and evaluation of the application in order to prepare for any hearings associated with the protest. This support could include the services of qualified professional geologists or professional engineers as well as legal professionals.

Whenever possible and practical, the General Manager will seek specific authorization from the District's Board of Directors to engage consultants for the preparation of the protest. However, given the short protest period and monthly cycle for monthly district meeting, prior authorization may not be practical.

The General Manager will present to the District's Board of Directors a status report of all injection well permit applications under protest by the District at the monthly district meeting.

#### **Topic 4.05 Protest Withdrawal**

If at any point the District's Board of Directors decides that it is not in the best interest of the District to continue a formal protest of an injection well permit application, the General Manager will immediately and formally withdraw the District protest.

The General Manager is prohibited from withdrawing a protest without prior approval from the District Board of Directors.

**Topic 4.06      Review of Injection Well Monitoring and Reporting**

The General Manager may initiate the collection and analysis of operational information and reports of injection wells within the District for the purposes of ensuring that wells are being operated and maintained in a manner that adequately protects the groundwater resources of Victoria County.