



## Prairielands Groundwater Conservation District

Serving Ellis, Hill, Johnson, and Somervell Counties

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August 15, 2018

Texas Sunset Advisory Commission  
P.O. Box 13066  
Austin, TX 78711

Mr. Chairman and Members of the Texas Sunset Advisory Commission,

On behalf of the Prairielands Groundwater Conservation District, I want to express my appreciation for this opportunity to provide comments and my **strong opposition** to the Texas Sunset Advisory Commission Staff Report (the Staff Report) on the **Texas Board of Professional Geoscientists** (the Board) recommendation that the Board be abolished, as well as the recommendation that the requirement for geoscientists to be licensed also be abolished. The Prairielands Groundwater Conservation District routinely engages the services of Professional Geoscientists to perform technical work in multiple areas that is clearly necessary for the protection of public health and safety. More specifically, Professional Geoscientists have a critical role in our District's statutory mission, as stated in Chapter 36.0015 of Texas Water Code, 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."*

In accordance with Texas statute, all geotechnical analyses done for our District are prepared, reviewed, and sealed by a Professional Geoscientist. The District relies heavily on the statutorily mandated licensing program at the Texas Board of Professional Geoscientists in order to identify individuals that are competent, appropriately trained, and that are receiving the specified continuing education in order to serve our citizens. Without this program, our greatest concern is that we would lose that vital process for ensuring professional standards are met by the individuals engaged by the District. It is absolutely inevitable that the abolishment of the Texas Board of Professional Geoscientists and the licensing program for Professional Geoscientists will, over time, result in a deterioration of the quality of geoscience-based services rendered for my District, and facilitate and even encourage the involvement of unlicensed, and very often underqualified, individuals to perform various geological services and tasks for the District.

The Staff Report recommends that the Texas Board of Professional Geoscientist be abolished, because it serves no "protection of the public" service. This conclusion is categorically false. In our District, our Professional Geoscientists have the primary responsibility for a wide range of issues that would be included in the goal of "protection of the public." For example, our Professional Geoscientists are responsible for the evaluation of water well permit applications and water well permit amendments necessary to ensure that the proposed well will be completed in accordance with well completion standards necessary to protect water quality. A parallel responsibility is to monitor and evaluate water quality throughout our groundwater resources to ensure that no actions at land surface are leading to groundwater contamination.

JIM CONKWRIGHT – GENERAL MANAGER  
CHARLES BESEDA – PRESIDENT  
DENNIS ERINAKES – 1<sup>ST</sup> VICE PRESIDENT

RANDY KIRK – 2<sup>ND</sup> VICE PRESIDENT  
MAURICE OSBORN – SECRETARY/TREASURER  
MARTY MCPHERSON – DIRECTOR

KENT SMITH – DIRECTOR  
TOD SANDLIN – DIRECTOR  
PAUL TISCHLER – DIRECTOR

I would ask the staff at the Texas Sunset Advisory Commission to explain how the protection of water quality is not a fundamental element of protection of the public. One only needs to look at the recent events in Flint, Michigan, to see the critical importance of maintaining water quality in groundwater resources in Texas.

Another example of how our Professional Geoscientists work to provide protection of the public is to ensure that production from one property does not have unacceptable impacts on neighboring properties, or said another way, the protection of private property groundwater rights. This is accomplished through a variety of analyses, including development and monitoring of spacing rules, determination of groundwater availability, analysis of groundwater depletion rates, and estimates of groundwater usage. More specifically, our Professional Geoscientist must be able to interpret complex subsurface geology to depths approaching 1,000 feet using driller's logs, geophysical logs, geological maps, and other resources, calculate groundwater availability, build and interpret predictive, three-dimensional groundwater availability models, provide professional support during contested case hearings and other legal proceedings, determine subsurface geological sources of contamination and provide professional technical counsel to the District's General Manager and Board Members. The qualifications to accomplish these tasks have been established in Texas through the Texas Board of Professional Geoscientists. To abolish these requirements for these qualifications will inevitably result in the performance of these activities by unlicensed individuals with unspecified training and skill sets.

Our Professional Geoscientists have a critical and integral role in these efforts to provide protection for our water resources and to the public. It is because they have done their jobs well, that there have been no "examples or evidence of significant public harm", or any issues arising posing a "threat to the health, safety, and welfare of the public".

In conclusion, I am also concerned with regards to the unreasonably short comment period that the Texas Sunset Advisory Commission staff has allowed on this very critical issue. As such, I will be providing more detailed comments in the near future that I hope you will also take into consideration during your deliberations.

Sincerely,



Jim Conkwright, General Manager  
Prairielands Groundwater Conservation District

JC/rld