

Panhandle Groundwater Conservation District

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

On behalf of Panhandle Groundwater Conservation District (PGCD), I want to express my appreciation for this opportunity to provide comments and my **strong opposition** to the recommendation in the Texas Sunset Advisory Commission Staff Report (the Staff Report) to abolish the **Texas Board of Professional Geoscientists** and the requirement that geoscientists be licensed. PGCD and Region A Water Planning Group (Region A) routinely engage the services of professional geoscientists to perform technical work in multiple areas. More specifically, professional geoscientists have a critical role in PGCD'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."*

The Staff Report recommends that the Texas Board of Professional Geoscientist be abolished because it serves no "public protection". This conclusion is **downright false**. At PGCD, our professional geoscientists have the primary responsibility for a wide range of issues that would be included in the goal of "public protection". For example, PGCD's professional geoscientist ensures protection of water quality by evaluating our permitting process and permit amendments to ensure water wells will be completed to necessary standards. 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. I would question 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 our groundwater resources in Texas.

Another example of how our professional geoscientists work to provide protection to the public is ensuring production from one property does not have unacceptable impacts on neighboring properties, thus maintaining the protection of private property rights in groundwater. 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 800 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 will inevitably result in questionable performance of these activities by unlicensed individuals with unspecified training and skill sets.

In accordance with Texas statute, all geotechnical analyses done for PGCD is reviewed and sealed by a professional geoscientist. PGCD and Region A rely heavily on the statutorily mandated licensing program at the Texas Board of Professional Geoscientists to identify individuals that are competent, appropriately trained, and are receiving the specified continuing education in order to protect our citizens. Without this program our greatest concern is that we will lose a vital process for ensuring professional standards are met by the individuals contracted by PGCD. It is 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 quality geoscience based services in Texas. .

Additionally, Texas county commissioner's courts regularly use professional geoscientists to certify sufficient groundwater availability for a proposed subdivision plat that will use individual groundwater wells at the homes to supply water. These certifications are authorized by local government code Section 232.0032. For these certifications to be meaningful, it is critical that a geoscientist have both the competence to do the study and the willingness to put their professional license on the line for purposes of the certification. This is undoubtedly a very strong measure of public protection since a homeowner's sole source of water for their home will rely solely on this certification.

The bottom line is without water; there are no Texans to worry about protecting. Our professional geoscientists have a critical and integral role in efforts to provide protection for our water resources and to the public; therefore, I would recommend keeping the Texas Board of Professional Geoscientist and licensing of geoscientists.

I am also concerned with the unreasonably short comment period that the Texas Sunset Advisory Commission staff has allowed for comments on this critical issue, and I would recommend extending it in order to ensure you hear from all entities that use professional geoscientists within Texas.

In conclusion, it is my hope that the Texas Sunset Advisory Commission will pause and seriously consider my comments herein on this vitally important matter.

Sincerely,



C. E. Williams
General Manager and
Region A Water Planning Chairman