

LWV-Texas Study: Should Texas Water Be a Commodity? Consensus Questions

1. Texas has a mandate to preserve and conserve the water of the state. Both groundwater and oil and gas are considered the property of the landowner. Should water continue to be regulated differently from oil and gas? Choose one.
 - a) Like oil and gas, groundwater in place is private property. There is no reason to regulate the two differently.
 - b) While there are some similarities between water and oil and gas, water serves a much different function, and it should be managed for the benefit of the people and the protection of the resource.

Comment:

2. The “Rule of Capture” has been modified by the creation of groundwater conservation districts (GCD’s). How do you feel about the following issues? Yes or no.
 - a) If a water district prevents the owners of underground water from selling as much water as they want, thereby depriving them of income, the landowners should be compensated for loss of potential income.
 - b) Locally controlled groundwater conservation districts should have the power to regulate groundwater use in a way that protects landowner water rights from neighboring water withdrawal and to conserve the aquifer.
 - c) The state should enact laws strengthening the rights and responsibilities of GCD’s in order to improve their ability to defend against lawsuits questioning those rights.
 - d) Groundwater should be owned and permitted by the state, as is surface water.

Comment:

3. Transfers of water from areas of surplus to areas of scarcity have been discussed. Which of the following options would best serve Texans? Choose one or more.
 - a) A state agency with strong enforcement powers should regulate all water transfers to make sure that water resources are not depleted.
 - b) The state should allow water transfers through an exchange agency that lets price float with the market. Buyers would determine the successful bidder, not the state.
 - c) There is no need for the state to regulate water transfers. Because of the expense and distances involved, localities will solve this problem without interference from the state.
 - d) The state should only intervene when transfers are in dispute.

Comment:

4. What steps should be taken to ensure that future growth makes the best use of limited water resources? Choose one or more.

- a) Developers should not be allowed to build unless they are able to find enough water for the project.
- b) Requiring permits would limit growth. Market forces plus the price of water should determine what gets built.
- c) There should be mandatory public interest review of water transfers that considers potential third-party impacts and protects the environment.
- d) Water moved to urban areas should not endanger the future economies of rural Texas.

Comment:

5. Should groundwater be regulated differently from surface water or should the same rules apply? Choose one.

- a) Groundwater and surface water are so interrelated that the same rules should apply.
- b) Because groundwater is less quantifiable, it should be governed by a different set of regulations and different agencies.

Comment:

6. Given the limited supply and the various needs for water, how would you prioritize the following? Rank 1-3, with 1 being the highest.

- a) The needs of people, including domestic uses and utilities.
- b) The needs of the economy including industry, agriculture, and mining.
- c) The needs of the environment, including in-stream flows for wildlife and preservation of our natural surroundings.

Comment:

7. Texas has always suffered from periodic droughts, and this pattern will likely continue. In addition, the population of Texas is projected to nearly double between 2000 and 2060. What solution do you think is best to handle future water shortages?