

In Hays County, water fight springs anew

STATE-GOVERNMENT By Asher Price - American-Statesman Staff



State Sen. Juan Hinojosa, D-McAllen

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Highlights

A pair of legislative proposals would ease pumping restrictions on Hays County ranch.

Greg LaMantia, owner of Needmore, fought against regulatory efforts last session.

 Lawmakers say bills would have statewide public policy benefits.

Two years after expanding the reach of an Austin-area groundwater district to **regulate pumping in Hays County**, lawmakers are considering measures that would water down oversight.

The measures appear to favor Greg LaMantia — a politically connected South Texas beer distributor and owner of the 5,000-acre **Needmore Ranch** east of Wimberley — who unsuccessfully fought efforts in the last legislative session to expand the Barton Springs/Edwards Aquifer Groundwater Conservation District.

LaMantia, whose property is also in the territory of the weaker, neighboring Hays-Trinity Groundwater Conservation District but whose well is now in the Barton Springs district, is asking for permission to pump as much as 900 acre-feet per year, or 550 gallons of water per minute, for livestock and agriculture. The permit request could be amended for a different use in the future, and neighbors in Hays County say the pumping threatens their own groundwater.

The dispute underscores heightened concerns over water in Hays County, which is experiencing rapid population growth —the Census Bureau last week estimated the county’s population at more than 200,000 and reported that the county again was among the fastest-growing in the country.

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Senate Bill 1814, by state Sen. Juan Hinojosa, D-McAllen, would ease the way for LaMantia — or other landowners whose parcel is greater than 1,000 acres and straddles at least two groundwater districts — to transfer oversight of his pumping from the Barton Springs district to the Hays-Trinity groundwater district.

Another measure, **House Bill 4045**, by state Rep. Philip Cortez, D-San Antonio, demands that groundwater districts issue pumping permits “without notice or opportunity for hearing” to those who own at least 1,000 acres that are in the territory of two or more groundwater districts. Under a complicated formula, the Cortez measure also would vastly expand how much water Needmore Ranch could pump.

‘A sensitive issue’

Both lawmakers said the measures have statewide impact.

“It’s important large landowners have a say and a voice,” said Cortez, who said he is trying to expedite the water permitting process. He said some landowners in his district would be affected but declined to give examples; he also said West Texas property owners, in the Fort Stockton area, could be affected.

Asked if he was filing the bill on LaMantia’s behalf, he said no.

He said he had spoken to LaMantia “in passing, but he didn’t specifically say to file this bill.”

Hinojosa called water “a sensitive issue” and said his measure is meant clarify regulatory oversight in situations with overlapping conservation districts.

He declined to say whether he had consulted LaMantia as he prepared the bill.

Hinojosa’s campaign has received at least \$10,000 from Greg LaMantia since 2012, and at least \$90,000 overall from members of the LaMantia family since 2012, according to an American-Statesman review of campaign finance records.

Members of the LaMantia family have contributed at least \$5,000 to Cortez since 2012, including a \$2,500 contribution in December.

Greg LaMantia did not respond to an interview request.

‘Significant concerns’

Ed McCarthy, who represents the Needmore Ranch Municipal Utility District, said there is “adequate water for (Needmore’s) permit application as well as for neighbors’ production.”

But Barton Springs conservation district General Manager John Dupnik said his office “has significant concerns with both bills, as do other groundwater districts across the state.”

The Cortez measure “is particularly concerning, because it would effectively guarantee a permit to certain large landowners for extraordinary amounts of groundwater pumping without any scientific basis and without any due process. It would require the permit to be issued without any public notice or hearing, and thus without any consideration of the impact on the neighbors’ water wells and protection of their private property rights,” he said.

The Hinojosa proposal “would allow a large landowner to ‘shop’ around for the groundwater district of their preference without regard to how much land is in either district or which aquifer they depend on,” he said.

Groundwater on most of the ranch, home to the locally beloved Little Arkansas swimming spot on the Blanco River, was not regulated before the Legislature in June expanded the reach of the Barton Springs conservation district.

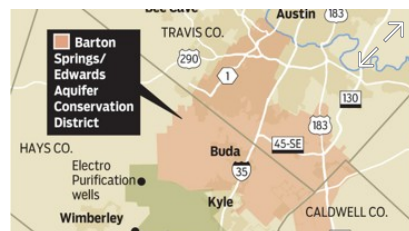
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The legislative action was prompted by anxiety among Hays County property owners over Houston-based Electro Purification’s plan to pump and sell up to 5.3 million gallons per day out of the already stressed Trinity Aquifer.

“Obviously, these bills are about carving out specific protections for Needmore, at the expense of other landowners and their groundwater,” said Vanessa Puig-Williams, director of the Trinity Edwards Springs Protection Association, which is funded by Hays County landowners and is trying to limit how much LaMantia can pump.

State Rep. Jason Isaac, R-Dripping Springs, who authored the 2015 legislation, did not return requests for comment Monday.

But Hays County Commissioner Will Conley, a Republican who oversees the Wimberley area, said that “anything that changes improvements in groundwater management that we were able to accomplish in my opinion would not be good for Hays-Trinity or the Barton-Edwards aquifers or for residential and commercial well owners and for our natural assets and environment.”



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