

**RESOLUTION CONCERNING KINDER MORGRAN PERMIAN HIGHWAY
PIPELINE**

RESOLUTION 2019-1

THE STATE OF TEXAS

HILL COUNTRY UNDERGROUND WATER CONSERVATION DISTRICT

WHEREAS, the Hill Country Underground Water Conservation District (District) was created by Acts of the 70th Legislature (1987), HB 792, Chapter 865 in accordance with Article 16, Section 59 of the Constitution of Texas, and whose boundaries are coterminous with Gillespie County; and

WHEREAS, Section 36.101(a) of Subchapter D of the Texas Water Code allows that a district may make and enforce rules, including limiting groundwater production based on tract size or the spacing of wells, to provide for conserving, protecting, and recharging of the groundwater or of a groundwater reservoir or its subdivisions in order to control subsidence, prevent degradation of water quality, or prevent waste of groundwater, and to carry out the powers and duties provided by that chapter; and

WHEREAS, one definition of waste in Section 36.0018(D) means “pollution or harmful alteration of groundwater in a groundwater reservoir by saltwater or by other deleterious matter admitted from another stratum or from the surface of the ground”; and

WHEREAS, the karst outcrop of the Edwards limestone in Gillespie County, Texas, has been identified as an important recharge area for a regional aquifer; and

WHEREAS, the permeable sandy Middle Trinity Hensel sand has been identified as an important regional recharge area and aquifer for much of the Texas Hill Country and outcrops throughout Pedernales river valley in Gillespie County, Texas and where the proposed pipeline route is planned; and

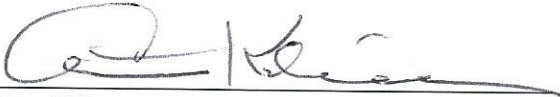
WHEREAS, aquifers are the main source of water for Gillespie County, Texas residents, inclusive of the City of Fredericksburg, a town of greater than 10,000 residents; and

WHEREAS, the Kinder-Morgan pipeline company intends to build the “Permian Highway Pipeline” through Gillespie County for the purpose transporting natural gas, however any other hydrocarbons, including liquids, could be potentially transported.

NOW, THEREFORE, be it resolved, that the Kinder Morgan Permian Highway Pipeline should not be located in Gillespie County, Texas, or any other hydrologically sensitive areas; and

THREFORE BE IT FURTHER RESOLVED that should that pipeline be built and should a leak occur in Gillespie County, Texas, and liquid hydrocarbons find their way into the Pedernales River water shed, then a real threat to the water quality of the aquifers within Gillespie County would result and would constitute a waste of groundwater caused by surface pollution.

PASSED AND ADOPTED by the Board of Directors of the Hill Country Underground Water Conservation District on this 5th day of March 2019.



Alton Klier
Chairman of the Board



Attest: Taylor Virdell
Secretary of Board