

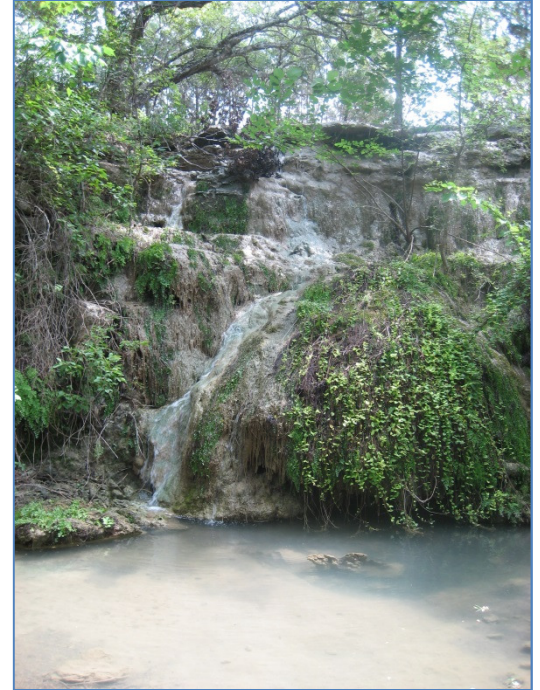


## Temporary Permitting 101

**Deadline for Submitting a  
Temporary Permit Application: September 19, 2015**

### Background

HB 3405 is an act relating to the territory, jurisdiction, and powers of the Barton Springs/Edwards Aquifer Conservation District (BSEACD), including its authority to regulate groundwater produced from Trinity Aquifer wells in Hays County that was previously not regulated by the Edwards Aquifer Authority, Hays-Trinity GCD or Plum Creek GCD. The Trinity Aquifer is a drought-prone aquifer with limited water availability that serves as the source for area wells and the base flow to area creeks and springs. Local and state officials responded to requests from Hays county citizens to pass legislation to manage, conserve, preserve, and protect groundwater resources in this area. Effective as of June 19, 2015 the bill tasks the BSEACD to manage groundwater production of the Trinity Aquifer. The bill also provides existing well owners in this new area with the opportunity to obtain a Temporary Production Permit, before 9/19/15, while a Regular Permit is being processed.



### What is a Temporary Permit?

A Temporary Permit provides well owners, with an existing nonexempt Trinity well, an interim authorization to operate their well during the timeframe in which a Regular Permit is being processed. A well is considered nonexempt if it used for any purpose other than domestic or livestock use. A well is considered exempt from permitting if it is used only for domestic or livestock use.

### Who needs a Temporary Permit?

**You do not need to apply for a permit if one of the following describes your well:**

- Your well produces from the Edwards Aquifer in the shared area; or
- Your well produces from the Trinity Aquifer and is a low capacity well used solely for domestic or livestock use (exempt use)

**You do need to apply for a permit, only if you rely on a Trinity well in the new area, for any of the following nonexempt use types:**

- **Commercial/Non-profit Businesses:** churches, schools, restaurants, corner stores, event/lodging venues, office parks
- **Irrigation:** solely for pools, wet/amenity ponds, golf courses, large-scale landscape, nurseries, green houses.
- **Agriculture:** commercial crop production, commercial livestock operations
- **Industry:** manufacturing, quarries/mines, cement plants, processing facilities
- **Public Water Suppliers:** retail or wholesale public water systems as defined by TCEQ

Nonexempt well owners should submit the two-part application form before September 19, 2015. District staff will review and process the Temporary Permit (Part 1) of the application within 30 days. Once a Temporary Permit is issued with a volume, the Permittee is responsible for payment of production fees assessed based on the permitted volume. During this timeframe the District will continue to process the Regular Permit (Part 2) of the application.

### How long will it take to get a Temporary and Regular Permit?

- Application Deadline for Temporary Permits is September 19, 2015. If you miss this deadline for Temporary Permits, you are still required to submit a Regular Permit application to obtain a permit.
- Processing timeframe for Part 1 Temporary Permit is up to 30 days from when application is received.
- Processing timeframe for Part 2 Regular Permit is up to 180 days from when application is received.

### What are the benefits of a Temporary Permit?

- Application fee (normally \$500) is \$0 before Sept 19, 2015
- Continue uninterrupted operation of the well
- There is an opportunity to receive a volume up to maximum capacity of the well
- Smooth transition into a regular permit
- Free initial water quality sampling (\$300 value)
- Provides fair and equitable management of the Trinity Aquifer for all users
- Provides for more reliable long-term water availability for all users
- Provides protection to existing wells from going dry
- Provides protection to the regional aquifer system and the creeks and springs

### What are costs associated with a Temporary Permit?

- Cost of a Permit - No Application Fee for Temporary Permit
- Cost of Production Fees - \$0.17/1,000 gals for Permitted Volume
  - *Example: A Permittee with a permit for 500,000 gal/yr will have a \$85 annual production fee.*
  - *Example: A Permittee with a permit for 1,000,000 gal/yr will have a \$170 annual production fee.*
  - *Example: A Permittee with a permit for 20,000,000 gal/yr will have a \$3400 annual production fee.*
- Cost of a Meter Installation - \$300 to \$600. You can call a few well service companies to get estimates for meter installation. Feel free to review our list of local well service companies.

### How do I apply for the Temporary and Regular Permit?

The Temporary Application form and 2 part checklist asks specific information relating to: ownership, well construction, water use type, and the requested annual permit volume. The most significant part of the application review is focused on the applicant's requested volume.

Application Forms are available on the website at:

[www.bseacd.org/regulatory/TempPermits/](http://www.bseacd.org/regulatory/TempPermits/)

### How do I determine the requested permit volume?

- If you submit your Temporary application by 9/19/15, then you can request a volume up to the Maximum Production Capacity of the Well. District staff will work with you to determine your well's Max capacity. This may require an Aquifer Pump test of some scale.
- Historic use and actual uses records should be compiled to evaluate your past usage.
- Higher volume requests will mean more involved review (i.e. Hydrogeological Report for requested volume over 2 million gallon/year) and verification of capacity.
- You will be responsible for the payment of Production fees. You will have to pay an annual calculated production fee on the permit volume that is issued, regardless if you use the full permit volume in the year.

### What happens if I don't apply for a Temporary Permit by the deadline?

If a well owner does not submit a Temporary Application by the deadline then they must pursue a permit through the Districts standard permitting process and could face additional fees and penalties for violation of District Rules and operating without a permit.



**Call BSEACD if you would like to set up a pre-application meeting.**  
**[www.bseacd.org](http://www.bseacd.org) ~ 1124 Regal Row Austin, TX 78748 ~ 512.282.8441**