

RESOLUTION NO. 20190327

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**A RESOLUTION OF THE HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT
CONCERNING THE KINDER MORGAN PERMIAN PIPELINE**

Whereas, the Hays Trinity Groundwater Conservation District (“HTGCD”) is a political subdivision of the State of Texas, created in Chapter 8843, Special District Local Laws Code, and

Whereas, HTGCD has as its purpose the conservation, preservation and protection of the Trinity Aquifer in western Hays County; and

Whereas, Kinder Morgan and Exxon Mobil in partnership with EagleClaw Midstream Ventures (“Private Partnership”) have begun the process of routing a 42-inch underground high-pressure natural gas pipeline, known as the Permian Highway Pipeline (“PHP”) from Coyanosa, Texas to Sheridan, Texas through the Texas Hill Country and across HTGCD boundaries; and

Whereas, thousands of residents and businesses within the HTGCD depend on wells producing from the Trinity Aquifer as their sole source of drinking water; and

Whereas, the Trinity Aquifer is the source of culturally and economically important springs that provide flow to major streams in western Hays County; and

Whereas, the path of the PHP crosses areas with sensitive karst features which recharge the Trinity Aquifer in western Hays County; and

Whereas, construction and subsequent operation of the pipeline has the potential to cause blocking or contamination of these recharge features and subsequently degradation of Trinity Aquifer groundwater quality or quantity; and

Whereas, the Private Partnership has not performed a formal Environmental Impact Study evaluating the potential impact of construction and operation of the PHP across these recharge areas; and

Whereas, the Private Partnership has not formally committed to specific mitigation measures which would reduce potential impacts to Trinity Aquifer groundwater quality or quantity;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT:

- 1) Affirm that the above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.
- 2) Affirm that the PHP should neither be located within the Wimberley Valley nor within western Hays County.

- 3) Affirm that should the PHP be built across HTGCD boundaries, the Private Partnership should conduct a formal environmental impact study and formally commit to specific mitigation measures to reduce potential impacts to the Trinity Aquifer.
- 4) Affirm that should the pipeline be built across HTGCD boundaries, HTGCD staff should have access to the PHP right of way prior to, during, and after pipeline construction to assess potential impacts of the PHP to the Trinity Aquifer.
- 5) Affirm that any data collected by the Private Partnership relating to potential impacts to the Trinity Aquifer, including but not limited to: karst surveys, surface geophysical transects, and downhole geophysical logs should be made available to HTGCD staff for review.

PASSED and APPROVED on this 27th day of March, 2019

Linda Kaye Rogers, Board President

John Worrall, Board Secretary Treasurer