

BAILEY COUNTY COMMISSIONERS COURT

Requires all Subdivisions to supply the commissioners Court with Groundwater Availability Certification

Groundwater Availability Certification

Learn about groundwater availability rule changes that affect subdivision plat applicants within municipalities and counties and the certification forms that applicants need to submit.

Effective January 1, 2024, municipalities and counties *must require* certification of groundwater availability for proposed subdivisions when the groundwater beneath the land serves as the source of water supply. Previously, this certification *was optional*. To find the exemptions for this requirement, see Local Government Code Sections 212.0101(a-1) and 232.0032(a-1) under the **Rules and Statutes** heading below.

Required Certification Forms

- **Certification Form: Groundwater Availability for Platting** (TCEQ-20982)
- **Plat Attesting Form** (TCEQ-20983) - Plat applicants must use this form to attest that adequate groundwater is available.

Submitting Forms

Plat applicants must do *both* of the following:

- Submit the above forms to the municipal or county authority responsible for approving plats; and,
- Send copies of the forms and any required supporting information to the Texas Water Development Board (TWDB) and the local Groundwater Conservation District (GCD) if there is one in the area of the proposed subdivision.

Who to Contact About Submitting Forms

- TWDB Contact:

GroundwaterData@twdb.texas.gov

Executive Administrator, Texas Water Development Board
Groundwater Resources Division

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Executive Administrator, Texas Water Development Board

Groundwater Resources Division

P.O. Box 13231

Austin, Texas 78711-3231

-  **GCDs Contact List**

Supporting Information

- **NEW TWDB's Groundwater Availability Certifications Webpage**  – Find resources and information related to groundwater availability certifications.
- **Texas GCDs Viewer** – Use this interactive map to find spatial information about GCDs.

Rules and Statutes

- **30 Texas Administrative Code (TAC) Chapter 230** 

- [Local Government Code Section 212.0101](#)
- [Local Government Code Section 232.0032](#)

Rulemaking

The rule amendment was proposed in May 2024 and a public hearing and comment period followed. On November 20, 2024, TCEQ adopted the amended rules for groundwater availability certifications at 30 TAC Chapter 230 (Senate Bill (SB) 2440, 88th Texas Legislature, Regular Session, 2023).

The final rule and response to comments were published in the [December 6, 2024 issue of the Texas Register](#) (49 TexReg 9986-10003).

To find other associated documents, go to the [TCEQ Commissioners' Integrated Database](#). (Enter the **TCEQ Docket Number - 2023-1521-RUL** - into **Step Two** of **Search One** and click on the blue **Search** button.)

For future rulemakings or questions, contact us at gpat@tceq.texas.gov.

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[Texas Groundwater Protection Program](#)

[Pesticides and Groundwater](#)

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Questions or Comments:
gpat@tceq.texas.gov

Tex. Local Gov't Code

Section 232.0032

Additional Requirements: Use of Groundwater

- (a) Except as provided by Subsection (a-1), a plat application for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land must have attached to it a statement that:
 - (1) is prepared by an engineer licensed to practice in this state or a geoscientist licensed to practice in this state; **and**
 - (2) certifies that adequate groundwater is available for the subdivision.
- (a-1) A commissioners court may waive the requirement prescribed by Subsection (a) that a plat application have attached to it a statement described by that subsection if:
 - (1) based on credible evidence of groundwater availability in the vicinity of the proposed subdivision, the commissioners court determines that sufficient groundwater is available and will continue to be available to the subdivided tract of land; **and**
 - (2) either:
 - (A) the entire tract proposed to be subdivided by the plat will be supplied with groundwater from the Gulf Coast Aquifer or the Carrizo-Wilcox Aquifer; **or**
 - (B) the proposed subdivision divides the tract into not more than 10 parts.
- (a-2) A person subject to a waiver authorized by Subsection (a-1)(2)(B) regarding a subdivided tract of land must comply with the requirements of Subsection (a) if:
 - (1) the tract is subsequently divided in a manner that results in the original tract being subdivided into more than 10 parts; **or**
 - (2) the commissioners court determines that the proposed subdivision is part of a series of proposed subdivisions from an original tract that collectively includes

more than 10 parts.

- (b) The Texas Commission on Environmental Quality by rule shall establish the appropriate form and content of a certification to be attached to a plat application under this section.
- (c) The Texas Commission on Environmental Quality, in consultation with the Texas Water Development Board, by rule shall require a person who submits a plat under Subsection (a) to transmit to the Texas Water Development Board and any groundwater conservation district that includes in the district's boundaries any part of the subdivision information that would be useful in:
 - (1) performing groundwater conservation district activities;
 - (2) conducting regional water planning;
 - (3) maintaining the state's groundwater database; **or**
 - (4) conducting studies for the state related to groundwater.

Added by Acts 1999, 76th Leg., ch. 460, Sec. 2, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 99, Sec. 2(b), eff. Sept. 1, 2001. Renumbered from Sec. 232.0031 by Acts 2001, 77th Leg., ch. 1420, Sec. 21.001(85), eff. Sept. 1, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 515 (S.B. 662), Sec. 2, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. 1430 (S.B. 3), Sec. 2.30, eff. September 1, 2007.

Acts 2023, 88th Leg., R.S., Ch. 980 (S.B. 2440), Sec. 2, eff. January 1, 2024.

Location:

https://texas.public.law/statutes/tex._local_gov't_code_section_232.0032

Original Source: Section 232.0032 — Additional Requirements:

Use of Groundwater, <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.232.htm#232.0032> (last accessed May 10, 2025).

Tex. Local Gov't Code

Section 212.0101

Additional Requirements: Use of Groundwater

- (a) Except as provided by Subsection (a-1), a plat application for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land must have attached to it a statement that:
 - (1) is prepared by an engineer licensed to practice in this state or a geoscientist licensed to practice in this state; **and**
 - (2) certifies that adequate groundwater is available for the subdivision.
- (a-1) A municipal authority responsible for approving plats may waive the requirement prescribed by Subsection (a) that a plat application have attached to it a statement described by that subsection if:
 - (1) based on credible evidence of groundwater availability in the vicinity of the proposed subdivision, the municipal authority determines that sufficient groundwater is available and will continue to be available to the subdivided tract of land; **and** *∅*
 - (2) either:
 - (A) the entire tract proposed to be subdivided by the plat will be supplied with groundwater from the Gulf Coast Aquifer or the Carrizo-Wilcox Aquifer; **or**
 - (B) the proposed subdivision divides the tract into not more than 10 parts.
- (a-2) A person subject to a waiver authorized by Subsection (a-1)(2)(B) regarding a subdivided tract of land must comply with the requirements of Subsection (a) if:
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 - (2) the municipal authority determines that the proposed subdivision is part of a series of proposed subdivisions from an original tract that collectively includes more than

10 parts.

- (b) The Texas Commission on Environmental Quality by rule shall establish the appropriate form and content of a certification to be attached to a plat application under this section.
- (c) The Texas Commission on Environmental Quality, in consultation with the Texas Water Development Board, by rule shall require a person who submits a plat under Subsection (a) to transmit to the Texas Water Development Board and any groundwater conservation district that includes in the district's boundaries any part of the subdivision information that would be useful in:
 - (1) performing groundwater conservation district activities;
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Added by Acts 1999, 76th Leg., ch. 460, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 99, Sec. 2(a), eff. Sept. 1, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 515 (S.B. 662), Sec. 1, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. 1430 (S.B. 3), Sec. 2.29, eff. September 1, 2007.

Acts 2023, 88th Leg., R.S., Ch. 980 (S.B. 2440), Sec. 1, eff. January 1, 2024.

Location:

https://texas.public.law/statutes/tex._local_gov't_code_section_212.0101

Original Source: Section 212.0101 — Additional Requirements: Use of Groundwater, <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.212.htm#212.0101> (last accessed May 10, 2025).



CERTIFICATION OF GROUNDWATER AVAILABILITY FOR PLATTING FORM

Use of this form: This form was developed by TCEQ consistent with 30 Texas Administrative Code, Chapter 230. The purpose of the form is to certify that adequate groundwater is available beneath a subdivision if that groundwater will be used to supply water to the subdivision.

The form must be submitted by plat applicants and certified by a Texas licensed professional engineer or Texas licensed professional geoscientist as part of an application to a platting authority. The platting authority could be a municipal authority pursuant to Texas Local Government Code (TLGC) Section 212.0101 or a county authority pursuant to TLGC 232.0032.

The form and 30 TAC Chapter 230 do not replace state or federal requirements applicable to public drinking water systems nor the authority of counties or groundwater conservation districts under the Texas Water Code.

For any questions regarding this form, contact the TCEQ Water Availability Division, Groundwater Planning and Assessment Team at GPAT@tceq.texas.gov or by phone at (512) 239-4600.



Certification of Groundwater Availability for Platting Form

Administrative Information, 30 TAC 230.4

1. Name of Proposed Subdivision:

2. Any Previous Names that Identify the Tract of Land:

3. Property Owner(s) Information:

Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

4. Plat Applicant Information:

Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

5. Licensed Professional Engineer or Geoscientist Information:

Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Certificate / License Number: _____

6. Location and Property Description of Proposed Subdivision:

7. Tax Assessor Parcel Number(s).

Book: _____

Map: _____

Parcel: _____

8. Groundwater Conservation District Information:

Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Proposed Subdivision Information, 30 TAC 230.5

9. Purpose of Proposed Subdivision (single family/multi-family residential, non-residential, commercial, other):

If "Other," explain:

10. Size of Proposed Subdivision (in acres): _____

11. Number of Proposed Lots: _____

12. Average Size of Proposed Lots (in acres): _____

13. Anticipated Method of Water Distribution (check all that apply). If any options related to PWS are checked below, number 14 must be answered YES.

Expansion of Existing Public Water System (PWS)

New (Proposed) PWS System

Individual Water Wells to Serve Individual Lots

Combination of Methods (Describe below)

Description, if needed:

14. If PWS is anticipated, a written application for service for existing water providers within a one-half mile radius must be attached to this form (30 TAC 230.5(f)). Is this application for service for existing water providers attached to this form?

YES N/A

15. Additional Information, if required by the municipal or county authority:

Projected Water Demand Estimate, 30 TAC 230.6

16. Residential Water Demand estimate at Full Build Out (includes both single family and multi-family residential): _____

a. Number of Proposed Housing Units (single and multi-family): _____

b. Average Number of Persons Per Housing Unit: _____

c. Volume of Water Required Per Person Per Day (gallons): _____

d. Water Demand Per Housing Unit Per Year (acre-feet): _____

e. Total Expected Residential Water Demand Per Year (acre-feet): _____

17. Non-Residential Water Demand Estimate at Full Build-Out (acre-feet/year): _____

a. Type(s) of Non-Residential Water Use(s):

b. Water Demand Per Type Per Year (acre-feet):

18. Total Water Demand Estimate at Full Build-Out (acre-feet/year): _____

19. Sources of Information Used for Demand Estimates:

General Groundwater Resource Information, 30 TAC 230.7

20. Identify and describe the aquifer(s) that underlie(s) the proposed subdivision, using Texas Water Development Board (TWDB) names:

Note: Users may refer to the most recent State Water Plan, Groundwater Management Area Desired Future Condition adoption, and Groundwater Availability Model to obtain general information pertaining to the state's aquifers. The State Water Plan is available on TWDB's webpage at: <https://www.twdb.texas.gov/waterplanning/swp/index.asp>

Obtaining Site-Specific Groundwater Data, 30 TAC 230.8

Answer by checking YES or NO for each of the following questions. For any "NO" response, please provide an explanation in question number 45.

- 21. YES NO Have all known existing, abandoned, and inoperative wells within the proposed subdivision been located, identified, and shown on the plat as required under 30 TAC 230.8(b)?
- 22. YES NO Were the geologic and groundwater resource factors identified under 30 TAC 230.7(b) considered in planning and designing the aquifer test required under 30 TAC 230.8(c)?
- 23. YES NO Have test and observation wells been located, drilled, logged, completed, developed, and shown on the plat as required by 30 TAC 230.8(c)(1) through (4)?
- 24. YES NO Have all reasonable precautions been taken to ensure that contaminants do not reach the subsurface environment and that undesirable groundwater has been confined to the zone(s) of origin (30 TAC 230.8(c)(5))?
- 25. YES NO Has an aquifer test been conducted which meets the requirements of 30 TAC 230.8(c)(1) and (6)?
- 26. YES NO Were existing wells or previous aquifer test data used?
- 27. YES NO If YES to number 26, did they meet the requirements of 30 TAC 230.8(c)(7)?
If NO to number 26, check N/A.
- 28. YES NO Were additional observation wells or aquifer testing utilized?

Note: If the anticipated method of water distribution for the proposed subdivision is expansion of an existing public water system (PWS) or a new PWS, site-specific groundwater data shall be developed under the requirements of 30 TAC, Chapter 290, Subchapter D, *Rules and Regulations for Public Water Systems*, and the applicable information and correspondence developed in meeting those requirements shall be attached to this form pursuant to 30 TAC 230.8(a). Per 230.8(c) the aquifer test must provide sufficient information to allow evaluation of each aquifer that is being considered as a source of residential and non-residential water supply for the proposed subdivision.

Determination of Groundwater Quality, 30 TAC 230.9

Answer by checking YES or NO for each of the following questions. For any "NO" response, please provide an explanation in question number 45.

- 29. YES NO Have water quality samples been collected as required by 30 TAC 230.9?
- 30. YES NO Has a water quality analysis been performed which meets the requirements of 30 TAC 230.9?

Determination of Groundwater Availability, 30 TAC 230.10

Complete the following by filling in the blanks or answering YES, NO, or N/A as applicable. For any NO or N/A, please provide explanation on number 45.

- 31. YES NO Have the aquifer parameters required by 30 TAC 230.10(c) been determined?
- 32. If YES, provide the aquifer parameters as determined, including units as applicable (check here if a. through h. below are N/A:):
 - a. Rate of yield and drawdown: _____
 - b. Specific capacity: _____
 - c. Efficiency of the pumped well: _____
 - d. Transmissivity: _____
 - e. Coefficient of storage: _____
 - f. Hydraulic conductivity: _____
 - g. Were any recharge or barrier boundaries detected? YES NO

If YES, please describe:

- h. Thickness of aquifer(s): _____

- 33. YES NO Have time-drawdown determinations been calculated as required under 30 TAC 230.10(d)(1)?
- 34. YES NO Have distance-drawdown determinations been calculated as required under 30 TAC 230.10(d)(2)?
- 35. YES NO Have well interference determinations been made as required under 30 TAC 230.10(d)(3)?
- 36. YES NO Has the anticipated method of water delivery, the annual groundwater demand estimates at full build out, and geologic and groundwater information been taken into account in making these determinations?
- 37. YES NO Has the water quality analysis required under 30 TAC 230.9 been compared to primary and secondary public drinking water standards as required under 30 TAC 230.10(e)?
- 38. YES NO Does the concentration of any analyzed constituent exceed the standards?

If YES, list the constituent(s) and concentration measure(s) that exceed standards:

Groundwater Availability and Usability Statements, 30 TAC 230.11(a) and (b)

Complete the following by filling in the blanks or answering YES/NO as applicable. For any "NO" response, please provide an explanation in question number 45:

- 39. Drawdown of the aquifer at the pumped well(s) is estimated to be _____ feet over a ten-year period and _____ feet over a 30-year period.
- 40. Drawdown of the aquifer at the property boundary is estimated to be _____ feet over a ten-year period and _____ feet over a 30-year period.
- 41. The distance from the pumped well(s) to the outer edges of the cone(s)-of-depression is estimated to be _____ feet over a ten-year period and _____ feet over a 30-year period.
- 42. The recommended minimum spacing limit between wells is _____ feet with a recommended well yield of _____ gallons per minute per well.
- 43. Available groundwater is of sufficient quality to meet the intended use of the platted subdivision. YES NO
- 44. The groundwater availability determination does not consider the following conditions (identify any assumptions or uncertainties that are inherent in the groundwater availability determination):

45. Provide explanation for any NO or N/A answered in any section above, and include the associated question number:

A large, empty rectangular box with a black border, intended for providing an explanation for any 'NO' or 'N/A' answers given in previous sections of the form. The box is currently blank.

Certification of Groundwater Availability (30 TAC 230.11(c))

Must be signed by a Texas Licensed Professional Engineer or a Texas Licensed Professional Geoscientist.

46. I, _____, a

Texas Licensed Professional Engineer,

Texas Licensed Professional Geoscientist,

license number _____, based on best professional judgment, current groundwater conditions, and the information developed and presented in this form, certify that adequate groundwater is available from the underlying aquifer(s) to supply the anticipated use of the proposed subdivision.

Signature _____

Date _____

(affix seal)

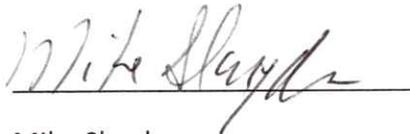
P.O. Box 13231
Austin, Texas 78711-3231

- **GCDs Contact List**
- Approved on 9th March, 2026



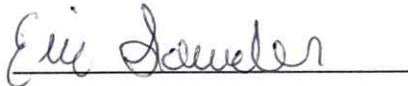
Basil Nash

Bailey County Judge



Mike Slaydon

Commissioner Precinct #2



Eric Sowder

Commissioner # 4



Gary Don Gartin

Commissioner Precinct #1



Carlos Contaras

Commissioner Precinct #3