



Legislation Details (With Text)

File #: AI 13-1797 **Version:** 2 **Name:** Heritage MOU ASR
Type: Action Item **Status:** Passed
File created: 4/16/2018 **In control:** Board of Directors
On agenda: 5/8/2018 **Final action:** 5/8/2018
Title: Consider recommendation from the Aquifer Management Planning Committee to approve a Memorandum of Understanding Between the EAA and Heritage Commodity, LLC, for the Development of Methodologies to Address Uncertainties Associated with the Potential Development of an Aquifer Storage and Recovery Project originating in Val Verde County, Texas.

Sponsors:

Indexes:

Code sections:

Attachments: 1. DRAFT_Heritage_MOU__development_of_ASR_methodologies_HC

Date	Ver.	Action By	Action	Result
5/8/2018	2	Board of Directors	approved	
4/24/2018	1	Aquifer Management Planning Committee		

Consider recommendation from the Aquifer Management Planning Committee to approve a Memorandum of Understanding Between the EAA and Heritage Commodity, LLC, for the Development of Methodologies to Address Uncertainties Associated with the Potential Development of an Aquifer Storage and Recovery Project originating in Val Verde County, Texas.

RECOMMENDED MOTION:

Move the board approve a Memorandum of Understanding Between the EAA and Heritage Commodity, LLC, for the Development of Methodologies to Address Uncertainties Associated with the Potential Development of an Aquifer Storage and Recovery Project originating in Val Verde County, Texas.

SUMMARY:

The purpose of this agenda item is for the board to consider an Aquifer Management Planning Committee recommendation to approve a Memorandum of Understanding (MOU) Between the EAA and Heritage Commodity, LLC (Heritage), for the Development of Methodologies to Address Uncertainties Associated with the Potential Development of an Aquifer Storage and Recovery Project. Over the past year, EAA staff has been meeting informally with Heritage regarding a potential recharge project involving groundwater from Val Verde County based on a letter of interest sent to the board from Heritage discussing their proposed project. Specifically, Heritage was formed for the purpose of developing a water resource from property owned within Val Verde County, Texas. Heritage is exploring an option of transporting groundwater from the Edwards-Trinity Aquifer in Val Verde County, west of the Knippa Gap, and artificially recharging that water into the Edwards Aquifer

east of the Knippa Gap in Medina County. The ultimate goal associated with the potential project would be to obtain authorization from the EAA to artificially recharge the transported groundwater, store the groundwater in the Aquifer, and subsequently retrieve and place a portion of the groundwater to a beneficial use within the EAA's jurisdictional boundaries.

The purpose of the attached MOU is to formalize a process whereby Heritage can identify what scientific methodologies they propose to use to attempt to address uncertainties that are inherent in the proposed project. Under the MOU, EAA staff would review and comment on the proposed methodologies in an effort to maintain a uniform understanding of how such uncertainties would be addressed as the viability of the proposed project is explored. Essentially, this MOU would provide a vehicle for a transparent process that would allow vetting of the proposed project before any other agreements between EAA and Heritage are considered. Future agreements, if any, would be considered and negotiated under the provisions of the EAA Act and the EAA's recharge rules, including the process for awarding recharge "credits." A copy of the draft MOU is attached to this summary for the committee's reference.

At the April 24 meeting, the Aquifer Management Planning Committee voted to recommend the board approve a Memorandum of Understanding Between the EAA and Heritage Commodity, LLC, for the Development of Methodologies to Address Uncertainties Associated with the Potential Development of an Aquifer Storage and Recovery Project originating in Val Verde County, Texas.

M/WBE PARTICIPATION:

This agenda item does not involve the procurement of goods or services by the EAA and, therefore, this section is not applicable.

STRATEGIC PLAN REFERENCE:

This agenda item supports the EAA's policy direction as set forth in the EAA 2016-20 Strategic Plan: Goal C. Identify and Address Recharge Initiatives for the Edwards Aquifer.

FISCAL IMPACT:

None.