



## Legislation Text

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**File #:** REP 13-706, **Version:** 1

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**Receive report from EAA staff on a review of settlements with permit holders who exceeded authorized groundwater withdrawals in 2015.**

**STAFF RECOMMENDED MOTION:**

This item is for discussion purposes only. No action required.

**SUMMARY**

The purpose of this agenda item is for the Permits/Enforcement Committee to receive a report from EAA staff regarding settlements with Edwards Aquifer groundwater withdrawal rights permit holders who exceeded authorized annual groundwater withdrawals in 2015.

EAA staff identified 27 permit holders who exceeded their 2015 annual permitted amounts, by a combined total of about 590 acre-feet. In 2015, Critical Period Management (CPM) reductions applied to the San Antonio pool (19.7%), and to the Uvalde pool (20.4%); resulting in a total authorized groundwater amount of 463,272 acre-feet. A total of 305,507 acre-feet were pumped in 2015.

Of the 27 permit holders who over-pumped in 2015, 16 over-pumped their CPM reduced amount but did not over-pump their total permitted amount, and 16 were first-time over-pumpers. As of this report, the EAA has collected \$19,015.30 in settlements and unpaid aquifer management fees from 25 permit holders. Of these 25 permit holders, four agreed to deferred settlements totaling \$82,239.77, so long as they do not over-pump again through 2017.

Five owners of limited production wells (LPWs) exceeded the 1.400 acre-feet allowed per calendar year during 2015. Two of these owners have returned a signed agreement to ensure future annual withdrawals remain within the allowable limits. Staff continues to reach out to seek a settlement with the three remaining LPW owners.

At the August 23 meeting, staff will provide a report to the committee and will be prepared to answer any questions regarding these matters.

**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 does not relate to a specific goal or action step within the Strategic Plan, but supports the general EAA mission.

FISCAL IMPACT:

The revenue received through compliance settlements is dedicated to the Endangered Species Mitigation Fund. This revenue is used solely to fund projects expressly devoted to the protection and benefit of the endangered species associated with the Edwards Aquifer. No revenue derived from compliance settlements is used to fund the operating expenses or capital purchases of the EAA.