



Legislation Text

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Consider recommendation from the Executive Committee to recommend board authorization to submit amendment applications for the EAA's surface water diversion permits associated with the EAA's four existing recharge dam structures.

RECOMMENDED MOTION:

Move the board authorize the General Manager and General Counsel to prepare all necessary documents and take all necessary actions to submit amendment applications to the Texas Commission on Environmental Quality for the EAA's surface water diversion permits associated with its four existing recharge structures.

SUMMARY:

The purpose of this agenda item is for the board to consider an Executive Committee recommendation to authorize the General Manager and General Counsel to take all necessary steps to amend the EAA's four surface water diversion permits that are associated with the EAA's four existing recharge structures. As has been discussed at prior board meetings and board work sessions, the EAA's existing surface water diversion permits issued by the Texas Commission on Environmental Quality (TCEQ) do not reasonably match actual annual recharge. In exceptionally dry years, the EAA is unable to utilize its diversion permits and in unusually wet years, the EAA is physically unable to prevent the structures from exceeding their specific, authorized diversion amount. EAA staff has been in communication with the TCEQ, and there is agreement that the best path forward is to amend all four permits to more appropriately reflect and account for such natural events. The amendment process is a formal process, and it will most likely take a significant amount of time to come to a conclusion.

At the December 13 meeting, staff will discuss the process and the procedure for moving forward with the proposed amendments.

At the meeting on December 5, the Executive Committee voted to recommend the board authorize the General Manager and General Counsel to prepare all necessary documents and take all necessary actions to submit amendment applications to the Texas Commission on Environmental Quality for the EAA's surface water diversion permits associated with its four existing recharge structures.

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 at this time.