

## Legislation Text

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File #: AI 13-1668, Version: 1

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**Consider recommendation from EAA staff to authorize the General Manager to submit proposed amendments to the EAHCP's San Antonio Water System Aquifer Storage and Recovery Springflow Protection Measure for consideration through the EAHCP Adaptive Management Process.**

### STAFF RECOMMENDED MOTION:

Move the board authorize the General Manager to take the steps necessary to develop and submit proposed amendments to the San Antonio Water System Aquifer Storage and Recovery Springflow Protection Measure contained in the Edwards Aquifer Habitat Conservation Plan for consideration through the Adaptive Management Process.

### SUMMARY:

The purpose of this agenda item is for the board to consider an EAA staff recommendation regarding the submittal of proposed amendments to the San Antonio Water System (SAWS) Aquifer Storage and Recovery (ASR) Springflow Protection Measure for consideration through the Edwards Aquifer Habitat Conservation Plan (EAHCP) Adaptive Management Process.

The EAHCP currently includes a springflow protection program that utilizes the ASR facility owned and operated by SAWS for storage and delivery of leased Edwards Aquifer water. Broadly, the program is based on the acquisition by the EAA of 50,000 acre-feet per year of Edwards Aquifer groundwater withdrawal rights that are utilized to fill, idle, and maintain a portion of the capacity of the SAWS ASR for subsequent use to protect springflows during identified drought-of-record conditions. When specific triggers (described in the EAHCP) are reached: (1) SAWS is obligated to use the water stored in the ASR to serve as a baseload supply in its service area near the springs; (2) SAWS is obligated to offset its Edwards demand by an amount equivalent to that of the recovered water; and (3) the EAA, when not utilizing leased water to fill the SAWS ASR, is obligated to forbear all pumping of the leased water. This combination of SAWS' pumping from the ASR (rather than from direct Edwards sources) and permit forbearance, contributes significantly to protecting flows at the Comal and San Marcos spring systems.

The EAA is intending to submit a formal proposal for a Nonroutine Adaptive Management action involving a series of modifications to the ASR program from its original design in the EAHCP. The proposal does not involve modification to the main objectives of the program, but rather presents alternatives to the process by which the objectives are achieved. Specifically, in order to optimize the program's success, the EAA proposes to amend the lease structure of the program and implement the following objectives:

1. Replace the current, three-tiered leasing structure with a two-tiered leasing structure that

coordinates existing long-term leases with new long-term forbearance agreements (together providing control of the necessary 50,000 acre-feet per year of Edwards Aquifer groundwater); and

2. Exercise (trigger) forbearance in years following a recognition of the Ten-year Rolling Average of the Estimated Annual Recharge to the Aquifer declining to amounts at or below 500,000 acre-feet per annum.

*(The program's current three-tiered leasing structure calls for: (1) leasing 16,667 acre-feet of groundwater for storage in the SAWS ASR immediately; (2) leasing an additional 16,667 acre-feet of groundwater through a lease option that is called when the Ten-year Rolling Average of the Estimated Annual Recharge to the Aquifer falls below 572,000 acre-feet per annum; and (3) leasing a final 16,667 acre-feet of groundwater through a lease option that is called when the Ten-year Rolling Average of the Estimated Annual Recharge to the Aquifer falls below 472,000 acre-feet per annum.)*

The current schedule for the proposed submittal is to informally share the proposed amendments to all interested parties within the EACHP process to receive feedback, and, if necessary, make adjustments to the proposal before formally submitting the proposal to the EAHCP Adaptive Management Process in early January. If any substantive adjustments are required, EAA staff will seek re-authorization from the board before a formal submittal is made.

#### 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 A. Sustain Federally Protected Aquifer-Dependent Species.

#### FISCAL IMPACT:

None. The proposed amendments will not exceed the projected program costs described in Table 7.1 of the EAHCP.