Edwards Aquifer Regional Water Conservation Program – Directional Memo

Background
The Edwards Aquifer Regional Water Conservation Program (RWCP) is one of the activities of the Edwards Aquifer Habitat Conservation Plan to protect Spring Flow and stabilize the amount of water available to pumpers. To provide immediate protection to springflow, several large municipal permit holders volunteered to loan 10,000 acre feet of water through the use of initial commitment contracts. Secondly the program funding of $19,730,000 was designated to conserve 20,000 acre ft of water, half of which will be reserved in a trust to replace the borrowed water represented in the initial commitment contracts.

The primary goals of this program are to:

1) To maintain compliance with the Incidental Take Permit by replacing the 10,000 acre ft of borrowed water in the Edwards Aquifer (EA) groundwater (GW) trust as soon as possible and for the 15 years of the HCP and to help maintain spring flow in the Comal and San Marcos Springs.

2) To assist small and medium sized communities in developing and benefitting from a water conservation program which in turn helps them meet consumer needs in times of reduced water availability.

3) To encourage involvement by exempt well users in the HCP program and with other water conservation related programs within the Edwards Aquifer region.

4) To expand the population of water conservation conscious and educated landowners, businesses and other citizens in the Edwards Aquifer region.

Issues and Concerns Identified in 2013
The first year of implementation involved initial contact with several small and medium sized cities, but equally important, a contracting process was developed, and a fundamental flaw was corrected related to the measurement of conserved water in the program.

A review of the RWCP water conservation calculation methods revealed that the goals in the HCP were based on the traditional way of measuring water savings, (that being calculated over 10 years). The Springflow modeling in the HCP, however, calculated the impact of the savings based on a single year’s savings. This created a funding dilemma whereby EAA staff chose to reduce the amount of money paid
per acre in order to be judicious managers of HCP funds, and to maintain compliance with the Incidental Take Permit (ITP).

**Funding**

Table 7.1 provides for $19,730,000 to fund the RWCP for the entire 15 year term of the ITP. After subtracting the fees for the 5 year Texas AgriLife contract, remaining funds available for implementation of the program are $18,730,000.

To determine the amount of funds available on a “dollars per acre-foot conserved” scenario, we divide the program funds by the number of acre-feet needed to maintain compliance.

\[
\frac{18,730,000}{20,000 \text{ ac-ft}} = \$936/\text{ac-ft}
\]

Based on the formula shown above, the Edwards Aquifer Authority (EAA) is able to pay an AVERAGE of $936/ac-ft to program participants to assist them in creating “new” water resulting from conservation activities, or to voluntarily reduce usage from existing EA sources. Each program will be evaluated on a case by case basis.

**Challenges Finding Participating Communities**

In the EA water market where water rights are generally sold for $5500/acre ft with varying lease rates. For example, based on recent SARA data (personal communication with Julia Velez), leases can range from $100/ac-ft for a single year up to $140/ac-ft for a ten year lease.

Additionally, long term program water savings are only estimates. Some estimates are based on research data such as those associated with high efficiency, low-flow toilets and fixtures. Other estimates have much lower confidence levels, thus program participants must either trust the estimates or agree to reduce their permit incrementally over time as savings are realized.

Since execution of the contract with Texas AgriLife, 20 communities within the EAA jurisdictional boundary were identified and ranked based on their permitted amount and the Gallons Per Capita Per Day (GPCD). Of those 20 initial communities, 13 have been contacted to determine their willingness to participate in the program. Of those 13, six are not currently interested, City of Uvalde has an active contract, Universal
City’s contract is in draft form and will presented to the EAA Board during their April 8, 2014 meeting, Leon Valley has completed an assessment and a contract is pending. Discussions are pending with Medina County, City of Live Oak, City of Devine, and City of Converse.

Of the communities that are participating in the program, the amount of Edwards Aquifer water expected to be placed in the Groundwater (GW) Trust is making a contributing to the program, however, committed amounts are lower than initially expected. The City of Uvalde is expected to place approximately 160 acre feet in the GW Trust; the City of Universal City is expected to place approximately 160 acre feet of water in the GW Trust; and if a contract is executed, the City of Leon Valley will place approximately 160 acre feet in the GW Trust.

It is reasonable to assume that Texas AgriLife will contact and determine the willingness to participate in the program of the remaining communities during 2014. Based on current interest in the program, it is also safe to assume that there will be five or six communities willing to participate in the program. Assuming an average contribution to the GW Trust of 160 acre-feet, total commitments from these communities would be approximately 960 acre-feet. Under the current scenario, that will leave over 9,000 acre ft of water to be acquired for the GW Trust before the initial commitment contracts expire in 2023.

**Limited Water Availability**

There are two potential sources for placing “unused” water in the GW Trust: 1) Water that has been created due to increases in conservation efficiency; and 2) water that is “unpumped” by the permit holder. Created water developed with increasing efficiencies is driven by variables such as participation in the programs such as the RWCP, willingness to voluntarily reduce use based on estimated savings, and is generally difficult to estimate. With the high value of water on the EA market and limited amount that is available to fund water conservation based on the “decision “ describe earlier, it is obvious that the program has some challenges to overcome to reach goal.

An analysis of 2012 EAA Pumping data show that, among Industrial Permit holders with greater than 100 ac-ft remaining unpumped, there is 12,991 ac-ft of Edwards Aquifer water available for placement in the GW Trust; further among Municipal Permit holders with greater than 100 ac-ft remaining of unpumped,
there is 20,701 ac-ft of Edwards Aquifer water for placement in the GW Trust (see attached spreadsheet for data table).

**Diversification of Program Approach to RWCP**

The RWCP offers three programming targets in addition to the first priority, the small and medium cities. They include exempt well pumpers, region wide institutions and the large cities. From the beginning it was expected that all four targeted groups would have to participate in order to achieve goal. The change in the way savings are funded and measured means that the programming in these areas will have to be given special attention to achieve the RWCP goals. In addition the RWCP is proposing to seek water conservation partnerships with other Regional entities and explore water sources that may not be clearly delineated as RWCP options in the HCP.

In light of the previous discussion, it is recommended that the RWCP look for additional opportunities to place EA water in the GW Trust. Some existing opportunities have been identified and are currently being pursued. Examples include large scale projects, non-municipal users (agricultural or industrial), use of non-EA sources such as wells developed in other aquifers, etc.

Currently EAA staff have had discussions with the San Antonio Zoo regarding a cost proposal to replace aging well pumps with Variable Frequency Drive pumps, capture stormwater and A/C condensate, and heat water in the winter months instead of pumping from the aquifer. These activities could save a potential 800 acre feet. Also, discussions have begun with CEMEX, a concrete plant, for the EAA to participate in a water recirculation/recycling program wherein a portion of the savings could be placed in the GW Trust.

Prior to diversifying the Program, these topics will be presented to the Regional Water Conservation Monitoring Group, and the Implementing Committee for feedback and approval.

**New Program Elements**

In order to stay in compliance with the ITP, this program must seek as many opportunities for water conservation and savings as feasible. HCP staff propose pursuing the following conservation opportunities:
1) The RWCP will contact the Joint Base San Antonio (JBSA) and establish communications in an effort to secure the remaining 1,600 acre-feet of initial commitments for the Groundwater Trust.
   a. There is an existing executive order requiring conservation on the part of the government installations. Utilizing a public relations aspect, and involving EAA’s Public Outreach and Communications staff (for access to local media), the RWCP will promote the concept of JBSA contributing water to the GW Trust for the protection and enhancement of the HCP Covered Species.

2) The RWCP identifies industrial/commercial rebates as a program option. The RWCP will expand the search for reuse and industrial technology opportunities in the Region.
   a. The RWCP will seek out potential participants to develop the water saving technological change.
   b. When appropriate, the RWCP will provide seminars to industry leaders to inform them of the RWCP and describe the opportunities that exist.

3) The RWCP includes a list of services designed to help communities address their lost water issues. To expand this service the RWCP will develop the internal capability to assist communities that need a preliminary lost water analysis and do not have the resources to pay for the service.
   a. If presence of significant leaks are identified, the RWCP will coordinate with SAWS or other resources as per the HCP to locate and quantify leaking infrastructure. Once complete, the RWCP will provide conceptual level cost estimates to the municipality to repair the leaks.
   b. If agreeable to placing 50% of the water conserved by repairing the leaking infrastructure, and the costs are justifiable in terms of program goals, EAA will develop a contract with the municipality to assist in funding all or part of the leak repair.

4) The RWCP will identify all potential non-Edwards Aquifer water sources during the course of the Community Assessment and find opportunities for acquiring and using alternate water sources in lieu of Edwards Aquifer water. If, during the course of the Assessment, an alternate water source seems very feasible, the RWCP will develop conceptual level designs and cost estimates for well acquisition and incorporation into the existing water transmission system. This approach will not be limited to municipalities but may incorporate industry as well.

5) The RWCP will seek appropriate partners and organize a reuse program in a designated geographic area with the Edwards Region to promote the large-scale use of treated effluent,
greywater, rainwater catchment, and AC condensate. The effort will be staffed partially or entirely with Texas AgriLife personnel as per the HCP.

6) The RWCP will work with communities and their existing environmental groups (i.e. Parks Board) to develop a water conservation program that includes stakeholder support.

7) The RWCP will contact the Cities of New Braunfels, San Antonio, and San Marcos to discuss opportunities for low-flow, high efficiency plumbing distribution, cost sharing in treated effluent projects, etc.

8) The RWCP will seek opportunities to assist communities in accessing Texas Water Development Board funding such as Proposition 6 for opportunities for EAA to participate in cost sharing in exchange for water savings being placed in the GW Trust.

9) Future community assessment will include language that summarizes the tasks described above. Recommendations will include conceptual level cost estimates and conceptual level design if appropriate. Future assessments will contain a map of the service area, and all existing permitted municipal or industrial well locations (including owner, aquifer, and permitted use).

Next Steps

1. Since an increase in program funds are unlikely, a diversified approach in the program is recommended to find previously “un-considered” opportunities for GW Trust water.

2. Prior to implementing the proposed changes, the Implementing Committee must first give approval.

3. An amendment to Texas AgriLife’s existing contract is necessary to fund and/or implement the recommended changes.

4. Finally, the EAA Board of Directors must approve any amendment to the Contract between the EAA and Texas AgriLife.
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<td>John P. Pfeiffer III and Alice L. Diamant, husband</td>
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<td>Shirley Rogers</td>
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## Industrial Permit Holders

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- **Pumpers with less than 50 ac-ft remaining**: 1,466.822
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- **Pumpers with greater than 100 ac-ft remaining**: 12,991.268
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Pumpers with less than 50 ac-ft remaining 645,528
Pumpers with greater than 50 ac-ft remaining 21,148,567
Pumpers with greater than 100 ac-ft remaining 20,701,752