

Basic Elements of Proposed SAWS ASR AMP

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 offset part of its Edwards demand through forbearance of its permit; (2) water stored in the ASR is available to SAWS to offset its forbearance in order to meet demand; 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' and EAA 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 proposed adaptive management would essentially accomplish the following administrative changes:

1. Three tiers will be replaced by two tiers;
2. The first tier will be outright leases in a sliding scale from 16,667 AF/yr to 10,000 AF/yr over the duration of the ITP;
3. The second tier will be forbearance agreements on a sliding scale from 33,333 AF/yr to 40,000 AF/yr over the duration of the ITP – dependent upon the amount of water contained in the tier one leases; and
4. Forbearance will be required in the Calendar Year following the year in which the EAA receives the Estimated Annual Recharge to the Aquifer and the Ten-year Rolling Average is \leq 500,000 AF.

No changes to either the objectives or goals of the springflow protection measure are proposed.

Summary Table of Proposed Changes to the SAWS ASR Springflow Protection Measure

	Current	Proposed
Lease / Option Structure	3 Tiers of 16,666 AF (one tier of outright leases and two tiers of option leases) for a total of: 50,000 AF	2 Tiers - no less than 10,000 AF in long term leases and up to 40,000 AF in forbearance agreements for a total of: 50,000 AF
“Triggers”	Tier 1 = all the time Tier 2 = 10 yr Rolling Recharge Average \leq 572,000 AF Tier 3 = 10 yr Rolling Recharge Avg. \leq 472,000 AF	Tier 1 = all the time Tier 2 = 10 yr Rolling Recharge Average \leq 500,000 AF
Goals / Objectives*	126,000 AF stored in SAWS ASR 50,000 AF of water controlled by EAA for forbearance during a repeat of the drought of record	SAME

* Positive impacts to springflow cfs will be the same or greater than the current program.

* Impacts to EAHCP budget will be the same or less than the current program.