

Payments aimed at less usage of aquifer

By Liz Teitz
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In a field near Castroville, Jared Boehme bent over and pulled up a sesame plant, crumbling a pod in his hand to reveal tiny sesame seeds inside.

He'd harvested most of the sesame the previous week, and earlier in the year he'd harvested wheat from the same field. Both crops have good roots, Boehme said, so they grew well even though the site wasn't watered this year.

"We planted the wheat dryland, knowing we'd have no water," he said, meaning he left it up to nature.

Boehme knew he'd have less water available for irrigation this year — because he and his partners are being paid to use less of it.

B-W Farms, a family farming partnership, is taking part in VISPO — the Voluntary Irrigation Suspension Program Option — which is a program run by the Edwards Aquifer Authority that keeps water in the ground during particularly dry years, such as this one.

More than 2 million people rely on water from the aquifer, a limestone cavern system that holds water below the surface of Central Texas. But VISPO's conservation efforts really are

Water continues on A21 aimed at benefiting animals, not humans.

Lower water levels in the aquifer — and in the springs it feeds — threaten the habitats for a number of endangered

species. The Edwards Aquifer Authority, which manages the groundwater system, is required by federal law to protect those creatures.

VISPO is one way that is accomplished: The aquifer authority pays farmers such as Boehme in exchange for them not using all the water they're allowed to pull from the aquifer.

The program is in its 10th year, and during that time the authority has paid out millions of dollars. In 2024, it will pay nearly \$10 million to participants. That's expected to keep more than 13 billion gallons of water in the aquifer next year, one part of the effort to ensure that springs keep flowing to protect the endangered animals that call them home.

How the program works

VISPO has a simple premise: Aquifer permit holders receive payments in exchange for not using some or all of their water during certain drought conditions. They receive standby payments each year, plus larger payments in years when the restrictions are triggered.

The program began in 2013 as part of the Edwards Aquifer Habitat Conservation Plan, an agreement that includes the aquifer authority, the San Antonio Water System, the cities of New Braunfels and San Marcos, and other local, state and federal agencies. The plan outlines how those cities and agencies will protect the threatened and endangered species that live in the aquifer, as well as in Comal Springs and San Marcos Springs. Those species include the Texas blind salamander and the fountain darter.

The aquifer authority has an "incidental take permit" from U.S. Fish and Wildlife Service, a requirement under the Endangered Species Act allowing the authority to conduct lawful activities that might result in "taking," or harming, those en-

dangered species. A habitat conservation plan is required to keep that permit — so maintaining the plan is vital to continue pumping from the aquifer.

The plan includes measures aimed at ensuring that even when the water level in the aquifer falls, the springs don't completely stop flowing. VISPO is one of those measures, with a goal of conserving 41,795 acre-feet of water per year when it's implemented, said Javier Hernandez, special projects liaison for the Edwards Aquifer Authority. One acre-foot is the water needed to cover 1 acre in 1 foot of water, or about 326,000 gallons. The enrollment target for VISPO is about 13.6 billion gallons, or enough to fill more than 22,000 Olympic-sized swimming pools.

The amount of water that can be pumped from the Edwards Aquifer is capped at 571,599 acre-feet per year. VISPO aims to conserve about 7% of that.

The springs flow when the water level in the aquifer is high enough to push the water out of the ground; so when the water level in the aquifer declines, spring flows drop, as they did through the summer. The flow in Comal Springs fell as low as 55 cubic feet per second in August, while San Marcos Springs dropped to 66 cfs, both well below average, according to U.S. Geological Survey data.

The trigger for VISPO is the level in the J-17 index well in Bexar County. If it's below 635 feet above mean sea level on Oct. 1, participants must suspend use of their enrolled water for the next year, starting in January. That's happened three times since the program's inception: 2013, 2022 and again in 2023, prompting suspension requirements in 2014, 2023 and 2024. If the J-17 well rebounds to 660 feet by Jan. 1, participants can opt out of mandatory suspension for the year, but so far that hasn't happened. The well



was at 630.3 feet on Oct. 1, and as of early Saturday had climbed to 637.5 feet.

In years when the well is above that level, participants can use the water they've enrolled in the program or lease it to others. They receive standby payments, which pay \$54 per acre-foot. In suspension years, that increases: The EAA pays \$160 per acre-foot, on top of the standby fee.

Since the program began, the Edwards Aquifer Authority has paid out \$36.3 million to VISPO participants, Hernandez said. The authority's board recently approved a habitat conservation plan budget that includes more than \$9 million for VISPO in 2024.

The money comes from aquifer management fees, which are paid by anyone with a permit to pump from the aquifer, so water users around the region are contributing to the program.

In 2023, municipal and industrial customers, such as the San Antonio Water System, paid fees of \$84 per acre-foot, which will increase to \$88 in 2024. From those fees, \$30 per acre-foot will be allocated to the habitat conservation plan, while the rest is put in the aquifer authority's general fund.

Agricultural users pay \$2 per acre-foot, an amount set by the Legislature, Hernandez said. Their fees aren't used for the habitat conservation plan, and they pay only for their actual amount of water used. Municipal and industrial users must pay for all of the water they have rights to use, regardless of how much they use or any permit reductions caused by drought.

As the largest user of Edwards water, SAWS is also the largest payer of management fees. The city-owned utility collects those funds from its customers with a fee on their bills. SAWS will pay \$21.7 million in aquifer management fees in

2024, according to its annual budget.

Lessening risk for farmers

The aquifer authority currently has more than 200 contracts for VISPO enrollment, ranging in size from 1 acre-foot to 1,738 acre-feet. Nearly all are agricultural users, primarily in Medina, Uvalde, Atascosa and western Bexar counties, Hernandez said.

Some, such as Boehme, reduce their watering but continue growing during suspension years. Others have stopped farming or have leased their land and are cutting back on water use. Hernandez said that when he's recruiting participants, he looks for permit holders who haven't used their full allocation in recent years. Farmers who have moved to more efficient irrigation systems are also more likely to have extra water they can enroll, he said.

While the program's purpose is to protect endangered species, his pitch focuses on the financial incentive. "Raising a crop during a drought is hard to guarantee," he said, and VISPO payments are guaranteed to arrive each year by March 1.

Farming is expensive, and during a drought it costs more to pump water and farmers may need to buy more water rights to meet their needs, especially when the EAA issues mandatory pumping reductions. "Some farmers don't want to have to deal with that in severe drought," Hernandez said, so VISPO offers another option. They can choose how much to enroll, so while some might commit to cutting all their Edwards use during a suspension year, others, such as Boehme, choose to enroll just some and cut back on acreage or on irrigation.

"We plant a lot of different crops to diversify our income and our risk, and VISPO is just

another way to do that," he said. He farms with his father, Gail, and Fred and Harold Weiblen, brothers and neighbors in the Castroville area. The partnership, B-W Farms, grows crops on about 6,000 acres across Medina, Uvalde and Frio counties, and it has enrolled some of its water in the program.

They first signed up in 2013 for a 10-year contract, then decided to renew for a five-year contract that runs through 2028. When the time came for renewal, it wasn't an obvious or easy decision.

"We debated, we kicked it back and forth," Boehme said. "But when it all comes down to it, if the Edwards is that low, we're going to be in trouble."

The partnership has bills to pay, no matter how much it rains: payments for tractors and equipment, along with lease payments for the land they farm. The VISPO payments are used to pay for those leases, Boehme said, guaranteeing they'll be able to keep them.

"We'll take that money, we'll plant dryland and start praying," Boehme said.

The program isn't without critics. One participant declined to discuss the program with the San Antonio Express-News, citing fear of backlash. Some say new development, not agriculture, should be the industry bearing the burden of conservation and cutbacks. Others have objections dating back decades to rules around water permitting and concerns about other businesses related to the farming industry. And some are simply sad to see farmers being given incentives to grow less.

Annalisa Peace, executive director of the advocacy organization Greater Edwards Aquifer Alliance, says she understands the concerns. "I really like that program," she said. "At the same time, I'd still like to see increased efforts to reduce urban

irrigation, and it's not a substitute for that," she said.

The alliance "has always advocated that we would rather be growing crops with our water than watering carpet grass," she said. But she appreciates VISPO's flexibility, and the voluntary nature of the program, and hopes to see it continue when the habitat conservation plan and incidental take permit are renewed in 2028.

'Another tool'

Hernandez still is looking to enroll more water ahead of the 2024 suspension year, with the program about 1,700 acre-feet short of the target. Finding new participants can be harder in times of drought because permit holders also can lease their rights to others, he said, so he's competing with other potential

customers.

Boehme said B-W Farms will continue growing crops during suspension years, and he's hoping for more rain in 2024. He worries that VISPO will be triggered more often in the future because of hotter and drier weather and the increasing demands of development as San Antonio's sprawl moves farther west and subdivisions keep popping up near farmland. "It has to have an effect," he said.

But he has no plans to sell land to the developers who send letters nearly every week or to give up farming anytime soon, even as weather, water and economics present more challenges.

His grandparents both grew up farming in Medina County, and he's proud to be keeping their family business alive.

"There's a lot of legacy," Boehme said, pointing to the expansive field in front of him, which used to be divided into smaller tracts. It was gradually pieced back together over decades, first by his great-grandfather, then his grandfather, then his father and himself. He doesn't want to see it turned to grass, pavement and houses.

That means trying new things: forming the partnership, growing more types of crops, looking for land to lease in different areas and seeking grants from the aquifer authority for more efficient irrigation systems. And signing up to forgo using water, even if that presents its own challenges, he said.

"I look at VISPO," he said, "as just another tool in our toolbox."



Photos by Jessica Phelps/Staff photographer

Jared Boehme stands in a field used to cultivate sesame plants by a family partnership that he is part of. The partnership is being paid to use less water from the Edwards Aquifer.



Boehme, who comes from a farming family, breaks open a sesame pod from a field near Castroville he recently harvested.