

1 **6.0 RECOMMENDATIONS MOVING FORWARD**

2 The Permittees are now in their third year of implementing the EAHCP. With the benefit of experience—
3 including during wide-ranging weather conditions—and time, the Permittees continue to gain perspective
4 and practical insights into implementation of the EAHCP. Based upon this knowledge and experience, the
5 Permittees recommend the following as priorities for 2016.

6 **6.1 Aquifer Storage and Recovery**

7 As discussed in **Section 3.5 – San Antonio Water System, subsection 3.5.1.4**, Groundwater Rights Pooling
8 Program for Aquifer Storage and Recovery, of this Annual Report, the ASR mitigation measure is based
9 on the EAA leasing a total of 50,000 ac-ft of EAA groundwater rights in three 16,666 ac-ft tiers, and
10 transferring use of those rights to SAWS for storage and use during severe drought. In 2015, the EAA
11 continued working with challenges related to implementing this ITP requirement, but nevertheless was able
12 to increase enrollment to 14,849 ac-ft, or 89 percent of the goal for Tier 1. Enrollment was ongoing, and
13 the program continued to be adjusted to respond to water market conditions.

14 To further encourage participation, the EAA also implemented the Aquifer Storage and Recovery Pooling
15 Program (ASRPP) as a new element designed to increase program contributions. This new offering to EAA
16 municipal, industrial, and unrestricted irrigation use permit holders allows them to participate by “pooling”
17 their un-pumped groundwater withdrawal rights remaining at the end of the year. These un-pumped rights
18 are pooled together with remaining rights from other participants to collectively offset same-year pumping
19 authorized by the EAA for regional contributions to the ASR. With the pool participants, the EAA calculates
20 a “utilization ratio” (proportional ratio) to calculate payments to be made to each participant to determine
21 that portion eligible for reimbursement at a rate of \$50 per ac-ft.

22 The EAA debuted this new program in a 2015 pilot study and enrolled 14 permit holders. In response to
23 these efforts, in June 2015, the EAA issued a notice to SAWS to inject 500 ac-ft in 2016 for regional
24 contributions against the pool. As a result, those 14 ASRPP participants will be paid according to the
25 proportional ratio calculations. At the time of this writing (early 2016), the EAA is recruiting interested
26 permit holders with unrestricted water rights to expand participation in the pooling program.

27 Recruitment performance going into 2016 is promising. ASR leasing rates began accelerating towards the
28 end of 2015, and the Permittees are hopeful to be able to continue to support this forward momentum for
29 2016. Overall, depending upon the success of both the ASR Leasing and the ASRPP programs, throughout
30 2016, the Permittees will continue to explore other ways to achieve the goals of ASR.

31 For 2016, the Permittees recommend continued concerted effort to build on and learn from what works for
32 ASR participation, and look for innovative ways to improve the program in support of meeting ASR
33 recruitment goals.

1 **6.2 Refugia**

2 As previously discussed in **Section 3.1** – Edwards Aquifer Authority, **subsection 3.1.2**, Refugia, of this
3 Annual Report, in 2014, the EAA requested an opinion from the Texas State Attorney General’s Office
4 regarding the legal authority to enter into a contract with USFWS for refugia operations. On March 9, 2015,
5 the Attorney General’s Office issued an opinion letter in which the Attorney General did not find any
6 compelling reason that the EAA could not enter into a contract with the USFWS given the circumstances
7 indicated in the letter.

8 Given the threat of drought conditions, the Permittees determined it would be prudent to structure refugia
9 operations according to a staggered, two-phase process, with the first step consisting of establishing a
10 *Salvage* Refugia Program aimed at quickly providing refuge capabilities to protect the Covered Species
11 over the short-term, ensuring against imminent salvage triggers threats; and the second step consisting of
12 establishing a *Long-Term* Refugia Program to provide a long-term facility and refugium for the Covered
13 Species for the duration of the ITP. The Salvage Refugia Project is nearing completion, and is expected to
14 be operational in early 2016.

15 For the Long-Term Refugia Program, in 2015, the EAA issued an RFP, with carefully defined specifications
16 and requirements for long-term refugia operations to carry the program through the remainder of the term
17 of the ITP. In early 2016, the EAA will select a contractor meeting these requirements. For the Refugia
18 Program in 2016, the Permittees recommend securing a strong, qualified candidate for this contract to fulfill
19 the requirements for long-term refugia operations.

20 **6.3 New Braunfels Springs System: Bank Stabilization Project in the Old Channel**

21 In order to decrease the potential for further erosion of a large cut bank along the Old Channel of the Comal
22 River, the CONB will implement a large-scale Bank Stabilization Project, accompanied by riparian
23 restoration that will minimize sedimentation within the river channel.

24 Initial design of the Bank Stabilization Project was completed in 2014, and subsequent modifications to the
25 design plan were made in 2015. The project entails re-grading the existing cut bank, installing slope
26 protection, anchoring the slope, installing slope drains, and establishing native riparian vegetation. The
27 project will provide long-term stability to the existing eroded bank, and will provide benefit to restored
28 fountain darter habitat within the Old Channel.

29 The project was previously scheduled to be constructed in 2015, but was delayed due to several factors,
30 including: 1) riparian restoration design modifications to address concerns raised by the SC; 2) waiting until
31 weather conditions provided assurance that Comal spring flow conditions would remain well above the 130
32 cfs trigger for Condition M of the ITP restrictions for the duration of the project; and 3) floodplain permit
33 acquisition. The project was bid in late 2015, and is expected to commence in early 2016. The Permittees
34 recommend that a concerted effort be made to ensure that this important project is finished in 2016,
35 according to construction timelines.

1 **6.4 San Marcos Springs System: Water Quality Protection Plan**

2 The WQPP, a locally developed approach for compliance with the ESA in San Marcos, will be a priority
3 for the COSM and Texas State. The intent of the WQPP is to provide a holistic, integrated approach in
4 regards to water quality concerns associated with impervious cover and urban development. In addition to
5 protecting habitat for endangered species, the WQPP will help the Permittees serve the needs of their
6 growing populations and promote responsible economic development, good public infrastructure, and
7 preserve open space. A final draft of the WQPP is complete and will now be updated annually as knowledge
8 grows and techniques change. In 2016, the WQPP team will be focusing on Sessom Creek watershed for
9 restoration as well as BMP implementation on Texas State campus as approved. The Permittees hope to
10 address erosion problems in the Sessom Creek watershed through grants for implementation.