

**UPDATE ON THE ACTIVITIES OF THE EDWARDS AQUIFER RECOVERY
IMPLEMENTATION PROGRAM**

COMPLIANCE WITH THE REQUIREMENTS OF S.B. 3:

Senate Bill 3 established the following tasks and deadlines for the Edwards Aquifer Recovery Implementation Program (“EARIP”):

- Create a Steering Committee by September 30, 2007
- Hire a program manager by October 31, 2007
- Enter into a Memorandum of Agreement not later than December 31, 2007
- Appoint an expert Science Subcommittee by December 31, 2007
- The Science Subcommittee must submit to the EARIP Steering Committee initial recommendations and responses to questions outlined in S.B. 3 by December 31, 2008
- Enter into an implementing agreement to develop a program document by December 31, 2009
- Establish a Recharge Facility Subcommittee
- Prepare a program document that may be in the form of a Habitat Conservation Plan and have it executed by EAA, TCEQ, TPWD, TDA, TWDB, and USFWS by September 1, 2012.

The EARIP has completed the first four tasks. On September 6, 2007, Members of the EARIP convened a Steering Committee composed of twenty-one members. At its April 10, 2008, meeting, the Steering Committee voted to enlarge the Steering Committee to include the Nueces River Authority, Guadalupe Basin Coalition, San Marcos River Foundation, Regional Clean Air & Water Association and City of Garden Ridge.

At its meeting on November 8, 2007, the Steering Committee approved the hiring of Robert Gulley as the Program Manager.

At its meeting on December 13, 2008, the Steering Committee approved a memorandum of agreement (“MOA”). USFWS executed the agreement on December 21, 2007. At its meeting on January 10, 2008, the Steering Committee obtained the requisite signature to make the MOA effective. Currently, thirty-six stakeholder groups have signed the Memorandum of Agreement.

At its January 10, 2008 meeting, the Steering Committee appointed a seven member Science Subcommittee. At its February 14, 2008 meeting, the Steering Committee enlarged the Science Subcommittee membership to 15 based on the recommendations of the original subcommittee members. The Science Subcommittee is on schedule for providing recommendations to the EARIP on the issues found in section 126.A(k)(1)-(3) by December 31, 2008. The Steering Committee intends to have independent peer review of the recommendations.

The EARIP is in the process of establishing a Recharge Facility Subcommittee in accordance with S.B. 3 § 1.26A(n).

PROGRAM OPERATING RULES

On April 10, 2008, the Steering Committee adopted the Program Operational Rules for the EARIP.

STEERING COMMITTEE OFFICERS

At its meeting on May 8, 2008, the Steering Committee elected the following officers to serve a one year term:

Chair – Robert Potts, EAA
Vice Chair – Cindy Loeffler, TPWD
Secretary – Steve Raabe, SARA

SUBCOMMITTEES AND WORKGROUPS

The EARIP has established the following subcommittees and workgroups:

Expert Science Subcommittee

The Science Subcommittee's current charge is to address the issues in S.B. 3 § 126.A(k)(1)-(3) by December 31, 2008. It meets on the third Monday of each month.

Members: Susan Aragon-Long, USGS, Chair; Robert Mace, TWDB; Glenn Longley, Texas State; Mike Gonzales, SARA; Doyle Mosier, TPWD; Mary Ambrose; Tom Brandt, USFWS; Charles Kreidler, LBG-Guyton; Alan Dutton, UTSA; Jackie Poole, TPWD; Norman Boyd, TPWD; John Waugh, SAWS, Sam Vaugh, HDR; Ron Green, Rene Barker

Ed Oborny, BioWest (non-voting)

Public Outreach Subcommittee

No specific charge has been developed for this subcommittee. The Public Outreach Subcommittee will develop a recommendation regarding that charge that probably will involve the development of recommendations regarding the website and strategies for preparing timely press releases and other public outreach activities.

Members: The Steering Committee is scheduled to consider recommendations regarding the membership on this subcommittee. The following persons have been nominated as candidates for the subcommittee: Weir Labatt, Dianne Wassenich, Jim Bower, Colette Barron, Annalisa Peace, Donovan Burton, SAWS' Legislative Affairs Manager, Melissa Millicam, City of San Marcos' Director of Communications and PIO, Todd Votteler, and Steve Raabe.

Biological Modeling Workgroup

The purpose of the workgroup is to make a recommendation to the Steering Committee regarding the EARIP's development of an approach to analyzing "take" and "jeopardy."

Members: Buck Benson, Cheryl Gilpin, Cindy Loeffler, Dianne Wassenich, Humberto Ramos, Jim Bower, Kirk Patterson, Melani Howard, Patrick Shriver, Roger Biggers, Tyson Broad

Finance Workgroup

The purpose of the workgroup is to make recommendation to the Steering Committee regarding the budget and raising money to pay the costs of the EARIP.

Members: Annalisa Peace, Calvin Finch, Jerry James, Kirk Patterson, Cheryl Gilpin, Steve Raabe, Tom Taggart, Weir Labatt

Recharge Facility Subcommittee Workgroup

The purpose of the workgroup is to make recommendations to the Steering Committee regarding the charge to the Recharge Facility Subcommittee

Members: Steve Raabe, Jim Bower, Buck Benson, Tyson Broad, Con Mims, Patrick Shriver, Kirk Patterson, Dan Laroe, John Donahue

TENTATIVE SCHEDULE FOR ACHIEVING COMPLIANCE WITH THE REQUIREMENTS OF S.B. 3

Attached is a “working” timeline for achieving an executed Habitat Conservation Plan by September 1, 2012.

FINANCE

On May 16, 2008, the program manager sent a memorandum to the Steering Committee Members and MOA Participants regarding future funding for the EARIP. In memorandum projected that the EARIP will require approximately \$2.7 million for project management and to complete the work mandated by S.B 3 and the Endangered Species Act. It also estimated that, of that \$2.7 million, the EARIP will need approximately \$293,000 for project management and work between now and March 2009.

The Steering Committee has approved the following approach to raising the money necessary to meet the needs of the RIP process. First, we will seek to raise the approximately \$293,000 projected to be needed for work through February 28, 2009, from the Steering Committee and

RIP Participants. Second, we will make a concerted effort to raise additional funds from outside sources to cover the costs of the RIP for 2009-2012. We plan soon to submit grants to various states and federal sources as well as private foundations. We will ask the Texas Legislature for their assistance in funding some of the RIP costs if our current efforts are not fully successful. Third, the Finance Workgroup will make a recommendation at the end of the year as to how to raise the remaining money for the RIP process through 2012. That recommendation will be informed by the success we have had in seeking funding from outside sources.