

Developers apply for new Guadalupe water rights

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A portion of the new Guadalupe River water rights being sought by the developers of the Lower Guadalupe Water Supply Project will be used to ensure that the river's bays and estuaries get the fresh water they need, the developers say.

The three partners in the project - the Guadalupe-Blanco River Authority, the San Antonio River Authority and the San Antonio Water System - delivered their water-rights permit application Thursday to the Texas Commission on Environmental Quality.

Kellye Rila, with TCEQ's water rights permitting division, said a decision on the application could be months or years down the road.

The partners are asking for the rights to 289,600 acre-feet per year of river water that hasn't yet been claimed by any other users.

That's more than 94.3 billion gallons.

While the amount of that water to be dedicated to the bays and estuaries will be determined during the permitting process, the developers say the bays and estuaries will get their share of that water first. Only after the environmental needs of the bays and estuaries are met would the developers begin to divert any of the newly permitted water into their pipeline and on to their customers, they said.

The bays and estuaries are nursing grounds for shrimp, redfish, blue crabs and other species important to commercial and recreational fishermen, and to the endangered whooping crane, for which the blue crab is a major food source.

Eugene Habiger, president and chief executive officer of SAWS, said it is vital that the project not cause environmental problems in the lower Guadalupe River basin.

"We see in no uncertain terms the linkage that San Antonio has with Victoria and all the other folks downstream, that we're tied together environmentally, socially and economically - and it just doesn't make sense for us to do something that's going to violate any one of those basic precepts," Habiger said.

Greg Rothe, general manager of the San Antonio River Authority, said he's concerned that the project's developers will be "cast as anti-environmentalists" because their permit application clashes with one filed earlier by the San Marcos River Foundation, an environmentalist group that plans to leave unclaimed water permitted to it in the river to help ensure the health of the bays and estuaries. Rothe said the project's developers aren't anti-environmentalists "and we want people to understand that."

Habiger said the partners will spend more than \$3 million on environmental studies to make sure the project is environmentally sensitive. Studies are planned on the effect of the project on whooping cranes, bays and estuaries and underground water.

Independent panels of scientists will then review the studies to ensure they are objective and scientific.

The Lower Guadalupe Water Supply Project, estimated to cost more than \$600 million, is designed to go on line in 2011 to furnish water to San Antonio, reducing that city's dependence on the Edwards Aquifer, which has been its only water source.

The water for the project would come not only from the new water rights being sought through the permit filed Thursday, but from two other sources: lower Guadalupe River water rights already held by GBRA and underground water to be drawn from somewhere in the vicinity of Victoria, Refugio, Goliad and/or Calhoun counties.

The project's river water would be taken from the Guadalupe near Tivoli. The river water would be mixed with the underground water in small reservoirs in Victoria, Refugio, Calhoun and/or Goliad counties, then pumped via pipeline to the partners' customers in San Antonio and elsewhere.

GBRA General Manager Bill West said the newly-permitted water would be shared jointly by the three partners, with the amount going to each not yet determined.

The water resulting from the new permit would be used "in perpetuity for this project," West said.

He said GBRA could use some of its part of that new water to supply its customers in the upper end of the river basin.

The other component of river water dedicated to the project - the water rights GBRA already holds in the lower basin - would be leased to SAWS and SARA in diminishing amounts over a 50-year period and then returned to GBRA, West said.

GBRA now has permits for 172,000 acre-feet in the lower basin, West said. "We're using 70,000 of those for this project."

He said lease payments for that water could be used for such things as improvements to GBRA's Calhoun County canal system, which has been blamed for causing long-term flooding in the lower reaches of the river.

West also said allowing SAWS and SARA to use GBRA's existing water rights will "perfect them," that is, protect them from being taken back by the state for lack of use.

The project's third component is underground water, which will be especially valuable during dry years when the river runs low.

West said the partners will be coming forth in December with a groundwater package for the project.

"We will be entering into an agreement with landowners to pursue the development of groundwater, and in conjunction with that will be commitments for groundwater studies and commitments to work with the local groundwater districts," West said.

Rothe said the project is designed to deliver 94,500 acre-feet of water each year - even during drought years - from its three components.

"We will take water from the three components in different amounts in different years, depending upon what's available. It will vary with weather conditions and the pumping conditions the groundwater districts might impose."

Rothe noted that the project also will have substantial storage. The GBRA/SAWS/SARA application filed Thursday also requests authorization to construct one or more reservoirs with a total capacity of up to 50,000 acre-feet in Refugio, Calhoun, Victoria and/or Goliad counties to store water for the project.

"So in any one year, not only would we be trying to develop the 94,500 acre-feet, but we'd also be trying to refill the storage reservoirs," Rothe said.

The project is "a bold step" to wean San Antonio off of Edwards Aquifer water, said SAWS' Habiger.

"San Antonio has had two major false starts about weaning itself off the Edwards Aquifer. First, the project to get water from Canyon Lake in the '80s did not go over well with the voters of San Antonio. Second was the Applewhite Reservoir. We spent almost \$50 million for that project."

San Antonio voters put an end to Applewhite in 1995.

"So for the first time in the history of San Antonio, we're going to rely on other sources of water and we have to do that very, very carefully because it's easy for SAWS to be perceived as the 800-pound gorilla that doesn't give a damn about anything, that we're going to go out and just take water just wherever we want it," Habiger said. "That's not the case."

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