

Compromise possible in water battle
Edwards Aquifer parties may try to dodge legislative showdown.
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State lawmakers are drafting a compromise that could postpone a nasty fight over pumping rights to the Edwards Aquifer for at least two years and inject science into the debate over the future of San Marcos and Comal springs.

Sen. Jeff Wentworth, R-San Antonio, said Monday that he is drafting legislation to freeze pumping limits at current levels until January 2010, suspend any future lawsuits over water rights and authorize a new aquifer recovery program used in other states and supported with federal dollars.

Without a compromise, the Legislature must decide whether to side with thirsty San Antonio, and increase annual pumping limits from 450,000 acre-feet to 549,000 acre-feet, or with surrounding communities, such as San Marcos, that favor reducing the limits to 400,000-acre feet. An acre-foot is the amount of water needed to cover one acre with one foot of water and is equal to about 325,850 gallons.

On one hand, increasing the limits could endanger the rivers and streams of Hays County. On the other hand, cutting the limits could hamper the economy of San Antonio, which gets about 90 percent of its water from the aquifer.

Neither side, at this time, seems willing to gamble on an up-or-down vote in the Legislature.

"I think the idea has a lot of merit," said Rep. Patrick Rose, D-Dripping Springs. "I have to see the details."

Rose said any legislation must protect his district's springs.

At issue is state law that orders a reduction of the pumping limits to 400,000 acre-feet in January, but another provision of the statute allowed the Edwards Aquifer Authority to issue pumping permits up to 549,000 acre-feet.

Both sides agree that those numbers were more the product of political compromise years ago than hard science.

Rose said the new effort, called a Recovery Implementation Program, would change that.

"For the first time," he said, "it would inject some science into the debate."

Wentworth said his compromise came after an all-day meeting of representatives of cities, river authorities, the federal government and other parties with an interest in the aquifer.

"I left the meeting more optimistic that we could work towards a cooperative answer," the senator said.

According to a presentation by the U.S. Department of the Interior, the Recovery Implementation Program is a voluntary effort by all interested parties, who create a long-term plan based on science, ultimately signed by the U.S. secretary of the interior and eligible for congressional funding.

The federal government has spent \$30 million on a stretch of the Rio Grande in New Mexico while spending \$323 million on the Colorado River in California, Nevada and Arizona, according to the presentation.