

GBRA seeks project permits

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The Guadalupe-Blanco River Authority has applied to state regulators for the first of the permits that will be needed to build the Lower Guadalupe River Diversions project.

But GBRA General Manager Bill West said he expects a fight not only in getting this first permit granted but in gaining state and local approval for the other permits necessary to make the project a reality.

The project, estimated to cost more than \$600 million, would take Guadalupe River water from near Tivoli and underground water from the Victoria/Refugio/Goliad/Calhoun-county area and send it to San Antonio via pipeline.

Project opponents in the Victoria area have said they will fight the granting of the permits. They have spoken out against export of groundwater, which is water under the ground, saying its removal could ruin the quality of and eventually dry up well water now pumped for homes, ranches and farms. They also say diverting river water to San Antonio would deprive the Guadalupe's bays and estuaries of vital fresh water.

West said a thorough evaluation of the Diversions by the Texas Natural Resource Conservation Commission and "lengthy" public hearings, not yet scheduled, will be part of the permitting process.

"There will be more than ample opportunity for people to voice their concerns and issues regarding this project," he said. "It's such a high priority issue for everyone involved. Everyone is concerned about their own personal interests - and rightly so."

West, while discussing the permit applications on Wednesday, revealed a bit of GBRA's strategy in gaining public approval for the Diversions from residents of DeWitt and Gonzales counties.

During the state's water-project planning sessions that led to the development of the Diversions, DeWitt and Gonzales residents vigorously opposed the proposed construction of large water-supply reservoirs known as Cuero I and Cuero II.

As a result of that opposition, the reservoirs in DeWitt and Gonzales counties, which would supply water to San Antonio, were left out of the state water plan.

But West said if opponents in the Lower Guadalupe area are successful in stopping the Diversions, "that'll force us into going back and looking at Cuero I and II. If we can't go down there, we'll have to build a reservoir."

West is scheduled to speak on the topic at a public meeting to be sponsored by the DeWitt-Gonzales River Association, a reservoir opposition group, at 10:30 a.m. May 29 at the Gonzales County Courthouse.

Round One

In this first round of permit applications for the Diversions, GBRA is asking the TNRCC to amend a half-dozen existing water-rights permits under which it is entitled to draw a total of 172,500 acre-feet of river water each year in Calhoun County.

The permits now require that 66,500 acre-feet be used for irrigation and industrial use and 106,000 acre-feet be used for municipal and domestic use. An acre-foot is approximately 325,850 gallons.

GBRA wants to consolidate those permits and reclassify that entire 172,500 acre-feet as "multi-use," which would allow the river authority to use that water for the Diversions project.

An estimated 70,000 acre-feet from the consolidated permit would be used to supply the Diversions. That would leave GBRA with more than 102,000 acre-feet for other uses.

Round Two

But before GBRA can dedicate any of that water to the Diversions, it will have to go back to TNRCC again and apply for an amendment to what would be the newly consolidated permit.

That amendment would allow the river water to be used in Bexar County. It can now be used only in Calhoun County and certain other areas served by GBRA, West said.

The critical question of whether the Diversions would involve an "interbasin transfer" of water will be determined at that point, he said.

State laws regulating interbasin transfers are designed to ensure that the water needs in one river basin aren't disregarded in favor of the needs of another.

Should the project be deemed an interbasin transfer, GBRA would lose its current right to take river water before many other water-rights holders on the river, which could seriously threaten the reliability of the Diversions to deliver to San Antonio the amount of water required - and could cause the entire project to be shelved.

Round Three

In a third round of permit applications, GBRA will seek a TNRCC permit for the "unappropriated flows" in the Guadalupe River, which is water that has not been claimed by cities, industries, individuals or other users.

The unclaimed water is needed to help achieve the projected 94,000 acre-feet per year that the project is designed to yield for the river authority and its partners in the project, the San Antonio River Authority and the San Antonio Water System.

West said the permitting process for the unappropriated flows will require an examination of environmental issues, including whether the Diversions will leave enough water in the river to protect the bays and estuaries.

"That permit will be filed shortly," West said.

However, the San Marcos River Foundation has already filed a permit application seeking those unappropriated flows, which it would leave in the river and dedicate to the bays and estuaries.

West said GBRA's application for unclaimed flows will have a special condition tied to it that would allow the water to be taken only when the river is running high. "For the protection of the bays and estuaries, when the flow drops down to a low point, we wouldn't be able to divert," he said.

The water plan says unappropriated flows average about 106,000 acre-feet per year and describes the amount to be used by the Diversions as "variable."

But West said the amount GBRA will seek will be determined during the permitting process and after consultations with TNRCC and the Texas Parks and Wildlife Department.

Groundwater

In yet another round of permitting, GBRA will seek permits for groundwater development from groundwater conservation districts in Goliad and Refugio counties, West said.

The Diversions is expected to need as much as 41,400 acre-feet per year from groundwater supplies.

Victoria and Calhoun counties do not have groundwater districts, but GBRA has pledged to consult with TNRCC and the Texas Water Development Board to guide its groundwater development there.

The river authority has also said it would conduct studies on how the removal of the groundwater for the Diversions might affect the aquifers in terms of water quality, drawdown of the water table and land subsidence.

Groundwater supplies would be developed jointly by the three partners.

Later rounds

The three partners signed an agreement last May under which GBRA will build, own and operate facilities near Tivoli at which the river water will be removed.

SARA and SAWS will construct the pipeline as well as water treatment and storage facilities, which will include a small reservoir or reservoirs in Refugio County where the river water and groundwater would be stored before being piped to Bexar County.

According to the water plan, the developers will also need dredge and fill permits for their reservoir(s) and pipeline, sand and gravel removal permits and easements for use of any state-owned land that may be involved.

Plans are to begin building the project by about 2007. It would take another three years to complete it.

"We've got a lot a work to do," West said. "We're methodically taking it one step at a time."