October 22, 2014

The Honorable Ivy Taylor, Mayor of San Antonio

The Honorable Diego Bernal, District 1

The Honorable Keith Toney, District 2

The Honorable Rebecca J. Viagran, District 3

The Honorable Rey Saldaña, District 4

The Honorable Shirley Gonzales, District 5

The Honorable Ray Lopez, District 6

The Honorable Chris Medina, District 7

The Honorable, Ron Nirenberg, District 8

The Honorable Joe Krier, District 9

The Honorable Mike Gallagher, District 10

CC: Sheryl Sculley, City Manager

Robert F. Greenblum, City Attorney

Regarding: Suggested Caveats to the Vista Ridge Contract

Dear Mayor Taylor and Members of City Council,

Should the City Council approve the contract for the Vista Ridge Project, we, the undersigned, representing six organizations do hereby request that the following actions be attached as ordinance and in the form of a Memorandum of Understanding between the City of San Antonio and San Antonio Water System.

* The San Antonio Water System shall amend the following Certificate of Convenience and Necessity (Water CCN #10640 and Sewer CCN #20285) to exclude the entirety of the Edwards Aquifer Recharge and Contributing zones within this area where it is designated by the Texas Commission for Environmental Quality as the sole service provider for water and sewer service.
* The San Antonio Water System shall require, as condition of approval of service contracts for service in jurisdictions other than the City of San Antonio, compliance with conditions no less stringent than San Antonio’s Water Quality ordinances, or in the event that the jurisdiction has ordinances to protect water quality, the application of whichever ordinance is provides greatest protection.
* The San Antonio Water Systems Board shall direct the San Antonio Water System to establish a policy prohibiting applications for extension of Certificates of Convenience and Necessity into areas eligible for Proposition 1 funds dedicated to the protection of the Edwards Aquifer.
* The San Antonio Water System shall require full compliance with San Antonio’s water quality ordinances as a condition of service, regardless of category status as to previously vested rights.

“Grandfathered” projects will not be considered eligible for service contracts unless they comply with current regulations.

• The San Antonio Water System Aquifer Division staff must consult with the San Antonio City Attorney’s office prior to issuing Category 1 status exempting projects from City of San Antonio Water Quality ordinances - Aquifer Protection Ordinance No. 81491 (City of San Antonio Code of Ordinances, Chapter 34, Article VI, Division 6).

* The San Antonio Water System shall limit outdoor watering permanently to a maximum of once weekly.
* The San Antonio Water System shall provide an affordable “lifeline” rate based on reduced consumption that does not require application to benefit from this reduced rate.

• The San Antonio Water System shall modify their “bed and banks” application with the Texas Commission on Environmental Quality to include the future return flows from the Vista Ridge Water Supply Project with those additional return flows being dedicated, in addition to the 50,000 acre feet dedication of return flows in the current application, for environmental flows purposes to protect downstream flow in the San Antonio River and into the bays and estuaries. If that application is unsuccessful, the San Antonio Water System shall pursue reasonable alternative means to accomplish the same purpose.

• The San Antonio Water System commits to use the water supply from the Vista Ridge project to substitute for the supply of water from the Edwards Aquifer thereby reducing pumping of the Edwards Aquifer, with the exception of supply needed to fill or replenish the Aquifer Storage and Recovery Project, and will not sell (or lease) their Edwards Aquifer rights to others that would negate the benefit of reduced pumping of the aquifer. SAWS should further recognize that a desired benefit of the decreased pumping of the aquifer is increased spring flow for spring fed streams within the San Antonio River and Guadalupe River basins.

* The San Antonio Water System shall maintain a dedicated per customer budget based on current funding amounts of the restricted revenue stream for demand side incentive conservation programs.
* The San Antonio Water System shall commit to review, adopt, and enforce conservation oriented land use prescriptions, including:
  + The San Antonio Water System shall prohibit pre-sales installation of irrigation systems in new homes within the service area. Irrigation systems, if installed, to be restricted to “drip”systems, and are to be installed after-market at the expense of the owner.
  + The San Antonio Water System shall, as a condition of providing service, enforce rules to protect native landscapes during construction.
  + The San Antonio Water System will restrict installation of high water use landscapes in new residential and commercial developments as a condition of providing service.
  + The San Antonio Water Systems shall commit to encouraging the use of appropriate Low Impact Development techniques as a condition of providing service to any and all residential and commercial projects located outside of those areas where SAWS holds Certificates of Convenience and Necessity.
* The San Antonio Water System shall institute a fee to be assessed on all customers served by SAWS sewer service that reside on the Edwards Aquifer Recharge Zone to cover the cost of State required sewage infrastructure inspections.

Further, it is the consensus of the member organizations of the Greater Edwards Aquifer Alliance and the undersigned that water secured through the Vista Ridge Water Supply Project not be allocated to expand development of the environmentally fragile lands of the Edwards and Trinity aquifer watersheds.

Respectfully submitted,

Greg Pasztor

President

Bexar Audubon Society

Bob Wise

President

ImagineSanAntonio

Annalisa Peace

Executive Director

Greater Edwards Aquifer Alliance

June Kachtik

Board President

Green Spaces Alliance of South Texas

Myfe Moore

President

Helotes and San Geronimo Creek Nature Centers