

SAN ANTONIO TX 78201
RIO GRANDE DISTRICT
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Office of the Chief Clerk

TCEQ

PO Box 13087

Austin, TX 78711

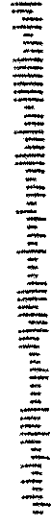
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CHIEF CLERK'S OFFICE

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY



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September 9, 2021

Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

REVIEWED

SEP 23 2021

By 

WRPERM
90866

CHIEF CLERKS OFFICE

2021 SEP 16 AM 9:59

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Mr. Baker:

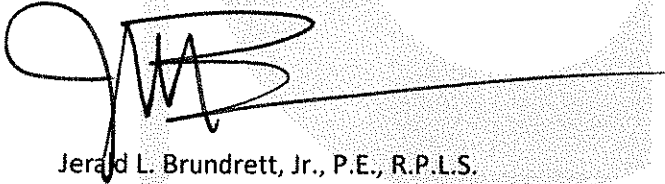
This letter is written in support of the San Antonio Water System's application no. 18098 to use the bed and banks of streams in the San Antonio and Guadalupe River basins to convey groundwater-based return flows for subsequent diversion and use.

I take great interest in the proposed project because the future of our coastal bays and estuaries depend on the freshwater inflows to protect our delicate ecosystems and safeguards our quality of life.

I take a greater interest because of my family history in the area since my great-grandfather lived on Blackjack Peninsula (which is now the National Wildlife Refuge) and ranched the south 1500 acres of Matagorda Island from 1878 until around 1930. This area, as you are aware, is the winter home of whooping cranes. That alone is reason enough to protect our bays.

Please consider the request from SAWS to use the bed and banks to help preserve our coastal bays.

Sincerely,



Gerald L. Brundrett, Jr., P.E., R.P.L.S.
County Surveyor of Aransas County



Griffith & Brundrett
Surveying & Engineering, Inc.

411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381

TEXAS
COMMISSION
ON ENVIRONMENTAL
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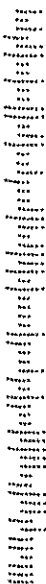
TOEQ MAIL CENTER
AU

Office of the Office Clerk, MC 105
Texas Commission on Environmental
Quality

P.O. Box 13087

AUSTIN, TX 78711-3087

787113087 8012



Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, September 16, 2021 2:53 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098

From: megconner01@gmail.com <megconner01@gmail.com>
Sent: Wednesday, September 15, 2021 8:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Meg Conner

E-MAIL: megconner01@gmail.com

COMPANY:

ADDRESS: 811 WASHINGTON ST
CASTROVILLE TX 78009-3833

PHONE: 2103323395

FAX:

COMMENTS: I am in SUPPORT of the draft permit 13098 to authorize groundwater based discharges by San Antonio Water System for instream uses. Optimizing these water resources can benefit the economy and the environment for our entire region. Thank you for the opportunity to register these comments. Meg Conner

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Monday, September 13, 2021 7:19 AM
To: PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;
PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WRPERM 13098

From: mollyc186@gmail.com <mollyc186@gmail.com>
Sent: Sunday, September 12, 2021 2:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Molly Conner

E-MAIL: mollyc186@gmail.com

COMPANY:

ADDRESS: 186 E ELMVIEW PL
SAN ANTONIO TX 78209-3806

PHONE: 2108619738

FAX:

COMMENTS: I strongly support issuance of SAWS draft permit 13098. It is important that San Antonio be authorized to control its groundwater-based discharges for instream uses, and there will be economic and environmental benefits to the entire region.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Monday, September 20, 2021 10:06 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098

From: patrickconner01@gmail.com <patrickconner01@gmail.com>
Sent: Friday, September 17, 2021 3:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Patrick Conner

E-MAIL: patrickconner01@gmail.com

COMPANY:

ADDRESS: 811 WASHINGTON ST
CASTROVILLE TX 78009-3833

PHONE: 3618157884

FAX:

COMMENTS: To Whom it May Concern, I strongly support issuance of SAWS draft permit WRPERM 13098. By implementing 'Best Management Practices' in water resources, such as the draft permit WRPERM 13098, SAWS continues its leadership in economic development throughout the San Antonio River Basin area. It is very important that San Antonio be authorized to control its groundwater-based discharges for in-stream uses. This permit will generate

significant economic and environmental benefits for the entire region. Thank you for your consideration for your approval and to issue SAWS draft permit WRPERM 13098. Best Regards, Patrick Conner, Chair, Parks and Recreation Advisory Board, City of Castroville, TX

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 3:00 PM
To: PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;
PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WRPERM 13098

From: Reneedavis2005@yahoo.com <Reneedavis2005@yahoo.com>
Sent: Thursday, September 9, 2021 1:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Vyrl R Davis

E-MAIL: Reneedavis2005@yahoo.com

COMPANY:

ADDRESS: 8727 WALES RESERVE
SAN ANTONIO TX 78255-3371

PHONE: 2814358443

FAX:

COMMENTS: I support this permit. It will benefit economic and environmental goals in our area. Please grant this.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, September 16, 2021 2:49 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIG; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: SABP LOS for SAWS Bed and Banks Authorization 9-16-21.pdf

From: jdodson27@gmail.com <jdodson27@gmail.com>
Sent: Thursday, September 16, 2021 9:15 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: James A Dodson

E-MAIL: jdodson27@gmail.com

COMPANY: San Antonio Bay Partnership

ADDRESS: 410 N VINE ST
VICTORIA TX 77901-6430

PHONE: 3616491518

FAX:

COMMENTS: Please accept the attached Letter of Support from the San Antonio Bay Partnership.



410 N. Vine St.
Victoria, TX 77901

September 16, 2021

Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dear Mr. Baker:

This letter is in support of the San Antonio Water System's Application No. 13098 to use the bed and banks of streams in the San Antonio and Guadalupe River basins to convey groundwater-based return flows for subsequent diversion and use.

Each year, SAWS will release at least 50,000 acre-feet of highly treated, high-quality return flows from SAWS' Dos Rios Wastewater Treatment Plant into the San Antonio River. These return flows ultimately flow into San Antonio Bay on the Texas coast, less natural losses along the way. These permitted return flows will be dedicated for instream uses to support strategies developed by the SB3/HB3 San Antonio/Guadalupe Bay and Basin Area Stakeholder Committee (BBASC) for the attainment of TCEQ Instream Flow Standards and Bay and Estuary Freshwater Inflow Standards.

The San Antonio Bay Partnership has long supported, and advocated for, protecting these return flows, which otherwise could be used for consumptive purposes within the SAWS service area. The dedication and protection of these return flows helps to assure the maintenance of both adequate instream flows in the San Antonio River and freshwater inflows for the San Antonio Bay/Guadalupe Estuary System. Once dedicated, opportunities exist to further enhance their value to the bay, particularly during drought. These return flows are also of importance to landowners and communities along the San Antonio River and within the San Antonio Bay/Guadalupe Estuary System as they provide environmental, recreational, and economic benefits.

This bed and banks permit application and commitment of water from SAWS is a bold and innovative step in establishing a means to protect ecosystems and the economies that rely on them. We hope it will be a model for future programs to provide adequate freshwater inflows to the San Antonio Bay/Guadalupe Estuary System and other Texas estuaries.

We strongly support the approval of SAWS' Bed and Banks authorization request.

Thank you,

A handwritten signature in cursive script that reads "AR Berger".

Allan R. Berger
Chair, San Antonio Bay Partnership Board of Directors

CC: (see next page)

SABP Letter to TNRCC in Support of SAWS Bed and Banks Permit Application, Pg. 2

CC:

- Mr. Toby Baker, Executive Director MC 118, TCEQ , P.O. Box 13087, Austin, TX 78711-3087
- Mr. Ramiro Garcia, Deputy Executive Director MC 118, TCEQ , P.O. Box 13087, Austin, TX 78711-3087
- Ms. L'Oreal Stepney, P.E., Deputy Executive Director MC 118, TCEQ , P.O. Box 13087, Austin, TX 78711-3087
- Donovan Burton, SAWS, P.O. Box 2449, San Antonio, TX 78298
- Dan Crowley, SAWS, P.O. Box 2449, San Antonio, TX 78298

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Monday, September 20, 2021 10:07 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: 13098_Resolutions_submitted_20210917.pdf

From: Gregg.Eckhardt@saws.org <Gregg.Eckhardt@saws.org>
Sent: Friday, September 17, 2021 3:48 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Gregg Eckhardt

E-MAIL: Gregg.Eckhardt@saws.org

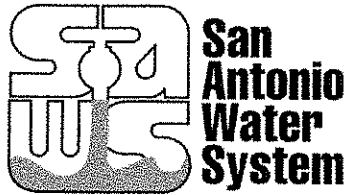
COMPANY: San Antonio Water System

ADDRESS: 2800 US HIGHWAY 281 N
SAN ANTONIO TX 78212-3106

PHONE: 2102333423

FAX:

COMMENTS: Please find attached 17 Resolutions of Support from regional stakeholders for SAWS Application 13098.



September 16, 2021

Jennifer Windscheffel, Corporate Counsel
San Antonio Water System
2800 U.S. Hwy 281 North
P. O. Box 2449
San Antonio, TX 78298-2449

Office of the Chief Clerk
MC 105, TCEQ
P.O. Box 13087,
Austin, TX 78711-3087

RE: Resolutions in Support of SAWS WRPERM Application 13098

TCEQ Chief Clerk:

Please find attached 17 Resolutions of Support for SAWS Application 13098 for a Permit To Convey and Reuse Privately Owned Groundwater Based Return Flows.

We believe these Resolutions reflect broad regional support for SAWS application and draft permit. These Resolutions were obtained by SAWS between July 13, 2015 and July 28, 2016, in the time before and after SAWS application was declared Administratively Complete on May 9, 2016.

Resolutions of Support were provided by:

Aransas County Commissioner's Court.....	7/13/2015
Rockport City Council	7/14/2015
Rockport-Fulton Chamber of Commerce	7/21/2015
City Council of Goliad.....	7/28/2015
Mayor and Town Council of Bayside	8/11/2015
City Council of Aransas Pass.....	9/8/2015
San Antonio River Authority Board of Directors	9/16/2015
Town Council of Fulton	10/6/2015
Goliad County Commissioner's Court.....	12/14/2015
City of Ingleside.....	2/9/2016
Wilson County Commissioner's Court.....	3/16/2016
San Patricio County Commissioner's Court	3/28/2016
City of Karnes City	4/26/2015
City of La Vernia	5/12/2016
San Patricio County Economic Development Corporation	5/23/2016
City of Runge	5/24/2016
City of Floresville	7/28/2016

Sincerely,

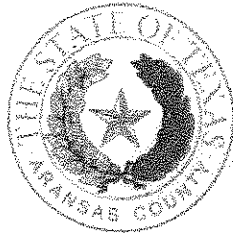
Jennifer Windscheffel

Jennifer Windscheffel (Sep 16, 2021 10:55 CDT)

Jennifer Windscheffel, Corporate Counsel
210.233.2067
Jennifer.Windscheffel@saws.org

JW:g

Attachment:



THE STATE OF TEXAS §
 §
COUNTY OF ARANSAS §

COMMISSIONERS' COURT

RESOLUTION #R-11-2015

WHEREAS, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

WHEREAS, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interest in the coastal area and are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

WHEREAS, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

WHEREAS, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries, and studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

WHEREAS, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River System have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

WHEREAS, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

WHEREAS, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater, and, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio taxpayers currently in excess of \$24 million per year; and

WHEREAS, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river, and San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year, and that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset;

WHEREAS, San Antonio currently reuses up to 50,000 acre-feet of its reclaimed water to operate its electric generation facilities; and

WHEREAS, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission

on Environmental Quality (TCEQ), and San Antonio has filed an application to TCEQ (the Application) for authorization under *Texas Water Code Section 11.042(b)* to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

WHEREAS, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

WHEREAS, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use, and it currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay and recognizes that after the authorization is granted, future diversion points may be sought by amendment; and

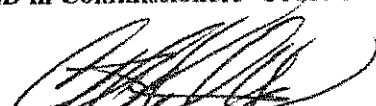
WHEREAS, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries;

WHEREAS, Aransas County believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests, and Aransas County desires to express its support for the Application.

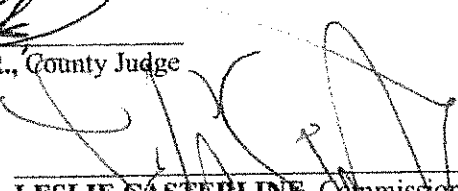
NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF ARANSAS COUNTY, TEXAS, AS FOLLOWS:

1. Aransas County, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The County Judge of Aransas County is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

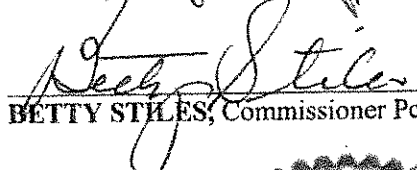
RESOLVED, PASSED AND APPROVED in Commissioners' Court of Aransas County on the 13th day of July 2015.


C. H. "BURT" MILLS, JR., County Judge


JACK CHANEY, Commissioner Pct. 1

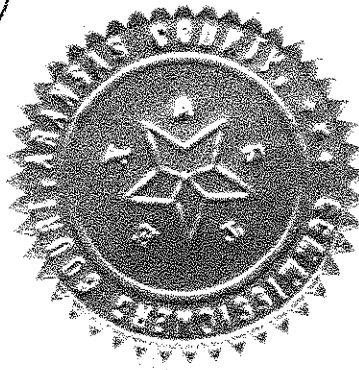

LESLIE EASTERLINE, Commissioner Pct. 2


CHARLES SMITH, Commissioner Pct. 3


BETTY STILES, Commissioner Pct. 4

ATTEST:


VALERIE K. AMASON, County Clerk



RESOLUTION NO. 2015-760

Resolution of the City Council of City of Aransas Pass, Texas

Whereas, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

Whereas, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and

Whereas, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river; and

Whereas, San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, San Antonio currently reuses up to 50,000 acre-feet per year of its reclaimed water to operate its electric generation facilities; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and

Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

Whereas, the [Governing Body] believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests; and


Whereas, the City Council desires to express its support for the Application;

NOW THEREFORE be it resolved by the City Council of City of Aransas Pass, Texas, as follows:

1. City of Aransas Pass, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The City Manager of City of Aransas is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

PASSED AND APPROVED ON THE 8 day of September, 2015.

ATTEST:



Adan Chapa
Mayor



Mary Juarez
Interim City Secretary

RESOLUTION NO. 2015-07-04

**A RESOLUTION OF THE CITY OF GOLIAD, TEXAS ELECTING TO EXPRESS ITS SUPPORT
FOR THE APPLICATION;**

WHEREAS the Aransas National Wildlife Refuge is located on the San Antonio Bay and is the winter home for the endangered Whooping Crane; and

WHEREAS health of San Antonio Bay and its estuaries are of critical importance to the survival and recovery of the Whooping Crane; and

WHEREAS the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

WHEREAS, the Texas Instream Flow Program and Environmental Flows Program (the "Programs") were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

WHEREAS, studies conducted pursuant to these Programs recommended flow regimes necessary to maintain the health of San Antonio/Guadalupe River System and the San Antonio Bay and the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 Texas Administrative Code §298.350-390; and

WHEREAS, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River System have encouraged voluntary efforts to provide fresh to meet these flow standards; and

WHEREAS, the City of San Antonio, acting by and through its San Antonio Water System (SAWS), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

WHEREAS, the Guadalupe-Blanco River Authority desires to capture 50,000 acre-feet of SAWS effluent discharged into the San Antonio River that would otherwise reach the San Antonio Bay and SAWS desires to ensure that the water not be diverted and sold to non-permit holders by the Guadalupe-Blanco River Authority; and

WHEREAS, SAWS, in order to protect the water it has discharged, is applying for a Bed and Banks Authorization with TCEQ and desires assistance with this process; and

WHEREAS, the City of Goliad believes that SAWS has taken a positive step to guarantee the vitally needed freshwater inflows to our bays and estuaries for the mutual benefit of all downstream interests and the citizens of Goliad; and

WHEREAS, the City of Goliad desires to express its support for the actions of SAWS and its application to use the Bed and Banks of the San Antonio River and Guadalupe River to transport, divert and reuse 50,000 acre-feet of groundwater based reclaimed water solely for instream use as defined by relevant statutes:

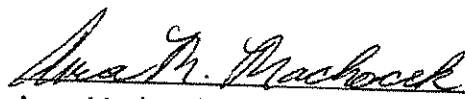
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLIAD, TEXAS THAT:

Section 1. Findings of Fact. All of the above premises and recitations are found to be true and correct and are incorporated into the body of this Resolution as findings of fact, as if copied herein in their entirety.


Section 2. Support. The Mayor, with the support of the City Council, hereby proclaim support for the San Antonio Water System application for Bed and Banks Authorization to ensure the continued flow of 50,000 acre-feet of groundwater to be used for the Programs recommended flow regimes necessary to maintain the health of San Antonio/Guadalupe River System and the San Antonio Bay and its estuaries.

PASSED AND APPROVED AND ADOPTED this the 28th day of July, 2015.

CITY OF GOLIAD, TEXAS


Anna Machacek, Mayor

ATTEST:


Ruth Villanueva, City Secretary

FLORESVILLE



Resolution 2016-008 of the City Council of Floresville, Texas

Whereas, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

Whereas, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and

Whereas, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river; and

Whereas, San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, San Antonio currently reuses up to 50,000 acre-feet per year of its reclaimed water to operate its electric generation facilities; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and

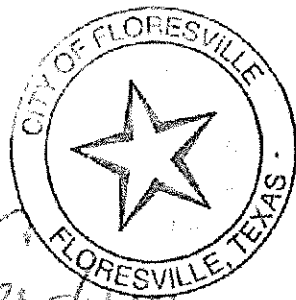
Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

Whereas, the City Council believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests; and

Whereas, the City Council desires to express its support for the Application;

NOW THEREFORE be it resolved by the City Council of Floresville, Texas, as follows:

1. Floresville, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The City Manager of City of Floresville is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.



Monica Cordova

Monica Cordova - City Secretary

Sherry L. Castillo

Sherry L. Castillo - Mayor

RESOLUTION NO. 2016-04

WHEREAS, the economy of the City of Ingleside and the livelihood of many of its residents are dependent upon recreation, navigation, parks, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of our bays; and

WHEREAS, the Texas Instream Flow Program and the Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

WHEREAS, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay that directly impact the health of our surrounding bays; and

WHEREAS, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River System have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

WHEREAS, instream water use is a beneficial utilization of water and includes recreation, game preserves, park purposes, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law, all of which contribute directly or indirectly to success of the economy and ecology of the City of Ingleside; and

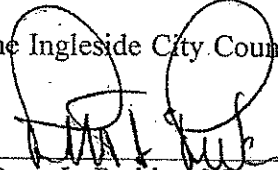
WHEREAS, the City of Ingleside believes that the San Antonio Water System has taken a positive step to guarantee the vitally needed freshwater inflows to our bays and estuaries for the mutual benefit of all downstream interests, the citizens of Ingleside and the entire Coastal Bend; and

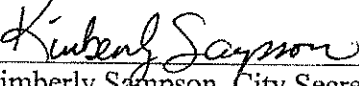
WHEREAS, the City of Ingleside desires to express its support for the actions of the San Antonio Water System and its application to use the bed and banks of the San Antonio River and Guadalupe River to transport, divert and reuse 50,000 acre-feet of groundwater based reclaimed water solely for instream use as defined by relevant statutes:

NOW, THEREFORE BE IT RESOLVED, that I, Peter L. Perkins, Mayor of the City of Ingleside, with the support of the entire City Council, hereby proclaim support for Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality;

AND that the City of Ingleside endorses this action because of its direct positive impact on our community, our economy and our future. We support the San Antonio Water System's effort to ensure the continued flow of freshwater into the Coastal Bend to enhance the future health of our Bays and Estuaries.

PASSED and ADOPTED at a regular meeting of the Ingleside City Council on this the 9 day of February, 2016.


Peter L. Perkins, Mayor

ATTEST:

Kimberly Sampson, City Secretary

RESOLUTION NO. 2016-005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
KARNES CITY, TEXAS IN SUPPORT OF APPLICATION NO.
13098 BY THE SAN ANTONIO WATER SYSTEM TO THE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR
A BED AND BANKS AUTHORIZATION.**

WHEREAS, the City of Karnes City is a General Law City vested with authority by State law to protect the health, safety and general welfare of its residents; and

WHEREAS, the City of Karnes City has been provided documentation, from the City of San Antonio acting by and through its San Antonio Water System ("SAWS"), which outlines SAWS's effort to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert, and reuse its groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

WHEREAS, the City of Karnes City recognizes the public service value of water discharged into the rivers as being of benefit to instream use; and

WHEREAS, the City of Karnes City further recognizes the public service value of water discharged into the rivers as promoting a healthy San Antonio Bay for the benefit of coastal economies, endangered species in the bay area, and the environment; and

WHEREAS, the City of Karnes City recognizes that the SAWS pending application with the Texas Commission on Environmental Quality is a voluntary effort to prudently manage its reclaimed water for the benefit of downstream interests;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF KARNES CITY, KARNES COUNTY, TEXAS THAT:

SECTION 1. The City of Karnes City hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.

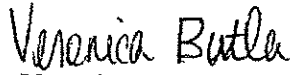
SECTION 2. The Mayor is hereby directed to communicate this Resolution of support to the Texas Commission on Environmental Quality and take any other such action as he deems appropriate in furtherance of this Resolution.

PASSED AND APPROVED this 26th day of April, 2016.

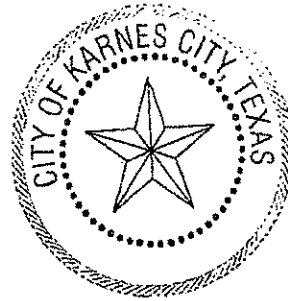


Leroy Skloss
MAYOR

ATTEST:



Veronica Butler
City Secretary



RESOLUTION 051216-01

WHEREAS, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

WHEREAS, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

WHEREAS, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

WHEREAS, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

WHEREAS, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

WHEREAS, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

WHEREAS, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC 298.350-390; and

WHEREAS, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

WHEREAS, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

WHEREAS, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

WHEREAS, great than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and

WHEREAS, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost of San Antonio residents currently in excess of \$24 million per year; and

WHEREAS, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river; and

WHEREAS, San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

WHEREAS, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

WHEREAS, San Antonio currently reuses up to 50,000 acre-feet per year of its reclaimed water to operate its electric generation facilities; and

WHEREAS, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

WHEREAS, San Antonio has filed an application to the TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

WHEREAS, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

WHEREAS, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agriculture, industrial, mining, and instream use; and

WHEREAS, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and

WHEREAS, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

WHEREAS, City of La Vernia believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests; and


WHEREAS, City of La Vernia desires to express its support for the Application;

NOW THEREFORE be it resolved by City of La Vernia, Texas, as follows:

1. City of La Vernia, Texas, hereby supports the pending Application NO. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Bank Authorization

2. The Mayor of City of La Vernia is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.





Robert Gregory, Mayor

ATTEST:



Brittani Porter, City Secretary

City Attorney

2016-05-002

Resolution of the City of Runge, Texas

Whereas, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

Whereas, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and

Whereas, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river; and

Whereas, San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, San Antonio currently reuses up to 50,000 acre-feet per year of its reclaimed water to operate its electric generation facilities; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and

Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and


Whereas, the [Governing Body] believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests; and

Whereas, the City of Runge desires to express its support for the Application;

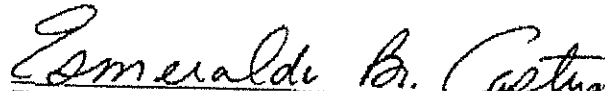
NOW THEREFORE be it resolved by the City of Runge Texas, as follows:

1. Runge, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The Mayor Homer Lott, Jr. of Runge is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

PASSED AND APPROVED this 24th day of May, 2016:


Homer Lott, Jr. Mayor, City of Runge

Attest:


Esmeralda B. Castro, City Secretary

Resolution of the Commissioners Court of Goliad County Texas

Whereas, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

Whereas, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and

Whereas, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river; and

Whereas, San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, San Antonio currently reuses up to 50,000 acre-feet per year of its reclaimed water to operate its electric generation facilities; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and

Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

Whereas, the [Governing Body] believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests; and

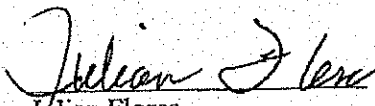
Whereas, the Commissioners Court desires to express its support for the Application;

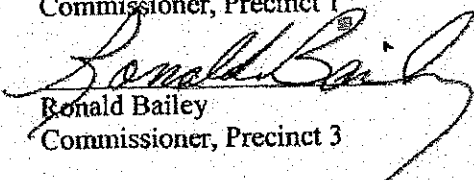
NOW THEREFORE be it resolved by the Commissioners Court of Goliad, Texas, as follows:

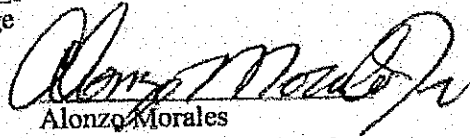
1. Goliad County Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The County Judge of Goliad County is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

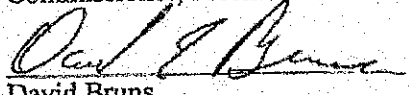
Signed this 14th day of December, 2015.


P.T.(Pat) Calhoun, County Judge


Julian Flores
Commissioner, Precinct 1


Ronald Bailey
Commissioner, Precinct 3


Alonzo Morales
Commissioner, Precinct 2


David Bruns
Commissioner, Precinct 4

Town of Bayside

P.O. Box 194

Bayside, Texas 78340

Phone: (361) 529-6520 Fax: (361) 529-6409

Charm of Copano Bay

Resolution of the Mayor and Town Council of Bayside, Texas

Whereas, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

Whereas, the Texas In stream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

Whereas, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type I reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and



Town of Bayside is an equal opportunity provider and employer

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and

Whereas, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river; and

Whereas, San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, San Antonio currently reuses up to 50,000 acre-feet per year of its reclaimed water to operate its electric generation facilities; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and



Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

Whereas, the Bayside Mayor and Town Council believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests; and

Whereas, the Bayside Mayor and Town Council desires to express its support for the Application;

NOW THEREFORE be it resolved by the Bayside Mayor and Town Council of Bayside, Texas, as follows:

1. Bayside, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The Mayor of Bayside is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

DISCUSSED, APPROVED and ADOPTED at a regular meeting of the Bayside Town Council on Tuesday, August 11, 2015.

ATTEST:


John A. Rivera
John A. Rivera, City Secretary

Tom Van Buren
Tom Van Buren, Mayor



Town of Bayside is an equal opportunity provider and employer

RESOLUTION NO. 2015-09

WHEREAS, the economy of the City of Rockport and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of our bays; and

WHEREAS, the Texas Instream Flow Program and the Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

WHEREAS, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay that directly impact the health of our surrounding bays; and

WHEREAS, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River System have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

WHEREAS, instream water use is a beneficial utilization of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law, all of which contribute directly or indirectly to success of the economy and ecology of the City of Rockport; and

WHEREAS, the City of Rockport believes that the San Antonio Water System has taken a positive step to guarantee the vitally needed freshwater inflows to our bays and estuaries for the mutual benefit of all downstream interests, the citizens of Rockport and the entire Coastal Bend; and

WHEREAS, the City of Rockport desires to express its support for the actions of the San Antonio Water System and its application to use the bed and banks of the San Antonio River and Guadalupe River to transport, divert and reuse 50,000 acre-feet of groundwater based reclaimed water solely for instream use as defined by relevant statutes:

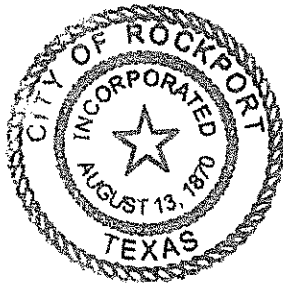
NOW, THEREFORE BE IT RESOLVED, that I, Charles J. Wax, Mayor of the City of Rockport, with the support of the entire City Council, hereby proclaim support for Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality;

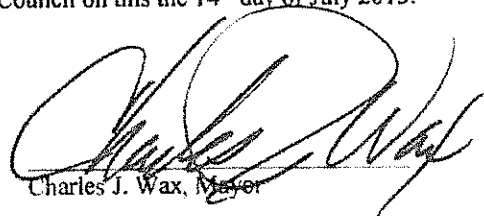
AND that the City of Rockport enthusiastically endorses this action because of its direct positive impact on our community, our economy and our future. We applaud the San Antonio Water System's effort to ensure the continued flow of freshwater into the Coastal Bend to support the future health of our Bays and Estuaries.

PASSED and ADOPTED at a regular meeting of the Rockport City Council on this the 14th day of July 2015.

ATTEST:


Teresa Valdez, City Secretary




Charles J. Wax, Mayor


**Rockport
Fulton**
Chamber of Commerce

RESOLUTION

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and San Antonio Bay; and

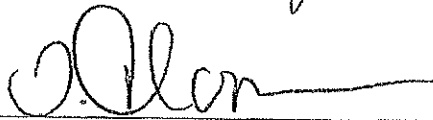
Whereas, the San Antonio Water System has available standardized reclaimed water for discharge into the river systems; and

Whereas, San Antonio has filed an application to the Texas Commission on Environmental Quality (TCEQ) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse this reclaimed water; and

Whereas, the Rockport-Fulton Chamber of Commerce desires to express its support for the Application;

NOW THEREFORE be it resolved by the Board of Directors of the Rockport-Fulton Chamber of Commerce of Rockport and Fulton, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.

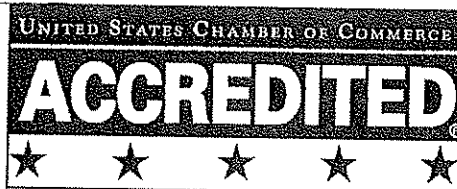
Signed on 21st day of July, 2015 by:



Tiffanie Hoover
Chairman of the Board



Diane Probst, CCE
President/CEO



RESOLUTION NO. R-1526

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY IN SUPPORT OF APPLICATION NO. 13098 BY THE SAN ANTONIO WATER SYSTEM TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A BED AND BANKS AUTHORIZATION

Whereas, the San Antonio River Authority (SARA) is a governmental agency, a municipality, body politic and corporate, vested with all the authority and full sovereignty of the State, created by special legislative act pursuant to Section 59, Article 16 of the Constitution of the State of Texas; and

Whereas, SARA's powers and authority include, but not limited to, the control of the waters of those parts of all rivers, streams and tributaries thereof which are within its four County statutory boundaries; and

Whereas, SARA's Board of Directors has adopted the goals of exemplifying environmental leadership, stewardship and expertise; enhancing community appreciation for the environmental resources of the San Antonio River and its tributaries; and advancing a sustainable environment within SARA's statutory boundaries and downstream through the confluence of the San Antonio and Guadalupe River Basin and into the San Antonio Bay and its estuary system; and

Whereas, the San Antonio River Authority is a co-founder and sponsoring partner of the San Antonio Bay Partnership, a regional, non-profit, stakeholder-driven planning and management program for the San Antonio Bay/Guadalupe Estuary; and

Whereas, the mission of the San Antonio Bay Partnership includes, *inter alia*, the creation of a sustainable working partnership of committed stakeholders committed to *protect, restore and enhance* the natural resources of the San Antonio Bay System for the benefit of the ecosystem and its human uses; and

Whereas, Aransas County, which has coastline proximate to the San Antonio Bay, and its estuary system, is home to the Aransas National Wildlife Refuge and the winter habitat for the Aransas-Wood buffalo Whooping Crane Flock (*grus americana*); and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the Whooping Crane Flock, and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are benefitted by the availability of a continued adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and the aquatic and riparian wildlife habitat associated with a healthy San Antonio Bay ecosystem; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature in 2007 to determine flows necessary to maintain a sound environment in the state's major rivers, bays and estuaries; and

Whereas, studies conducted pursuant to the Program recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study the environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio ("San Antonio"), acting by and through its San Antonio Water System ("SAWS"), currently reclaims an estimated 140,000 acre-feet of wastewater effluent per year by treating the same to Type 1 reclaimed water standards prior to direct reuse by SAWS' customers or discharge to the San Antonio River and its tributaries; and

Whereas, Texas law allows San Antonio to directly reuse its reclaimed water within its water distribution system without discharge into the river; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into a watercourse and, thereafter, subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, SAWS has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use all as recognized by law; and

Whereas, SAWS is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

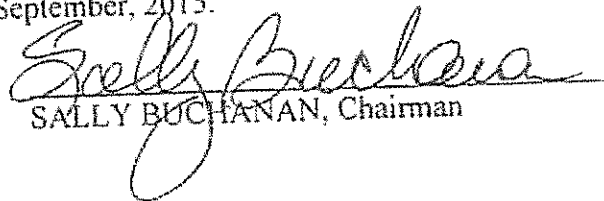
Whereas, the Board of Directors of the San Antonio River Authority believes that SAWS' Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests, including the San Antonio Bay and its estuary system; and

Whereas, the Board of Directors of the San Antonio River Authority desires to express its support for the Application;


NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY THAT:

1. The San Antonio River Authority hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The Authority's General Manager is hereby directed to communicate this Resolution of support to the Texas Commission on Environmental Quality, and is further authorized to take such other action as she deems appropriate in furtherance of this Resolution.

PASSED AND APPROVED this the 16th day of September, 2015.


SALLY BUCHANAN, Chairman

ATTEST:


HECTOR R. MORALES, Secretary

RESOLUTION #

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries and studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater and prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river and San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and

Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

Whereas, San Patricio County believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests and desires to express its support for the Application;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF SAN PATRICIO COUNTY, TEXAS, AS FOLLOWS:

1. San Patricio County, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The County Judge of San Patricio County is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

Terry Simpson
Terry A. Simpson, County Judge

Nina G. Treviño
Nina Treviño, Commissioner, Pct. 1

Fred Nardini, Commissioner, Pct. 2

Alma V. Moreno
Alma V. Moreno, Commissioner, Pct. 3

Commissioner, Pct. 4



ATTEST:

Gracie Alaniz-Gonzales
Gracie Alaniz-Gonzales



RESOLUTION #2016 - 04

Resolution of the San Patricio County Economic Development Corporation

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries and studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater and prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river and San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and

Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

Whereas, the San Patricio County Economic Development Corporation believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests and desires to express its support for the Application;

NOW, THEREFORE, BE IT RESOLVED BY THE SAN PATRICIO COUNTY ECONOMIC DEVELOPMENT CORPORATION, AS FOLLOWS:

1. San Patricio County Economic Development Corporation, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. San Patricio County Economic Development Corporation is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

PASSED AND APPROVED ON THE 23 day of May, 2016

Jo Ann Ehmann
Jo Ann Ehmann,
Chairman

ATTEST:
By: Forte Edwards

RESOLUTION NO. 100615

Whereas, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

Whereas, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 IAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type I reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-feet of wastewater effluent per year; and

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and

Whereas, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river; and

Whereas, San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, San Antonio currently reuses up to 50,000 acre-feet per year of its reclaimed water to operate its electric generation facilities; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and

Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

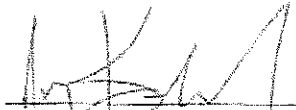
Whereas, the Town Council believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests; and

Whereas, the Town Council desires to express its support for the Application;

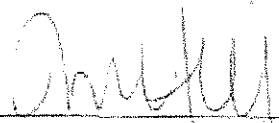
NOW THEREFORE be it resolved by the Town Council of Fulton, Texas, as follows:

1. Fulton, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The Mayor of Fulton is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

Adopted this 6th of October, 2015 by the Town Council of the Town of Fulton, Texas.



Jimmy Kendrick, Mayor
Town of Fulton



Jan Hill, City Secretary
Town of Fulton

RESOLUTION

WHEREAS, Aransas County is home to the Aransas National Wildlife Refuge and winter habitat for the endangered Whooping Crane; and

WHEREAS, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the survival and recovery of the Whooping Crane and the vitality of the recreational and tourism interests in the coastal area; and

WHEREAS, the health of San Antonio Bay and related estuaries are heavily dependent upon adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

WHEREAS, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of the San Antonio Bay ecosystem; and

WHEREAS, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

WHEREAS, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

WHEREAS, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

WHEREAS, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

WHEREAS, the City of San Antonio, acting by and through its San Antonio Water System (San Antonio), currently treats to Type 1 reclaimed water standards prior to direct reuse or discharge to the San Antonio River and its tributaries an average of approximately 140,000 acre-fee of wastewater effluent per year; and

WHEREAS, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

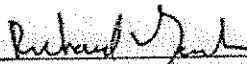
WHEREAS, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and


WHEREAS, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost of San Antonio residents currently in excess of \$24 million per year; and

WHEREAS, Wilson County desires to express its support for the Application;

NOW THEREFORE be it resolved by Wilson County, Texas, as follows:


1. Wilson County, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The County Judge of Wilson County is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

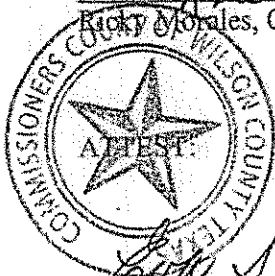

Richard L. Jackson
Wilson County Judge


Albert Gamez, Jr., Commissioner Pct. 1


Paul W. Pfeil, Commissioner Pct. 2


Ricky Morales, Commissioner Pct. 3


Larry A. Wiley, Commissioner Pct. 4




Eva S. Martinez, County Clerk

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Monday, September 20, 2021 10:11 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098

From: jte@satx.rr.com <jte@satx.rr.com>
Sent: Saturday, September 18, 2021 11:54 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: MRS Jacqueline T Eckhardt

E-MAIL: jte@satx.rr.com

COMPANY:

ADDRESS: 3022 ONEIDA DR
SAN ANTONIO TX 78230-3431

PHONE: 2106029333

FAX:

COMMENTS: I strongly support issuance of SAWS draft permit 13098. It is important that San Antonio be authorized to control its groundwater-based discharges for instream and all other authorized uses, and there will be economic and environmental benefits to the entire region. Please issue this permit.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 8:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: TCC SAWS Water Use Application Comment Letter - Final 9.20.21.pdf

From: gammage@texaschemistry.org <gammage@texaschemistry.org>
Sent: Monday, September 20, 2021 3:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Sam Gammage

E-MAIL: gammage@texaschemistry.org

COMPANY:

ADDRESS: 1402 NUECES ST
AUSTIN TX 78701-1508

PHONE: 5126466401

FAX:

COMMENTS: Please see attached letter.



TEXAS CHEMICAL COUNCIL

September 20, 2021

Mr. Earl Lott
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, TX 78753

Via electronic submission

RE: Written Comments on San Antonio Water System Application for Water Use Permit - No. 13098

Mr. Lott,

The Texas Chemical Council ("TCC") appreciates the opportunity to submit these comments on the above-referenced application by San Antonio Water System ("SAWS") to the Texas Commission on Environmental Quality ("TCEQ") regarding the use of the bed and banks to convey 260,991 acre-feet of groundwater-based return flows per year for subsequent diversion.

TCC would like to point out that the approval of this permit would set a detrimental statewide precedent regarding the reuse of groundwater-based effluent far from the place where reuse is needed, and more specifically reuse of Edwards-derived effluent.

TCC represents approximately 70 companies who own or operate more than 200 manufacturing and research facilities across the state of Texas. Our members have invested more than \$150 Billion in physical assets in the state, directly employ more than 75,000 Texans, and indirectly employ over 500,000 Texans. The Texas chemical industry represents the #1 non-energy Texas export with over \$45 Billion in exports annually and pays more than \$1.5 Billion in state and local taxes each year.

TCC provides the following comments on the SAWS Application for Water Use Permit No. 13098:

Impact on Downstream Industrial Users:

Currently, the majority of streamflow in the Guadalupe and San Antonio Rivers, particularly during dry times, comes from the remaining spring flow from the Edwards Aquifer and the return of groundwater-based effluent to the river. The implications of this permit application are of concern to industrial users that have senior water rights on the Guadalupe River Basin and rely on these run-of-the-river water rights. If granted, this permit would essentially allow SAWS to bypass the current Texas surface water priority system and be immune to priority calls in times of drought. SAWS effectively, in this application, requests the ability to circumvent the long-standing Texas first-priority right system by gaining the authority to divert at the mouth of the Guadalupe River

what would have been and should be the flows of the Guadalupe and San Antonio Rivers. As a result, this permit will significantly impact water supply during a drought of record.

Impact on the Edwards Aquifer:

Even if SAWS application addressed only private groundwater in its authorization, allowing municipal water users to pump and send such a significant amount of groundwater downstream for “reuse” far outside of that supplier’s boundaries will encourage unnecessary depletion of Texas aquifers that are necessary to all Texans. Because this application addresses Edwards water, it will also allow for less water to be available for natural flows to rivers and streams in the Guadalupe River Basin.

To prevent unnecessary depletion of the Edwards Aquifer, the Texas Legislature in 1993 passed SB 1477, The Edwards Aquifer Authority Act (“EAA Act”)¹. Under SB 1477, the legislature created two restrictions on uses of water pulled from the Edwards Aquifer. The first was a restriction which required that any reuse of Edwards water must take place before unconsumed water returns to a body of state-owned water. The second restriction was that any water withdrawn from the Edwards must be used within the boundaries of the authority. Under the current application, a portion of the water SAWS intends to send over 100 miles downstream for later “reuse” was initially pulled from the Edwards Aquifer. This is far beyond the boundaries of the authority and counter to the specific intent of SB 1477. A decision to approve this permit would be in direct conflict with the intent of the EAA Act.

Unclear Modeling Basis in Permit:

TCC requests that TCEQ provide the public and interested parties more detailed modeling information for the basis of this water use permit application. SAWS under this permit is requesting the ability to use 260,991 acre-feet of groundwater-based return flows per year. However, SAWS currently discharges significantly less groundwater-based return flows into the basin at a rate of 140,017 acre-feet per year. TCC has concerns on both the impact to the Edwards Aquifer of, as well as TCEQ’s authority to create, this additional groundwater-based discharge. TCC also would appreciate a more detailed analysis of the potential carriage losses when utilizing the bed and banks to send water over 100 miles downstream for later “reuse.”

TCC appreciates the opportunity to comment on this application. If you have any questions, please do not hesitate to contact me at (512) 646-6400 or gammage@texaschemistry.org.

Sincerely,

Sam Gammage, Vice President & General Counsel
Texas Chemical Council

¹ The Edwards Aquifer Authority Act, Tex S.B. 1477, 73rd Leg (1993)

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 8:23 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: SAWS_9.20.21.pdf

From: lisa.gonzalez@audubon.org <lisa.gonzalez@audubon.org>
Sent: Monday, September 20, 2021 1:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: MS Lisa A Gonzalez

E-MAIL: lisa.gonzalez@audubon.org

COMPANY: Audubon Texas, National Audubon Society

ADDRESS: 7700 W HIGHWAY 71 STE 330
AUSTIN TX 78735-8272

PHONE: 5124881261

FAX:

COMMENTS: Please accept the attached letter from the National Audubon Society/Audubon Texas in support of the San Antonio Water System's (SAWS) Application No. 13098 to use the bed and banks of streams in the San Antonio and Guadalupe River basins to convey groundwater-based return flows for subsequent diversion and use. Thank you for the

opportunity to provide comment. Please contact me with any questions. Sincerely,, Lisa A. Gonzalez Vice President & Executive Director, Audubon Texas, National Audubon Society



7700 Hwy 71 West, Suite
330 Austin, TX 78735
tx.audubon.org

September 20, 2021

Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RE: San Antonio Water System Water Use Permit Application No. 13098

Dear Mr. Baker:

This letter is in support of the San Antonio Water System's (SAWS) Application No. 13098 to use the bed and banks of streams in the San Antonio and Guadalupe River basins to convey groundwater-based return flows for subsequent diversion and use.

The issue of instream flows is of importance to communities and conservation organizations such as the National Audubon Society and its state office, Audubon Texas. Texas communities benefit from and enjoy environmental, recreational, and economic benefits from return flows that will be voluntarily discharged by SAWS for instream uses.

Each year, SAWS will release at least 50,000 acre-feet of highly treated, high-quality return flows into the San Antonio River. These return flows ultimately flow into the Guadalupe Estuary (San Antonio Bay) on the Texas coast, less natural losses along the way. These permitted return flows will be dedicated for instream uses to support strategies developed by the SB3/HB3 San Antonio/Guadalupe Bay and Basin Area Stakeholder Committee (BBASC) for the attainment of TCEQ Instream Flow Standards and Bay and Estuary Freshwater Inflow Standards.

These permitted return flows will serve as a supply of water for instream uses from its points of discharge to its point of diversion. These important uses include recreation, fisheries, game preserves, stock raising, aesthetics, water quality protection, navigation, and aquatic and wildlife habitat. Return flows that result in freshwater inflows contribute to the ecological soundness of San Antonio Bay, where Audubon Texas is actively working with partners to conserve, restore and protect key coastal habitats and biological populations.

The application and commitment of water from SAWS is a great public service to San Antonio Bay and the nearby coastal communities and businesses that rely on it. The application represents a bold and innovative step to protect ecosystems and the economies that rely on return and instream flows. The National Audubon Society and its state office, Audubon Texas, strongly support the approval of SAWS' Bed and Banks authorization request.

Thank you,

A handwritten signature in black ink, appearing to read "Lisa A. Gonzalez".

Lisa A. Gonzalez
Vice President & Executive Director, Audubon Texas, National Audubon Society

CC

Mr. Toby Baker, Executive Director
Mr. Ramiro Garcia, Deputy Executive Director
Ms. L'Oreal Stepney, P.E., Deputy Executive Director
Donovan Burton, SAWS VP of Water Resources and Government Relations

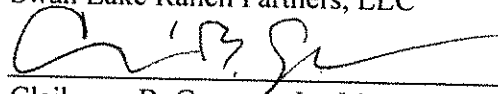
We strongly support and urge the approval of SAWS' Application.

Thank you,

Grandfather's Blind, Ltd.

By: Swan Lake Ranch Partners, LLC

By:



Claiborne B. Gregory, Jr., It's Manager

CC:

- Mr. Toby Baker, Executive Director MC 109, TECQ, P.O. Box 13087, Austin, TX 78711-3087
- Mr. Ramiro Garcia, Deputy Executive Director MC 109, TECQ, P.O. Box 13087, Austin, TX 78711-3087
- Ms. L'Oreal Stepney, P.E., Deputy Executive Director MC 109, TECQ, P.O. Box 13087, Austin, TX 78711-3087
- Mr. Donovan Burton, SAWS, P.O. Box 2449, San Antonio, TX 78298
- Mr. Dan Crowley, SAWS, P.O. Box 2449, San Antonio, TX 78298

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2021 SEP 14 PM 2:27

CHIEF CLERKS OFFICE

Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

636 LAMONT AVENUE
SAN ANTONIO, TEXAS 78209



REVIEWED

SEP 21 2021

By Baw

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2021 SEP 21 PM 2: 27

CHIEF CLERKS OFFICE

September 20, 2021

Ms. Laurie Gharis
Chief Clerk
Office of the Chief Clerk (MC-105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

VIA ELECTRONIC FILING AND
FIRST-CLASS MAIL

WRPERM
90866

Re: Guadalupe Basin Coalition, Public Meeting Request
on San Antonio Water System Application for Water Use Permit No. 13098

Dear Ms. Gharis:

The Guadalupe Basin Coalition (GBC) is a diverse, non-profit association of 17 businesses, chambers of commerce, lake associations, and governmental entities in counties along the Guadalupe River Basin—including its tributaries and springs—that are bonded by a common concern for the economic and environmental sustainability of the water resources within the Guadalupe River Basin. One of the purposes of the GBC is to protect the freshwater springs that sustain stream flows in the Guadalupe River Basin. In furtherance of that goal, GBC Members are united in our strong conviction that the springs and river system must continue to flow for the benefit of the growing population in the river basin and for the environment. The membership of the GBC is documented in those copied on this letter.

The water resources of Guadalupe River Basin and downstream bay and estuary systems are unique in Texas because of the direct relationship between the Edwards Aquifer and the Comal, Guadalupe and San Marcos Rivers. Making the conditions even more complex and interrelated, is the relationship to the San Antonio River, a separate river basin but a tributary of the Guadalupe River. In the Edwards Aquifer Authority Act, the Texas Legislature stated “the Edwards Aquifer is a unique and complex hydrological system” that “has a hydrologic interrelationship to the Guadalupe, San Antonio, San Marcos, Comal, Frio, and Nueces river basins” and “is vital to the general economy and welfare of this state.” Unquestionably, water levels in the Edwards Aquifer, which are heavily influenced by human consumption of water from the Aquifer, directly affect spring and stream flows in the Guadalupe River. Surface water rights, groundwater rights and water levels, and water availability within the Guadalupe and San Antonio River Basins are extremely complicated and totally interdependent.

For example, even a small reduction in the natural flow volumes from the Comal Springs, San Marcos Springs, and others that discharge water from the Edwards Aquifer into the Guadalupe River and its tributaries can severely affect the natural resources that supply water to hundreds of thousands of Texans in a rapidly growing area of the state. Indeed, depletion of water levels in the Edwards Aquifer has caused problems in our region. Depleted Edwards Aquifer levels during the sustained period of drought between 2011 and 2015 caused water suppliers throughout the



region who depend on both produced water from the Edwards Aquifer and the springs to implement drought contingency measures and curtail water use.

Despite this difficult reality, TCEQ's Executive Director has preliminarily recommended granting an authorization for San Antonio Water System (SAWS) to transport more than 260,000 acre-feet of groundwater per year, the vast majority of which will be produced from the Edwards Aquifer, over 100 miles downstream to be subsequently diverted and used for agricultural, industrial, mining, municipal and/or instream purposes. This appears to be bad public policy, and it is a regulatory decision that could have direct negative impacts on dozens of communities, water suppliers and other entities that have historically relied on the water resources of the Guadalupe River Basin for their supplies.

According to TCEQ's public notice, the Application proposes only a short diversion reach at the extreme bottom of the Guadalupe River immediately upstream of its discharge to San Antonio Bay, yet the Application proposes to use water under the proposed permit in several counties well upstream of the diversion reach—including several counties that straddle the San Antonio and Guadalupe River Basins. The place of use designation appears to relate to the original Application request to set aside 50,000 acre-feet of permitted return flows per year for instream uses within the San Antonio and Guadalupe Rivers and freshwater inflows into San Antonio Bay. However, TCEQ staff determined that TCEQ lacks authority to grant such authorization. Consequently, the Draft Permit includes no provisions for the maintenance of instream flows and freshwater inflows, despite the fact that Water Code Section 11.042(b) expressly authorizes TCEQ to include special conditions "to help maintain instream uses and freshwater inflows to bays and estuaries." It is unclear from the Application whether the proposed place of use will include use of water resources within the Guadalupe River Basin upstream of the proposed diversion reach. This ambiguity could potentially create unforeseen impacts on Guadalupe River Basin rights. In addition, the GBC is concerned that the lack of protection of instream uses and freshwater inflows may further adversely affect water rights within the Guadalupe Basin.

The Application and Draft Permit propose and incorporate a complex Accounting Plan by which SAWS would track and account for discharges, diversions, and losses associated with the proposed bed-and-banks authorization. The GBC is concerned that the Accounting Plan as currently proposed has been developed based on incomplete data relating to loss factors and calculations in the San Antonio and Guadalupe River Basins. In addition, the GBC believes that a substantial portion of the return flows proposed for diversion in the Application constitute what TCEQ has previously classified as "historic" return flows. The Draft Permit includes no reference to the historic nature of SAWS's return flows. That issue may be an important and determining factor in evaluating whether the proposed Accounting Plan accurately reflects preexisting Water Availability Modeling information maintained by TCEQ for the San Antonio and Guadalupe River Basins.

The Application asserts that the water proposed for diversion "would not be present in the San Antonio River, but for actions taken by SAWS." In light of the Legislature's findings in the EAA Act, the GBC does not agree and believes that statement fails to consider and is not an accurate reflection of Edwards Aquifer and surface water dynamics. The aforementioned



uniqueness of the Application requires additional consideration of this important issue. The potentially far-reaching and significant impact the proposed permit may have on surface and groundwater rights and interests throughout the Guadalupe River Basin requires full stakeholder engagement and participation through a public meeting.

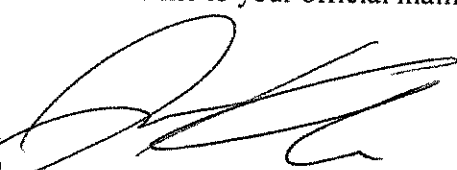
GBC understands the importance of water reuse and environmental protection. Most GBC members that are municipal water suppliers have or will implement robust water reuse programs. Many GBC members are participants in the Edwards Aquifer Habitat Conservation Plan. But allowing a municipal water supplier such as SAWS to transport and divert discharged water over 100 miles downstream from its service area for vague, ill-defined purposes cannot realistically be considered "reuse" at all.

Rather than permit exporting critically important Edwards Aquifer water out of our region, TCEQ should be acting to encourage reuse of these resources within our region. The EAA Act requires Edwards Aquifer water to be used within the boundaries of the EAA. Consistent with that law, and as noted in the Draft Permit, SAWS is already authorized to reuse its Edwards Aquifer water within Bexar County under several existing water rights authorizations. TCEQ simply cannot ignore the EAA Act requirements. That sound policy exists to benefit all communities and entities that rely on Edwards Aquifer water—both produced through wells and discharged naturally through springs.

TCEQ's decision to grant SAWS's requested permit would severely undermine, if not entirely circumvent, authority vested by the Legislature in the EAA. And technically the draft permit does not reflect or protect the reality of the interrelationships between the Edwards Aquifer, and the Guadalupe and San Antonio River Basins. The adverse impacts of that action on water suppliers and users in the Guadalupe River Basin is not theoretical as has been demonstrated in recent drought years. For these reasons, the GBC Members request that the TCEQ conduct a public meeting on Application No. 13098 to fairly consider the far-reaching impact its decision to grant SAWS's requested permit will have on water resources in the Guadalupe Basin.

GBC sincerely appreciates TCEQ's thoughtful consideration of our comments and public meeting request. Please add me to your official mailing list for this matter.

Sincerely,
Ryan Kelso
GBC Chairman
263 Main Plaza


New Braunfels, Texas 78130
Telephone: (830) 629-8416
Fax: (830) 629-8435

copies: Nathan Pence, Guadalupe Blanco River Authority
Tyler Hjorth, City of San Marcos
Mike Dussere, Word of Comal County
David Davenport, Canyon Regional Water Authority



Humberto Ramos, Canyon Regional Water Authority
Steve Parker, City of Seguin
Judge Kyle Kutscher, Guadalupe County
Larry Schwab, Friends of Lake McQueeney
Jeanette West, Lake Placid (CULP)
Ryan Kelso, New Braunfels Utilities
Michael Short, New Braunfels Utilities
Judge Sherman Krause, Comal County
Mark Enders, City of New Braunfels
Chester Jenke, Greater New Braunfels Chamber of Commerce
Glenn Lord, Dow Chemical Company
Daniel Pepin, Springs Hill Water Supply Corporation
Steve Ramsey, Springs Hill Water Supply Corporation
Graham Moore, P.E., Alliance Regional Water Authority
Mark B Taylor

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FROM: (PLEASE PRINT) PHONE: (830) 629-8416

Ryan Kelso
GRB Chairman
263 Main Plaza
New Braunfels, Texas 78131

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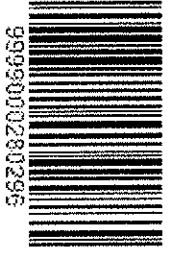
TO: (PLEASE PRINT) PHONE () _____

MS. Laurie Gnar's
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Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 8:25 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: GBC Public Meeting Request_SAWS_WRPERM 13098_09-20-2021_Final.pdf

PM

From: rkelso@nbutexas.com <rkelso@nbutexas.com>
Sent: Monday, September 20, 2021 2:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: MR Kenneth Ryan Kelso

E-MAIL: rkelso@nbutexas.com

COMPANY: Guadalupe Basin Coalition

ADDRESS: 263 MAIN PLZ
NEW BRAUNFELS TX 78130-5135

PHONE: 8306298416

FAX: 8306298435

COMMENTS: September 20, 2021 Ms. Laurie Gharis VIA ELECTRONIC FILING AND Chief Clerk FIRST-CLASS MAIL Office of the Chief Clerk (MC-105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Guadalupe Basin Coalition, Public Meeting Request on San Antonio Water System Application for Water Use Permit No.

13098 Dear Ms. Gharis: The Guadalupe Basin Coalition (GBC) is a diverse, non profit association of 17 businesses, chambers of commerce, lake associations, and governmental entities in counties along the Guadalupe River Basin—including its tributaries and springs—that are bonded by a common concern for the economic and environmental sustainability of the water resources within the Guadalupe River Basin. One of the purposes of the GBC is to protect the freshwater springs that sustain stream flows in the Guadalupe River Basin. In furtherance of that goal, GBC Members are united in our strong conviction that the springs and river system must continue to flow for the benefit of the growing population in the river basin and for the environment. The membership of the GBC is documented in those copied on this letter. The water resources of Guadalupe River Basin and downstream bay and estuary systems are unique in Texas because of the direct relationship between the Edwards Aquifer and the Comal, Guadalupe and San Marcos Rivers. Making the conditions even more complex and interrelated, is the relationship to the San Antonio River, a separate river basin but a tributary of the Guadalupe River. In the Edwards Aquifer Authority Act, the Texas Legislature stated “the Edwards Aquifer is a unique and complex hydrological system” that “has a hydrologic interrelationship to the Guadalupe, San Antonio, San Marcos, Comal, Frio, and Nueces river basins” and “is vital to the general economy and welfare of this state.” Unquestionably, water levels in the Edwards Aquifer, which are heavily influenced by human consumption of water from the Aquifer, directly affect spring and stream flows in the Guadalupe River. Surface water rights, groundwater rights and water levels, and water availability within the Guadalupe and San Antonio River Basins are extremely complicated and totally interdependent. For example, even a small reduction in the natural flow volumes from the Comal Springs, San Marcos Springs, and others that discharge water from the Edwards Aquifer into the Guadalupe River and its tributaries can severely affect the natural resources that supply water to hundreds of thousands of Texans in a rapidly growing area of the state. Indeed, depletion of water levels in the Edwards Aquifer has caused problems in our region. Depleted Edwards Aquifer levels during the sustained period of drought between 2011 and 2015 caused water suppliers throughout the region who depend on both produced water from the Edwards Aquifer and the springs to implement drought contingency measures and curtail water use. Despite this difficult reality, TCEQ’s Executive Director has preliminarily recommended granting an authorization for San Antonio Water System (SAWS) to transport more than 260,000 acre feet of groundwater per year, the vast majority of which will be produced from the Edwards Aquifer, over 100 miles downstream to be subsequently diverted and used for agricultural, industrial, mining, municipal and/or instream purposes. This appears to be bad public policy, and it is a regulatory decision that could have direct negative impacts on dozens of communities, water suppliers and other entities that have historically relied on the water resources of the Guadalupe River Basin for their supplies. According to TCEQ’s public notice, the Application proposes only a short diversion reach at the extreme bottom of the Guadalupe River immediately upstream of its discharge to San Antonio Bay, yet the Application proposes to use water under the proposed permit in several counties well upstream of the diversion reach—including several counties that straddle the San Antonio and Guadalupe River Basins. The place of use designation appears to relate to the original Application request to set aside 50,000 acre feet of permitted return flows per year for instream uses within the San Antonio and Guadalupe Rivers and freshwater inflows into San Antonio Bay. However, TCEQ staff determined that TCEQ lacks authority to grant such authorization. Consequently, the Draft Permit includes no provisions for the maintenance of instream flows and freshwater inflows, despite the fact that Water Code Section 11.042(b) expressly authorizes TCEQ to include special conditions “to help maintain instream uses and freshwater inflows to bays and estuaries.” It is unclear from the Application whether the proposed place of use will include use of water resources within the Guadalupe River Basin upstream of the proposed diversion reach. This ambiguity could potentially create unforeseen impacts on Guadalupe River Basin rights. In addition, the GBC is concerned that the lack of protection of instream uses and freshwater inflows may further adversely affect water rights within the Guadalupe Basin. The Application and Draft Permit propose and incorporate a complex Accounting Plan by which SAWS would track and account for discharges, diversions, and losses associated with the proposed bed and banks authorization. The GBC is concerned that the Accounting Plan as currently proposed has been developed based on incomplete data relating to loss factors and calculations in the San Antonio and Guadalupe River Basins. In addition, the GBC believes that a substantial portion of the return flows proposed for diversion in the Application constitute what TCEQ has previously classified as “historic” return flows. The Draft Permit includes no reference to the historic nature of SAWS’s return flows. That issue may be an important and determining factor in evaluating whether the proposed Accounting Plan accurately reflects preexisting Water Availability Modeling information maintained by TCEQ for the San Antonio and Guadalupe River Basins. The Application asserts that the water proposed for diversion “would not be present in the San Antonio River, but for actions taken by SAWS.” In light of the Legislature’s findings in the EAA Act, the GBC does not agree and believes that statement fails to consider and is not an accurate reflection of Edwards Aquifer

and surface water dynamics. The aforementioned uniqueness of the Application requires additional consideration of this important issue. The potentially far reaching and significant impact the proposed permit may have on surface and groundwater rights and interests throughout the Guadalupe River Basin requires full stakeholder engagement and participation through a public meeting. GBC understands the importance of water reuse and environmental protection. Most GBC members that are municipal water suppliers have or will implement robust water reuse programs. Many GBC members are participants in the Edwards Aquifer Habitat Conservation Plan. But allowing a municipal water supplier such as SAWS to transport and divert discharged water over 100 miles downstream from its service area for vague, ill-defined purposes cannot realistically be considered "reuse" at all. Rather than permit exporting critically important Edwards Aquifer water out of our region, TCEQ should be acting to encourage reuse of these resources within our region. The EAA Act requires Edwards Aquifer water to be used within the boundaries of the EAA. Consistent with that law, and as noted in the Draft Permit, SAWS is already authorized to reuse its Edwards Aquifer water within Bexar County under several existing water rights authorizations. TCEQ simply cannot ignore the EAA Act requirements. That sound policy exists to benefit all communities and entities that rely on Edwards Aquifer water—both produced through wells and discharged naturally through springs. TCEQ's decision to grant SAWS's requested permit would severely undermine, if not entirely circumvent, authority vested by the Legislature in the EAA. And technically the draft permit does not reflect or protect the reality of the interrelationships between the Edwards Aquifer, and the Guadalupe and San Antonio River Basins. The adverse impacts of that action on water suppliers and users in the Guadalupe River Basin is not theoretical as has been demonstrated in recent drought years. For these reasons, the GBC Members request that the TCEQ conduct a public meeting on Application No. 13098 to fairly consider the far reaching impact its decision to grant SAWS's requested permit will have on water resources in the Guadalupe Basin. GBC sincerely appreciates TCEQ's thoughtful consideration of our comments and public meeting request. Please add me to your official mailing list for this matter. Sincerely, Ryan Kelso GBC Chairman 263 Main Plaza New Braunfels, Texas 78130 Telephone: (830) 629-8416 Fax: (830) 629-8435 copies: Nathan Pence, Guadalupe Blanco River Authority Tyler Hjorth, City of San Marcos Mike Dussere, Word of Comal County David Davenport, Canyon Regional Water Authority Humberto Ramos, Canyon Regional Water Authority Steve Parker, City of Seguin Judge Kyle Kutscher, Guadalupe County Larry Schwab, Friends of Lake McQueeney Jeanette West, Lake Placid (CULP) Ryan Kelso, New Braunfels Utilities Michael Short, New Braunfels Utilities Judge Sherman Krause, Comal County Mark Enders, City of New Braunfels Chester Jenke, Greater New Braunfels Chamber of Commerce Glenn Lord, Dow Chemical Company Daniel Pepin, Springs Hill Water Supply Corporation Steve Ramsey, Springs Hill Water Supply Corporation Graham Moore, P.E., Alliance Regional Water Authority Mark B Taylor



September 20, 2021

Ms. Laurie Gharis
Chief Clerk
Office of the Chief Clerk (MC-105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

VIA ELECTRONIC FILING AND
FIRST-CLASS MAIL

Re: Guadalupe Basin Coalition, Public Meeting Request
on San Antonio Water System Application for Water Use Permit No. 13098

Dear Ms. Gharis:

The Guadalupe Basin Coalition (GBC) is a diverse, non-profit association of 17 businesses, chambers of commerce, lake associations, and governmental entities in counties along the Guadalupe River Basin—including its tributaries and springs—that are bonded by a common concern for the economic and environmental sustainability of the water resources within the Guadalupe River Basin. One of the purposes of the GBC is to protect the freshwater springs that sustain stream flows in the Guadalupe River Basin. In furtherance of that goal, GBC Members are united in our strong conviction that the springs and river system must continue to flow for the benefit of the growing population in the river basin and for the environment. The membership of the GBC is documented in those copied on this letter.

The water resources of Guadalupe River Basin and downstream bay and estuary systems are unique in Texas because of the direct relationship between the Edwards Aquifer and the Comal, Guadalupe and San Marcos Rivers. Making the conditions even more complex and interrelated, is the relationship to the San Antonio River, a separate river basin but a tributary of the Guadalupe River. In the Edwards Aquifer Authority Act, the Texas Legislature stated “the Edwards Aquifer is a unique and complex hydrological system” that “has a hydrologic interrelationship to the Guadalupe, San Antonio, San Marcos, Comal, Frio, and Nueces river basins” and “is vital to the general economy and welfare of this state.” Unquestionably, water levels in the Edwards Aquifer, which are heavily influenced by human consumption of water from the Aquifer, directly affect spring and stream flows in the Guadalupe River. Surface water rights, groundwater rights and water levels, and water availability within the Guadalupe and San Antonio River Basins are extremely complicated and totally interdependent.

For example, even a small reduction in the natural flow volumes from the Comal Springs, San Marcos Springs, and others that discharge water from the Edwards Aquifer into the Guadalupe River and its tributaries can severely affect the natural resources that supply water to hundreds of thousands of Texans in a rapidly growing area of the state. Indeed, depletion of water levels in the Edwards Aquifer has caused problems in our region. Depleted Edwards Aquifer levels during the sustained period of drought between 2011 and 2015 caused water suppliers throughout the



region who depend on both produced water from the Edwards Aquifer and the springs to implement drought contingency measures and curtail water use.

Despite this difficult reality, TCEQ's Executive Director has preliminarily recommended granting an authorization for San Antonio Water System (SAWS) to transport more than 260,000 acre-feet of groundwater per year, the vast majority of which will be produced from the Edwards Aquifer, over 100 miles downstream to be subsequently diverted and used for agricultural, industrial, mining, municipal and/or instream purposes. This appears to be bad public policy, and it is a regulatory decision that could have direct negative impacts on dozens of communities, water suppliers and other entities that have historically relied on the water resources of the Guadalupe River Basin for their supplies.

According to TCEQ's public notice, the Application proposes only a short diversion reach at the extreme bottom of the Guadalupe River immediately upstream of its discharge to San Antonio Bay, yet the Application proposes to use water under the proposed permit in several counties well upstream of the diversion reach—including several counties that straddle the San Antonio and Guadalupe River Basins. The place of use designation appears to relate to the original Application request to set aside 50,000 acre-feet of permitted return flows per year for instream uses within the San Antonio and Guadalupe Rivers and freshwater inflows into San Antonio Bay. However, TCEQ staff determined that TCEQ lacks authority to grant such authorization. Consequently, the Draft Permit includes no provisions for the maintenance of instream flows and freshwater inflows, despite the fact that Water Code Section 11.042(b) expressly authorizes TCEQ to include special conditions "to help maintain instream uses and freshwater inflows to bays and estuaries." It is unclear from the Application whether the proposed place of use will include use of water resources within the Guadalupe River Basin upstream of the proposed diversion reach. This ambiguity could potentially create unforeseen impacts on Guadalupe River Basin rights. In addition, the GBC is concerned that the lack of protection of instream uses and freshwater inflows may further adversely affect water rights within the Guadalupe Basin.

The Application and Draft Permit propose and incorporate a complex Accounting Plan by which SAWS would track and account for discharges, diversions, and losses associated with the proposed bed-and-banks authorization. The GBC is concerned that the Accounting Plan as currently proposed has been developed based on incomplete data relating to loss factors and calculations in the San Antonio and Guadalupe River Basins. In addition, the GBC believes that a substantial portion of the return flows proposed for diversion in the Application constitute what TCEQ has previously classified as "historic" return flows. The Draft Permit includes no reference to the historic nature of SAWS's return flows. That issue may be an important and determining factor in evaluating whether the proposed Accounting Plan accurately reflects preexisting Water Availability Modeling information maintained by TCEQ for the San Antonio and Guadalupe River Basins.

The Application asserts that the water proposed for diversion "would not be present in the San Antonio River, but for actions taken by SAWS." In light of the Legislature's findings in the EAA Act, the GBC does not agree and believes that statement fails to consider and is not an accurate reflection of Edwards Aquifer and surface water dynamics. The aforementioned



uniqueness of the Application requires additional consideration of this important issue. The potentially far-reaching and significant impact the proposed permit may have on surface and groundwater rights and interests throughout the Guadalupe River Basin requires full stakeholder engagement and participation through a public meeting.

GBC understands the importance of water reuse and environmental protection. Most GBC members that are municipal water suppliers have or will implement robust water reuse programs. Many GBC members are participants in the Edwards Aquifer Habitat Conservation Plan. But allowing a municipal water supplier such as SAWS to transport and divert discharged water over 100 miles downstream from its service area for vague, ill-defined purposes cannot realistically be considered "reuse" at all.

Rather than permit exporting critically important Edwards Aquifer water out of our region, TCEQ should be acting to encourage reuse of these resources within our region. The EAA Act requires Edwards Aquifer water to be used within the boundaries of the EAA. Consistent with that law, and as noted in the Draft Permit, SAWS is already authorized to reuse its Edwards Aquifer water within Bexar County under several existing water rights authorizations. TCEQ simply cannot ignore the EAA Act requirements. That sound policy exists to benefit all communities and entities that rely on Edwards Aquifer water—both produced through wells and discharged naturally through springs.

TCEQ's decision to grant SAWS's requested permit would severely undermine, if not entirely circumvent, authority vested by the Legislature in the EAA. And technically the draft permit does not reflect or protect the reality of the interrelationships between the Edwards Aquifer, and the Guadalupe and San Antonio River Basins. The adverse impacts of that action on water suppliers and users in the Guadalupe River Basin is not theoretical as has been demonstrated in recent drought years. For these reasons, the GBC Members request that the TCEQ conduct a public meeting on Application No. 13098 to fairly consider the far-reaching impact its decision to grant SAWS's requested permit will have on water resources in the Guadalupe Basin.

GBC sincerely appreciates TCEQ's thoughtful consideration of our comments and public meeting request. Please add me to your official mailing list for this matter.

Sincerely,
Ryan Kelso
GBC Chairman
263 Main Plaza
New Braunfels, Texas 78130
Telephone: (830) 629-8416
Fax: (830) 629-8435

copies: Nathan Pence, Guadalupe Blanco River Authority
Tyler Hjorth, City of San Marcos
Mike Dussere, Word of Comal County
David Davenport, Canyon Regional Water Authority



Humberto Ramos, Canyon Regional Water Authority
Steve Parker, City of Seguin
Judge Kyle Kutscher, Guadalupe County
Larry Schwab, Friends of Lake McQueeney
Jeanette West, Lake Placid (CULP)
Ryan Kelso, New Braunfels Utilities
Michael Short, New Braunfels Utilities
Judge Sherman Krause, Comal County
Mark Enders, City of New Braunfels
Chester Jenke, Greater New Braunfels Chamber of Commerce
Glenn Lord, Dow Chemical Company
Daniel Pepin, Springs Hill Water Supply Corporation
Steve Ramsey, Springs Hill Water Supply Corporation
Graham Moore, P.E., Alliance Regional Water Authority
Mark B Taylor

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 3:00 PM
To: PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;
PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WRPERM 13098

From: jandchousehold2014@gmail.com <jandchousehold2014@gmail.com>
Sent: Thursday, September 9, 2021 2:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: MS Carrie Klein

E-MAIL: jandchousehold2014@gmail.com

COMPANY:

ADDRESS: 2807 N MAIN AVE
SAN ANTONIO TX 78212-2944

PHONE: 2067952575

FAX:

COMMENTS: I am a newcomer to Texas and want to share my tremendous enthusiasm for the efforts of the San Antonio Water Authority to help keep the flow of fresh water heading down the San Antonio River and ultimately into the Gulf. I am not a scientist but my understanding of their innovative approach seems to take both the environmental and the economic interests of stakeholders all the way down the river into account. Please grant this permit.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Monday, September 20, 2021 10:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: r_1526_SAWS_bed_and_banks_2015-09-16.pdf

From: bmast@sariverauthority.org <bmast@sariverauthority.org>
Sent: Monday, September 20, 2021 8:32 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Brian S. Mast

E-MAIL: bmast@sariverauthority.org

COMPANY: San Antonio River Authority

ADDRESS: 100 E GUENTHER
SAN ANTONIO TX 78204-1401

PHONE: 2103023827

FAX:

COMMENTS: San Antonio River Authority submitting September 2015 Board of Directors Resolution in support of WRPERM 13098. This is the 2nd of 2 support submittals as we could only attach one document per submission. Thank you, Brian S. Mast, JD Manager of Government Affairs

RESOLUTION NO. R-1526

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY IN SUPPORT OF APPLICATION NO. 13098 BY THE SAN ANTONIO WATER SYSTEM TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A BED AND BANKS AUTHORIZATION

Whereas, the San Antonio River Authority (SARA) is a governmental agency, a municipality, body politic and corporate, vested with all the authority and full sovereignty of the State, created by special legislative act pursuant to Section 59, Article 16 of the Constitution of the State of Texas; and

Whereas, SARA's powers and authority include, but not limited to, the control of the waters of those parts of all rivers, streams and tributaries thereof which are within its four County statutory boundaries; and

Whereas, SARA's Board of Directors has adopted the goals of exemplifying environmental leadership, stewardship and expertise; enhancing community appreciation for the environmental resources of the San Antonio River and its tributaries; and advancing a sustainable environment within SARA's statutory boundaries and downstream through the confluence of the San Antonio and Guadalupe River Basin and into the San Antonio Bay and its estuary system; and

Whereas, the San Antonio River Authority is a co-founder and sponsoring partner of the San Antonio Bay Partnership, a regional, non-profit, stakeholder-driven planning and management program for the San Antonio Bay/Guadalupe Estuary; and

Whereas, the mission of the San Antonio Bay Partnership includes, *inter alia*, the creation of a sustainable working partnership of committed stakeholders committed to *protect, restore and enhance* the natural resources of the San Antonio Bay System for the benefit of the ecosystem and its human uses; and

Whereas, Aransas County, which has coastline proximate to the San Antonio Bay, and its estuary system, is home to the Aransas National Wildlife Refuge and the winter habitat for the Aransas-Wood buffalo Whooping Crane Flock (*grus americana*); and

Whereas, the health of San Antonio Bay, its estuaries, and the fisheries they support are of critical importance to the Whooping Crane Flock, and the vitality of the recreational and tourism interests in the coastal area; and

Whereas, the health of San Antonio Bay and related estuaries are benefitted by the availability of a continued adequate freshwater inflow from the San Antonio and Guadalupe Rivers; and

Whereas, the economy of Aransas County and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and the aquatic and riparian wildlife habitat associated with a healthy San Antonio Bay ecosystem; and

Whereas, the Texas Instream Flow Program and Environmental Flows Program were established by the Texas Legislature in 2007 to determine flows necessary to maintain a sound environment in the state's major rivers, bays and estuaries; and

Whereas, studies conducted pursuant to the Program recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay; and

Whereas, the State has adopted Environmental Flow Standards for Surface Water in the San Antonio/Guadalupe River System and the San Antonio Bay at 30 TAC §298.350-390; and

Whereas, the Texas Legislature and the committee created to study the environmental flow needs of the San Antonio/Guadalupe River system have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

Whereas, the City of San Antonio ("San Antonio"), acting by and through its San Antonio Water System ("SAWS"), currently reclaims an estimated 140,000 acre-feet of wastewater effluent per year by treating the same to Type 1 reclaimed water standards prior to direct reuse by SAWS' customers or discharge to the San Antonio River and its tributaries; and

Whereas, Texas law allows San Antonio to directly reuse its reclaimed water within its water distribution system without discharge into the river; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into a watercourse and, thereafter, subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, SAWS has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use all as recognized by law; and

Whereas, SAWS is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

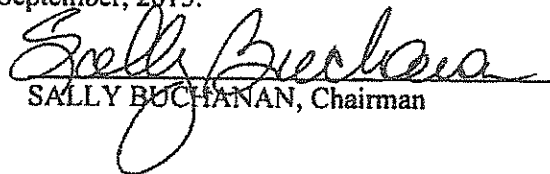
Whereas, the Board of Directors of the San Antonio River Authority believes that SAWS' Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests, including the San Antonio Bay and its estuary system; and

Whereas, the Board of Directors of the San Antonio River Authority desires to express its support for the Application;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY THAT:

1. The San Antonio River Authority hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The Authority's General Manager is hereby directed to communicate this Resolution of support to the Texas Commission on Environmental Quality, and is further authorized to take such other action as she deems appropriate in furtherance of this Resolution.

PASSED AND APPROVED this the 16th day of September, 2015.


SALLY BUCHANAN, Chairman

ATTEST:

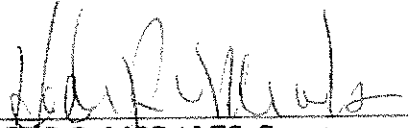

HECTOR R. MORALES, Secretary

CERTIFICATE OF SECRETARY

SAN ANTONIO RIVER AUTHORITY §
 §
SAN ANTONIO, BEXAR COUNTY, TEXAS §

I hereby certify the above and foregoing to be a duplicate original of Resolution No. R-1526 of the Board of Directors of the SAN ANTONIO RIVER AUTHORITY as passed and approved by the members of said Board at a regular meeting of the Board of Directors of said AUTHORITY held on September 16, 2015, in San Antonio, Bexar County, Texas, at which a quorum was present, as shown by the Minutes of said meeting.

IN TESTIMONY WHEREOF, witness my hand and the official seal of the SAN ANTONIO RIVER AUTHORITY on this the 16th day of September, A.D., 2015, in San Antonio, Bexar County, Texas.



HECTOR R. MORALES, Secretary

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Monday, September 20, 2021 10:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: FINAL Bed and Banks Letter of Support.pdf

From: bmast@sariverauthority.org <bmast@sariverauthority.org>
Sent: Monday, September 20, 2021 8:14 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Brian S. Mast

E-MAIL: bmast@sariverauthority.org

COMPANY: San Antonio River Authority

ADDRESS: 100 E GUENTHER
SAN ANTONIO TX 78204-1401

PHONE: 2103023827

FAX:

COMMENTS: Please accept the attached in support of WRPERM 13098 on behalf of the San Antonio River Authority. In September 2015 the San Antonio Board of Directors adopted a Resolution in support of the permit application and again on September 15, 2021 the Board passed a motion asking staff to submit an additional letter of support. The staff letter

of support is attached. Another submission will contain the original Board Resolution as only one document can be uploaded at a time. Should you have any questions about the San Antonio River Authority's support for WRPERM 13098 please do not hesitate to contact us. Respectfully submitted, Brian S. Mast, JD Manager of Government Affairs



**SAN ANTONIO
RIVER AUTHORITY**

September 17, 2021

Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: WRPERM 13098

Dear Mr. Baker:

The San Antonio River Authority strongly supports San Antonio Water System's (SAWS) Application No. 13098. The San Antonio River Authority (River Authority), created by a Texas legislative enactment in 1937, has a jurisdiction which covers 3,658 square miles encompassing Bexar, Wilson, Karnes, and Goliad counties in South Central Texas. Included in the River Authority's responsibilities is the control of the waters of those parts of all rivers, streams and tributaries within the agency's four-county jurisdiction. In support of these responsibilities, the River Authority's elected Board of Directors has adopted goals of exemplifying environmental leadership, stewardship and expertise; enhancing community appreciation for the environmental resources of the San Antonio River and its tributaries; and advancing a sustainable environment within the River Authority's statutory boundaries and downstream through the confluence of the San Antonio and Guadalupe River Basins and into the San Antonio Bay and its estuary system.

On September 16, 2015 the River Authority Board of Directors adopted the attached Resolution, R-1526, expressing support for SAW's Application 13098. Then again, at our most recent regular Board meeting on September 15, 2021 the Board of Directors took action reiterating their support for Application No. 13098 and directing staff to submit a contemporaneous letter of support.

The River Authority recognizes freshwater inflows are a significant component of an economically and environmentally healthy estuary and bay system. The Texas Instream Flow and Environmental Flows programs have conducted studies to assist in determining the flows necessary to maintain sound environments in the state's major rivers, bays and estuaries. Through the science and stakeholder processes of these programs, voluntary discharges of high-quality return flows into the San

**EXECUTIVE
COMMITTEE**

CHAIRMAN

Darrell T. Brownlow, Ph.D.

VICE-CHAIR

Jim Campbell

SECRETARY

Lourdes Galvan

TREASURER

Michael W. Lackey, P.E.

MEMBERS AT-LARGE

Gaylon J. Oehlke

James Fuller, M.D.

BOARD OF DIRECTORS

BEXAR COUNTY

District 1

Jerry G. Gonzales

District 2

Lourdes Galvan

District 3

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District 4

Jim Campbell

At-Large

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Deb Bolner Prost

WILSON COUNTY

John J. Flieller

Darrell T. Brownlow, Ph.D.

KARNES COUNTY

H. B. Ruckman, III

Gaylon J. Oehlke

GOLIAD COUNTY

James Fuller, M.D.

Alicia Lott Cowley

GENERAL MANAGER

Derek Boese, JD, PMP

Antonio River have been identified and encouraged. The River Authority therefore supports SAWS Application 13098 as it addresses a strategy developed by the SB3/HB3 San Antonio/Guadalupe Bay and Basin Area Stakeholder Committee (BBASC) for the attainment of TCEQ Instream Flow Standards and Bay and Estuary Freshwater Inflow Standards. The River Authority strongly supports the approval of SAWS' Bed and Banks authorization request.

Thank you,



Derek Boese, JD, PMP
General Manager

CC:

- Mr. Ramiro Garcia, Deputy Executive Director MC 118, TCEQ, P.O. Box 13087, Austin, TX 78711-3087
- Ms. L'Oreal Stepney, P.E., Deputy Executive Director MC 118, TCEQ, P.O. Box 13087, Austin, TX 78711-3087
- Donovan Burton, SAWS, P.O. Box 2449, San Antonio, TX 78298
- Dan Crowley, SAWS, P.O. Box 2449, San Antonio, TX 78298

COMM-47797



C.H. "Burt" Mills, Jr.
County Judge

2840 Highway 35 North
Rockport, Texas 78382

Telephone 361-790-0100
Fax 361-727-2043
Email: judge@aransascounty.org

September 1, 2021

Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

REVIEWED
SEP 03 2021
By GCW

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 SEP -3 AM 9:42
CHIEF CLERKS OFFICE

Dear Mr. Baker:

This letter is in support of the San Antonio Water System's Application No. 13098 to use the bed and banks of streams in the San Antonio and Guadalupe River basins to convey groundwater-based return flows for subsequent diversion and use.

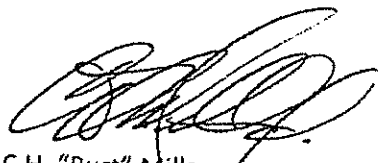
The issue is of importance to communities like ours which enjoy environmental, recreational, and economic benefits from these return flows that will be voluntarily discharged by SAWS for instream uses.

Each year, SAWS will release at least 50,000 acre-feet of highly treated, high-quality return flows into the San Antonio River. These return flows ultimately flow into San Antonio Bay on the Texas coast, less natural losses along the way. These permitted return flows will be dedicated for instream uses to support strategies developed by the SB3/HB3 San Antonio/Guadalupe Bay and Basin Area Stakeholder Committee (BBASC) for the attainment of TCEQ Instream Flow Standards and Bay and Estuary Freshwater Inflow Standards.

These permitted return flows will also serve as a supply of water for instream uses from its points of discharge to its point of diversion. These important uses include recreation, fisheries, game preserves, stock raising, aesthetics, water quality protection, navigation, and aquatic and wildlife habitat.

The application and commitment of water from SAWS is a great public service to San Antonio Bay and the nearby coastal communities and businesses that rely on it. It represents a bold and innovative step to protect ecosystems and the economies that rely on them. We strongly support the approval of SAWS' Bed and Banks authorization request.

Thank you,



C.H. "Burt" Mills
Aransas County Judge

CC

Mr. Toby Baker, Executive Director

Mr. Ramiro Garcia, Deputy Executive Director

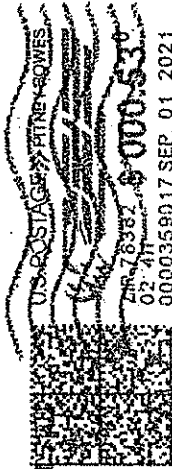
Ms. L'Oreal Stepney, P.E., Deputy Executive Director

Donovan Burton, SAWS VP of Water Resources and Government Relations



C.H. 'Burt' Mills, Jr.
Aransas County Judge
Aransas County Courthouse
2840 Hwy. 35 North
Rockport, TX 78382

CORPUS CHRISTI
TX 784
01 SEP 2021



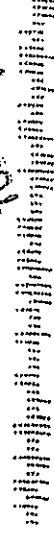
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Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

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7871133087



Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 8:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: PDF of letter.pdf

From: robert.pineda@gapac.com <robert.pineda@gapac.com>
Sent: Monday, September 20, 2021 8:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Bob Pineda

E-MAIL: robert.pineda@gapac.com

COMPANY: Georgia-Pacific Gypsum, LLC

ADDRESS: PO BOX 579
MC QUEENEY TX 78123-0579

PHONE: 8304011021

FAX:

COMMENTS: Please see attachment

Georgia-Pacific Gypsum LLC



McQueeney Gypsum Wallboard
P.O. Box 579
McQueeney, Texas 78123
Telephone (830) 401-1000

VIA ELECTRONIC SUBMITTAL
(<https://www14.tceq.texas.gov/epic/eComment>)

September 20, 2021

Office of the Chief Clerk
Texas Commission on Environmental Quality

**Re: Public Comment by Georgia-Pacific Gypsum LLC
Notice of an Application for A Water Use Permit for San Antonio Water System
Application No. 10398**

Dear Sir/Madam:

Georgia-Pacific Gypsum LLC (“Georgia-Pacific”) submits the following comments concerning the above-referenced water use permit application (the “Application”) that would allow the San Antonio Water System (“SAWS”) to use the bed and banks of multiple tributaries of the San Antonio and Guadalupe Rivers, along with their respective river basins, to convey 260,991 acre-feet of groundwater-based return flows per year for subsequent diversion.

Georgia-Pacific owns and operates a wallboard manufacturing plant in McQueeney, Texas that employs approximately 90 individuals who manufacture building products integral to the construction industry in the McQueeney area, the State of Texas, and beyond. Through its payroll, tax payments, and community contributions, the facility is a significant contributor to the local economy.

Georgia-Pacific’s McQueeney facility relies almost exclusively on Guadalupe River surface water for its manufacturing operations through a contract with Guadalupe-Blanco River Authority (“GBRA”). For this reason, Georgia-Pacific has a vital interest in the continued stewardship of the river basin’s scarce water resources in a manner that protects the rights of existing water users. The Texas Commission on Environmental Quality (“TCEQ”) acknowledges in the Application materials that the proposed conveyance and diversion would negatively impact existing water rights in the affected river basins. Any impact to Georgia-Pacific’s existing water supply is a concern to our company and the future operations of the McQueeney facility.

On this same day, Georgia-Pacific understands that GBRA – on behalf of its many customers – is filing a request to dismiss the Application or, in the alternative, to request a contested case hearing on the Application. Georgia-Pacific supports GBRA’s efforts to protect the interests of its customers and urges TCEQ to grant GBRA’s requested relief.

Georgia-Pacific appreciates the opportunity to provide these comments and looks forward to working with TCEQ on this and other matters in the future.

Sincerely,

Trey Shoup

Trey R. Shoup
Plant Manager

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, September 17, 2021 9:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-
WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13098
Attachments: SAWSSupp9212.pdf

From: mayor@cityofrockport.com <mayor@cityofrockport.com>
Sent: Thursday, September 16, 2021 4:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13098

REGULATED ENTY NAME WRPERM 13098

RN NUMBER: RN107107526

PERMIT NUMBER: WRPERM 13098

DOCKET NUMBER:

COUNTY: BEXAR, CALHOUN, GOLIAD, KARNES, REFUGIO, VICTORIA, WILSON

PRINCIPAL NAME: SAN ANTONIO WATER SYSTEM

CN NUMBER: CN600529069

FROM

NAME: Patrick Rios

E-MAIL: mayor@cityofrockport.com

COMPANY: City of Rockport

ADDRESS: 2751 SH 35 Bypass
Rockport TX 78382

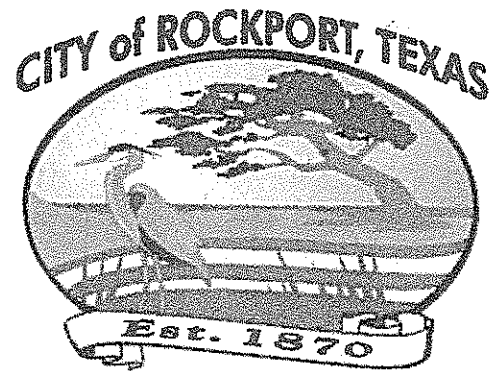
PHONE: 3617292213

FAX:

COMMENTS: Please consider the attached letter of support. Thank you. Patrick Rios Mayor City of Rockport

September 16, 2021

Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087



Dear Mr. Gharis:

This letter is in support of the San Antonio Water System's Application No. 13098 to use the bed and banks of streams in the San Antonio and Guadalupe River basins to convey groundwater-based return flows for subsequent diversion and use.

The issue is of importance to communities like ours which enjoy environmental, recreational, and economic benefits from these return flows that will be voluntarily discharged by SAWS for instream uses.

Each year, SAWS will release at least 50,000 acre-feet of highly treated, high-quality return flows into the San Antonio River. These return flows ultimately flow into San Antonio Bay on the Texas coast, less natural losses along the way. These permitted return flows will be dedicated for instream uses to support strategies developed by the SB3/HB3 San Antonio/Guadalupe Bay and Basin Area Stakeholder Committee (BBASC) for the attainment of TCEQ Instream Flow Standards and Bay and Estuary Freshwater Inflow Standards.

These permitted return flows will also serve as a supply of water for instream uses from its points of discharge to its point of diversion. These important uses include recreation, fisheries, game preserves, stock raising, aesthetics, water quality protection, navigation, and aquatic and wildlife habitat.

The application and commitment of water from SAWS is a great public service to San Antonio Bay and the nearby coastal communities and businesses that rely on it. It represents a bold and innovative step to protect ecosystems and the economies that rely on them. We strongly support the approval of SAWS' Bed and Banks authorization request.

Thank you,

A handwritten signature in black ink, appearing to read "Patrick Rios".

Patrick R. Rios
Mayor

CC:

- Mr. Toby Baker, Executive Director MC 109, TCEQ, P.O. Box 13087, Austin, TX 78711-3087
- Mr. Ramiro Garcia, Deputy Executive Director MC 109, TCEQ, P.O. Box 13087, Austin, TX 78711-3087

- Ms. L'Oreal Stepney, P.E., Deputy Executive Director MC 109, TCEQ, P.O. Box 13087, Austin, TX 78711-3087
- Donovan Burton, SAWS, P.O. Box 2449, San Antonio, TX 78298
- Dan Crowley, SAWS, P.O. Box 2449, San Antonio, TX 78298

751 SH 35 Bypass, Rockport, Texas 78382 Phone: (361) 729-2213, ext. 221 Fax: (361) 790-5966

www.cityofrockport.com

Whereas, this amount may grow in the future depending on the growth of San Antonio's population and the success of its future water conservation efforts; and

Whereas, greater than 90% of this reclaimed water is currently derived from San Antonio's privately-owned groundwater; and

Whereas, prior to discharge, this reclaimed water is a valuable asset of San Antonio that has been treated at a cost to San Antonio residents currently in excess of \$24 million per year; and

Whereas, Texas law would allow San Antonio to directly reuse this reclaimed water within its water distribution system without discharge into the river; and

Whereas, San Antonio has already constructed one of the nation's largest purple pipe systems for the direct reuse of up to 35,000 acre-feet per year; and

Whereas, that direct reuse system could be expanded if necessary to protect San Antonio's ownership of this valuable asset; and

Whereas, San Antonio currently reuses up to 50,000 acre-feet per year of its reclaimed water to operate its electric generation facilities; and

Whereas, Texas law also provides that the reclaimed water, unless authorized for reuse, becomes the property of the State of Texas upon discharge into the river and thereafter subject to removal from the river and use by others prior to reaching San Antonio Bay to the extent permitted by the State through water rights permits issued by the Texas Commission on Environmental Quality (TCEQ); and

Whereas, San Antonio has filed an application to TCEQ (the Application) for authorization under Texas Water Code Section 11.042 (b) to use the bed and banks of the San Antonio and Guadalupe Rivers to transport, divert and reuse 50,000 acre-feet of the City's groundwater-based reclaimed water solely for instream use as defined in 30 TAC 297.1(25); and

Whereas, instream use is a beneficial use of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law; and

Whereas, the Application also seeks authorization for any future growth in volume of the City's groundwater-based reclaimed water for municipal, agricultural, industrial, mining and instream use; and

Whereas, the Application currently designates a single diversion point for both current and future discharges of reclaimed water near the mouth of the Guadalupe River at San Antonio Bay, and recognizes that after the authorization is granted future diversion points may be sought by amendment; and



Whereas, San Antonio is currently engaged in discussions with landowners in Refugio County regarding construction of a diversion facility and subsequent reuse of a minimum of 50,000 acre-feet of the reclaimed water measured at the point of discharge in a manner consistent with state law that will also help maintain instream uses and freshwater inflows to San Antonio Bay and its estuaries; and

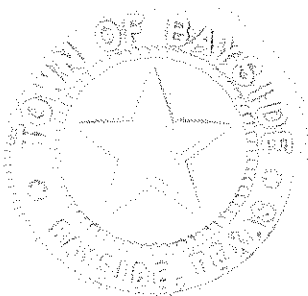
Whereas, the Bayside Mayor and Town Council believes that the Application is a constructive voluntary effort to prudently manage San Antonio's valuable reclaimed water for the mutual benefit of San Antonio and downstream interests; and

Whereas, the Bayside Mayor and Town Council desires to express its support for the Application;


NOW THEREFORE be it resolved by the Bayside Mayor and Town Council of Bayside, Texas, as follows:

1. Bayside, Texas, hereby supports the pending Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
2. The Mayor of Bayside is hereby directed to communicate this Resolution to the Texas Commission on Environmental Quality and is authorized to take such other action as he deems appropriate in furtherance of this Resolution.

DISCUSSED, APPROVED and ADOPTED at a regular meeting of the Bayside Town Council on Tuesday, August 11, 2015.



ATTEST:



John A. Rivera, City Secretary ✓

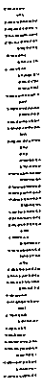


Tom Van Buren, Mayor ✓



Town of Bayside is an equal opportunity provider and employer

Town of Bayside
PO Box 194
909 First Street
Bayside, Texas 78340



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AUG 27 2015
TCEQ MAIL CENTER
BC

Mr. Richard A. Hyde, P.E.
Executive Director
TCEQ, MC 109
PO Box 13087
Austin TX 78711-3087

September 15, 2021

Office of the Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RE: San Antonio Water System's Application No. 13098

Dear Mr. Baker:

This letter is in support of the San Antonio Water System's Application No. 13098 to use the bed and banks of streams in the San Antonio and Guadalupe River basins to convey groundwater-based return flows for subsequent diversion and use.

The Nature Conservancy in Texas continues to be a strong advocate for managing the limited availability of freshwater resources to meet the needs of people and nature with the demands of the growing population of the State of Texas. To meet environmental, recreational, and economic benefits needs requires innovative approaches. The voluntary dedication by SAWS of return flows for instream and bays and estuary uses is one example of how multiple benefits can be achieved through scarce water resources.

Each year, SAWS will release at least 50,000 acre-feet of highly treated, high-quality return flows into the San Antonio River. These return flows ultimately flow into San Antonio Bay on the Texas coast, less natural losses along the way. These permitted return flows will be dedicated for instream uses to support strategies developed by the SB3/HB3 San Antonio/Guadalupe Bay and Basin Area Stakeholder Committee (BBASC) for the attainment of TCEQ Instream Flow Standards and Bay and Estuary Freshwater Inflow Standards.

These permitted return flows will also serve as a supply of water for instream uses from its points of discharge to its point of diversion. These important uses include recreation, fisheries, game preserves, stock raising, aesthetics, water quality protection, navigation, and aquatic and wildlife habitat.

WRPERM
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CHIEF CLERKS OFFICE

2021 SEP 17 AM 9:46

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

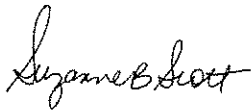
REVIEWED

SEP 23 2021

By 

TNC Texas supports the bed and banks application and the commitment of return flows by SAWS. This reflects a significant action by a large water provider to take a voluntary action to dedicate water for environmental purposes that provides multiple benefits for nature and people. It represents a bold and innovative step to protect ecosystems and the economies that rely on them. We strongly support the approval of SAWS' Bed and Banks authorization request.

Thank you,



Suzanne B. Scott
State Director

CC:

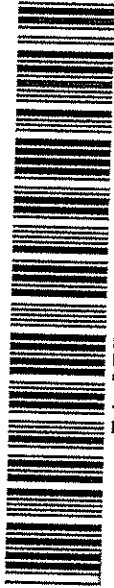
- Mr. Toby Baker, Executive Director MC 118, TCEQ , P.O. Box 13087, Austin, TX 78711-3087
- Mr. Ramiro Garcia, Deputy Executive Director MC 118, TCEQ , P.O. Box 13087, Austin, TX 78711-3087
- Ms. L'Oreal Stepney, P.E., Deputy Executive Director MC 118, TCEQ , P.O. Box 13087, Austin, TX 78711-3087
- Donovan Burton, SAWS, P.O. Box 2449, San Antonio, TX 78298
- Dan Crowley, SAWS, P.O. Box 2449, San Antonio, TX 78298



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THE NATURE CONSERVANCY
200 E. GRAYSON
SAN ANTONIO, TX 78215

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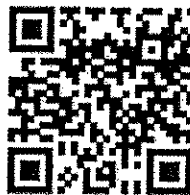
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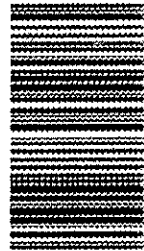
COMMISSION ON ENVIRONMENTAL QUALITY

PAYMENT BY ACCOUNT (if applicable)

USPS® Corporate Acct. No. [Redacted]

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RCVD: 9/17/2021 0811

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BDG: F
PKG: 1
PCS: 1



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MSC: 105
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