

I have not had time to review the new draft of the Water Policy Analysis that was released on November 7th. These remarks are confined to the July 2015 draft of the Cities of San Antonio and Fair Oaks Ranch Water Policy Analyses , herein referred to as “the Study”.

Under the **Water Quality Section**, the Study recommends a commitment to protecting 35% of the Edwards Aquifer Recharge Zone through the acquisition of conservation easements (p 31). We support this goal and recommendations in the Study that San Antonio also demonstrate a commitment to Aquifer protection by revisiting the City’s Water Quality Ordinances and, especially, by expanding protections provided by these ordinances to the Edwards Aquifer Contributing Zone. GEAA endorses all nine Action Steps recommended in section: **EARZ and Contributing Zone Protections** (p 32-33). Further, GEAA recommends expanding protections provided by San Antonio’s Water Quality ordinances to five miles into the Edwards Aquifer Contributing Zone that is contiguous to the Recharge Zone.

We also support the Recommendation and Action Step for the development of a regional collaboration to create legislation, BMP’s, cooperative agreements and other necessary activities to protect the Contributing Zone using **Low Impact Development** (p 33 -34).

GEAA endorses a ban on **Coal-Tar Sealants**, especially a prohibition for use in the Edwards Aquifer Recharge and Contributing zones. The Citizens Environmental Advisory Committee also recommended a city-wide ban on the use of PAH sealants. The Study recommends that the City review available evidence and decide if a coal-tar-sealant ban is desirable as a water-quality-protection action in San Antonio. GEAA recommends that Action Steps 1 through 3 commence as soon as possible. Attached is information on these sealants for your consideration.

GEAA endorses the Recommendation and Action Steps 1 and 2 in the section on **Annexation of Unincorporated Areas** (p 34-35). It is disingenuous for the City of San Antonio and San Antonio Water Systems to state that they prioritize protection of the Edwards Aquifer when SAWS has applied for and received approval from the Texas Commission for Environmental Quality to include a large area of the Edwards Aquifer Recharge Zone in northeastern Bexar County and Comal County for inclusion in the service area where SAWS is required to provide water and sewer service. On October 14, 2014, prior to the vote that approved Vista Ridge, the Greater Edwards Aquifer Alliance and others submitted a list of actions be attached as ordinance and in the form of a Memorandum of Understanding between the City of San Antonio and San Antonio Water System that included the following:

- The San Antonio Water System shall amend the following Certificate of Convenience and Necessity (Water CCN #10640 and Sewer CCN #20285) to exclude the entirety of the Edwards Aquifer Recharge and Contributing zones within this area where it is designated by the Texas Commission for Environmental Quality as the sole service provider for water and sewer service.

- The San Antonio Water Systems Board shall direct the San Antonio Water System to establish a policy prohibiting applications for extension of Certificates of Convenience and Necessity into areas eligible for Proposition 1 funds dedicated to the protection of the Edwards Aquifer.

We believe that these actions are consistent with the Recommendations in the Study and urge you to take action immediately to amend the aforementioned SAWS CCN's. We have no doubt that additional water supplies will be needed to serve this area. Given that the citizens of San Antonio have repeatedly demonstrated support for protection of this fragile area, it is not fair to require SAWS rate payers to subsidize additional water supplies required for SAWS service on the Edwards Aquifer Recharge Zone.

Regarding the recommendation (p 3) that "SAWS take the initiative to stay on top of developments on the issue of **"Contaminants of Emerging Concern"**", we endorse Action Steps 1 through 3.

A study conducted by the Edwards Aquifer Authority¹ found that the presence of emerging contaminants is an unmistakable indicator of anthropogenic impacts on the Edwards Aquifer. GEAA surmises that the presence of emerging contaminants in Edwards Aquifer water can be attributed to sewage leaks on the Edwards Aquifer Recharge Zone and discharge of sewage effluent into waterways that recharge the Edwards Aquifer. GEAA's Analysis of Wastewater Spills on the Edwards Aquifer Recharge Zone² found that between January 2008 and May 2012 eighty three spills totaling 809,000 gallons (2.5 acre/feet) of raw sewage occurred on Edwards Aquifer Recharge Zone – most of this from leaks in the SAWS sewage system. We believe that adding additional sewage infrastructure that encourages high density development on the Edwards Aquifer Recharge Zone is not consistent with stated goals of SAWS and the City to protect our Edwards Aquifer water supplies.

GEAA agrees with the recommendation that **Impact Fees** can also be an important factor in directing development to better protect aquifer recharge zones and endorses the Action Step (p 40).

Under the **Water Resources** section, GEAA the Recommendation for Edwards Aquifer Groundwater (p 41) and Action Items, particularly Item 2 (p 42) "It would be a disaster for the Edwards Aquifer water source to fall victim to its vulnerability to contamination. To better protect the city's most important water resource, the City of San Antonio and SAWS action items in the Comprehensive Plan should include the action recommended in this paper about the gaps in EARZ rules, the initiative to protect water quality over the contributing zone, review of the coal-tar sealant threat, expansion of the conservation-easement program, and continued leadership in the Edwards Aquifer Habitat Conservation Plan.

GEAA endorses the Recommendations and Action Steps regarding **Recycled Water** (p 42), **Water Conservation** (p 47 – 48), and the **Trinity Oliver Ranch** (p 49).

¹ <http://www.edwardsaquifer.org/scientific-research-and-reports/scientific-reports-document-library>

² <http://www.aquiferalliance.net/Library/GEAAPublications/FinalReport-GEO4427.pdf>

Under **Identified State Legislation and Local Ordinance Opportunities** (p 55), GEAA strongly endorses item 3 “Consideration of a San Antonio ordinance change to remove the reward of relaxed EARZ development rules for areas annexed into the city jurisdiction.” As stated before you at Citizens to Be Heard on October 14th, 2015, GEAA will strongly oppose any annexation plan that does not maintain the impervious cover restriction of 15% that applies to the Extra Territorial Jurisdiction.

We also strongly endorse items 4 and 5 pertaining respectively to banning the use of coal-tar sealants and legislation to allow and initiate required action over the expanded area of the contributing zone.

We note that the Study gives the City a C for **Regulation of Development Activities over the Edwards Aquifer Recharge Zone and Contributing Zones**, stating that “The rules for development over the Edwards Aquifer Recharge Zone are in place, but significant work needs to be done to regulate development to protect water quality of runoff. “ GEAA agrees with this assessment and urges you to consider us a resource as you move forward to address these concerns. We are available to provide additional research as needed, and to actively engage with you in achieving the mutual goals of Aquifer protection, and conservation and wise management of our water resources.