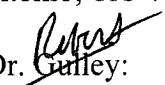


EDWARDS AQUIFER
AUTHORITY

4-B-3

August 19, 2009

Dr. Robert Gulley
Program Manager
Edwards Aquifer Recovery Implementation Program
2632 Broadway, Suite 301
San Antonio, TX 78215

Dear Dr.  Gulley:

The purpose of this letter is to share with the Edwards Aquifer Recovery Implementation Program (RIP) comments received by the Edwards Aquifer Authority (Authority) concerning the Critical Period Management Plan currently in place. We thought it appropriate to share this information with the RIP for consideration in discussions related to critical period management.

In 2008, the Authority conducted an extensive clean-up of most of the Authority's rules to ensure compliance with the 2007 legislative amendments to the Edwards Aquifer Authority Act. This review and modification of our rules was limited in scope to conforming with new law and clarifying ambiguous language. However, through the public comment process for these "cleanup rules" and through informal discussions with stakeholders, a number of suggestions were made related to policy issues outside the scope of the rulemaking process. The most notable suggestions related to critical period policy as follows:

- Establishing a separate index well and pool for Medina County;
- Revising the deadlines for inter-pool transfers to within the current year (e.g. May 1);
- Implementing different aquifer management fee rates during Critical Period;
- Allowing irrigators to claim an agricultural conservation credit for a given year which could then be carried over to the next year and be used for pre-irrigation watering, if needed; and
- Re-implementing the quarterly groundwater allocation system.



Dr. Robert Gulley

August 19, 2009

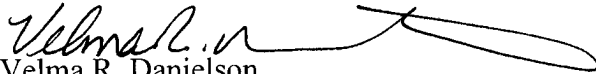
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While the board has taken no action on these suggestions, staff reported to the board that this information would be shared with the RIP to possibly be incorporated into anticipated discussion on critical period management.

If you think it would be beneficial, the Authority can make a general presentation on these issues to a future RIP stakeholder meeting, when the time is appropriate.

If you have questions or need additional information, please call Mr. Rick Illgner, Governmental Affairs Officer, at (210) 477-5140.

Sincerely,



Velma R. Danielson

General Manager

VRD:RI/sh