

The Edwards Aquifer Water Wars: The Final Chapter?

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Abstract

On December 28, 2011, the Edwards Aquifer Authority's Board of Directors approved the recommendations of the Edwards Aquifer Recovery Implementation Program with respect to a historic Habitat Conservation Plan. The Habitat Conservation Plan could resolve decades of acrimonious rancor and litigation over the use of the Edwards Aquifer. It provides the protection required by the federal Endangered Species Act for 8 listed species stemming from the use of the Edwards Aquifer and associated Comal and San Marcos springs while recognizing the region's ever-growing need for water. The plan was developed by a diverse group of stakeholders through a consensus-based process and submitted to the U.S. Fish and Wildlife Service on January 5, 2012, in support of the Edwards Aquifer Recovery Implementation Program's application for an Incidental Take Permit. The U.S. Fish and Wildlife Service noticed the availability of the Draft Environmental Impact Statement for public comment and conducted 7 public meetings to receive public comment. The public comment period closed on October 18, 2012. On February 15, 2013, the U. S. Fish and Wildlife Service issued its Record of Decision approving the issuance of the Incidental Take Permit and the Habitat Conservation Plan. This paper discusses the history of the dispute over the use of the aquifer, previous attempts to resolve the dispute, the strategic plan for protecting the aquifer, and the decision-making process used to develop the plan.

Keywords

: Edwards Aquifer, groundwater, Endangered Species Act, Habitat Conservation Plan

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
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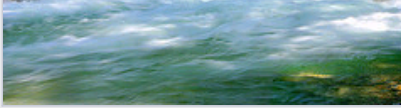
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