

## **SIERRA CLUB COMMENTS ON PROPOSED EMERGENCY RULES FOR EDWARDS AQUIFER AUTHORITY**

**Presented December 11, 2007 to Edwards Aquifer Authority Board**

We recognize the EAA Board's responsibility to implement changes to Edwards Authority Act mandated by Senate Bill 3. However, we do wish to make note of some issues of concern.

- 1) There is no language in SB3 that justifies the elimination of quarterly reporting in these EAA emergency rules.
- 2) It appears from the table on Finishing Out Crop Irrigation in Section 715.219 that orchard growers will never have to comply with critical period reductions as their crops will always be in the ground prior to a notice of commencement. This could be especially troublesome as fruits are often harvested in the fall.
- 3) Irrigators finishing a crop should not be exempt from filing monthly groundwater withdrawal reports. As the rules are currently written, EAA will not know how much water was actually used during critical period by these irrigators until the end of the year.
- 4) Monthly groundwater withdrawal reports should be required to be filed sooner than 10 business days after the month. Elimination of the pumping caps has placed tremendous pressure on the efficient implementation of critical period rules. Responses to Aquifer levels declines require rapid, and in some cases, untested responses. It is imperative that EAA know during critical period that pumpage reductions are being implemented. With the rules as currently proposed, it can be up to 45 days following the implementation of critical period before EAA knows what is being pumped. The Sierra Club proposes that the groundwater withdrawal reports be filed electronically and with a tighter deadline.