

# LEAGUE OF *independent* VOTERS OF TEXAS

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May 24, 2019

VIA Electronic Mail:

<https://gov.texas.gov/apps/contact/opinion.aspx>

Governor Greg Abbott | Office of the Texas Governor

RE: Veto Request – H.B. 1806 (*relating to the use of water withdrawn from the Edwards Aquifer by certain entities*) sent to the Governor on May 23, 2019.

Dear Governor Abbott:

The League of Independent Voters of Texas, a 501c4 non-partisan, non-profit organization dedicated to protection of water and land resources and electoral reform, urges the Governor to veto HB 1806.

Since 2014, we have been working with hundreds of landowners in Bastrop, Lee, Milam and Burleson counties, and citizens of other neighboring counties, to contain the aggressive efforts of nearby municipalities and private marketers to mine our slow recharge aquifers far beyond their ability to recharge. In our opinion, San Antonio Water System (SAWS), the prime mover of HB 1806, has been in the forefront of this very unjust cause, to the detriment of rural Texas and their own ratepayers.

We believe SAWS, a public utility, has also unilaterally pursued a legislative strategy that subverts key parts of the protections accorded the Edwards Aquifer and communities served by this vital aquifer. In addition, our legal advisors tell us that HB 1806 undermines decades of litigation over the Edwards Aquifer to benefit not the customers of SAWS, but instead a single development project in Kendall County that is opposed by local residents.

It is no secret that SAWS has been engaged in a massive project, the Vista Ridge project, to export 50,000 acre-feet of groundwater per year for 30 years from the Carrizo-Wilcox and Simsboro aquifers underlying these counties. Rather than using this water to supplement the water in the Edwards Aquifer for San Antonio residents, HB 1806 permits SAWS to instead **market** Edwards Aquifer water to developers outside San Antonio, while SAWS' existing customers pay for the more expensive Vista Ridge water – the most expensive groundwater in the state.

Senator Lois Kolkhorst (R-District 18), who serves on the Senate Water and Rural Affairs Committee summarized the issue well at the hearing on HB 1806 held on May 9, 2019:

*And this is one of my concerns – in that... So SAWS comes to my district to get water, and yet the way I read this bill— may be incorrectly— SAWS is now looking for new customers! And so, basically my district is supplying water to SAWS so they can supply water to other parts. And I don't think it's fair! I don't think that's what we signed up for! So... that's kind of my issue here. So, you're going to come to Lee County, you're going to come to Gonzales County, you're going to come to Burleson County, you going to come to all these counties— And we thought, you know, they thought they had a contract with SAWS, because San Antonio needed water! San Antonio! We've got to supply water to San Antonio! Everybody stops.*

*You know, they have the misfortune of being in the Edwards Aquifer, and they have the Edwards Aquifer Authority. And then all of a sudden, now we have a bill that just basically says, "Hey, SAWS is going to start selling water!" And guess who's supplying that water? The people of my district! We thought that the contracts had been made because San Antonio couldn't grow. We're going to impede San Antonio's future. I'm not sure they all signed up to start supplying water beyond San Antonio. And I think this is a really bad precedent!*

Our organization is concerned to protect two critically important central Texas aquifers and the millions of central Texans who rely on them. However of equal concern to us is that SAWS, without San Antonio City Council

approval, has refashioned itself as an autonomous regional water authority, accountable to no one, and with operations that are of little or no benefit to either the State or residents of San Antonio.

Please let the Governor know that we are counting on him to protect rural Texans' and our precious water resources and all ratepayers – urban, suburban and rural.

In addition to vetoing HB 1806, we therefore also respectfully request a meeting as soon as possible to talk about what is happening to the Simsboro communities just east of the Capitol and SAWS ratepayers.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Harper", with a stylized flourish at the end.

Jeff Harper, LIV Board, Bastrop County resident

A handwritten signature in black ink, appearing to read "Ellen Berky", with a small flourish at the end.

Ellen Berky, LIV Board, Bexar County resident,  
SAWS customer