

**RESOLUTION NO. 2019-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, EXPRESSING SUPPORT FOR THE PASSAGE OF H.B. 481 RELATED TO STORAGE AND RECOVERY OF POTABLE WATER IN THE BRACKISH PORTION OF THE EDWARDS AQUIFER**

**WHEREAS**, New Braunfels, Texas and the surrounding area have been documented by the U.S. Census Bureau as one of the fastest growing communities in the United States; and

**WHEREAS**, New Braunfels Utilities (“NBU”) is a municipally-owned public utility responsible for water, wastewater, and electric service for the residents and businesses in the New Braunfels area, within portions of Comal and Guadalupe Counties; and

**WHEREAS**, over the last 75 years, NBU has diligently developed a diverse inventory of surface water and groundwater sources, but about half of that water supply is subject to decreased availability because of regulatory restrictions during periods of severe drought; and

**WHEREAS**, Aquifer Storage and Recovery (“ASR”) has proven to be a successful water management technology in Texas and over 20 other states by giving utilities the ability to: (i) recharge water into underground aquifers during times when excess water is available and (ii) later recover that stored water during times of drought, peak demand, or emergency; and

**WHEREAS**, over the last eight years, NBU has methodically studied the feasibility of ASR as a strategy for significantly improving the reliability of NBU’s water supply; and

**WHEREAS**, NBU has worked with the Edwards Aquifer Authority (“EAA”) and the Texas Water Development Board on a multi-phased data-collection project to further confirm the feasibility of storing water in, and recovering water from, the brackish portion of the Edwards Aquifer (the “Saline Zone”) at or near the New Braunfels Regional Airport; and

**WHEREAS**, NBU and EAA have jointly developed an Interlocal Agreement (“ILA”) that documents the procedures, studies, and monitoring required for NBU to implement an ASR program in the Saline Zone of the Edwards Aquifer without detrimentally affecting water levels or water quality at the Comal and San Marcos Springs; and

**WHEREAS**, NBU is currently using the ILA authorizations and requirements to permit, design, and construct a full-scale ASR demonstration well and three additional monitoring wells; and

**WHEREAS**, NBU has determined, with input from EAA, that House Bill (“H.B.”) 481, which makes minor changes to Texas law, will improve the efficiency of NBU’s ASR program by allowing NBU to recharge drinking water from the NBU public water distribution system into the Saline Zone of the Edwards Aquifer; and

**WHEREAS**, the NBU ASR program will provide regional benefits by more-efficiently using existing water supplies during times of plenty while reducing NBU’s dependence on existing supplies during times of drought, and further demonstrating that storing water in the brackish portion of the Edwards Aquifer is a viable technology.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

**SECTION 1.** The City Council of the City of New Braunfels, Texas supports the passage of HB 481 by the Texas Legislature during its 86th Regular Session.

**SECTION 2.** This Resolution takes effect immediately upon adoption.

Adopted on February 25, 2019.

CITY OF NEW BRAUNFELS, TEXAS

By: \_\_\_\_\_  
Barron Casteel, Mayor

ATTEST:

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Patrick D. Aten, City Secretary