



**COMMENTS**

**On**

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**Initially Prepared Plan**

**By**

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The Aransas Project (TAP) is an alliance of governmental entities, businesses, organizations, and citizens who want responsible water management of the Guadalupe River Basin to ensure freshwater flows from the Hill Country all the way to the bays—ecosystems that support area fishing, tourism, and the winter habitat of the endangered Whooping Cranes. TAP members and supporters include every governmental entity in Aransas County, both the Republican Party and the Democratic Club in Aransas County, the Rockport-Fulton Chamber of Commerce, private businesses, the Coastal Bend Guides Association, the International Crane Foundation, and numerous other organizations as well as individuals from all across North America.

During the winter of 2008-2009, 23 Whooping Cranes—8.5% of the only remaining flock of naturally migrating Whooping Cranes—died during their winter at Aransas National Wildlife Refuge. This catastrophic event was caused by a lack of fresh water entering San Antonio Bay from the Guadalupe River System. The lack of freshwater inflows to the bays from the Guadalupe and San Antonio Rivers, especially during times of low flows, resulted in very high salinity levels and depleted food and water sources for the Cranes. Without fresh water inflows, salinity in San Antonio Bay and neighboring bays approximated that of the Gulf of Mexico, while the coastal marshes that harbor the Cranes were considerably saltier than sea water. Wolfberries and blue crabs, the essential winter food of the whooping cranes, were not to be found. Expert nature guides who observe the Cranes daily described protruding breast bones, dirty feathers, and birds that clearly were in desperate circumstances.

The same salinity conditions that harmed the Whooping Cranes disrupted the estuarine ecosystems in the bays that depend on the fresh water flows from the Guadalupe River for their productivity. Commercial and sports fisheries collapsed. Aransas County depends on a tourism-based economy and is a mecca to recreational fishermen and birders. Visitors come from all over the world to



see the whooping cranes on their wintering grounds in Aransas National Wildlife Refuge.

The insufficient inflows into San Antonio Bay were the result of continued diversions of the limited fresh water available in the river during a period of low rainfall. It is now clear that the Guadalupe River is over-allocated, especially during periods of natural low flows. The conditions we saw during the recent natural drought are a window to the future. As more and more water is diverted from the river, the low flow conditions we experienced recently will accompany natural rainfall drought periods of lesser magnitude and will become more common.

Unfortunately, the SB 3 Environmental Flows process is not enough in this already over-allocated Basin. By law, the Environmental Flows process cannot affect existing water rights. The scientific evidence strongly indicates that, during lower flow conditions, the full use of existing water rights in this basin—granted and overseen by TCEQ—will worsen the condition of the Whooping Cranes if fully utilized. During the recent inflow crisis, water that might have been diverted under existing rights was left in the river because only some of the existing rights were exercised during the critical period. Even so, not enough water was allowed to get through to the bays to maintain them and avoid harm to the whooping cranes. TAP supports the Environmental Flows process and believes it will help some areas of the Texas coast. But it is too little too late to save the Guadalupe River and San Antonio Bay, unfortunately. Recent events prove that to be the case.

Hard on the heels of the Whooping Crane deaths and of the bay ecosystems, the Region L March 2010 Initially Prepared Plan (IPP) recommends two additional massive diversions of water from the lower Guadalupe Basin.

The GBRA-Exelon project would commit 75,000 acre feet (24 billion gallons) of water annually from the Guadalupe River, of senior unutilized existing water



rights. These water rights would go to a single industrial user for a proposed nuclear power plant that may or may not be constructed a couple of decades from now. This water-intensive industry is proposed to be located just a few miles north of the Refuge boundary. These existing rights are outside the reach of the Environmental Flows process, and one can only imagine the severity and duration of the damage to the bays and the Cranes if that project were already diverting the water the IPP recommends for it.

Moreover, any reasonable discussion about water allocation would include the basin-wide impact of GBRA selling 24 billion gallons of water annually to a proposed nuclear power plant. This is the last water in the basin and selling it to a single user hurts the whole basin.

The recommended GBRA New Appropriation (Lower Basin) would divert up to an additional 189,000 acre feet per year into an off-channel reservoir.

With these two projects, the IPP recommends additional diversions from the Guadalupe that may exceed a quarter million acre feet per year from a River that is already over-allocated. The IPP does not consider the consequences of these diversions for the bays, the whooping crane, or the economy of the coastal communities that rely on Guadalupe River flows.

TAP requests that Region L modify the IPP to remove these projects from the list of "Recommended" projects. Both projects should be analyzed in light of the environmental problems caused by the recent low flow period. This is new information that was not considered in the IPP. Moreover, neither project is urgent. Water from these projects would not be needed for decades, according to the IPP. There appears to be no valid reason to rush these projects through the process. They can and should be reconsidered during the next planning cycle.