

## San Antonio Water System

July 13, 2004

Mr. Renne Lohofener  
Texas State Administrator  
U.S. Fish & Wildlife Service  
10711 Burnet Road, Suite 200  
Austin, TX 78758-4460

Dear Mr. Lohofener:

The San Antonio Water System (SAWS) is a municipally owned water, wastewater and recycled water utility serving over 1.3 million people. Historically, SAWS has supplied its retail customers from a sole source, the Edwards Aquifer; however, approximately \$400 million has been invested over the last several years to diversify its water supplies. These new supplies – recycled water, groundwater from the Trinity and Carrizo aquifers and a newly opened Aquifer Storage and Recovery project have been developed after rigorous scientific and technical studies.

Due to a federal court order in a citizens' lawsuit brought under the Act, the State of Texas adopted legislation, which SAWS supported, to create the Edwards Aquifer Authority and authorized the Authority to implement a system of pumping restrictions. The results of the restrictions, SAWS believes, have been positive for the region. SAWS and other users have taken steps to diversify our water supplies and have implemented successful water conservation measures. The protected species and downstream users – those who depend on adequate spring flow – have and will continue to benefit.

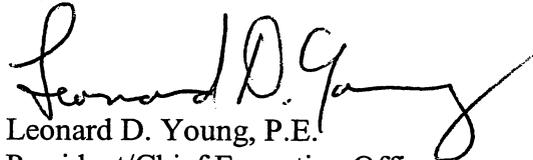
In 1993, the Service published minimum spring flow numbers for Comal Springs and San Marcos Springs to provide protection for federally listed species that are associated with the Edwards Aquifer. SAWS respectfully requests the review and reexamination of the service's determination of minimum spring flow requirements, which were established in 1993 very quickly and with limited data. We urge the Service to employ rigorous technical review in the reexamination of the minimum spring flow requirements.

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Under separate cover, we are forwarding a letter dated July 13, 2004 to the Service from our legal expert, attorney Steven P. Quarles of the Washington, D.C. law firm of Crowell and Moring, submitted to support SAWS' request for review. Mr. Quarles' letter refers to the technical report prepared at his request by Horizon Environmental Services Inc. The scientific information in the report and Mr. Quarles' analysis lead us to believe that a review of the 1993 minimum spring flow requirements is in order. It is in the interest of both the Service and SAWS, we believe, to assure that the Aquifer pumping restrictions are based on current, accurate, and sound science.

SAWS asks your prompt attention to this request.

Sincerely,



Leonard D. Young, P.E.  
President/Chief Executive Officer

cc: Dale Hall, Regional Director  
U.S. Fish & Wildlife Service – Region 2  
Department of the Interior  
500 Gold Avenue, SW  
Albuquerque, NM 87102-8100