

**Today (March 30<sup>th</sup>) is the 22<sup>nd</sup> anniversary of the Grand Jury investigation of BMA. Let's examine the Grand Jury's conclusion (below) and the progress made in the ensuing 22 years.**

[The Grand Jury's CONCLUSION starts here]

**“CONCLUSION**

This Grand Jury has undertaken to investigate with singular purpose the charges leveled at BMA. It has found the guardian of one of the most precious of our natural resources to be in a state of near-paralysis. This Grand Jury cannot provide a “quick fix” for BMA's problems. Recovery from years of mismanagement and neglect will be a long, sometimes painful process. Healing of the discord that has gutted the District must start with the Board of Directors.

Continuing review shall be maintained by the Office of the District Attorney and future Grand Juries however until some substantive measures are taken to get control of this runaway train we can all watch how this incapable governing body wastes one of our most precious natural resources – **WATER.**”

**[Note: The Grand Jury's CONCLUSION ends here]**

Other parts of the Grand Jury's summary indicates that the investigation “commenced upon complaints by individual tax paying members of the BMA WCID No. 1, members of the Board of Directors of BMA WCID No.1 and members of the general public...upon complaints including allegations in three categories as follows:

- VOTING IRREGULARITIES
- VIOLATIONS OF THE TEXAS OPEN MEETINGS ACT
- MISAPPLICATION OF PUBLIC FUNDS”

So what is SML's assessment of progress since the Grand Jury's conclusion?

SML is not in a position to comment on any progress made in the “three categories” of the investigation, but we do have recent data to examine BMA's progress in how it “waste one of our most precious natural resources – **WATER.**”

As indicated in the table below, in October and November, 2020 BMA diverted 7,343.9 Acre-Feet (AF) of water into the irrigation canals in order to provide 1,679 AF of water to the farmers. That means that BMA diverted **4.37 TIMES** as much water as was purchased by the farmers. Put another way, **77.14%** of the water released into the canals was either lost, wasted, and/or stolen. Not only do these data indicate that BMA has not reduced its “wasting” of water; it should be noted that this release of water occurred in October and November was when approximately **50% of the lake was gone.** Others have suggested that diversion of Medina Lake water should be stopped if the lake drops to **75% or 65% full.** In addition, the river flow into the lake during this period has been approximately **85% LESS** than the median annual flow for the last **38 years!** So the lake is being drained when it's already very depleted and the river inflow is almost non-existent.

Furthermore, with **more than 60% of the lake gone,** a valve in Medina Dam was opened on March 24, 2021 and is currently releasing an estimated **250 AF of water daily.** [Note: that amount has to be estimated from the volume lost daily from the lake because BMA has never followed through on its commitment to meter the water flowing out of the dam.]

So... we are now watching the lake disappear as we did a few years ago. What does that mean to Medina and Banderita Counties? To San Antonio and the surrounding region? From past experience, losing the lake will reduce property values by almost 50% (and therefore property taxes to support the counties' public schools,

public safety, law enforcement, etc.). Local business owners will be put out of business (approximate 75% closed last time) and that will provide another “hit” to the local and state tax base and will affect the quality of life in the area. The citizens of San Antonio and the surrounding region will lose one of their favorite recreational resources and a major source of recharge for the Edwards Aquifer. The few farmers who buy water from BMA will lose that water source, and the local wildlife, fish, and ecology will sustain a major “hit”. Recovery from such a catastrophe will take years, if at all. And why are we risking this? So that BMA can provide water to only about 11% of eligible property owners (approximately 350 of 3,200) in order to irrigate less than one-third of the acreage authorized in BMA’s permit to grow mainly grass! And do these 11% of farmers pay the costs of BMA’s operation? What **the farmers pay** for water - plus the water assessment tax paid by all eligible property owners – **amounts to only 16% of BMA’s revenue**. The remaining **84% comes** mainly from San Antonio Water Systems (SAWS) and other sources that do not receive water from BMA. SAWS no longer takes water from Medina Lake but it continues to honor the contract that it inherited when Bexar Met was dissolved by the Texas Legislature. **Is this highly subsidized and wasteful irrigation system that predominantly grows grass the best use of the State’s water?**

Lastly, the Grand Jury’s CONCLUSION (above) called for “Continuing review shall be maintained by the Office of the District Attorney and future Grand Juries”... **Have we seen any such continuing reviews in the last 22 years?**

**Most Recent Data on BMA’s Water Management**

Time period	<i>Estimated</i> AF of Water Released from Medina Dam [1]	AF of Water Diverted into Irrigation Canals [2]	AF of Water Sold to Farmers [3]	% of Diverted Water Sold to Farmers	<b>% of Diverted Water Lost, Wasted or Stolen</b>
October 2020	6,000	4,009.4	1,099	25.17 %	<b>74.83%</b>
November 2020	4,000	3,334.5	580	17.39 %	<b>82.61%</b>
Combined	10,000	7,343.9	1,679	22.86 %	<b>77.14%</b>

[1]Estimated from USGS data, [2] Data from TCEQ (Texas Commission on Environmental Quality) [3] Data from BMA



A concerned citizen sent these pictures on March 26, 2021, only 2 days after the dam valve was opened. They show how irrigation is being done while the lake is being drained with only 35% remaining. One shows the canal so full that it is at risk of over-topping and allowing water to spill out while the other shows water overflow from a field into the street. The concerned citizen entered the red circle in the distance to show where the irrigation canal is and he also indicated that there is a flooded field to the right.