

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 9, 2015

Bridget C. Bohac, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC-105
Austin, Texas 78711-3087

Re: Docket No. 2015-1444-WR
Lower Colorado River Authority Water Management Plan
Hearing Requests filed on Water Rights Permit No. 5838

Dear Ms. Bohac:

Attached for filing please find an original and seven copies of the Executive Director's Response to Hearing Request in the above referenced matter. Please feel free to contact either Robin Smith at robin.smith@tceq.texas.gov or Dinniah Tadema at dinniah.tadema@tceq.texas.gov if you have any questions.

Sincerely,

Robin Smith
Staff Attorney
Environmental Law Division

Dinniah C. Tadema
Staff Attorney
Environmental Law Division

Enclosure

cc: Mailing List

TCEQ DOCKET NO. 2015-1444-WR

APPLICATION BY LOWER	§	BEFORE THE TEXAS
COLORADO RIVER	§	
AUTHORITY FOR AN	§	COMMISSION ON
AMENDMENT TO WATER	§	
MANAGEMENT PLAN	§	
PERMIT NO. 5838	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUEST

The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) respectfully submits this response to the hearing requests filed for Lower Colorado River Authority's (LCRA) application for an amendment to Water Use Permit No. 5838, LCRA's Water Management Plan. Eighty-six hearing requests were received. Sixty-eight hearing requests were withdrawn prior to this filing. The remaining 18 hearing requests are:

Water Right Holders and Firm Contract Holders:

- (1) STP Nuclear Operating Company
- (2) City of Austin

Firm or Interruptible Contract Holders Under LCRA's Certificates of Adjudication:
Firm:

- (3) Highland Lakes Firm Water Customer Cooperative
- (4) Central Texas Water Coalition Inc.

Interruptible:

- (5) Garwood Irrigation Company and the Lehrer/Lewis Interests
- (6) Haskell Simon
- (7) Texas Rice Producers Legislative Group, Laurance Armour, III, Daniel Berglund, and Ronald Gertson
- (8) Texas Farm Bureau

Hearing requestors that are not water right holders or LCRA contract holders:

- (1) Blake Davidson; (2) Michael Sullivan; (3) Kimbra Henry; (4) Patricia Porter; (5) Wayne Bulgerin; (6) Susan Denn and Robert Schmidt; (7) Russell Lynch; (8) Sharen Comstock; (9) Brian Banigan, and (10) National Wildlife Federation.

The Executive Director respectfully recommends that the Commission grant nine of the hearing requests, and deny nine of the hearing requests, and refer the matter to the State Office of Administrative Hearings for a contested case hearing. If referred, the Executive Director recommends at least nine months for the hearing.

Staff has prepared a map of the locations of the hearing requestors along the Colorado River. The map shows the organization and individual hearing requestors.

I. APPLICATION

LCRA seeks an amendment to its WMP pursuant to Texas Water Code § 11.122 and Texas Commission on Environmental Quality Rules 30 Texas Administrative Code (TAC) §§ 295.1, et seq. Pursuant to 30 TAC § 295.158, mailed and published notice was issued to water holders of record in the Colorado River Basin.

The WMP for the Lower Colorado Basin defines LCRA's water management programs and policies in accordance with the Final Order of Adjudication of the water rights for the Lower Colorado River Authority; the Enabling Act of the Lower Colorado River Authority; General Law of the State of Texas, particularly the Texas Water Code; LCRA's Certificates of Adjudication Nos. 14-5478 and 14-5482, as amended; the Commission's Orders concerning the WMP; and the policies of the Lower Colorado River Authority's Board of Directors. TCEQ considers the WMP to be part of LCRA's water rights. Amendments to the WMP were last approved by the Texas Commission on Environmental Quality (TCEQ) on January 27, 2010.

LCRA engaged in an extensive stakeholder process to develop proposed amendments to the WMP. LCRA's proposed substantive revisions to the WMP under this amendment fall within three areas: 1) interruptible stored water availability; 2) new environmental flow criteria based on the most recent scientific studies and implementation of those criteria; and 3) a new determination of the combined firm yield.

1. Interruptible Stored Water Availability

Firm demands take precedence over all other uses; therefore, the proposed amendment to the WMP requests a reduction in interruptible supplies to offset the increase in firm water demand. The reduction is achieved by revising the annual interruptible water supply curtailment policy. Under the 2014 WMP, LCRA will determine availability of Interruptible Stored Water for its Gulf Coast, Lakeside operations and Pierce Ranch separately for First and Second Crop and apply volumetric limits on the availability of Interruptible Stored Water for each Crop Season. The amount of water available for these irrigation operations will be based on a Water Supply Condition: "Normal", "Less Severe", or "Extraordinary Drought" combined with a look-ahead test. Under the requirements in the WMP for the look-ahead test, if the LCRA Board determines that the Combined Storage would drop below 900,000 acre-feet in the upcoming Crop Season or below 600,000 acre-feet within twelve months, LCRA will not begin releasing water for non-Garwood irrigation operations for that Crop Season.

2. Environmental Flow Criteria

LCRA's amendment to the WMP includes a change in the procedure for supplying water to help meet instream flow needs at certain locations downstream of Lady Bird Lake and

incorporates specific instream flow values based on the most recent scientific studies, as set out in WMP Section 4.4.2. The 2014 WMP includes three levels of instream flows: 1) subsistence; 2) base-dry; and 3) base-average and the amount of water provided will be determined based on combined storage on March 1st and July 1st. The WMP also includes specific trigger levels at which the three levels of instream flows apply. Under the 2014 WMP, LCRA will make releases from Lakes Buchanan and Travis limited to the daily storable inflows to help meet base-average and base-dry instream flows. In addition to storable inflows, previously stored water will be released as necessary to maintain subsistence flows.

LCRA will not manage water in the lower Colorado River to specifically provide for pulse flows under the 2014 WMP. However, LCRA will monitor pulse flows during the time period that this amendment to the WMP is in effect to assess whether pulse flows are occurring at the frequency recommended in the 2008 instream flow study of the lower Colorado River. (WMP Section 4.4.3)

LCRA's amendment to the WMP also includes a change in the procedures for supplying water to help meet freshwater inflow needs. The freshwater inflow criteria are based on the most recent scientific studies as set out in Section 4.4.3 of the WMP. The WMP freshwater inflow criteria include five levels of inflow to help meet freshwater inflow needs and are defined using two-month operational criteria. The 2014 WMP also includes three month spring and fall freshet requirements and a combined storage trigger at which specific freshwater inflow levels apply.

At the end of each month, to the extent storable inflows are available, LCRA will provide storable inflows, if available, as necessary to meet the two-month operational criteria. In all months, LCRA will release storable inflows to help meet the Threshold level of 15,000 acre-feet per month, to the extent of storable inflows. The WMP also includes additional limitations, which may reduce the amount of water LCRA provides to help meet freshwater inflow needs.

In the event of a pro rata curtailment of firm supplies, the applicable instream flow and freshwater inflow criteria will be subject to the same percentage curtailment as imposed on LCRA's firm water customers. The WMP includes annual and multi-year caps on water for environmental flows in Section 4.4.4 of the WMP.

3. Combined Firm Yield

LCRA requests a change to the combined firm yield of Lakes Buchanan and Travis. Under the 1988 Adjudication Order, LCRA's firm commitments shall not exceed the combined firm yield. The Combined Firm Yield represents the maximum amount of water LCRA can commit from Lakes Buchanan and Travis for firm water supply. Based on updated modeling using a modified version of the TCEQ's water availability model

(WAM) for the Colorado River Basin, the combined firm yield of Lakes Travis and Buchanan is reduced from 535,812 acre-feet (which includes 90,546 acre-feet of water associated with O.H. Ivie Reservoir) to 434,154 acre-feet (which does not include an amount for O.H. Ivie Reservoir). The combined firm yield was determined based on the average annual amount of water supplied during the critical period. The new combined firm yield is a net reduction of 11,112 acre-feet from the previously calculated combined firm yield. The combined firm yield is subject to change in future WMP revisions. (WMP Section 3.2.)

II. PROCEDURAL HISTORY

LCRA's Application No. 5838A to amend the WMP was received by the Commission on March 12, 2012, and was declared administratively complete on April 19, 2012. Technical review was completed in November 2012 and the application was sent to notice and the comment period ended on May 28, 2013. On June 3, 2013, based on public comment and the ongoing drought conditions, the Executive Director determined that further evaluation of LCRA's application was necessary. In May 2014, after review of more recent severe drought data, the Executive Director's staff issued a draft report with recommendations related to the curtailment of interruptible stored water. On October 31, 2014, LCRA submitted a revised and supplemental application to amend its WMP that was intended to replace the 2012 WMP application. By statute, the technical review must be complete within one year of the administrative complete date. Technical review of LCRA's October 31, 2014 amended application was completed on June 11, 2015.

LCRA filed another revision to its application on May 21, 2015 to include its Firm Raw Water Drought Contingency Plan (Firm Customer DCP) in the WMP.

The WMP for the Lower Colorado River Basin defines LCRA's water management program and policies in accordance with the 1988 Final Judgment and Decree, *In re the Exceptions of the Lower Colorado River Authority and the City of Austin to the Adjudication of Water Rights in the Lower-Colorado River Segment of the Colorado River Basin*; the Enabling Act of the Lower Colorado River Authority; general Law of the State of Texas, in particular the Texas Water Code; LCRA's Certificates of Adjudication Nos. 14-5478 and 14-5482, as amended; the Commission's Orders concerning the WMP; and the policies of the Lower Colorado River Authority's Board of Directors. The LCRA's original and amended and supplemental applications were filed as allowed by these authorities.

Notices of the original and revised applications to amend the WMP were each published in newspapers regularly published and generally circulated in Mason, San Saba, Lampasas, Llano, Burnet, Travis, Bastrop, Gillespie, Williamson, Fayette, Colorado, Wharton and Matagorda Counties, Texas. These counties are the only counties in which

persons reside who may be affected by action taken by the Commission on the proposed amendments.

Notices of the original and revised applications to amend the WMP were also sent by first-class mail to the water right holders of record in the Colorado River Basin as required by law.

The Executive Director determined that the amendments to the WMP requested in the revised and supplemental application do not impair existing water rights, consider applicable environmental flow standards for the environment, are not detrimental to the public welfare, comply with TCEQ rules regarding water conservation and drought contingency plans, and are consistent with the Regional Water Plan.

III. LEGAL AUTHORITY

Pursuant to 30 Tex. Admin. Code § 55.251(a), the following may request a contested case hearing on water rights applications: the Commission, the Executive Director; the applicant; and affected persons when authorized by law. Affected persons are authorized to submit hearing requests for water rights applications under Tex. Water Code § 11.132(a). The Commission, on the request of any affected person, shall hold a hearing on a water rights application. The procedures for determining whether a hearing requestor is an affected person and whether the hearing request is valid are set forth in 30 Tex. Admin. Code §§ 55.250-55.256, which apply to water rights applications such as this one that were declared administratively complete after September 1, 1999.

An affected person is “one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application.” 30 Tex. Admin. Code § 55.256(a). An interest “common to members of the general public” does not qualify as a personal justiciable interest. Id.

Governmental entities with authority under state law over issues contemplated by the application may be considered affected persons. 30 Tex. Admin. Code § 55.256(b).

To determine whether a hearing requestor is an affected person, all relevant factors must be considered. 30 Tex. § 55.256(c). These factors include, but are not limited to:

- (1) Whether the interest claimed is one protected by the law under which the application will be considered;
- (2) Distance restrictions or other limitations imposed by law on the affected interest;
- (3) Whether a reasonable relationship exists between the interest claimed and the activity regulated;

- (4) Likely impact of the regulated activity on the health, safety, and use of property of the person;
- (5) Likely impact of the regulated activity on use of the impacted natural resource by the person; and
- (6) For governmental entities, their statutory authority over or interest in the issues relevant to the application.

A hearing request by a group or association must meet the requirements set forth in 30 Tex. Admin. Code § 55.252(a). There are three requirements. First, at least one member of the group or association would have standing to request a hearing on his or her own. Second, the interests that the group or association seeks to protect must be germane to its purpose. Third, neither the claim asserted nor the relief requested by the group or association requires participation of the individual member(s) in the case.

A hearing request must substantially comply with the four requirements set forth in 30 Tex. Admin. Code § 55.251(c):

- (1) Give the name, address, and daytime telephone number of the person filing the request. If made by a group or association, the request must identify one person by who shall be responsible for receiving all official communications for the group, with the person's name, address, daytime telephone number and facsimile number if possible.
- (2) Identify the person's personal justiciable interest affected by the application, including a written statement explaining the requestor's location and distance relative to the application activity and how/ why the requestor believes he or she will be affected by the activity in a manner not common to members of the general public.
- (3) Request a contested case hearing.
- (4) Provide any other information specified in the public notice of the application.

The request for a contested case hearing must be filed with the Commission's Chief Clerk during the public comment period. 30 Tex. Admin. Code § 55.251(d).

The Commission must grant a request for a contested case hearing made by an affected person if the request complies with the requirements of 30 Tex. Admin. Code § 55.251; is timely filed with the Chief Clerk; and is pursuant to a right to hearing authorized by law. 30 Tex. Admin Code § 55.255(b)(2).

IV. HEARING REQUESTS AND RECOMMENDATIONS

A total of 18 hearing requests were filed and were not withdrawn. All of the hearing requestors substantially complied with the procedural requirements of Section 55.251. However, four hearing requestors did not provide information to show that they were affected persons.

Recommendation of Grant

Water Right Holders

STP Nuclear Operating Company (STP) owns a diversion and impoundment water right, Certificate of Adjudication No. 13-5437, downstream of LCRA's lakes. Under the certificate, STP can divert 102,000 acre-feet from the Colorado River, and can store 202,000 acre-feet in off-channel reservoirs. STP is also a firm contract customer. Therefore, it is an affected person.

The City of Austin is also a water right holder as well as a firm contract customer of LCRA. It owns over 300,000 acre feet of water rights throughout the Colorado River Basin. It has water rights to divert water from Lake Austin, which is directly below LCRA's lakes and receives water from those lakes. The City of Austin is an affected person.

Firm or Interruptible Contract Holders with LCRA

The following seven entities or persons have either firm or interruptible contracts for water from LCRA: Firm contracts: 1) Highland Lakes Firm Water Customer Cooperative; 2) Central Texas Water Coalition, Inc.; Interruptible Contracts (Garwood's status as a contract holder is disputed): 3) Garwood Irrigation Company and the Lehrer/Lewis Interests; 4) Haskell Simon; 5) Texas Rice Producers Legislative Group, Laurance Armour, III, Daniel Berglund, and Ronald Gertson; and (8) Texas Farm Bureau.

Although the Executive Director would normally not recommend that a contract holder be considered to be an affected person in a water right hearing because the remedy for lack of performance would be breach of contract, the Final Determination for LCRA's adjudication and LCRA's Certificates of Adjudication Nos. 14-5478 and 14-5482 address these two types of contracts and require a "reservoir operation plan" to describe, in part, how it will operate the reservoirs to provide firm and interruptible water to its customers under the Final Determination and Certificates. The amendments to the WMP in this application directly impact both types of contracts because the application contains new curtailment levels. Therefore, their interest is protected by the law under

which the application will be considered, and the Executive Director believes that all six of these hearing requestors are affected persons.

There is a distinction between firm and interruptible contracts under the Final Determination and LCRA's Certificates of Adjudication for the Highland Lakes. As the type of contract implies, interruptible customers can be "interrupted" if "necessary to allow LCRA to satisfy all demands for water under such certificates pursuant to all firm, uninterruptible firm customers." LCRA's Certificate of Adjudication 14-5478, Provision (2)(B)(7). However, the Executive Director believes that both types of contract holders are affected persons under these certificates and the changes made to the Water Management Plan in this application.

Highland Lakes Firm Water Customer Cooperative names the following firm water contract holders: City of Burnet, City of Cedar Park, City of Leander, City of Pflugerville, Lakeway MUD, Travis County WCID No. 17, West Travis County Public Utility Agency, City of Lago Vista, and City of Marble Falls.

Central Texas Water Coalition, Inc. states that Windermere Oaks Water Supply Corporation and Barton Creek Lakeside Irrigation Company, which are members of its organization, are firm water customers with LCRA.

Garwood Irrigation Company purchases water under the 1987 Agreement and the 1998 Purchase Agreement between LCRA and Garwood Irrigation Company and the Lehrer/Lewis Interests own land on which rice is grown and on which water is supplied by LCRA. The Lehrer/Lewis Interests also allege that as a third party beneficiary, they have the right to enforce both the 1987 Agreement and the 1998 Purchase Agreement between LCRA and Garwood Irrigation Company. However, it is disputed whether the 1987 Agreement and 1998 Purchase Agreement are for firm or interruptible water.

Haskell Simon is a landowner and a rice farmer who is a customer of LCRA through annual water supply contracts.

Texas Rice Producers Legislative Group requests to be named a party on its own behalf and requests party status for the following three individual farmers: Laurance Armour, III; Daniel Berglund; and Ron Gertson. The Group argues that these farmers have standing to be parties in their own right as interruptible contract holders, and their interests are germane to the group's interests. Laurance Armour, III; Daniel Berglund; and Ron Gertson are all rice farmers that purchase water from LCRA.

The Texas Farm Bureau names five individuals who either farm or provide farming services to farmers. The three members who provide farming services are not farmers themselves with contracts with the LCRA. Two of the individuals are farmers who appear to have interruptible contracts with LCRA for water use from the Colorado River

for agriculture. Farm Bureau does not expressly state that they are interruptible contract holders, but says that they buy water from LCRA.

Concerning the organizations in the list above, each satisfies 30 Tex. Admin. Code § 55.252(a). At least one member of the group or association would have standing to request a hearing on his or her own. The interests that the group or association seeks to protect are germane to its purpose. And, neither the claim asserted or the relief requested by the group or association would require participation of the individual member(s) in the case. Thus, the organizations have satisfied the criteria for affected person status.

The above entities or persons have either firm or interruptible contracts for water. Because the Final Determination for LCRA's adjudication and LCRA's Certificates of Adjudication Nos. 14-5478 and 14- 5482 address these two types of contracts and require a "reservoir operation plan" to, in part, describe how it will operate the reservoirs to provide firm and interruptible water to its customers under the Final Determination and the Certificate, the Executive Director recommends finding that the following individuals and entities are affected persons: 1) Highland Lakes Firm Water Customer Cooperative; 2) Central Texas Water Coalition, Inc.; 3) Garwood Irrigation Company and the Lehrer/Lewis Interests; 4) Haskell Simon; 5) Texas Rice Producers Legislative Group, Laurance Armour, III, Daniel Berglund, and Ronald Gertson; and 6) and Texas Farm Bureau.

Environmental/Recreational Concerns

National Wildlife Federation (NWF) argues that the environment needs to be adequately protected in this proceeding. This is not an application for a new appropriation. However, part of the application was to incorporate several environmental studies in its procedures for providing water for environmental flows. LCRA supplies water for the environment. Additionally, the curtailment procedures could impact the environment.

National Wildlife Federation names a member, Ms. Jami Smith-Hanchey, who leases river-front property and owns and operates a kayak and canoe business at that location in Bastrop Texas. NWF states that she is interested in adequacy of flows of the river to maintain water quality, healthy fish and wildlife and an attractive environment for kayakers and canoeists. It states that her personal and business interests are affected by the levels of flow in the river. NWF is also concerned about affects to downstream water rights and the environment.

Although the ED would not recommend granting the request based on her economic concerns, the ED believes that Ms. Smith-Hanchey has shown a recreational interest in the flows of the Colorado River that is not common to the general public. Therefore, the

ED recommends that NWF be designated an affected person in this hearing.

Recommendations to Deny the Hearing Requests

No Information on Affected Person Status

Blake Davidson, Michael Sullivan, and Kimbra Henry did not provide information in their hearing requests on why they are affected persons. Wayne Bulgerin did not provide sufficient information in his hearing request to determine if he is an affected person. Therefore the ED recommends that these hearing requests be denied.

Own Property Near Lakes

Patricia Porter argues that she owns property near the lake that will decrease in value as the lake levels recede, and that their views of the lake will be impaired. Texas Water Code Section 11.134 and TCEQ rules do not recognize economic impact by itself, as an issue that the Commission must consider when issuing a water right that is not an Interbasin Transfer. Nothing in the Texas Water Code allows the TCEQ to reduce, modify, or deny an application to amend a water right because the action would draw down lake levels. Therefore, this hearing request should be denied.

Own Lakefront Property

The following individuals own lakefront property and assert that they are affected persons based on their ownership of lakefront property: Susan Denn and Robert Schmidt; Russell Lynch; Sharen Comstock; and Brian Timothy Banigan.

Susan Denn and Robert Schmidt assert that they own seven acres of Lake Travis waterfront property in Volente, Texas. Russell Lynch alleges that he owns a home on a cove of the Lake and that the drop in lake levels has caused his property value to go down. Sharen Comstock states that she and her husband own two homes on Lake Travis and they use and enjoy the waters of Lake Travis every day through: recreational use of the lake; beautiful views; wildlife enjoyment; increased property value; and water from Jonestown Water Supply Corporation. Brian Timothy Banigan states that he owns property on Lake Buchanan and that he is affected by the proposed amendment to the WMP.

Each of the above hearing requestors owns property on one of the Highland Lakes and explains how the lowering of the lakes affects his or her interests. Recreational uses and economic impact due to low lake levels are not protected rights or relevant factors under Texas Water Code Section 11.134. Nothing in the Texas Water Code allows the TCEQ to reduce, modify, or deny an application to amend a water right because the action would draw down lake levels.

Customer of Firm Contract Holder

Sharen Comstock asserts that she is a customer of firm contract holder and is therefore an affected person. The ED does not agree that this fact gives a person affected person status. Generally, a contract holder for the water in the water right is not considered an affected person because they are not protected by the law governing the application. The water supplier must provide the water under their contract and the buyer's remedy is with the supplier if this does not occur. The firm or interruptible contract holder's contracts with its customers are not a relevant consideration for this application. The ED does not believe that this customer is an affected person.

V. CONCLUSION

The Executive Director recommends that the Commission grant the following hearing requests: (1) STP Nuclear Operating Company; 2) City of Austin; 3) Highland Lakes Firm Water Customer Cooperative; 4) Central Texas Water Coalition Inc.; 5) Garwood Irrigation Company and the Lehrer/Lewis Interests; 6) Haskell Simon; 7) Texas Rice Producers Legislative Group, Laurance Armour, III, Daniel Berglund, and Ronald Gertson; (8) Texas Farm Bureau; and (9) The National Wildlife Federation .

The Executive Director recommends that the Commission deny the following hearing requests: (1) Blake Davidson; (2) Michael Sullivan; (3) Kimbra Henry; (4) Patricia Porter; (5) Wayne Bulgerin; (6) Susan Denn and Robert Schmidt; (7) Russell Lynch; (8) Sharen Comstock; and (9) Brian Banigan.

The Executive Director recommends that the Commission refer this matter to the State Office of Administrative Hearings for a contested case hearing based upon the reasons set forth in the Executive Director's recommendations herein, in addition to any determination by the Commission that a hearing would be in the public interest. 30 Tex. Admin. Code § 55.255(c).

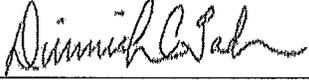
Respectfully submitted,

Richard A. Hyde, P.E.
Executive Director

Caroline Sweeney, Deputy Director
Office of Legal Services

Robert Martinez, Director
Environmental Law Division

by 
Robin Smith
State Bar of Texas No. 18645600

By 
Dinniah Tadema
State Bar of Texas No. 24050400
Environmental Law Division, MC 173
P.O. Box 13087
Austin, Texas 78711-3087
(512) 239-0463
(512) 239-0606 (FAX)
Robin.Smith@tceq.texas.gov
Dinniah.Tadema@tceq.texas.gov

CERTIFICATE OF SERVICE

I certify that on the 9th day of October, 2015, the foregoing *Executive Director's Response to Hearing Request* was filed electronically with the Chief Clerk of the Texas Commission on Environmental Quality in Austin, Texas, and that a true and correct copy was delivered by electronic mail, by facsimile, or by first-class mail to the persons on the attached Mailing List.



Robin Smith, Staff Attorney
Environmental Law Division



Dinniah C. Tadema, Staff Attorney
Environmental Law Division
Texas Commission on Environmental Quality

x /

MAILING LIST
LOWER COLORADO RIVER AUTHORITY
TCEQ DOCKET NO. 2015-1444-WR; WRPERM 5838

FOR THE APPLICANT:

Karen Bondy
Lower Colorado River Authority
P.O. Box 220
Austin, Texas 78767-0220
Tel: (512) 473-3200

David Wheelock
Lower Colorado River Authority
P.O. Box 220
Austin, Texas 78767-0220
Tel: (512) 473-3200

FOR THE EXECUTIVE DIRECTOR:

via electronic mail:

Todd Galiga, Senior Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC 173
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Sarah Henderson, Technical Staff
Texas Commission on Environmental Quality
Water Availability Division, MC 160
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-2535
Fax: (512) 239-2214

Brian Christian, Director
Texas Commission on Environmental Quality
Small Business and Environmental Assistance
Program, MC 108
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4000
Fax: (512) 239-5678

FOR PUBLIC INTEREST COUSEL:

via electronic mail:

Vic McWherter, Public Interest Counsel
Texas Commission on Environmental Quality
Public Interest Counsel, Mc 103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6363
Fax: (512) 239-6377

FOR ALTERNATIVE DISPUTE RESOLUTION:

via electronic mail:

Kyle Lucas
Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC 222
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4010
Fax: (512) 239-4015

FOR THE CHIEF CLERK:

Bridget C. Bohac
Texas Commission on Environmental Quality
Office of Chief Clerk, MC 105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311

REQUESTOR(S):

Haskell Simon
Po Box 106
Bay City, Texas 77404-0106

Cynthia C Smiley
Smiley Law Firm Pc
6000 Shepherd Mountain Cv Unit 2107
Austin, Texas 78730-4910

Mr. Michael T Sullivan
123 Rocket St
Lakeway, Texas 78734-3817

Wayne Bulgerin
407 Bumpy Ridge Dr
Burnet, Texas 78611-4007

Sharen Cornstock
6108 Lantern View Dr
Jonestown, Texas 78645-4654

Blake Davidson
806 Monarch Ave
Cedar Park, Texas 78613-2116

Patricia P Porter
13303 Mansfield Dr
Austin, Texas 78732-1728

Carolyn Ahrens
Booth Ahrens & Werkenthin Pc
206 E 9th St Ste 1501
Austin, Texas 78701-4423

Molly Cagle
Baker Botts Llp
98 San Jacinto Blvd Ste 1500
Austin, Texas 78701-4297

Ross Crow
City Of Austin
301 W 2nd St
Austin, Texas 78701-3906

Ms. Kimbra K. Henry
Keller Williams
2201 Lakeway Blvd Apt 11
Lakeway, Texas 78734-5148

Robert M Lueck
14813 Arrow Head Dr
Volente, Texas 78641-6136

Robert & Susan Denn Schmitt
3422 S Lamar Blvd
Austin, Texas 78704-7931

Patricia Erlinger Carls
Carls Mcdonald & Dalrymple Llp
901 S Mo Pac Expy Ste 280
Bldg 1
Austin, Texas 78746-5776

Ross Crow
City Of Austin
Po Box 1088
Austin Tx 78767-1088

Myron J Hess
Counsel, National Wildlife Federation
44 East Ave Ste 200
Austin, Texas 78701-4385

Carol Lynch
14721 Arrow Head Dr
Leander, Texas 78641-9122

Brian Timothy Banigan
300 Chesapeake Bay Ln S
Austin, Texas 78717 -2975

Peter G. Nemeth, General Counsel
STP Nuclear Operating Company
P.O. Box 289
Wadsworth, Texas 77483

Ronald Gertson, President
Texas Rice Producers Legislative Group
c/o Colorado Water Issues Committee
2511 San Bernard Dr.
East Bernard, Texas 77435

Laurence Armour, III
Pierce Ranch
P.O. Box 538
Pierce, Texas 77467

Daniel Berglund
588 Crescent Lane
Wharton, Texas 77488

