

**Marisa Weber**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, October 05, 2015 10:01 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

*KWR*  
*8/23/15*

**From:** [mbanigan@sbcglobal.net](mailto:mbanigan@sbcglobal.net) [mailto:[mbanigan@sbcglobal.net](mailto:mbanigan@sbcglobal.net)]  
**Sent:** Monday, October 05, 2015 8:54 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** MR Mark T Banigan

**E-MAIL:** [mbanigan@sbcglobal.net](mailto:mbanigan@sbcglobal.net)

**COMPANY:**

**ADDRESS:** 1940 COUNTY ROAD 140  
BURNET TX 78611-3432

**PHONE:** 5124215032

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

*mw*

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:49 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 08, 2013 3:00 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
002315*

**From:** [mbanigan@sbcglobal.net](mailto:mbanigan@sbcglobal.net) [mailto:[mbanigan@sbcglobal.net](mailto:mbanigan@sbcglobal.net)]  
**Sent:** Wednesday, May 08, 2013 2:46 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

REGULATED ENTY NAME 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

RN NUMBER: RN104252267

PERMIT NUMBER: WRPERM 5838

DOCKET NUMBER:

COUNTY: BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

PRINCIPAL NAME: LOWER COLORADO RIVER AUTHORITY

CN NUMBER: CN600253637

FROM

NAME: Mark T Banigan

E-MAIL: [mbanigan@sbcglobal.net](mailto:mbanigan@sbcglobal.net)

COMPANY:

ADDRESS: 1940 COUNTY ROAD 140  
BURNET TX 78611-3432

PHONE: 5124215032

*C*

FAX:

**COMMENTS:** As a property owner on Lake Buchanan I am affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, I request the TCEQ's careful attention to my comments and TCEQ's approval of our request for a hearing. 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF 2) Keep the current TCEQ Emergency Order in effect 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology 5) Require LCRA to begin working immediately with stakeholders on a new WMP that: Properly protects firm users in times of drought; Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water. Thank you for your consideration of these important issues. Please let me know if you need any additional information.

**Melissa Schmidt**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 12:34 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [daveon1tee@austin.rr.com](mailto:daveon1tee@austin.rr.com) [mailto:[daveon1tee@austin.rr.com](mailto:daveon1tee@austin.rr.com)]  
**Sent:** Monday, August 31, 2015 10:53 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
02315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** David Benson

**E-MAIL:** [daveon1tee@austin.rr.com](mailto:daveon1tee@austin.rr.com)

**COMPANY:**

**ADDRESS:** 409 GOLF CREST LN  
LAKEWAY TX 78734-4637

**PHONE:** 5122619279

**FAX:**

**COMMENTS:** Please withdraw my individual hearing request.

*MS*

Marisa Weber

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**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:45 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, May 09, 2013 7:30 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
02315*

**From:** [daveon1tee@austin.rr.com](mailto:daveon1tee@austin.rr.com) [mailto:[daveon1tee@austin.rr.com](mailto:daveon1tee@austin.rr.com)]  
**Sent:** Wednesday, May 08, 2013 4:22 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** David Benson

**E-MAIL:** [daveon1tee@austin.rr.com](mailto:daveon1tee@austin.rr.com)

**COMPANY:**

**ADDRESS:** 409 GOLF CREST LN  
LAKEWAY TX 78734-4637

**PHONE:** 5122619279

*MW*

**FAX:**

**COMMENTS:** I am a supporter of the Central Texas Water Coalition which has made a number of important suggested changes to the LCRA's Watermanagement Plan. Without these changes, the Water Management Plan has serious deficiencies and does not work to protect firm customers and the drinking water for Central Texas. I believe a contested case hearing is warranted.

**Marisa Weber**

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, October 06, 2015 8:37 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [durrill@aol.com](mailto:durrill@aol.com) [<mailto:durrill@aol.com>]  
**Sent:** Tuesday, October 06, 2015 8:36 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Chris Black

**E-MAIL:** [durrill@aol.com](mailto:durrill@aol.com)

**COMPANY:**

**ADDRESS:** 349 COVENTRY RD  
SPICEWOOD TX 78669-3120

**PHONE:** 8306930792

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MW*

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, October 06, 2015 8:35 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [durrill@aol.com](mailto:durrill@aol.com) [mailto:[durrill@aol.com](mailto:durrill@aol.com)]  
**Sent:** Tuesday, October 06, 2015 8:33 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WRP  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Chris Black

**E-MAIL:** [durrill@aol.com](mailto:durrill@aol.com)

**COMPANY:**

**ADDRESS:** 11107 MEADOWICK DR  
HOUSTON TX 77024-7503

**PHONE:** 7139842330

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MW*

May 1st, 2013

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

REVIEWED

MAY 09 2013

By HP

*WJR*  
*82315*

2013 MAY - 8 AM 10: 26

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

CHIEF CLERKS OFFICE

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: CHRIS BLACK

*A* MAILING ADDRESS: 11107 MEADOWICK  
HOUSTON, TEXAS 77024

DAYTIME PHONE NUMBER(S): 713-984-2330

FAX NUMBER (IF ANY): \_\_\_\_\_

EMAIL ADDRESS: DURILL @ AOL.COM

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

- 1) IMPOSE A MINIMUM STORAGE LEVEL/ANYTIME CUTOFF OF 850,000 A/F
- 2) KEEP THE CURRENT TCEQ EMERGENCY ORDER IN EFFECT
- 3) REQUIRE LCRA TO USE HYDROLOGIC DATA FROM 2009 TO PRESENT
- 4) ENCOURAGE LCRA TO WORK MORE CLOSELY WITH STAKEHOLDERS ON A NEW WMP

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

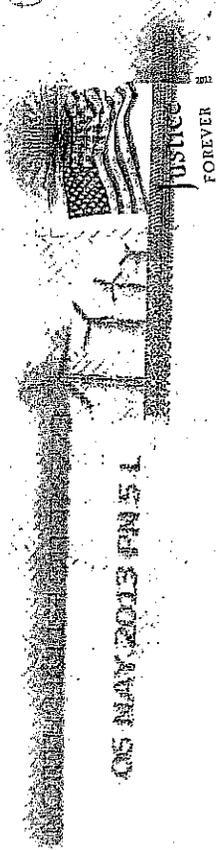
Sincerely,

*Chris Black*

*A ALSO 349 CONVENTRY  
SPICEWOOD TEXAS 78669*

C. BENCE  
1102 MEADOWICK  
AUSTIN, TX 78704

CHIEF CLERKS OFFICE



05 MAY 2013 PM 5:1

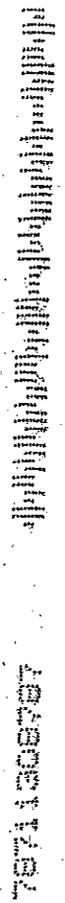
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY -8 AM 10:26

CHIEF CLERKS OFFICE

BRIDGET C. BENCE - CHIEF CLERK  
OFFICE OF THE CHIEF CLERK (MC 105)  
PO BOX 13087  
AUSTIN, TEXAS 78711-3087

RECEIVED  
MAY 08 2013  
TCEQ MAIL CENTER  
EB



Ms. Bridget C Bohac,  
Chief Clerk; MC-105,  
TCEQ;  
P O Box 13087;  
Austin, Texas 78711-3087)

*WMP  
8/23/15*

Dear Ms. Bohac,

I am writing to you as a concerned property owner at Windermere on Lake Travis requesting that the proposed WMP be passed as soon as possible. While I understand the concern of rice farmer's interests, they are now a small part of the impact of the Lake Travis and Buchanan watersheds, and have enjoyed for too long unlimited access at the detriment to all of us stakeholders that depend on the lakes.

Thanks for your consideration.

Best Regards,  
*Chris Black*

Chris Black  
349 Coventry Road  
Spicewood, Texas 78669

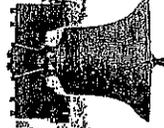
**REVIEWED**  
MAY 11 2012  
By *RP*

CHIEF CLERK OFFICE

2012 MAY 11 11:09:13

TEXAS  
COMMISSION ON  
LAWRENCE J. HALL  
CLERK

USA FIRST CLASS FOREVER



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

MAY 11 11 AM '12

CHIEF CLERK'S OFFICE

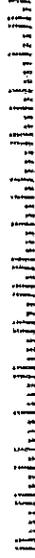
MAY 2012 PM 2 11

RECEIVED

MAY 11 2012

TCEQ MAIL CENTER  
MM

Ms. Bridget C Bohac,  
Chief Clerk; MC-105,  
TCEQ;  
P O Box 13087;  
Austin, Texas 78711-3087



7871133087

**CERTEX**

CERTEX  
1110 Lockwood Drive  
Houston, Texas 77020

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 9:04 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [sbooth@sgifs.com](mailto:sbooth@sgifs.com) [<mailto:sbooth@sgifs.com>]  
**Sent:** Tuesday, September 01, 2015 9:03 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Scott Booth

**E-MAIL:** [sbooth@sgifs.com](mailto:sbooth@sgifs.com)

**COMPANY:**

**ADDRESS:** PO BOX 26800  
AUSTIN TX 78755-0800

**PHONE:** 5126373649

**FAX:** 5123437317

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

May 22<sup>nd</sup>, 2013

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

2013 MAY 28 AM 10:21

CHIEF CLERKS OFFICE

WR  
82313

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Scott Booth

MAILING ADDRESS: PO Box 26800  
Austin, TX 78755

DAYTIME PHONE NUMBER(S): (512) 637-3649

FAX NUMBER (IF ANY): (512) 343-7317

EMAIL ADDRESS: sbooth@sgifs.com

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. We operate a marina on Lake Travis so we have an economic interest in the lake's sustainability during prolonged droughts. We feel that the minimum storage level should be set at 850,000 AF instead of 600,000 AF.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,  


REVIEWED

MAY 29 2013

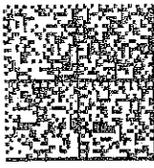
By 

MW

SGP Capital Investments, Inc.  
PO Box 26800  
Austin, TX 78755

RECEIVED Service  
Requested  
MAY 28 2013  
TCEQ MAIL CENTER  
MM

Presort  
First Class Mail  
Combas Price



U.S. POSTAGE PITNEY BOWES  
ZIP 78731 \$ 000.43<sup>3</sup>  
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0001373566 MAY 24 2013

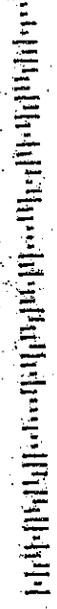
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 28 AM 10: 21

CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality

PO Box 13087  
Austin, TX 78711



73 KQJVFMP 78711

Melissa Schmidt

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 3:07 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [pbreaux@hotmail.com](mailto:pbreaux@hotmail.com) [mailto:[pbreaux@hotmail.com](mailto:pbreaux@hotmail.com)]  
**Sent:** Monday, August 31, 2015 1:33 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Paul Breaux

**E-MAIL:** [pbreaux@hotmail.com](mailto:pbreaux@hotmail.com)

**COMPANY:**

**ADDRESS:** 11301 LIME CREEK RD  
LEANDER TX 78641-6008

**PHONE:** 5122491976

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I submitted in 2013.

*MS*

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:48 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 08, 2013 3:00 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**From:** [pbreaux@hotmail.com](mailto:pbreaux@hotmail.com) [<mailto:pbreaux@hotmail.com>]  
**Sent:** Wednesday, May 08, 2013 1:57 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTITY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Paul Breaux

**E-MAIL:** [pbreaux@hotmail.com](mailto:pbreaux@hotmail.com)

**COMPANY:**

**ADDRESS:** 11301 LIME CREEK RD  
LEANDER TX 78641-6008

**PHONE:** 5122491976

*Paul*

FAX:

**COMMENTS:** Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Concerns and changes still needed: 1) Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Only data up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past 2) No clear and distinct provisions are made for lake recovery time. As evidenced by 2010, one good year of rainfall and recovery in the midst of a drought cycle can be wiped out by huge releases the following year. This is what happened in 2011. Without an appropriate recovery period, we could be perpetually in a state of water emergency. 3) Despite implementing emergency orders curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. Even with the two Emergency Orders, we are facing a potential Drought Worse than Drought of Record (DWDOR) this summer, which evidences the serious failure of the WMP. 4) The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. Senators Fraser and Watson have introduced legislation to help correct this, but it should be included in the WMP as well. 5) There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may then become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future. 6) The WMP must use multi-year planning for managing multi-year drought cycles. Using a one-year approach rather than a multi-year is too risky. A more conservative assessment of future hydrology is needed. 7) Any customer that has a contract for "guaranteed" water (i.e.: Garwood Irrigation District) must be considered a firm water customer and pay the firm water rate. 8) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today.

Conclusions: Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agricultural, municipal, industrial, or lake interests. We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 17, 2015 4:01 PM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838  
**Attachments:** LCRA WMP withdrawal WRPERM 58381.pdf

WH

**From:** [kbrown2@ducks.org](mailto:kbrown2@ducks.org) [mailto:[kbrown2@ducks.org](mailto:kbrown2@ducks.org)]  
**Sent:** Monday, August 17, 2015 3:39 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-0817-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, LLANO, MATAGORDA, TRAVIS, WHARTON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Kirby Brown

**E-MAIL:** [kbrown2@ducks.org](mailto:kbrown2@ducks.org)

**COMPANY:** Ducks Unlimited

**ADDRESS:** 2500 NIEMANN DR  
AUSTIN TX 78748-2828

**PHONE:** 2102132805

**FAX:**

**COMMENTS:** Please see attached pdf file with withdrawal of contested case hearing by Ducks Unlimited. -- Kirby Brown

*MW*



Kirby Brown  
Conservation Outreach Biologist  
2500 Niemann Drive  
Austin, TX 78748  
(210) 213-2805 Fax (630) 625-0279  
[kbrown2@ducks.org](mailto:kbrown2@ducks.org)

August 17, 2015

Ms. Bridget C. Bohac  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

Re: Notice of Withdrawal of Request for Contested Case Hearing in the Matter of the Lower Colorado River Authority Water Management Plan; Water Right Application No. 5838

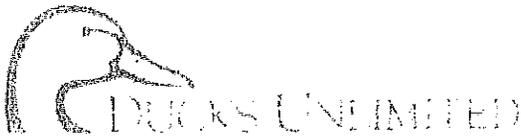
Dear Ms. Bohac:

By this letter, Ducks Unlimited (DU) hereby submits this **WITHDRAWAL OF REQUEST** for a **CONTESTED CASE HEARING** on Water Rights Application number 5838, filed by the Lower Colorado River Authority. Attached for your convenience is a copy of our original request.

Please contact me at the phone number or address listed about if you any questions or need additional information.

Sincerely,

Kirby Brown  
Conservation Outreach Biologist



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Conservation Outreach Biologist  
2500 Niemann Drive  
Austin, TX 78748  
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[kbrown2@ducks.org](mailto:kbrown2@ducks.org)

May 24, 2013

Ms. Bridget C. Bohac  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit Application No. 5838

Dear Ms. Bohac:

By this letter, Ducks Unlimited (DU) hereby requests a **CONTESTED CASE HEARING** on Water Rights Application number 5838, filed by the Lower Colorado River Authority. In support of this request, DU provides the following:

Pertinent Information

This request for a contested case hearing is submitted on behalf of Ducks Unlimited. The contact information for DU in this matter is as follows:

Kirby Brown  
Ducks Unlimited  
2500 Niemann Drive  
Austin, TX 78748  
Ph: 210-213-2805  
Fax: 630-625-0279  
email: [kbrown2@ducks.org](mailto:kbrown2@ducks.org)

Ducks Unlimited, a national, not-for-profit organization with a membership consisting of people dedicated to managing, restoring and protecting wetlands for the benefit of North American waterfowl, other fish and wildlife, and people<sup>1</sup>, could be affected in a way that is not common to the general public, depending on the outcome of the hearing on Water Rights Application Number 5838. DU's approximately 45,000 members in Texas use and enjoy those resources both recreationally and for various forms of economic benefit. As detailed below, we believe that many of our members would have standing to request this hearing in their own right.

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<sup>1</sup> The formal mission of Ducks Unlimited is "Ducks Unlimited conserves, restores, and manages wetlands and associated habitats for North America's waterfowl. These habitats also benefit other wildlife and people."

DU maintains a regional conservation field office in Richmond, Texas, and we have a Conservation Outreach Biologist based in Austin, Texas, who primarily advocates for adequate stream and river flows and other water sources to ensure water availability to manage habitat for waterfowl and fish and wildlife resources in Texas. DU is pursuing our wetland habitat conservation goals through a variety of avenues, including the filing of this hearing request. Founded 76 years ago, Ducks Unlimited is one of the nation's oldest conservation organizations, representing approximately 600,000 waterfowlers and other conservationists. As the world's leader in application of science-based wetlands conservation, DU remains very concerned over the currently considered change in the LCRA Emergency Order which has resulted in a second year without LCRA water for rice farmers, or management of wetland habitat for waterfowl and other wildlife in the rice prairie wetlands complex in the lower Colorado River basin.

Water Rights Application 5838 that is the subject of this hearing request has the potential to cause tremendous harm to wetland habitats and associated fish and wildlife resources, and thereby to DU members, in the Colorado River watershed, including Matagorda Bay. Through this application, LCRA basically seeks authority to significantly alter or deny interruptible water for rice in the lower portions of the Colorado River.

Science clearly demonstrates that rice fields produce more than just a commodity crop that is a significant driver of the regional economy. The rice prairie wetland complex is an essential habitat component of the Gulf Coast that supports over 200 species of wildlife and is critically important to waterfowl, shorebirds, wading birds and other wetland-dependent wildlife. The Gulf Coast is one of DU's top five continental conservation priorities, and it also is a high priority under the North American Waterfowl Management Plan (NAWMP). It is the single most important wintering area for waterfowl in North America, providing habitat for over 13 million ducks and 1.5 million geese. In addition, the Gulf Coast Joint Venture identifies specific population objectives for over 12 million shorebirds and millions of wading birds in the region.

The Texas Mid-Coast, a specific initiative area under the NAWMP Gulf Coast Joint Venture (GCJV), provides substantial and significant habitat for many species of waterfowl, shorebirds, and wading birds. It is the winter home to about 2 million ducks and 750,000 geese annually. Also, the mottled duck is a native, year-round resident of the Texas Gulf Coast, with an estimated population of approximately 71,000 birds representing about 35% of the world's population of the species. Mottled ducks make extensive use of the rice coastal prairie wetland complex, and recent surveys suggest the species may be declining in Texas. This is the last intact rice prairie wetland complex of its size remaining in Texas, and at its foundation is the Colorado River, an important migration landmark and critical source of water required to manage habitat for waterfowl and other wetland dependent migratory birds.

Ricelands provide 66% of foods that meet the dietary demands and energy supply of wintering waterfowl on the Texas Mid-Coast, with those in LCRA Irrigation Districts providing almost 50% of that food energy. For every 10,000 acre decline in the annual rice crop, the ability to support

120,000 wintering waterfowl is lost. The reduction of over 50,000 acres of rice in 2012 within LCRA's Irrigation Districts reduced the ability of the Texas Mid-Coast to support wintering waterfowl by approximately 600,000 birds, representing approximately 31% of the Texas Mid-Coast wintering population objective.

Since 1991, Ducks Unlimited, the Texas Parks and Wildlife Department, U.S. Fish and Wildlife Service and USDA Natural Resources Conservation Service have partnered on the Texas Prairie Wetlands Project (TPWP) to move toward NAWMP GCJV goals to provide sufficient habitat for wintering waterfowl populations per NAWMP GCJV conservation plans. The TPWP is a cooperative effort with private landowners to restore, enhance or create shallow-water wetlands through a 28-county focus area along the Gulf. To date, the TPWP has created or restored 60,000 acres of wetlands, 25% of which occur within LCRA's irrigation service area. The LCRA decision to withhold rice water from ~50,000 acres in 2012 neutralized the equivalent of 17 years of our partnership's habitat conservation efforts in the affected area. Please note that supplemental water is needed in most of these wetlands to ensure habitat quality, quantity and availability to migratory birds and other wildlife.

Obviously, increased storage levels in the Highland Lakes, as sought pursuant to the current application, would decrease downstream flows and further worsen the already unacceptable wetland habitat conditions in the affected lower basin. Additionally, those reduced flows would impact water quality in the river and would diminish river flows necessary to protect other fish and wildlife resources. Accordingly, DU's mission of conservation of wetlands as waterfowl habitat, and habitat for other fish and wildlife resources, would be directly and adversely affected by the granting of the subject permit.

Additionally, granting of the subject permit would impact many of DU's members and supporters who require wetland habitat as a basis for their ability to enjoy hunting, birding and other recreational activities; to engage in agriculture or hunting/fishing based tourism as their personal livelihoods; or to obtain the personal satisfaction of stewardship and management of their properties associated with the Colorado River and Matagorda Bay. DU believes that many of our members would have standing to request this hearing in their own right. For example, DU members Bink Grimes and William "Bill" Sherrill own properties and run lodges and guide businesses for anglers and waterfowl hunters. Their business operations require interruptible water supplied via the Colorado River and Lower Colorado River Authority to manage critical waterfowl habitats (including Texas Prairie Wetland Projects) from early fall through spring, providing important migratory bird habitat long before and well after hunting seasons. Hence, the ability of these two DU members to sustain their economic and recreational interests requires a dependable supply of water from the Colorado River to enable management and timely flooding of wetlands that are both important to their business, and that provide critically important waterfowl and wetland migratory bird habitat for much of the year. Their business operations, and much critical waterfowl and wetland migratory bird habitat all would be adversely affected if the subject permit is granted as proposed.

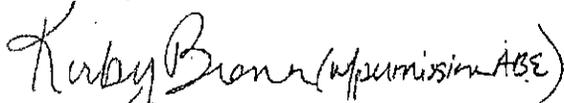
*Hearing Request of DU  
Appl. No. 5838, LCRA  
Page 4*

In particular, DU questions the lack of significant, coordinated and required water conservation restrictions and conservation efforts for nonessential water uses in all of the Colorado River basin's communities. For example, water use for irrigation of dormant winter lawns and other landscape plants, filling of swimming pools, and washing of vehicles may occur under this permit while supply of water to grow food for people, to support jobs in agriculture, outdoor-related tourism and related industries, and to provide habitat for wetland dependent wildlife are drastically curtailed with devastating impacts on Texas' natural resources and wetlands in the affected region.

In conclusion, Ducks Unlimited asserts that it should be granted standing and allowed to participate in the hearing on Water Rights Application Number 5838, because the impact of said hearing could greatly affect DU and its members for the reasons set forth above.

Please contact me at the phone number or address listed about if you any questions or need additional information.

Sincerely,

Handwritten signature of Kirby Brown in cursive script. The signature includes the name "Kirby Brown" followed by "(w/permission ABSE)" in parentheses.

Kirby Brown  
Conservation Outreach Biologist



Kirby Brown  
Conservation Outreach Biologist  
2500 Niemann Drive  
Austin, TX 78748  
(210) 213-2805 Fax (630) 625-0279  
[kbrown2@ducks.org](mailto:kbrown2@ducks.org)

May 24, 2013

Ms. Bridget C. Bohac  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

*WJR  
8/23/15*

2013 MAY 24 PM 1:57  
CHIEF CLERKS OFFICE  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: Comments and Request for Contested Case Hearing on Application to Amend LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit Application No. 5838

Dear Ms. Bohac:

By this letter, Ducks Unlimited (DU) hereby requests a **CONTESTED CASE HEARING** on Water Rights Application number 5838, filed by the Lower Colorado River Authority. In support of this request, DU provides the following:

Pertinent Information

This request for a contested case hearing is submitted on behalf of Ducks Unlimited. The contact information for DU in this matter is as follows:

Kirby Brown  
Ducks Unlimited  
2500 Niemann Drive  
Austin, TX 78748  
Ph: 210-213-2805  
Fax: 630-625-0279  
email: [kbrown2@ducks.org](mailto:kbrown2@ducks.org)

REVIEWED  
MAY 24 2013  
By *[Signature]*

Ducks Unlimited, a national, not-for-profit organization with a membership consisting of people dedicated to managing, restoring and protecting wetlands for the benefit of North American waterfowl, other fish and wildlife, and people<sup>1</sup>, could be affected in a way that is not common to the general public, depending on the outcome of the hearing on Water Rights Application Number 5838. DU's approximately 45,000 members in Texas use and enjoy those resources both recreationally and for various forms of economic benefit. As detailed below, we believe that many of our members would have standing to request this hearing in their own right.

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*[Handwritten signature]*

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Water Rights Application 5838 that is the subject of this hearing request has the potential to cause tremendous harm to wetland habitats and associated fish and wildlife resources, and thereby to DU members, in the Colorado River watershed, including Matagorda Bay. Through this application, LCRA basically seeks authority to significantly alter or deny interruptible water for rice in the lower portions of the Colorado River.

Science clearly demonstrates that rice fields produce more than just a commodity crop that is a significant driver of the regional economy. The rice prairie wetland complex is an essential habitat component of the Gulf Coast that supports over 200 species of wildlife and is critically important to waterfowl, shorebirds, wading birds and other wetland-dependent wildlife. The Gulf Coast is one of DU's top five continental conservation priorities, and it also is a high priority under the North American Waterfowl Management Plan (NAWMP). It is the single most important wintering area for waterfowl in North America, providing habitat for over 13 million ducks and 1.5 million geese. In addition, the Gulf Coast Joint Venture identifies specific population objectives for over 12 million shorebirds and millions of wading birds in the region.

The Texas Mid-Coast, a specific initiative area under the NAWMP Gulf Coast Joint Venture (GCJV), provides substantial and significant habitat for many species of waterfowl, shorebirds, and wading birds. It is the winter home to about 2 million ducks and 750,000 geese annually. Also, the mottled duck is a native, year-round resident of the Texas Gulf Coast, with an estimated population of approximately 71,000 birds representing about 35% of the world's population of the species. Mottled ducks make extensive use of the rice coastal prairie wetland complex, and recent surveys suggest the species may be declining in Texas. This is the last intact rice prairie wetland complex of its size remaining in Texas, and at its foundation is the Colorado River, an important migration landmark and critical source of water required to manage habitat for waterfowl and other wetland dependent migratory birds.

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*Hearing Request of DU  
Appl. No. 5838, LCRA  
Page 4*

In particular, DU questions the lack of significant, coordinated and required water conservation restrictions and conservation efforts for nonessential water uses in all of the Colorado River basin's communities. For example, water use for irrigation of dormant winter lawns and other landscape plants, filling of swimming pools, and washing of vehicles may occur under this permit while supply of water to grow food for people, to support jobs in agriculture, outdoor-related tourism and related industries, and to provide habitat for wetland dependent wildlife are drastically curtailed with devastating impacts on Texas' natural resources and wetlands in the affected region.

In conclusion, Ducks Unlimited asserts that it should be granted standing and allowed to participate in the hearing on Water Rights Application Number 5838, because the impact of said hearing could greatly affect DU and its members for the reasons set forth above.

Please contact me at the phone number or address listed about if you any questions or need additional information.

Sincerely,

 Kirby Brown (w/permission ABSE)

Kirby Brown  
Conservation Outreach Biologist

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Friday, May 24, 2013 2:26 PM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838  
**Attachments:** TCEQ - LCRA WMP 5838 Comments & Hearing Request1.pdf

H

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, May 24, 2013 12:48 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
82315*

**From:** [aellis@ducks.org](mailto:aellis@ducks.org) [<mailto:aellis@ducks.org>]  
**Sent:** Friday, May 24, 2013 12:38 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

REGULATED ENTY NAME 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

RN NUMBER: RN104252267

PERMIT NUMBER: WRPERM 5838

DOCKET NUMBER: ~~2013-0225-WR~~

COUNTY: TRAVIS

PRINCIPAL NAME: LOWER COLORADO RIVER AUTHORITY

CN NUMBER: CN600253637

FROM

NAME: Kirby Brown

E-MAIL: [aellis@ducks.org](mailto:aellis@ducks.org)

COMPANY: Ducks Unlimited

ADDRESS: 2500 NIEMANN DR  
AUSTIN TX 78748-2828

PHONE: 2102132805

*MB*

FAX: 6306250279

COMMENTS: Comments included in attached Comments and Request for Contested Case Hearing



Kirby Brown  
Conservation Outreach Biologist  
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May 24, 2013

Ms. Bridget C. Bohac  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit Application No. 5838

Dear Ms. Bohac:

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*Hearing Request of DU*  
*Appl. No. 5838, LCRA*  
*Page 4*

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Sincerely,

Handwritten signature of Kirby Brown in cursive script. The signature includes the name "Kirby Brown" followed by "(w/permission ABE)" in parentheses.

Kirby Brown  
Conservation Outreach Biologist

Marisa Weber

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**From:** PUBCOMMENT  
**Sent:** Friday, May 24, 2013 2:26 PM  
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**Subject:** FW: Public comment on Permit Number WRPERM 5838  
**Attachments:** TCEQ - LCRA WMP 5838 Comments & Hearing Request1.pdf

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**Sent:** Friday, May 24, 2013 12:48 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
823/5*

**From:** [aellis@ducks.org](mailto:aellis@ducks.org) [mailto:[aellis@ducks.org](mailto:aellis@ducks.org)]  
**Sent:** Friday, May 24, 2013 12:36 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

REGULATED ENTY NAME 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

RN NUMBER: RN104252267

PERMIT NUMBER: WRPERM 5838

DOCKET NUMBER:

COUNTY: BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

PRINCIPAL NAME: LOWER COLORADO RIVER AUTHORITY

CN NUMBER: CN600253637

FROM

NAME: Kirby Brown

E-MAIL: [aellis@ducks.org](mailto:aellis@ducks.org)

COMPANY: Ducks Unlimited

ADDRESS: 2500 NIEMANN DR  
AUSTIN TX 78748-2828

PHONE: 2102132805

*WR*

FAX: 6306250279

COMMENTS: Comments included in attached Comments and Request for Hearing



Kirby Brown  
Conservation Outreach Biologist  
2500 Niemann Drive  
Austin, TX 78748  
(210) 213-2805 Fax (630) 625-0279  
[kbrown2@ducks.org](mailto:kbrown2@ducks.org)

May 24, 2013

Ms. Bridget C. Bohac  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit Application No. 5838

Dear Ms. Bohac:

By this letter, Ducks Unlimited (DU) hereby requests a **CONTESTED CASE HEARING** on Water Rights Application number 5838, filed by the Lower Colorado River Authority. In support of this request, DU provides the following:

Pertinent Information

This request for a contested case hearing is submitted on behalf of Ducks Unlimited. The contact information for DU in this matter is as follows:

Kirby Brown  
Ducks Unlimited  
2500 Niemann Drive  
Austin, TX 78748  
Ph: 210-213-2805  
Fax: 630-625-0279  
email: [kbrown2@ducks.org](mailto:kbrown2@ducks.org)

Ducks Unlimited, a national, not-for-profit organization with a membership consisting of people dedicated to managing, restoring and protecting wetlands for the benefit of North American waterfowl, other fish and wildlife, and people<sup>1</sup>, could be affected in a way that is not common to the general public, depending on the outcome of the hearing on Water Rights Application Number 5838. DU's approximately 45,000 members in Texas use and enjoy those resources both recreationally and for various forms of economic benefit. As detailed below, we believe that many of our members would have standing to request this hearing in their own right.

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<sup>1</sup> The formal mission of Ducks Unlimited is "Ducks Unlimited conserves, restores, and manages wetlands and associated habitats for North America's waterfowl. These habitats also benefit other wildlife and people."

DU maintains a regional conservation field office in Richmond, Texas, and we have a Conservation Outreach Biologist based in Austin, Texas, who primarily advocates for adequate stream and river flows and other water sources to ensure water availability to manage habitat for waterfowl and fish and wildlife resources in Texas. DU is pursuing our wetland habitat conservation goals through a variety of avenues, including the filing of this hearing request. Founded 76 years ago, Ducks Unlimited is one of the nation's oldest conservation organizations, representing approximately 600,000 waterfowlers and other conservationists. As the world's leader in application of science-based wetlands conservation, DU remains very concerned over the currently considered change in the LCRA Emergency Order which has resulted in a second year without LCRA water for rice farmers, or management of wetland habitat for waterfowl and other wildlife in the rice prairie wetlands complex in the lower Colorado River basin.

Water Rights Application 5838 that is the subject of this hearing request has the potential to cause tremendous harm to wetland habitats and associated fish and wildlife resources, and thereby to DU members, in the Colorado River watershed, including Matagorda Bay. Through this application, LCRA basically seeks authority to significantly alter or deny interruptible water for rice in the lower portions of the Colorado River.

Science clearly demonstrates that rice fields produce more than just a commodity crop that is a significant driver of the regional economy. The rice prairie wetland complex is an essential habitat component of the Gulf Coast that supports over 200 species of wildlife and is critically important to waterfowl, shorebirds, wading birds and other wetland-dependent wildlife. The Gulf Coast is one of DU's top five continental conservation priorities, and it also is a high priority under the North American Waterfowl Management Plan (NAWMP). It is the single most important wintering area for waterfowl in North America, providing habitat for over 13 million ducks and 1.5 million geese. In addition, the Gulf Coast Joint Venture identifies specific population objectives for over 12 million shorebirds and millions of wading birds in the region.

The Texas Mid-Coast, a specific initiative area under the NAWMP Gulf Coast Joint Venture (GCJV), provides substantial and significant habitat for many species of waterfowl, shorebirds, and wading birds. It is the winter home to about 2 million ducks and 750,000 geese annually. Also, the mottled duck is a native, year-round resident of the Texas Gulf Coast, with an estimated population of approximately 71,000 birds representing about 35% of the world's population of the species. Mottled ducks make extensive use of the rice coastal prairie wetland complex, and recent surveys suggest the species may be declining in Texas. This is the last intact rice prairie wetland complex of its size remaining in Texas, and at its foundation is the Colorado River, an important migration landmark and critical source of water required to manage habitat for waterfowl and other wetland dependent migratory birds.

Ricelands provide 66% of foods that meet the dietary demands and energy supply of wintering waterfowl on the Texas Mid-Coast, with those in LCRA Irrigation Districts providing almost 50% of that food energy. For every 10,000 acre decline in the annual rice crop, the ability to support

120,000 wintering waterfowl is lost. The reduction of over 50,000 acres of rice in 2012 within LCRA's Irrigation Districts reduced the ability of the Texas Mid-Coast to support wintering waterfowl by approximately 600,000 birds, representing approximately 31% of the Texas Mid-Coast wintering population objective.

Since 1991, Ducks Unlimited, the Texas Parks and Wildlife Department, U.S. Fish and Wildlife Service and USDA Natural Resources Conservation Service have partnered on the Texas Prairie Wetlands Project (TPWP) to move toward NAWMP GCJV goals to provide sufficient habitat for wintering waterfowl populations per NAWMP GCJV conservation plans. The TPWP is a cooperative effort with private landowners to restore, enhance or create shallow-water wetlands through a 28-county focus area along the Gulf. To date, the TPWP has created or restored 60,000 acres of wetlands, 25% of which occur within LCRA's irrigation service area. The LCRA decision to withhold rice water from ~50,000 acres in 2012 neutralized the equivalent of 17 years of our partnership's habitat conservation efforts in the affected area. Please note that supplemental water is needed in most of these wetlands to ensure habitat quality, quantity and availability to migratory birds and other wildlife.

Obviously, increased storage levels in the Highland Lakes, as sought pursuant to the current application, would decrease downstream flows and further worsen the already unacceptable wetland habitat conditions in the affected lower basin. Additionally, those reduced flows would impact water quality in the river and would diminish river flows necessary to protect other fish and wildlife resources. Accordingly, DU's mission of conservation of wetlands as waterfowl habitat, and habitat for other fish and wildlife resources, would be directly and adversely affected by the granting of the subject permit.

Additionally, granting of the subject permit would impact many of DU's members and supporters who require wetland habitat as a basis for their ability to enjoy hunting, birding and other recreational activities; to engage in agriculture or hunting/fishing based tourism as their personal livelihoods; or to obtain the personal satisfaction of stewardship and management of their properties associated with the Colorado River and Matagorda Bay. DU believes that many of our members would have standing to request this hearing in their own right. For example, DU members Bink Grimes and William "Bill" Sherrill own properties and run lodges and guide businesses for anglers and waterfowl hunters. Their business operations require interruptible water supplied via the Colorado River and Lower Colorado River Authority to manage critical waterfowl habitats (including Texas Prairie Wetland Projects) from early fall through spring, providing important migratory bird habitat long before and well after hunting seasons. Hence, the ability of these two DU members to sustain their economic and recreational interests requires a dependable supply of water from the Colorado River to enable management and timely flooding of wetlands that are both important to their business, and that provide critically important waterfowl and wetland migratory bird habitat for much of the year. Their business operations, and much critical waterfowl and wetland migratory bird habitat all would be adversely affected if the subject permit is granted as proposed.

*Hearing Request of DU  
Appl. No. 5838, LCRA  
Page 4*

In particular, DU questions the lack of significant, coordinated and required water conservation restrictions and conservation efforts for nonessential water uses in all of the Colorado River basin's communities. For example, water use for irrigation of dormant winter lawns and other landscape plants, filling of swimming pools, and washing of vehicles may occur under this permit while supply of water to grow food for people, to support jobs in agriculture, outdoor-related tourism and related industries, and to provide habitat for wetland dependent wildlife are drastically curtailed with devastating impacts on Texas' natural resources and wetlands in the affected region.

In conclusion, Ducks Unlimited asserts that it should be granted standing and allowed to participate in the hearing on Water Rights Application Number 5838, because the impact of said hearing could greatly affect DU and its members for the reasons set forth above.

Please contact me at the phone number or address listed about if you any questions or need additional information.

Sincerely,



Kirby Brown  
Conservation Outreach Biologist

**Tracie Donnelly**

---

**From:** Ron Ellis  
**Sent:** Monday, July 29, 2013 11:25 AM  
**To:** Tracie Donnelly  
**Subject:** FW: LCRA WMP comments and input from Ducks Unlimited  
**Attachments:** TCEQ - LCRA WMP additional water data.docx

Ron Ellis  
Manager, Water Rights Permitting and Availability  
[Ron.Ellis@tceq.texas.gov](mailto:Ron.Ellis@tceq.texas.gov)  
(512) 239-1282

*WMP  
SI  
8/28/13*

TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2014 APR -7 PM 2:11  
CHIEF CLERKS OFFICE

---

**From:** Kirby Brown [<mailto:kbrown2@ducks.org>]  
**Sent:** Friday, July 26, 2013 2:11 PM  
**To:** WRAS  
**Cc:** Kathy Alexander; Ron Ellis; L'Oreal Stepney  
**Subject:** LCRA WMP comments and input from Ducks Unlimited

Please find comments and input on additional water for evaluation in the LCRA WMP following the stakeholder meeting of June 26, 2013. Thank you. --Kirby

**KIRBY BROWN**  
Conservation Outreach Biologist  
DUCKS UNLIMITED

2500 Niemann Drive.  
Austin, TX 78748-2828  
wk/cell: 210-213-2805  
[kbrown2@ducks.org](mailto:kbrown2@ducks.org)



REVIEWED

APR 08 2014

By *[Signature]*



<http://www.ducks.org/texas/texas-content/plate-program-specifics>

Thanks for your support of Ducks Unlimited!!

*RM*



Kirby Brown  
Conservation Outreach Biologist  
2500 Niemann Drive  
Austin, TX 78748  
(210) 213-2805 Fax (630) 625-0279  
[kbrown2@ducks.org](mailto:kbrown2@ducks.org)

May 24, 2013

Ms. L'Oreal W. Stepney  
Deputy Director, Office of Water  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

Re: Additional water information for LCRA Water Management Plan;  
Application No. 5838A; TCEQ Water Rights Permit Application No. 5838

Dear Ms. Stepney:

Ducks Unlimited, a national, not-for-profit organization with a membership consisting of people dedicated to managing, restoring and protecting wetlands for the benefit of North American waterfowl, other fish and wildlife, and people<sup>1</sup>, could be affected in a way that is not common to the general public, depending on the outcome of the hearing on Water Rights Application Number 5838. Founded 76 years ago, Ducks Unlimited is one of the nation's oldest conservation organizations, representing approximately 600,000 waterfowlers and other conservationists. As the world's leader in application of science-based wetlands conservation, DU remains very concerned over the currently considered change in the LCRA Emergency Order which has resulted in a second year without LCRA water for rice farmers, or management of wetland habitat for waterfowl and other wildlife in the rice prairie wetlands complex in the lower Colorado River basin.

DU's approximately 45,000 members in Texas use and enjoy those resources both recreationally and for various forms of economic benefit. Many of DU's members and supporters require wetland habitat as a basis for their ability to enjoy hunting, birding and other recreational activities; to engage in agriculture or hunting/fishing based tourism as their personal livelihoods; or to obtain the personal satisfaction of stewardship and management of their properties associated with the Colorado River and Matagorda Bay.

DU supports the use of sound science by LCRA and TCEQ in the task of balancing water use without overt political influence. Science clearly demonstrates that rice fields produce more than just a commodity crop that is a significant driver of the regional

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<sup>1</sup> The formal mission of Ducks Unlimited is "Ducks Unlimited conserves, restores, and manages wetlands and associated habitats for North America's waterfowl. These habitats also benefit other wildlife and people."

economy, but also that the rice prairie wetlands ecosystem complex is an essential habitat component of the Gulf Coast that support over 200 species of wildlife and is critically important to waterfowl, shorebirds, wading birds and other wetland dependent wildlife. The Gulf Coast is one of DU's top five continental conservation priorities and is the single most important wintering area for waterfowl in North America. **On the Texas mid-coast, research shows the flooded ricelands provide 66% of the food required for energy demands of wintering demands of wintering waterfowl.**

Per the stakeholder meeting on June 26, 2013, DU is providing additional information on wetlands projects for waterfowl in the LCRA irrigation service area. DU maintains a regional conservation field office in Richmond, Texas, and since 1991, Ducks Unlimited, the Texas Parks and Wildlife Department, U.S. Fish and Wildlife Service and USDA Natural Resources Conservation Service have partnered on the Texas Prairie Wetlands Project (TPWP) to move toward NAWMP GCJV goals to provide sufficient habitat for wintering waterfowl populations per NAWMP GCJV conservation plans. The TPWP is a cooperative effort with private landowners to restore, enhance or create shallow-water wetlands through a 30-county focus area along the Gulf. To date, the TPWP has created or restored more than 65,000 acres of wetlands, 25% of which occur within the counties within the LCRA's irrigation service area. **The LCRA decision to withhold rice water from ~50,000 acres in 2012 neutralized the equivalent of 17 years of our partnership's habitat conservation efforts in the affected area.** Please note that supplemental water is needed and required by contract with private landowners in most of these wetlands to ensure habitat quality, quantity and availability to migratory birds and other wildlife.

Attached is an excel spreadsheet of projects that are specifically located within the LCRA service area. **To date 115 landowners have partnered on 247 wetland projects on 9,426 acres costing \$3,003,269. These wetland projects were designed to use LCRA water to flood wetlands as well as fallow and active rice fields for waterfowl and other bird use during the fall and winter. The landowner is under a 10 year contract to flood fields.** These areas are checked during the fall/winter period for contract compliance, however we do not have individual records on water use.

Per comments at the meeting on June 26, DU questions the lack of significant, coordinated and required water conservation restrictions and conservation efforts for nonessential water uses in all of the Colorado River basin's communities. For example, water use for irrigation of dormant winter lawns and other landscape plants, filling of swimming pools, and washing of vehicles may occur under this permit to firm users while supply of water to grow food for people, to support jobs in agriculture, outdoor-related tourism and related industries, and to provide habitat for wetland dependent wildlife are drastically curtailed with devastating impacts on Texas' natural resources and wetlands in the affected region. While nonessential water uses may be part of firm water contracts, **DU recommends that this policy should be examined and that restrictions on nonessential water uses be**

*Additional Water information from DU  
Appl. No. 5838, LCRA  
Page 3*

**implemented at higher designated lake levels than restrictions for agricultural use.**

Please contact me at the phone number or address listed about if you any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'KJB', with a long horizontal flourish extending to the right.

Kirby Brown  
Conservation Outreach Biologist

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:27 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [khbuchanan76@gmail.com](mailto:khbuchanan76@gmail.com) [<mailto:khbuchanan76@gmail.com>]  
**Sent:** Sunday, August 30, 2015 3:35 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Karyn Buchanan

**E-MAIL:** [khbuchanan76@gmail.com](mailto:khbuchanan76@gmail.com)

**COMPANY:**

**ADDRESS:** 1014 VANDERBILT CIR  
PFLUGERVILLE TX 78660-4754

**PHONE:** 5129893183

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

*ms*

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:49 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 08, 2013 3:00 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**From:** [kbuchanan@p-dev.com](mailto:kbuchanan@p-dev.com) [mailto:[kbuchanan@p-dev.com](mailto:kbuchanan@p-dev.com)]  
**Sent:** Wednesday, May 08, 2013 2:48 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Karyn Buchanan

**E-MAIL:** [kbuchanan@p-dev.com](mailto:kbuchanan@p-dev.com)

**COMPANY:**

**ADDRESS:** 1014 VANDERBILT CIR  
PFLUGERVILLE TX 78660-4754

**PHONE:** 5129179080

*MW*

**FAX:**

**COMMENTS:** I would like to request a contested case hearing. We are personally affected because we own property on Lake Buchanan and the continued release of water downstream in spite of the most serious drought on record is devaluing our property, turning the area into a desert, and contributing to the decline in the economy in the region. Thank you for the consideration

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, September 18, 2015 1:21 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [sheridan@pdq.net](mailto:sheridan@pdq.net) [mailto:[sheridan@pdq.net](mailto:sheridan@pdq.net)]  
**Sent:** Friday, September 18, 2015 1:11 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*KVR  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Mary Ann Clark

**E-MAIL:** [sheridan@pdq.net](mailto:sheridan@pdq.net)

**COMPANY:**

**ADDRESS:** 228 WHISPER PASS  
HOUSTON TX 77094-1198

**PHONE:** 2817431326

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MW*

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, September 18, 2015 1:21 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [sheridan@pdq.net](mailto:sheridan@pdq.net) [mailto:[sheridan@pdq.net](mailto:sheridan@pdq.net)]  
**Sent:** Friday, September 18, 2015 1:10 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*KVR  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Thomas Clark

**E-MAIL:** [sheridan@pdq.net](mailto:sheridan@pdq.net)

**COMPANY:**

**ADDRESS:** 228 WHISPER PASS  
HOUSTON TX 77094-1198

**PHONE:** 2817431326

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013. This withdrawal also applies to my wife, Mary Ann Clark

*MCC*

May 15, 2013

Thomas & Mary Ann Clark  
1137 Lakeshore Dr.  
Spicewood, TX 78669

*WR  
8/23/15*

**REVIEWED**

**MAY 20 2013**

By AP

*H*

CHIEF CLERKS OFFICE  
MAY 20 AM 10:33

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Thomas & Mary Ann Clark

MAILING ADDRESS: 228 Whisper Pass  
Houston, TX 77094

DAYTIME PHONE NUMBER(S): 713-656-8027 (w)

EMAIL ADDRESS: [Sheridan@pdq.net](mailto:Sheridan@pdq.net)

We maintain a home in the Spicewood area and the portion of Lake Travis in our area has been essentially dry since 2011. Discussions about sending significant amounts of remaining water to downstream users, particularly interruptible users paying very low rates, is of significant concern to us and, we believe, those users whose livelihood depends on the well being of Lake Travis and economic benefit that derives therefrom. We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

**Concerns/Changes STILL Needed:**

- 1) Recent hydrology including recent record drought years (2010, 2011, 2012) is not taken into account. Data only up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past. **Average inflows of 1,200,000 AF are assumed as compared to the recent five year average of 450,000 AF.** This allows for over-commitment of water supplied to interruptible customers.

*mw*

The cove in front of our property that previously was under 20+ feet of water when we purchased it in 2007 has been dry since 2011. Not taking into account the record low inflows over the last 3 years is irresponsible.

- 2) No provision is made for lake recovery. As evidenced by 2010, one good year of rainfall/recovery in the midst of a drought cycle can be wiped out by huge releases the following year as happened in 2011. Without a recovery period we could be perpetually in a state of water emergency.
- 3) Despite implementing emergency orders curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. Even with the two Emergency Orders, we are facing a potential Drought Worse than Drought of Record (DWDOR) this summer, which evidences the serious failure of the WMP.
- 4) There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may then become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future.
- 5) The WMP must use a multi-year planning basis for managing multi-year drought cycles. Using a one-year planning basis rather than a multi-year planning basis is too risky.
- 6) Any customer that has a contract for "guaranteed" water must be considered a firm water customer and pay the firm water rate. (i.e.: Garwood Irrigation District).
- 7) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today.

#### **Conclusions:**

The proposed WMP is not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought and preserve the health of Lake Travis. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agriculture, municipal, industrial, or lake interests.

#### **Possible Recommendations:**

- 1) **Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.**
- 2) Immediately impose a **minimum storage level/ANYTIME CUT-OFF** of 850,000 AF rather than the current 600,000 AF.
- 3) Keep the current TCEQ Emergency Order in effect
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology
- 5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:
  - Properly protects firm users in times of drought;

- Take into account the significant economic benefit that results from a full Lake Travis able to accommodate recreational users
- Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,



---

cc: Rep. Paul Workman, House Dist. 47  
Rep. Hubert Vo, House Dist. 149  
Sen. Joan Huffman, Sen. Dist. 17  
Sen. Troy Fraser, Sen. Dist. 24

Clark  
228 Whisper Pass  
Houston, TX 77094



15 MAY 2013 PM 8 L

RECEIVED  
MAY 20 2013  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
MAIL CENTER  
CHIEF CLERK'S OFFICE  
10:33

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

78711308787

Frank W. Closner  
19722 Encino Knoll  
San Antonio, TX 78259-2335

August 31, 2015

VIA FIRST-CLASS MAIL

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

WIR  
8/23/15

REVIEWED

SEP 03 2015

By



W/H

CHIEF CLERKS OFFICE

2015 SEP -3 AM 9:47

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Withdrawal of Comments and Request for Contested Case Hearing Regarding Application of Lower Colorado River Authority to Amend its Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

By this letter, I, **Frank W. Closner**, hereby withdraw my comments and request for a contested case hearing (filed in 2013) regarding Water Rights Application No. 5838A, the application of the Lower Colorado River Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you have any questions or need additional information in order to process this withdrawal request.

Address: 19722 Encino Knoll, San Antonio, TX 78259-2335

Phone number: 210-872-1185

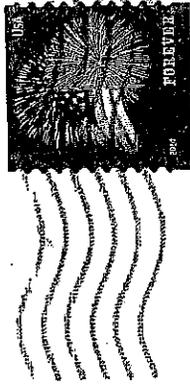
E-mail address: fclosner@satx.rr.com

Thank you,

Signed: Frank W. Closner  
Frank W. Closner



Frank W. Closner  
19722 Encino Knoll  
San Antonio, TX 78259



SAN ANTONIO TX 780  
RIO GRANDE DISTRICT  
01 SEP 2015 PM 3 L

RECEIVED

SEP 03 2015

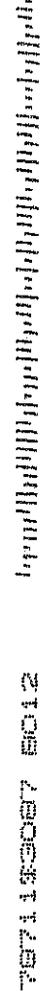
TCEQ MAIL CENTER  
JR

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 SEP -3 AM 9: 47

CHIEF CLERKS OFFICE

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



Frank W. Closser  
19722 Encino Knoll  
San Antonio, TX 78259-2335

May 15, 2013

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC105)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

WR  
02315

REVIEWED

MAY 20 2013

By BP

CHIEF CLERKS OFFICE

2013 MAY 20 AM 10:28

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Subject: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan, Application No. 5838A, TCEQ Water Rights Permit No. 5838

Dear Mrs. Bohac:

I am a waterfront property owner on Lake Buchanan and hold an LCRA Firm Water Contract for Domestic Use, #533149. I am sending this letter with my comments on the Lower Colorado River Authority's request to amend their Water Management Plan and to request a contested hearing. My contact information is listed at the end of this letter.

The proposed Water Management Plan does not adequately address my concerns about the management of the water in Lakes Buchanan and Travis and commitments to firm water customers. My specific concerns are enumerated below:

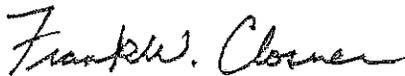
- 1) The plan only uses data up to 2009 and does not take into account the drought years of 2010, 2011, and 2012. Current inflows are near record lows and this plan does not address continuing low lake levels that endanger drinking water supplies. Many experts predict a continuing drought that will last at least another 5 years and possibly longer.
- 2) The Water Management Plan should use multiple year planning to handle drought lasting multiple years. A year by year plan will not work. A large rain event followed by a large release of water to downstream irrigators just perpetuates the need for use of emergency orders to protect current firm water customers.
- 3) Any customer with a contract for firm (guaranteed) water should pay the firm water rate. Additionally, interruptible customers should pay a fair price for their water based upon their full cost of service and overhead burden from LCRA.
- 4) There is no incentive for conservation by firm water customers. Water saved by firm water customers can be sold to downstream irrigators paying a below market and subsidized rate. The City of San Antonio has demonstrated successful water conservation methods and their example should be copied by cities in central Texas.
- 5) The Water Management Plan should be updated on a regular basis using the most recent hydrology, lake inflows, and firm water demands.

BP

I would make the following recommendations to TCEQ:

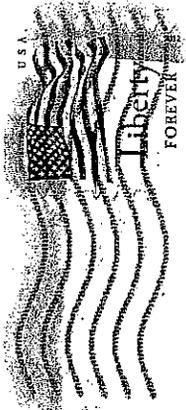
1. Require LCRA to use the most recent hydrologic data thru 2012, including lake inflows, to update this Water Management Plan.
2. Require a minimum storage level in Lakes Buchanan and Travis of 850,000 AF rather than the current 600,000 AF to protect firm water customers.
3. Keep the current TCEQ Emergency Order in effect until the lakes recover.
4. Provide true incentives for both firm and interruptible customers.

Sincerely,



Frank W. Closner  
19722 Encino Knoll  
San Antonio, TX 78259-2335  
Cell Phone: 210.872.1185  
Email: [fclosner@satx.rr.com](mailto:fclosner@satx.rr.com)

Frank W. Closter  
19722 Encino Kropf St.  
San Antonio, TX 78259



SAN ANTONIO TX 78201  
RIO GRANDE DISTRICT  
16 MAY 2013 PM 5 L

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY 20 AM 10:28  
CHIEF CLERKS OFFICE

Ms. BRIDGET C. BOHAC, CHIEF CLERK  
OFFICE OF THE CHIEF CLERK (MC105)  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087  
AUSTIN, TX 78711-3087

RECEIVED  
MAY 20 2013  
TCEQ MAIL CENTER  
AJ

78711308787

# BONANZA BEACH

Property Owners Association, Inc.  
101 CR 138 Burnet, TX 78611

August 31, 2015

VIA FIRST-CLASS MAIL

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

*WJR  
2/1/15  
S/Bohac*

REVIEWED

SEP 03 2015

By *[Signature]*

*WH*

CHIEF CLERKS OFFICE

2015 SEP -3 AM 9:49

Texas Commission  
on Environmental  
Quality

Re: Withdrawal of Comments and Request for Contested Case Hearing Regarding  
Application of Lower Colorado River Authority to Amend its Water Management Plan;  
Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

By this letter, we, the **Bonanza Beach Property Owners Association, Inc.**, hereby withdraw our comments and request for a contested case hearing (filed in 2013) regarding Water Rights Application No. 5838A, the application of the Lower Colorado River Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you have any questions or need additional information in order to process this withdrawal request.

Address: 19722 Encino Knoll, San Antonio, TX 78259-2335

Phone number: 210-872-1185

E-mail address: [fclosner@satx.rr.com](mailto:fclosner@satx.rr.com)

Thank you,

Signed: *Frank W. Closner*

Printed Name(s): Frank W. Closner

*[Handwritten mark]*

Bonanza Beach Property Owners Assn., Inc.  
c/o Frank W. Closner  
19722 Encino Knoll  
San Antonio, TX 78259

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 SEP -3 AM 9:48

CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 106)  
Texas Commission on Environmental  
P.O. Box 13087  
Austin, TX 78711-3087

78711308757



SAN ANTONIO TX 78201  
RIO GRANDE DISTRICT  
01 SEP 2015 PM 3 L

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TCEQ MAIL CENTER

RECEIVED

SEP 03 2015

TCEQ MAIL CENTER  
CJ



# BONANZA BEACH

Property Owners Association, Inc.

101 CR 138 Burnet, TX 78611

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 20 AM 10: 23

May 15, 2013

CHIEF CLERKS OFFICE

REVIEWED

MAY 20 2013

By: AP

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC105)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

WR  
8/23/15

Subject: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan, Application No. 5838A, TCEQ Water Rights Permit No. 5838

Dear Mrs. Bohac:

The Bonanza Beach Property Owners Association, Inc. is the holder of a Firm Raw Water Contract with LCRA dated September 24, 2012, for irrigation of the community park.

As requested by our Board of Directors, I am sending this letter with our comments on the Lower Colorado River Authority's request to amend their Water Management Plan and to request a contested hearing on the application.

For purposes of communication, my contact information is as follows:

Frank W. Clossner, President  
Bonanza Beach Property Owners Association, Inc.  
19722 Encino Knoll  
San Antonio, TX 78259-2335  
Cell Phone: 210-872-1185  
Email Address: fclossner@satx.rr.com

The Bonanza Beach Property Owners Association, Inc. represents seventy six (76) owners in our community on Lake Buchanan, many of whom have lived here for over 30 years. The proposed changes to the LCRA Water Management Plan do not adequately address the irresponsible management of the lake water over the last three years. Our specific concerns are outlined below:

1. Many experts predict this drought will last another 5 years. The plan only uses data up to 2009 and ignores the record drought years of 2010, 2011, and 2012. Current inflows are near record lows and this plan will not address chronically low lake levels that further endanger drinking water supplies.
2. Despite implementing two emergency orders over two years, we are facing a probable Drought Worse than Drought of Record this summer. Before the summer begins, Lake Buchanan is less than three feet from the third lowest level reached in October, 2011.

WR

3. No clear provisions are made to allow the lakes to recover from record lows. One year of good rainfall in 2010 was wiped out by huge releases in 2011, all in the middle of a multi-year drought. This leaves the lakes in a perpetual state of emergency.
4. There is no incentive for conservation by firm water customers. The City of San Antonio is a leader in water conservation efforts and their successful methods should be copied by cities in central Texas. Water saved by firm water customers should not be sold to downstream irrigators paying a below market and subsidized rate.
5. The Water Management Plan should use multi-year planning to manage multi-year drought cycles. As we have seen, a one year approach is not working. Additionally, LCRA should begin work on a new Water Management Plan using updated hydrology and updated firm water customer demands.

Our recommendations are as follows:

- Keep the current TCEQ Emergency Order in effect until the lakes recover.
- Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado Basin.
- Require a minimum storage level/anytime cut-off of 850,000 AF rather than the current 600,000AF.
- Require LCRA to immediately begin working on a new Water Management Plan with stakeholders that:
  1. Protects firm users in times of drought.
  2. Utilizes the latest hydrologic data available, including significantly lower inflows to the lakes, to re-evaluate water availability throughout the basin.
  3. Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

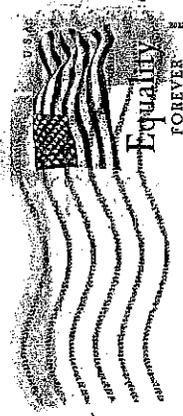
Sincerely,



Frank W. Closner, President  
Bonanza Beach Property Owners Association, Inc.

BONANZA BEACH POA  
% FRANK CLOSNER  
19722 ENCINO KNOLL  
SAN ANTONIO, TX 78259

SAN ANTONIO TX 780  
RIO GRANDE DISTRICT  
16 MAY 2013 PM 4 L



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 20 AM 10:23

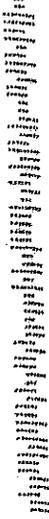
CHIEF CLERKS OFFICE

MS. BRIDGET C. BOHAC, CHIEF CLERK  
OFFICE OF THE CHIEF CLERK  
TEXAS COMMISSION ON ENVIRONMENTAL  
P.O. Box 13087  
Austin, TX 78711-3087

RECEIVED

MAY 20 2013

TCEQ MAIL CENTER  
AJ



78711308787

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, September 28, 2015 12:45 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [cloydss@aol.com](mailto:cloydss@aol.com) [<mailto:cloydss@aol.com>]  
**Sent:** Monday, September 28, 2015 11:43 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82315

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Susan & george Cloyd

**E-MAIL:** [cloydss@aol.com](mailto:cloydss@aol.com)

**COMPANY:**

**ADDRESS:** 14107 PANORAMA DR  
AUSTIN TX 78732-1054

**PHONE:** 5122665871

**FAX:**

**COMMENTS:** We withdraw the comments and hearing request that we filed in 2013.

WR

FORM LETTER

May 14, 2013

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

REVIEWED

MAY 16 2013

By SP

*WZ  
82315*

CHIEF CLERKS OFFICE

2013 MAY 16 AM 10: 04

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested

case hearing on this application. Our contact information follows:

NAME: SUSAN & GEORGE CLOYD

MAILING ADDRESS: 14107 PANORAMA DRIVE

<http://mail.aol.com/37715-111/aol-6/en-us/mail/PrintMessage.aspx>

5/11/2013

Fwd: From CTWC: TCEQ Needs to Hear Your Voice! Send a Letter!

Page 4 of 5

AUSTIN, TEXAS 78732

DAYTIME PHONE NUMBER(S): 512-266-5871

FAX NUMBER (IF ANY): \_\_\_\_\_

EMAIL ADDRESS: cloydss@aol.com ✓

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention

to our comments and TCEQ's approval of our request for a hearing. *Use a yearly assessment of lake levels. Use current data, not outdated. Recent hydrology during drought years (2010, 2011, 2012) not taken into account. Need appropriate recovery period before releases of water. Change maximal storage level above 600,000 AF. Keep TCEQ Emergency Order in effect. Properly protect firm users.*

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

*R*

Mr. George Cloyd  
14107 Panorama Dr.  
Austin, TX 78732-1054



TEXAS  
COMMISSION  
ENVIRONMENTAL  
QUALITY

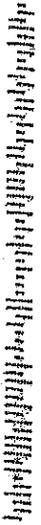
2013 MAY 16  
CHIEF CLERKS

*B. C. Bekac Chief Clerk (MCS)*  
*Office of Chief Clerk (MCS)*

*T. C. E. Q.*  
*P.O. B. 13087*

*Austin, TX 78711-3087*

RECEIVED  
MAY 16 2013  
FOOD MAIL CENTER  
AIR



**Marisa Weber**

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, October 13, 2015 3:27 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [fort7woody@aol.com](mailto:fort7woody@aol.com) [<mailto:fort7woody@aol.com>]  
**Sent:** Tuesday, October 13, 2015 3:03 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Sharen Comstock

**E-MAIL:** [fort7woody@aol.com](mailto:fort7woody@aol.com)

**COMPANY:**

**ADDRESS:** 6108 LANTERN VIEW DR  
JONESTOWN TX 78645-4654

**PHONE:** 7132540938

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013. This request applies to BOTH Steven AND Sharen Comstock, same address, email & phone #.

*MW*

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, October 07, 2015 4:41 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [fort7woody@aol.com](mailto:fort7woody@aol.com) [<mailto:fort7woody@aol.com>]  
**Sent:** Wednesday, October 07, 2015 4:39 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*MWR*  
*8/23/13*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Steven COMSTOCK

**E-MAIL:** [fort7woody@aol.com](mailto:fort7woody@aol.com)

**COMPANY:**

**ADDRESS:** 6108 LANTERN VIEW DR  
JONESTOWN TX 78645-4654

**PHONE:** 7132540938

**FAX:**

**COMMENTS:** "I withdraw the comments and hearing request that I filed in 2013."

*MW*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

May 9, 2013

2013 MAY 13 AM 11:22

CHIEF CLERKS OFFICE

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

*WR  
82315*

RE: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Steve & Sharen Comstock  
6108 Lantern View Drive  
Jonestown, TX 78645

512-267-1911  
713-154-0938 cell  
Fort7woody@aol.com

REVIEWED

MAY 15 2013

By *[Signature]*

*H*

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

We own a home situated on 3 1/2 acres of property located on the waterfront in the Hollows at Northshore, Lake Travis. We also own a smaller lakefront home on 1/2 acre @ 7325 Maritime Pass, in the same development, which we use for our extended family (8 children/spouses + 9 grandchildren), and friends. We have owned these properties for 7 years, and have lived here continuously.

*[Handwritten signature]*

We use and enjoy the waters of Lake Travis every day. Our family enjoys the lake for recreational uses such as swimming, fishing and boating. We value the wildlife supported by the lake and the lakeside habitat, which we observe from our property and when out on the lake. Our location on the lake also affords beautiful views of the water, which greatly enhance our quality of life. The availability of the waters of the lake for all of these uses is the basis for much of our property's value (attested to by the property tax premium's we pay).

When the LCRA, under its WMP, releases too much water from the Highland Lakes, we & our family can no longer use that water for recreational purposes, our boat becomes useless, and the grandkids lose interest in coming to see us. If this pattern continues, the value of our property due to its lakeside location will likely vanish with the water.

We are also, of course, users of the Lake Travis water delivered through Jonestown Water Supply company to our homes. Improper LCRA management of the lake's water levels by not using current drought year data in the calculations as to how much water is allocated to where (& whom) is resulting in increased prices and uncomfortable restrictions. It appalls us that we are being restricted usage & also charged high \$\$ rates, while huge volumes of water are being shipped downriver for a pittance.

We are doing our part for conservation of water resources by having only native, drought tolerant landscaping... & a rainwater collection system (at significant cost) for irrigation purposes. LCRA needs to do their part better than the current proposal. For Pete's sake, let the lake recover.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

   
Steve & Sharen Comstock

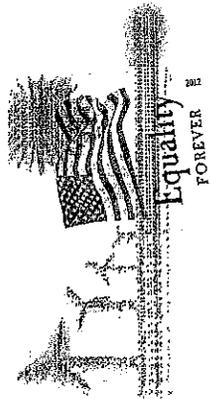
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RIO GRANDE DISTRICT  
30 MAY 2013 PM 3:1

Steve & Sharen Comstock  
6108 Lantern View Drive  
Jonestown, TX 78645

RECEIVED

MAY 13 2013

TCEQ MAIL CENTER  
AJ

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 13 AM 11:28

CHIEF CLERKS OFFICE

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



78711308787

Faint, illegible text on the right side of the page, possibly bleed-through from the reverse side.

[STEVE & SHAREN COMSTOCK]

Comments on LCRA Application for Amendments to WR 5838A  
Water Right Application No. 5715A

MAY 23, 2012

Bridget C. Bohac  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

**REVIEWED**

MAY 29 2012

By bf

WR  
02315

CHIEF CLERK  
MAY 29 2012  
MAY 29 2012

Re: Application by the Lower Colorado River Authority (LCRA) to amend Water Right Permit No. 5838A (Application No. 5715A; CN600253637; RN 104988290)

Dear Ms. Bohac:

We are writing regarding the above-referenced application by LCRA to amend Water Right Permit No. 5838A ("Application"). The Application requests amendments to the Water Management Plan (WMP), which governs the LCRA's operation of lakes Buchanan and Travis. LCRA filed this Application in March after more than 18 months of discussions with stakeholder groups, including the rice industry, municipalities, environmental interests, and lake-area businesses and residents. **We am writing to request that the consensus-based Application be approved by TCEQ as soon as possible.**

Please add us to the mailing list for this Application at this address:

STEVEN & SHAREN COMSTOCK  
6108 LANTERN VIEW DR  
JONESTOWN, TX 78645

**How this Application Affects Us [and Our Family]**

We own a home situated on 3 1/2 acres of property located on the waterfront in the Hollows at Northshore, Lake Travis. We also own a smaller lakefront home on 1/2 acre @ 7325 Maritime Pass, in the same development, which we use for our extended family (8 children/spouses + 9 grandchildren), and friends. We have owned these properties for 7 years, and have lived here continuously.

We use and enjoy the waters of Lake Travis every day. Our family enjoys the lake for recreational uses such as swimming, fishing and boating. We value the wildlife supported by the lake and the lakeside habitat, which we observe from our property and when out on the lake. Our location on the lake also affords beautiful views of the water, which greatly enhance our quality of life. The availability of the waters of the lake for all of these uses is the basis for much of our property's value (attested to by the property tax premium's we pay).

When the LCRA, under its WMP, releases too much water from the Highland Lakes, we & our family can no longer use that water for recreational purposes. our boat becomes useless. and the

Mu

[STEVE & SHAREN COMSTOCK]

Comments on LCRA Application for Amendments to WR 5838A  
Water Right Application No. 5715A

grandkids lose interest in coming to see us. If this pattern continues, the value of our property due to its lakeside location will likely vanish with the water.

**The New WMP Should be Approved Without Delay**

**The consensus-based Application should be approved and implemented as soon as possible. Now is not the time to do more substantive work on the pending Application.** Instead, we strongly request that TCEQ approve the consensus-based Application as quickly as possible so that it may be put into effect. Doing so does not mean that there is not more work to be done; it simply means that the work that has already been done, and reviewed and approved by LCRA's Board, will not have been wasted effort.

Thank you for the opportunity to comment on LCRA's Application regarding its proposed WMP. This issue is very important to our family and our neighbors. We urge the Commission to adopt the proposed WMP without delay so that we can move forward under a better plan, and the stakeholders and LCRA can start work on the next version of the WMP.

Sincerely,



STEVEN & SHAREN COMSTOCK  
6108 LANTERN VIEW DR  
THE HOLLOWS @ NORTHSHORE  
JONESTOWN, TX 78645



RECEIVED

MAY 25 2012

TCEQ MAIL CENTER  
AR

BRIDGET C. BONAHE TCEQ MAIL CENTER  
OFFICE OF THE CHIEF CLERK, MC105  
TCEQ  
P.O. BOX 13087  
AUSTIN TX 78711-3087

78711308797

Mrs. Sharon Comstock  
6108 Fanchon View Dr  
Tombstown, TX 78645

2012 MAY 25 PM 2:56  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, September 17, 2015 1:44 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [ifmaaust@aol.com](mailto:ifmaaust@aol.com) [<mailto:ifmaaust@aol.com>]  
**Sent:** Thursday, September 17, 2015 1:35 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WRP  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Jim Coles

**E-MAIL:** [ifmaaust@aol.com](mailto:ifmaaust@aol.com)

**COMPANY:**

**ADDRESS:** 2502 PACE BEND RD S  
SPICEWOOD TX 78669-1696

**PHONE:** 5123298943

**FAX:**

**COMMENTS:** I WITHDRAW THE COMMENTS AND HEARING REQUEST THAT I FILED IN 2013.

*MW*

May 15, 2013

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

2013 MAY 17 AM 10:03

CHIEF CLERKS OFFICE

*WV  
8/23/13*

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Jim Coles  
2502 Pace Bend Road South  
Spicewood, TX 78669

(512) 587-0356  
IFMAaust@aol.com

REVIEWED

MAY 17 2013

*H*

By *BP*

We are affected by this proposed amendment to the LCRA's Water Management Plan, we request the TCEQ's careful attention to our comments concerns below and TCEQ's approval of our request for a hearing.

- 1) Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Only data up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past
- 2) No clear and distinct provisions are made for lake recovery time. As evidenced by 2010, one good year of rainfall and recovery in the midst of a drought cycle can be wiped out by huge releases the following year. This is what happened in 2011. Without an appropriate recovery period, we could be perpetually in a state of water emergency.
- 3) The WMP must use multi-year planning for managing multi-year drought cycles. Using a one-year approach rather than a multi-year is too risky.
- 4) Any customer that has a contract for "guaranteed" water (i.e.: Garwood Irrigation District) must be considered a firm water customer and pay the firm water rate.
- 5) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today.

*MC*

Recommendations are as follows:

- 1) Impose a **minimum** storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to understand the current state of hydrology of the Colorado River Basin
- 4) Require LCRA to update actual and projected firm demands, using updated hydrology
- 5) Require LCRA to begin working immediately with stakeholders on a new WMP that:
  - Properly protects firm users in times of drought;
  - Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
  - Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Jim Coles". The signature is written in dark ink and is positioned below the word "Sincerely,".

Jim Coles  
2502 Pace Bend Road South  
Spicewood, TX 78669

RECEIVED

MAY 17 2013

TCEQ MAIL CENTER  
EB

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

repost  
05/15/2013

US POSTAGE

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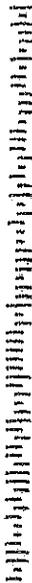
MAY 17 AM 10:03

CHIEF CLERKS OFFICE

ZIP 78746  
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TEXAS  
COMMISSION  
ENVIRONMENTAL  
QUALITY

787113087





The County of Llano  
Llano, Texas

September 14, 2015

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

*WJR*  
*8/23/15*

CHIEF CLERK'S OFFICE

2015 SEP 19 AM 9:46

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Withdrawal of Request for Contested Case Hearing Regarding Application  
of Lower Colorado River Authority to Amend its Water Management Plan;  
Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

By this letter and on behalf of Llano County Commissioners Court, we hereby  
withdraw our request for a contested case hearing (filed in 2013) regarding Water  
Rights Application No. 5838A, the application of the Lower Colorado River Authority to  
amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail  
address if you have any questions or need additional information in order to process this  
withdrawal request.

Address: Judge Mary Cunningham  
801 Ford Street  
Llano, Texas 78643

Phone number: 325-247-7730

E-mail address: [llanocountyjudge@co.llano.tx.us](mailto:llanocountyjudge@co.llano.tx.us)

REVIEWED

*WH*

SEP 18 2015

By

*[Signature]*

Sincerely,

*Mary Cunningham*

Mary Cunningham  
Llano County Judge

*MW*

MARY CUNNINGHAM



LLANO COUNTY JUDGE  
801 Ford St., Room 101  
Llano, Texas 78643

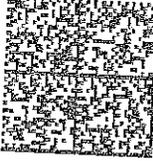
RECEIVED

SEP 18 2015

TCEQ MAIL CENTER  
CS

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

UNITED STATES POSTAGE  
PITNEY BOWES  
02 1P \$000.485  
0001747383 SEP 16 2015  
MAILED FROM ZIP CODE 78643



TEXAS  
COMMISSION  
ON  
ENVIRONMENTAL  
QUALITY  
2015 SEP 18 AM 9:46  
CHIEF CLERK'S OFFICE

787113087 8012



RESOLUTION OF THE LLANO COUNTY COMMISSIONERS COURT REGARDING  
THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY'S CONSIDERATION  
OF THE LOWER COLORADO RIVER AUTHORITY'S APPLICATION NO. 5838A TO  
AMEND ITS WATER MANAGEMENT PLAN

WHEREAS, the Lower Colorado River Authority ("LCRA") filed Application No. 5838A with the Texas Commission on Environmental Quality ("TCEQ") in March 2012 to amend its existing Water Management Plan (TCEQ Permit No. 5838); and

WHEREAS, in response to the LCRA Application, the TCEQ issued a "Notice of an Application to Amend the LCRA Water Management Plan" dated April 15, 2013, which was accompanied by a proposed draft TCEQ "Order Approving Amendments to Lower Colorado River Authority's Water Management Plan;" and

WHEREAS, the LCRA's Water Management Plan is a TCEQ-approved document that defines LCRA's water management programs and policies for the operation of Lakes Buchanan and Travis under the terms of LCRA's water rights; and

WHEREAS, the Llano County Commissioners Court is the governmental body with jurisdiction over almost 1,000 square miles in Central Texas, encompassing all or part of Lakes Buchanan, Inks, LBJ, Marble Falls and Travis in the chain of Highland Lakes; and

WHEREAS, the Llano County Commissioners Court recognizes that maintaining Lakes Travis and Buchanan at appropriate water levels is critical to maintaining municipal and domestic water supplies, as well as protecting the health, safety, and economic interests of the citizens in the vicinity of the Highland Lakes; and

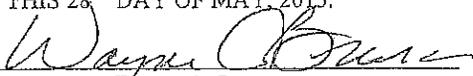
WHEREAS, the Commissioners Court is charged with the responsibility for protecting the public health and safety of the approximately 19,000 citizens of Llano County; and

WHEREAS, Llano County and its citizens have suffered and are continuing to suffer from the impacts of the drought conditions that exist and are predicted to continue in the years ahead; and

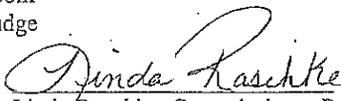
WHEREAS, the TCEQ's approval of LCRA's currently proposed amendments to its Water Management Plan, with its potentially devastating provisions relating to the management of water in the Highland Lakes, presents a threat to the interests of Llano County and its citizens; and

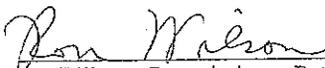
NOW THEREFORE, BE IT RESOLVED by the Llano County Commissioners Court that Llano County is opposed to the currently proposed TCEQ Order approving LCRA's requested amendments to its Water Management Plan, and Llano County has voted to file comments and request a contested case hearing on this matter before the TCEQ.

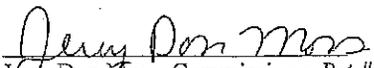
SIGNED AND ENTERED THIS 28<sup>th</sup> DAY OF MAY, 2013.

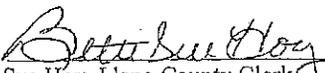
  
Wayne A. Brascom  
Llano County Judge

ABSENT  
Peter R. Jones, Commissioner Pct #1

  
Linda Raschke, Commissioner Pct #2

  
Ron Wilson, Commissioner Pct #3

  
Jerry Don Moss, Commissioner Pct #4

CHIEF CLERK'S OFFICE  
ATTEST:   
Bette Sue Hoy, Llano County Clerk  
SEP 18 9 47 AM '13

RECORDED  
INDEXED  
NOV 15 2013  
TARRANT COUNTY CLERK  
TEXAS



The County of Llano  
Llano, Texas

WR  
82315

REVIEWED

MAY 31 2013

By [Signature]

H

May 29, 2013

Bryan W. Shaw, Ph.D.  
Chairman Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

RECEIVED

MAY 30 2013

Texas Commission on Environmental Quality  
Commissioner's Offices

CHIEF CLERKS OFFICE

MAY 30 PM 2:27

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

REF: WRPERM 5838

Dear Chairman Shaw,

Attached is a Resolution from Llano County dated May 28, 2013 in opposition to the currently proposed TCEQ Order approving the LCRA's requested amendments to its Water Management Plan.

Sincerely,

Llano County Commissioners Court

[Handwritten signature]

WAYNE A. BRASCOM



LLANO COUNTY JUDGE  
801 Ford St, Room 101  
Llano, Texas 78643

*MC-102*

RECEIVED

MAY 30 2013

TCEQ MAIL CENTER  
EE

Bryan W. Shaw, Ph.D.  
Chairman Texas Commission on  
Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

UNITED STATES POSTAGE  
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PITNEY BOWES  
0001747383 MAY 29 2013  
MAILED FROM ZIP CODE 78643

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 30 PM 2:27  
CHIEF CLERKS OFFICE

7871133087 8012

RESOLUTION OF THE LLANO COUNTY COMMISSIONERS COURT REGARDING  
THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY'S CONSIDERATION  
OF THE LOWER COLORADO RIVER AUTHORITY'S APPLICATION NO. 5838A TO  
AMEND ITS WATER MANAGEMENT PLAN

WHEREAS, the Lower Colorado River Authority ("LCRA") filed Application No. 5838A with the Texas Commission on Environmental Quality ("TCEQ") in March 2012 to amend its existing Water Management Plan (TCEQ Permit No. 5838); and

WHEREAS, in response to the LCRA Application, the TCEQ issued a notice of Application to Amend the LCRA Water Management Plan" dated April 15, 2012, which was accompanied by a proposed draft TCEQ "Order Approving Amendments to Lower Colorado River Authority's Water Management Plan;" and

WHEREAS, the LCRA's Water Management Plan is a TCEQ-approved document that defines LCRA's water management programs and policies for the operation of Lakes Buchanan and Travis under the terms of LCRA's water rights; and

WHEREAS, the Llano County Commissioners Court is the governmental body with jurisdiction over almost 1,000 square miles in Central Texas, encompassing all or part of Lakes Buchanan, Inks, LBJ, Marble Falls and Travis in the chain of Highland Lakes; and

WHEREAS, the Llano County Commissioners Court recognizes that maintaining Lakes Travis and Buchanan at appropriate water levels is critical to maintaining municipal and domestic water supplies, as well as protecting the health, safety, and economic interests of the citizens in the vicinity of the Highland Lakes; and

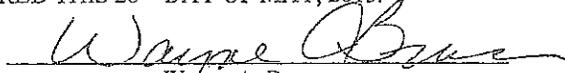
WHEREAS, the Commissioners Court is charged with the responsibility for protecting the public health and safety of the approximately 19,000 citizens of Llano County; and

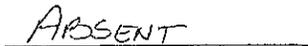
WHEREAS, Llano County and its citizens have suffered and are continuing to suffer from the impacts of the drought conditions that exist and are predicted to continue in the years ahead; and

WHEREAS, the TCEQ's approval of LCRA's currently proposed amendments to its Water Management Plan, with its potentially devastating provisions relating to the management of water in the Highland Lakes, presents a threat to the interests of Llano County and its citizens; and

NOW THEREFORE, BE IT RESOLVED by the Llano County Commissioners Court that Llano County is opposed to the currently proposed TCEQ Order approving LCRA's requested amendments to its Water Management Plan, and Llano County has voted to file comments and request a contested case hearing on this matter before the TCEQ.

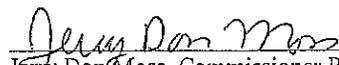
SIGNED AND ENTERED THIS 28<sup>th</sup> DAY OF MAY, 2013.

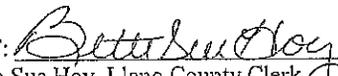
  
Wayne A. Brascom  
Llano County Judge

  
Peter R. Jones, Commissioner Pct #1

  
Linda Raschke, Commissioner Pct #2

  
Ron Wilson, Commissioner Pct #3

  
Jerry Don Moss, Commissioner Pct #4

ATTEST:   
Bette Sue Hoy, Llano County Clerk

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
MAY 30 11 27 AM '13  
CHIEF CLERK'S OFFICE

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, October 12, 2015 8:20 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [BlakeDavidson1@gmail.com](mailto:BlakeDavidson1@gmail.com) [<mailto:BlakeDavidson1@gmail.com>]  
**Sent:** Friday, October 09, 2015 5:42 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WRP  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Blake Davidson

**E-MAIL:** [BlakeDavidson1@gmail.com](mailto:BlakeDavidson1@gmail.com)

**COMPANY:**

**ADDRESS:** 806 MONARCH AVE  
CEDAR PARK TX 78613-2116

**PHONE:** 5126957412

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

*MW*

April 30, 2013

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

WR  
82313

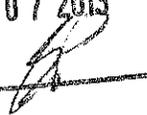
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY -6 PM 3:17  
CHIEF CLERKS OFFICE

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Blake Davidson  
10616 Mellow Meadows #43B  
Austin, TX 78750  
512-695-7412  
[BlakeDavidson1@gmail.com](mailto:BlakeDavidson1@gmail.com)

REVIEWED  
MAY 07 2013  
By 

H

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agriculture, municipal, industrial, or lake interests.

**Possible Recommendations:**

- 1) Immediately impose a **minimum** storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology

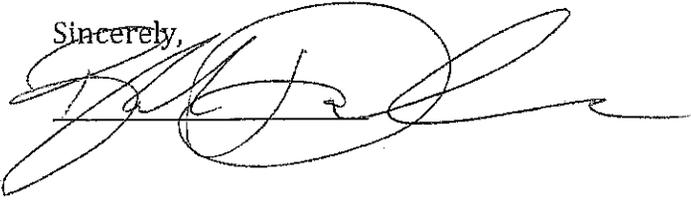


5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:

- Properly protects firm users in times of drought;
- Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned below the word "Sincerely,".



**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 12:34 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [jdavis@daviscommercialdevelopment.com](mailto:jdavis@daviscommercialdevelopment.com) [<mailto:jdavis@daviscommercialdevelopment.com>]  
**Sent:** Monday, August 31, 2015 11:02 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82315

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Jeffrey P Davis

**E-MAIL:** [jdavis@daviscommercialdevelopment.com](mailto:jdavis@daviscommercialdevelopment.com)

**COMPANY:**

**ADDRESS:** 510 BERING DR Suite 300  
HOUSTON TX 77057-1457

**PHONE:** 7139748848

**FAX:** 7139748849

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

MS

Jeffrey P. Davis  
903 Cat Hollow Club Drive  
Spicewood, TX 78669

May 13, 2013

REVIEWED

MAY 16 2013

By JD

WR  
82315  
H

CHIEF CLERKS OFFICE

2013 MAY 16 AM 10:09

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality  
PO Box 13087  
Austin, TX 78711-3087

RE: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application Number 5838A; TCEQ Water Rights Permit Number 5838

Dear Ms. Bohac:

This letter provides my comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit Number 5838) and request a contested case hearing on this application. My contact information is as follows:

Jeffrey P. Davis  
C/o Davis Commercial Development  
510 Bering Drive, Suite 300  
Houston TX 77057  
Phone (713) 974-8848  
Fax (713) 974-8849  
[jdavis@daviscommercialdevelopment.com](mailto:jdavis@daviscommercialdevelopment.com)

My neighbors and I are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

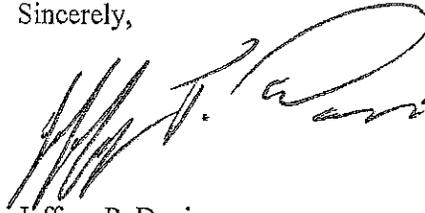
The low water levels in Lake Travis have severely impacted our property value and our use and utility of the lake resource. In our estimation the property values fronting the lake have been reduced by approximately 30%. Property sales of lakefront properties over the last 3 years have been all but nonexistent with foreclosures very prevalent. Certainly you have already heard facts about decreased commercial property value and decreased business for waterfront related businesses in the Lake Travis area. If the low water level of the lake is not controlled and kept at a minimum of 850,000 acre feet then certainly the assessed value for tax purposes of waterfront properties and others impacted by the lake level should be significantly reduced in those years of which this LCRA is allowed to let the lake level fall.

JD

Please keep the current TCEQ emergency order in effect. Please require the LCRA to utilize the hydrologic data that include the rainfall numbers from 2009 to the present such that the effects of the drought are taken into consideration. Please require the LCRA to update immediately the actual and projected firm water user demands. Also, please require the LCRA to begin work immediately on a new water management plan that adequately protects firm users in times of the drought.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

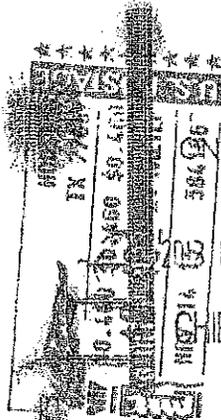
Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey P. Davis", written in a cursive style.

Jeffrey P. Davis

Davis Commercial Development, LLC  
510 Bering Drive, Suite 300  
Houston, TX 77057

RECEIVED  
MAY 16 2013  
TCED MAIL CENTER  
RG



14 MAY 2013 PM 11

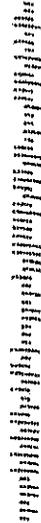
TEXAS  
COMMISSION  
ENVIRONMENTAL  
QUALITY

MAY 16 AM 10:09

CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality  
PO Box 13087  
Austin, TX 78711-3087

78711308797



**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 4:53 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [Home.jdavis23@gmail.com](mailto:Home.jdavis23@gmail.com) [<mailto:Home.jdavis23@gmail.com>]  
**Sent:** Tuesday, September 01, 2015 4:12 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** John Davis

**E-MAIL:** [Home.jdavis23@gmail.com](mailto:Home.jdavis23@gmail.com)

**COMPANY:**

**ADDRESS:** 203 APACHE TRL  
BURNET TX 78611-2919

**PHONE:** 5127934303

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

*MS*

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:48 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 08, 2013 3:00 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

**From:** [home.jdavis23@gmail.com](mailto:home.jdavis23@gmail.com) [<mailto:home.jdavis23@gmail.com>]  
**Sent:** Wednesday, May 08, 2013 2:26 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** LT COL John B Davis

**E-MAIL:** [home.jdavis23@gmail.com](mailto:home.jdavis23@gmail.com)

**COMPANY:**

**ADDRESS:** 203 APACHE TRL  
BURNET TX 78611-2919

**PHONE:** 5127934303

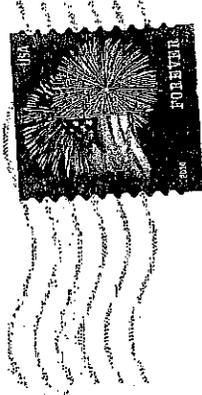
FAX: 5127932832

**COMMENTS:** May 8, 2013 Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides my comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. My contact information follows: NAME: John B Davis MAILING ADDRESS: 203 Apache Trail Burnet, TX 78611 DAYTIME PHONE NUMBER(S): 512-793-4303 FAX NUMBER: 512-79302832 EMAIL ADDRESS: [home.jdavis23@gmail.com](mailto:home.jdavis23@gmail.com) I am affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, I request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. 1) Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Only data up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past 2) No clear and distinct provisions are made for lake recovery time. As evidenced by 2010, one good year of rainfall and recovery in the midst of a drought cycle can be wiped out by huge releases the following year. This is what happened in 2011. Without an appropriate recovery period, we could be perpetually in a state of water emergency. 3) Despite implementing emergency orders curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. Even with the two Emergency Orders, we are facing a potential Drought Worse than Drought of Record (DWDOR) this summer, which evidences the serious failure of the WMP. 4) The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. Senators Fraser and Watson have introduced legislation to help correct this, but it should be included in the WMP as well. 5) There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may then become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future. 6) The WMP must use multi-year planning for managing multi-year drought cycles. Using a one-year approach rather than a multi-year is too risky. A more conservative assessment of future hydrology is needed. 7) Any customer that has a contract for "guaranteed" water (i.e.: Garwood Irrigation District) must be considered a firm water customer and pay the firm water rate. 8) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today. Conclusions: Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agricultural, municipal, industrial, or lake interests. Possible Recommendations: 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF 2) Keep the current TCEQ Emergency Order in effect 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology 5) Require LCRA to begin working immediately with stakeholders on a new WMP that: • Properly protects firm users in times of drought; • Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and • Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water. Thank you for your consideration of these important issues. Please let me know if you need any additional information. Sincerely,



431 WATERWAY C4.  
BARNET, TX 78644

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2015 SEP -14 AM 10:31  
CHIEF CLIENTS OFFICE



ALBUQUERQUE, NM 87102  
RFD ORANGE DISTRICT  
USPS SEP 2015 PM 5 L

RECEIVED  
SEP 04 2015  
TCEQ MAIL CENTER  
MM

Ms. BRIDGET C. BONAC, CHIEF CLERK  
OFFICE OF THE CHIEF CLERK (MC105)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087  
AUSTIN, TX 78711-3087

May 13, 2013

*WP  
8/23/13*

2013 MAY 29 AM 9:58

CHIEF CLERKS OFFICE

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

RE: Comments and request for Contested case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TECQ Water Rights Permit. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit # 5838) and request a contested case hearing on this application. Our contact information follows:

Michael S Devaney  
Vanishing Texas Tours Inc.  
443 Waterway Lane  
Burnet, Tx. 78611  
512-756 6986 Office  
830-613-7254 Cell  
512-756-4249 Fax  
[captainshawn@vtrc.com](mailto:captainshawn@vtrc.com)

REVIEWED

MAY 29 2013 *H*

By *BL*

We are affected by this proposal amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TECQ's careful attention to our comments and TECQ's approval of our request for a hearing.

1) Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Only data up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past

*Crw*

2) No clear and distinct provisions are made for lake recovery time. As evidenced by 2010, one good year of rainfall and recovery in the midst of a drought cycle can be wiped out by huge releases the following year. This is what happened in 2011. Without an appropriate recovery period, we could be perpetually in a state of water emergency.

3) Despite implementing emergency orders curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. Even with the two Emergency Orders, we are facing a potential Drought Worse than Drought of Record (DWDOR) this summer, which evidences the serious failure of the WMP.

4) The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. Senators Fraser and Watson have introduced legislation to help correct this, but it should be included in the WMP as well.

5) There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may then become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future.

6) The WMP must use multi-year planning for managing multi-year drought cycles. Using a one-year approach rather than a multi-year is too risky. A more conservative assessment of future hydrology is needed.

7) Any customer that has a contract for "guaranteed" water (i.e.: Garwood Irrigation District) must be considered a firm water customer and pay the firm water rate.

8) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today.

Conclusions:

Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agricultural, municipal, industrial, or lake interests.

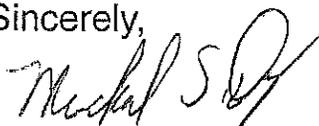
Possible Recommendations:

- 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin
- 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology
- 5) Require LCRA to begin working immediately with stakeholders on a new WMP that:
  - Properly protects firm users in times of drought;
  - Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
  - Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

To express your concerns about LCRA's Water Management Plan, and request a contested case

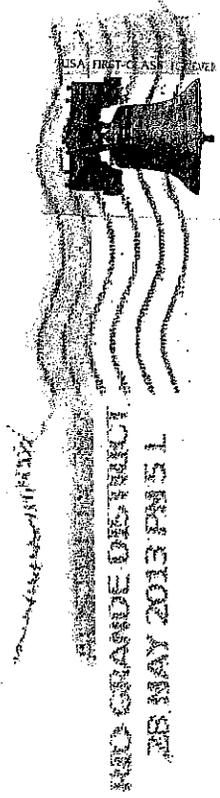
Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,



Michael S Devaney

443 WATERWAY Ct  
BURNET TX, 78611



NO GRANDE DISTRICT  
28 MAY 2013 PM 5 L

RECEIVED

MAY 29 2013

TCEQ MAIL CENTER  
JR

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY 29 AM 9:58  
CHIEF CLERKS OFFICE

MS BRIDGET BOND, CHIEF CLERK  
OFFICE OF THE CLERK (MC105)

T.E.C.Q.

P.O. Box 13087

AUSTIN, TX 78711-3087



September 7, 2015

VIA FIRST-CLASS MAIL

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

WIP  
8/23/15  
SIE

REVIEWED

SEP 09 2015

By [Signature]

WH

CHIEF CLERK'S OFFICE

2015 SEP -9 AM 10:55

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Withdrawal of Comments and Request for Contested Case Hearing Regarding  
Application of Lower Colorado River Authority to Amend its Water Management  
Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

By this letter, I/we, Nancy and James Edwards,  
hereby withdraw my/our comments and request for a contested case hearing (filed in 2013)  
regarding Water Rights Application No. 5838A, the application of the Lower Colorado River  
Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you  
have any questions or need additional information in order to process this withdrawal request.

Address:

405 Bumpy Ridge Dr.  
Burnet, TX 78611

Phone number: 512-940-1994

E-mail address: rudcan\_tony@hotmail.com ✓

Thank you,

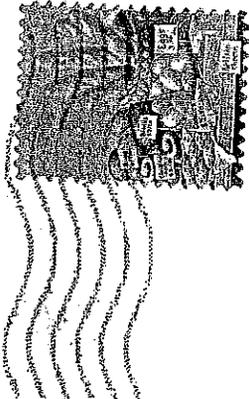
Signed: Nancy Edwards / James Edwards

Printed Name(s): NANCY Edwards / JAMES Edwards

[Handwritten mark]



Mr. & Mrs. James Edwards  
405 Bumpy Ridge Dr.  
Burnet, TX 78611



AUSTIN TX 787  
RIO GRANDE DISTRICT  
08 SEP 2015 PM 2 L

RECEIVED

SEP 09 2015

TCEQ MAIL CENTER  
CS

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 SEP -9 AM 10: 25

CHIEF CLERKS OFFICE

*Office of the Chief Clerk, MC 105*

*TCEQ*

*P.O. Box 13087*

*Austin TX 78711-3087*

78711308787



May \_\_, 2013

Ms. Bridget C. Bohac, Chief Clerk

Office of the Chief Clerk (MC 105)

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, Texas 78711-3087

REVIEWED

MAY 02 2013

By BR

*WR  
8/23/15*

*H*

CHIEF CLERKS OFFICE

2013 MAY -2 PM 3:06

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested

case hearing on this application. Our contact information follows:

NAME: James A. & Nancy R. Edwards

MAILING ADDRESS: 405 Bumpy Ridge Dr.  
Burnet, TX 78611

DAYTIME PHONE NUMBER(S): 512 793-4140

FAX NUMBER (IF ANY): \_\_\_\_\_

EMAIL ADDRESS: rudean\_tony@hotmail.com

*mc*

We are affected by this proposed amendment to the LCRA's Water Management

Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention

to our comments and TCEQ's approval of our request for a hearing.

*We have owned our home on the lake for over 20 years. The lake has gone up & down numerous times but has remained low for an extended time during this drought period. We are in danger of losing our well water as we have had to drill deeper to be able to continue to have water. With the continuing drought, it is essential to keep as much water in the lake as possible.*

Thank you for your consideration of these important issues. Please let me know if

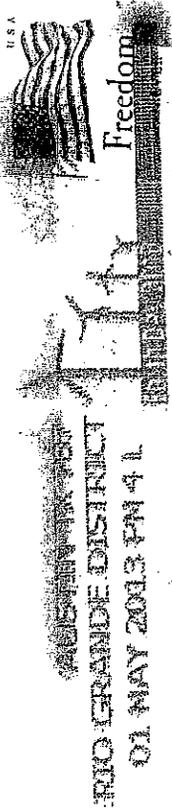
~~you~~

you need any additional information.

Sincerely,

*Al Edwards*  
*Dancy L. Edwards*

James A. Edwards  
405 Bumpy Ridge Dr.  
Burmet, TX 78611



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY -2 PM 3: 00

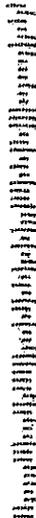
CHIEF CLERKS OFFICE

*Ms. Bridgett C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087*

RECEIVED

MAY 02 2013

TCEQ MAIL CENTER  
EB



78711308797

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, September 16, 2015 3:33 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [eehler@aol.com](mailto:eehler@aol.com) [mailto:[eehler@aol.com](mailto:eehler@aol.com)]  
**Sent:** Wednesday, September 16, 2015 1:29 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WRP  
8/23/15

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Gene Ehler

**E-MAIL:** [eehler@aol.com](mailto:eehler@aol.com)

**COMPANY:**

**ADDRESS:** 9705 LINDENWOOD TRL  
DENTON TX 76207-8705

**PHONE:** 9402710212

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

MC

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Monday, May 13, 2013 10:46 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, May 13, 2013 9:49 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

**From:** [eehler@aol.com](mailto:eehler@aol.com) [<mailto:eehler@aol.com>]  
**Sent:** Friday, May 10, 2013 6:04 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
8/23/15

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** GENE A EHLER

**E-MAIL:** [eehler@aol.com](mailto:eehler@aol.com)

**COMPANY:**

**ADDRESS:** 308 S CHAPARRAL  
BURNET TX 78611-3661

**PHONE:** 5127936260

*Ma*

**FAX:**

**COMMENTS:** May 10, 2013 Ms Bridget C. Bohac, Chief Clerk Office of the Chief Clerk at TCEQ 12100 Park 35 Circle, Bldg F Austin, Tx 78711-3087 RE: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838. Dear Ms. Bohac: My wife and I live on Lake Buchanan, and are very concerned about any releases when the lake is so low. What little rain we have received, has had no impact on the lake levels. Actually they have dropped as you know. We have a contract with LCRA to take water from the lake, but I have had to put a gasoline pump by the water and pump the water to my house, which is almost 2000 feet from the water. Some of my neighbor's wells have gone dry and my wife and I are very concerned about our well going dry. As the lake goes down, the water table in the wells also declines. We conserve our water every day in ways of which you probably don't want to read about. We ask you to please consider the following: 1. Include the years of 2010, 2011 and 2012 in the drought record. 2. The lakes need to recover before any releases for agriculture. Let the lakes get to 80% full. 3. Agriculture must change. Using 70% of the water in the lakes is no longer acceptable. 4. Set the price agriculture pays for water at \$100.00 to \$125.00 P/A/F. 5. Set the combined lake volumes at 1,000,000 before any releases to agriculture. 6. Keep the current TCEQ Emergency Order in effect. Another drawdown will cause many more wells to go dry, and it is just not good policy to drawdown lakes that are already 60% empty. Many citizens do not trust LCRA, so you are our life line. Please consider the above recommendations in your decision making process. Yours Truly Gene & Mary Etta Ehler 308 S Chaparral Burnet, Tx. 78611-3559

REVIEWED

MAY 15 2012

By 

Ms. Bridget C Bohac

May 12, 2012

MC-105 TCEQ

P.O. Box 13087

Austin, Texas 78711-3087

RE: LCRA WMP

*WR  
8/23/15*

Dear Ms. Bohac

My name is Gene Ehler, and my wife and I live on Lake Buchanan, or as the rice farmers call it Lake "Bucket". I can tell you, my wife and I resent the fact the farmers already take over 70 percent of the water in the Highland Lakes and they want that water regardless of the amount of water that may or may not be in the Lakes. During times of drought, everyone must reduce their water consumption and that includes the farmers. I grew up on a farm in west Texas and know how important water is to farming, but when there is not enough water for all the stakeholders, something MUST change.

The water management plan (WMP) was developed with all stakeholders represented and was approved by the LCRA Board. Now the farmers want to change it. PLEASE do not allow that to happen. It is strange to me that the farmers want all of us to make sacrifices in times of drought while they continue to demand all the water they want. Never mind the fact that the lakes are only half full, send us our 70 percent.

Lake Buchanan and Travis are not just "buckets" of water to the one and a half million people who live in the river basin. Frankly, I can live without eating any more rice, but I sure do need to have some water to drink. We are depending on the TCEQ to approve the WMP as presented by LCRA.



Gene Ehler

308 S CHAPARRAL

BURNET, TX 78611-3559

512-793-6260 ✓

EEHLER@AOL.COM ✓

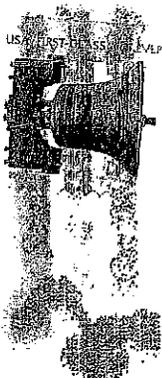
CHIEF CLERKS OFFICE

2012 MAY 14 PM 2:29

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

*me*

04/21/12



AUSTIN TX 787  
RND GRNND DISTRICT  
MAY 14 2012

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2012 MAY 14 PM 2:29  
CHIEF CLERKS OFFICE

Ms. BRIDGET C. BOHAG  
MC 7105 TCEQ  
P.O. Box 13087  
AUSTIN, TX 78711-3087



RECEIVED  
MAY 14 2012  
TCEQ MAIL CENTER  
AJ

TX 2011-000  
27 08 100

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, September 02, 2015 12:19 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [dnflack@gmail.com](mailto:dnflack@gmail.com) [<mailto:dnflack@gmail.com>]  
**Sent:** Wednesday, September 02, 2015 11:57 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82318

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Doug Flack

**E-MAIL:** [dnflack@gmail.com](mailto:dnflack@gmail.com)

**COMPANY:** Volente Boat Club

**ADDRESS:** 2109 FIRST VW  
LEANDER TX 78641-8883

**PHONE:** 5125410177

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

April 30, 2013

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

WR  
82315

2013 MAY -6 AM 10: 51

CHIEF CLERKS OFFICE  
REVIEWED:

MAY 06 2013

By SP H

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Doug Flack  
2109 First View  
Leander, TX 78641

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agriculture, municipal, industrial, or lake interests.

**Possible Recommendations:**

- 1) Immediately impose a **minimum** storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology
- 5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:

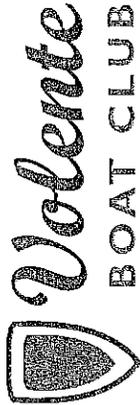
MC

- Properly protects firm users in times of drought;
- Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. H.', written over a horizontal line.

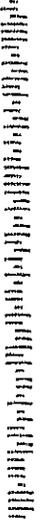


Located on Lake Travis  
at the VIP Marina  
Mailing Address  
16107 FM 2769, Unit C  
Volente, TX 78641



Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (mc105)  
Texas Commission on Environmental Quality  
PO Box 13087  
Austin, TX 78711-3087

2013 MAY 16 AM 10:51  
RECEIVED  
CHIEF CLERKS OFFICE  
MAY 06 2013  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



78711308787

www.VolenteBoatClub.com

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:25 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [tfg@volenteboatclub.com](mailto:tfg@volenteboatclub.com) [<mailto:tfg@volenteboatclub.com>]  
**Sent:** Monday, August 31, 2015 6:41 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** MR Tom Gardiner

**E-MAIL:** [tfg@volenteboatclub.com](mailto:tfg@volenteboatclub.com)

**COMPANY:**

**ADDRESS:** 2801 WELTON CLIFF DR  
CEDAR PARK TX 78613-4324

**PHONE:** 5126596135

**FAX:** 5126596135

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

April 30, 2013

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

*WR  
5838A  
5/23/13*

CHIEF CLERK'S OFFICE

2013 MAY - 2 PM 3: 06

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Tom Gardiner  
2801 Welton Cliff Drive  
Cedar Park, TX 78613  
512-659-6135  
[tom@nauttoys.com](mailto:tom@nauttoys.com) ✓

REVIEWED #

MAY 02 2013

By BP

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agriculture, municipal, industrial, or lake interests.

**Possible Recommendations:**

- 1) Immediately impose a **minimum** storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology

*mm*

5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:

- Properly protects firm users in times of drought;
- Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

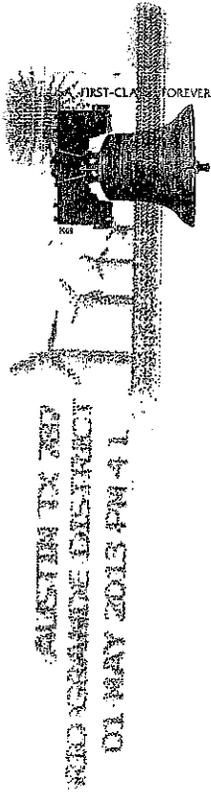
Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and a long horizontal stroke, positioned above a solid horizontal line.

VOLANTE POST MAIL  
16107-C FM 2769  
Volente, TX 78641

Volante Post Mail



RECEIVED

MAY 02 2013

TX ENVIRONMENTAL CENTER  
EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2013 MAY -2 PM 06  
CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC105)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2012 MAY 14 AM 10:14  
CHIEF CLERKS OFFICE

WR  
8/23/15

Ms. Bridget C Bohac  
Chief Clerk; MC-105, TCEQ  
P O Box 13087  
Austin, Texas 78711-3087

Dear Ms. Bohac,

Please pass the proposed water management plan as soon as possible. I am an Austin resident and owner of 4 local businesses. As a member of CTWC we labored for months to come up with a bi-partisan plan that was then approved by all parties. Pardon me for being frank but growing rice in a desert is madness. We must and will stop this insanity; it is just a matter of time before the people of Austin wake up to the fact that our most precious resource is being funneled to one small constituency downriver at subsidized rates. There is no aspect of the current plan that is even remotely balanced by any measure. Times are changing and businesses need to adapt, it's the American way, even for the rice industry. Pass the WMP soon!

Sincerely,



Tom Gardiner  
12999 Wire Rd  
Leander, TX 78641

**REVIEWED**

MAY 14 2012

By ht

mw

MSD



Located on Lake Travis  
at the VIP Marina  
Mailing Address  
16107-C FM 2769  
Volente, TX 78641

RECEIVED  
MAY 14 2012  
TCEQ MAIL CENTER

POSTNET  
16107C FM 2769  
162 MAY 14 2012



TEXAS  
COMMISSION  
ON EMPLOYMENT  
QUALITY

2012 MAY 14 AM 10:14  
CHIEF CLERKS OFFICE

Ms. Bridget C Bohac  
Chief Clerk; MC-105, ~~105~~  
PO. BOX 13087  
Austin TX 78711-3087



78711308797

Melissa Schmidt

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 4:53 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com) [<mailto:carlageorge@austin.rr.com>]  
**Sent:** Tuesday, September 01, 2015 4:21 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Carla George

**E-MAIL:** [carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com)

**COMPANY:**

**ADDRESS:** 12402 CEDAR ST  
AUSTIN TX 78732-1801

**PHONE:** 5122152512

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MS*

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Monday, May 13, 2013 10:47 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, May 10, 2013 3:22 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**From:** [carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com) [mailto:[carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com)]  
**Sent:** Friday, May 10, 2013 3:19 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Carla George

**E-MAIL:** [carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com)

**COMPANY:**

**ADDRESS:** 12402 CEDAR ST  
AUSTIN TX 78732-1801

**PHONE:** 5122152512

*MW*

FAX:

**COMMENTS:** The proposed WPM improvements are not sufficient to assure that the LCRA will provide a guaranteed water supply to the firm water customers. As is obvious, the average inflows have significantly decreased from what was assumed in the plan, which was based on 2009. Therefore, I request a contested case hearing.

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, September 02, 2015 12:19 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

WR  
82318

**From:** Tom\_Goforth@Baylor.edu [mailto:Tom\_Goforth@Baylor.edu]  
**Sent:** Wednesday, September 02, 2015 11:20 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** DR. Tom Goforth

**E-MAIL:** [Tom\\_Goforth@Baylor.edu](mailto:Tom_Goforth@Baylor.edu)

**COMPANY:**

**ADDRESS:** 563 OLD RANCH RD  
CRAWFORD TX 76638-2679

**PHONE:** 2547176143

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

REVIEWED

MAY 15 2013

By AK

May 8, 2013

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

WMP  
5838A  
05/15/13

CHIEF CLERKS OFFICE

2013 MAY 10 AM 10:18

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. My contact information is as follows:

NAME: Thomas Goforth  
Professor Emeritus of Geology, Baylor University

MAILING ADDRESS: 563 Old Ranch Road, Crawford, TX 76638

DAYTIME PHONE NUMBER(S): 254-717-6143

EMAIL ADDRESS: Tom\_Goforth@Baylor.edu

I am affected by this proposed amendment to the LCRA's Water Management Plan as a property owner at Lake Buchanan. I would appreciate the TCEQ's careful attention to the following comments. Please consider the following recommendations.

- 1) Immediately impose a **minimum** storage level of 850,000 AF rather than the current 600,000 AF
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin
- 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology
- 5) Require LCRA to begin working immediately with stakeholders on a new WMP that:
  - Properly protects firm users in times of drought;
  - Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
  - Provides true incentives for conservation by all parties, including proper water pricing and

*[Handwritten signature]*

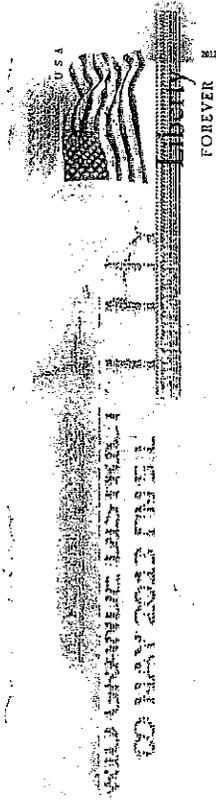
assessment of relative economic benefit created by use of the water.

Thank you for your consideration of these important issues.

Sincerely,

Thomas Goforth

Dr Tom T Goforth  
563 Old Ranch Rd  
Crawford, TX 76638-2679



WILD CHARLIE DISTRICT  
00 MAY 2013 PM 5L

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

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 10 AM 10

CHIEF CLERKS OFFICE

Quality

RECEIVED

MAY 10 2013

75711308757  
MAIL CENTER  
JH

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 10:20 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [kgray@sgifs.com](mailto:kgray@sgifs.com) [<mailto:kgray@sgifs.com>]  
**Sent:** Monday, August 31, 2015 9:58 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Kelly Gray

**E-MAIL:** [kgray@sgifs.com](mailto:kgray@sgifs.com)

**COMPANY:**

**ADDRESS:** PO BOX 26800  
AUSTIN TX 78755-0800

**PHONE:** 5124159746

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

May 22, 2013

2013 MAY 28 AM 10:21

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

CHIEF CLERKS OFFICE

WR  
82315

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Kelly Gray

MAILING ADDRESS: PO Box 26800  
Austin, TX 78755

DAYTIME PHONE NUMBER(S): (512) 637-3648

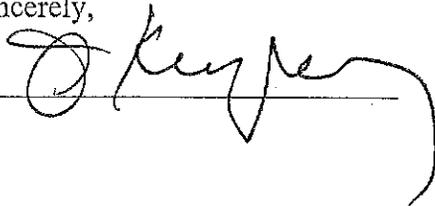
FAX NUMBER (IF ANY): (512) 343-7317

EMAIL ADDRESS: Kgray@sgifs.com

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. We operate a marina on Lake Travis so we have an economic interest in the lake's sustainability during prolonged droughts. We feel that the minimum storage level should be set at 850,000 AF instead of 600,000 AF.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

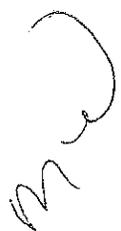
Sincerely,



REVIEWED

MAY 29 2013

By 



SGP Capital Investments, Inc.  
PO Box 26800  
Austin, TX 78755

RECEIVED Service  
Requested

MAY 28 2013

TCEQ MAIL CENTER  
MM

Resort  
First Class Mail  
ComBase Price



U.S. POSTAGE PITNEY BOWES



ZIP 78731 \$000.43<sup>3</sup>  
02 1W  
00013735666 MAY. 24. 2013

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 28 AM 10: 21

CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality

PO Box 13087  
Austin, TX 78711

73 KQJWFMP 78711

9 30, 2015

VIA FIRST-CLASS MAIL  
Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

WR  
8/23/15

REVIEWED

OCT 01 2015

By PR

VH

CHIEF CLERKS OFFICE

2015 OCT -1 AM 9:57

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: Withdrawal of Comments and Request for Contested Case Hearing Regarding Application of Lower Colorado River Authority to Amend its Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

By PAUL HUGHES this letter, I/we, PAUL HUGHES, hereby withdraw my/our comments and request for a contested case hearing (filed in 2013) regarding Water Rights Application No. 5838A, the application of the Lower Colorado River Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you have any questions or need additional information in order to process this withdrawal request.

Address:

7307 BLUE HERON COVE

VOLENTE, TX, 78641

Phone number: 713-380-0544 (cell).

E-mail address: welshpaulhughes@gmail.com ✓

Thank you,

Signed: PAUL HUGHES

Printed Name(s): PAUL HUGHES

CRW



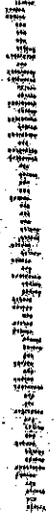
AUSTIN TX 787  
RIO GRANDE DISTRICT  
30 SEP 2015 PND 1

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 OCT -1 AM 9: 57  
CHIEF CLERKS OFFICE

*MS BRIDGET C. BOTTAC - Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality*

PO BOX ~~13087~~ A 13087  
AUSTIN TX 78711-3087



78711308797

Mr. Paul Hughes  
7307 Blue Heron Cv.  
Volente, TX 78641-6140

RECEIVED

OCT 01 2015  
TCEQ MAIL CENTER  
MM

Paul Hughes  
7307 Blue Heron Cove  
Volente, TX, 78641

*WR  
82315*

May 3, 2013

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

**REVIEWED**

MAY 07 2013

By *BP*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2013 MAY - 6 PM 3:16  
CHIEF CLERKS OFFICE

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Paul Hughes

MAILING ADDRESS: 7307 Blue Heron Cove, Volente, TX, 78641

DAYTIME PHONE NUMBER(S): 512-257-1653 (home) 713-208-6587 (cell)

FAX NUMBER (IF ANY): \_\_\_\_\_

EMAIL ADDRESS: [welshpaulhughes@gmail.com](mailto:welshpaulhughes@gmail.com)

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

I live a lakefront house and have my own boat and boat dock. I also use lake Travis as my domestic water supply, and have a contract where I pay annually for this use. The water level in my cove is now down to a level, where I cannot get my boat out of my dock. Additionally, I am yet again looking at having to have my water pump relocated to deeper water at significant cost. The quality of life I once experienced as a lakeside resident is hugely diminished due to the ongoing low lake levels arising as a result of flaws in the water management plan. Chronically low levels do not benefit any of the interested parties; environmental, agriculture, municipal, industrial, or lake interests.

As a minimum, I would like to understand why we cannot implement the following recommendations.

- 1) Immediately impose a **minimum** storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.

*BP*

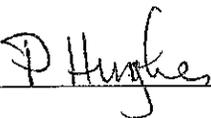
4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology

5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:

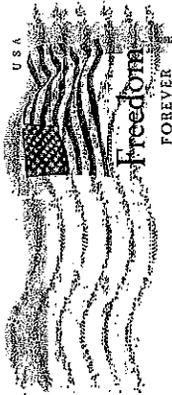
- Properly protects firm users in times of drought;
- Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

  
\_\_\_\_\_

Mr. Paul Hughes  
7307 Blue Heron Cv  
Volente, TX 78641-6140



MAY 06 2013 PM 3:16

Office of the Chief Clerk

MC105, TCEQ

PO BOX 13087

AUSTIN

TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY -6 PM 3:16

RECEIVED  
MAY 06 2013  
TCEQ MAIL CENTER  
AR  
CHIEF CLERK OFFICE

78711-3087

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 4:11 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [dr.kevin.klein@gmail.com](mailto:dr.kevin.klein@gmail.com) [<mailto:dr.kevin.klein@gmail.com>]  
**Sent:** Tuesday, September 01, 2015 2:44 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Kevin Klein

**E-MAIL:** [dr.kevin.klein@gmail.com](mailto:dr.kevin.klein@gmail.com)

**COMPANY:**

**ADDRESS:** 10612 GALSWORTHY LN  
AUSTIN TX 78739-1750

**PHONE:** 5122886703

**FAX:** 5122886703

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:48 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838  
**Attachments:** TCEQ Comments - Kevin Klein1.docx

H

*WR  
82315*

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 08, 2013 3:00 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

**From:** [dr.kevin.klein@gmail.com](mailto:dr.kevin.klein@gmail.com) [<mailto:dr.kevin.klein@gmail.com>]  
**Sent:** Wednesday, May 08, 2013 2:31 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** DR. Kevin Klein

**E-MAIL:** [dr.kevin.klein@gmail.com](mailto:dr.kevin.klein@gmail.com)

**COMPANY:**

**ADDRESS:** 10612 GALSWORTHY LN  
AUSTIN TX 78739-1750

**PHONE:** 5122886703

*Ma*

FAX:

COMMENTS: Attached Word document

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

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Kevin Klein

MAILING ADDRESS: 10612 Galsworthy Lane, Austin, TX 78739

DAYTIME PHONE NUMBER(S): 512-288-6703

EMAIL ADDRESS: dr.kevin.klein@gmail.com

I, my family, and my neighbors along the lakes are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, I request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

As a resident on the shores of Lake Buchanan, the management of the lakes greatly affects my family and me. The prolonged low lake levels caused by the drought in combination with the failure of the current Water Management Plan to adequately protect firm water customers in times of drought is causing severe issues with the water supply necessary to those that live along the lake.

The first affect is the decline in well water supplies along the lake. Clearly there is a link between lake levels and the ground water supply. The prolonged low lake levels are resulting in the reduced flow and even failure of wells all through the areas near the lakes. The most famous example is Spicewood Beach where the wells have gone dry. Many of my neighbors along the lakes have been forced to spend thousands of dollars to drill new wells or invest in water tanks and other systems to try to eke sufficient water from the greatly reduced flows coming from wells today. In my case, it is impossible to do anything water intensive such as laundry or operate a dishwasher with the greatly reduced flow of my well. Just a couple of weeks ago my daughters were getting ready to go to church and found that the water flow completely stopped.

The second affect is the failure of LCRA to fulfill its obligations to residents like me as a firm water customer. Like many lakeside residents I hold a contract from the LCRA to provide water at a significant price premium to that charged to interruptible irrigation customers. And yet because massive amounts of water have been released in recent years for free or at greatly reduced rates I face restrictions in the availability of water which is in direct conflict to the law requiring LCRA to provide sufficient water to firm customers before supplying the interruptible customers with cheap and almost limitless water.

According to the LCRA, there are roughly 4000 similar firm users like me with Domestic Use Permits paying roughly \$690,000 per year to use about 5,000 acre-feet of water. By contrast, the customers of the four major irrigation districts paid about \$600,000 to use 433,000 acre-feet of stored raw water in 2011. These roughly 200 customers paid less money to use almost 100x more water, enough to fill up about half of Lake Travis or Lake Buchanan. Corporate irrigation customers, in the midst of record drought, have used more than 12,000 acre-feet of water, each using more than the cities of Lakeway, Lago Vista, Horseshoe Bay, and Leander combined. In 2011 the irrigation customers in aggregate used more than enough water to supply the entire City of Los Angeles while inflows to the Highland Lakes were at record lows.

In times of abundant rain and overflowing reservoirs it is nice to be able to supply huge amount of low cost water for irrigation, but in times of drought when cities and lake residents are dependent on the lakes for water supply for daily use and have contracts in place for water provided at premium prices, the Water Management Plan must sufficiently protect these users' interests. The Water Management Plan as proposed does not sufficiently protect the interests of the firm water customers.

In order to make sure that any future Water Management Plan sufficiently protect the interests of firm water customers, I respectfully request that it must contain the following provisions.

- A minimum cutoff of interruptible customers anytime at no less than 850,000 acre-feet. The current 600,000 acre-feet level was arbitrarily determined years before the current record drought. What we see today is that even levels above 850,000 acre-feet is not enough to ensure that those living near the lakes have sufficient access to water for daily use.
- Keep the current TCEQ Emergency order in place. The current low levels and likely Drought Worse than Drought of Record coming this summer are clear indications of the failure of the current Water Management Plan. The Emergency Order must stay in place until an adequate Water Management Plan is put in place.
- Sufficient allowance must be made for lake recovery once low levels have been reached. Ground water supplies must be allowed to recharge. The

supply buffer intended to be provided by the lakes must be rebuilt. Chronically managing the lakes at the edge of disaster does not benefit any of the interests dependent on the lakes.

- Stop prioritizing water for irrigation over water for domestic and municipal use. The cities and lake residents are everyday using water for daily use, not to grow turf for green lawns or rice largely for export. The cities and lake residents pay a huge premium to ensure they have access to the water they need and that is supposed to be guaranteed by law by the LCRA. These municipal and lake side customers are asked to restrict their water usage long before any curtailment is put in place for irrigation customers. It is great to be able to provide massive amounts of cheap water for irrigation in times of abundant water, but the needs of firm water customers must take clear and absolute precedence in times of restricted supply.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

Kevin Klein

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 4:53 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com) [<mailto:carlageorge@austin.rr.com>]  
**Sent:** Tuesday, September 01, 2015 4:23 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Suzanne Lambert

**E-MAIL:** [carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com)

**COMPANY:**

**ADDRESS:** 12402 CEDAR ST  
AUSTIN TX 78732-1801

**PHONE:** 5122152512

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

Marisa Weber

**From:** PUBCOMMENT  
**Sent:** Friday, May 17, 2013 9:59 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, May 17, 2013 7:19 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
82315*

**From:** [carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com) [mailto:[carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com)]  
**Sent:** Thursday, May 16, 2013 4:07 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** MS Suzanne Lambert

**E-MAIL:** [carlageorge@austin.rr.com](mailto:carlageorge@austin.rr.com)

**COMPANY:**

**ADDRESS:** 12402 CEDAR ST  
AUSTIN TX 78732-1801

**PHONE:** 5122152512

*CRW*

**FAX:**

**COMMENTS:** In light of Tim Timmerman's comment today, I would like to add the following comments to my previous submission: The current releases of 30,000 acre ft. of water for the blue sucker fish while we are in emergency drought conditions is a perfect example of precisely why this Water Management Plan is extremely flawed. Tim Timmerman was quoted in "The Highlander" today as saying, "It is distressing to me that we are releasing all this water downstream when the (Lakes Buchanan and Travis) reservoirs very likely could be down to 500,000 acre feet of storage by the end of the year." Please know that it is distressing to the 1.5 million firm customers who are now becoming aware that our drinking water is being flushed down the river. How can the chairman of the LCRA board be forced to waste water recklessly when he knows full well this act will end up having serious repercussions, both for LCRA customers and for the LCRA's reputation for mismanaging the water they are responsible for conserving? In fact, under the proposed plan, there is no incentive for firm customers to conserve water, as any conservation efforts will be responded to by having the conserved water sent downstream to farmers paying a pittance of the price paid by firm customers. The 850,000 trigger falls under LCRA's "SEVERE" water storage level. The minimum trigger should be changed to at least 900,000, which is still a "CAUTIOUS" storage supply level. I find it odd that the recent years' data was not utilized and only data up to 2009 is considered. Inflows have significantly decreased from previous years, the number of users has significantly increased, and not using current data, or at least including these years in an average, is not statically sound or prudent. Our drinking water supply is in an emergency situation. Further, if we wait until 2020 to implement a more reasonable plan, there might not be any water left to manage. Those of you who have been placed in authority and are responsible for our future survival will have to answer for the decisions you are currently making. Therefore, I request a contested case hearing on this application as I hope you will revise this WMP to reflect a more wise and thoughtful plan.

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:27 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [kenny.lang@knlenergy.com](mailto:kenny.lang@knlenergy.com) [mailto:kenny.lang@knlenergy.com]  
**Sent:** Sunday, August 30, 2015 5:34 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Kenneth Lang

**E-MAIL:** [kenny.lang@knlenergy.com](mailto:kenny.lang@knlenergy.com)

**COMPANY:**

**ADDRESS:** 13627 WINTER CREEK CT  
HOUSTON TX 77077-1550

**PHONE:** 8324198846

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MS*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

April 27, 2013

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

2013 MAY -1 AM 10: 36

CHIEF CLERKS OFFICE

WKR  
82315

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838.

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Kenneth W. Lang  
MAILING ADDRESS: 13627 Winter Creek Court  
Houston, TX 77077  
DAYTIME PHONE NUMBER: 832-419-8846  
EMAIL ADDRESS: kenny.lang@knlenergy.com ✓

H REVIEWED  
MAY 02 2013  
By BP

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

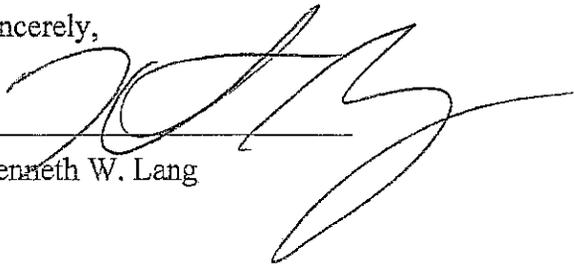
- We own 6.5 acres of waterfront property in the Chimney Oaks subdivision, about 15 minutes west of Lago Vista across from Pace Bend Park; we have owned this property since Sept 2006. We have a home here, plan to retire to this location and pay significant real estate taxes.
- The majority of time we have owned the property, the lake level has been significantly under "average" and many times rendered near useless as boating becomes hazardous (as it is now) under the conditions.
- I fully recognize that the Tx Hill Country has been experiencing a drought for several years now, however the mismanagement of the LCRA has greatly amplified the situation by releasing significant water downstream during 2011/12.
- I also have a daughter, son-in-law, and two grandchildren that live in Austin who count on the highland lakes for drinking water. It seems completely ridiculous

Handwritten signature or initials.

that LCRA sends water to rice farmers in Matagorda County (at a fraction of the cost they charge Austin and lakefront property owners) and places people in the greater Austin area in peril.

Thank you for your consideration of these important issues, and I sincerely hope and pray that whomever regulates and/ or governs the LCRA "cleans house" and gets real leadership installed. Please let me know if you need any additional information.

Sincerely,



\_\_\_\_\_

Kenneth W. Lang



**Kenny Lang**  
 KNL Energy, LLC  
 13627 Winder Creek Court  
 Houston, Texas 77077

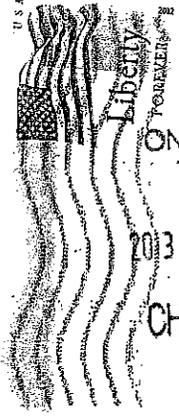
**RECEIVED**

MAY 01 2013

2:28 APR 2013 PM 10 T

TCEQ MAIL CENTER

MM



2013 MAY 1 AM 10:30  
 CHIEF CLERK'S OFFICE  
 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Ms. BRIDGET C. BOHAC, Chief Clerk*  
*Office of the Chief Clerk (Chief Clerk's Office)*  
*Texas Commission on Environmental Quality*  
 P.O. Box 13087

AUSTIN, TX 78711-3087

787113087



**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:24 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [kirklewis@austin.rr.com](mailto:kirklewis@austin.rr.com) [mailto:kirklewis@austin.rr.com]  
**Sent:** Monday, August 31, 2015 8:08 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82316

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Kirk Lewis

**E-MAIL:** [kirklewis@austin.rr.com](mailto:kirklewis@austin.rr.com)

**COMPANY:**

**ADDRESS:** 13116 TRAVIS VIEW LOOP  
AUSTIN TX 78732-1741

**PHONE:** 5124222495

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

MS

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:48 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 08, 2013 3:00 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

**From:** [kirklewis@austin.rr.com](mailto:kirklewis@austin.rr.com) [<mailto:kirklewis@austin.rr.com>]  
**Sent:** Wednesday, May 08, 2013 2:28 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** MR Kirk Lewis

**E-MAIL:** [kirklewis@austin.rr.com](mailto:kirklewis@austin.rr.com)

**COMPANY:**

**ADDRESS:** 13116 TRAVIS VIEW LOOP  
AUSTIN TX 78732-1741

**PHONE:** 5124222495

**FAX:**

**COMMENTS:** Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, September 30, 2015 10:49 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

*WR  
9/23/15*

**From:** [blueck@austin.rr.com](mailto:blueck@austin.rr.com) [mailto:[blueck@austin.rr.com](mailto:blueck@austin.rr.com)]  
**Sent:** Wednesday, September 30, 2015 10:11 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Robert M Lueck

**E-MAIL:** [blueck@austin.rr.com](mailto:blueck@austin.rr.com)

**COMPANY:**

**ADDRESS:** 14813 ARROW HEAD DR  
VOLENTE TX 78641-6136

**PHONE:** 5122583157

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in May, 2013.

*MW*

May 15, 2013

Robert M. Lueck  
14813 Arrowhead Dr.  
Volente, TX 78641  
[rlueck@austin.rr.com](mailto:rlueck@austin.rr.com)  
Tele (512) 258-3157

REVIEWED

MAY 15 2013

By RL

WR  
5/15/13  
82315  
H

CHIEF CLERKS OFFICE

2013 MAY 15 AM 11:42

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC105)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac,

I would like to offer a few concerns that I have relative to the Reference Subject and Hearing that is planned on the LCRA Water Management Plan. First, here is a little background information that drives my comments:

I bought my lakefront property in 1985. I have seen some big changes in water levels over the years and was almost flooded twice. I would like to say that LCRA has done an excellent job of managing lake levels. I also realize that the Highland Lakes were built for flood control (it certainly has served that objective very well). The lakes have also become a great recreational value. And LCRA has approved all commercial businesses and marinas. My point is that the Lakes have become used for multi-purposes.

Here are my comments:

- (1) Any representation of historical lake levels needs to include 2010, 2011 and 2012 because the lake levels in those years have been problematic and indicates a more real time view of supply and demand.
- (2) There continues to be significant growth in the Austin, Round Rock, Leander areas, increasing demands significantly. It is my understanding that LCRA has made commitments to sell water to satisfy these needs. These should be considered in any updates to the Water Management Plan.
- (3) I believe that ALL "guaranteed" water must be considered a firm water customer and pay the SAME rate. This would eliminate the apparent "favoritism" based on different user groups. ALL users of this water resource should pay the same rate (up and down), as that will put everyone trying to do the same conservation and adjust demand requirements for homes, agricultural, municipal, industrial and recreational demands.

I am not a student of all of the details in a Water Management Plan, but rather a CUSTOMER that is very concerned with where we are headed under the current Water Management Plan. With major pumping for Austin, Leander/Cedar Park/Round Rock not even activated yet, we are in big trouble. I also realize that lake levels can change very quickly, but we also need a plan that addresses worst-case scenarios.

Thank you for hearing my concerns.

Bob

RL

Sept 26, 2015

VIA FIRST-CLASS MAIL

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

WR  
82315

CHIEF CLERKS OFFICE

2015 SEP 30 AM 9:50

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Withdrawal of Comments and Request for Contested Case Hearing  
Regarding Application of Lower Colorado River Authority to Amend its  
Water Management Plan; Application No. 5838A; TCEQ Water Rights  
Permit No. 5838

Dear Ms. Bohac:

By \_\_\_\_\_ this \_\_\_\_\_ letter, I/we, \_\_\_\_\_, hereby withdraw my/our  
comments and request for a contested case hearing (filed in 2013) regarding Water Rights  
Application No. 5838A, the application of the Lower Colorado River Authority to amend  
its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if  
you have any questions or need additional information in order to process this withdrawal  
request.

Address:

14721 Arrowhead Dr.

Leander, TX 78641

Phone number: 512-918-8147

E-mail address: Lynch1225@gmail

Thank you,

Signed:

Carol Lynch

Printed Name(s):

Carol Lynch

REVIEWED

SEP 30 2015

By WH

114



AUSTIN TX 787  
MCGRAHE DESIGN  
28 SEP 2015 PM 5 L

Russell T. & Carol Lynch  
14721 Arrow Head Dr  
Leander, TX 78641

*Texas Commission on Environmental Quality*  
*Ms. Budget C Bohae, Chief Clerk*  
*P.O. # 13087*  
*Austin*  
*Tep 78711-3087*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

SEP 30 AM 9:50

CHIEF CLERKS OFFICE

105

RECEIVED

SEP 30 2015

TOEQ MAIL CENTER  
MM

787113087

FORM LETTER

May 1, 2013

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

WR/8/23/13  
REVIEWED H  
MAY 02 2013  
By BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2013 MAY -2 PM 3:06  
CHIEF CLERKS OFFICE

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Carol & Russell Lynch

MAILING ADDRESS: 14721 Arrowhead WU  
Leander, TX 78641

DAYTIME PHONE NUMBER(S): 512-918-8147 cell 217-9263

FAX NUMBER (IF ANY): \_\_\_\_\_

EMAIL ADDRESS: Lynch1225@gmail.com ✓

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

We live on a cove of the Lake. When we bought this property the Lake was full and we had a beautiful view. Our home has gone down in value since the drought. We fear that our water supply is drying up. How can we remain here if that happens. Lake Travis is a landmark. People were drawn to Austin to boat and fish and enjoy the view. You are destroying the very thing that Austin is known for and that

That's what is wrong with government. They have no regard for the people they govern...

Thank you for your consideration of these important issues. Please let me know if

yo

u need any additional information.

Sincerely,

Caul Lynch

Jo Karr Tedder and the CTWC Baord

[www.OurWater-OurFuture.com](http://www.OurWater-OurFuture.com)

[www.facebook.com/centraltexaswatercoalition](http://www.facebook.com/centraltexaswatercoalition)

**"The conservation of natural resources is the fundamental problem. Unless we solve that problem it will avail us little to solve all others."**

**Theodore Roosevelt** Address to the Deep Waterway Convention, Memphis, TN, October 4, 1907

[Forward this email](#)



Lynch Carol  
14721 Arrow Head Dr  
Leander, TX 78641

POST OFFICE GENERAL  
01 MAY 02 2013



Justice  
COVER

2013 MAY - 2 PM 3:06  
CHIEF CLERK'S OFFICE

TEXAS  
COMMISSION  
ENVIRONMENTAL  
QUALITY

Mrs. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk  
Tex Commission on Environmental Quality  
P.O. Box 13087

Austin Tex 78711-3087

RECEIVED

MAY 02 2013

MAIL CENTER  
EB



787113087

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, September 17, 2015 1:44 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [kmat71@gmail.com](mailto:kmat71@gmail.com) [<mailto:kmat71@gmail.com>]  
**Sent:** Thursday, September 17, 2015 1:16 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WRP  
023/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Kenneth Matwiczak & Barbara Matwiczak

**E-MAIL:** [kmat71@gmail.com](mailto:kmat71@gmail.com)

**COMPANY:**

**ADDRESS:** 19530 SANDCASTLE DR  
SPICEWOOD TX 78669-6702

**PHONE:** 5124013701

**FAX:**

**COMMENTS:** We, Kenneth and Barbara Matwiczak, hereby withdraw the comments and hearing request that we filed in 2013 regarding this permit number.

*RM*

May 1, 2013

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

*WJR*  
*8/23/15*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY -3 AM 10:13  
CHIEF CLERKS OFFICE

Subject: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Kenneth & Barbara Matwiczak  
MAILING ADDRESS: 19530 Sandcastle Drive  
Spicewood, TX 78669  
DAYTIME PHONE NUMBER: 512-401-3701  
EMAIL ADDRESS: [ken\\_matwiczak@hotmail.com](mailto:ken_matwiczak@hotmail.com)

REVIEWED

MAY 03 2013

By *BC*

*H*

Our primary residence is in a small development on the shores of beautiful Lake Travis—truly a resource worthy of protection. We are deeply concerned about the future availability of drinking water for all communities dependent on Lake Travis as a water source. This dire situation necessitates an updated Water Management Plan for the Highland Lakes, one that acknowledges the severe drought conditions of the past several years and the increasing demands for water. For these reasons, we seek TCEQ's approval of our request for a hearing.

Although the proposed WMP is a move in the right direction, it is not sufficient to assure that LCRA will provide a guaranteed water supply to firm water customers during drought conditions. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties--environmental, agricultural, municipal, industrial, or lake interests.

Potential recommendations include:

- 1) Immediately impose a **minimum** storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect.
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology data.

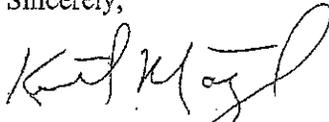
*BC*

5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:

- Properly protects firm users in times of drought;
- Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

Thank you for your consideration of these critical issues. Please let us know if you need any additional information.

Sincerely,



Kenneth Matwiczak



Barbara Matwiczak

Matwiczak  
19530 Sandcastle Dr.  
Spicewood, TX 78669



RIO GRANDE DISTRICT  
02 MAY 2013 4:41

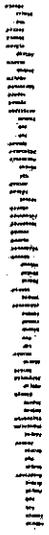
RECEIVED

MAY 03 2013

TCEQ MAIL CENTER  
MM

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY -3 AM 10:13  
CHIEF CLERKS OFFICE

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



78711308757

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 29, 2015 9:22 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com) [[mailto:mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com)]  
**Sent:** Monday, September 28, 2015 7:48 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Mary McAllister

**E-MAIL:** [mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com)

**COMPANY:** Water Power Nexus Consulting

**ADDRESS:** 3322 FAR VIEW DR  
AUSTIN TX 78730-3303

**PHONE:** 5123693849

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MM*

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Tuesday, May 21, 2013 8:14 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

*WR  
82315*

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, May 21, 2013 7:32 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

**From:** [mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com) [[mailto:mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com)]  
**Sent:** Tuesday, May 21, 2013 1:00 AM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** ~~2013-0225-WR~~

**COUNTY:** TRAVIS

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Mary McAllister

**E-MAIL:** [mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com)

**COMPANY:**

**ADDRESS:** 3322 FAR VIEW DR  
AUSTIN TX 78730-3303

**PHONE:** 5123693849

**FAX:**

*MW*

**COMMENTS:** May 20, 2013 Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides my comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application and that I be granted standing in this case. My contact information follows: NAME: Mary McAllister MAILING ADDRESS: 3322 Far View Dr, Austin, TX 78730 DAYTIME PHONE : 512 3693849 EMAIL ADDRESS: [mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com) I am affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. Therefore, I request that TCEQ approve my request for a hearing and grant me standing. This version of the Water Management Plan provides for the expanded use of hydroelectricity not provided for in the 1989 Adjudication Order. LCRA submits that the new hydro language simply updates rights granted in that order. However, the language grants LCRA sweeping new rights never envisioned in the Order. Implementation would cause chronically lowered lake levels particularly on Lakes Buchanan and Travis. According to the Travis County Economic Impact Study, lowered lake levels on Lakes Travis and Buchanan result in lowered property values on and around the lakes and reduced tax revenues. My property is within 5 miles of Lake Travis, and my property values are negatively impacted by low lake levels. The reduction in county revenues also adversely affects me as a Travis County tax payer. Thank you for your consideration of these important issues. Please let me know if you need any additional information. Sincerely, Mary McAllister

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Tuesday, May 21, 2013 8:14 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
02315*

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, May 21, 2013 7:32 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

**From:** [mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com) [[mailto:mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com)]  
**Sent:** Tuesday, May 21, 2013 12:49 AM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** ~~2013-0225-WR~~

**COUNTY:** TRAVIS

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Mary McAllister

**E-MAIL:** [mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com)

**COMPANY:** Water Power Nexus Consulting

**ADDRESS:** 3322 FAR VIEW DR  
AUSTIN TX 78730-3303

**PHONE:** 5123693849

**FAX:**

*MW*

**COMMENTS:** May 20, 2013 Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas, .. Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments on an Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides my comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838). My contact information follows: NAME: Mary McAllister MAILING ADDRESS: 3322 Far View Dr Austin, TX 78730 DAYTIME PHONE : 512 3693849 EMAIL ADDRESS: [mary\\_mcallister@hotmail.com](mailto:mary_mcallister@hotmail.com) I request that TCEQ formally register my comments below. 1)The new hydro language grants LCRA sweeping new rights to exploit stored water for the benefit of a few at the expense of the many. The following new language was never vetted by the stakeholders and was added to the LCRA's Water Management Plan just before the 2/21/2012 LCRA Board of Directors meeting: "Such emergencies may include, among other things: a) LCRA receives direction from the Electric Reliability Council of Texas (ERCOT), Independent System Operator, or other regulatory authority to generate, and no exception to the order exists under ERCOT protocols; b) there is the existence of a threat to LCRA generation and/or transmission systems that may result in the potential need to cut off firm electric customers; c) when LCRA is not curtailing availability of interruptible supply to the four downstream downstream irrigation operations and LCRA cannot internally meet its own power requirements with available generation or by starting up another LCRA unit, and d) LCRA providing responsive reserve service and non-spinning reserve service which, if called upon by ERCOT or other regulatory authority, may result in releases of water. 2)The new hydro language is a misrepresentation of an emergency, is a self serving rider, and mitigates the storage controls listed elsewhere in the plan. The old language says hydro is subordinated except in emergencies. The old language covered true emergency hydroelectric products like "Black Start" which are needed when the entire grid has gone dark. However, ERCOT could function perfectly without any of LCRA's 350 MW of hydro since they represent less than 1% of ERCOT's peak load. Gas fired generators compete directly with hydro to provide Ancillary Service products like Responsive Reserve and Non Spinning Reserve. Real emergencies accounted for only 324 of the 724,000 AcFt of hydro generated at Mansfield in 2011. LCRA has redefined "emergency" to include everyday ERCOT products and procedures and "threats" to its own generation, transmission or electric customers. While the term "threats" is undefined, it may translate to the transmission congestion resulting in ERCOT uplift charges. There was never intent in prior water management plans or in the 1989 adjudication to protect LCRA or its electric customers from uplift charges. LCRA typically sells hydro into ERCOT as "Responsive Reserve Service" the day before "Real Time." Because LCRA willingly offers the service in advance, and because ERCOT buys 1,500 MWs of Responsive Reserve Service from generators daily, it can hardly be considered an emergency product even though LCRA is obligated to run hydro if called. Constrains in LCRA transmission or generation shortfalls do not constitute emergencies and hydro should not function as a backup. LCRA's electric customers are under bilateral contracts which are settled outside of ERCOT's physical dispatch. So LCRA's firm electric customers are really ERCOT customers. ERCOT determines the emergencies and ERCOT buys and dispatches emergency products. 3)The new hydro language may also be aimed at future ERCOT conditions. As ERCOT and LCRA expand their wind portfolio, Ancillary Service products like Responsive Reserve and Non Spinning Reserve increase in demand. In adding this language, LCRA is codifying its right leverage the opportunity to use hydro to sell these products. As an ERCOT Qualified Scheduling Entity, LCRA may have obligations to provide Ancillary Services, but LCRA converted the Sim Gideon Plant to do so. In 2011 LCRA projected \$12M in non hydro ancillary services revenues. Other entities will also attempt to capitalize on this opportunity. The May, 2013 issue of Power Magazine touts small hydro as an untapped opportunity based on energy sales opportunities and a new streamlined FERC approval process. 4)LCRA's new WMP hydro language represents a "Tragedy of the Commons." The new language says LCRA may operate the hydro to benefit the few, i.e. LCRA themselves and their electric customers -- at the expense of the many, everyone else dependent on lake levels. Since the water is worth more as electricity, LCRA is leveraging that higher value for themselves and their electric customers. In 2011 when energy was capped at \$1500/MWhr, water used for hydroelectric peaked at about \$400 AcFt. In 2015 when energy will be capped at \$9000/MWhr, it follows that water used for hydroelectric would peak at \$2400 AcFt. In generating hydroelectric, LCRA is using free fuel and utilizing unused firm capacity (mostly Austin's), thus creating cross subsidization from water customers and triple dipping -- firm water reservation

fees, hydro revenues and interruptible water fees. LCRA is depleting a common good, storage, to defray its electric customer congestion uplift charges and/or generate revenues for its firm electric customers. In 2011 LCRA generated \$8M in hydro revenues in just 9 days. In that same year downstream irrigation operational costs exceeded revenues. On high priced days hydro used almost 5000 AcFt/D at Mansfield Dam alone. Hydro revenues benefit electric customers exclusively, but effective April, 2012, line item reporting of hydroelectric revenues was eliminated. Many stakeholders are disenfranchised by resulting low lake levels. The losers include: domestic users, marinas, firm water customers forced to install new intakes and those with alluvial wells. Water distribution revenues were negatively impacted as were Travis, Llano and Burnet County tax revenues. The winners were LCRA and their electric customers, and those benefits were hugely outweighed by the costs to the disenfranchised. 5) There is no incentive for LCRA to impose drip irrigation conservation requirements on irrigation customers because reduced irrigation sales would mean reduced hydroelectric revenues. LCRA's own study of drip irrigation for downstream agriculture indicated significant savings with no loss of yield. Farmers themselves have no incentive to conserve because in doing so they would forfeit future access to water according to the plan. 6) TCEQ staff raised the issue of the new, un-vetted hydro language, and LCRA responded with a Supplemental Filing on May 31, 2012 with the following additional language: "The only water accounted for in the WMP model specifically for hydrogeneration is for emergency shortages of electricity, consistent with the special conditions in LCRA's water rights. The WMP model does not otherwise reflect the "subordination" of its hydrogeneration rights required by LCRA's water rights because any non-emergency hydrogeneration is a byproduct of releases that LCRA makes for other downstream demands. The special conditions affecting LCRA's exercise of its hydrogeneration rights are identical in all of its rights for the Highland Lakes. See, e.g. Certificate of Adjudication No. 14-5478 (Lake Buchanan), P2.D (Use) at p. 6." This additional "explanation" only serves to further obscure the definition of emergency since it refers back to the 1989 Adjudication: "LCRA shall not release water at Mansfield Dam solely for the purpose of electric generation except during emergency shortages of electricity. . . . " The adjudication did not establish the pre-eminence of electric customers over water customers. This new language would essentially stipulate that superiority. Use of hydroelectricity is not an essential byproduct of downstream releases. LCRA may make downstream releases more efficiently using gates. 7) Without PUCT review, this language should be struck. TCEQ does not typically consider the economics or the value of water as electricity, nor does TCEQ deal with ERCOT products. However, when the entitlements of firm water customers are being used in a drought prone area of the state, TCEQ must be cognizant of all the factors affecting water availability by accessing whatever expertise necessary. LCRA presents this new language as a refinement of their existing water right but it amounts to stipulating sweeping new operational abilities which disenfranchise lots of other stakeholders. The new language codifies preferred treatment for electric customers on the backs of firm water customers. It is exploitation and impairment of a common resource by the very steward responsible for protecting it. It is rational and efficient but reckless and not at all "beneficial" to the reliable water supplies for 2 million Texans. It would also be a travesty of TCEQ's mission to protect surface water availability to sanction it. Thank you for your consideration of these important issues. Please let me know if you need any additional information. Sincerely, Mary McAllister

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, September 28, 2015 8:30 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [rbm@semantic-ad.com](mailto:rbm@semantic-ad.com) [mailto:[rbm@semantic-ad.com](mailto:rbm@semantic-ad.com)]  
**Sent:** Saturday, September 26, 2015 1:40 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Bruce McFarland

**E-MAIL:** [rbm@semantic-ad.com](mailto:rbm@semantic-ad.com)

**COMPANY:** Semantic Advantage, Inc.

**ADDRESS:** 7063 COMANCHE TRL  
AUSTIN TX 78732-1006

**PHONE:** 5127997350

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MM*

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Monday, May 13, 2013 10:46 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, May 13, 2013 9:49 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
02315*

**From:** [rbm@semantic-ad.com](mailto:rbm@semantic-ad.com) [mailto:[rbm@semantic-ad.com](mailto:rbm@semantic-ad.com)]  
**Sent:** Saturday, May 11, 2013 2:39 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Bruce McFarland

**E-MAIL:** [rbm@semantic-ad.com](mailto:rbm@semantic-ad.com)

**COMPANY:**

**ADDRESS:** 7063 COMANCHE TRL  
AUSTIN TX 78732-1006

**PHONE:** 5127997350

*MW*

FAX:

**COMMENTS:** Comments on the LCRA's Proposed Water Management Plan This note provides my comments on the LCRA's application to amend its Water Management Plan (Application No. 3538A) and requests a contested hearing on this application. I live near Lake Travis (what's left of it) and am very concerned about the future of the lake and its ability to provide clean drinking water, an enjoyable place for boating and swimming, and a healthy economic environment for local businesses. While the LCRA's proposed amendment does provide some improvements over the current Water Management Plan, it fails to protect these irreplaceable water resources in several ways: A. The Amendment is based on outdated hydrology data which does not reflect the drought conditions of the past three years -- which show no signs of abating. B. It does not ensure the supply of water to Firm customers, particularly in light of the projected increase in Firm water customers and water consumption. C. It provides no incentives for water conservation which could significantly alleviate the current and projected water shortages. Rational market-based pricing and other incentives could motivate consumers -- particularly the Interruptible users who pay so little they have no reason to conserve -- to invest in water conservation systems and reduce wasteful operational practices. D. There is no provision for limiting or discouraging the expanding demand for Firm water. The LCRA continues to sell water to new Firm customers and allows existing Firm users to increase consumption with no apparent limits. Accordingly, I request the TCEQ deny the LCRA's proposed amendment (as presented), keep the current TCEQ Emergency Order in effect, and conduct a contested case hearing with the following objectives: - Require the LCRA to utilize the most recently available hydrologic data (2009 to the present) to update their hydrology and reports on current and projected Firm water demand. - Require the LCRA to implement market-based pricing for Firm and Interruptible customers, to discourage waste and uncontrolled growth in consumption - Establish a minimum combined Lake Buchanan + Lake Travis storage level (Anytime Cut-Off) of at least 850,000 acre-feet, to protect these lakes and ensure the water levels do not decline to a point which would significantly endanger these resources and the public health. I thank you for your continuing support of our environmental quality and consideration of my comments and recommendations. Best regards, Bruce McFarland 7063 Comanche Trail Austin, TX 78732 (512) 799-7350 [rbm@Semantic-Ad.com](mailto:rbm@Semantic-Ad.com)

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 4:11 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [alexinaustin@gmail.com](mailto:alexinaustin@gmail.com) [<mailto:alexinaustin@gmail.com>]  
**Sent:** Tuesday, September 01, 2015 3:56 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Alex F McLaughlin

**E-MAIL:** [alexinaustin@gmail.com](mailto:alexinaustin@gmail.com)

**COMPANY:** Volente Boat Club

**ADDRESS:** 1211 ALGUNO RD  
AUSTIN TX 78757-3411

**PHONE:** 5122572628

**FAX:** 5122572646

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MS*

April 30, 2013

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

WR  
82315  
REVIEWED  
MAY 08 2013  
H

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY - 6 AM 10: 51  
CHIEF CLERKS OFFICE

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Alex McLaughlin  
1211 Alguno Rd  
Austin, TX 78757  
Alexinaustin@gmail.com ✓

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agriculture, municipal, industrial, or lake interests.

**Possible Recommendations:**

- 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology
- 5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:
  - Properly protects firm users in times of drought;
  - Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
  - Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely, 

Handwritten initials or mark

Volente Blvd Club  
16107-C FM 2769  
Volente, TX 78641  
Volente Post Club



03 MAY 2013 PM 5 L

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 06 AM 10 51  
CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (mcs)  
Texas Commission on Environmental  
P.O. Box 13087  
Austin, Texas 78711-13087

RECEIVED  
MAY 06 2013  
TCEQ MAIL CENTER  
EB

Melissa Schmidt

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 4:10 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [president@wowsc.org](mailto:president@wowsc.org) [<mailto:president@wowsc.org>]  
**Sent:** Tuesday, September 01, 2015 3:59 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** MR Bob Mebane

**E-MAIL:** [president@wowsc.org](mailto:president@wowsc.org)

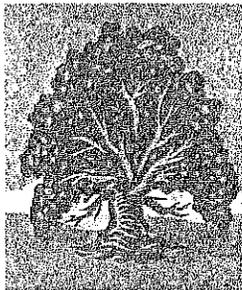
**COMPANY:** Windermere Oaks Water Supply Corporation(WOWSC)

**ADDRESS:** 424 COVENTRY RD  
SPICEWOOD TX 78669-3119

**PHONE:** 5124225194

**FAX:**

**COMMENTS:** WOWSC withdraws the comments and hearing request that we filed in 2013.



# Windermere Oaks Water Supply Corporation

424 Coventry Rd  
Spicewood, Texas 78669

2013 Board of Directors:  
Pat Mulligan, President  
Dorothy Taylor, Secretary  
Bill Earnest, Director  
Mike Madden, Director  
Scott Penner, Director

May 21, 2013

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

*WR  
5/23/13*

REVIEWED

MAY 29 2013

By \_\_\_\_\_

2013 MAY 28 AM 10:22  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Windermere Oaks Water Supply Corporation (WOWSC)  
424 Coventry Rd. Spicewood, Texas 78669  
Email: [president@wowsc.org](mailto:president@wowsc.org) and [secretarytreasurer@wowsc.org](mailto:secretarytreasurer@wowsc.org)  
Contact Phone Number: 512-422-5194

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful review of our comments and TCEQ's approval of our hearing request.

WOWSC is responsible for providing water to our 237 customers. WOWSC pumps water from Lake Travis under a FIRM water contract with the LCRA.

As a Water Supply Corporation that draws water from the upper reaches of Lake Travis, we are directly affected by this proposed amendment to the LCRA's Water Management Plan. Our raw water intake is located in Lake Travis and the lake levels have a significant impact on the functioning of our intake structure.

With historical low lake levels in Lake Travis, it becomes necessary for us to make adjustments to the location of our intake pump and we are concerned that we are in jeopardy of losing the capability of providing drinking water to our community.

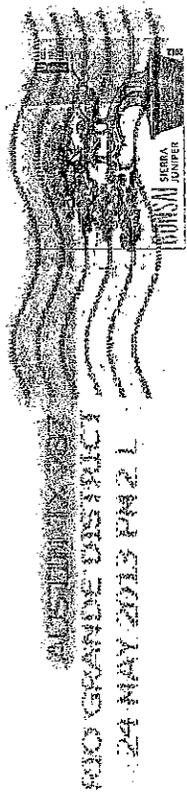
We believe that in order for LCRA to fulfill their obligation to firm water customers and accurately determine the firm yield of Lakes Buchanan & Travis, LCRA must update their data to include the hydrologic data through 2012. Until the WMP can include this new data, we would request that LCRA keep the current Emergency Order in effect. The WMP must use multi-year planning for managing multi-year drought cycles.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,  
WOWSC Board of Directors

*WR*

WINDERMERE OAKS WATER SUPPLY CORPORATION  
424 Coventry Rd  
Spicewood, TX 78669



RECEIVED  
MAY 28 2013  
TCEQ MAIL CENTER  
MM  
OFFICE  
2013 MAY 28 10:22  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Office of the Chief Clerk, MC105  
TCEQ  
P O Box 13087  
Austin, TX 78711-3087

78711308787



# Windermere Oaks Water Supply Corporation

424 Coventry Rd  
Spicewood, Texas 78669

2013 Board of Directors:  
Pat Mulligan, President  
Dorothy Taylor, Secretary  
Bill Earnest, Director  
Mike Madden, Director  
Scott Penner, Director

*WR  
6/23/13*

May 21, 2013

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

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application.

Our contact information follows:

Windermere Oaks Water Supply Corporation (WOWSC)  
424 Coventry Rd. Spicewood, Texas 78669  
Email: [president@wowsc.org](mailto:president@wowsc.org) and [secretarytreasurer@wowsc.org](mailto:secretarytreasurer@wowsc.org)  
Contact Phone Number: 512-422-5194

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2013 MAY 24 PM 11:11 H  
CHIEF CLERK'S OFFICE  
REVIEWED  
MAY 24 2013  
By BP

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful review of our comments and TCEQ's approval of our hearing request.

WOWSC is responsible for providing water to our 237 customers. WOWSC pumps water from Lake Travis under a FIRM water contract with the LCRA.

As a Water Supply Corporation that draws water from the upper reaches of Lake Travis, we are directly affected by this proposed amendment to the LCRA's Water Management Plan. Our raw water intake is located in Lake Travis and the lake levels have a significant impact on the functioning of our intake structure.

With historical low lake levels in Lake Travis, it becomes necessary for us to make adjustments to the location of our intake pump and we are concerned that we are in jeopardy of losing the capability of providing drinking water to our community.

We believe that in order for LCRA to fulfill their obligation to firm water customers and accurately determine the firm yield of Lakes Buchanan & Travis, LCRA must update their data to include the hydrologic data through 2012. Until the WMP can include this new data, we would request that LCRA keep the current Emergency Order in effect. The WMP must use multi-year planning for managing multi-year drought cycles.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,  
WOWSC Board of Directors

*BP*



**GRAVES DOUGHERTY HEARON & MOODY**  
A PROFESSIONAL CORPORATION

Robin A. Melvin  
512.480.5688  
512.480.5888 (fax)  
rmelvin@gdhlm.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767

September 10, 2015

*WIP  
8/23/15*

CHIEF CLERK'S OFFICE

2015 SEP 11 PM 2:11

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

**REVIEWED**

SEP 11 2015

By *RP* *wH*

Re: Application to Amend the LCRA Water Management Plan  
Application No. 5838A

Dear Chief Clerk:

By letter dated May 22, 2013, the Texas Chapter of the Coastal Conservation Association ("CCA Texas") requested a contested case hearing on the Lower Colorado River Authority's application for amendments to its Water Management Plan.

CCA Texas hereby withdraws its protest and request for a contested case hearing in this matter.

Thank you for your attention to this matter. Please do not hesitate to call me if you have any questions.

Sincerely,

*Robin A. Melvin*

Robin A. Melvin

RAM/mah

cc: Robby Byers  
Ben F. Vaughan, III  
Lyn Clancy

*WIP*



**GRAVES DOUGHERTY HEARON & MOODY**  
A Professional Corporation

401 Congress Ave., Suite 2200  
Austin, TX 78701  
512.480.6600  
(Writer's Direct No.)  
(Direct Fax)

www.gdhn.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767

FAX TRANSMITTAL

TO: **BRIDGET C. BOHAC** FAX #: 512-239-3311  
Office of the Chief Clerk  
Texas Commission on Environmental Quality File: A10200.2  
Telephone #:

FROM: **ROBIN A. MELVIN**

RE: Coastal Conservation Association ("CCA")  
Lower Colorado River Authority - TCEQ Docket No. 2015-0817-WR

DATE: 9/11/2015

TIME: 10:20

TOTAL PAGES  
INCLUDING COVER: 2

CHIEF CLERK'S OFFICE

2015 SEP 11 PM 2:11

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**Notes, comments, special instructions:**

PLEASE SEE ATTACHED

*This is a followup from filing yesterday  
& have also filed three comments.*

*Thank you ~  
Melvin*

**PLEASE NOTE**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE RECIPIENT NAMED ABOVE. YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION OTHER THAN BY THE INTENDED RECIPIENT IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND PLEASE RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE.

If there are problems concerning this fax, please contact Melvin at 512.480.5199

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, September 11, 2015 10:22 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838  
**Attachments:** CCA Wirhdrawal Letter re LCRA App to Amend WMP No 5838A.PDF

WH

**From:** [mhenderson@gdhm.com](mailto:mhenderson@gdhm.com) [mailto:[mhenderson@gdhm.com](mailto:mhenderson@gdhm.com)]  
**Sent:** Friday, September 11, 2015 10:15 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82315

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Robin A Melvin

**E-MAIL:** [mhenderson@gdhm.com](mailto:mhenderson@gdhm.com)

**COMPANY:** Graves Dougherty Hearon & Moody

**ADDRESS:** 401 CONGRESS AVE Suite 2200  
AUSTIN TX 78701-4071

**PHONE:** 5124805688

**FAX:** 5124805888

**COMMENTS:** Mr. Patterson - Please file CCAs Withdrawal Letter attached. Thank you. Molly Henderson

Mu



**GRAVES DOUGHERTY HEARON & MOODY**  
A PROFESSIONAL CORPORATION

Robin A. Melvin  
512.480.5688  
512.480.5888 (fax)  
rmelvin@gdhm.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767

September 10, 2015

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

Re: Application to Amend the LCRA Water Management Plan  
Application No. 5838A

Dear Chief Clerk:

By letter dated May 22, 2013, the Texas Chapter of the Coastal Conservation Association ("CCA Texas") requested a contested case hearing on the Lower Colorado River Authority's application for amendments to its Water Management Plan.

CCA Texas hereby withdraws its protest and request for a contested case hearing in this matter.

Thank you for your attention to this matter. Please do not hesitate to call me if you have any questions.

Sincerely,

Robin A. Melvin

RAM/mah

cc: Robby Byers  
Ben F. Vaughan, III  
Lyn Clancy



**GRAVES DOUGHERTY HEARON & MOODY**  
A PROFESSIONAL CORPORATION

Robin A. Melvin  
512.480.5688  
512.480.5888 (fax)  
rmelvin@gdhm.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767

May 22, 2013

*WR*  
*512315*  
*82315*

CHIEF CLERKS OFFICE

2013 MAY 28 AM 10:23

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

Re: Application to Amend the LCRA Water Management Plan  
Application No. 5838A

Dear Chief Clerk:

The Texas Chapter of the Coastal Conservation Association ("CCA Texas") requests a contested case hearing on the Lower Colorado River Authority's application for amendments to its Water Management Plan.

All contact with CCA Texas related to this request should be through its legal counsel:

Robin A. Melvin  
Graves, Dougherty, Hearon & Moody, P.C.  
401 Congress Ave., Suite 2200  
Austin, TX 78701  
Phone: 512 480-5688  
Fax: 512 480-5888  
[rmelvin@gdhm.com](mailto:rmelvin@gdhm.com)

**REVIEWED**

MAY 29 2013

By                     

CCA Texas has a significant interest in ensuring that any amendment to the Lower Colorado River Authority ("LCRA") Water Management Plan ensures protection of water quality, aquatic life, and the use and enjoyment of the Colorado River and downstream bay resources. CCA Texas is a non-profit marine conservation organization comprised of over fifty thousand recreational anglers and coastal outdoor enthusiasts. Founded more than a quarter of a century ago, CCA Texas has been instrumental in banning gill nets in state waters, establishing redfish and speckled trout as gamefish, building two of the

*WR*

May 22, 2013

Page 2

largest red drum hatcheries in the world, and working to ensure adequate freshwater reaches Texas's bays and estuaries. CCA Texas's objective is to conserve, promote and enhance the present and future availability of these coastal resources for the benefit and enjoyment of the general public.

A number of CCA members live near and recreate on the lower Colorado River and Matagorda Bay and will be directly affected by Water Management Plan's provisions for environmental flows, including but not limited to the provisions for curtailment of these environmental flows. These members include Jerry West, who lives a block from the Colorado River at 104 Lower Colorado Drive, Bay City, Texas; John F. Kubecka, who lives at 160 Brazos Drive, Bay City, Texas, approximately 2,000 feet from the Colorado River; Donald A. Busha who lives at 2611 Terry Terrace, Bay City, Texas; and Ronald Lewis Bose, who lives at 21 Valhalla Drive, Bay City, Texas. All of members fish on and use the Colorado River and Matagorda Bay for recreation purposes.

Thank you for your attention to this matter. Please do not hesitate to call me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Robin A. Melvin". The signature is written in a cursive style with a large, sweeping flourish at the end.

Robin A. Melvin

RAM/mah

cc: Robby Byers  
Ben F. Vaughan, III



**GRAVES DOUGHERTY HEARON & MOODY**  
A PROFESSIONAL CORPORATION

401 Congress Avenue  
Suite 2200  
Austin, Texas 78701

**RECEIVED**

**MAY 28 2013**

**TCEQ MAIL CENTER  
MM**

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

neopost<sup>SM</sup>

05/24/2013

**USPS**

**POSTAGE**

**MAY 28 AM 10:22**

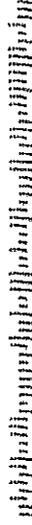
**CHIEF CLERKS OFFICE**

FIRST CLASS MAIL

**\$00.46<sup>00</sup>**

ZIP 78701  
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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY



78711308787



GRAVES DOUGHERTY HEARON & MOODY

A PROFESSIONAL CORPORATION

Robin A. Melvin  
512.480.5688  
512.480.5888 (fax)  
rmelvin@gdhm.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767

*WR*  
*82315*

May 22, 2013

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY 22 PM 4:20  
CHIEF CLERKS OFFICE

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

**REVIEWED**

MAY 23 2013

By *[Signature]*

Re: Application to Amend the LCRA Water Management Plan  
Application No. 5838A

Dear Chief Clerk:

The Texas Chapter of the Coastal Conservation Association ("CCA Texas") requests a contested case hearing on the Lower Colorado River Authority's application for amendments to its Water Management Plan.

All contact with CCA Texas related to this request should be through its legal counsel:

Robin A. Melvin  
Graves, Dougherty, Hearon & Moody, P.C.  
401 Congress Ave., Suite 2200  
Austin, TX 78701  
Phone: 512 480-5688  
Fax: 512 480-5888  
[rmelvin@gdhm.com](mailto:rmelvin@gdhm.com)

CCA Texas has a significant interest in ensuring that any amendment to the Lower Colorado River Authority ("LCRA") Water Management Plan ensures protection of water quality, aquatic life, and the use and enjoyment of the Colorado River and downstream bay resources. CCA Texas is a non-profit marine conservation organization comprised of over fifty thousand recreational anglers and coastal outdoor enthusiasts. Founded more than a quarter of a century ago, CCA Texas has been instrumental in banning gill nets in state waters, establishing redfish and speckled trout as gamefish, building two of the

*[Handwritten mark]*

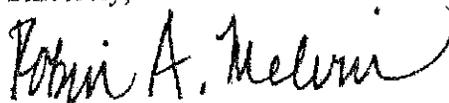
May 22, 2013  
Page 2

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Thank you for your attention to this matter. Please do not hesitate to call me if you have any questions.

Sincerely,



Robin A. Melvin

RAM/mah

cc: Robby Byers  
Ben F. Vaughan, III



GRAVES DOUGHERTY HEARON & MOODY  
A Professional Corporation

401 Congress Ave., Suite 2200  
Austin, TX 78701  
512.480.5600  
(Writer's Direct No.)  
(Direct Fax)

www.gdhm.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767

FAX TRANSMITTAL

TO: **LADONNA CASTANUELA**  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
Telephone #:

FAX #: 512-239-3311

File: A10200.2

FROM: **ROBIN A. MELVIN**

RE: Coastal Conservation Association ("CCA")  
Request for Contested Case Hearing  
Application to Amend the LCRA Water Management Plan  
Application No. 5838A

DATE: 5/22/2013

TIME: 4:15p TOTAL PAGES INCLUDING COVER: 3

2013 MAY 22 PM 4: 20  
CHIEF CLERKS OFFICE  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Notes, comments, special instructions:

PLEASE SEE ATTACHED  
CCAS REQUEST FOR CONTESTED CASE HEARING

PLEASE NOTE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE RECIPIENT NAMED ABOVE. YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION OTHER THAN BY THE INTENDED RECIPIENT IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND PLEASE RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE.

If there are problems concerning this fax, please contact Melvin at 512.480.5199



GRAVES DOUGHERTY HEARON & MOODY

NSR  
82315

401 Congress, Suite 2200  
Austin, Texas 78701  
Main Voice: 512.480.5600

FAX TRANSMITTAL

TO: **Bridget C. Bohac**  
Texas Commission on Environmental Quality Voice #:

FAX #: 512-239-3311

FROM: Molly Henderson  
Direct Voice: 512.480.5799  
Direct Fax: 512.480.5809

REVIEWED

SEP 11 2015

By

DATE: 9/10/2015 4:37:20 PM

TOTAL PAGES INCLUDING COVER: 5

GDHM File #:

Notes, comments, special instructions:

Lower Colorado River Authority App to Amend WMP No 5838A

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2015 SEP 10 PM 4:45  
CHIEF CLERKS OFFICE

PLEASE NOTE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE RECIPIENT NAMED ABOVE. YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION OTHER THAN BY THE INTENDED RECIPIENT IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND PLEASE RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE.

If there are problems concerning this fax, please call Molly Henderson at 512-480-5600.

Please find CCAs Withdrawal Letter as attached.

Thank you.

*Molly Henderson*

512 480 5799

512 480 5809 Fax

Assistant to Pete Schenkan, Susan G. Conway

Patrick F. Thompson, Andrea Moore Stover,

Helen Currie Foster, Robn A. Melvin and Kristina F. Rollins

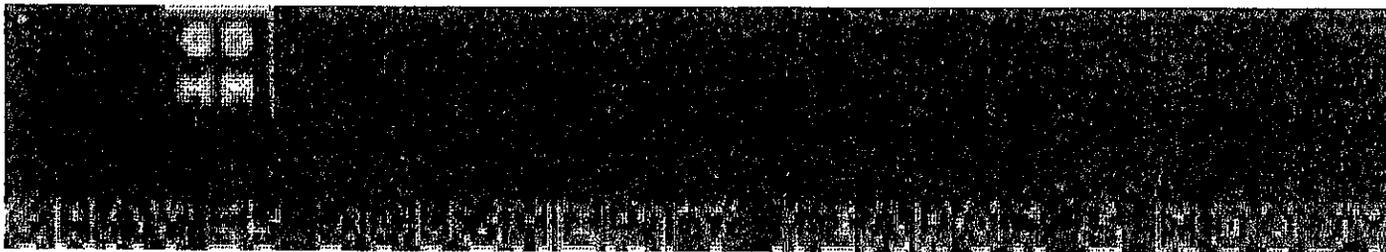


401 Congress Avenue, Suite 2200  
Austin, Texas 78701  
Phone 512.480 5600  
[www.gdhm.com](http://www.gdhm.com)

CHIEF CLERKS OFFICE

2015 SEP 10 PM 4:45

TEXAS  
COMMISSION  
ON GOVERNMENTAL  
QUALITY





GRAVES DOUGHERTY HEARON & MOODY  
A PROFESSIONAL CORPORATION

Robin A. Melvin  
512.480.5888  
512.480.5888 (fax)  
rmelvin@gdhm.com

MAILING ADDRESS  
P.O. Box 98  
Austin, TX 78767

CHIEF CLERKS OFFICE

2015 SEP 10 PM 4:45

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

May 22, 2013

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

Re: Application to Amend the LCRA Water Management Plan  
Application No. 5838A

Dear Chief Clerk:

The Texas Chapter of the Coastal Conservation Association ("CCA Texas") requests a contested case hearing on the Lower Colorado River Authority's application for amendments to its Water Management Plan.

All contact with CCA Texas related to this request should be through its legal counsel:

Robin A. Melvin  
Graves, Dougherty, Hearon & Moody, P.C.  
401 Congress Ave., Suite 2200  
Austin, TX 78701  
Phone: 512 480-5688  
Fax: 512 480-5888  
[rmelvin@gdhm.com](mailto:rmelvin@gdhm.com)

CCA Texas has a significant interest in ensuring that any amendment to the Lower Colorado River Authority ("LCRA") Water Management Plan ensures protection of water quality, aquatic life, and the use and enjoyment of the Colorado River and downstream bay resources. CCA Texas is a non-profit marine conservation organization comprised of over fifty thousand recreational anglers and coastal outdoor enthusiasts. Founded more than a quarter of a century ago, CCA Texas has been instrumental in banning gill nets in state waters, establishing redfish and speckled trout as gamefish, building two of the

May 22, 2013

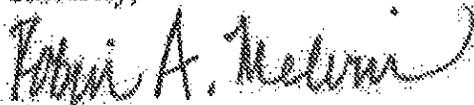
Page 2

largest red drum hatcheries in the world, and working to ensure adequate freshwater reaches Texas's bays and estuaries. CCA Texas's objective is to conserve, promote and enhance the present and future availability of these coastal resources for the benefit and enjoyment of the general public.

A number of CCA members live near and recreate on the lower Colorado River and Matagorda Bay and will be directly affected by Water Management Plan's provisions for environmental flows, including but not limited to the provisions for curtailment of these environmental flows. These members include Jerry West, who lives a block from the Colorado River at 104 Lower Colorado Drive, Bay City, Texas; John F. Kubecka, who lives at 160 Brazos Drive, Bay City, Texas, approximately 2,000 feet from the Colorado River; Donald A. Busha who lives at 2611 Terry Terrace, Bay City, Texas; and Ronald Lewis Bose, who lives at 21 Valhalla Drive, Bay City, Texas. All of members fish on and use the Colorado River and Matagorda Bay for recreation purposes.

Thank you for your attention to this matter. Please do not hesitate to call me if you have any questions.

Sincerely,



Robin A. Melvin

RAM/mah

cc: Robby Byers  
Ben F. Vaughan, III

9-29, 2015

VIA FIRST-CLASS MAIL

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

REVIEWED

OCT 01 2015

By [Signature]

WH

INR  
82315

Re: Withdrawal of Comments and Request for Contested Case Hearing  
Regarding Application of Lower Colorado River Authority to Amend its  
Water Management Plan; Application No. 5838A; TCEQ Water Rights  
Permit No. 5838

Dear Ms. Bohac:

By Michael T. & Frances Morgan this letter, I/we, Michael T. & Frances Morgan, hereby withdraw my/our comments and request for a contested case hearing (filed in 2013) regarding Water Rights Application No. 5838A, the application of the Lower Colorado River Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you have any questions or need additional information in order to process this withdrawal request.

Address:

400 W Illinois, #120

Midland, Tx 79701

Phone number: 432 498-285

E-mail address: Mike.Morgan@bullockscott.com

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2015 OCT -1 PM 1:37  
CHIEF CLERKS OFFICE

Thank you,

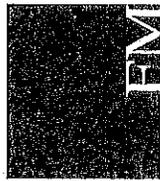
Signed:

[Signature] Frana Morg

Printed Name(s):

Michael T & Frances Morgan

WH



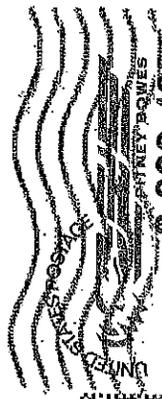
**FMI** FREEMAN MILLS PC

400 W. Illinois, Suite 120  
Midland, Texas 79701

MIDLAND / ODDESSA

TX 79701

29 SEP 2015



\$ 000.485

02 1P  
0001648605 SEP 29 2015  
MAILED FROM ZIP CODE 79701



**RECEIVED**

OCT 01 2015

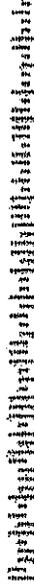
TCEQ MAIL CENTER  
CS

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 OCT -1 AM 9:58

CHIEF CLERKS OFFICE

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



7871133087

MICHAEL T. and FRANCES MORGAN

400 W. Illinois, Suite 120

Midland, Texas 79701

(432) 498-2085

September 29, 2015

*WR*  
*82315*

REVIEWED

OCT 02 2015

By *[Signature]*

*WH*

RECEIVED  
TCEQ  
WATER SUPPLY DIV  
2015 OCT 1 AM 10:38

Texas Commission on  
Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Docket No. 2015-14444-WR Hearing Request Filed on Water Rights Permit  
No. 5838

Dear Sirs:

Please accept this as our request to withdraw from the Hearing Request in the referenced matter.

Thank you very much.

Very truly yours,

*[Signature]*  
Michael T. Morgan  
Frances Morgan

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2015 OCT -2 AM 10:19  
CHIEF CLERKS OFFICE

*MW*



400 W. Illinois, Suite 120  
Midland, Texas 79701

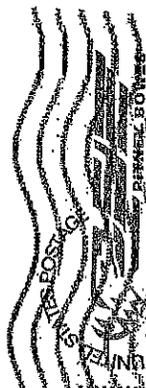
RECEIVED

TCEQ  
FREE MOUNTAIN  
WATER SUPPLY PC

2015 OCT 1 AM 10 38

MIDLAND / ODESSA

TX 79701  
29 SEP 2015



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MAILED FROM ZIP CODE 79701  
\$ 000.485

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OCT 01 2015

TCEQ MAIL CENTER  
CS

Texas Commission on  
Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

78711-3087



**Michael T. Morgan**  
**Frances Morgan**  
111 Point Loop  
Burnet, Texas 78611

CHIEF CLERKS OFFICE

2013 MAY 13 AM 11:14

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

May 8, 2013

REVIEWED

MAY 15 2013

By                     

*WR  
82315*

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

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's Application to Amend its Water Management Plan (Permit No. 5838) and requests a Contested Case Hearing on this Application. Our contact information is as follows:

Name: Michael T. Morgan  
Address: 400 W. Illinois, Suite 120, Midland, Texas 79701  
Daytime Phone No.: (432) 683-5501  
Fax No.: (432) 683-2658  
Email Address: [mike.morgan@bullockscott.com](mailto:mike.morgan@bullockscott.com)

My wife and I are affected by this proposed Amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and the TCEQ's approval of our request for hearing.

We have a home on Lake Buchanan, or what remains of it. We have no source water other than our rain collection system and a water well. Our water well has been struggling. The water quality has been decaying. Both of these effects are directly tied to the declining volumes in Lake Buchanan.

The WMP Amendment proposed by the LCRA represents a remarkable deviation from both logic and science. It is remarkable that the proposal is to ignore the recent hydrologic history and

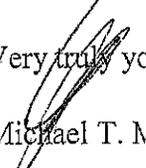
*mm*

use only data up to 2009. I can think of no other occasion where any scientist chooses to ignore recent history rather than using the most current data available. The use of current data shows that inflows have declined while demand has increased.

Recent history also shows that the lakes do not recover as they might have before Lake Ivie was put in place and when weather patterns were more charitable. The Water Management Plan should include an appropriate recovery period. Without it, we will be perpetually going from one water emergency to the next. There should be a minimum storage level that reflects both the slow recovery of the lakes and the risks of continued dry weather. We believe that 850,000 acre feet makes a great deal more sense than 600,000 acre feet. The inappropriate low minimum storage level, coupled with not including a recovery period for the lakes, simply creates too great a risk of continued water crisis.

Thank you for your consideration of these important issues.

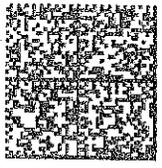
Very truly yours,

  
Michael T. Morgan

MTM:rsh

**BULLOCK SCOTT, PC**  
ATTORNEYS AT LAW  
400 WEST ILLINOIS, SUITE 120  
MIDLAND, TEXAS 79701

UNITED STATES POSTAGE  
02 1P  
\$ 000.46<sup>00</sup>  
0001648605 MAY 09 2013  
MAILED FROM ZIP CODE 79701



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 13 AM 11:14  
CHIEF CLERKS OFFICE

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

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MAY 13 2013  
TCEQ MAIL CENTER

7871123087



October 4, 2015

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 OCT -7 AM 9: 56

CHIEF CLERKS OFFICE

VIA FIRST-CLASS MAIL

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

WR  
8/23/15

Re: Withdrawal of Comments and Request for Contested Case Hearing  
Regarding Application of Lower Colorado River Authority to Amend its  
Water Management Plan; Application No. 5838A; TCEQ Water Rights  
Permit No. 5838

Dear Ms. Bohac:

By Deborah D. Nance this letter, I we,  
Deborah D. Nance, hereby withdraw my our  
comments and request for a contested case hearing (filed in 2013) regarding Water Rights  
Application No. 5838A, the application of the Lower Colorado River Authority to amend  
its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if  
you have any questions or need additional information in order to process this withdrawal  
request.

Address:

808 CR 140  
Burnet, TX 78611

REVIEWED WH

OCT 07 2015

By DR

Phone number: 512 917 3235

E-mail address: debnance@gmail.com

Thank you,

Signed: Deborah D. Nance

Printed Name(s): Deborah D. Nance

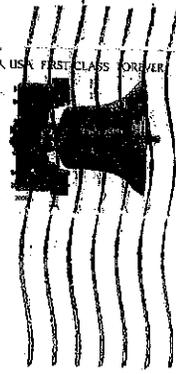
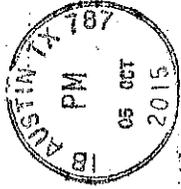
Mc

Dr. Deborah Nance  
808 CR 140  
Burnet, TX 78611

RECEIVED

OCT 07 2015

TCEQ MAIL CENTER  
BC



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 OCT -7 AM 56

CHIEF CLERKS OFFICE

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

787113087

Dr. Deborah Nance  
808 County Road 140  
Burnet, Texas 78611  
(512) 756-6941  
(512) 917-3235  
deborahnance@gmail.com

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 13 AM 11:11

CHIEF CLERKS OFFICE

May 9, 2013

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

WMP  
8/23/15  
REVIEWED  
MAY 15 2013  
By         

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides my comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application.

My family and I are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, I sincerely request the TCEQ's careful attention to these comments and TCEQ's approval of a request for a hearing.

My husband, Mr. John Reynolds, and I have invested our life savings – results of two lifetimes of 35+ employment by each of us—in our home located on the shores of Lake Buchanan. In addition, about four years ago, we invested over \$10,000 on a floating boat dock so we could access the lake. This dock has been stranded on the rocks for the past three years due to this terrible drought... and the decisions made by the LCRA to continually release the lake water downstream.

The latest version of the LCRA Water Management Plan (WMP), which the TCEQ released for public comment on April 15, 2013, raises a number of concerns. Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agricultural, municipal, industrial, or lake interests.

Problems with the latest version of the plan are cited below:

33

- 1) Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Only data up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past
- 2) No clear and distinct provisions are made for lake recovery time. As evidenced by 2010, one good year of rainfall and recovery in the midst of a drought cycle can be wiped out by huge releases the following year. This is what happened in 2011. Without an appropriate recovery period, we could be perpetually in a state of water emergency.
- 3) Despite implementing emergency orders curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. Even with the two Emergency Orders, we are facing a potential Drought Worse than Drought of Record (DWDOR) this summer, which evidences the serious failure of the WMP.
- 4) The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. Senators Fraser and Watson have introduced legislation to help correct this, but it should be included in the WMP as well.
- 5) There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may then become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future.
- 6) The WMP must use multi-year planning for managing multi-year drought cycles. Using a one-year approach rather than a multi-year is too risky. A more conservative assessment of future hydrology is needed.
- 7) Any customer that has a contract for "guaranteed" water (i.e.: Garwood Irrigation District) must be considered a firm water customer and pay the firm water rate.
- 8) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today.

Recommendations for Improvement to the plan are:

- 1) Immediately impose a **minimum** storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect.
- 3) Require the LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require the LCRA to update immediately address actual and projected firm demands, using updated hydrology data.

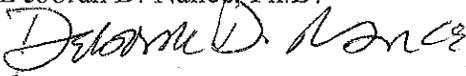
- 5) Require the LCRA to begin working immediately with stakeholders on a new WMP that:
- Properly protects firm users in times of drought;
  - Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
  - Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

It is said that a picture is worth a thousand words. I am including a picture of the devastation this continued drought has wrought on the area in which my neighbors and I have been impacted.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

Deborah D. Nance, Ph.D.



Contact Information:

Dr. Deborah Nance

808 County Road 140

Burnet, Texas 78611

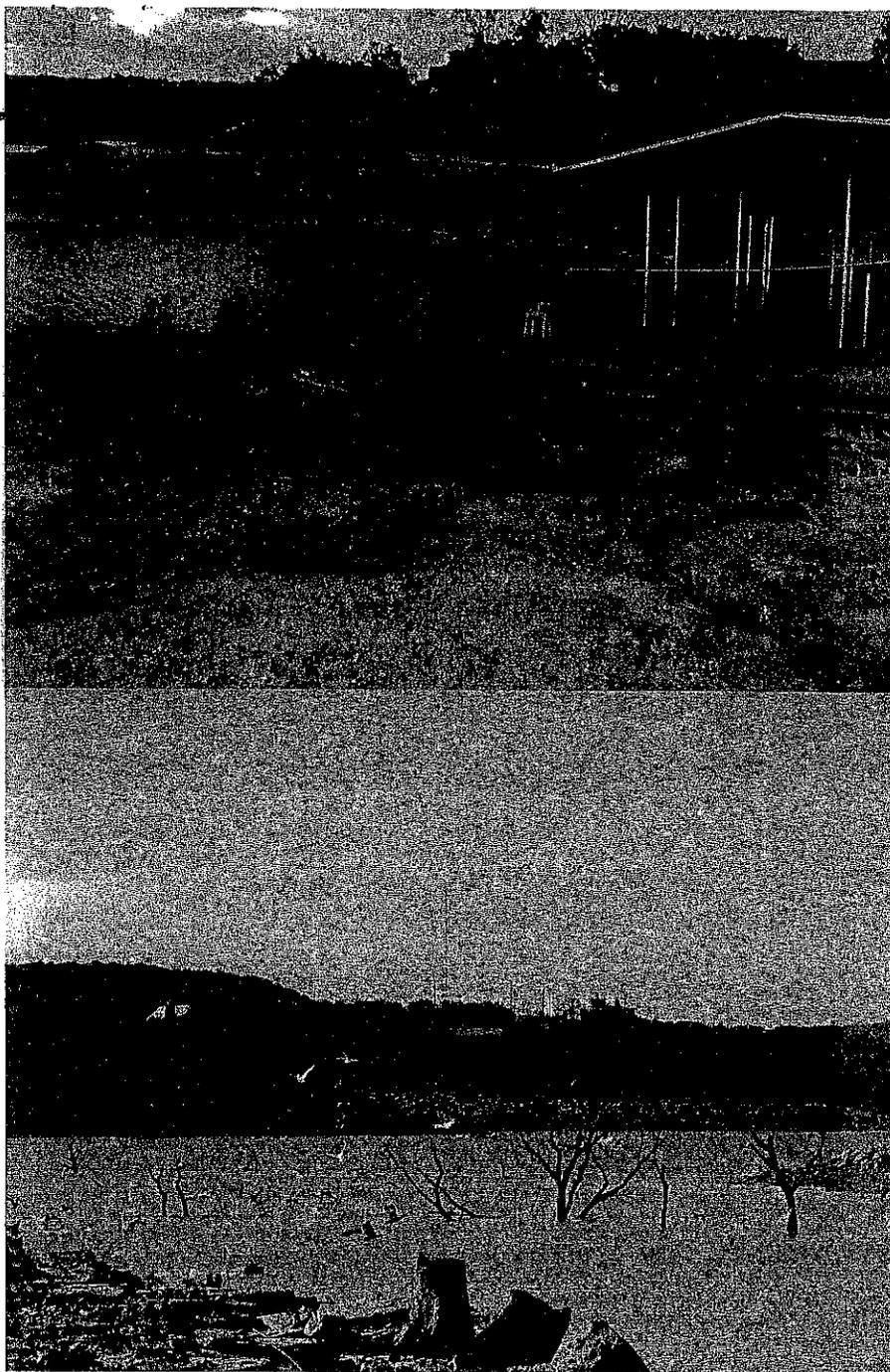
(512) 756-6941

(512) 917-3235

deborahnance@gmail.com ✓

This dock has been on the rocks for almost 3 years.

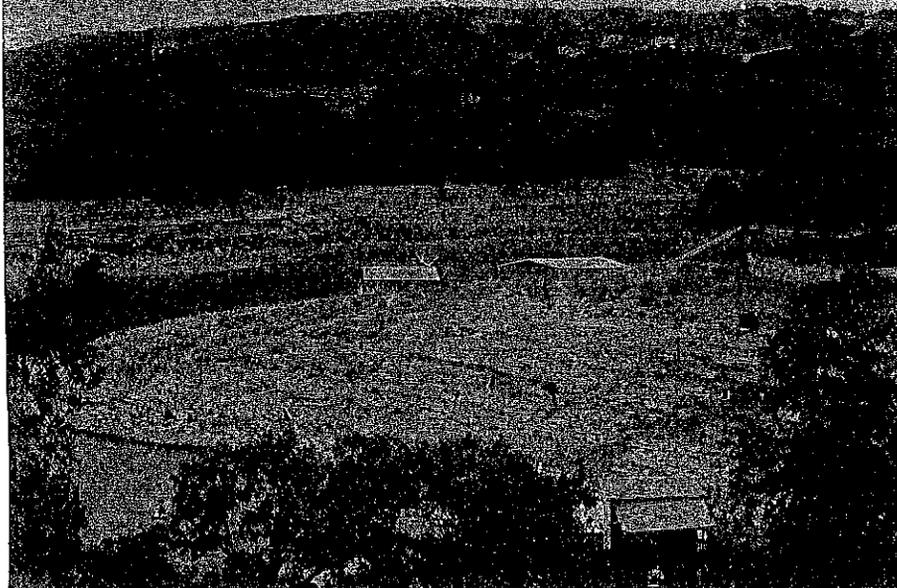
1020 —



These trees were 2-3 feet below the 1020 line.



↑ This is well below 1020 - dry + bare 34 yrs now!



← 1030



Melissa Schmidt

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:26 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [neese.don@gmail.com](mailto:neese.don@gmail.com) [<mailto:neese.don@gmail.com>]  
**Sent:** Sunday, August 30, 2015 6:10 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

REGULATED ENTY NAME 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

RN NUMBER: RN104252267

PERMIT NUMBER: WRPERM 5838

DOCKET NUMBER:

COUNTY: BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

PRINCIPAL NAME: LOWER COLORADO RIVER AUTHORITY

CN NUMBER: CN600253637

FROM

NAME: Don Neese

E-MAIL: [neese.don@gmail.com](mailto:neese.don@gmail.com)

COMPANY:

ADDRESS: 416 BLANCO ST  
SAN MARCOS TX 78666-4330

PHONE: 5127575723

FAX:

COMMENTS: I withdraw the comments and hearing requests that I filed in 2013.



DON OR SANDINEESE  
416 BLANCO STREET  
SAN MARCOS, TEXAS 78666

RECEIVED  
MAY 18 2013  
TCEQ MAIL CENTER

AUSTIN TX 787  
RIO GRANDE DISTRICT  
11 MAY 2013 PM 5 L



Justice  
FOREVER

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY 11 11:32  
CHIEF CLERK'S OFFICE

Ms. BRIDGET C. BOHAC, CHIEF CLERK  
OFFICE OF THE CHIEF CLERK (MRS.)  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. BOX 13087  
AUSTIN, TEXAS 78761-3087

78711908787

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:27 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [wwnehring@gmail.com](mailto:wwnehring@gmail.com) [<mailto:wwnehring@gmail.com>]  
**Sent:** Sunday, August 30, 2015 4:30 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82315

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Wayne Nehring

**E-MAIL:** [wwnehring@gmail.com](mailto:wwnehring@gmail.com)

**COMPANY:** President of Cassie Community Association

**ADDRESS:** 4301 RR 690  
BURNET TX 78611-4025

**PHONE:** 5127500342

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

MS

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

4/28/13

REVIEWED

APR 30 2013

By BP

WMP  
82315

2013 APR 30 AM 10:16  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

I protest the new WMP submitted by LCRA and request a hearing be held on the matter.

There is one thing for sure. More people will be using water in the future than today. I do not understand why TCEQ would consider or why LCRA would submit a WMP with less protection for the water supply than the present emergency plan. If the lakes drop to 850,000 acre feet at any time, it will be an emergency. The emergency plan should be amended such that 850,000 acre feet remains an automatic anytime cut off for irrigation water for all times. LCRA eliminated the data from the dry years in the WMP. The WMP should anticipate many dry years in a row. The only way to protect the water supply is to put more emphasis on the dry years. LCRA is still playing Russian roulette with the water supply. If their WMP is put in effect and not reviewed until January 2020, there is a very good chance a loaded cylinder will come under the firing pin and TCEQ will share the blame if LCRA's WMP gets approved and goes into effect.

All firm water customers should have to pay the same price, including Garwood. Better yet, all irrigation water should be interruptible. Human needs should always trump irrigation. LCRA bought water rights in order to keep their business partners' rice fields flooded, even in times of drought. Now, they continue to charge (themselves) low interruptible water prices for firm water. RED FLAGS are everywhere. Even if they raised the price to firm water rates for Garwood, they still would be taking money out of their left pocket and putting it in their right pocket. It makes one wonder if LCRA would use the last of the water to irrigate and cut off cities and subdivisions.

The plan submitted by LCRA makes no sense at all. Only God knows how long this drought will last, when the next drought will start, or for how long any drought will last. The present emergency plan is a bare minimum amount of protection and really does not do enough. The present Emergency Drought Order would allow LCRA to return the lakes to low levels if we should be lucky enough to have a good rain year in the middle of a drought. Why would TCEQ and LCRA want to be faced with having to get approval of another emergency plan every time the lakes get low? Why would TCEQ and LCRA want to make it necessary, for the PEOPLE they are SUPPOSED TO SERVE, to repeatedly fight the same issues? Just fix it for good.

TCEQ should be concerned with LCRA's violation of the protections provided for in the 1989 Adjudication Order as it relates to projections of needs of firm water customers with future growth accounted for. They have rules to follow and chose to ignore them.

I would suggest that you review SB 1631. This is a good starting point. Irresponsible actions today may cause a future catastrophe. Please, do not let all the firm water

*mw*

customers down, who rely on the water for survival. Firm customers pay about 30 times what the irrigators pay per acre foot for water. How do you think people will react when no water comes out of their faucets and toilets can't be flushed (after water has been sold at give-away prices in amounts that would satisfy their needs for years)? It will not be pretty! I'll bet that each of you is dependant on the same water supply for your basic needs.

God gave us plenty of water for the current drought. The reason the water supply is currently in jeopardy is because of the foolish release of water by LCRA that was used to kill weeds in rice fields. Subdivisions in Central Texas do not have water now due to the present low lake levels. Many wells near the lake have gone dry and others are going dry. Water must be trucked in. How will even lower lake levels improve this situation? Human needs for water should come before water is used to kill weeds or irrigate lawn grass farms. We don't need the grass if it can't be watered!

The WMP submitted by LCRA eliminates incentives for conservation of water by firm water customers. If firm water customers conserve water in any significant amount and it causes the lakes to rise above the trigger point, water will be released for irrigation in a quantity many times the quantity that was saved by the firm customer's conservation efforts. This release will cause the water supply to be drastically lower than it would be if no conservation had been done by the firm customer. Why should someone spend money on expensive conservation measures so the water can be wasted by another user? To put things in perspective, the amount of water lost in transit (not paid for—free water) to the rice farms is significant when compared to what conservers could save. The amount of water actually used on rice fields in one year could equal more than a decade of conservation by firm customers.

Firm water customers are paying the lion's share of the irrigator's water bill due to the lopsided pricing structure. Expensive conservation measures increase this cost. Firm water prices could be lowered if interruptible customers paid their fair share. Interruptible customers will be encouraged by a higher price to use local water, that they have available.

Please, use good common sense. Please, require the adoption of the terms of SB 1631 into the WMP and get the ball rolling the right direction. The future of Central Texas depends on it. My Community supports my views.

Sincerely,

Wayne Nehring, President Cassie Community Association, Inc.  
4301 RR 690  
Burnet, Texas 78611  
[wwnehring@gmail.com](mailto:wwnehring@gmail.com)  
512-793-6360  
512-750-0342

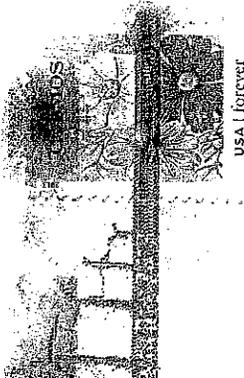
Wayne Akbaring  
4301 RR 690  
Burnet, Texas 78611

RECEIVED

APR 30 2013

TCEQ MAIL CENTER  
JR

RIO GRANDE DISTRICT  
29 APR 2013 PM 2:15



Mr. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 102)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3807

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
APR 30 2013  
CHIEF CLERK'S OFFICE



REVIEWED

MAY 15 2012

By [Signature]

WR  
82315

May 11, 2012  
To: TCEQ

LCRA and stakeholders have spent very much time arriving at a consensus for the WMP. All but one stakeholder signed off on the resulting Water Management Plan that now lies before TCEQ. After the negotiating process, changes were asked for by the Rice Farmers and changes were made in favor of the Rice Farmers even after they had agreed to the plan. Now they are again challenging a plan they agreed upon. This should all be "Water Under the Bridge".

It is time to face the fact that millions of people depend upon the water in the Highland Lakes. To squander that water inefficiently on a high demand for water crop which will benefit a very small fraction of the people would be a big mistake.

Up until recent years, the vast majority of people in this country had been driving inefficient gas guzzling vehicles. Not any more. Rice production is a water guzzling crop. It is time to stop that waste also. Other crops can be grown that require a small fraction of the water rice requires. I can live without rice. I can't live without water. We need an ample supply of water left in the lakes and kept as reserves for human consumption during all future droughts. The WMP improves the quantity of our water supply. The WMP is still not enough protection for our very important water supply, but it is better than we have now.

For the Rice Industry to contend that any person in Central Texas is not a stakeholder in the Highland Lakes water is ludicrous. Everyone living near or using water from the Highland Lakes is a stakeholder. Water is a necessity. It is now up to TCEQ to make sure this necessity is used to best benefit the majority of the people.

Cities, which pay more than 25 times the rate that irrigators pay, have been asked to conserve while at the same time, hundreds of thousands of acre feet of water was given to irrigators. That amount of water is twice the amount used by all cities combined.

The water used by irrigators was sold at a loss last year. This is against the law. Water has become an important commodity and should be treated as such. The water used for irrigation is just as valuable as the water we drink. It comes from the same lakes. If any water is used for irrigation in the future, the same price should be charged for irrigation that human consumption pays.

Indeed, it is past the time for change. Action really was needed before the last drought. The WMP is the beginning of needed change. The future of Central Texas and the Colorado River basin is in your hands. Please pass the WMP. ASAP!!

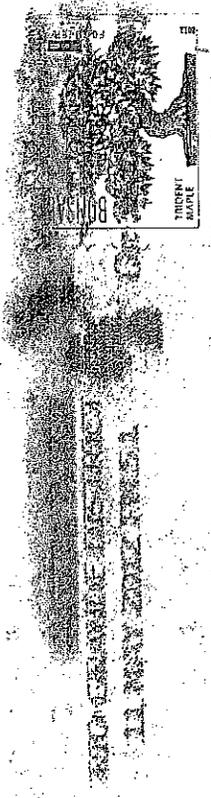
Sincerely,  
*Wayne Nehring*  
Wayne Nehring

2012 MAY 14 PM 2:29  
CLERKS OFFICE  
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

mw

RECEIVED

Wayne Nehring  
4301 KR 690  
Burnet, Texas 78611



Ms. Bridget C. Bohac, Chief Clerk  
MC105, TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

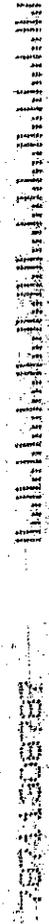
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COMMISSION  
ON ENVIRONMENTAL  
QUALITY

MAY 14 PM 2:28  
CHIEF CLERKS OFFICE

RECEIVED

MAY 14 2012

TCEQ MAIL CENTER  
AU



**Burnet County Judge**

**James Oakley**



220 South Pierce  
Burnet, Texas 78611

(512) 756-5400  
Fax (512) 715-5217

countyjudge@burnetcountytexas.org

REVIEWED

SEP 10 2015

By

*WH*  
*[Signature]*

September 8, 2015

VIA FIRST-CLASS MAIL

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

*WR*  
*9/23/15*

Re: Withdrawal of Request for Contested Case Hearing Regarding Application of Lower Colorado River Authority to Amend its Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

By this letter and on behalf of Burnet County Commissioner's Court, we hereby withdraw our request for a contested case hearing (filed in 2013) regarding Water Rights Application No. 5838A, the application of the Lower Colorado River Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you have any questions or need additional information in order to process this withdrawal request.

Address: Judge James Oakley  
220 S. Pierce St.  
Burnet, Texas 78611

Phone number: 512-756-5400

E-mail address: [countyjudge@burnetcountytexas.org](mailto:countyjudge@burnetcountytexas.org)

Sincerely,

*[Signature]*

James Oakley  
Burnet County Judge

CHIEF CLERKS OFFICE

2015 SEP 10 AM 10:30

TEXAS  
COMMISSION  
ON  
ENVIRONMENTAL  
QUALITY

*[Handwritten mark]*



**THE COUNTY OF BURNET**

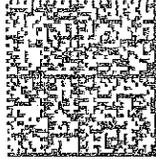
James Oakley  
County Judge  
220 South Pierce  
Burnet, Texas 78611

**RECEIVED**

**SEP 10 2015**

**TCEQ MAIL CENTER  
JR**

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MAILED FROM ZIP CODE 78611



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CHIEF CLERK'S OFFICE  
TCEQ  
BURNET  
TX 78611

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality  
P.O. Box 130876  
Austin, Texas 78711-3087

787113087 8012

Burnet County Judge

Donna Klaeger



220 South Pierce  
Burnet, Texas 78611

(512) 756-5400  
Fax (512) 715-5217

May 28, 2013

countyjudge@burnetcountytexas.org

*WR*  
*05/23/13*

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

REVIEWED

MAY 29 2013

By *[Signature]*

CHIEF CLERKS OFFICE

2013 MAY 28 PM 2:15

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Submittal of Comments and Request for Contested Case Hearing from Burnet County Regarding Application of Lower Colorado River Authority to Amend its Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides Burnet County's timely submittal of comments and a request for a contested case hearing in response to the Texas Commission on Environmental Quality ("TCEQ") notice (issued on April 15, 2013) relating to the Lower Colorado River Authority's ("LCRA's") Application to amend its Water Management Plan ("WMP") and the draft TCEQ Order approving the amendments to the LCRA's WMP.

**I. Burnet County is an "Affected Person" With Respect to this LCRA Application**

Burnet County has been an active participant in water planning efforts for many years, and its leaders recognize the critical importance of reliable, plentiful, and safe water supplies for the health and safety of its citizens. The County has also been active in regional efforts to improve water infrastructure and increase water supplies. Although the County recognizes the difficulties faced by the LCRA in this time of drought, the County has serious concerns about the future of its communities, its businesses, and its citizens under the terms of the proposed WMP and TCEQ Order. To formalize these concerns and its decision to participate in this matter, the Commissioners Court issued a Resolution dated May 20, 2013, which is attached to this letter. The Resolution states that the County is opposed to the currently proposed TCEQ Order and WMP amendments, and it documents the decision by the County Commissioners Court to file comments and request a contested case hearing on the pending LCRA Application to amend its WMP.

*[Handwritten Signature]*

Please send all communications in this proceeding to:

Donna S. Klaeger  
Burnet County Judge  
220 S. Pierce Street  
Burnet, Texas 78611  
Phone number: (512) 756-5400

and to:

Cynthia C. Smiley  
Smiley Law Firm, P.C.  
6000 Shepherd Mountain Cove #2107  
Austin, Texas 78730  
Phone number (512) 394-7121  
Fax number (512) 394-7145  
Email: [cindy@smileylawfirm.com](mailto:cindy@smileylawfirm.com))

From a public health and safety standpoint, Burnet County is charged with the responsibility of protecting its citizens, and having a reliable and adequate quantity of water is essential in this regard. Burnet County has a vested interest in the well-being of its communities and it has been proactive in taking steps to mitigate the impacts of the current drought. In the last year, Burnet County applied for and obtained disaster relief grants from the Texas Department of Agriculture with funds allocated by the U.S. Department of Housing and Urban Development to perform water improvement projects for communities within its jurisdiction. This grant money will provide funding for the construction of a new water well for the Silver Creek Village Water Supply Corporation on Lake Buchanan to replace the well that failed due to drought conditions. The grant funding will also be used to rehabilitate the existing water intake structure and construct a barge to improve Windermere Oaks Water Supply Corporation's ability to collect water from Lake Travis during drought conditions. These two water projects will benefit almost 900 people in Burnet County.

Burnet County has been included on the Governor's list of counties experiencing a threat of imminent disaster as a result of exceptional drought conditions since the date of the Governor's original Emergency Disaster Proclamation on July 5, 2011. With the current drought conditions, there are 18 Public Water Systems in Burnet County that appear on the TCEQ's May 22, 2013 list of Public Water Systems limiting water use to avoid shortages, with LCRA's Spicewood Beach Water Supply Corporation reporting that it could be out of water in 45 days or less. This community of about 1,300 people, including an elementary school, has been surviving on water that has been trucked in by the LCRA since December 2010. The Silver Creek Village Water Supply Corporation reports that it could be out of water in 180 days or less. Several communities in Burnet County are already operating under Stage 3 drought restrictions. In comparison, in all of Colorado, Wharton and Matagorda Counties combined, there appear to be a total of 5 Public Water Systems on the latest TCEQ list of water systems that are limiting water use to avoid shortages. None of them,

thankfully, are under the emergency conditions experienced by the Spicewood Beach community.

As a county spanning almost 1,000 square miles of Central Texas and encompassing all or part of Lakes Buchanan, Inks, LBJ, Marble Falls and Travis in the chain of Highland Lakes, Burnet County is greatly impacted by the LCRA's management of the water in the Highland Lakes. From a financial standpoint, Burnet County's income is greatly dependent on property taxes, and a large percentage of those property taxes are derived from the assessed value of the waterfront property within the County. However, in the last couple of years, many property owners lost the frontage along the lakes as the lake levels receded, and lake frontage may now be non-existent (or only visible in the distance). Preliminary information from the Burnet County Tax Appraisal District indicates that the number of tax appraisal protests from waterfront property owners has increased and could signal financial challenges for the County's future budget. For all of these reasons, Burnet County has a personal justiciable interest in the above-referenced LCRA Application, which seeks TCEQ approval of a Water Management Plan that governs the management of water in the Highland Lakes.

## II. Burnet County Meets the Requirements to Grant its Hearing Request

Clearly, the County's interest in assuring a water supply for the health and safety of its citizens and in promoting the economic well-being of its geographic area is impacted by the management of the water in the Highland Lakes, as the WMP is described by the LCRA itself as a Plan that "prescribes how to allocate water during water supply shortages." The WMP also describes how LCRA will make water available from Lakes Buchanan and Travis to help meet firm water customer needs and how LCRA will manage and curtail supplies from the lakes during times of drought including a repeat of the Drought of Record. All of these actions affect the water levels in the Highland Lakes and result in direct impacts on the County, its water suppliers, the property owners along and near the lakes, the businesses within the County, and many others who live and work in this County of over 43,700 citizens. Further, the County relies heavily upon property taxes (especially waterfront property taxes) and other revenues to provide essential services to its citizens, such as firefighting, law enforcement, and emergency medical services. If property tax payments decline, the provision of these essential services could be negatively affected.

As a government entity, Burnet County is charged with various powers and responsibilities described in the Texas Constitution and under various state laws, including the Local Government Code (which includes provisions relating to "County Water Supply" in Chapter 562 and relating to "Municipal and County Water" in Chapter 580) and in the Texas Water Code, which authorizes counties to act on matters relating to water supply, water quality and water planning. Notably, Texas Water Code §16.055 describes drought response activities and includes a paragraph detailing the actions to be taken by a county in response to disaster declarations due to drought conditions. In accordance with 30 Texas Administrative Code §55.256, Burnet County qualifies as an "affected person" as a governmental entity with authority under state law over issues contemplated by LCRA's proposed Water Management Plan for the management of water in the Highland Lakes.

In addition to its qualification as an affected person resulting from its statutory authorities and its representation of its affected citizenry, the County also has a personable justiciable interest in these proceedings as one of LCRA's customers. Burnet County holds a firm water contract from the LCRA for irrigation, industrial, and fire suppression uses at a park along the banks of Lake Buchanan. Like hundreds of other individuals and entities who are paying \$151 per acre-foot to use small amounts of water from the lakes for domestic or temporary uses, the County is in a contractual arrangement with the LCRA, and this contractual arrangement may be subject to curtailment under the terms of LCRA's WMP.

### **III. General Comments on Draft TCEQ Order and WMP Amendments**

- A. **Compliance with Law.** It appears that the proposed version of the WMP fails to comply with the terms and mandates of the Final Order of Adjudication of the water rights of the LCRA.
1. The court order emphasizes the need to manage the Highland Lakes and the Colorado River above and below the Highland Lakes together, as a single system for water supply purposes. Major goals include "stretching and conserving the water stored in the Highland Lakes." However, the LCRA's recent release of about 18,000 acre-feet of water from lake storage to address potential instream flow obligations for a fish located at some distance downstream of the Highland Lakes, without curtailing or seeking any relief from that obligation at a time when firm water customers are facing a mandatory 20% pro rata curtailment of their water supplies, indicates that stretching and conserving the water stored in the Highland Lakes is not a high priority.
  2. The court order states that the supply of stored water pursuant to non-firm, interruptible commitments should be interrupted or curtailed to the extent necessary to allow LCRA to satisfy all existing and projected demands for stored water pursuant to all firm, uninterruptible commitments. However, the release of over 433,000 acre-feet of water from storage in 2011 for the benefit of interruptible agricultural users, in the midst of horrendous drought conditions, shows how easily a decision made under the short-term planning cycles of the WMP can result in devastating long-term consequences in the Highland Lakes. This quantity of water greatly exceeded the volumes of water used by all of the other LCRA water users in 2011, and this volume of water has not been replenished in the Highland Lakes. As LCRA's Board Chairman correctly stated in a Senate Natural Resources Committee Hearing in April 2013, the events of 2011, in which LCRA released huge volumes of water from the lakes to provide water under interruptible contracts for agricultural use, should not have happened and should not be allowed to happen again.

3. The court order states that water should be released from conservation storage in Lakes Buchanan and Travis to satisfy downstream demands for authorized purposes only to the extent that such demands cannot be satisfied pursuant to independent run-of-river water rights. However, as the huge releases to downstream interruptible users in 2011 demonstrated, it is not clear that maintaining water in storage is a priority for LCRA.
- B. Use of Updated Information.** The pending WMP and TCEQ Order are not utilizing current hydrology and water availability information, and this creates an unacceptable risk for the firm water customers and the communities that depend on the Highland Lakes for their water supply.
1. As LCRA has stated, the water availability analyses for the proposed WMP did not use hydrologic data from the years 2010 to the present. By omitting this time period, in which Central Texas experienced some of the driest years in decades, it is hard to imagine how the WMP could be based on sound science. Without sound science, the vitally important decisions prescribed in the WMP lack a strong foundation.
  2. The omission of current information on the historically low inflows to the lakes and other hydrologic data leads to a strong possibility that LCRA has over-estimated the Combined Firm Yield of the lakes. In such a case, LCRA may assume that there is more water available for firm and interruptible customers than may actually exist, and firm customers and others around the Highland Lakes will be in continuing jeopardy of losing their drinking water supplies as the lake levels continue to drop.
- C. Recovery of Lakes.** It is imperative that the WMP include provisions addressing the recovery of the lakes prior to any operations that allow large volumes of water to be released from storage and prior to entering into additional firm customer commitments. Until inflows to the lakes exceed losses and demands, lake levels will continue to fall. As we enter the heat of the summer months, without much hope of meaningful rainfall amounts, it is critical that we allow the lakes to refill and maintain water in storage by avoiding downstream releases for as long as possible.
- D. Drought Protection.** We are concerned that the drought provisions in the proposed WMP are inadequate to protect LCRA's firm customers in Central Texas. By relying upon outdated hydrology and water availability modeling to set these numbers for drought response, the WMP puts all of LCRA's firm customers at risk that the firm demands will not be satisfied.
- E. Conservation.** The proposed WMP should contain provisions that encourage water conservation throughout the river basin. In the current program, firm customers in Burnet County may conserve water and allow it remain in lake

storage, while LCRA may then consider that conserved water as eligible for release downstream to its interruptible customers. Likewise, the current policies for delivery of water to interruptible customers downstream seem to encourage downstream irrigation districts to continue diverting and using significant amounts of water from storage, without regard to drought conditions or other available water supplies, in order to maintain their current ways of doing business.

- F. **Emergency Orders.** Burnet County did not oppose TCEQ's issuance of Emergency Orders amending LCRA's 2010 WMP in February 2012 and in February 2013. However, the need to continue seeking Emergency Orders to amend the WMP indicates that the current WMP has serious deficiencies that need to be corrected. We support LCRA's efforts to adjust the WMP to reflect the dramatic changes in hydrology that we have experienced, and we urge the LCRA to develop a new WMP that will protect firm customers under all conditions, at all times.
- G. **Immediate Updates of Hydrology and Firm Yield.** LCRA should not be allowed to continue operating under the current or the proposed WMP without also being immediately required to initiate updates to the hydrology of the Colorado River Basin, to use the updated water availability modeling to make a new determination of the Combined Firm Yield, and to update actual and projected firm demands. It is unacceptable for LCRA to be allowed to delay this work until January 30, 2020, as proposed in the draft TCEQ Order. It would be irresponsible to continue operating for any extended period of time in view of our current knowledge that the hydrology of the Colorado River Basin has changed, that the inflows to the lakes observed in 2013 appear to be tracking the record low inflows of 2011, and that LCRA expects to declare a drought worse than the Drought of Record in the next few months.
- H. **TCEQ's Update of Water Availability Model.** We urge the TCEQ staff to update the Water Availability Model for the Colorado River Basin, so that it uses a period of record that extends beyond 1998, includes the historically low inflows in recent years, and generates more realistic and meaningful results. With the newly updated TCEQ modeling work for the river basin, LCRA can then prepare an updated WMP that utilizes the best scientific data and modeling to evaluate water availability and calculate an updated firm yield for the lakes.
- I. **Protection of Firm Water Customers.** As the TCEQ works on an expedited basis to update its Water Availability Modeling for the Colorado River Basin, we request that the TCEQ work with the LCRA to authorize LCRA's continued, short-term operation under the terms of a water management program that is at least as protective of firm customers as LCRA's most recently issued Emergency Order. We are concerned that the existing and proposed WMPs are not adequate to guarantee firm water supplies in drought

conditions, and this will result in even more serious water shortages than are now predicted.

IV. Conclusion

In summary, Burnet County respectfully requests the TCEQ's determination that the County is an affected person under applicable laws and the County's request for a contested case hearing should be granted. These determinations will allow Burnet County to perform its functions and continue serving its citizens by having a role in these vitally important decisions on the management of water in the Highland Lakes. If there are any questions about these comments or this request for hearing, please contact me or contact our legal counsel, Cindy Smiley, at 512.394.7121. We appreciate the opportunity to provide these comments and participate in these proceedings, as water issues are of fundamental importance to this County, its constituents, and its economy. While we acknowledge that droughts are caused by forces of nature, we implore the TCEQ and the LCRA to assure us that drought conditions and water shortages will not be worsened or triggered by the manmade forces of inappropriate water management decisions.

Sincerely,



Donna Klaeger  
County Judge

ATTACHMENT: Burnet County Commissioners Court Resolution Dated May 20, 2013

cc: Senator Troy Fraser  
Senator Kirk Watson  
Representative Marsha Farney  
Mr. Zak Covar, Executive Director, TCEQ  
Mr. Blas Coy, TCEQ, Office of Public Interest Counsel



**RESOLUTION OF THE BURNET COUNTY COMMISSIONERS COURT REGARDING  
THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY'S CONSIDERATION  
OF THE LOWER COLORADO RIVER AUTHORITY'S APPLICATION NO. 5838A TO  
AMEND ITS WATER MANAGEMENT PLAN**

WHEREAS, the Lower Colorado River Authority ("LCRA") filed Application No. 5838A with the Texas Commission on Environmental Quality ("TCEQ") in March 2012 to amend its existing Water Management Plan (TCEQ Permit No. 5838); and

WHEREAS, in response to the LCRA Application, the TCEQ issued a "Notice of an Application to Amend the LCRA Water Management Plan" dated April 15, 2013, which was accompanied by a proposed draft TCEQ "Order Approving Amendments to Lower Colorado River Authority's Water Management Plan;" and

WHEREAS, the LCRA's Water Management Plan is a TCEQ-approved document that defines LCRA's water management programs and policies for the operation of Lakes Buchanan and Travis under the terms of LCRA's water rights; and

WHEREAS, the Burnet County Commissioners Court is the governmental body with jurisdiction over almost 1,000 square miles in Central Texas, encompassing all or part of Lakes Buchanan, Inks, LBJ, Marble Falls and Travis in the chain of Highland Lakes; and

WHEREAS, the Burnet County Commissioners Court recognizes that maintaining Lakes Travis and Buchanan at appropriate water levels is critical to maintaining municipal and domestic water supplies, as well as protecting the health, safety, and economic interests of the citizens in the vicinity of the Highland Lakes; and

WHEREAS, the Commissioners Court is charged with the responsibility for protecting the public health and safety of the approximately 43,000 citizens of Burnet County; and

WHEREAS, Burnet County and its citizens have suffered and are continuing to suffer from the impacts of the drought conditions that exist and are predicted to continue in the years ahead; and

WHEREAS, the TCEQ's approval of LCRA's currently proposed amendments to its Water Management Plan, with its potentially devastating provisions relating to the management of water in the Highland Lakes, presents a threat to the interests of Burnet County and its citizens; and

WHEREAS, for all of these reasons and concerns, we have retained legal counsel to assist us in filing comments and requesting a contested case hearing on the pending LCRA Application at the TCEQ and in participating in the administrative proceedings on this Application; and

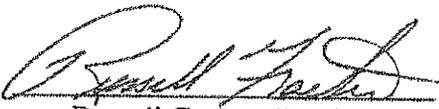
WHEREAS, Smiley Law Firm and our County Judge are each authorized to represent us in the TCEQ proceedings involving LCRA's Application to amend its Water Management Plan; and

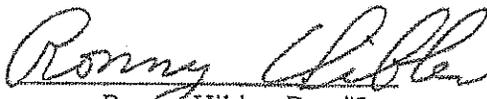
NOW THEREFORE, BE IT RESOLVED by the Burnet County Commissioners Court that Burnet County is opposed to the currently proposed TCEQ Order approving LCRA's requested amendments to its Water Management Plan, and Burnet County has voted to file comments and request a contested case hearing on this matter before the TCEQ.

SIGNED AND ENTERED THIS 20<sup>th</sup> DAY OF MAY, 2013.

  
\_\_\_\_\_  
Donna Klieger  
County Judge

  
\_\_\_\_\_  
Bill Neve, Pct. #1

  
\_\_\_\_\_  
Russell Graeter, Pct. #2

  
\_\_\_\_\_  
Ronny Hibler, Pct. #3

  
\_\_\_\_\_  
Joe Don Dockery, Pct. #4

Burnet County Judge



Donna Klaeger

REVIEWED

MAY 15 2012

220 South Pierce  
Burnet, Texas 78611

(512) 756-5400  
Fax (512) 715-5217

May 14, 2012

By

countyjudge@burnetcountytexas.org

Bridget C. Bohac  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

WR  
8/23/15

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2012 MAY 15 PM 12:28  
CHIEF CLERKS OFFICE

Re: Application by the Lower Colorado River Authority ("LCRA") to amend Water Right Permit No. 5838A (Application No. 5715A; CN600253637; RN 104988290)

Dear Ms. Bohac:

On behalf of the Burnet County Commissioners Court, I am writing to comment on the above-referenced application by LCRA to amend Water Right Permit No. 5838A (the "Application") and to provide a copy of an April 24, 2012 resolution by the Burnet County Commissioners Court in support of a timely review and approval of the Application, as submitted, by the Texas Commission on Environmental Quality ("TCEQ").

It is understood that the Texas Rice Producers Legislative Group submitted comments on April 30, 2012; however, since the comments that follow below were drafted before receipt of the Rice Producers comments, and we have not yet had the opportunity to make a detailed assessment of that document, the comments below are not intended to be a response to the Rice Producers' submission. As the County continues to monitor the process and the response by TCEQ and others, there may be additional supplemental comments filed for the purpose of addressing the concepts put forth by the Rice industry at a later date.

The contents of the Court's April 24<sup>th</sup> resolution will not be repeated here, but we do want to emphasize the following points:

- (1) The attached Resolution references the lengthy stakeholder process that lead to the Application that was submitted to TCEQ by LCRA. At the end of the stakeholder process, none of the represented interests—as is inherent in any true compromise—were entirely happy with the resulting consensus terms, but recognized that these terms represented the best efforts of the group at that time. In fact, at the beginning of the process, the stakeholder group, lead by LCRA, jointly arrived at the following definition for "consensus" in the context of this process.

*"All agree that their major interests have been considered and factored in a manner that they can generally support even if all their interests have not been*

*fully satisfied. Members recognize that the resulting agreement is the best one the Committee can make at this time."* Emphasis added.

*mw*

LCRA reminded all participants of this definition, the purpose of the stakeholder group, and the import of any consensus reached repeatedly throughout the entire process.

(2) All entities concerned recognize that increasing population and emergency drought conditions demand that more work be done on LCRA's Water Management Plan to make it a better, more effective management blueprint. It is our belief that LCRA's Board recognizes this fact, but in approving and directing that the Application be submitted to TCEQ, also recognizes the need to move forward. At the same time, like the State Regional Water Planning Process, work on the next WMP should begin as soon as possible after the pending WMP is adopted and implemented.

(3) However, **now is not the time to do more substantive work on the pending Application.** Instead, the Burnet County Commissioner's Court strongly requests that TCEQ approve the consensus Application as quickly as possible so that it may be put into effect. Doing so does not mean that there is not more work to be done; it simply means that the work that has already been done, and reviewed and approved by LCRA's Board, will not have been wasted effort. And it would indeed be a terrible waste of time, effort and the good faith of many of the individuals and entities directly and indirectly involved in the process to substantively diverge from the Board's decision.

As elected officials, we have noted the significant quantity of public funds and resources that were dedicated to this process by, for example, LCRA, City of Burnet, and City of Austin. All the public entities involved took the process very seriously and devoted countless hours of staff and management time, for which they should be commended.

On a related note, we want to take this opportunity to commend the Executive Director and the Commission for its prescience in taking action to affirm the November 17, 2011 Emergency Order, which will, from a practical standpoint, serve as a substitute for the consensus WMP as long as the Governor's Disaster Proclamation remains in effect. It is, in reality, not in any party's best interest for approval of the Application to be delayed. But, if we must rely on emergency measures in place of a water management plan, it is good to know that this kind of option exists.

On behalf of Burnet County Commissioner's Court and our constituents, I will continue to closely monitor the status of the Application, and request that you place me, as a representative for Burnet County, on the formal mailing list to receive copies of all correspondence— Notices, memoranda, responses to requests for additional information, etc.—related to the Application.



Donna S. Klaeger  
Burnet County Judge

cc: Sen. Troy Fraser  
Sen. Kirk Watson  
Rep. Jimmie Don Aycok  
Rep. Harvey Hilderbran  
Rep. Donna Howard  
Rep. Paul Workman  
Marsha Farney



RESOLUTION OF THE BURNET COUNTY COMMISSIONERS COURT IN SUPPORT OF TIMELY APPROVAL BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY OF THE LOWER COLORADO RIVER AUTHORITY'S 2012 WATER MANAGEMENT PLAN

CHIEF CLERKS OFFICE

2012 MAY 15 PM 12: 29

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

WHEREAS, the Burnet County Commissioners Court recognizes that maintaining Lakes Travis and Buchanan at optimal levels that reflect prudent decisions for a variety of stakeholders is critical in maintaining municipal water supplies as well as to the health, safety, economic, and recreational interests of the Colorado River Basin; and

WHEREAS, the Lower Colorado River Authority (LCRA) currently has an emergency order in effect to maintain minimal lake levels because of the continuing extreme drought conditions and the lowest annual inflows to the Highland Lakes in history; and

WHEREAS, weather patterns and future models indicate that conditions in Central Texas will continue to be hotter and drier than normal; and

WHEREAS, the population of Texas is expected to grow by more than 20 million in the next 50 years while at the same time, water consumption is projected to increase 22 percent; and

WHEREAS, the most recent State Water Plan remains unfunded, leaving the LCRA Water Management Plan (WMP) the only current, implementable, long-term option for water management; and

WHEREAS, the LCRA organized a diverse committee of stakeholders representing all interests throughout the Lower Colorado River Basin, to formulate a new WMP to address extreme drought conditions and the committee worked diligently for 18 months to present a plan which addressed all of the stakeholder interests; and

WHEREAS, the Water Management Plan was presented to the LCRA Board of Directors and was represented by the consensus of all stakeholders; and

WHEREAS, the Court recognizes and applauds the LCRA for approving the new 2012 WMP and submitting it to the Texas Commission on Environmental Quality (TCEQ); and

WHEREAS Burnet County acknowledges Travis County and the Lake Travis Economic Impact Report which showed more than \$8.4 billion in assessed lake area property values with hundreds of jobs and over \$200 million in annual tax revenue generated by the Lake Travis area alone in Travis County, producing critical data supporting key components of the WMP; and

WHEREAS, Burnet County and Llano County have entered into an Interlocal Agreement to conduct an Economic Impact Study of the Highland Lakes to produce critical data supporting key components of the WMP; and

WHEREAS, it took seven years for the TCEQ to approve the last Water Management Plan; and

WHEREAS, the State Climatologist has predicted an increased chance of drought for the next decade; and

WHEREAS, the businesses and local governments, including Burnet County, will see significant negative impact should the drought continue in the absence of an approved water plan;

NOW, THEREFORE, BE IT RESOLVED by the Burnet County Commissioners' Court, that the Executive Director of the Texas Commission on Environmental Quality approve the 2012 Water Management Plan as submitted by the Lower Colorado River Authority with an urgency fitting our dire circumstances noting any change would negate a consensus and could alter the entire document.

SIGNED AND ENTERED THIS 24th DAY OF APRIL, 2012.

Bill Neve, Pct. #1
Ronny Htibler, Pct. #3

Donna Klaeger
County Judge

Russell Graeter, Pct. #2
Joe Don Dockery, Pct. #4

Burnet County Judge



Donna Klaeger

220 South Pierce  
Burnet, Texas 78611

REVIEWED

MAY 14 2012

By BP

(512) 756-5400  
Fax (512) 715-5217

countyjudge@burnetcountytx.org

May 10, 2012

Bridget C. Bohac  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

WR  
82315

CHIEF CLERKS OFFICE

MAY 14 AM 10:16

TEXAS  
COMMISSION ON  
ENVIRONMENTAL  
QUALITY

Re: Application by the Lower Colorado River Authority ("LCRA") to amend Water Right Permit No. 5838A (Application No. 5715A; CN600253637; RN 104988290)

Dear Ms. Bohac:

I am writing to comment on the above-referenced application by LCRA to amend Water Right Permit No. 5838A (the "Application") and to provide a copy of an April 24, 2012 resolution by the Burnet County Commissioners Court in support of a timely review and approval of the Application, as submitted, by the Texas Commission on Environmental Quality ("TCEQ").

I understand that the Texas Rice Producers Legislative Group submitted comments on April 30, 2012; however, since the comments that follow below were drafted before my receipt of the Rice Producers comments, and I have not yet had the opportunity to make a detailed assessment of that document, the comments below are not intended to be a response to the Rice Producers' submission. As I continue to monitor the process and the response by TCEQ and others, I may file additional supplemental comments for the purpose of addressing the concepts put forth by the Rice industry at a later date.

I will not repeat the contents of the Court's April 24<sup>th</sup> resolution here, but I do want to emphasize the following points:

(1) The attached Resolution references the lengthy stakeholder process that lead to the Application that was submitted to TCEQ by LCRA. At the end of the stakeholder process, none of the represented interests—as is inherent in any true compromise—were entirely happy with the resulting consensus terms, but recognized that these terms represented the best efforts of the group at that time. In fact, at the beginning of the process, the stakeholder group, lead by LCRA, jointly arrived at the following definition for "consensus" in the context of this process.

*"All agree that their major interests have been considered and factored in a manner that they can generally support even if all their interests have not been fully satisfied. Members recognize that the resulting agreement is the best one the Committee can make at this time."* Emphasis added.

LCRA reminded all participants of this definition, the purpose of the stakeholder group, and the import of any consensus reached repeatedly throughout the entire process.

Handwritten initials

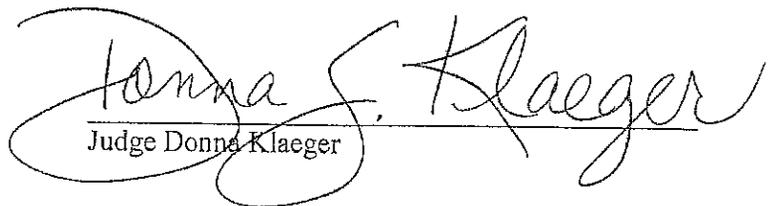
(2) All entities concerned recognize that increasing population and emergency drought conditions demand that more work be done on LCRA's Water Management Plan to make it a better, more effective management blueprint. I believe that LCRA's Board recognizes this fact, but in approving and directing that the Application be submitted to TCEQ, also recognizes the need to move forward. At the same time, like the State Regional Water Planning Process, work on the next WMP should begin as soon as possible after the pending WMP is adopted and implemented.

(3) However, now is not the time to do more substantive work on the pending Application. Instead, I strongly request that TCEQ approve the consensus Application as quickly as possible so that it may be put into effect. Doing so does not mean that there is not more work to be done; it simply means that the work that has already been done, and reviewed and approved by LCRA's Board, will not have been wasted effort. And it would indeed be a terrible waste of time, effort and the good faith of many of the individuals and entities directly and indirectly involved in the process to substantively diverge from the Board's decision.

As an elected official, I also have to note the significant quantity of public funds and resources that were dedicated to this process by, for example, LCRA, City of Burnet, and City of Austin. All the public entities involved took the process very seriously and devoted countless hours of staff and management time, for which they should be commended.

On a related note, I want to take this opportunity to also commend the Executive Director and the Commission for its prescience in taking action to affirm the November 17, 2011 Emergency Order, which will, from a practical standpoint, serve as a substitute for the consensus WMP as long as the Governor's Disaster Proclamation remains in effect. It is, in reality, not in any party's best interest for approval of the Application to be delayed. But, if we must rely on emergency measures in place of a water management plan, it is good to know that this kind of option exists.

On behalf of my Burnet County constituents, I will continue to closely monitor the status of the Application, and I request that you place me on the formal mailing list to receive copies of all correspondence—notices, memoranda, responses to requests for additional information, etc.—related to the Application.

  
Judge Donna Klaeger

cc: Sen. Troy Fraser  
Sen. Kirk Watson  
Rep. Jimmie Don Aycock  
Rep. Harvey Hilderbran  
Rep. Donna Howard  
Rep. Paul Workman  
Marsha Farney



**THE COUNTY OF BURNET**  
*Donna Klaeger*  
 County Judge  
 220 South Pierce  
 Burnet, Texas 78611

**CERTIFIED MAIL**



7006 0100 0002 7214 2141



0209 53866  
 2012 \$ 005.75  
 MAY 11 2012  
 MAILED FROM ZIP CODE 78611

**RECEIVED**

MAY 14 2012 10:14 AM  
 TCEQ MAIL CENTER  
 AR

Bridget C. Bohac  
 Office of the Chief Clerk, MC 105  
 TCEQ  
 PO Box 13087  
 Austin, TX 78711-3087

RETURN RECEIPT REQUESTED

787113087 8012

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, September 17, 2015 8:11 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH  
ML

WR  
823/15

**From:** [aopitz@att.net](mailto:aopitz@att.net) [mailto:[aopitz@att.net](mailto:aopitz@att.net)]  
**Sent:** Wednesday, September 16, 2015 4:38 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Adrian Opitz

**E-MAIL:** [aopitz@att.net](mailto:aopitz@att.net)

**COMPANY:**

**ADDRESS:** 13214 MANSFIELD DR  
AUSTIN TX 78732-1725

**PHONE:** 3039975219

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request I filed in 2013. I now reside at: 4088 Timbervale Dr, Evergreen, Co. 80439

AW

ADRIAN & LOUANNE OPITZ  
13214 MANSFIELD DR.  
AUSTIN, TEXAS 78732  
PH. (512) 266-2880  
E-Mail: Aopitz@att.net

LCR  
8/23/15

CHIEF CLERKS OFFICE

2013 MAY 16 AM 10:06

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

May 15, 2013

REVIEWED

MAY 16 2013

By 

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

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; ECEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and request a contested case hearing on this application.

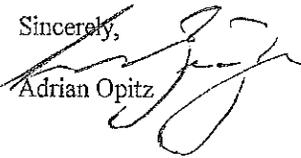
We and all central Texas residents are affected by this proposed amendment to the LCRA's Water Management Plan. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

A logical evaluation of the past and current trends affecting our water resources should include all data up to the present date. We have had over 100 years of above normal precipitation up until the last decade. Central Texas is now experiencing what will be the new norm, which will be draught conditions, possibly lasting many decades.

Lake Travis water storage is based on data from over 60 years ago. Due to erosion, road construction, and building construction since the estimated storage was last evaluated, the lake has 30' to 50' less depth. There is a lot less storage at the current level, and that should be taken into consideration.

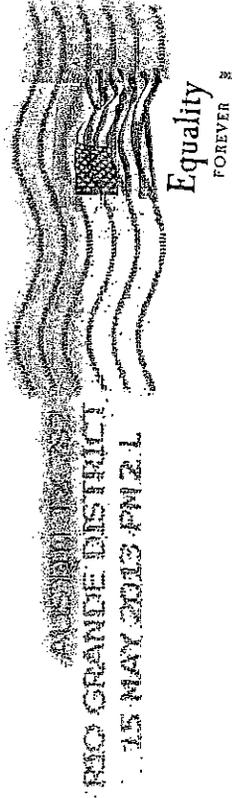
Why are central Texans paying more for water than the rice farmers? It would seem that if the Wealthy Landowners in the rice-farming district had to pay what the firm customers pay for water, we would be able to retain more water for use by central Texans. I grew up on a farm, and we often changed crops for different reasons. Is the government and LCRA subsidized rice so important that we are willing to sacrifice the quality of life for all Texans for the enrichment of the few? I smell some good old boys politics at play. The LCRA cannot wait any longer to revise the WPM, or all central Texas residents will be in deep trouble. The WPM must be dealt with now, taking into consideration the current and future water availability. The LCRA must be fair and charge all water users the same for water usage.

Thank you for your consideration of these important issues. Please let me know if you need additional information.

Sincerely,  
  
Adrian Opitz



LouAnne & Adrian Opitz  
www.NaturesBasicsUS.com  
13214 Mansfield Dr. Austin, Texas 78732  
Ph. 512-266-2880 Tx.  
Ph. 970-726-5503 Co.



AUSTIN, TEXAS  
RIO GRANDE DISTRICT  
MAY 15 2013 PM 2:1

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

RECEIVED  
MAY 16 2013  
CHIEF CLERKS OFFICE  
TECQ MAIL CENTER  
MAY 16 2013 10:06  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

78711308787

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, October 06, 2015 8:37 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [louanneo1@att.net](mailto:louanneo1@att.net) [mailto:[louanneo1@att.net](mailto:louanneo1@att.net)]  
**Sent:** Monday, October 05, 2015 8:04 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** LouAnne Opitz

**E-MAIL:** [louanneo1@att.net](mailto:louanneo1@att.net)

**COMPANY:**

**ADDRESS:** 4088 TIMBERVALE DR  
EVERGREEN CO 80439-8447

**PHONE:** 5126589097

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*me*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

LouAnne Opitz, 13214 Mansfield Dr., Austin, Texas, 78732

May 15, 2013

2013 MAY 17 AM 10: 08

CHIEF CLERKS OFFICE

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

WR  
5/23/13

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

The following are comments on the Lower Colorado River Authority's application to amend its Water Management Plan ( Permit No. 5838) and request a contested case hearing on this application. My contact information is:

LouAnne Opitz  
13214 Mansfield Drive  
Austin, TX, 78732  
Phone: (512)266-2880 or (512) 658-9097  
EMAIL Address: [louanneo1@att.net](mailto:louanneo1@att.net)

REVIEWED

MAY 17 2013

By                     

H

I am affected by this proposed amendment to the LCRA's Water Management Plan in the following ways explained, and for these reasons we request the TCEQ's diligent attention to these matters of concern. There is great need for TCEQ's approval for requesting a hearing, as I, and concerned citizens' of Central Texas have serious concerns about the latest version of the LCRA Water Management Plan (WMP), which the TCEQ released for public comment on April 15, 2013. Citizens of Central Texas need these changes:

1. Recent hydrology including recent record drought years (2010, 2011, 2012) is not taken into account. Only data up to 2009 is considered. The importance of recent years' data indicates the average inflows have significantly decreased from what was assumed in the past. Please note that **Average inflows of 1, 200,000 AF are assumed as compared to the recent five-year average of 450,000 AF. This provides for over-commitment of water supplies to interruptible customers.**
2. **No provisions are being made for lake recovery.** One good year of rainfall recovery in the middle of a drought cycle can be wiped out by great releases the following year just as it happened in 2011.
3. The emergency orders, supposedly, curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. **Even with the two Emergency Orders, Central Texas is facing a potential drought worse than the drought of record (DWDOR) this summer, which makes it evident of the serious failure of the WMP.**
4. **The WMP Violates the firm customer protections provided in the 1989 adjudication Order. It does not sufficiently account for growth in firm water uses, and we ARE ALREADY IN TROUBLE with current demands. Although Senators**

Watson and Fraser have introduced legislation to help correct this it should still be included in the WMP.

5. There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future.
6. The WMP must use a multi-year planning basis for managing multi-year drought drought cycles. Using a one-year planning basis rather than a multi-year planning basis is too risky.
7. Any customer that has a contract for "guaranteed" water must be considered a firm water customer and pay the firm water rate. (i.e.: Garwood Irrigation District).
8. Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view to of the critical water management issues and horrible drought that we're facing today.

**Conclusions:**

Although there are some improvements in this proposed WMP, the improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this drought. With firm use growing and inflows declining, we are facing chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels DO NOT benefit any of the interested parties; environment, agriculture, municipal, industrial, lake interests, or commerce.

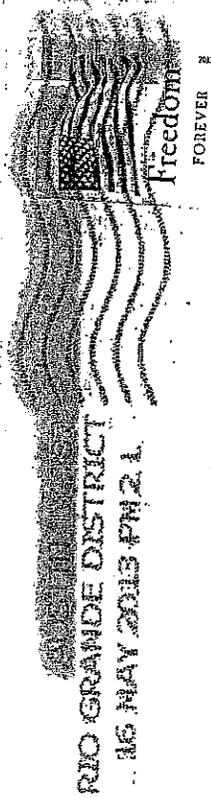
**Recommendations:**

1. Immediately impose a minimum storage level/ ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
2. Keep the current TCEQ Emergency Order in effect
3. Require LCRA to immediately update actual and projected firm demands, using updated hydrology.
4. Require LCRA to immediately begin working with stakeholders on a new WMP that: Properly protects firm water users in time of drought. Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and provide TRUE incentives for conservation by ALL parties, including proper water pricing and assessment of relative economic benefit created by use of the water.
5. Require LCRA to utilize the hydrological data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.

Sincerely,

  
LouAnne Opitz

Louanne Opitz  
13214 Mansfield Dr.  
Austin, TX 78732



REC'D  
MAY 19 2013  
TOWNSHIP CENTER

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2013 MAY 17 AM 10:08  
CHIEF CLERKS OFFICE

78711308767

9/27, 2015

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 SEP 30 AM 9:50

CHIEF CLERKS OFFICE

WR  
82315

VIA FIRST-CLASS MAIL

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

Re: Withdrawal of Comments and Request for Contested Case Hearing  
Regarding Application of Lower Colorado River Authority to Amend its  
Water Management Plan; Application No. 5838A; TCEQ Water Rights  
Permit No. 5838

Dear Ms. Bohac:

By Ronald and Ernestine Palmer this letter, I/we, hereby withdraw my/our comments and request for a contested case hearing (filed in 2013) regarding Water Rights Application No. 5838A, the application of the Lower Colorado River Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you have any questions or need additional information in order to process this withdrawal request.

Address:

19552 Sandcastle Dr  
Spicewood Tx 78669

Phone number: 713 253 7112

E-mail address: newernie@aol.com ✓

Thank you,

Signed: Ernestine Palmer RP

Printed Name(s): Ernestine Palmer  
Ron Palmer

REVIEWED

SEP 30 2015

WH

By RP

mm



Ms. Ernestine Palmer  
19552 Sandcastle Dr.  
Spicewood, TX 78669-6702

ALUSTIN TX 787  
RIO GRANDE DISTRICT  
28 SEP 2015 PM 2 1



RECEIVED

SEP 30 2015

TCEQ MAIL CENTER  
MM

Quality  
TEXAS  
COMMISSION  
ENVIRONMENTAL  
QUALITY  
2015 SEP 30 AM 9:49  
CHIEF CLERKS OFFICE

Tx Comm on Environment  
Office of the Chief Clerk  
MC105  
PO Box 13087  
Austin

7811X08787 13087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

May 27, 2013

WV  
8/23/15

2013 MAY 29 AM 9:59

REVIEWED

CHIEF CLERKS OFFICE

MAY 29 2013

By HP

# Ron + Ernestine Palmer  
19552 Sandcastle Dr  
Spicewood Tx  
78669

MS BC Bohac, Chief Clerk  
Office of Chief Clerk-MC105  
Texas Commission on Environmental Quality  
PO Box 13087  
Austin Tx 78711 3087

Re Comments + Requests for Contested Case  
Hearing on Application to Amend  
LCRA Water Management Plan  
Application # 5838A, TCEQ Water Rights  
Permit # 5838

Dear Ms Bohac

We would like to state that to allow  
LCRA to use data to support their  
amendment request without including  
existing data for years 2010, 2011 and  
2013 is both morally irresponsible  
and against all protocol used for  
scientific research. To eliminate  
data so they get the results they  
want is just plain WRONG.

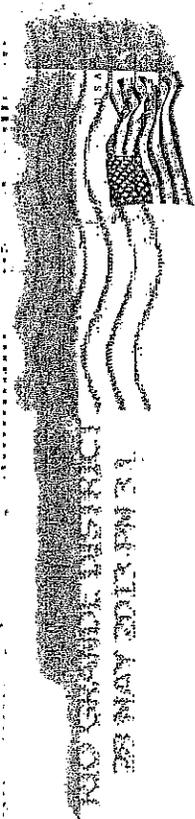
As a landowner and homeowner in  
the area for over 40 years we implore  
you to take this comments into consideration  
in response to TCEQ's request for a hearing.

Mrs. R. Palmer  
19552 Sandcastle Dr.  
Spicewood, TX 78669

RECEIVED

MAY 29 2013

TCEQ MAIL CENTER  
AR



Liberty  
FOREVER

TEXAS  
COMMISSION  
ENVIRONMENTAL  
QUALITY

2013 MAY 29 AM 9:00

CHIEF CLERKS OFFICE

Ms. B.C. Bohac Chief Clerk  
Office of Chief Clerk, MC 10  
TX Commission on Environmental Quality  
PO Box 13087  
Austin

TX 78711 3087  
78711308787



**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, October 07, 2015 4:14 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [cosmo@sgifs.com](mailto:cosmo@sgifs.com) [<mailto:cosmo@sgifs.com>]  
**Sent:** Wednesday, October 07, 2015 3:36 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
8/23/15

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Cosmo Palmieri

**E-MAIL:** [cosmo@sgifs.com](mailto:cosmo@sgifs.com)

**COMPANY:**

**ADDRESS:** PO BOX 28398  
AUSTIN TX 78755-8398

**PHONE:** 5126373682

**FAX:**

**COMMENTS:** I withdraw my 2013 hearing request.

WR

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

May 22, 2013

2013 MAY 28 AM 10: 21

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

WR  
82315

CHIEF CLERKS OFFICE

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Cosmo Palmieri

MAILING ADDRESS: PO Box 26800  
Austin, TX 78755

DAYTIME PHONE NUMBER(S): (512) 637-3682

FAX NUMBER (IF ANY): (512) 343-7317

EMAIL ADDRESS: cpalmieri@sgifs.com

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. We operate a marina on Lake Travis so we have an economic interest in the lake's sustainability during prolonged droughts. We feel that the minimum storage level should be set at 850,000 AF instead of 600,000 AF.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,



REVIEWED

MAY 29 2013

By [Signature]

Mu

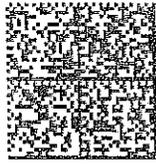
SGP Capital Investments, Inc.  
PO Box 26800  
Austin, TX 78755

RECEIVED Service  
Requested

MAY 28 2013

TCEQ MAIL CENTER  
MM

Presort  
First Class Mail  
ComBasPrice



U.S. POSTAGE PITNEY BOWES



ZIP 78731 \$000.43<sup>3</sup>  
02 1W  
000 1373566 MAY. 24. 2013

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

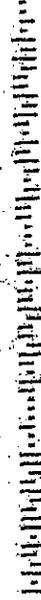
2013 MAY 28 AM 10: 21

CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality

PO Box 13087  
Austin, TX 78711

73 KQJUFMP 78711



Melissa Schmidt

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 1:16 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [waterwaysmag@gmail.com](mailto:waterwaysmag@gmail.com) [<mailto:waterwaysmag@gmail.com>]  
**Sent:** Tuesday, September 01, 2015 12:46 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** MS Mary Parssinen

**E-MAIL:** [waterwaysmag@gmail.com](mailto:waterwaysmag@gmail.com)

**COMPANY:**

**ADDRESS:** 604 PETERSON LN  
LAKEWAY TX 78734-4108

**PHONE:** 5127856313

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MS*

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:44 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, May 09, 2013 7:30 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
82315*

**From:** [waterwaysmag@gmail.com](mailto:waterwaysmag@gmail.com) [<mailto:waterwaysmag@gmail.com>]  
**Sent:** Wednesday, May 08, 2013 3:41 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** MS Mary Parssinen

**E-MAIL:** [waterwaysmag@gmail.com](mailto:waterwaysmag@gmail.com)

**COMPANY:** Waterways Magazine

**ADDRESS:** 604 PETERSON LN  
LAKEWAY TX 78734-4108

**PHONE:** 5127856313

*MW*

**FAX:**

**COMMENTS:** I am concerned the plan excludes recent hydrology for 2010-2012; doesn't allow for lake recovery time; does not protect firm customers; does not provide incentives for conservation; fails to embrace a multi-year planning cycle; allow LCRA TO WAIT UNTIL JAN 2020 TO SUBMIT AN APPLICATION TO REVISE THE PROPOSED WMP USING UPDATED HYDOLOGY....far too long to wait consider our critical water management issue and the severity of the drought we face. I ask for a contested hearing.

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 12:33 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [peeks@austin.rr.com](mailto:peeks@austin.rr.com) [mailto:[peeks@austin.rr.com](mailto:peeks@austin.rr.com)]  
**Sent:** Monday, August 31, 2015 11:27 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82313*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Debbie Peek

**E-MAIL:** [peeks@austin.rr.com](mailto:peeks@austin.rr.com)

**COMPANY:**

**ADDRESS:** 25032 RIVER RD  
SPICEWOOD TX 78669-1775

**PHONE:** 5122644282

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

*MS*

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Wednesday, May 15, 2013 8:25 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 15, 2013 7:48 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
023/15*

**From:** [peeks@austin.rr.com](mailto:peeks@austin.rr.com) [mailto:[peeks@austin.rr.com](mailto:peeks@austin.rr.com)]  
**Sent:** Tuesday, May 14, 2013 5:09 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

REGULATED ENTY NAME 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

RN NUMBER: RN104252267

PERMIT NUMBER: WRPERM 5838

DOCKET NUMBER:

COUNTY: BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

PRINCIPAL NAME: LOWER COLORADO RIVER AUTHORITY

CN NUMBER: CN600253637

FROM

NAME: Debbie Peek

E-MAIL: [peeks@austin.rr.com](mailto:peeks@austin.rr.com)

COMPANY:

ADDRESS: 25032 RIVER RD  
SPICEWOOD TX 78669-1775

PHONE: 5122644282

*MW*

**FAX:**

**COMMENTS:** Dear Ms. Bohac: This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. \*Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Recent years' data indicates the average inflows have significantly decreased from what was assumed in the past so it would be laughable to not require recent data to be included. \*There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures then becomes available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future. \*The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. \*Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today. Thank you for your consideration of these important issues.  
Debbie Peek

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 9:36 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [peekster@austin.rr.com](mailto:peekster@austin.rr.com) [mailto:[peekster@austin.rr.com](mailto:peekster@austin.rr.com)]  
**Sent:** Monday, August 31, 2015 9:31 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Steve Peek

**E-MAIL:** [peekster@austin.rr.com](mailto:peekster@austin.rr.com)

**COMPANY:**

**ADDRESS:** 25032 RIVER RD  
SPICEWOOD TX 78669-1775

**PHONE:** 5122644282

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

*MS*

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Wednesday, May 15, 2013 8:25 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 15, 2013 7:48 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**From:** [peekster@austin.rr.com](mailto:peekster@austin.rr.com) [mailto:[peekster@austin.rr.com](mailto:peekster@austin.rr.com)]  
**Sent:** Tuesday, May 14, 2013 5:08 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Steve Peek

**E-MAIL:** [peekster@austin.rr.com](mailto:peekster@austin.rr.com)

**COMPANY:**

**ADDRESS:** 25032 RIVER RD  
SPICEWOOD TX 78669-1775

**PHONE:** 5122644282

*MW*

FAX:

**COMMENTS:** Dear Ms. Bohac: This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. \*Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Recent years' data indicates the average inflows have significantly decreased from what was assumed in the past so it would be laughable to not require recent data to be included. \*There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures then becomes available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future. \*The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. \*Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today. Thank you for your consideration of these important issues.  
Steve Peek

09/07, 2015

REVIEWED

SEP 09 2015

VH

By RR

**VIA FIRST-CLASS MAIL**

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

*KWR*  
*8/23/15*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2015 SEP -9 AM 10:21  
CHIEF CLERKS OFFICE

Re: **Withdrawal of Comments and Request for Contested Case Hearing Regarding Application of Lower Colorado River Authority to Amend its Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838**

Dear Ms. Bohac:

By \_\_\_\_\_ this \_\_\_\_\_ letter, I/we, \_\_\_\_\_, hereby withdraw my/our comments and request for a contested case hearing (filed in 2013) regarding Water Rights Application No. 5838A, the application of the Lower Colorado River Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you have any questions or need additional information in order to process this withdrawal request.

Address:

309 BUMPY RIDGE DR  
BURNET, TX 78611

Phone number: 512 793 2921

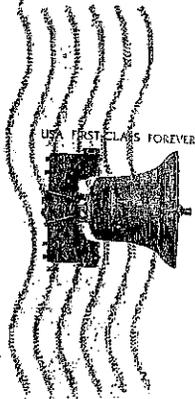
E-mail address: \_\_\_\_\_

Thank you,

Signed: Verney Puryear

Printed Name(s): VERNEY PURYEAR

*mc*



POST OFFICE  
P.O. GRANDE ESTRELLA  
09 SEP 2015 14:31

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2015 SEP -9 AM 10: 25

CHIEF CLERKS OFFICE

RECEIVED

SEP 09 2015

TCEQ MAIL CENTER  
CS

P  
Verney Puryear  
309 Bumpy Ridge Dr.  
Burnet, TX 78611

*Ms Budget C. Bohae, Chief Clerk  
Office of Chief Clerk McCLOSKEY  
TCEQ  
PO Box 13087  
Austin TX 78711-3087*

78711308797

May 1, 2013

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

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY -3 AM 10:16

CHIEF CLERKS OFFICE

REVIEWED

MAY 03 2013

By BP

WR  
82315

Re: Comments and Request for Contested Case Hearing on Application to Amend  
the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit  
No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's  
application to amend its Water Management Plan (Permit No. 5838) and requests a  
contested

case hearing on this application. Our contact information follows:

NAME: VERNEY PURYEAR

MW

MAILING ADDRESS: 309 BUMPY RIDGE DR  
BURNET TX 78611

DAYTIME PHONE NUMBER(S): 512 793 2921

FAX NUMBER (IF ANY): —

EMAIL ADDRESS: —

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention

to our comments and TCEQ's approval of our request for a hearing. —

of the Water management keeps pulling water  
out of the Lake during this drought, there will  
not be enough water for people to live on.  
Water is going to be a problem for years to  
come. We need to manage the water so  
every body will have enough water ...

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

Vernay L. Weaver

Verney Puryear  
309 Bumpy Ridge Dr.  
Burnet, TX 78611-4006

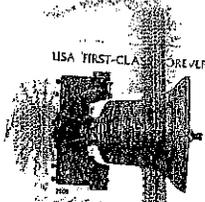


RECEIVED

MAY 02 2013  
FEDERAL MAIL CENTER

*Texas Commission on Environmental Quality  
Office of the Chief Clerk (MC 105)  
P.O. Box 13087  
Austin, Tex 78711-3087*

02 MAY 2013 PMS L



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY -3 AM 10:15

CHIEF CLERKS OFFICE



78711308787

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, September 02, 2015 10:49 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [hdelosse@gmail.com](mailto:hdelosse@gmail.com) [mailto:[hdelosse@gmail.com](mailto:hdelosse@gmail.com)]  
**Sent:** Wednesday, September 02, 2015 10:42 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82316

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Harry Ransier

**E-MAIL:** [hdelosse@gmail.com](mailto:hdelosse@gmail.com)

**COMPANY:**

**ADDRESS:** 700 N CHAPARRAL  
BURNET TX 78611-2916

**PHONE:** 5127932027

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Monday, May 13, 2013 10:45 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, May 13, 2013 9:49 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

**From:** [hdelosse@gmail.com](mailto:hdelosse@gmail.com) [mailto:[hdelosse@gmail.com](mailto:hdelosse@gmail.com)]  
**Sent:** Friday, May 10, 2013 4:27 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
823/5*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Harry D Ransier, JR

**E-MAIL:** [hdelosse@gmail.com](mailto:hdelosse@gmail.com)

**COMPANY:**

**ADDRESS:** 700 N CHAPARRAL  
BURNET TX 78611-2916

**PHONE:** 5127932027

*CRW*

FAX:

**COMMENTS:** Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: I am deeply concerned about the Water Management Plan you have approved. This plan has many problems and serious shortcomings. It will not protect the drinking water for Central Texans. My life and property will be deeply affected by the Water Management Plan you have approved and as approved it will continue to cause massive harm to all firm water users. I have copied below the suggested changes to the plan presented to you by the Central Texas Water Coalition. I wholeheartedly support their recommendations and earnestly ask you to make the changes to the plan. Concerns and changes still needed: 1) Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Only data up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past 2) No clear and distinct provisions are made for lake recovery time. As evidenced by 2010, one good year of rainfall and recovery in the midst of a drought cycle can be wiped out by huge releases the following year. This is what happened in 2011. Without an appropriate recovery period, we could be perpetually in a state of water emergency. 3) Despite implementing emergency orders curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. Even with the two Emergency Orders, we are facing a potential Drought Worse than Drought of Record (DWDOR) this summer, which evidences the serious failure of the WMP. 4) The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. Senators Fraser and Watson have introduced legislation to help correct this, but it should be included in the WMP as well. 5) There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may then become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future. 6) The WMP must use multi-year planning for managing multi-year drought cycles. Using a one-year approach rather than a multi-year is too risky. A more conservative assessment of future hydrology is needed. 7) Any customer that has a contract for "guaranteed" water (i.e.: Garwood Irrigation District) must be considered a firm water customer and pay the firm water rate. 8) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today. Conclusions: Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agricultural, municipal, industrial, or lake interests. Possible Recommendations: 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF 2) Keep the current TCEQ Emergency Order in effect 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology 5) Require LCRA to begin working immediately with stakeholders on a new WMP that: • Properly protects firm users in times of drought; • Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and • Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water. Please do not fall prey to the misstatements and false directions of the large corporations fighting against a responsible and reasonable plan. I earnestly ask you to please make these changes. These changes will help all those who depend on the water in the lakes for drinking and for their livelihood. Sincerely, Harry Ransier

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, October 02, 2015 8:23 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [Mike.duck2@gmail.com](mailto:Mike.duck2@gmail.com) [mailto:Mike.duck2@gmail.com]  
**Sent:** Thursday, October 01, 2015 3:22 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WRP  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Michael Roberts

**E-MAIL:** [Mike.duck2@gmail.com](mailto:Mike.duck2@gmail.com)

**COMPANY:** Lakeside Beach Civic Assoc

**ADDRESS:** PO BOX 267  
SPICEWOOD TX 78669-0267

**PHONE:** 5122992629

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

*Me*

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Monday, May 20, 2013 8:14 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838  
**Attachments:** TCEQ-Mike-Roberts-Comment.docx

H

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, May 20, 2013 7:31 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**From:** [mike.duck2@gmail.com](mailto:mike.duck2@gmail.com) [<mailto:mike.duck2@gmail.com>]  
**Sent:** Sunday, May 19, 2013 8:41 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

REGULATED ENTY NAME 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

RN NUMBER: RN104252267

PERMIT NUMBER: WRPERM 5838

DOCKET NUMBER:

COUNTY: BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

PRINCIPAL NAME: LOWER COLORADO RIVER AUTHORITY

CN NUMBER: CN600253637

FROM

NAME: MR Michael T Roberts

E-MAIL: [mike.duck2@gmail.com](mailto:mike.duck2@gmail.com)

COMPANY: Lakeside Beach Civic Association

ADDRESS: PO BOX 267  
SPICEWOOD TX 78669-0267

PHONE: 5122992629



**FAX:**

**COMMENTS:** Please see attached document. Thank you. Michael T Roberts

May 18, 2013

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

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application # 5838A; TCEQ Water Rights Permit #5838.

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Michael T Roberts  
President, Lakeside Beach Civic Association  
701 Wanta-Hide-Away  
Spicewood, TX 78669  
Cell: 512-422-9479  
[Mike.duck2@gmail.com](mailto:Mike.duck2@gmail.com)

Our subdivision of 104 homes, and 200 property owners, is affected by the LCRA's Water Management Plan in the ways explained below:

- As firm customers of LCRA we have been required to abide by mandatory water restrictions since early 2012 due to the unprecedented 2011 release of water to unguaranteed, downstream customers at a greatly discounted rate.
- The water that was released from Lake Travis in 2011 led to the failure of our water system and it has never recovered.
- The values of our homes and property are compromised given the lack of water and restrictions imposed on residents.

We believe that the current water management plan does not take into consideration the changing climate, increase in population, and recent drought conditions. We are also concerned that reliance on "emergency orders" to protect our water supply is not an adequate solution and would like to see a permanent level of 850,000 acre feet established as the minimum storage level of the lake and would trigger an automatic cut off of non-firm customers.

For those reasons, we request TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

Sincerely,  
Michael T Roberts

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 08, 2015 8:31 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [deniseroeder@comcast.net](mailto:deniseroeder@comcast.net) [mailto:[deniseroeder@comcast.net](mailto:deniseroeder@comcast.net)]  
**Sent:** Friday, September 04, 2015 4:33 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
08/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Denise Roeder

**E-MAIL:** [deniseroeder@comcast.net](mailto:deniseroeder@comcast.net)

**COMPANY:**

**ADDRESS:** 1750 SKY LARK LN UNIT 1001 [deniseroeder@comcast.net](mailto:deniseroeder@comcast.net)  
HOUSTON TX 77056-3734

**PHONE:** 2813524272

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*WR*



- lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

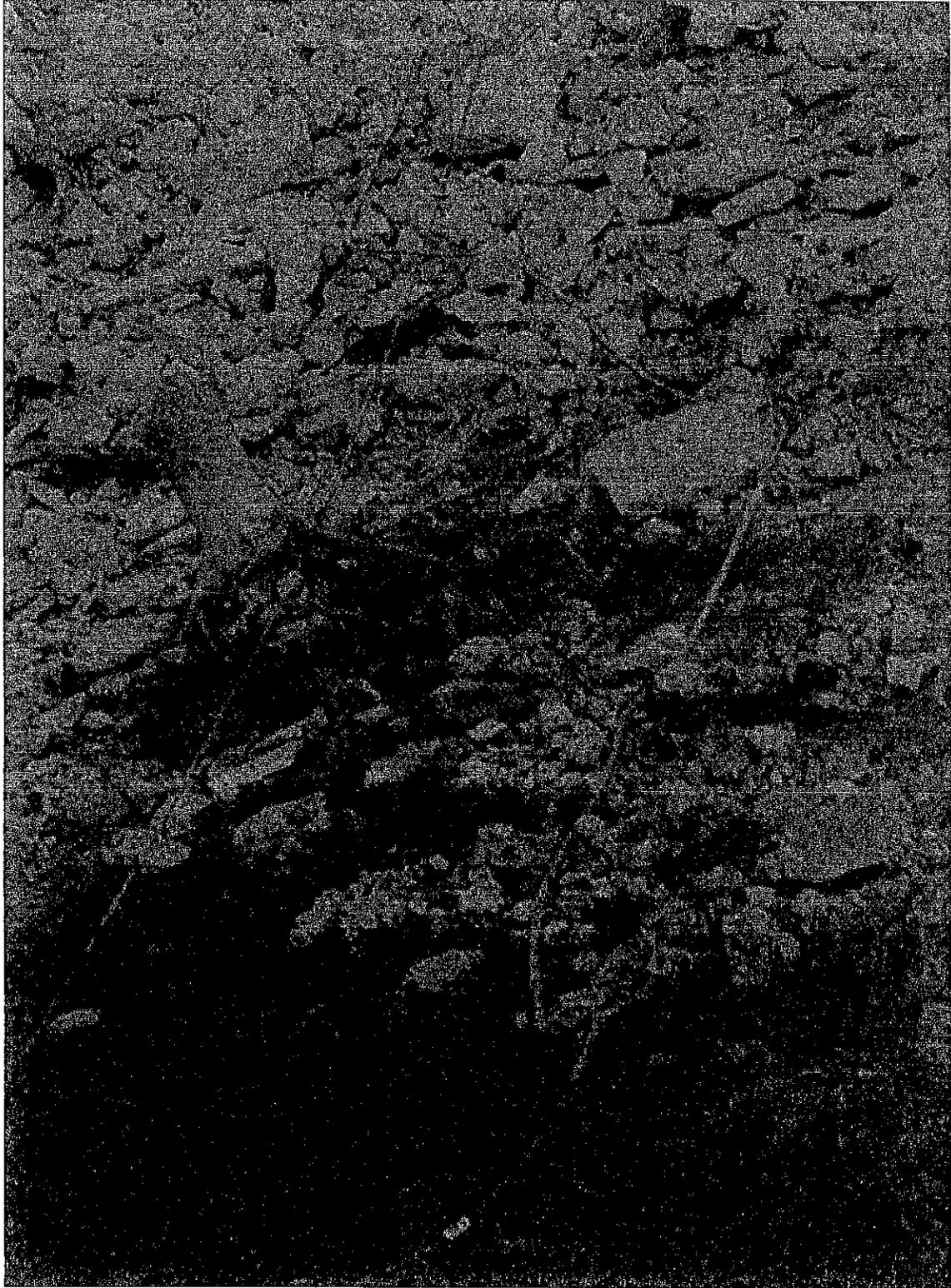
This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application.

We truly do appreciate your help with this matter and look forward to a solution to save the water on Lake Travis.

Sincerely,



Denise S. Roeder



CHIEF CLERKS OFFICE

2013 MAY 15 AM 10:19

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY





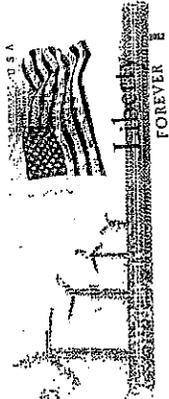
RECEIVED

MAY 15 2013

TCEQ MAIL CENTER  
EB

NORTH HOUSTON TX 77060

13 MAY 2013 PM 11



mc-105-

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 15 AM 10:19

CHIEF CLERK'S OFFICE

*Ms. Bridget C. Baker, Chief Clerk  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711 - 3087*



**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, September 17, 2015 8:11 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [nikis@austin.rr.com](mailto:nikis@austin.rr.com) [mailto:[nikis@austin.rr.com](mailto:nikis@austin.rr.com)]  
**Sent:** Wednesday, September 16, 2015 5:44 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*KUR  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Niki Sanders

**E-MAIL:** [nikis@austin.rr.com](mailto:nikis@austin.rr.com)

**COMPANY:**

**ADDRESS:** 14283 FM 2769  
LEANDER TX 78641-9697

**PHONE:** 5122585045

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*MW*

May 10, 2013

REVIEWED

MAY 15 2013

By AK

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 13 AM 11: 22

CHIEF CLERKS OFFICE

Chief Clerk, Texas Commission of Environmental Quality  
P.O. Box 13087  
Mail Code 105  
Austin, TX 78711

WR  
8/23/15

RE: LCRA Water Management Plan and Request for Contested Case Hearing  
"Our Liquid Gold"

TO WHOM IT MAY CONCERN:

I'm a native Austinite and am deeply concerned about our water supply. It is a known fact that water is **liquid gold** and for us in and around the Austin community our supply is diminishing. The latest hydrologic data from multi year drought cycles must be considered in setting the minimum storage level. We need to protect all firm users in times of drought. We also need incentives for conservation for all users. This would also include proper water pricing for those users downstream.

I respectfully request that you carefully review all submitted comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit 5838) and request a contested case hearing.

I look forward to hearing from you regarding a hearing date

Sincerely,



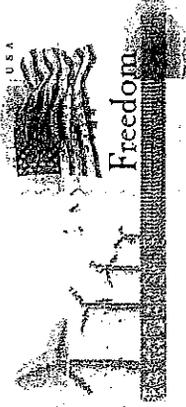
Niki Sanders  
14283 FM 2769  
Leander, TX 78641  
(512) 258-5045

Cc: Senator Kirk Watson  
P.O. Box 12068 Capitol Station  
Austin, TX 78711  
Senator Troy Fraser  
P.O. Box 12068 Capitol Station  
Austin, TX 78711  
Representative Paul Workman  
P.O. Box 2910  
Austin, TX 78768

WR

Ms. Niki Sanders  
14283 Fm 2769  
Leander, TX 78641

RIO GRANDE DISTRICT  
10 MAY 2013 PM 5 L



RECEIVED

MAY 13 2013

TCEQ MAIL CENTER  
AJ

2013 MAY 13 AM 11:22  
CHIEF CLERKS OFFICE  
Texas Commission on Environmental Quality

Chief Clerk, Texas Commission of Environmental Quality  
P.O. Box 13087  
Mail Code 105  
Austin, TX 78711

78711308787

**Marisa Weber**

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, September 24, 2015 8:05 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

WR  
82315

**From:** [wsanders30@austin.rr.com](mailto:wsanders30@austin.rr.com) [mailto:[wsanders30@austin.rr.com](mailto:wsanders30@austin.rr.com)]  
**Sent:** Wednesday, September 23, 2015 8:50 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Wade Sanders

**E-MAIL:** [wsanders30@austin.rr.com](mailto:wsanders30@austin.rr.com)

**COMPANY:**

**ADDRESS:** 1701 CHINATI ST  
CEDAR PARK TX 78613-1430

**PHONE:** 5127433277

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

Mc

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Monday, May 13, 2013 10:49 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, May 10, 2013 7:32 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
023/5*

**From:** [wsanders30@austin.rr.com](mailto:wsanders30@austin.rr.com) [<mailto:wsanders30@austin.rr.com>]  
**Sent:** Thursday, May 09, 2013 4:37 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Wade Sanders

**E-MAIL:** [wsanders30@austin.rr.com](mailto:wsanders30@austin.rr.com)

**COMPANY:**

**ADDRESS:** 1701 CHINATI ST  
CEDAR PARK TX 78613-1430

**PHONE:** 5127433277

*MS*

FAX:

**COMMENTS:** May 9, 2013 Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac, This letter is written to express my concern over the Lower Colorado River Authority's Application to amend its Water Management Plan (Permit No. 5838). Although the new plan has some merit it is still missing several key fundamentals for long term water management success. • I was surprised to hear that hydrology data in the new plan only went as recent as 2009. I can't imagine any relevant plan would not include our recent history, which from many projections, could be a reflection of the consistent future. 2010, 2011 and 2012 must be included. • The price for water customers' needs to be fixed and should be the same rate as firm water. This is our precious resource and should not be given away. • There is disincentive for many water customers. All plans and contracts need to be aligned with the right incentive for long term conservation. • There is no lake recovery time baked into the plan. Pretty easy to look at our recent history to see the flaw in this. • It does not appear we have any growth factored in for the Austin area. Assuming no growth for the Austin area is a blatant oversight. • Allowing LCRA until January 2020 to revise a new plan is just not feasible. We need to be working on this major issue in real time. I respectfully request a case hearing on this critical issue. Regards, Wade Sanders Cedar Park, TX

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 8:18 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [scottsch@verizon.net](mailto:scottsch@verizon.net) [<mailto:scottsch@verizon.net>]  
**Sent:** Monday, August 31, 2015 9:48 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Scott D Schneider

**E-MAIL:** [scottsch@verizon.net](mailto:scottsch@verizon.net)

**COMPANY:**

**ADDRESS:** 3830 W STATE HIGHWAY 29  
GEORGETOWN TX 78628-7006

**PHONE:** 5128639278

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:45 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, May 09, 2013 7:30 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
82315*

**From:** [Scottsch@verizon.net](mailto:Scottsch@verizon.net) [mailto:[Scottsch@verizon.net](mailto:Scottsch@verizon.net)]  
**Sent:** Wednesday, May 08, 2013 8:01 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Scott D Schneider

**E-MAIL:** [Scottsch@verizon.net](mailto:Scottsch@verizon.net)

**COMPANY:**

**ADDRESS:** 3830 W STATE HIGHWAY 29  
GEORGETOWN TX 78628-7006

**PHONE:** 5128639278

*Mad*

FAX:

**COMMENTS:** Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. We are affected by this proposed amendment to the LCRA's Water Management Plan in that our well may go dry and property values decrease. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. Central Texas water should remain in central texas for the well being of the citizens of central texas. Central texans in their conservation efforts should be rewarded for that in keeping more water in central texas instead of letting water usage go to other areas of the state that do not conserve water. Thank you for your consideration of these important issues. Please let me know if yo u need any additional information. Sincerely, Scott Schneider

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, September 02, 2015 8:11 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [edsandrasowell@gmail.com](mailto:edsandrasowell@gmail.com) [<mailto:edsandrasowell@gmail.com>]  
**Sent:** Wednesday, September 02, 2015 7:46 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82316

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Ed and Sandra Sowell

**E-MAIL:** [edsandrasowell@gmail.com](mailto:edsandrasowell@gmail.com)

**COMPANY:**

**ADDRESS:** 1010 COUNTY ROAD 140  
BURNET TX 78611-3427

**PHONE:** 5127569416

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 12:59 PM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, May 09, 2013 12:51 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
023/15*

**From:** [edsandrasowell@gmail.com](mailto:edsandrasowell@gmail.com) [<mailto:edsandrasowell@gmail.com>]  
**Sent:** Thursday, May 09, 2013 12:31 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Ed Sowell

**E-MAIL:** [edsandrasowell@gmail.com](mailto:edsandrasowell@gmail.com)

**COMPANY:**

**ADDRESS:** 1010 COUNTY ROAD 140  
BURNET TX 78611-3427

**PHONE:** 5127569416

*MW*

FAX:

**COMMENTS:** May 9, 2013 Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows: Ed and Sandra Sowell 1010 County Road 140 Burnet, Texas 78611 (512) 756-9416 [edsandrasowell@gmail.com](mailto:edsandrasowell@gmail.com) We are affected by this proposed amendment to the LCRA's Water Management Plan because we live on the waterfront of Lake Buchanan. For this reason, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. Concerns and changes still needed: 1) Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Only data up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past 2) No clear and distinct provisions are made for lake recovery time. As evidenced by 2010, one good year of rainfall and recovery in the midst of a drought cycle can be wiped out by huge releases the following year. This is what happened in 2011. Without an appropriate recovery period, we could be perpetually in a state of water emergency. 3) Despite implementing emergency orders curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. Even with the two Emergency Orders, we are facing a potential Drought Worse than Drought of Record (DWDOR) this summer, which evidences the serious failure of the WMP. 4) The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. Senators Fraser and Watson have introduced legislation to help correct this, but it should be included in the WMP as well. 5) There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may then become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future. 6) The WMP must use multi-year planning for managing multi-year drought cycles. Using a one-year approach rather than a multi-year is too risky. A more conservative assessment of future hydrology is needed. 7) Any customer that has a contract for "guaranteed" water (i.e., Garwood Irrigation District) must be considered a firm water customer and pay the firm water rate. 8) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today. Conclusions: Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agricultural, municipal, industrial, or lake interests. Possible Recommendations: 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF 2) Keep the current TCEQ Emergency Order in effect 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology 5) Require LCRA to begin working immediately with stakeholders on a new WMP that: • Properly protects firm users in times of drought; • Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and • Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water. Thank you for your consideration of these important issues. Please let us know if you need any additional information. Sincerely, Ed and Sandra Sowell

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, September 28, 2015 1:43 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [sspurlin@austin.rr.com](mailto:sspurlin@austin.rr.com) [mailto:[sspurlin@austin.rr.com](mailto:sspurlin@austin.rr.com)]  
**Sent:** Monday, September 28, 2015 1:31 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
8/23/15

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Scott Spurlin

**E-MAIL:** [sspurlin@austin.rr.com](mailto:sspurlin@austin.rr.com)

**COMPANY:**

**ADDRESS:** 14275 FM 2769  
LEANDER TX 78641-9697

**PHONE:** 5124232179

**FAX:**

**COMMENTS:** I Scott Spurlin withdraw the comments and hearing request that I filed in 2013

MS

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Monday, May 13, 2013 10:48 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, May 10, 2013 7:48 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR*  
*8/23/15*

**From:** [sspurlin@austin.rr.com](mailto:sspurlin@austin.rr.com) [mailto:[sspurlin@austin.rr.com](mailto:sspurlin@austin.rr.com)]  
**Sent:** Friday, May 10, 2013 7:36 AM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

REGULATED ENTY NAME 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

RN NUMBER: RN104252267

PERMIT NUMBER: WRPERM 5838

DOCKET NUMBER:

COUNTY: BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

PRINCIPAL NAME: LOWER COLORADO RIVER AUTHORITY

CN NUMBER: CN600253637

FROM

NAME: Scott Spurlin

E-MAIL: [sspurlin@austin.rr.com](mailto:sspurlin@austin.rr.com)

COMPANY:

ADDRESS: 14275 FM 2769  
LEANDER TX 78641-9697

PHONE: 5123355214

*MW*

FAX:

**COMMENTS:** Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agricultural, municipal, industrial, or lake interests. Possible Recommendations: 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF 2) Keep the current TCEQ Emergency Order in effect 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology 5) Require LCRA to begin working immediately with stakeholders on a new WMP that: Properly protects firm users in times of drought; Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water. I look forward to hearing from you. Best Regards; Scott Spurlin

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 10:55 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [rogertom@gmail.com](mailto:rogertom@gmail.com) [<mailto:rogertom@gmail.com>]  
**Sent:** Tuesday, September 01, 2015 10:35 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Roger and Peggy Thom

**E-MAIL:** [rogertom@gmail.com](mailto:rogertom@gmail.com)

**COMPANY:**

**ADDRESS:** 2018 COUNTY ROAD 140  
BURNET TX 78611-3434

**PHONE:** 5127569836

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*YMS*

Marisa Weber

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 12:59 PM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, May 09, 2013 9:10 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
82315*

**From:** [rogerctom@gmail.com](mailto:rogerctom@gmail.com) [<mailto:rogerctom@gmail.com>]  
**Sent:** Thursday, May 09, 2013 8:44 AM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Roger Thom

**E-MAIL:** [rogerctom@gmail.com](mailto:rogerctom@gmail.com)

**COMPANY:**

**ADDRESS:** 2018 COUNTY ROAD 140  
BURNET TX 78611-3434

**PHONE:** 5127569836

*Ma*

FAX:

**COMMENTS:** May 9, 2013 Ms. Bridget C. Bohac, Chief Clerk Office of the Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838 Dear Ms. Bohac: This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows: Roger & Peggy Thom 2018 County Road 140 Burnet tx 78611 (512) 756-9836 [rogerctom@gmail.com](mailto:rogerctom@gmail.com) We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. Concerns and changes still needed: 1) Recent hydrology, including recent record drought years (2010, 2011, 2012), is not taken into account. Only data up to 2009 is considered. This is important because recent years' data indicates the average inflows have significantly decreased from what was assumed in the past 2) No clear and distinct provisions are made for lake recovery time. As evidenced by 2010, one good year of rainfall and recovery in the midst of a drought cycle can be wiped out by huge releases the following year. This is what happened in 2011. Without an appropriate recovery period, we could be perpetually in a state of water emergency. 3) Despite implementing emergency orders curtailing some interruptible customers two years in a row, the WMP is not protective enough of current firm customers. Even with the two Emergency Orders, we are facing a potential Drought Worse than Drought of Record (DWDOR) this summer, which evidences the serious failure of the WMP. 4) The WMP violates the firm customer protections provided for in the 1989 Adjudication Order. It does not sufficiently account for growth in firm water uses, and we are already in trouble with current demands. Senators Fraser and Watson have introduced legislation to help correct this, but it should be included in the WMP as well. 5) There is no true incentive for conservation by firm customers in Central Texas. Water saved through expensive conservation measures may then become available for use by downstream farmers paying a heavily discounted rate. Saved water does not benefit the saver, and the saved water may be wasted by another user. Failure to use annual supply can result in decreases in future supply, creating an incentive to waste water to avoid reduction in the future. 6) The WMP must use multi-year planning for managing multi-year drought cycles. Using a one-year approach rather than a multi-year is too risky. A more conservative assessment of future hydrology is needed. 7) Any customer that has a contract for "guaranteed" water (i.e.: Garwood Irrigation District) must be considered a firm water customer and pay the firm water rate. 8) Allowing the LCRA to wait until January 2020 to submit an application to revise this proposed WMP using updated hydrology and updated firm customer demands is far too long in view of the critical water management issues and horrible drought that we're facing today. Conclusions: Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agricultural, municipal, industrial, or lake interests. Possible Recommendations: 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF 2) Keep the current TCEQ Emergency Order in effect 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology 5) Require LCRA to begin working immediately with stakeholders on a new WMP that: Properly protects firm users in times of drought; Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water. Thank you for your consideration of these important issues. Please let me know if you need any additional information. Sincerely, Roger Thom

**Melissa Schmidt**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 12:33 PM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [dale.thompson@intel.com](mailto:dale.thompson@intel.com) [<mailto:dale.thompson@intel.com>]  
**Sent:** Monday, August 31, 2015 11:25 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Dale Thompson

**E-MAIL:** [dale.thompson@intel.com](mailto:dale.thompson@intel.com)

**COMPANY:**

**ADDRESS:** 8107 DAVIS MOUNTAIN PASS  
AUSTIN TX 78726-4038

**PHONE:** 5124237873

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Thursday, May 09, 2013 8:47 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 08, 2013 3:00 PM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
02315*

**From:** [dale.thompson@intel.com](mailto:dale.thompson@intel.com) [mailto:[dale.thompson@intel.com](mailto:dale.thompson@intel.com)]  
**Sent:** Wednesday, May 08, 2013 2:20 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Dale Thompson

**E-MAIL:** [dale.thompson@intel.com](mailto:dale.thompson@intel.com)

**COMPANY:**

**ADDRESS:** 8107 DAVIS MOUNTAIN PASS  
AUSTIN TX 78726-4038

**PHONE:** 5124237873

*MW*

FAX:

**COMMENTS:** I would like to request a contested case hearing for the proposed LCRA WMP currently submitted to TCEQ. I feel the non-transparent back-room negotiations that resulted in the CURRENT WMP was flawed in its construction, does not adequately address current usages, and climate and weather patterns, does not fairly balance financial usage obligations across all of its customer base, and allows far too much time (2020) for LCRA to update and/or include some of this additional data to submit an application to revise this proposed WMP. The time is NOW to act and provide a more rational plan that serves the needs of all water customers fairly. To not re-look at this now while we have the chance seems grossly irresponsible for such a precious and important resource. One last point, current reservoir storage estimates are based on dated storage volume calculations. A big concern of mine is how much erosion and silting have occurred in Lakes Buchanan and Travis over the last 80 or so years. A 600,000 Ac/ft cut-off that is currently in the WMP under consideration might end up being much less than that and therefore completely inadequate in an emergency water situation. As the lakes silt in, and as thpopulation in Central Texas continues to explode, can we really afford to take this risk and wait another seven years before revised data comes in for consideration of an abridged WMP if this one is approved as is? It seems like the only prudent thing to do is have a contested case hearing and get all of the issues relevent to the current plan objectively re-looked at.

**Marisa Weber**

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, October 06, 2015 11:30 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [kellytronzo@me.com](mailto:kellytronzo@me.com) [mailto:kellytronzo@me.com]  
**Sent:** Tuesday, October 06, 2015 9:56 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
8/23/15

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Kelly Tronzo

**E-MAIL:** [kellytronzo@me.com](mailto:kellytronzo@me.com)

**COMPANY:**

**ADDRESS:** 827 HEATHCLIFF CT  
HOUSTON TX 77024-4501

**PHONE:** 8324236714

**FAX:**

**COMMENTS:** Marc and Kelly Tronzo withdraw the comments and hearing request that we filed in 2013.

MW

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

May 13, 2013

2013 MAY 24 AM 10:31

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

CHIEF CLERKS OFFICE

*WR  
82315*

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Marc and Kelly Tronzo 3216 Crosswind Dr Spicewood, Texas 78669  
832-423-6714

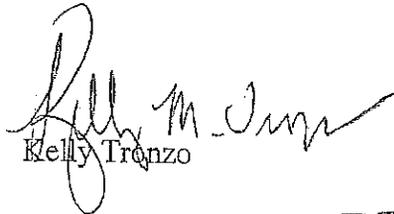
EMAIL ADDRESS: [kellytronzo1@aol.com](mailto:kellytronzo1@aol.com)

We purchased two properties in the Crosswind subdivision in Spicewood. We purchased in this area because both properties had a lake view and our neighborhood park had a beautiful cove in which to swim. These are all gone. But most importantly, our subdivision is served by a private water company and if releases continue our neighborhood would be in peril of losing the sole water source. Both of my properties are too narrow for wells so this also would not be an option. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

  
Marc Tronzo

  
Kelly Tronzo

REVIEWED

MAY 24 2013

By 

*H*

*me*

*THU 20  
PO 7 New Braunfels TX 78124  
Houston, TX 77024*

RECEIVED

MAY 24 2013

TCEQ MAIL CENTER  
MM

22 MAY 2013 PM 5:1



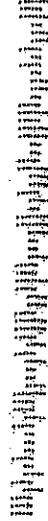
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 24 AM 10:31

CHIEF CLERKS OFFICE

*Ms. Bridget C. Bohac  
Office of the Chief Clerk CMC 105  
TCEQ  
P.O. Box 13087  
Houston, TX 77211-3087*

7871308767



**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, October 02, 2015 8:23 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [euecker@texasdata.net](mailto:euecker@texasdata.net) [mailto:[euecker@texasdata.net](mailto:euecker@texasdata.net)]  
**Sent:** Thursday, October 01, 2015 7:52 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WNR  
8/23/15*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:** 2015-1444-WR

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON,  
MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Eugene Uecker

**E-MAIL:** [euecker@texasdata.net](mailto:euecker@texasdata.net)

**COMPANY:**

**ADDRESS:** 18101 LAKESHORE BLVD  
LAGO VISTA TX 78645-5022

**PHONE:** 5129177526

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

*CM*

Marisa Weber

**From:** PUBCOMMENT  
**Sent:** Tuesday, May 14, 2013 3:26 PM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

H

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, May 14, 2013 7:31 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

*WR  
8/23/15*

**From:** [euecker@texasdata.net](mailto:euecker@texasdata.net) [<mailto:euecker@texasdata.net>]  
**Sent:** Monday, May 13, 2013 7:52 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number WRPERM 5838

REGULATED ENTY NAME 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

RN NUMBER: RN104252267

PERMIT NUMBER: WRPERM 5838

DOCKET NUMBER:

COUNTY: BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

PRINCIPAL NAME: LOWER COLORADO RIVER AUTHORITY

CN NUMBER: CN600253637

FROM

NAME: Eugene Uecker

E-MAIL: [euecker@texasdata.net](mailto:euecker@texasdata.net)

COMPANY:

ADDRESS: 18101 LAKESHORE DR  
LAGO VISTA TX 78645-5022

PHONE: 5129177526

*MW*

FAX:

**COMMENTS:** All Texans are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, I request the TCEQ's careful attention to my comments and TCEQ's approval of my request for a hearing. The majority of funding for Texas Schools comes from property taxes and due to Robin hood rules, money from high property value districts is transferred to low property value districts. Because of the Agricultural Exemption, farm land, such as the rice farms that receive significant water from the highland lakes is taxed at a valuation of about \$100 per acre whereas residential land on and around the highland lakes is taxed at valuations in the \$50,000 to \$100,000 per acre range. Any water use plan proposed by the LCRA should do everything possible to maintain the highland lakes at a near full condition to encourage development and water availability in the central Texas area. Additional development around the highland lakes will provide much more Tax Revenue to Texas Schools and the State than any rice farm. In essences, any plan by LCRA that does not maintain the highland lakes at a near full condition, is guilty of purposely limiting money for public education and is not in the best interest of a majority of Texans.

September 25, 2015

VIA FIRST-CLASS MAIL

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

REVIEWED

SEP 29 2015

By [Signature] WH

WR  
82315

Re: Withdrawal of Comments and Request for Contested Case Hearing  
Regarding Application of Lower Colorado River Authority to Amend its  
Water Management Plan; Application No. 5838A; TCEQ Water Rights  
Permit No. 5838

Dear Ms. Bohac:

By Karen Walker this letter, I/we, [Signature], hereby withdraw my/our  
comments and request for a contested case hearing (filed in 2013) regarding Water Rights  
Application No. 5838A, the application of the Lower Colorado River Authority to amend  
its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if  
you have any questions or need additional information in order to process this withdrawal  
request.

Address:

P.O. Box 324

Cedar Park 78630

Phone number: 512/257-2628

E-mail address: \_\_\_\_\_

Thank you,

Signed: Karen Walker

Printed Name(s): Karen Walker

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2015 SEP 29 AM 9:35  
CHIEF CLERK'S OFFICE

[Handwritten mark]

Walker  
PO Box 324  
Celar Park TX 78630

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

AUSTIN  
TX 787  
SEP 29  
PM 3 L

2015 SEP 29 AM 9:35

CHIEF CLERKS OFFICE

Bridget Bohac  
TX Commission on Environ Quality  
PO Box 13087  
Austin TX 78711-3087

RECEIVED

SEP 29 2015

TCEQ MAIL CENTER  
CS



105

78711308787

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

April 30, 2013

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

WR  
82315

2013 MAY -6 AM 10: 57

CHIEF CLERKS OFFICE

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Karen Walker  
P O Box 324  
Cedar Park, TX 78630  
512-259-3361  
[karen.wts@earthlink.net](mailto:karen.wts@earthlink.net) ✓

REVIEWED

MAY 06 2013 H

By AP

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

Although there are some improvements in this proposed WMP, these improvements are not sufficient to assure that LCRA will provide a guaranteed water supply to the firm water customers in this current drought. With firm use growing and inflows declining, we will face chronically low reservoir lake levels that further endanger drinking water supplies. Chronically low levels do not benefit any of the interested parties; environmental, agriculture, municipal, industrial, or lake interests.

**Possible Recommendations:**

- 1) Immediately impose a **minimum** storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology

MW

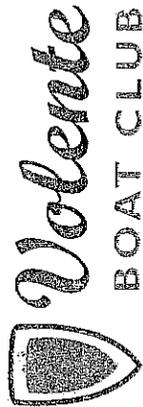
5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:

- Properly protects firm users in times of drought;
- Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

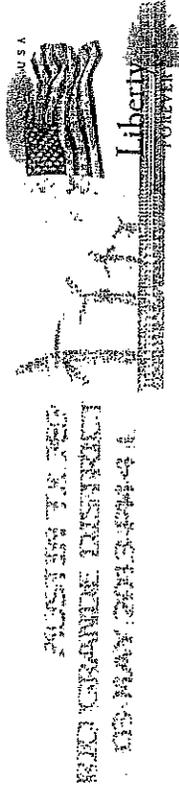
Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

Karen Walker



Located on Lake Travis  
at the VIP Marina  
Mailing Address  
16107-C FM 2769  
Volente, TX 78641



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY -6 AM 10: 57

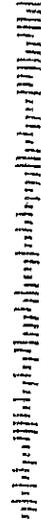
CHIEF CLERKS OFFICE

RECEIVED

MAY 06 2013

U.S. MAIL CENTER  
EB

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



78711308787

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:26 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [rrwallis99@gmail.com](mailto:rrwallis99@gmail.com) [<mailto:rrwallis99@gmail.com>]  
**Sent:** Sunday, August 30, 2015 5:59 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Novella Wallis

**E-MAIL:** [rrwallis99@gmail.com](mailto:rrwallis99@gmail.com)

**COMPANY:**

**ADDRESS:** 100 COUNTY ROAD 138B  
BURNET TX 78611-3151

**PHONE:** 5127159738

**FAX:** 5127159738

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

April 29, 2013

2013 APR 30 AM 10:18

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

CHIEF CLERKS OFFICE

WR  
82315

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides my comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. My contact information follows:

S. Novella Wallis  
100 CR 138 B  
Burnet, Texas 78611  
512 715 9738  
rrwallis99@gmail.com

REVIEWED

APR 30 2013

By HP

All firm water customers are affected by this proposed amendment to the LCRA's Water Management Plan. Therefore, I request the TCEQ's careful attention to CTWC'S comments concerning these amendments and to the request for TCEQ's approval of the request for a contested case hearing. Specifically, I believe that the LCRA's WMP should be amended to:

- 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology
- 5) Encourage LCRA to immediately begin working on a new WMP that treats all stakeholders fairly.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

*S. Novella Wallis*

S. Novella Wallis

*HP*

S. Nevada Wallace  
100 CR 138-B  
Burnet, TX 78611-3151

RECEIVED

APR 30 2013

TCEQ MAIL CENTER  
JR

RD GRANDE DISTRICT  
29 APR 2013 PM 5 L



Liberty  
10111

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

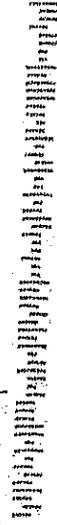
2013 APR 30 AM 10:15

CHIEF CLERKS OFFICE

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

78711308757

78711308757



**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:26 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [rrwallis99@gmail.com](mailto:rrwallis99@gmail.com) [<mailto:rrwallis99@gmail.com>]  
**Sent:** Sunday, August 30, 2015 5:58 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82313*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Roger Wallis

**E-MAIL:** [rrwallis99@gmail.com](mailto:rrwallis99@gmail.com)

**COMPANY:**

**ADDRESS:** 100 COUNTY ROAD 138B  
BURNET TX 78611-3151

**PHONE:** 5127159738

**FAX:** 5127159738

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

April 29, 2013

2013 APR 30 AM 10:17

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

CHIEF CLERKS OFFICE

WR  
82315

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides my comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. My contact information follows:

Roger Wallis  
100 CR 138 B  
Burnet, Texas 78611  
512 715 9738  
rrwallis99@gmail.com

REVIEWED

APR 30 2013

By SP

H

All firm water customers are affected by this proposed amendment to the LCRA's Water Management Plan. Therefore, I request the TCEQ's careful attention to CTWC'S comments concerning these amendments and to the request for TCEQ's approval of the request for a contested case hearing. Specifically, I believe that the LCRA's WMP should be amended to:

- 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology
- 5) Encourage LCRA to immediately begin working on a new WMP that treats all stakeholders fairly.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

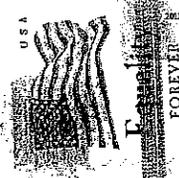
Sincerely,



Roger Wallis

MD

Roger Waller  
106 CR 138-B  
Burnet, TX 78611-3151



RED BANDA DISTRICT  
29 APR 2013 PM 5:1

RECEIVED

APR 30 2013

TCEQ MAIL CENTER  
JR

COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 APR 30 AM 10:15

CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality  
P.O. Box 13087

Austin, Texas 78711-3087



**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, July 27, 2015 8:24 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

**From:** [rrwallis99@gmail.com](mailto:rrwallis99@gmail.com) [mailto:[rrwallis99@gmail.com](mailto:rrwallis99@gmail.com)]  
**Sent:** Sunday, July 26, 2015 11:27 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** LT COL Roger Wallis

**E-MAIL:** [rrwallis99@gmail.com](mailto:rrwallis99@gmail.com)

**COMPANY:**

**ADDRESS:** 100 COUNTY ROAD 138B  
BURNET TX 78611-3151

**PHONE:** 5127159738

**FAX:**

**COMMENTS:** PLEASE APPROVE THE NEW LCRA WATER MANAGEMENT PLAN AS SOON AS POSSIBLE, WITH A REQUIREMENT TO REVISE IT WITHIN THE NEXT FEW YEARS TO INCORPORATE CRITICAL RECENT HYDROLOGICAL DATA. IT IS IMPORTANT TO APPROVE THIS

*MW*

PLAN ASAP, BUT IT IS IMPERATIVE THAT IT BE AMENDED TO INCLUDE CURRENT  
HYDROLOGICAL DATA.

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, September 02, 2015 8:11 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [Bobwebbon@aol.com](mailto:Bobwebbon@aol.com) [mailto:Bobwebbon@aol.com]  
**Sent:** Wednesday, September 02, 2015 3:15 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82318

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Bob Webbon

**E-MAIL:** [Bobwebbon@aol.com](mailto:Bobwebbon@aol.com)

**COMPANY:**

**ADDRESS:** 304 S CHAPARRAL  
BURNET TX 78611-3159

**PHONE:** 7132017106

**FAX:**

**COMMENTS:** "I withdraw the comments and hearing requests that I filed in 2013."

Melissa Schmidt

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 8:26 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WPM

**From:** [Bobwebbon@aol.com](mailto:Bobwebbon@aol.com) [mailto:Bobwebbon@aol.com]  
**Sent:** Monday, August 31, 2015 4:51 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

WR  
82315

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Bob Webbon

**E-MAIL:** [Bobwebbon@aol.com](mailto:Bobwebbon@aol.com)

**COMPANY:**

**ADDRESS:** 304 S CHAPARRAL  
BURNET TX 78611-3159

**PHONE:** 2812919278

**FAX:**

**COMMENTS:** Withdraw my request for open meeting.

May 29, 2013

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

*WR*  
*8/23/13*

2013 MAY -1 AM 10:36

CHIEF CLERKS OFFICE

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides my comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application.

I own a home, at 304 South Chaparral, Burnet, Texas, which has been negatively impacted by the continued lowering of Lake Buchanan. The water well and fresh water supply to our home has gone dry. It is now understood that wells in this area of Texas are directly linked to the level of the Highland Lakes. The 2011 second crop release by the LCRA has impacted Lake Buchanan, to the point that recovery seems a long, long way away.

I am concerned that your new plan does not include the latest inflow data and therefore, its' recommendations are flawed. The inflows over the last three years into the Highland Lakes has dropped to the lowest levels on record. Climatologists and meteorologists agree that Central Texas is moving into a drier and drier climate. It is hugely troubling that the TCEQ would move forward based on a "business as usual" approach. Your actions and decisions will be made in today's science, not yesterday's science. And, your actions will be judged based on that data. I am sure the TCEQ understands that the representatives in our current legislative session are considering spending 2 billion hard-earned tax dollars to save water in Texas. They understand how important a topic this is.

I would hope that you understand the severity of this situation. The mere concept of taking water from what is becoming an arid, near-desert area, and using it to flood rice fields to kill weeds, is becoming more and more preposterous by the day. The citizens of Texas are also growing to understand how foolish this practice is. It is time for the TCEQ to completely review its policies throughout the State of Texas when it comes to water. This LCRA Water Plan is just one of many critically important plans that must be revised based on this current data. I strongly request a hearing and I will be pressing my representatives for such and a halt to this process to approve this water plan.

Thank you for your consideration of this most important issue.

Sincerely,



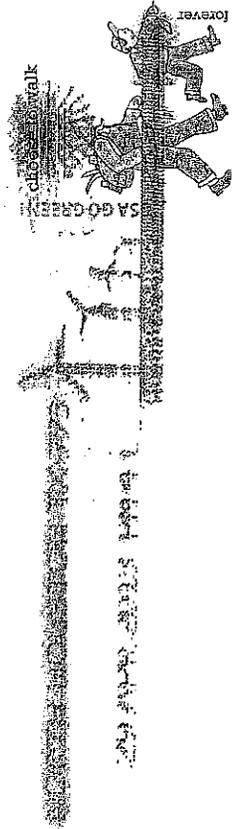
Capt. Robert G. Webbon  
550 Surf Oaks Drive  
Seabrook, Texas 77586

Telephone: 713-201-7106  
Fax No.: 281-474-3171  
Email: BobWebbon@aol.com

H  
REVIEWED  
MAY 02 2013  
By BP

*mw*

550 Sact Oaks Drive  
Seabrook, Texas 77586



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2013 MAY -1 AM 10: 36  
CHIEF CLERKS OFFICE

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

RECEIVED  
MAY 01 2013  
TCEQ MAIL CENTER  
EB



**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 31, 2015 9:29 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [kenwiley56@hotmail.com](mailto:kenwiley56@hotmail.com) [mailto:[kenwiley56@hotmail.com](mailto:kenwiley56@hotmail.com)]  
**Sent:** Monday, August 31, 2015 9:12 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR  
82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Ken Wiley

**E-MAIL:** [kenwiley56@hotmail.com](mailto:kenwiley56@hotmail.com)

**COMPANY:**

**ADDRESS:** 6701 OASIS PASS  
AUSTIN TX 78732-1201

**PHONE:** 2147078309

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

NAME: Ken Wiley

MAILING ADDRESS: 6701 Oasis Pass

DAYTIME PHONE NUMBER(S): 214-707-8309

FAX NUMBER (IF ANY): \_\_\_\_\_

EMAIL ADDRESS: kenwiley5622@gmail.com

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. I would like for you to require LCRA to come forth with the true depth of Lake Travis and Lake Buchanan. I know of certain places the depth of the lake is 30ft less than quoted. Conservation seems futile as long as these Rice Farmers are whisking the water

Thank you for your consideration of these important issues. Please let me know if you u need any additional information.

Sincerely,

Ken Wiley

WK  
5/8/13

REVIEWED

MAY 15 2013

By [Signature]

H

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2013 MAY 15 AM 10:22  
CHIEF CLERKS OFFICE

Jo Karr Tedder and the CTWC Baord

[www.OurWater-OurFuture.com](http://www.OurWater-OurFuture.com)  
[www.facebook.com/centraltexaswatercoalition](http://www.facebook.com/centraltexaswatercoalition)

**"The conservation of natural resources is the fundamental problem. Unless we solve that problem it will avail us little to solve all others."**  
**Theodore Roosevelt** Address to the Deep Waterway Convention, Memphis, TN, October 4, 1907

Forward this email



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Central Texas Water Coalition | P.O. Box 328 | Spicewood | TX | 78669

immediately update the hydrology of the Colorado River Basin

- 4) Require LCRA to update immediately actual and projected firm demands, using updated hydrology
- 5) Require LCRA to begin working immediately with stakeholders on a new WMP that:

- Properly protects firm users in times of drought;
- Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and
- Provides true incentives for conservation by all parties, including proper water pricing and assessment of relative economic benefit created by use of the water.

To express your concerns about LCRA's Water Management Plan, and request a contested case hearing, send a letter before May 24 to:

**Mail to:**

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

**Electronically:**

Go to <http://www10.tceq.texas.gov/epic/ecmnts/>  
Enter in: "wrperm 5838" (make sure put a space between the wrperm and 5838).

**Courier or hand-deliver to:**

Office of the Chief Clerk at TCEQ  
12100 Park 35 Circle, Bldg F  
Austin, TX 78753

**FORM LETTER**

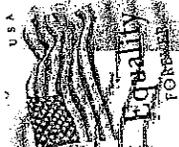
May 13, 2013

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

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:



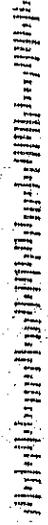
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2013 MAY 15 AM 10:22

CHIEF CLERKS OFFICE

19 MAY 2013 PM 5 L

*Mr. Bridget C. Bohac Chief Clerk*  
*TCEQ*  
*P.O. Box 13087*  
*Austin TX 78711-3087*



78711308797

*6701 Oasis Pass*  
*Austin TX 78732*

RECEIVED  
MAY 16 2013  
TCEQ MAIL CENTER  
RG

9. 29, 2015

**VIA FIRST-CLASS MAIL**

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

WRP  
8/23/15

TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2015 OCT -5 AM 10:18  
CHIEF CLERKS OFFICE

Re: **Withdrawal of Comments and Request for Contested Case Hearing  
Regarding Application of Lower Colorado River Authority to Amend its  
Water Management Plan; Application No. 5838A; TCEQ Water Rights  
Permit No. 5838**

Dear Ms. Bohac:

By George Williams & Barbara Williams this letter, I/we, George Williams & Barbara Williams, hereby withdraw my/our comments and request for a contested case hearing (filed in 2013) regarding Water Rights Application No. 5838A, the application of the Lower Colorado River Authority to amend its Water Management Plan.

Please contact me at the following phone number, address, and/or e-mail address if you have any questions or need additional information in order to process this withdrawal request.

Address:

111 BRITTANY DR

SAN ANTONIO, TX 78212-1721

Phone number: 210-824-6991

E-mail address: \_\_\_\_\_

Thank you,

Signed: George Williams ✓

Barbara Williams ✓

Printed Name(s): George Williams

Barbara Williams

REVIEWED

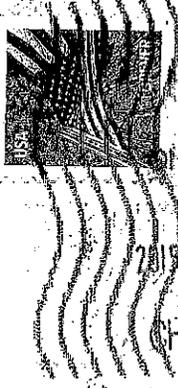
OCT 05 2015

By [Signature] WH

WH

GEORGE M. WILLIAMS, JR.  
111 BRITTANY DRIVE  
SAN ANTONIO, TEXAS 78216

SAN ANTONIO TX 78216  
RIO GRANDE DISTRICT  
01 OCT 2015 PM 3 L



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
OCT 1 10 57 AM '87  
CHIEF CLERK'S OFFICE

RECEIVED C E Q / Office of Public Affairs

OCT 05 2015 MC 105 P.O. Box 10087  
TCEQ MAIL CENTER  
CS Austin, TX 78711-3087

POSTNET barcode

May 1, 2013

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

WR  
82315

CHIEF CLERK'S OFFICE

2013 MAY - 2 PM 3:06

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Comments and Request for Contested Case Hearing on Application to Amend  
the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit  
No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's  
application to amend its Water Management Plan (Permit No. 5838) and requests a contested  
case hearing on this application. Our contact information follows:

NAME: George + Barbara Williams  
(AT Lake Buchanan: 121 SUNSET Circle, Burnet, TX)  
MAILING ADDRESS: 111 Brittany Dr.  
SAN ANTONIO, TEXAS 78212-1721  
DAYTIME PHONE NUMBER(S): 210-824-6991  
FAX NUMBER (IF ANY): 210-822-3986  
EMAIL ADDRESS: GWilliams74@hotmail.com ✓

REVIEWED  
MAY 02 2013  
By [Signature]

We are affected by this proposed amendment to the LCRA's Water Management  
Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention  
to our comments and TCEQ's approval of our request for a hearing. We have owned our home AT Lake  
Buchanan for 16 yrs. IT is a 2<sup>nd</sup> home with four bedrooms and three baths. IF the lake level is  
allowed to drop more, I am Terribly concerned about whether we will lose a normal well p  
flo to take care of Toilet, showering and normal kitchen cleanup and washing, not to m  
operating a clothes washer for four bedrooms <sup>of</sup> linens. We have lost enough property valu  
with such low extended lake levels. BUT now, to allow the well water volume, recharge  
rate and low water pressure to jeopardize normal expected home functions would be  
unconscionable. Please see the attachment of five recommendations.  
Thank you for your consideration of these important issues. Please let me know if yo

u need any additional information.

Signature: [Signature] 1.00.00

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g willia

Folders

Inbox 350

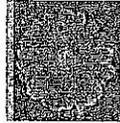
Junk 460

Drafts 78

Sent

Deleted 38

New folder



g williams (gwilli74@hotmail.com) 10:56 PM

To: g williams



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C



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Si

Possible Recommendations:

- 1) Immediately impose a minimum storage level/ANYTIME CUT-OFF of 850,000 AF rather than the current 600,000 AF.
- 2) Keep the current TCEQ Emergency Order in effect
- 3) Require LCRA to utilize the hydrologic data from 2009 to the present to immediately update the hydrology of the Colorado River Basin.
- 4) Require LCRA to immediately update actual and projected firm demands, using updated hydrology
- 5) Encourage LCRA to immediately begin working with stakeholders on a new WMP that:
  - Properly protects firm users in times of drought;
  - Utilizes the latest hydrologic data available, including the significantly lower inflows to the lakes, to re-evaluate water availability throughout the river basin; and

CHIEF CLERKS OFFICE

2013 MAY - 2 PM 3:41

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*I am in favor of the attached five recommendations and believe them to be a reasonable request for reasonable public officials to consider in the unreasonable weather cycle in which we all find ourselves. Thank you. George Williams*

GEORGE M. WILLIAMS, JR.  
111 BRITTANY DRIVE  
SAN ANTONIO, TEXAS 78212

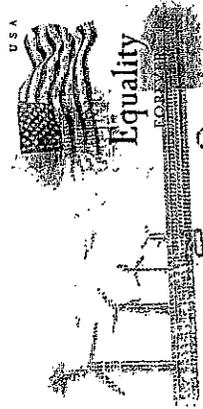
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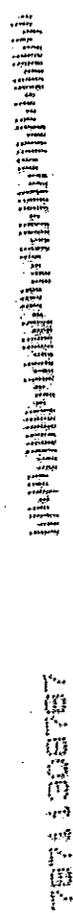
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RIO GRANDE DISTRICT  
30 APR 2013 PM 7 L

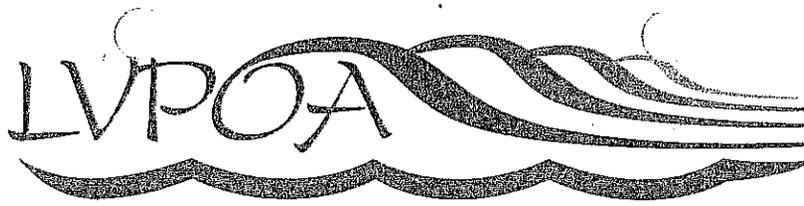


TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

02 MAY -2 PM 3:00  
CHIEF CLERK'S OFFICE

*Ms Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 100)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087*





Lago Vista Property Owners' Association

*A Family Friendly Lakeside Association*

September 2, 2015

REVIEWED

SEP 04 2015

By he

CHIEF CLERK'S OFFICE

2015 SEP -4 AM 10:47

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

KWR  
8/23/15

WH

VIA FIRST-CLASS MAIL

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

Re: Withdrawal of Comments and Request for Contested Case Hearing Regarding Application of Lower Colorado River Authority to Amend its Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

On behalf of the Lago Vista POA, which filed comments and a request for a contested case hearing in a letter dated May 14, 2013 and received by the TCEQ Chief Clerk's Office on May 21, 2013, please withdraw the Lago Vista POA's comments and request for a contested case hearing.

We note that the TCEQ's database appears to indicate that the officers and Board members of the POA have filed hearing requests, although they were merely listed as contact persons or as signatories on the May 14, 2013 letter from the POA Board. Please be sure that the individual names of the persons associated with the POA are removed from the TCEQ database as hearing requestors on this matter, since they were not submitting comments or hearing requests as individuals. The individual names that should be removed are:

- Hernandez, Drusilla
- Wallace, Karen
- Molloy, Jo Anne
- Rutherford, Clive
- Price, Bill
- Spindler, Irene
- Shoumaker, Jason

Thank you for your assistance with this matter.

Sincerely,

Vicki Wood, General Manager  
Lago Vista Property Owners' Association  
P.O. Box 4766  
20503 Dawn Drive  
Lago Vista, Texas 78645  
512 267-2895 FAX 512 267-9580  
[www.lvpoa.org](http://www.lvpoa.org)

WH



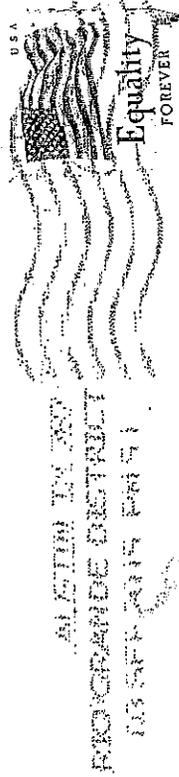
Lago Vista Property Owners Association  
*A Family Friendly Lakeside Association*

PO BOX 4766  
LAGO VISTA TX 78645-0008



2015 SEP -4 AM 10:47

TEMP-RETURN SERVICE REQUESTED  
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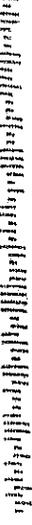


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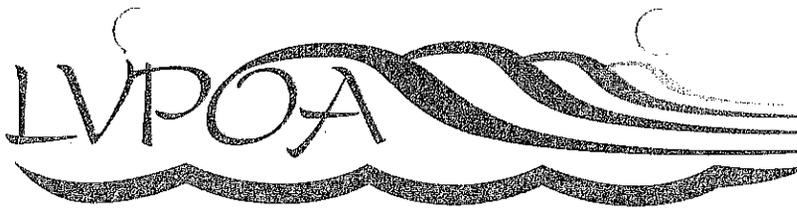
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TCEQ MAIL CENTER  
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Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087



78711308767



Lago Vista Property Owners Association  
*A Family Friendly Lakeside Association*

May 14, 2013

WR  
02315  
REVIEWED  
MAY 21 2013  
By BP H

CHIEF CLERKS OFFICE

2013 MAY 21 AM 9:58

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

Irene Spindler, President  
Vicki Wood, General Manager  
Lago Vista Property Owners' Association, Inc.  
P.O. Box 4766  
Lago Vista, Texas 78645  
512 267-2895 Fax 512 267-9580  
✓ Email: [gm@lvpoa.org](mailto:gm@lvpoa.org)

We are a lakeside community, and affected by this proposed amendment to the LCRA's Water Management Plan that fails to take into account certain data from the most recent years or provide for a reasonable recovery period for our lakes.

Our residents and businesses depend on the lake for their revenue, drinking water supply, and recreation. Due to the current Lake Travis water level, which is a result of not only the drought but of the current water management policies, our Association has spent many thousands of dollars on repositioning marinas, providing temporary marina access, replacing lake water with city water for irrigation, shoreline maintenance, and temporary lake access. We have seen several businesses in our small community close, particularly

Handwritten initials "MW" in the bottom right corner.

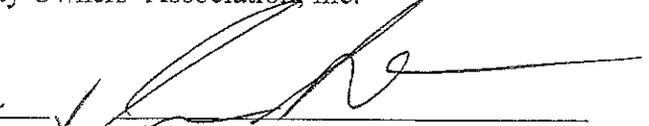
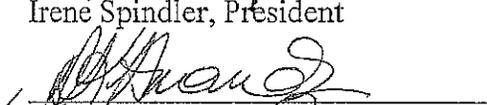
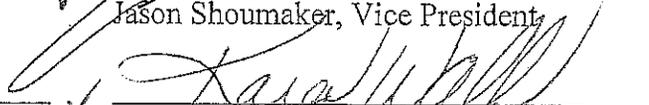
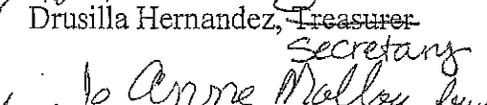
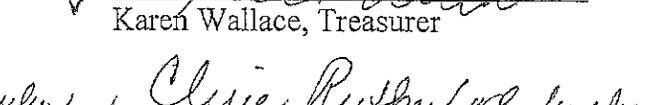
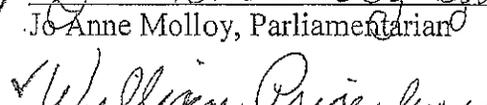
restaurants, due to the decrease in area visitors, and an overall drop in the number of families choosing to move to our city.

For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing.

Thank you for your consideration of these important issues. Please let our General Manager know if you need any additional information.

Sincerely,

The Board of the Lago Vista Property Owners' Association, Inc.

172717	✓		✓	
		Irene Spindler, President		Jason Shoumaker, Vice President
172719	✓		✓	
		Drusilla Hernandez, Treasurer		Karen Wallace, Treasurer
		<i>Secretary</i>		
172720	✓		✓	
		Jo Anne Molloy, Parliamentarian		Clive Rutherford, Director
172721	✓			
		Bill Price, Director		



Lago Vista Property Owners Association  
*A Family Friendly Lakeside Association*

PO BOX 4766  
LAGO VISTA TX 78645-0008

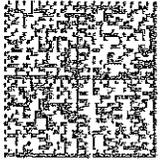
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21 AM 9:55



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

78711308787

**Melissa Schmidt**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 01, 2015 9:42 AM  
**To:** PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2;  
PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WRPERM 5838

WH

**From:** [czook@sgifs.com](mailto:czook@sgifs.com) [<mailto:czook@sgifs.com>]  
**Sent:** Tuesday, September 01, 2015 9:21 AM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WRPERM 5838

*WR*  
*82315*

**REGULATED ENTY NAME** 11405838000 WRPERM 5838 WATER MANAGEMENT PLAN

**RN NUMBER:** RN104252267

**PERMIT NUMBER:** WRPERM 5838

**DOCKET NUMBER:**

**COUNTY:** BASTROP, BURNET, COLORADO, FAYETTE, GILLESPIE, LAMPASAS, LLANO, MASON, MATAGORDA, SAN SABA, TRAVIS, WHARTON, WILLIAMSON

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**FROM**

**NAME:** Casey Zook

**E-MAIL:** [czook@sgifs.com](mailto:czook@sgifs.com)

**COMPANY:**

**ADDRESS:** PO BOX 26800  
AUSTIN TX 78755-0800

**PHONE:** 5126373648

**FAX:**

**COMMENTS:** I withdraw the comments and hearing request that I filed in 2013.

May 22, 2013

2013 MAY 28 AM 10: 20

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

CHIEF CLERKS OFFICE

we  
05/23/13

Re: Comments and Request for Contested Case Hearing on Application to Amend the LCRA Water Management Plan; Application No. 5838A; TCEQ Water Rights Permit No. 5838

Dear Ms. Bohac:

This letter provides our comments on the Lower Colorado River Authority's application to amend its Water Management Plan (Permit No. 5838) and requests a contested case hearing on this application. Our contact information follows:

NAME: Casey Zook

MAILING ADDRESS: PO Box 26800  
Austin, TX 78755

DAYTIME PHONE NUMBER(S): (512) 637-3648

FAX NUMBER (IF ANY): (512) 343-7317

EMAIL ADDRESS: czoak@sgifs.com ✓

We are affected by this proposed amendment to the LCRA's Water Management Plan in the ways explained below. For these reasons, we request the TCEQ's careful attention to our comments and TCEQ's approval of our request for a hearing. We operate a marina on Lake Travis so we have an economic interest in the lake's sustainability during prolonged droughts. We feel that the minimum storage level should be set at 850,000 AF instead of 600,000 AF.

Thank you for your consideration of these important issues. Please let me know if you need any additional information.

Sincerely,

CZook

REVIEWED

MAY 29 2013

By [Signature]

mm

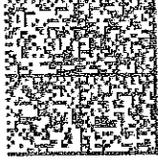
SGP Capital Investments, Inc.  
PO Box 26800  
Austin, TX 78755

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ON ENVIRONMENTAL  
QUALITY

2013 MAY 28 AM 10: 21

CHIEF CLERKS OFFICE

Ms. Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk (MC 105)  
Texas Commission on Environmental Quality

PO Box 13087  
Austin, TX 78711



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