



April 9, 2014

Mr. Richard Hyde, Executive Director
Texas Commission on Environmental Quality
P.O. Box 13087, MC-109
Austin, Texas 78711-3087

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

Re: TCEQ Docket No. 2014-0438-WR
Lower Colorado River Authority's (LCRA's) Application for Emergency Reduction
of Instream Flow Requirements Under its Water Management Plan (WMP) for
Lakes Buchanan and Travis

Dear Mr. Hyde and Ms. Bohac:

The Texas Commission on Environmental Quality's (TCEQ's) Office of Public Interest Counsel (OPIC) recently submitted a letter dated April 4, 2014 in support of the above-referenced application. LCRA appreciates OPIC's thorough review of its application and offers the following responses to selected comments made by OPIC for purposes of clarification.

OPIC includes a recommendation that Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ) clarify that LCRA will release stored water for the Blue Sucker to total 300 cubic feet per second (cfs) in the event that any other releases for unrelated downstream uses are reduced or suspended. In fact, LCRA already interprets its obligation to require that LCRA make the necessary additional releases to maintain the specified flow (i.e. 300 cfs) in the river regardless of how much water is already in the lower river or how much water is being released for other downstream uses.

Further, OPIC recommends that the ED's order require that, in the event LCRA secures the downstream run-of-river water rights identified as an alternative in the February 2014 emergency order, LCRA reports this development to the ED. TCEQ issued temporary permits on January 3, 2014 authorizing the use of water under LCRA's Gulf Coast water right (14-5476, as amended) at additional diversion points, including the ability to store such water in existing downstream reservoirs (see Permit Nos. 12775B, 12776B and 12778B). As noted in the February 2014 emergency order, similar authorizations in 2012 and 2013, while beneficial, only resulted in limited amounts of additional supply.

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Again, LCRA appreciates OPIC's review and comments. If you have any questions concerning these responses, please contact me at (512) 730-6849, or at Greg.Graml@lcra.org.

Sincerely,



Greg Graml
Associate General Counsel

cc: Blas J. Coy, Jr., Office of Public Interest Counsel, TCEQ (*via e-mail*)
Isabel Segarra Treviño, Office of Public Interest Counsel, TCEQ (*via e-mail*)
Carter Smith, Executive Director, TPWD (*via U.S. Mail*)