

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF HEARING

**LOWER COLORADO RIVER AUTHORITY**  
**SOAH Docket No. 582-17-0553**  
**TCEQ Docket No. 2016-0531-WR**  
**Certificate of Adjudication No. 14-5434E**

### **APPLICATION.**

Lower Colorado River Authority (LCRA), P.O. Box 220, Austin, Texas 78767-0220, Applicant, seeks an amendment to Certificate of Adjudication No. 14-5434, as amended, pursuant to § 11.122, Texas Water Code and Texas Commission on Environmental Quality Rules 30 Texas Administrative Code (TAC) §§ 295.1, *et seq.*

Lower Colorado River Authority has applied for an amendment to their Certificate of Adjudication No. 14-5434, as amended, to add additional diversion points on the Colorado River and diversion from anywhere on the perimeter of Town Lake, Lake Austin, and Lake Travis in the Colorado River Basin.

Certificate of Adjudication No. 14-5434, as amended, authorizes LCRA to maintain an overflow type structure and a reservoir on the Colorado River, Colorado River Basin, and temporarily impound therein not to exceed 86 acre-feet of water in Colorado County. Owner is also authorized to divert and use not to exceed 133,000 acre-feet of water per annum from a point on the Colorado River for municipal, industrial, and agricultural purposes in Colorado, Wharton, Travis, Bastrop, Fayette, and Matagorda Counties within the Colorado River Basin, Lavaca River Basin, Guadalupe River Basin, Colorado-Lavaca Coastal Basin, and Brazos-Colorado Coastal Basin at a maximum rate of 600.00 cfs (269,400 gpm).

Applicant seeks to amend Certificate of Adjudication No. 14-5434, as amended, to add additional diversion points both upstream and downstream of the existing diversion point. LRCA requests that the time priority remain November 1, 1900, at the additional diversion points.

The additional diversion points are described as follows:

1. The diversion points (2) authorized in Certificate of Adjudication No. 14-5473:

- a. At a point on the Colorado River in the Isaac Harris Grant, Abstract 38, Bastrop County, Texas. Located at 30.15240°N Latitude, 97.34650°W Longitude.



6. The diversion point authorized in Certificate of Adjudication No.14-5437, which is at a point on the west bank of the Colorado River in the Cornelius H. Vanderveer Grant, Abstract 95, Matagorda County, Texas and also being 28.77580°N Latitude, 95.99700°W Longitude.

Applicant also seeks to divert and use the water from anywhere on the perimeter of Town Lake, Lake Austin, and Lake Travis authorized by Certificates of Adjudication Nos. 14-5471, as amended, and 14-5482, as amended. Water diverted from these will not be diverted from storage in the reservoirs.

Applicant is not requesting an increase in the maximum rate of diversion or the maximum annual quantity of water authorized in Certificate of Adjudication No. 14-5434, as amended.

Pursuant to 30 TAC § 297.45 the granting of an application for a new water right or an amended water right shall not cause an adverse impact to an existing water right as described by TCEQ rules.

The application was received on August 29, 2002. Additional information for the application was received on November 7, 2002, December 18, 2002, and January 29, 2003. The application was accepted for filing and declared administratively complete on February 5, 2003.

#### **CONTESTED CASE HEARING.**

SOAH will conduct a preliminary hearing on this application at:

**10:00 a.m. – November 28, 2016  
William P. Clements Building  
300 West 15th Street, 4th Floor  
Austin, Texas 78701**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 11, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 Texas Administrative Code (TAC) Chapter 80 and 1 TAC Chapter 155.

The applicant is automatically a party in this hearing. If anyone else wishes to be a party to the hearing, he or she must attend the hearing and show how he or she would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and any person may request to be a party. Only persons named as parties may participate at the hearing.

**INFORMATION.**

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 1-800-687-4040. General information about the TCEQ can be found at <http://www.tceq.texas.gov/>.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Issued: October 18, 2016

A handwritten signature in black ink that reads "Bridget C. Bohac". The signature is written in a cursive style with a large initial 'B'.

Bridget C. Bohac, Chief Clerk  
Texas Commission on Environmental Quality