

# TCEQ Interoffice Memorandum

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TO: Office of the Chief Clerk  
Texas Commission on Environmental Quality

THRU: Chris Kozlowski, Team Leader  
Water Rights Permitting Team

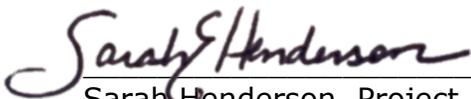
FROM: Sarah Henderson, Project Manager  
Water Rights Permitting Team

DATE: December 10, 2025

SUBJECT: Lower Colorado River Authority  
ADJ 5476  
CN600253637, RN102083177  
Application No. 14-5476E to Amend Certificate of Adjudication  
No. 14-5476  
Texas Water Code § 11.122, Not Requiring Notice  
Colorado River, Colorado River Basin  
Wharton and Matagorda Counties

The application was received on October 30, 2025, and fees were received on November 3, 2025. Additional information was received on December 9, 2025. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on December 10, 2025. No notice is required pursuant to House Bill 1964 and Title 30 Texas Administrative Code § 295.158(c)(1).

All fees have been paid and the application is sufficient for filing.



Sarah Henderson, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Data Section

**OCC Mailed Notice Required    YES    X NO**

Brooke T. Paup, *Chairwoman*  
Catarina R. Gonzales, *Commissioner*  
Tonya R. Miller, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 10, 2025

Mr. Leonard Oliver, Supervisor Water Resources  
Lower Colorado River Authority  
P.O. Box 220  
Austin, TX 78767

**VIA E-MAIL**

RE: Lower Colorado River Authority  
ADJ 5476  
CN600253637, RN102083177  
Application No. 14-5476E to Amend Certificate of Adjudication  
No. 14-5476  
Texas Water Code § 11.122, Not Requiring Notice  
Colorado River, Colorado River Basin  
Wharton and Matagorda Counties

Dear Mr. Oliver:

This acknowledges receipt, on October 30, 2025, of the application and on November 3, 2025, of fees in the amount of \$112.50 (Receipt No. M642513, copy attached). Additional information was received on December 9, 2025.

The application was declared administratively complete and filed with the Office of the Chief Clerk on December 10, 2025. Staff will continue processing the application for consideration by the Executive Director.

If you have any questions concerning this matter, please contact me via email at [sarah.henderson@tceq.texas.gov](mailto:sarah.henderson@tceq.texas.gov) or by telephone at (512) 239-2535.

Sincerely,

A handwritten signature in black ink that reads "Sarah Henderson". The signature is written in a cursive, flowing style.

Sarah Henderson, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Data Section

Attachment



**From:** [Leslie Soto Sanchez](#)  
**To:** [Sarah Henderson](#)  
**Cc:** [Greg Graml](#)  
**Subject:** LCRA application to amend water right 14-5476 – supplemental information  
**Date:** Tuesday, December 9, 2025 8:28:13 AM  
**Attachments:** [Certification - Board Agenda Item 5 - LCRA DCP - 4-25-2024.pdf](#)  
[Certification - Board Agenda Item 7 - LCRA Water Conservation Plan - 4-25-2024.pdf](#)  
[Certification - Board Agenda Item 11 - LCRA Interr Ag DCP- 1-19-2022.pdf](#)  
[LCRA Agricultural InterruptibleDCP2022.pdf](#)

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Dear Sarah,

As part of LCRA’s application to amend water right 14-5476, LCRA included Exhibit E, an Addendum to Worksheet 6.0. That exhibit included LCRA’s Water Conservation Plan and LCRA’s Drought Contingency Plan for Firm Water Customers. As a supplement to Exhibit E, please see attached Drought Contingency Plan for Interruptible Agricultural Customers and certifications of LCRA Board actions approving the Water Conservation Plan, the Drought Contingency Plan for Firm Water Customers, and the Drought Contingency Plan for Interruptible Agricultural Customers.

If you have any questions regarding these materials, please let us know.

**Leslie Soto Sanchez**

Lower Colorado River Authority | Water Resources Specialist I

📞 512-578-4009 📠 737-877-1724



CERTIFICATE

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

I, Leigh Sebastian, hereby certify that I am the General Counsel and Assistant Secretary of the Board of Directors of the Lower Colorado River Authority (LCRA), a conservation and reclamation district, duly organized and existing under and by virtue of the public laws of the State of Texas.

I further certify that the Board of Directors of LCRA, on April 25, 2024, in a meeting posted properly in accordance with the Texas Open Meetings Act and with a quorum present and voting, unanimously approved the updated LCRA Drought Contingency Plan for Firm Water Customers and the updated Drought Contingency Plan Rules for Water Sale Contracts, and authorized the general manager or his designee to submit the plan to the Texas Commission on Environmental Quality, as recommended by staff, described in the attached exhibit marked LCRA Board Agenda Item 5 – LCRA Drought Contingency Plan and Drought Contingency Plan Rules.

I further certify that true and correct copies of LCRA Board Agenda Item 5 and the updated LCRA Drought Contingency Plan for Firm Water Customers are attached hereto.

TO CERTIFY WHICH, witness my hand and official seal this the 30th day of April, 2024.



\_\_\_\_\_  
Leigh Sebastian, General Counsel  
and Assistant Secretary of the  
LCRA Board of Directors

**FOR ACTION**

**5. LCRA Drought Contingency Plan and Drought Contingency Plan Rules**

**Proposed Motion**

Approve the updated LCRA Drought Contingency Plan for Firm Water Customers and the updated Drought Contingency Plan Rules for Water Sale Contracts, and authorize the general manager or his designee to submit the plan to the Texas Commission on Environmental Quality.

**Budget Status and Fiscal Impact**

The proposed updates have no impact on the fiscal year 2024 budget.

**Summary**

In March 2024, the Board adopted the Drought Contingency Plan for Firm Water Customers and the Drought Contingency Plan Rules for Water Sale Contracts. The plan and rules include requirements that customers adopt and implement drought response measures. These are an important part of the response to the significant drought conditions our region is experiencing.

Staff proposes an update to the plan and rules to clarify the potential penalties for a firm water customer that does not adopt or implement appropriate drought response measures as required by the plan and rules. As detailed in the proposed updates, LCRA could impose penalties on firm water customers ranging from a notice of violation letter to a fine of up to \$10,000 per violation.

Staff submitted the proposed updates to the Board under separate cover. LCRA posted the proposed plan online at [www.lcra.org](http://www.lcra.org) from April 3-17 and notified firm water customers through email.

**Presenter(s)**

Monica Masters  
Vice President, Water Resources

CERTIFICATE

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

I, Leigh Sebastian, hereby certify that I am the General Counsel and Assistant Secretary of the Board of Directors of the Lower Colorado River Authority (LCRA), a conservation and reclamation district, duly organized and existing under and by virtue of the public laws of the State of Texas.

I further certify that the Board of Directors of LCRA, on April 25, 2024, in a meeting posted properly in accordance with the Texas Open Meetings Act and with a quorum present and voting, unanimously approved the LCRA Water Conservation Plan and authorized the general manager or his designee to submit the plan to the Texas Commission on Environmental Quality, as recommended by staff, described in the attached exhibit marked LCRA Board Agenda Item 7 – LCRA Water Conservation Plan.

I further certify that true and correct copies of LCRA Board Agenda Item 7 and the LCRA Water Conservation Plan are attached hereto.

TO CERTIFY WHICH, witness my hand and official seal this the 30th day of April, 2024.



\_\_\_\_\_  
Leigh Sebastian, General Counsel  
and Assistant Secretary of the  
LCRA Board of Directors

## **FOR ACTION**

# **7. LCRA Water Conservation Plan**

### **Proposed Motion**

Approve the LCRA Water Conservation Plan and authorize the general manager or his designee to submit the plan to the Texas Commission on Environmental Quality.

### **Budget Status and Fiscal Impact**

The proposed amendments have no impact on the fiscal year 2024 budget.

### **Summary**

Texas, through the TCEQ, requires certain water rights holders and water suppliers to adopt and periodically update water conservation plans for various types of water uses. As a water rights holder for municipal, industrial and non-irrigation water rights of more than 1,000 acre-feet and a water rights holder for irrigation water rights of more than 10,000 acre-feet, LCRA is required to submit a plan every five years. The next plan update is due to TCEQ on May 1, 2024.

The plan includes separate water conservation strategies for municipal wholesale water customers, LCRA agricultural divisions, LCRA power plants, and other nonagricultural and agricultural irrigation, recreation and industrial uses. TCEQ regulations require the plan to include specific five- and 10-year goals for water savings. In comparison with the objectives outlined in the 2019 plan, the proposed plan includes increases to the water savings goals, building upon the continued implementation of water conservation strategies. Staff is not proposing any major changes to the strategies from the 2019 plan. As with the current plan, LCRA's general manager would be authorized to implement the plan.

Staff submitted the proposed plan to the Board under separate cover. LCRA posted the proposed plan on its website March 11-27 and notified customers through email.

### **Presenter(s)**

Monica Masters  
Vice President, Water Resources

CERTIFICATE

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

I, Leigh Sebastian, hereby certify that I am the General Counsel and Assistant Secretary of the Board of Directors of the Lower Colorado River Authority (LCRA), a conservation and reclamation district, duly organized and existing under and by virtue of the public laws of the State of Texas.

I further certify that the Board of Directors of LCRA, on January 19, 2022, in a meeting posted properly in accordance with the Texas Open Meetings Act and with a quorum present and voting, unanimously approved an updated interruptible agricultural Drought Contingency Plan for customers in the Garwood, Gulf Coast and Lakeside agricultural divisions and Pierce Ranch, as recommended by staff, described in the attached exhibit marked LCRA Board Agenda Item 11 – LCRA Interruptible Agricultural Drought Contingency Plan.

I further certify that true and correct copies of LCRA Board Agenda Item 11 and the updated interruptible agricultural Drought Contingency Plan for customers in the Garwood, Gulf Coast and Lakeside agricultural divisions and Pierce Ranch are attached hereto.

TO CERTIFY WHICH, witness my hand and official seal this the 30th day of April 2024.



\_\_\_\_\_  
Leigh Sebastian, General Counsel  
and Assistant Secretary of the  
LCRA Board of Directors

**FOR ACTION**

## **11. LCRA Interruptible Agricultural Drought Contingency Plan**

**Proposed Motion**

Approve an updated interruptible agricultural Drought Contingency Plan for customers in the Garwood, Gulf Coast and Lakeside agricultural divisions and Pierce Ranch.

**Board Consideration**

The Texas Commission on Environmental Quality requires that drought contingency plans be approved by the governing Board.

**Budget Status and Fiscal Impact**

The proposed Drought Contingency Plan has no impact on the fiscal year 2022 budget.

**Summary**

LCRA staff proposes a revision to the interruptible agricultural Drought Contingency Plan regarding the allocation of interruptible stored water from lakes Buchanan and Travis at the Gulf Coast and Lakeside divisions. When the total customer intentions exceed the amount of interruptible stored water available to be allocated, LCRA will allocate interruptible stored water based upon the customers' average number of acres serviced by LCRA over the preceding four years. If further allocations are available, LCRA will base those allocations on the maximum acreage serviced by LCRA over the preceding four years.

The draft plan was available for comment through the LCRA website. LCRA in December 2021 met with interruptible water customers regarding the supply of water for the upcoming crop year. The draft plan has been provided to the Board of Directors under separate cover.

**Presenter(s)**

Kelly D. Payne  
Vice President, Water Operations

# Drought Contingency Plan for Interruptible Agricultural Customers

Lower Colorado River Authority

P.O. Box 220

Austin, Texas 78767-0220

*Board Approved*

*January 2022*

# TABLE OF CONTENTS

1. Declaration of Policy, Purpose, and Intent .....	2
2. User Involvement .....	2
3. User Education .....	2
4. Authorization .....	2
5. Application .....	2
6. Customer Notice .....	2
7. Water Allocation.....	3
7.1 Initiation of Water Allocation.....	3
7.2 Termination of Water Allocation .....	4
7.3 Allocation of Interruptible Water <i>between</i> the Four Downstream Agricultural Operations (Normal and Less Severe Drought Conditions, Stages 1 and 2).....	4
7.3.1 Garwood.....	4
7.3.2 Pierce Ranch.....	4
7.3.3 Gulf Coast and Lakeside Divisions.....	5
7.4 Allocation of Water to Individual Customers <i>within</i> LCRA Agricultural Divisions.....	6
7.4.1 Acreage History.....	6
7.4.2 Allocation within the Gulf Coast and Lakeside Divisions .....	7
7.4.3 Allocation in the Garwood Division .....	9
7.4.4 Tracking Water Use.....	9
7.4.5 Availability of Run-of-River Water.....	10
7.5 Curtailment during Mid-Season (Stage 3) .....	10
7.6 Extraordinary Drought, Cutoff under Look-Ahead Test or Drought Worse Than Drought of Record (Stage 4) .....	11
7.7 Calculation of Water Use.....	11
8. Variances.....	11
9. Enforcement .....	11
10. Severability .....	12
11. Authority.....	12
12. Effective Date of Plan .....	12
13. Drought Contingency Plan Updates.....	12
14. Board Action .....	12
15. Notification of Executive Director .....	13

## 1. DECLARATION OF POLICY, PURPOSE, AND INTENT

The Board of Directors of the Lower Colorado River Authority (LCRA) deems it to be in the interest of LCRA to adopt a Drought Contingency Plan (DCP) governing the equitable and efficient allocation of limited water supplies including during times of shortage for interruptible agricultural users. This DCP constitutes LCRA's drought contingency plan required under Section 11.1272, Texas Water Code, and associated administrative rules of the Texas Commission on Environmental Quality (TCEQ) (Title 30, Texas Administrative Code, Chapter 288). This DCP incorporates and functions in accord with the relevant provisions of LCRA's Water Management Plan.<sup>1</sup> LCRA will provide a copy of this DCP to the Lower Colorado Regional Planning Group (Region K).

## 2. USER INVOLVEMENT

Agricultural users of interruptible water within LCRA's service area and other interests were provided with information related to the preparation of this DCP and an opportunity to provide input on its development through regularly scheduled public meetings of the LCRA Board in January 2022. LCRA also held customer meetings, posted the draft proposed DCP on its website, [LCRA.org](http://LCRA.org), and provided an opportunity for the public to submit written comments through [LCRA.org](http://LCRA.org).

## 3. USER EDUCATION

LCRA will periodically provide water users with information about this DCP, including information about the conditions under which water allocation is to be initiated or terminated and LCRA's policies and procedures for water allocation. This information will be provided by emails to customers, and by posting the DCP on LCRA's public website.

## 4. AUTHORIZATION

The LCRA General Manager (or his designee) is hereby authorized and directed to implement this DCP based upon the triggering conditions in this DCP and LCRA's WMP, and subject to Board action as specified in Section 14, to ensure the equitable and efficient allocation of limited water supplies.

## 5. APPLICATION

The provisions of this DCP shall apply to all persons using interruptible water provided by LCRA for agricultural purposes. The term "person" as used in this DCP includes individuals, corporations, partnerships, associations, and all other legal entities.

## 6. CUSTOMER NOTICE

Notice of the initiation of water allocation will be posted on LCRA's website and sent by U.S. mail or electronic mail, where available, to Pierce Ranch and to individual

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<sup>1</sup> The current LCRA Water Management Plan is available at [LCRA.org](http://LCRA.org).

interruptible customers in LCRA's agricultural divisions as follows: for First Agricultural Season to each rice and turf customer that had an active account with LCRA during the years that contribute to the determination of acreage history for that division and to each supplemental use customer that had a contract during the preceding year's First Agricultural Season; and for Second Agricultural Season to each rice, turf and supplemental use customer that had a contract during First Agricultural Season and to each supplemental use customer that had a contract during the preceding year's Second Agricultural Season. Such notice, including the amounts of water available during the upcoming crop season, will be made prior to the beginning of an agricultural season (first or second).

## 7. WATER ALLOCATION

This DCP sets forth the procedures by which LCRA will allocate *total* interruptible water supply, which is comprised of *both* interruptible stored water available from lakes Buchanan and Travis *and* run-of-river supplies LCRA determines are available under its downstream water rights. The volume of interruptible stored water available from lakes Buchanan and Travis during an agricultural season for downstream agricultural operations is governed by LCRA's WMP. Further, certain agreements between LCRA and Garwood Irrigation Company<sup>2</sup>, and LCRA and Pierce Ranch<sup>3</sup> control the supply to these operations. Interruptible stored water will be allocated for a First Agricultural Season and a Second Agricultural Season as further described in this DCP and the Interruptible Agricultural Water Service Contract Rules (hereinafter "Rules").

### 7.1 Initiation of Water Allocation

The LCRA General Manager shall monitor water supply conditions on a regular basis and shall inform the Board regarding the implementation of water allocation procedures, consistent with the terms and conditions of the WMP and this DCP. LCRA Board action is not required for actions under this DCP other than those itemized in Section 14. The determination of the amounts of water available will be made by the General Manager prior to the start of the agricultural season (first or second). Generally, allocation of interruptible water supply shall be implemented as follows:

Stage 1 – Normal Conditions

Stage 2 – Less Severe Drought Conditions

Stage 3 – Curtailment during Mid-Season

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<sup>2</sup> Purchase Agreement by and between Garwood Irrigation Company and LCRA, July 20, 1998 ("The Garwood Purchase Agreement").

<sup>3</sup> Interruptible Water Supply Agreement by and between LCRA and TESTAMENTARY TRUSTS created under the WILL AND CODICILS of LACY WITHERS ARMOUR, deceased, (the "ESTATE TRUSTS") and the AMENDED & RESTATED LAURANCE H. ARMOUR, JR. and MARGOT BOYD ARMOUR 1989 TRUST (the 1989 TRUST"), May 23, 2000 ("The Pierce Ranch Agreement").

## Stage 4 – Extraordinary Drought Conditions, Cutoff under Look-Ahead Test or Drought Worse than Drought of Record

Determination of supply to customers in the Garwood agricultural division is governed by the Garwood Purchase Agreement.

### 7.2 Termination of Water Allocation

The water allocation policies will remain in effect so long as allocation is necessary under the terms and conditions of the WMP, the Garwood Purchase Agreement, the Pierce Ranch Agreement, and/or this DCP.

### 7.3 Allocation of Interruptible Water *between* the Four Downstream Agricultural Operations (Normal and Less Severe Drought Conditions, Stages 1 and 2)

#### 7.3.1 *Garwood*

Interruptible stored water is allocated to the Garwood agricultural division based on the Garwood Purchase Agreement.

#### 7.3.2 *Pierce Ranch*

The Pierce Ranch Agreement provides for a maximum of 20,000 acre-feet of interruptible water on a five-year rolling average, with a one-year maximum of 30,000 acre-feet at no charge. The maximum values apply when LCRA is supplying the maximum amounts of interruptible stored water under Normal (Stage 1) conditions pursuant to the WMP. LCRA's commitment to supply Pierce Ranch will be proportionally reduced consistent with the overall reductions in interruptible stored water made available to customers within the Gulf Coast and Lakeside agricultural divisions when, pursuant to the WMP, LCRA is operating under Normal (Stage 1) conditions but is supplying less than the maximum amounts of stored water, or when LCRA is operating under Less Severe Drought (Stage 2) conditions. The actual amounts of interruptible water LCRA may supply to Pierce Ranch will vary each year due to the five-year averaging approach. The amount of interruptible stored water available for first season and second season will be determined as follows:

1. Determine the maximum annual amount available under the contracting limits regarding the five-year rolling average and one-year maximum.
2. Multiply the value determined in Step 1 by 69 percent to determine the First Agricultural Season maximum supply value. The accounting of water use as "First Agricultural Season" or "Second Agricultural Season" at Pierce Ranch will assume First Agricultural Season ends Aug. 15 and Second Agricultural Season begins Aug. 16. (The allocation of 69 percent of the annual demand as First Agricultural Season is based on the WMP demand distribution in which 69 percent of the average annual demand was in the period through the end of July and 31 percent of the average annual demand was in the period beginning in August.)
3. Multiply the value determined in Step 2 by the interruptible stored water available under the WMP for first season for all non-Garwood operations and divide by the

maximum first season non-Garwood availability under the WMP to determine the amount of interruptible stored water available for First Agricultural Season. (This step relies on the March 1 evaluation of interruptible stored water for first season under the WMP.) The resulting value is the amount of water that will be available at the Pierce Ranch diversion point during First Agricultural Season.

4. Multiply the value determined in Step 1 by 31 percent to determine the Second Agricultural Season maximum supply value.
5. Multiply the value determined in Step 4 by the interruptible stored water available under the WMP for second season for all non-Garwood operations and divide by the maximum second season non-Garwood availability under the WMP to determine the amount of interruptible stored water available for Second Agricultural Season. (This step relies on the July 1 evaluation of interruptible stored water for Second Agricultural Season under the WMP.) The resulting value is the amount of water that will be available at the Pierce Ranch diversion point during Second Agricultural Season.

Pierce Ranch will be subject to cutoff in the middle of the agricultural season if: a) combined storage falls to the levels for mid-season cutoff specified in the WMP; b) Pierce Ranch has used the full amount of available water determined in Step 3 for First Agricultural Season or Step 5 for Second Agricultural Season; or c) if LCRA is operating under a WMP with specific limits on releases of interruptible stored water for non-Garwood operations as measured at Mansfield Dam, if the total amount of such releases reaches or exceeds the limit under the WMP.

If Pierce Ranch is subject to cutoff in First Agricultural Season based on provisions b or c above, and water is available for Pierce Ranch for Second Agricultural Season based on the July 1 evaluation in Step 5, water from the Second Agricultural Season allocation may be used to finish First Agricultural Season. Any Second Agricultural Season water used to finish First Agricultural Season will not be available during Second Agricultural Season.

LCRA retains the right to meet its commitment to Pierce Ranch from any source available to LCRA and is not obligated to use only interruptible stored water. LCRA may rely on run-of-river supplies authorized for diversion at the Pierce Ranch diversion point in lieu of releasing interruptible stored water when LCRA determines water is not otherwise needed to meet other demands.

### *7.3.3 Gulf Coast and Lakeside Divisions*

The available interruptible stored water supply remaining after accounting for obligations to Garwood and Pierce Ranch will be split between Gulf Coast and Lakeside during Normal (Stage 1) and Less Severe Drought (Stage 2) conditions in equal amounts, which is generally consistent with the historic acreage associated with the two divisions. For First Agricultural Season, for either the Gulf Coast or Lakeside division, in the event that as of March 10 or later, greater than 2,500 acre-feet of the interruptible stored water available for allocation is not contracted or subject to a pending contract consistent with the Rules, any amount greater than 2,500 acre-feet will be made available for contracting

with customers in the other division. For Second Agricultural Season in either division, in the event greater than 2,500 acre-feet of interruptible stored water for allocation remains after allocating to rice and turf acreage being serviced on June 30, any amount greater than 2,500 acre-feet will be made available for contracting with rice and turf customers being serviced in the other division. Further, in the event that as of September 1 or later, greater than 2,500 acre-feet of the interruptible stored water available for allocation is not contracted or subject to a pending contract consistent with the Rules, any amount greater than 2,500 acre-feet is available for contracting with customers in the other division.

The available supply will be reflective of the reductions in supply under the WMP. For Second Agricultural Season, the supply may also be reduced based upon the use of all or a part of the Second Agricultural Season allocation to finish the First Agricultural Season (as discussed in Section 7.4.4 and 7.5). Further, if applicable under the WMP, the supply may be reduced if the First Agricultural Season maximum release amount from Mansfield Dam is reached and all or part of the Second Season maximum release amount is used to finish the First Agricultural Season (as discussed in Section 7.5).

Since a portion of the water diverted from the river is lost in delivery through the canal system, system delivery losses will be deducted from the amounts available at the river pump stations when determining the total amount of interruptible water available for on-farm use. System delivery losses will be estimated by the General Manager using the average of system delivery losses in the past three years for each individual agricultural division, excluding years in which interruptible stored water was completely curtailed. For the 2021 agricultural season, the calculation indicates an average loss of 28.4 percent in Gulf Coast and 18.4 percent in Lakeside. The loss value will be updated before contracting each year to reflect the rolling three-year average.

#### 7.4 Allocation of Water to Individual Customers *within* LCRA Agricultural Divisions

Through its annual contracting process in the Garwood, Gulf Coast and Lakeside agricultural divisions, LCRA will, at the beginning of each agricultural season, contract to provide interruptible water up to a maximum volume of water consistent with the limits of the available allocated water supplies. Because Pierce Ranch has entered into a long-term interruptible water contract with LCRA and operates its own facilities, Pierce Ranch will determine how water will be allocated between users within its operation.

Water allocation among individual users in individual divisions is not a property right. All water available will be allocated on a pro rata basis as described below, which is consistent with state law governing pro rata curtailment. To obtain an allocation, the prospective customer must provide LCRA with an intention consistent with the Rules.

##### 7.4.1 *Acreage History*

For the Garwood, Gulf Coast and Lakeside divisions, an acreage history will be determined for each farmer/landowner. The acreage history will be shared 50/50 between the farmer and the landowner; however, the farmer and landowner may agree

to have the entire history applied to one party or another. (The history may not be transferred to another user.)

The acreage history will be based on the most recent years in which interruptible stored water was not completely curtailed at the respective division (Historic Acreage Years). For Garwood, Historic Acreage Years will consist of five years. For Gulf Coast and Lakeside, Historic Acreage Years will consist of four years. The acreage history will be based on the average amount of acres of supplied water during the Historic Acreage Years. The determination is based on the number of acres that have been served with water from LCRA. (Acres contracted but not supplied with LCRA water do not count toward a customer's acreage history.)

#### *7.4.2 Allocation within the Gulf Coast and Lakeside Divisions*

##### **7.4.2.1. Allocation of Interruptible Stored Water between Customers in the Gulf Coast and Lakeside Divisions**

In the event the maximum allowable interruptible stored water allocations under the Rules can be made available to all intended acres for the First Agricultural Season, LCRA will allocate based upon intentions. Otherwise, LCRA will allocate based on Customer Acreage History as described in this section.

For the allocation of interruptible stored water in the First Agricultural Season for the Gulf Coast and Lakeside divisions, LCRA will determine for each rice or turf customer that has submitted an intention for the upcoming First Agricultural Season a "Customer Acreage History" that is equal to the average number of acres serviced by water from LCRA in the First Agricultural Season during the Historic Acreage Years for that division. LCRA will also determine a "Division Acreage History" for each division, which is the sum of the individual Customer Acreage Histories. Each Customer Acreage History will also be converted into a "Customer Percentage" which shall be the Customer Acreage History divided by the Division Acreage History. For example, if Customer A in Lakeside had an average of 1,250 acres serviced by LCRA water during the Historic Acreage Years, Customer A's Customer Acreage History is 1,250 acres. If the Division Acreage History is 25,000 acres, then Customer A has a Customer Percentage of 5.0 percent. The Customer Percentage will be used for the First Agricultural Season allocation. LCRA will determine the total volume of interruptible stored water available to each customer by multiplying the amount of interruptible stored water available to the respective division, less canal system losses, by the Customer Percentage. Each customer's allocation will be limited to not exceed the maximum allocation per acre specified in the Rules. If after the allocation of interruptible stored water based on Customer Acreage History, as described above, additional allocations of interruptible stored water are available, LCRA will make those allocations following the same methodology above, but using the *maximum* acreage serviced by water from LCRA during the Historic Acreage Years.

For the allocation of interruptible stored water in the Second Agricultural Season for the Gulf Coast and Lakeside divisions, LCRA will allocate water for rice and turf customers proportionally based upon the acreage being serviced on June 30. For rice customers

with water use from LCRA of less than 1.5 acre-feet per acre by June 30, the acreage being serviced will be adjusted for purposes of determining the Second Agricultural Season allocation as follows:

Use of no LCRA water: no allocation;

Use of less than 1.0 acre-feet per acre: 0.50 equivalent acres;

Use of between 1.0 and 1.49 acre-feet per acre: 0.75 equivalent acres;

Use of 1.5 acre-feet per acre or more: full acreage towards allocation.

For turf acreage, for both first and second season allocations, the acreage will be converted into rice-equivalent acres such that each acre of turf is equivalent to 0.50 acres of rice. Additional detail regarding the timing and limitations on allocations are specified in the Rules. In the event the available interruptible stored water has not been fully allocated based on Customer Acreage Histories (for the First Agricultural Season) or based on acreage being serviced on June 30 (for the Second Agricultural Season), remaining available interruptible stored water will be allocated to other customers as described in the Rules.

#### 7.4.2.2 Allocation of Run-of-River Water between customers in the Gulf Coast and Lakeside Divisions

Run-of-river water may be available to customers in the Gulf Coast and Lakeside divisions from time to time. In the event run-of-river water has been diverted at the Gulf Coast and/or Lakeside pump stations in a given time period, such water will be shared among all customers with interruptible stored water allocations in those divisions on an equivalent basis. Specifically, all customers in the Gulf Coast and Lakeside divisions will be assumed to have the same percentage of their deliveries met using run-of-river water as the run-of-river percentage of total diversions at all Gulf Coast and Lakeside pump stations. However, if within a division, one or more customers has used their entire interruptible stored water allocation (including during First Agricultural Season, if the customer has also used any Second Agricultural Season allocation), and if sufficient run-of-river water is available for those customers' demands, those customers will be deemed to have used only run-of-river water and the use by remaining customers in the division will be from interruptible stored water and any remaining run-of-river water for that division.

Over the historic period used in the Water Management Plan, when LCRA was supplying interruptible stored water for first crop, the availability of foreseeable run-of-river water at the Gulf Coast and Lakeside divisions totaled at least 50,000 acre-feet about 80 percent of the time. When under "Normal" conditions, LCRA understands that customers may consider this, in addition to the available interruptible stored water supply, to decide how much acreage to plant in the Lakeside and Gulf Coast divisions. LCRA does not, however, guarantee that 50,000 acre-feet of run-of-river water will be available in each and every year in which "Normal" conditions exist.

Under Less Severe Drought conditions, the availability of foreseeable run-of-river water is much more difficult to assess and may be substantially reduced compared to "Normal conditions." For example, in 2011, although the lakes began the year with over 1.5 million acre-feet in storage, the amount of run-of-river water diverted at the Gulf Coast and

Lakeside divisions during the period corresponding to First Agricultural Season was approximately 10,000 acre-feet. Although that water is not guaranteed, in Less Severe Drought conditions, LCRA understands customers may assume that no foreseeable run-of-river water will be available when deciding how much acreage to plant.

#### 7.4.2.3 Limitations on Planted Acreage

In the event the total of customers' stated acreage intentions within a division exceed the acreage that can be reasonably supplied in that division based upon limitations in the water rights and/or infrastructure constraints, the amount of acreage to which LCRA will supply water will be limited. In such event, the Customer Percentage determined in section 7.4.2.1 will be multiplied by the total acreage that can reasonably be supplied in order to establish a Customer Acreage Limit. Although LCRA would specify a maximum acreage a customer would be allowed to plant, LCRA would not be guaranteeing it would supply an amount of water sufficient to grow crops on such acreage.

#### 7.4.3 Allocation in the Garwood Division

For the Garwood division, LCRA will determine "Customer Acreage History" for each rice customer equal to the average number of acres planted in the First Agricultural Season during the Historic Acreage Years for the division. In the event the total of customers' stated acreage intentions exceeds 19,000 acres, LCRA will evaluate the ability to supply such acreage based on constraints related to the canal system and river pump station. In the event that the total of customers' intentions exceeds the acreage that can be supplied by the canal system, individual customer acreages for the upcoming season will be limited proportionally based on the Customer Acreage Histories. Although LCRA would specify a maximum acreage a customer would be allowed to plant, LCRA would not be guaranteeing that it would supply an amount of water sufficient to grow crops on such acreage.

#### 7.4.4 Tracking Water Use

During the agricultural season, LCRA will track each customer's water use and provide the information to the customer on a recurring basis. If the customer's interruptible stored water use has reached the customer's allocation, the total amount of interruptible stored water for diversion by the division(s) has been reached, or, if applicable, the total amount of releases of interruptible stored water measured at Mansfield Dam has reached the limit specified in the WMP, the customer will not receive any further deliveries of interruptible stored water. However, if water is available for customer for Second Agricultural Season based on the July 1 evaluation, upon customer's request, water from the Second Agricultural Season allocation may be used to finish First Agricultural Season consistent with the WMP. Any Second Agricultural Season water used to finish First Agricultural Season will not be available during Second Agricultural Season. In the event that interruptible stored water is no longer available during a season, the customer will only receive run-of-river water if there is sufficient run-of-river water to meet all or part of customer's demand. Furthermore, customers will remain subject to surcharges and/or cutoff of deliveries in the event of high water use on an acre-foot per acre basis.

#### *7.4.5 Availability of Run-of-River Water*

In the event LCRA determines run-of-river water is available in the Gulf Coast and/or Lakeside agricultural divisions and is not needed to meet the requests of customers who have allocations of interruptible stored water as described in section 7.4.2, such water will be made available to other customers for agricultural uses. In the event that LCRA determines that water is available in the Garwood irrigation division that is not needed to meet the requests of customers who have allocations of acreage as described in section 7.4.3, such water will be made available for other agricultural uses. Water will be made available to such other customers in the order in which the customers' requests for water were received.

#### 7.5 Curtailment during Mid-Season (Stage 3)

Interruptible water within the Gulf Coast and Lakeside divisions and Pierce Ranch is subject to cutoff any time during the agricultural season, consistent with the WMP and interruptible agricultural contracts, including any special contract terms and conditions that control supply to Pierce Ranch. LCRA may suspend releases of interruptible water in accordance with the WMP, even if such a suspension occurs mid-season. This may occur because: a) the total amount of interruptible stored water allocated to the customer has been supplied; b) the total amount of interruptible stored water available for diversion by the operation or operations (Gulf Coast, Lakeside, or Pierce Ranch) has been diverted; c) if applicable, the total amount of releases of interruptible stored water as measured at Mansfield Dam has reached the limit specified in the WMP; or d) the combined storage of lakes Buchanan and Travis has dropped to levels requiring cutoff, as specified in the WMP. In the event interruptible stored water is suspended mid-season because of items a, b, or c, run-of-river water may still be available. Furthermore, if based on the July 1 evaluation, interruptible stored water is available for Second Agricultural Season, the customer may request all or part of the Second Agricultural Season allocation be used to finish First Agricultural Season as noted in sections 7.3.2 and 7.4.4. Additionally, if applicable, if the total releases of interruptible stored water in First Agricultural Season as measured at Mansfield Dam reach the limit on such releases specified in the WMP, and customers are using a portion of their Second Agricultural Season interruptible stored water allocation to finish First Agricultural Season, the releases of interruptible stored water associated with such use will count against the limit on releases for Second Agricultural Season. In the event interruptible stored water is suspended mid-season because combined storage of lakes Buchanan and Travis has dropped to certain levels, run-of-river water originating above Lake Travis also will be suspended, while run-of-river water originating below Lake Travis may still be available.

LCRA's supply of interruptible water to customers within the Garwood agricultural division will continue to be governed by the Garwood Purchase Agreement.

## 7.6 Extraordinary Drought, Cutoff under Look-Ahead Test or Drought Worse Than Drought of Record (Stage 4)

When LCRA is operating under Extraordinary Drought Conditions or a cutoff under the Look-Ahead Test or a Drought Worse than Drought of Record declaration under the WMP, LCRA will not supply interruptible stored water to the Gulf Coast or Lakeside divisions, or Pierce Ranch. LCRA's supply of interruptible water to customers within the Garwood agricultural division will continue to be governed by the Garwood Purchase Agreement and annual contracts with customers in the Garwood division.

LCRA also may suspend releases of interruptible stored water for customers in the Garwood agricultural division consistent with the Purchase Agreement between LCRA and Garwood Irrigation Company, including upon a Drought Worse than Drought of Record declaration.

## 7.7 Calculation of Water Use

The amount of water charged against a user's water allocation will be based on actual measured use.

## 8. VARIANCES

Within each LCRA agricultural division, the LCRA General Manager may adjust the period for determining Historic Acreage Years within the division to account for established field rotations, changes in management practices, and other relevant factors.

## 9. ENFORCEMENT

All LCRA interruptible water contracts include a provision requiring that, in cases of a shortage of water resulting from drought, the water will be distributed in accordance with the WMP and Texas Water Code section 11.039. Interruptible water customers within the agricultural operations failing to comply with the allocation requirements (curtailment plan) are subject to surcharges or excess use rates as set by the LCRA Board for water use in excess of the customer's per-acre duty. LCRA may exercise any rights it may have at law or in equity to prevent unauthorized withdrawals by the customer or any other person. Customers failing to comply with contractual requirements to prevent the waste of water also are subject to denial of water until such time as the failure is corrected.

Any person who willfully opens, closes, changes or interferes with any headgate or uses water in violation of this DCP, shall be considered in violation of Section 11.083, Texas Water Code, which provides for punishment by fine of not less than \$10.00 nor more than \$200.00, or by confinement in the county jail for not more than thirty (30) days, or both, for each violation. These penalties are provided by the laws of the State and may be enforced by complaints filed in the appropriate court jurisdiction in Travis County, all in accordance with Section 11.083. In addition, LCRA may pursue a civil remedy in the way of damages and/or injunction against the violator of any of the foregoing.

## 10. SEVERABILITY

It is hereby declared to be the intention of the Board of Directors of the Lower Colorado River Authority that in the event any sections, paragraphs, sentences, clauses and phrases of this DCP should be declared invalid or unenforceable by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this DCP, since the same would have been enacted by the Board without the incorporation into this DCP of any such invalid or unenforceable phrase, clause, sentence, paragraph or section.

## 11. AUTHORITY

The foregoing rules and regulations are adopted pursuant to and in accordance with Sections 11.039, 11.083, 11.1272; and Section 49.004 of the Texas Water Code.

## 12. EFFECTIVE DATE OF PLAN

The effective date of this DCP shall be March 1, 2022. Ignorance of the DCP is not a defense for a prosecution for enforcement of the violation of the DCP.

## 13. DROUGHT CONTINGENCY PLAN UPDATES

Consistent with 30 Tex. Admin. Code Ch. 288, LCRA will review and update, as appropriate, in accordance with the schedule required by such rules, this DCP to the extent such updates do not change the triggers, amount of curtailment of interruptible stored water supply, or the triggers related to instream flows and bay and estuary inflows as set forth in and governed by the WMP. As recognized by prior TCEQ orders, such changes do not constitute an amendment to the Water Management Plan requiring notice and an opportunity for contested case hearing, but must otherwise comply with the public notice requirements of Chapter 288 of the Commission's rules. LCRA will make any necessary conforming changes to this DCP within 90 days of TCEQ's approval of changes to the Water Management Plan affecting the availability of interruptible water.

## 14. BOARD ACTION

LCRA Board action is required for the following actions under this DCP:

- Determination of interruptible supply curtailment in the Garwood agricultural division (Section 7.3.1).
- Establishing surcharges or excess use rates applicable to interruptible agricultural customers (Section 9).
- Determination of a Cutoff under the Look-Ahead Test specified in the WMP.
- Declaration of Drought Worse than Drought of Record under the WMP.
- Updates to Drought Contingency Plan under TCEQ Chapter 288 rules (Section 13).

## 15. NOTIFICATION OF EXECUTIVE DIRECTOR

The LCRA General Manager will notify the TCEQ Executive Director within 30 days of the following:

- Board declaration or cancellation of Drought Worse than Drought of Record.
- Updates to its Drought Contingency Plan under TCEQ Chapter 288 rules.
- Implementation of any curtailment and allocation of supply related to interruptible water in which the amount available is less than the maximum available for the crop season under the WMP.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## TCEQ WATER RIGHTS PERMITTING APPLICATION

### ADMINISTRATIVE INFORMATION CHECKLIST

Complete and submit this checklist for each application. See Instructions Page 5.

APPLICANT(S): Lower Colorado River Authority

Indicate whether the following items are included in your application by writing either Y (for yes) or N (for no) next to each item (all items are not required for every application).

<u>Y/N</u>	<u>Y/N</u>
<u>Y</u> Administrative Information Report	<u>N</u> Worksheet 3.0
<u>N</u> Additional Co-Applicant Information	<u>N</u> Additional W.S. 3.0 for each Point
<u>N</u> Additional Co-Applicant Signature Pages	<u>N</u> Recorded Deeds for Diversion Points
<u>Y</u> Written Evidence of Signature Authority	<u>N</u> Consent for Diversion Access
<u>Y</u> Technical Information Report	<u>N</u> Worksheet 4.0
<u>N</u> USGS Map (or equivalent)	<u>N</u> TPDES Permit(s)
<u>N</u> Map Showing Project Details	<u>N</u> WWTP Discharge Data
<u>N</u> Original Photographs	<u>N</u> Groundwater Well Permit
<u>N</u> Water Availability Analysis	<u>N</u> Signed Water Supply Contract
<u>Y</u> Worksheet 1.0	<u>N</u> Worksheet 4.1
<u>N</u> Recorded Deeds for Irrigated Land	<u>N</u> Worksheet 5.0
<u>N</u> Consent for Irrigated Land	<u>N</u> Addendum to Worksheet 5.0
<u>Y</u> Worksheet 1.1	<u>Y</u> Worksheet 6.0
<u>N</u> Addendum to Worksheet 1.1	<u>Y</u> Water Conservation Plan(s)
<u>Y</u> Worksheet 1.2	<u>Y</u> Drought Contingency Plan(s)
<u>N</u> Worksheet 2.0	<u>Y</u> Documentation of Adoption
<u>N</u> Additional W.S. 2.0 for Each Reservoir	<u>N</u> Worksheet 7.0
<u>N</u> Dam Safety Documents	<u>N</u> Accounting Plan
<u>N</u> Notice(s) to Governing Bodies	<u>Y</u> Worksheet 8.0
<u>N</u> Recorded Deeds for Inundated Land	<u>Y</u> Fees
<u>N</u> Consent for Inundated Land	<u>Y</u> Public Involvement Plan

**Received**

Date: 10/30/2025

By: Water Availability Division

# ADMINISTRATIVE INFORMATION REPORT

The following information is required for all new applications and amendments.

*\*\*\*Applicants are REQUIRED to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4600.*

## 1. TYPE OF APPLICATION (Instructions, Page. 6)

Indicate, by marking X, next to the following authorizations you are seeking.

New Appropriation of State Water

Amendment to a Water Right \*

Bed and Banks

*\*If you are seeking an amendment to an existing water rights authorization, you must be the owner of record of the authorization. If the name of the Applicant in Section 2 does not match the name of the current owner(s) of record for the permit or certificate or if any of the co-owners is not included as an applicant in this amendment request, your application could be returned. If you or a co-applicant are a new owner, but ownership is not reflected in the records of the TCEQ, submit a change of ownership request (Form TCEQ-10204) prior to submitting the application for an amendment. See Instructions page. 6. Please note that an amendment application may be returned, and the Applicant may resubmit once the change of ownership is complete.*

Please summarize the authorizations or amendments you are seeking in the space below or attach a narrative description entitled "Summary of Request."

In addition to previous authorizations, LCRA seeks authorization to use of water appropriated in this Certificate and diverted at existing diversion locations 1, 2 and 3 in an amount not to exceed 10,000 acre-feet of water per year for instream uses. Additionally, LCRA seeks authorization to use of water diverted under this Certificate in all portions of Wharton and Matagorda County within the Colorado River Basin, Brazos-Colorado Coastal Basin, and Colorado-Lavaca Coastal Basin.

Please see attached exhibits with further information:

- Exhibit A: Certificate of Adjudication 14-5476, Amendments, and Associated Documents.
- Exhibit B: LCRA Policies- Delegation of Authority.
- Exhibit C: LCRA Organization Chart.
- Exhibit D: Addendum to Worksheet 1.2 Notice. The "Marshall Criteria" Supplemental Information.
- Exhibit E: Draft of Amendment.

2. APPLICANT INFORMATION (Instructions, Page. 6 )

a. Applicant

Indicate the number of Applicants/Co-Applicants 1  
(Include a copy of this section for each Co-Applicant, if any)

What is the Full Legal Name of the individual or entity (applicant) applying for this permit?

Lower Colorado River Authority

*(If the Applicant is an entity, the legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)*

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?

You may search for your CN on the TCEQ website at

<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN: 600253637 (leave blank if you do not yet have a CN).

What is the name and title of the person or persons signing the application? Unless an application is signed by an individual applicant, the person or persons must submit written evidence that they meet the signatory requirements in 30 TAC § 295.14.

First/Last Name: John Hofmann

Title: Executive Vice President of Water

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? Y/N Y

What is the applicant’s mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at

<https://tools.usps.com/go/ZipLookupAction!input.action>.

Name: Lower Colorado River Authority; ATTN: Leonard Oliver

Mailing Address: P.O. Box 220

City: Austin State: TX ZIP Code: 78767

Indicate an X next to the type of Applicant:

Individual  Sole Proprietorship-D.B.A.

Partnership  Corporation

Trust  Estate

Federal Government  State Government

County Government  City Government

Other Government  Other \_\_\_\_\_

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: NA SOS Charter (filing) Number: NA

**3. APPLICATION CONTACT INFORMATION (Instructions, Page. 9)**

If the TCEQ needs additional information during the review of the application, who should be contacted? Applicant may submit their own contact information if Applicant wishes to be the point of contact.

First and Last Name: Leonard Oliver

Title: Supervisor, Water Resources

Organization Name: Lower Colorado River Authority

Mailing Address: P.O. Box 220

City: Austin State: TX ZIP Code: 78767

Phone Number: +512-578-4088

Fax Number: \_\_\_\_\_

E-mail Address: 

**4. WATER RIGHT CONSOLIDATED CONTACT INFORMATION  
(Instructions, Page. 9)**

This section applies only if there are multiple Owners of the same authorization. Unless otherwise requested, Co-Owners will each receive future correspondence from the Commission regarding this water right (after a permit has been issued), such as notices and water use reports. Multiple copies will be sent to the same address if Co-Owners share the same address. Complete this section if there will be multiple owners and all owners agree to let one owner receive correspondence from the Commission. Leave this section blank if you would like all future notices to be sent to the address of each of the applicants listed in section 2 above.

I/We authorize all future notices be received on my/our behalf at the following:

First and Last Name: \_\_\_\_\_

Title: \_\_\_\_\_

Organization Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4600, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? Yes / No No

If yes, provide the following information:

Account number: \_\_\_\_\_ Amount past due: \_\_\_\_\_

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? Yes / No No

If yes, please provide the following information:

Enforcement order number: \_\_\_\_\_ Amount past due: \_\_\_\_\_

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>

Is the Applicant or Co-Applicant in good standing with the Comptroller? Yes / No NA

c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use - if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5). Applicants should check survey status on the TWDB website prior to filing:

[https://www3.twdb.texas.gov/apps/reports/WU\\_REP/SurveyStatus\\_PriorThreeYears](https://www3.twdb.texas.gov/apps/reports/WU_REP/SurveyStatus_PriorThreeYears)

Applicant has submitted all required TWDB surveys of groundwater and surface water?  
Yes / No Yes

**6. SIGNATURE PAGE (Instructions, Page. 11)**

Applicant:

I, John B. Hofmann Executive Vice President, Water  
(Typed or printed name) (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: [Handwritten Signature] Date: 10/28/2025  
(Use blue ink)

Subscribed and Sworn to before me by the said John B. Hofmann  
on this 28th day of October, 2025.  
My commission expires on the 16th day of January, 2026.

[Handwritten Signature]

Notary Public

Travis  
County, Texas



**If the Application includes Co-Applicants, each Applicant and Co-Applicant must submit an original, separate signature page**

# TECHNICAL INFORMATION REPORT

## WATER RIGHTS PERMITTING

This Report is required for applications for new or amended water rights. Based on the Applicant's responses below, Applicants are directed to submit additional Worksheets (provided herein). A completed Administrative Information Report is also required for each application.

*Applicants are REQUIRED to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please contact the Water Availability Division at (512) 239-4600 or [WRPT@tceq.texas.gov](mailto:WRPT@tceq.texas.gov) to schedule a meeting.*

Date of pre-application meeting: Oct. 14, 2025

### 1. New or Additional Appropriations of State Water. Texas Water Code (TWC) § 11.121 (Instructions, Page. 12)

State Water is: *The water of the ordinary flow, underflow, and tides of every flowing river, natural stream, and lake, and of every bay or arm of the Gulf of Mexico, and the storm water, floodwater, and rainwater of every river, natural stream, canyon, ravine, depression, and watershed in the state. TWC § 11.021.*

- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / N N
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N N (If yes, indicate the Certificate or Permit number: \_\_\_\_\_)

*If Applicant answered yes to (a) or (b) above, does Applicant also wish to be considered for a term permit pursuant to TWC § 11.1381? Y / N* \_\_\_\_\_

- c. Applicant requests to extend an existing Term authorization or to make the right permanent? Y / N N (If yes, indicate the Term Certificate or Permit number: \_\_\_\_\_)

*If Applicant answered yes to (a), (b) or (c), the following worksheets and documents are required:*

- Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet
- Worksheet 2.0 - Impoundment/Dam Information Worksheet (submit one worksheet for each impoundment or reservoir requested in the application)
- Worksheet 3.0 - Diversion Point Information Worksheet (submit one worksheet for each diversion point and/or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach requested in the application)
- Worksheet 5.0 – Environmental Information Worksheet
- Worksheet 6.0 – Water Conservation Information Worksheet
- Worksheet 7.0 – Accounting Plan Information Worksheet
- Worksheet 8.0 – Calculation of Fees
- Fees calculated on Worksheet 8.0 – see instructions Page. 34.
- Maps – See instructions Page. 15.
- Photographs - See instructions Page. 30.

*Additionally, if Applicant wishes to submit an alternate source of water for the project/authorization, see Section 3, Page 3 for Bed and Banks Authorizations (Alternate sources may include groundwater, imported water, contract water or other sources).*

Additional Documents and Worksheets may be required (see within).

**2. Amendments to Water Rights. TWC § 11.122 (Instructions, Page. 12)**

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. *If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQ-10204) prior to submitting the amendment Application or provide consent from the current owner to make the requested amendment. If the application does not contain consent from the current owner to make the requested amendment, TCEQ will not begin processing the amendment application until the Change of Ownership has been completed and will consider the Received Date for the application to be the date the Change of Ownership is completed. See instructions page. 6.*

Water Right (Certificate or Permit) number you are requesting to amend: 14-5476 through 14-5476D

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? Y / N N (if yes, complete chart below):

List of water rights to sever	Combine into this ONE water right

a. Applicant requests an amendment to an existing water right to increase the amount of the appropriation of State Water (diversion and/or impoundment)? Y / N N

*If yes, application is a new appropriation for the increased amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.*

b. Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)? Y / N N

*If yes, application is a new appropriation for the entire amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.*

c. Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? Y / N Y  
*If yes, submit:*

- Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet
- Worksheet 1.2 - Notice: "Marshall Criteria"

d. Applicant requests to change: diversion point(s); or reach(es); or diversion rate? Y / N N  
*If yes, submit:*

- Worksheet 3.0 - Diversion Point Information Worksheet (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)
- Worksheet 5.0 - Environmental Information (Required for any new diversion points that are not already authorized in a water right)

e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? Y / N N  
*If yes, submit:* Worksheet 2.0 - Impoundment/Dam Information Worksheet (submit one worksheet for each impoundment or reservoir)

- f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N<sup>N</sup>\_\_\_\_\_ *If yes, call the Water Availability Division at (512) 239-4600 to discuss.*

*Additionally, all amendments require:*

- Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34
- Maps – See instructions Page. 15.
- Additional Documents and Worksheets may be required (see within).

### 3. Bed and Banks. TWC § 11.042 (Instructions, Page 13)

- a. Pursuant to contract, Applicant requests authorization to convey, stored or conserved water to the place of use or diversion point of purchaser(s) using the bed and banks of a watercourse? TWC § 11.042(a). Y/N<sup>N</sup>\_\_\_\_\_

*If yes, submit a signed copy of the Water Supply Contract pursuant to 30 TAC §§ 295.101 and 297.101. Further, if the underlying Permit or Authorization upon which the Contract is based does not authorize Purchaser's requested Quantity, Purpose or Place of Use, or Purchaser's diversion point(s), then either:*

1. *Purchaser must submit the worksheets required under Section 1 above with the Contract Water identified as an alternate source; or*
2. *Seller must amend its underlying water right under Section 2.*

- b. Applicant requests to convey water imported into the state from a source located wholly outside the state using the bed and banks of a watercourse? TWC § 11.042(a-1). Y / N<sup>N</sup>\_\_\_\_\_

*If yes, submit worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps and fees from the list below.*

- c. Applicant requests to convey Applicant's own return flows derived from privately owned groundwater using the bed and banks of a watercourse? TWC § 11.042(b). Y / N<sup>N</sup>\_\_\_\_\_

*If yes, submit worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.*

- d. Applicant requests to convey Applicant's own return flows derived from surface water using the bed and banks of a watercourse? TWC § 11.042(c). Y / N<sup>N</sup>\_\_\_\_\_

*If yes, submit worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, Maps, and fees from the list below.*

*\*Please note, if Applicant requests the reuse of return flows belonging to others, the Applicant will need to submit the worksheets and documents under Section 1 above, as the application will be treated as a new appropriation subject to termination upon direct or indirect reuse by the return flow discharger/owner.*

- e. Applicant requests to convey water from any other source, other than (a)-(d) above, using the bed and banks of a watercourse? TWC § 11.042(c). Y / N<sup>N</sup>\_\_\_\_\_

*If yes, submit worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.*

*Worksheets and information:*

- Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet
- Worksheet 2.0 - Impoundment/Dam Information Worksheet (submit one worksheet for each impoundment or reservoir owned by the applicant through which water will be conveyed or diverted)
- Worksheet 3.0 - Diversion Point Information Worksheet (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances)

- Worksheet 4.0 – Discharge Information Worksheet (for each discharge point)
- Worksheet 5.0 – Environmental Information Worksheet
- Worksheet 6.0 – Water Conservation Information Worksheet
- Worksheet 7.0 – Accounting Plan Information Worksheet
- Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34
- Maps – See instructions Page. 15.
- Additional Documents and Worksheets may be required (see within).

#### 4. General Information, Response Required for all Water Right Applications (Instructions, Page 15)

- a. Provide information describing how this application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement (*not required for applications to use groundwater-based return flows*). Include citations or page numbers for the State and Regional Water Plans, if applicable. Provide the information in the space below or submit a supplemental sheet entitled “Addendum Regarding the State and Regional Water Plans”:

This application requests an 1) addition of type of use and the 2) addition of place of use and will not impact water availability, supply, or water planning. This application is consistent with the Region K Water Plan and the State Water Plan because there is nothing in the plans conflicting with this application.

- b. Did the Applicant perform its own Water Availability Analysis? Y / N N

*If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.*

- c. Does the application include required Maps? (Instructions Page. 15) Y / N N

## WORKSHEET 1.0 Quantity, Purpose and Place of Use

**1. New Authorizations (Instructions, Page. 16)**

Submit the following information regarding quantity, purpose and place of use for requests for new or additional appropriations of State Water or Bed and Banks authorizations:

Quantity (acre- feet) <i>(Include losses for Bed and Banks)</i>	State Water Source (River Basin) or Alternate Source <i>*each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0</i>	Purpose(s) of Use	Place(s) of Use <i>*requests to move state water out of basin also require completion of Worksheet 1.1 Interbasin Transfer</i>

\_\_\_\_\_ Total amount of water (in acre-feet) to be used annually (*include losses for Bed and Banks applications*)

If the Purpose of Use is Agricultural/Irrigation for any amount of water, provide:

a. Location Information Regarding the Lands to be Irrigated

i) Applicant proposes to irrigate a total of \_\_\_\_\_ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of \_\_\_\_\_ acres in \_\_\_\_\_ County, TX.

ii) Location of land to be irrigated: In the \_\_\_\_\_ Original Survey No. \_\_\_\_\_, Abstract No. 78767.

*A copy of the deed(s) or other acceptable instrument describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds.*

*If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.*

*Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.*

**2. Amendments - Purpose or Place of Use (Instructions, Page. 12)**

a. Complete this section for each requested amendment changing, adding, or removing Purpose(s) or Place(s) of Use, complete the following:

Quantity (acre-feet)	Existing Purpose(s) of Use	Proposed Purpose(s) of Use*	Existing Place(s) of Use	Proposed Place(s) of Use**
262,500	Agricultural, Municipal, Industrial, Mining and Instream use.	Additional instream use in amount up to 10,000 ac-ft/yr.	Wharton and Matagorda county	Wharton and Matagorda County within the Colorado River Basin, Brazos-Colorado Coastal Basin, and Colorado-Lavaca Coastal Basin.

*\*If the request is to add additional purpose(s) of use, include the existing and new purposes of use under "Proposed Purpose(s) of Use."*

*\*\*If the request is to add additional place(s) of use, include the existing and new places of use under "Proposed Place(s) of Use."*

*Changes to the purpose of use in the Rio Grande Basin may require conversion. 30 TAC § 303.43.*

b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:

- i. Applicant proposes to irrigate a total of \_\_\_\_\_ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of \_\_\_\_\_ acres in \_\_\_\_\_ County, TX.
- ii. Location of land to be irrigated: In the \_\_\_\_\_ Original Survey No. \_\_\_\_\_, Abstract No. \_\_\_\_\_.

*A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.*

*Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.*

- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

## WORKSHEET 1.1 INTERBASIN TRANSFERS, TWC § 11.085

Submit this worksheet for an application for a new or amended water right which requests to transfer State Water from its river basin of origin to use in a different river basin. A river basin is defined and designated by the Texas Water Development Board by rule pursuant to TWC § 16.051.

Applicant requests to transfer State Water to another river basin within the State? Y / N \_\_\_\_\_

### 1. Interbasin Transfer Request (Instructions, Page. 20)

- a. Provide the Basin of Origin. \_\_\_\_\_
- b. Provide the quantity of water to be transferred (acre-feet). \_\_\_\_\_
- c. Provide the Basin(s) and count(y/ies) where use will occur in the space below:  
\_\_\_\_\_

### 2. Exemptions (Instructions, Page. 20), TWC § 11.085(v)

Certain interbasin transfers are exempt from further requirements. Answer the following:

- a. The proposed transfer, which in combination with any existing transfers, totals less than 3,000 acre-feet of water per annum from the same water right. Y/N\_\_
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N\_\_
- c. The proposed transfer from the part of the geographic area of a county or municipality, or the part of the retail service area of a retail public utility as defined by Section 13.002, that is within the basin of origin for use in that part of the geographic area of the county or municipality, or that contiguous part of the retail service area of the utility, not within the basin of origin? Y/N\_\_
- d. The proposed transfer is for water that is imported from a source located wholly outside the boundaries of Texas, except water that is imported from a source located in the United Mexican States? Y/N\_\_

### 3. Interbasin Transfer Requirements (Instructions, Page. 20)

For each Interbasin Transfer request that is not exempt under any of the exemptions listed above Section 2, provide the following information in a supplemental attachment titled "Addendum to Worksheet 1.1, Interbasin Transfer":

- a. the contract price of the water to be transferred (if applicable) (also include a copy of the contract or adopted rate for contract water);
- b. a statement of each general category of proposed use of the water to be transferred and a detailed description of the proposed uses and users under each category;
- c. the cost of diverting, conveying, distributing, and supplying the water to, and treating the water for, the proposed users (example - expert plans and/or reports documents may be provided to show the cost);

- d. describe the need for the water in the basin of origin and in the proposed receiving basin based on the period for which the water supply is requested, but not to exceed 50 years (the need can be identified in the most recently approved regional water plans. The state and regional water plans are available for download at this website: (<http://www.twdb.texas.gov/waterplanning/swp/index.asp>);
- e. address the factors identified in the applicable most recently approved regional water plans which address the following:
  - (i) the availability of feasible and practicable alternative supplies in the receiving basin to the water proposed for transfer;
  - (ii) the amount and purposes of use in the receiving basin for which water is needed;
  - (iii) proposed methods and efforts by the receiving basin to avoid waste and implement water conservation and drought contingency measures;
  - (iv) proposed methods and efforts by the receiving basin to put the water proposed for transfer to beneficial use;
  - (v) the projected economic impact that is reasonably expected to occur in each basin as a result of the transfer; and
  - (vi) the projected impacts of the proposed transfer that are reasonably expected to occur on existing water rights, instream uses, water quality, aquatic and riparian habitat, and bays and estuaries that must be assessed under Sections 11.147, 11.150, and 11.152 in each basin (*if applicable*). If the water sought to be transferred is currently authorized to be used under an existing permit, certified filing, or certificate of adjudication, such impacts shall only be considered in relation to that portion of the permit, certified filing, or certificate of adjudication proposed for transfer and shall be based on historical uses of the permit, certified filing, or certificate of adjudication for which amendment is sought;
- f. proposed mitigation or compensation, if any, to the basin of origin by the applicant; and
- g. the continued need to use the water for the purposes authorized under the existing Permit, Certified Filing, or Certificate of Adjudication, if an amendment to an existing water right is sought.

## WORKSHEET 1.2 NOTICE. “THE MARSHALL CRITERIA”

This worksheet assists the Commission in determining notice required for certain amendments that do not already have a specific notice requirement in a rule for that type of amendment, and *that do not change the amount of water to be taken or the diversion rate*. The worksheet provides information that Applicant is required to submit for amendments such as certain amendments to special conditions or changes to off-channel storage. These criteria address whether the proposed amendment will impact other water right holders or the on- stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

*This worksheet is not required for Applications in the Rio Grande Basin requesting changes in the purpose of use, rate of diversion, point of diversion, and place of use for water rights held in and transferred within and between the mainstems of the Lower Rio Grande, Middle Rio Grande, and Amistad Reservoir. See 30 TAC § 303.42.*

*This worksheet is not required for amendments which are only changing or adding diversion points, or request only a bed and banks authorization or an IBT authorization. However, Applicants may wish to submit the Marshall Criteria to ensure that the administrative record includes information supporting each of these criteria*

### 1. The “Marshall Criteria” (Instructions, Page. 21)

Submit responses on a supplemental attachment titled “Marshall Criteria” in a manner that conforms to the paragraphs (a) – (g) below:

- a. Administrative Requirements and Fees. Confirm whether application meets the administrative requirements for an amendment to a water use permit pursuant to TWC Chapter 11 and Title 30 Texas Administrative Code (TAC) Chapters 281, 295, and 297. An amendment application should include, but is not limited to, a sworn application, maps, completed conservation plan, fees, etc.
- b. Beneficial Use. Discuss how proposed amendment is a beneficial use of the water as defined in TWC § 11.002 and listed in TWC § 11.023. Identify the specific proposed use of the water (e.g., road construction, hydrostatic testing, etc.) for which the amendment is requested.
- c. Public Welfare. Explain how proposed amendment is not detrimental to the public welfare. Consider any public welfare matters that might be relevant to a decision on the application. Examples could include concerns related to the well-being of humans and the environment.
- d. Groundwater Effects. Discuss effects of proposed amendment on groundwater or groundwater recharge.

- e. State Water Plan. Describe how proposed amendment addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement. The state and regional water plans are available for download at:  
<http://www.twdb.texas.gov/waterplanning/swp/index.asp>.
- f. Waste Avoidance. Provide evidence that reasonable diligence will be used to avoid waste and achieve water conservation as defined in TWC § 11.002. Examples of evidence could include, but are not limited to, a water conservation plan or, if required, a drought contingency plan, meeting the requirements of 30 TAC Chapter 288.
- g. Impacts on Water Rights or On-stream Environment. Explain how the proposed amendment will not impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

## WORKSHEET 2.0

### Impoundment/Dam Information

This worksheet is required for any impoundment, reservoir and/or dam. Submit an additional Worksheet 2.0 for each impoundment or reservoir requested in this application.

*If there is more than one structure, the numbering/naming of structures should be consistent throughout the application and on any supplemental documents (e.g., maps).*

#### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: \_\_\_\_\_
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: \_\_\_\_\_.
- c. The impoundment is on-channel \_\_\_\_\_ or off-channel \_\_\_\_\_ (mark one)
  - i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / N \_\_\_\_\_
  - ii. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N \_\_\_\_\_
- d. Is the impoundment structure already constructed? Y / N \_\_\_\_\_
  - i. For already constructed on-channel structures:
    1. Date of Construction: \_\_\_\_\_
    2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N \_\_\_\_\_
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N \_\_\_\_\_
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N \_\_\_\_\_
    3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N \_\_\_\_\_
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N \_\_\_\_\_
  - ii. For any proposed new structures or modifications to structures:
    1. Applicant must contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N \_\_\_\_\_  
Provide the date and the name of the Staff Person \_\_\_\_\_
    2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N \_\_\_\_\_
      - b. Plans (with engineer's seal) for the structure required. Y / N \_\_\_\_\_
      - c. Engineer's signed and sealed hazard classification required. Y / N \_\_\_\_\_
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N \_\_\_\_\_

3. Applicants shall give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must submit a copy of all the notices and certified mailing cards with this Application. Notices and cards are included? Y / N\_\_\_\_\_

iii. Additional information required for on-channel storage:

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level:\_\_\_\_\_.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N\_\_\_\_\_ If yes, the drainage area is\_\_\_\_\_sq. miles. (If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4600).

## 2. Structure Location (Instructions, Page. 23)

- a. On Watercourse (if on-channel) (USGS name):\_\_\_\_\_
- b. Zip Code: \_\_\_\_\_
- c. In the \_\_\_\_\_ Original Survey No. \_\_\_\_\_, Abstract No. \_\_\_\_\_, \_\_\_\_\_ County, Texas.

*\* A copy of the deed(s) with the recording information from the county records must be submitted describing the tract(s) that include the structure and all lands to be inundated.*

*\*\*If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.*

- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:

Latitude \_\_\_\_\_°N, Longitude \_\_\_\_\_°W.

*\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*

- i. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):\_\_\_\_\_
- ii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N\_\_\_\_\_

## WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

This worksheet is required for each diversion point or diversion reach. Submit one Worksheet 3.0 for each diversion point and two Worksheets for each diversion reach (one for the upstream limit and one for the downstream limit of each diversion reach).

*The numbering of any points or reach limits should be consistent throughout the application and on supplemental documents (e.g., maps).*

### 1. Diversion Information (Instructions, Page. 24)

a. This Worksheet is to add new (select 1 of 3 below):

1. \_\_\_ Diversion Point No.
2. \_\_\_ Upstream Limit of Diversion Reach No.
3. \_\_\_ Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for this new point \_\_\_\_\_ cfs (cubic feet per second)  
or \_\_\_\_\_ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N \_\_\_\_\_  
*If yes, submit Maximum Combined Rate of Diversion for all points/reaches \_\_\_\_\_ cfs or \_\_\_\_\_ gpm*

d. For amendments, is Applicant seeking to increase combined diversion rate? Y / N \_\_\_\_\_

*\*\* An increase in diversion rate is considered a new appropriation and would require completion of Section 1, New or Additional Appropriation of State Water.*

e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed:

Check one		Write: Existing or Proposed
<input type="checkbox"/>	Directly from stream	
<input type="checkbox"/>	From an on-channel reservoir	
<input type="checkbox"/>	From a stream to an on-channel reservoir	
<input type="checkbox"/>	Other method (explain fully, use additional sheets if necessary)	

f. Based on the Application information provided, Staff will calculate the drainage area above the diversion point (or reach limit). If Applicant wishes to also calculate the drainage area, you may do so at their option.

Applicant has calculated the drainage area. Y / N \_\_\_\_\_

If yes, the drainage area is \_\_\_\_\_ sq. miles.  
*(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)*

## 2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): \_\_\_\_\_
- b. Zip Code: \_\_\_\_\_
- c. Location of point: In the \_\_\_\_\_ Original Survey No. \_\_\_\_\_, Abstract No. \_\_\_\_\_, \_\_\_\_\_ County, Texas.

*A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure.*

*For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.*

- d. Point is at:  
Latitude \_\_\_\_\_°N, Longitude \_\_\_\_\_°W.  
*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): \_\_\_\_\_
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 15.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

## WORKSHEET 4.0 DISCHARGE INFORMATION

This worksheet required for any requested authorization to discharge water into a State Watercourse for conveyance and later withdrawal or in-place use. Worksheet 4.1 is also required for each Discharge point location requested. Instructions Page. 26. *Applicant is responsible for obtaining any separate water quality authorizations which may be required and for insuring compliance with TWC, Chapter 26 or any other applicable law.*

- a. The purpose of use for the water being discharged will be \_\_\_\_\_.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses \_\_\_\_\_ (% or amount) and explain the method of calculation: \_\_\_\_\_
- c. Is the source of the discharged water return flows? Y / N \_\_\_\_\_ If yes, provide the following information:
  1. The TPDES Permit Number(s). \_\_\_\_\_ (attach a copy of the current TPDES permit(s))
  2. Applicant is the owner/holder of each TPDES permit listed above? Y / N \_\_\_\_\_

*PLEASE NOTE: If Applicant is not the discharger of the return flows, or the Applicant is not the water right owner of the underlying surface water right, or the Applicant does not have a contract with the discharger, the application should be submitted under Section 1, New or Additional Appropriation of State Water, as a request for a new appropriation of state water. If Applicant is the discharger, the surface water right holder, or the contract holder, then the application should be submitted under Section 3, Bed and Banks.*

3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
  4. The percentage of return flows from groundwater \_\_\_\_\_, surface water \_\_\_\_\_?
  5. If any percentage is surface water, provide the base water right number(s) \_\_\_\_\_.
- d. Is the source of the water being discharged groundwater? Y / N \_\_\_\_ If yes, provide the following information:
    1. Source aquifer(s) from which water will be pumped: \_\_\_\_\_
    2. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers \_\_\_\_\_.
    3. Indicate how the groundwater will be conveyed to the stream or reservoir.
    4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.
  - di. Is the source of the water being discharged a surface water supply contract? Y / N \_\_\_\_  
If yes, provide the signed contract(s).
  - dii. Identify any other source of the water \_\_\_\_\_

## WORKSHEET 4.1 DISCHARGE POINT INFORMATION

This worksheet is required for each discharge point. Submit one Worksheet 4.1 for each discharge point. If there is more than one discharge point, the numbering of the points should be consistent throughout the application and on any supplemental documents (e.g., maps). Instructions, Page 27.

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is \_\_\_\_\_ acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of \_\_\_\_\_ cfs or \_\_\_\_\_ gpm.
- c. Name of Watercourse as shown on Official USGS maps: \_\_\_\_\_
- d. Zip Code \_\_\_\_\_
- e. Location of point: In the \_\_\_\_\_ Original Survey No. \_\_\_\_\_, Abstract No. \_\_\_\_\_, \_\_\_\_\_ County, Texas.
- f. Point is at:  
Latitude \_\_\_\_\_ °N, Longitude \_\_\_\_\_ °W.  
*\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- g. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): \_\_\_\_\_

Map submitted must clearly identify each discharge point. See instructions Page. 15.

## WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

### 1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). Instructions, Page 28.

### 2. New Appropriations of Water (Canadian, Red, Sulphur, and Cypress Creek Basins only) and Changes in Diversion Point(s)

This section is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins and in all basins for requests to change a diversion point. Instructions, Page 30.

Description of the Water Body at each Diversion Point or Dam Location. (Provide an Environmental Information Sheet for each location),

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: \_\_\_\_\_

Other, specify: NA

b. Flow characteristics

If a stream, was checked above, provide the following. For new diversion locations, check one of the following that best characterize the area downstream of the diversion (check one).

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

Check the method used to characterize the area downstream of the new diversion location.

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: \_\_\_\_\_

c. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the stream segments affected by the application and the area surrounding those stream segments.

- Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional
- Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored
- Common Setting: not offensive; developed but uncluttered; water may be colored or turbid
- Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

d. Waterbody Recreational Uses

Are there any known recreational uses of the stream segments affected by the application?

- Primary contact recreation (swimming or direct contact with water)
- Secondary contact recreation (fishing, canoeing, or limited contact with water)
- Non-contact recreation

e. Submit the following information in a Supplemental Attachment, labeled Addendum to Worksheet 5.0:

1. Photographs of the stream at the diversion point or dam location. Photographs should be in color and show the proposed point or reservoir and upstream and downstream views of the stream, including riparian vegetation along the banks. Include a description of each photograph and reference the photograph to the maps submitted with the application indicating the location of the photograph and the direction of the shot.
2. If the application includes a proposed reservoir, also include:
  - i. A brief description of the area that will be inundated by the reservoir.
  - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
  - iii. A description of how any impacts to wetland habitat, if any, will be mitigated if the reservoir is greater than 5,000 acre-feet.

### 3. Alternate Sources of Water and/or Bed and Banks Applications

This section is required for applications using an alternate source of water and bed and banks applications in any basins. Instructions, page 31.

- a. For all bed and banks applications:
  - i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements.
- b. For all alternate source applications:
  - i. If the alternate source is treated return flows, provide the TPDES permit number \_\_\_\_\_
  - ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide:  
Reasonably current water chemistry information including but not limited to the following parameters in the table below. Additional parameters may be requested if there is a specific water quality concern associated with the aquifer from which water is withdrawn. If data for onsite wells are unavailable; historical data collected from similar sized wells drawing water from the same aquifer may be provided. However, onsite data may still be required when it becomes available. Provide the well number or well identifier. Complete the information below for each well and provide the Well Number or identifier.

Parameter	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Sulfate, mg/L					
Chloride, mg/L					
Total Dissolved Solids, mg/L					
pH, standard units					
Temperature*, degrees Celsius					

\* Temperature must be measured onsite at the time the groundwater sample is collected.

- iii. If groundwater will be used, provide the depth of the well \_\_\_\_\_ and the name of the aquifer from which water is withdrawn \_\_\_\_\_.

# WORKSHEET 6.0

## Water Conservation/Drought Contingency Plans

This form is intended to assist applicants in determining whether a Water Conservation Plan and/or Drought Contingency Plans is required and to specify the requirements for plans. Instructions, Page 31.

*The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4600, or e-mail [wras@tceq.texas.gov](mailto:wras@tceq.texas.gov). The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.*

### 1. Water Conservation Plans

a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture - including irrigation, wholesale):

1. Request for a new appropriation or use of State Water.
2. Request to amend water right to increase appropriation of State Water.
3. Request to amend water right to extend a term.
4. Request to amend water right to change a place of use.  
*\*does not apply to a request to expand irrigation acreage to adjacent tracts.*
5. Request to amend water right to change the purpose of use.  
*\*applicant need only address new uses.*
6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water.  
*\*including return flows, contract water, or other State Water.*

b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:

1.  Municipal Use. See 30 TAC § 288.2. \*\*
2.  Industrial or Mining Use. See 30 TAC § 288.3.
3.  Agricultural Use, including irrigation. See 30 TAC § 288.4.
4.  Wholesale Water Suppliers. See 30 TAC § 288.5. \*\*

\*\*If Applicant is a water supplier, Applicant must also submit documentation of adoption of the plan. Documentation may include an ordinance, resolution, or tariff, etc. See 30 TAC §§ 288.2(a)(1)(J)(i) and 288.5(1)(H). Applicant has submitted such documentation with each water conservation plan? Y / N Y

c. Water conservation plans submitted with an application must also include data and information which: supports applicant's proposed use with consideration of the plan's water conservation goals; evaluates conservation as an alternative to the proposed

appropriation; and evaluates any other feasible alternative to new water development.  
See 30 TAC § 288.7.

Applicant has included this information in each applicable plan? Y / N Y

## 2. Drought Contingency Plans

- a. A drought contingency plan is also required for the following entities if Applicant is requesting any of the authorizations in section (1) (a) above - indicate each that applies:
1.      Municipal Uses by public water suppliers. See 30 TAC § 288.20.
  2.      Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
  3. Y Wholesale Water Suppliers. See 30 TAC § 288.22.
- b. If Applicant must submit a plan under section 2(a) above, Applicant has also submitted documentation of adoption of drought contingency plan (*ordinance, resolution, or tariff, etc.* See 30 TAC § 288.30) Y / N Y

## WORKSHEET 7.0

### ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4600 for information about accounting plan requirements, if any, for your application. Instructions, Page 34.

#### 1. Is Accounting Plan Required

Accounting Plans are generally required:

- For applications that request authorization to divert large amounts of water from a single point where multiple diversion rates, priority dates, and water rights can also divert from that point;
- For applications for new major water supply reservoirs;
- For applications that amend a water right where an accounting plan is already required, if the amendment would require changes to the accounting plan;
- For applications with complex environmental flow requirements;
- For applications with an alternate source of water where the water is conveyed and diverted; and
- For reuse applications.

#### 2. Accounting Plan Requirements

- a. A text file that includes:
  1. an introduction explaining the water rights and what they authorize;
  2. an explanation of the fields in the accounting plan spreadsheet including how they are calculated and the source of the data;
  3. for accounting plans that include multiple priority dates and authorizations, a section that discusses how water is accounted for by priority date and which water is subject to a priority call by whom; and
  4. Should provide a summary of all sources of water.
- b. A spreadsheet that includes:
  1. Basic daily data such as diversions, deliveries, compliance with any instream flow requirements, return flows discharged and diverted and reservoir content;
  2. Method for accounting for inflows if needed;
  3. Reporting of all water use from all authorizations, both existing and proposed;
  4. An accounting for all sources of water;
  5. An accounting of water by priority date;
  6. For bed and banks applications, the accounting plan must track the discharged water from the point of delivery to the final point of diversion;
  7. Accounting for conveyance losses;
  8. Evaporation losses if the water will be stored in or transported through a reservoir. Include changes in evaporation losses and a method for measuring reservoir content resulting from the discharge of additional water into the reservoir;
  9. An accounting for spills of other water added to the reservoir; and
  10. Calculation of the amount of drawdown resulting from diversion by junior rights or diversions of other water discharged into and then stored in the reservoir.

# WORKSHEET 8.0 CALCULATION OF FEES

This worksheet is for calculating required application fees. Applications are not Administratively Complete until all required fees are received. Instructions, Page. 34

## 1. NEW APPROPRIATION

	Description	Amount (\$)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$). In Acre-Feet a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00 c. 5,001 - 10,000 \$500.00 d. 10,001 - 250,000 \$1,000.00 e. More than 250,000 \$2,000.00	
Recording Fee		\$25.00
Agriculture Use Fee	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	
Use Fee	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	
Recreational Storage Fee	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	
Storage Fee	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	
<b>TOTAL</b>		<b>\$</b>

## 2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
Filing Fee	Amendment: \$100 OR Sever and Combine: \$100 x ___ of water rights to combine	\$100
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
<b>TOTAL INCLUDED</b>		<b>\$ 112.50</b>

## 3. BED AND BANKS

	Description	Amount (\$)
Filing Fee		\$100.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
<b>TOTAL INCLUDED</b>		<b>\$</b>



Texas Commission on Environmental Quality

## Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

### Section 1. Preliminary Screening

- New Permit or Registration Application  
 New Activity - modification, registration, amendment, facility, etc. (see instructions)

If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.

### Section 2. Secondary Screening

- Requires public notice,  
 Considered to have significant public interest, and  
 Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

If all the above boxes are not checked, a Public Involvement Plan is not necessary.  
Stop after Section 2 and submit the form.

- Public Involvement Plan not applicable to this application. Provide brief explanation.

This form is not applicable to the application.

### Section 3. Application Information

Type of Application (check all that apply):

Air  Initial  Federal  Amendment  Standard Permit  Title V

Waste  Municipal Solid Waste  Industrial and Hazardous Waste  Scrap Tire  
 Radioactive Material Licensing  Underground Injection Control

Water Quality

- Texas Pollutant Discharge Elimination System (TPDES)
  - Texas Land Application Permit (TLAP)
  - State Only Concentrated Animal Feeding Operation (CAFO)
  - Water Treatment Plant Residuals Disposal Permit
- Class B Biosolids Land Application Permit
- Domestic Septage Land Application Registration

Water Rights New Permit

- New Appropriation of Water
- New or existing reservoir

Amendment to an Existing Water Right

- Add a New Appropriation of Water
- Add a New or Existing Reservoir
- Major Amendment that could affect other water rights or the environment

### Section 4. Plain Language Summary

Provide a brief description of planned activities.

## Section 5. Community and Demographic Information

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.

(City)

(County)

(Census Tract)

Please indicate which of these three is the level used for gathering the following information.

City

County

Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

(b) Per capita income for population near the specified location

(c) Percent of minority population and percent of population by race within the specified location

(d) Percent of Linguistically Isolated Households by language within the specified location

(e) Languages commonly spoken in area by percentage

(f) Community and/or Stakeholder Groups

(g) Historic public interest or involvement

**Section 6. Planned Public Outreach Activities**

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

Yes  No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

Yes  No

If Yes, please describe.

If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.

(c) Will you provide notice of this application in alternative languages?

Yes  No

Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.

If yes, how will you provide notice in alternative languages?

- Publish in alternative language newspaper
- Posted on Commissioner's Integrated Database Website
- Mailed by TCEQ's Office of the Chief Clerk
- Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

Yes  No

(e) If a public meeting is held, will a translator be provided if requested?

Yes  No

(f) Hard copies of the application will be available at the following (check all that apply):

- TCEQ Regional Office  TCEQ Central Office
- Public Place (specify)
- 

**Section 7. Voluntary Submittal**

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

Yes  No

What types of notice will be provided?

- Publish in alternative language newspaper
- Posted on Commissioner's Integrated Database Website
- Mailed by TCEQ's Office of the Chief Clerk
- Other (specify)

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 14-5476

OWNER: Lower Colorado River  
Authority  
P. O. Box 220  
Austin, Texas 78767

COUNTIES: Matagorda and Wharton

PRIORITY DATES: December 1, 1900;  
November 8, 1939  
and October 24,  
1983

WATERCOURSE: Colorado River

BASIN: Colorado River

WHEREAS, by final judgment and decree of the 264th Judicial District Court of Bell County, Texas, in Cause No. 115,414-A-1, In Re: The Exceptions of the Lower Colorado River Authority and the City of Austin to the adjudication of water rights in the Lower Colorado River Segment of the Colorado River Basin dated April 20, 1988, a right was recognized under Certified Filings 44, 51, 83, 89, 238, 430, 722, 747, 810, 831 and Permit 1292 authorizing the Lower Colorado River Authority to appropriate waters of the State of Texas as set forth below:

WHEREAS, on December 2, 1983, the Texas Water Commission issued Permit No. 4053 to Lower Colorado River Authority authorizing the construction of an overflow type dam on the Colorado River creating a reservoir with an impounding capacity of 305 acre-feet of water. The permittee was recognized the right to use the impounded waters for the enhancement of irrigation pumping efficiency of water authorized by Certified Filing 831;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Colorado River Basin is issued to the Lower Colorado River Authority (hereinafter called LCRA), subject to the following terms and conditions:

1. IMPOUNDMENT

- A. LCRA is authorized to maintain an existing overflow type dam and reservoir on the Colorado River and impound therein not to exceed 305 acre-feet of water. The dam is located in the Sylvenus Castleman Grant, Abstract 11, Wharton County, Texas.
- B. LCRA is authorized to maintain an existing dam and reservoir on the Colorado River and impound therein not to exceed 78 acre-feet of water. The dam is located in the Thomas Cayce Grant, Abstract 14, and the P. T. Reuben Stone Survey, Abstract 92, Matagorda County, Texas.

Certificate of Adjudication 14-5476

2. USE

LCRA is authorized to divert and use not to exceed 262,500 acre-feet of water per annum from the Colorado River to irrigate 50,000 acres of land located within the Authority's Gulf Coast Water Division Service Area in Matagorda and Wharton Counties, Texas.

3. DIVERSION

A. Location:

- (1) At a point on the east bank of the reservoir on the Colorado River authorized in Paragraph 1A, above, in the Sylvenus Castleman Grant, Abstract 11, Wharton County, Texas.
- (2) At a point on the east bank of the aforesaid reservoir on the Colorado River authorized in Paragraph 1B, above, in the John F. Bowman and Henry Williams Grant, Abstract 9, Matagorda County, Texas.
- (3) At a point on the west bank of the aforesaid reservoir on the Colorado River in the Thomas Cayce Grant, Abstract 14, Matagorda County, Texas.

B. Maximum rate:

- (1) 561.00 cfs (252,450 gpm) at Diversion Point 1.
- (2) 145.20 cfs (65,340 gpm) at Diversion Point 2.
- (3) 561.00 cfs (252,450 gpm) at Diversion Point 3.

4. PRIORITY

A. The time priority of LCRA's right is December 1, 1900 for the diversion and use of water for irrigation purposes, subject to the following conditions:

- (1) LCRA shall not impose its priority with respect to 33,930 acre-feet of water per year (the difference between 262,500 and 228,570 acre-feet per year) against any junior water right with a priority date senior to November 1, 1987.
- (2) The entire amount of water authorized herein is specifically subordinated, as to priority, to the City of Austin's Lake Austin Rights authorized and defined in Paragraph 5.A., Certificate of Adjudication 14-5471.

Certificate of Adjudication 14-5476

- B. The time priority of LCRA's right is November 8, 1939 for the impoundment of water in the reservoir authorized in Paragraph 1B, above.
- C. The time priority of LCRA's right is October 24, 1983 for the impoundment of water in the reservoir authorized in Paragraph 1A, above.

5. SPECIAL CONDITIONS

- A. Owner shall maintain suitable outlets in the aforesaid dams authorized herein to allow the free passage of water that Owner is not entitled to divert or impound.
- B. LCRA is authorized to impound water behind the dam authorized in Paragraph 1A, above, only between March 15 and October 15 of every year. During the remainder of the year, the Bascule Gate, or any other gate installed in this structure, will be in "down" or open position with no impoundment occurring.
- C. LCRA is required to operate the closing of the gate of the dam authorized in Paragraph 1A, above, so as to minimize the effects on streamflow downstream. Specifically, LCRA shall not reduce streamflow past the gate to a flow lower than 75 percent of the streamflow indicated at the U.S.G.S. streamflow station at Wharton.

The location of pertinent features related to this certificate are shown on Page Nos. 17 and 18 of the Lower Colorado River Segment Certificates of Adjudication Maps, copies of which are located in the office of the Texas Water Commission, Austin, Texas.

This certificate of adjudication is issued subject to all terms, conditions and provisions in the final judgment and decree of the 264th Judicial District Court of Bell County, Texas, in Cause No. 115,414-A-1, In Re: The Exceptions of the Lower Colorado River Authority and the City of Austin to the adjudication of water rights in the Lower Colorado River Segment of the Colorado River Basin dated April 20, 1988 and supersedes all rights of the Owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the Colorado River Basin.

Certificate of Adjudication 14-5476

This certificate of adjudication is issued subject to the Rules of the Texas Water Commission and its continuing right of supervision of State water resources consistent with the public policy of the State as set forth in the Texas Water Code.

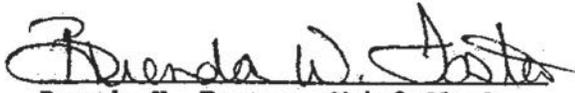
TEXAS WATER COMMISSION

  
B. J. Wynne, III, Chairman

DATE ISSUED:

JUN 28 1989

ATTEST:

  
Brenda W. Foster, Chief Clerk

# TEXAS WATER COMMISSION



## AMENDMENT TO CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-5476A

TYPE: AMENDMENT

Name:	Lower Colorado River Authority	Address:	PO BOX 220 AUSTIN TX 78767
Filed:	September 3, 1992	Granted:	NOV 18 1992
Purpose:	Hydroelectric Generation	Power County:	Matagorda
Watercourse:	Colorado River	Watershed:	Colorado River Basin

WHEREAS, Certificate of Adjudication No. 14-5476 was issued to the Lower Colorado River Authority (LCRA) on June 28, 1989, and authorizes owner to maintain two existing dams and reservoirs on the Colorado River; the Lane City Dam is authorized to impound 305 acre-feet of water and the Bay City Dam is authorized to impound 78 acre-feet of water. Owner is authorized to divert and use not to exceed 262,500 acre-feet of water per annum from the Colorado River to irrigate 50,000 acres of land within the Authority's Gulf Coast Water Division Service Area in Matagorda and Wharton Counties, Texas; and

WHEREAS, certificate owner seeks to change the description of the location of the Bay City Dam to reflect its actual location. The current description in the certificate is incorrect; and

WHEREAS, Lower Colorado River Authority seeks to amend that portion of the certificate which relates to the Bay City Dam and proposes to repair and modify the existing Bay City Dam; to increase the current pool elevation through replacing the existing flashboard system with a ten foot high reinforced concrete wall anchored to the dam's existing crest slab; to add a hydroelectric generating plant and construction of associated intake structure on the upstream side of the dam and an outfall structure located immediately downstream of the dam; and

WHEREAS, LCRA seeks to add a Diversion Point No. 4 to be associated with the intake structure and to add a maximum rate of diversion for the new diversion point of 3000 cfs; and

WHEREAS, the Texas Water Commission finds that jurisdiction over the application is established; and

WHEREAS, no person protested the granting of this application; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Water Commission in issuing this amendment.

NOW, THEREFORE, this amendment to Certificate No. 14-5476, is issued to the Lower Colorado River Authority, subject to the following:

1. IMPOUNDMENT

In Lieu of previous authorizations under Impoundment Paragraph 1. B - certificate owner is authorized to maintain an existing dam and reservoir on the Colorado River and impound therein not to exceed 1560 acre-feet at the normal maximum operating level. The Bay City Dam is located in the Bowman and Williams League, Abstract No. 9, and the Thomas Cayce Survey, Abstract No. 14, Matagorda County, approximately 3 miles southwest of Bay City, Texas.

2. USE

In addition to authorizations in Use Paragraph 2., owner is authorized:

To divert flows of the Colorado River through the Bay City Dam for hydroelectric power generation purposes. At the permittee's rate of diversion of 3000 cfs, approximately 2,142,180 acre-feet of water per annum will be diverted through the facility.

3. DIVERSION POINT

In addition to the diversion points authorized under the certificate in Diversion Paragraph A. (1, 2, & 3), owner is authorized:

Diversion Point No. 4 - At a point on the east, or left, bank of the reservoir (immediately adjacent to the dam) at a point located at Latitude 28.994° N, Longitude 96.020 W, also being N 6° W, 900 feet from the southern-most corner of the John F. Bowman and Henry Williams Grant, Abstract No. 9,

Matagorda County, Texas. The dam is at Latitude 28.994° N, Longitude 96.023 W.

The maximum diversion rate from Diversion Point No. 4 will be 3000 cfs (1,375,560 gpm).

4. TIME LIMITATIONS

- a. Modifications to the Bay City Dam shall be in accordance with plans approved by the Executive Director and shall be commenced within two years and completed within three years from date of issuance of this amendment.
- b. Failure to commence and/or complete the aforesaid modifications within the period stated above shall cause this amendment to expire and become null and void, unless certificate owner applies for an extension of time to commence and/or complete modifications prior to the respective deadlines for commencement and completion, and the application is subsequently granted.

5. SPECIAL CONDITION

- a. LCRA shall operate this dam and associated hydroelectric generation facility in accordance with their Water Management Plan, as amended.
- b. When ordered to do so by the Commission, certificate owner shall provide a means to pass inflows past the dam in such quantities as may be necessary to satisfy the rights of downstream domestic and livestock users and the senior and superior rights of other authorized users.

6. PRIORITY

- a. The time priority of the additional storage authorized under this amendment is September 3, 1992.
- b. Water diverted in the generation of hydroelectric power is used on a non-priority basis.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate No. 14-5476, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Certificate owner agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

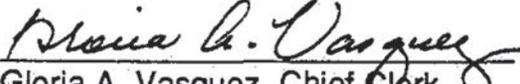
This amendment is issued subject to the Rules of the Texas Water Commission and to the right of continuing supervision of State water resources exercised by the Commission.

TEXAS WATER COMMISSION

  
\_\_\_\_\_  
John Hall, Chairman

DATE ISSUED: NOV 20 1992

ATTEST:

  
\_\_\_\_\_  
Gloria A. Vasquez, Chief Clerk

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## AMENDMENT TO A CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-5476B

Type: 11.122

Owner:	Lower Colorado River Authority	Address:	3700 Lake Austin Blvd. Austin, Texas 78703
Filed:	August 10, 2011	Granted:	September 12, 2011
Purposes:	Agricultural, Municipal, Industrial and Mining	Counties:	Wharton and Matagorda
Watercourse:	Colorado River	Watershed:	Colorado River Basin

WHEREAS, Certificate of Adjudication No. 14-5476 authorizes the Lower Colorado River Authority (LCRA) to maintain two existing dams and reservoirs (Lane City and Bay City Dam) on the Colorado River, Colorado River Basin and impound therein a combined capacity of 1,865 acre-feet of water; and

WHEREAS, in addition, the LCRA is authorized to divert and use not to exceed 262,500 acre-feet of water per year from three points on the reservoirs for Agricultural purposes to irrigate 50,000 acres of land within the LCRA Gulf Coast Water Diversion Service Area in Matagorda and Wharton Counties, Texas; and

WHEREAS, the maximum diversion rate from Diversion Point 1. on the Lane City Dam and Reservoir is 561.00 cfs (252,450 gpm), the maximum diversion rate from Diversion Point 2. located on the Bay City Dam and Reservoir is 145.20 cfs (65,340 gpm), and the maximum diversion rate from Diversion Point 3 located on the Bay City Dam and Reservoir is 561.00 cfs (252,450 gpm); and

WHEREAS, multiple time priorities and Special Conditions apply; and

WHEREAS, the LCRA seeks to amend Certificate of Adjudication No. 14-5476 to add municipal, industrial, and mining uses; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, no requests for a contested case hearing were received for this application; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code

and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 14-5476, designated Certificate of Adjudication No. 14-5476B, is issued to Lower Colorado River Authority, subject to the following terms and conditions:

1. USE

In addition to the previous authorization, Owner is authorized to divert and use not to exceed 262,500 acre-feet of currently authorized water for municipal, industrial, and mining use.

2. WATER CONSERVATION

Owner shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, or prevent the pollution of water, so that a water supply is made available for future or alternative uses. Such plans shall include a requirement that in every water supply contract entered into, on or after the effective date of this amendment, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water shall have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

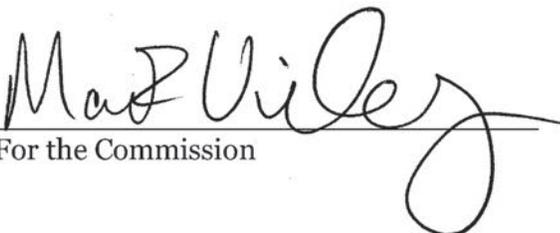
This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 14-5476, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Owner agrees to be bound by the terms, conditions, and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

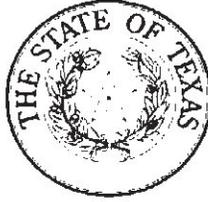
All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

  
For the Commission

Date Issued: **September 12, 2011**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AMENDMENT TO A  
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-5476C

Type:11.122

Owner: Lower Colorado River Authority

Address: P.O. Box 220  
Austin, Texas 78767

Filed: December 13, 2013

Granted: February 13, 2014

Purposes: Agricultural, Municipal,  
Industrial, and Mining

Counties: Wharton and Matagorda

Watercourse: Colorado River

Watershed: Colorado River Basin, Colorado-  
Lavaca Coastal Basin & Brazos-  
Colorado Coastal Basin

WHEREAS, Certificate of Adjudication No. 14-5476 authorizes the Lower Colorado River Authority (LCRA) to maintain two existing dams and reservoirs (Lane City and Bay City Dam) on the Colorado River, Colorado River Basin, and impound therein a combined capacity of 1,865 acre-feet of water; and

WHEREAS, the LCRA is also authorized to divert and use not to exceed 262,500 acre-feet of water per year from three points on the reservoirs for municipal, industrial, mining and agricultural purposes to irrigate 50,000 acres of land within the LCRA Gulf Coast Water Diversion Service Area in Matagorda and Wharton Counties, Texas; and

WHEREAS, the maximum diversion rate from Diversion Point No. 1 on the Lane City Dam and Reservoir is 561.00 cfs (252,450 gpm), the maximum diversion rate from Diversion Point No. 2 located on the Bay City Dam and Reservoir is 145.20 cfs (65,340 gpm), and the maximum diversion rate from Diversion Point No. 3 located on the Bay City Dam and Reservoir is 561.00 cfs (252,450 gpm); and

WHEREAS, multiple time priorities and Special Conditions apply; and

WHEREAS, the LCRA seeks to amend Certificate of Adjudication No. 14-5476 to store water authorized for diversion from the Colorado River, Colorado River Basin by Certificate 14-5476 and other sources into a 52,000 acre-foot off-channel reservoir in Wharton County for subsequent diversion and use; and

WHEREAS, the applicant indicates the off-channel storage will be located at Latitude 29.19510 °N, 96.042949°W Longitude also bearing South 12° of West, 3,000 feet from the northeast corner of the Sylvanus Castleman Survey, Abstract 12, Wharton County; and

WHEREAS, the LCRA also seeks to clarify the extent of the service area to confirm LCRA's authorization to provide water within the Colorado River Basin, as well as the adjacent Brazos-Colorado & Colorado-Lavaca Coastal Basins, within Wharton and Matagorda Counties; and

WHEREAS, the Executive Director recommends Special Conditions be included; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, no requests for a contested case hearing were received for this application; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW THEREFORE, this amendment to Certificate of Adjudication No. 14-5476, designated Certificate of Adjudication No. 14-5476C, is issued to the Lower Colorado River Authority, subject to the following terms and conditions:

1. IMPOUNDMENT

In addition to previous authorizations, Owner is authorized to construct and maintain an off-channel dam and reservoir impounding up to 52,000 acre-feet of water.

2. USE

A. Permittee is authorized to store water lawfully diverted under this permit in the off-channel reservoir authorized in Paragraph 1 and may subsequently divert and use this stored water for municipal, industrial, mining and agricultural purposes to irrigate 50,000 acres of land within the LCRA Gulf Coast Water Diversion Service Area in Matagorda and Wharton Counties.

B. In lieu of previous authorizations, Owner is now authorized to provide water within the existing service areas covering the Colorado River Basin, Brazos-Colorado Coastal Basin and Colorado-Lavaca Coastal Basin within Wharton and Matagorda Counties.

3. TIME PRIORITY

This amendment does not change the time priority of the existing authorizations.

4. SPECIAL CONDITIONS

A. Within two years and prior to commencement of construction and impoundment of water diverted from the Colorado River, Owner shall either: (a) submit a detailed statement and plans under Texas Water Code §11.144 for alterations and changes to the plans submitted with the application; or (b) file an application to extend the time for submitting a detailed statement and plans modifying the plans submitted with the application under Texas Water Code §11.144. Prior to commencement of construction, final construction plans must be submitted and approved by the Executive Director.

B. Owner may store water available from any source legally available to it, as may be evidenced by an LCRA Board reservation or other legally enforceable obligation, provided the source of water is authorized for diversion from the diversion points in this certificate.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 14-5476, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Owner agrees to be bound by the terms, conditions, and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

A handwritten signature in black ink, appearing to read "R. A. Hyle". The signature is written in a cursive style with a horizontal line extending from the end of the name.

For the Commission

Date Issued: February 13, 2014

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AMENDMENT TO A  
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-5476D	TYPE §§ 11.122, 11.042, 11.085
Owner: Lower Colorado River Authority	Address: P.O. Box 220 Austin, Texas 78767
Filed: June 29, 2016	Granted: November 13, 2017
Purposes: Agricultural, Municipal, Industrial, Mining, and Instream	Counties: Wharton and Matagorda
Watercourse: Colorado River	Watershed: Colorado River Basin, Colorado- Lavaca Coastal Basin and Brazos-Colorado Coastal Basin

WHEREAS, Certificate of Adjudication No. 14-5476 authorizes the Lower Colorado River Authority (LCRA) to maintain two existing dams and reservoirs (Lane City Dam and Bay City Dam) on the Colorado River, Colorado River Basin, and impound therein a combined capacity of 1,865 acre-feet of water; and

WHEREAS, LCRA is also authorized to divert and use not to exceed 262,500 acre-feet of water per year from three points on the reservoirs for municipal, industrial, mining and agricultural purposes to irrigate 50,000 acres of land within the LCRA Gulf Coast Water Division Service Area in Matagorda and Wharton Counties in the Colorado River Basin and the Colorado-Lavaca and Brazos-Colorado Coastal Basins; and

WHEREAS, LCRA is also authorized to construct and maintain an off-channel reservoir in Wharton County (Lane City Off-channel Reservoir) and to impound therein up to 52,000 acre-feet of water, including water authorized for diversion under this certificate and any water legally available to LCRA; and to subsequently divert and use this stored water for municipal, industrial, mining, and agricultural purposes; and

WHEREAS, the maximum diversion rate from Diversion Point No. 1 on the Lane City Dam and Reservoir is 561.00 cfs (252,450 gpm), the maximum diversion rate

from Diversion Point No. 2 located on the Bay City Dam and Reservoir is 145.20 cfs (65,340 gpm), and the maximum diversion rate from Diversion Point No. 3 located on the Bay City Dam and Reservoir is 561.00 cfs (252,450 gpm); and

WHEREAS, multiple time priorities and special conditions apply; and

WHEREAS, LCRA seeks to amend Certificate of Adjudication No. 14-5476 to add instream uses as an authorized beneficial use of water appropriated in that Certificate and subsequently released from Lane City Off-channel Reservoir, in particular to help meet freshwater inflow needs into Matagorda Bay, and to add an authorized place of beneficial use of water appropriated in that Certificate and subsequently released from Lane City Off-channel Reservoir in Matagorda Bay generally located at the mouth of the Colorado River (River Mile 6), Latitude 28.676000° N, Longitude 95.976800° W, also bearing S 11.4° E 6,580 feet from the northeast corner of the Stephen F. Austin Survey, Abstract No. 2, 1.5 miles southwest Matagorda City in Matagorda County; and

WHEREAS, LCRA also seeks to amend the service area for water appropriated in Certificate of Adjudication No. 14-5476 to include Matagorda Bay; and

WHEREAS, LCRA also seeks authorization to use the bed and banks of the Colorado River to convey water discharged from Lane City Off-channel Reservoir for subsequent diversion for beneficial uses authorized by the Certificate at any point along the Colorado River where LCRA or its customers have authorized diversion facilities for municipal, industrial, mining, agricultural or instream purposes, and for instream use in Matagorda Bay; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, the Executive Director recommends that special conditions be included in this amendment; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 14-5476, designated Certificate of Adjudication No. 14-5476D, is issued to the Lower Colorado River Authority subject to the following terms and conditions:

1. USE

In addition to the previous authorizations, Owner is authorized to use:

- A. Water appropriated in this Certificate for instream uses, subject to the Special Conditions set forth in Paragraph 6.

B. The bed and banks of the Colorado River from Lane City Dam and Reservoir to the mouth of the Colorado River (Matagorda Bay) to convey water discharged from Lane City Off-channel Reservoir.

2. DISCHARGE

Owner is authorized to discharge water from Lane City Off-channel Reservoir through a man-made channel and thence to the Colorado River at a point located at Latitude 29.192281° N, Longitude 96.070931° W, also bearing N 25° W, 860 feet from the southwest corner of the Sylvanus Castleman Survey, Abstract No. 11 in Wharton County at a maximum discharge rate during normal operations of 450 cfs (202,000 gpm) and a maximum discharge rate through the outfall of 750 cfs when Owner draws down the reservoir in response to an emergency condition related to extreme wind and precipitation events or other dam safety considerations.

3. DIVERSION

In addition to the previous authorizations, and subject to the Special Conditions set forth in Paragraph 6, Owner is authorized to divert or use the water discharged from Lane City Off-channel Reservoir at the following points:

- A. Any point along the Colorado River downstream of the discharge point authorized in Paragraph 2 where LCRA or its customers have authorized diversion facilities for municipal, industrial, agricultural, mining, or instream purposes.
- B. Matagorda Bay, generally near the mouth of the Colorado River (River Mile 6) located at Latitude 28.676000° N, Longitude 95.976800° W, also bearing S 11.4° E, 6,580 feet from the northeast corner of the Stephen F. Austin Survey, Abstract No. 2, 1.5 miles southwest Matagorda City in Matagorda County for instream use.

4. CONSERVATION

Owner shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, or prevent the pollution of water, so that a water supply is made available for future or alternative uses. Such plans shall include a requirement that in every wholesale water supply contract entered into on or after the effective date of this amendment, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water shall have water conservation requirements so that each successive wholesale customer in the resale of the water will be required to implement water conservation measures.

5. TIME PRIORITY

This amendment does not change the time priority of the existing authorizations in the Certificate.

6. SPECIAL CONDITIONS

- A. Use of water for instream uses authorized under Paragraph 1 is limited to use of water stored in Lane City Off-channel Reservoir authorized by Certificate of Adjudication No. 14-5476C and shall not exceed the amounts that, when added to the amount of other water projected to arrive at the location described in Paragraph 3.B, would help meet the monthly and/or relevant maximum seasonal levels of inflow described in the figure set forth in 30 Tex. Admin. Code § 298.330(a) when LCRA is releasing water from the Lane City Off-channel Reservoir to help meet a monthly inflow and/or a spring, fall or intervening season quantity.
- B. The diversion rate of water and, where applied to instream flow, the rate of delivery for use of water at the location described in Paragraph 3.B, is limited to a maximum combined rate not to exceed the rate of water discharged under Paragraph 2 of this Certificate, less conveyance losses to the point(s) of diversion and use.
- C. Owner shall measure and record daily the rate and amount of water discharged into the Colorado River from Lane City Off-channel Reservoir, estimated conveyance losses, and the amounts subsequently diverted and used under Paragraph 3 of this Certificate of Adjudication No. 14-5476D to meet its downstream water supply commitments to customers or used to help meet freshwater inflow needs in Matagorda Bay. Owner shall account for the amount of water used in its annual water use reports to the Commission.
- D. So long as LCRA owns Certificate of Adjudication No. 14-5437, as amended, jointly with the STP Nuclear Operating Company, on behalf of the STP Owners, and except to the extent STP Nuclear Operating Company provides prior and specific written consent, deliveries of water pursuant to this amendment to locations where STP Nuclear Operating Company owns or operates authorized diversion facilities may be made only for purposes of supplying water to STP Nuclear Operating Company consistent with Contractual Permit No. 327A using physical facilities that STP Nuclear Operating Company owns and operates, or that are owned by or operated on behalf of the STP Owners.

This amendment is issued subject to all terms, conditions, and provisions contained in Certificate of Adjudication No. 14-5476, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Owner agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of state water resources exercised by the Commission.

  
For the Commission

Date Issued: **November 13, 2017**

**LCRA Signature Authority:**

**LCRA Board Policy 102**

**LCRA Employee Policy Manual (03-31-2025)**

**LCRA Board Policy 501**

**LCRA Organizational Chart (09-25-2025)**

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## LCRA BOARD POLICY

### 102 – AUTHORITY AND RESPONSIBILITIES

June 18, 2025

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#### 102.10 PURPOSE

This policy defines the relationship between the LCRA Board of Directors and the management of LCRA through the description of responsibilities and expectations and through the establishment of guidelines for the delegation of certain powers and duties.

#### 102.20 POLICY

**102.201 Responsibilities of the Board of Directors.** The Board of Directors (Board) will establish the overall goals and objectives of LCRA, review them on an ongoing basis and adopt Board policies setting forth desired direction of management actions to attain such goals and objectives. The Board will approve an annual business plan that provides funding for the realization of those goals and objectives.

The Board will consider and establish policies in the public interest. The Board will faithfully discharge its public trust by conducting its affairs in a highly moral, ethical and sound business manner. Board members, collectively and severally, will not direct the policies and actions of LCRA from perspectives of private gain or personal advantage.

**102.202 Delegations to the GM/CEO.** The Board of Directors delegates to the general manager (GM)/CEO all general powers and duties in the LCRA enabling legislation, other applicable law, LCRA bylaws and Board policies necessary to accomplish LCRA's purpose, plans and objectives as approved by the Board, except for those specifically reserved for the Board by provisions of the LCRA enabling legislation, bylaws, Bond resolutions and other Board policies. Notable exceptions include:

- A. Authorization to borrow money or approve bond resolutions.
- B. Approval of agreements related to joint ownership of generating facilities.
- C. Setting rates charged for water and power.
- D. Approval of sale of any real property.
- E. Approval of certain contracts and purchase orders for the acquisition of consulting services, materials, supplies, equipment and related services, in accordance with related Board policies.

The Board will articulate clear and coherent goals and statements of its expectations through its policies and plans.

**102.203 Responsibilities of the GM/CEO.** The GM/CEO, as the chief executive officer of LCRA, is responsible for carrying out the business and activities of LCRA according to state law, the LCRA bylaws and Board policies.

The GM/CEO may delegate in writing any general powers, duties and related authorities, as deemed appropriate, to officers and staff members.

The GM/CEO is responsible for bringing policy matters to the attention of the Board when its current policies give inadequate direction to LCRA operations or leave LCRA at a disadvantage because of changing conditions. The GM/CEO will provide thorough, well-organized information to the Board in a timely manner. Communications to the Board will be made forthrightly and with candor in the evaluation of the conduct of business and operations of LCRA.

The GM/CEO will ensure appropriate contracting procedures are developed and implemented.

## **102.30 PROCEDURES**

**102.301 Goals and Priorities.** As provided in the bylaws, the GM/CEO each year will present to the Board objectives, goals and priorities for its consideration. These goals will clearly establish the Board's direction in key areas of LCRA affairs.

**102.302 Annual Budget.** The GM/CEO will present to the Board an annual business plan that will include operating and capital budgets to carry out the Board's goals and priorities. The business plan will include projections of LCRA's overall financial performance and capital financing plans and describe the projects, programs, and the associated revenues and expenditures for the next fiscal year.

Adoption of the business plan authorizes the GM/CEO to complete work plans and make associated expenditures within budgets as provided for in accordance with Board policies. The GM/CEO will provide quarterly updates that include indicators of performance toward key goals, actual revenues and expenditures compared to budget, future financial performance projections, and status of major capital projects. The resolution adopting the budget will establish the amount that may not be exceeded without Board approval and the guidelines for approving amendments, reallocations or adjustments to the capital and operating budgets.

## **102.40 LCRA RANGERS**

The GM/CEO may employ and commission peace officers licensed by the state of Texas and establish the priority and level of services to be provided by the LCRA Rangers in

their enforcement of laws, rules, regulations and ordinances of the state of Texas and LCRA. Such services will include, but are not limited to:

- A. Protecting people, assets, and interests of LCRA and the natural resources of Texas;
- B. Enforcing laws and rules on LCRA-managed waterways and LCRA lands; and
- C. Responding to requests for assistance to other public safety agencies in law enforcement and emergency response.

The GM/CEO or his designee will establish and maintain written procedures describing the required conduct, authority and training of the LCRA Rangers, in accordance with applicable legal requirements.

## **102.50      AUTHORITY**

LCRA enabling legislation, Texas Special District Local Laws Code, Chapter 8503

Texas Water Code, Section 49.216

LCRA bylaws, sections 2.01, 3.02, 6.01, 6.02

**EFFECTIVE:** December 1984. Amended Dec. 14, 1989; Oct. 25, 1991; Sept. 22, 1994; Dec. 15, 1999; March 22, 2000; July 1, 2002; Nov. 19, 2003; Dec. 14, 2011; and Sept. 21, 2016; reaffirmed Dec. 10, 2024; and amended June 18, 2025.

Lower Colorado River Authority

# Employee Policy Manual



## Message From the General Manager

Nothing is more important to me than keeping employees safe. I want every employee to go home safely at the end of every workday. I care about protecting employees from physical harm, and I also care about protecting employees from other harmful things – such as being pulled into legal issues or being treated in ways that are unjust. That may sound easy, but there are many LCRA employees performing vastly different jobs at any given time.

Every day at LCRA, we join together to enhance the quality of life of the Texans we serve through water stewardship, energy and community service. We rely on each other considerably to accomplish this mission. We use good judgment, work safely, follow departmental procedures, and make sure we follow all laws and regulations.

Often, good judgment is all that's needed to make sound decisions because we trust each other to know right from wrong. However, because LCRA was created by the Texas Legislature, there are federal and state laws that dictate how we must conduct ourselves.

That's one reason a policy manual comes in handy. It spells out the rules by which we must abide to protect ourselves, other employees, and LCRA and its customers. Another purpose of a policy manual is to set expectations for employee conduct and the obligation we have to always treat each other with respect.

LCRA's policy manual isn't a catch-all book for every situation, but it lays out the basic rules of the road. It sets the tone for the expectations we have across all LCRA departments to help us maintain a positive culture with a focus on staying safe while we work to accomplish our mission and vision.

We don't need hundreds of pages of policies to remind us to use good judgment and respect others, but there are some policies and procedures employees need to follow. Most departments have procedures specific to their business, and each employee is responsible for finding out what department procedures exist and following them. For example, we all follow safety procedures, and we follow environmental laws, regulations and procedures consistent with our role as a good steward of the environment.

By following this policy manual, keeping safety our top priority and making every LCRA endeavor outstanding, we will be well equipped to achieve our vision to be the public utility that sets the standard for excellence.

Many thanks for all you do,



Phil Wilson

## Legal Reminder

The policies in the LCRA Employee Policy Manual are guidelines and subject to change, as are all other policies, procedures, benefits and other LCRA programs. The LCRA Employee Policy Manual is not a contract guaranteeing employment for any specific duration.

While LCRA hopes the employment relationship will be long-term, you or LCRA may terminate this relationship at any time, for any reason, with or without cause or notice. No supervisor, manager or representative of LCRA other than certain duly authorized representatives have the authority to enter into any agreement with you for employment for any specified period of time or to make promises or commitments contrary to the foregoing.

Any employment agreement entered into by a duly authorized representative shall not be enforceable unless it is in a formal written agreement signed by you and such duly authorized individual.

If an employee has reason to believe another employee is in violation of an LCRA employee policy, he or she has an obligation to notify his or her supervisor or Human Resources or to call the LCRA Ethics Line. Failure to make such a report also is considered a violation of this employee policy manual.

**EFFECTIVE:** Jan. 2, 2018. Amended Jan. 2, 2019; Aug. 1, 2019; Jan. 2, 2020; Jan. 4, 2021; Jan. 4, 2022; Jan. 3, 2023; Feb. 15, 2023; Jan. 2, 2024; Jan. 2, 2025; and March 31, 2025.

# Table of Contents

<b><u>Code of Ethics</u></b> .....	<b>1</b>
Standards of Conduct	
Unauthorized Recording of Business Operations	
Use of LCRA Property, Resources and Technology	
Off-Site Conduct	
Workplace Violence	
Weapons	
Dress Code	
Open Communication	
<b><u>Compliance With LCRA Transmission Code of Conduct</u></b> .....	<b>5</b>
Legal Requirement	
Applicability	
Market-Sensitive Transmission Information	
LCRA Standards of Conduct	
<b><u>Employment</u></b> .....	<b>8</b>
Employment at Will	
Employee Classifications	
Non-LCRA Worker Classifications	
Equal Opportunity Employer	
Qualifications for Employment	
Required Background Checks	
Employment of Relatives	
Employment of Former Employees, Including Retirees	
Eligibility to Work	
Initial Period of Employment	
Privacy and Release of Employee Information	
Unlawful Harassment	
Duty to Report Harassment	
Retaliation for Reporting	
<b><u>Compensation and Benefits</u></b> .....	<b>13</b>
Compensation	
Nonexempt Employees	
Responsibility for Managers and Supervisors of Nonexempt Employees	
Exempt Employees	
Flexible Work Arrangements	

[Medical Restrictions](#)  
[Benefits](#)  
[Enrollment](#)  
[Family and Medical Leave](#)  
[Family Care Leave](#)  
[Vacation Leave](#)  
[Holiday Leave](#)  
[Floating Holiday Leave](#)  
[Sick Leave](#)  
[Military Leave](#)  
[Unauthorized Leave](#)  
[Tobacco](#)  
[Health Plan Tobacco Surcharge](#)  
[Tobacco Cessation](#)

**Performance** ..... 18

[Performance Review](#)  
[Progressive Discipline Process](#)

**Delegation of Authority and LCRA Representation** ..... 19

[General Delegation of Authority by General Manager](#)  
[Communicating Internally and Externally](#)  
[Social Media](#)  
[Instant Messaging](#)

**Safety** ..... 21

[Driving Safety](#)  
[Work-Related Injuries and Illnesses](#)  
[Alcohol and Illegal Drugs](#)  
[Alcohol and Illegal Drug Testing](#)  
[Refusal to Submit to Alcohol and Illegal Drug Testing](#)  
[Treatment for Alcohol and Illegal Drug Abuse](#)  
[Reporting Possible Violations](#)  
[Discipline for Alcohol and Illegal Drug Policy Violations](#)

**Environmental** ..... 25

<b><u>Records Management and Public Information</u></b> .....	<b>26</b>
<u>Records Management Compliance</u>	
<u>Approved Records Repositories</u>	
<u>Records Retention and Destruction</u>	
<u>Records of Historical Importance to LCRA</u>	
<u>Open Records Requests</u>	
<b><u>Confidential Information and Protection of Intellectual Property Rights</u></b> .....	<b>28</b>
<u>Confidential Information</u>	
<b><u>Physical Security and Cybersecurity</u></b> .....	<b>29</b>
<u>Physical Security</u>	
<u>Cybersecurity</u>	
<b><u>Use of Artificial Intelligence Applications</u></b> .....	<b>32</b>
<u>Responsible Use</u>	
<u>Compliance With Laws and Regulations</u>	
<u>Transparency and Confidentiality</u>	
<u>Bias and Fairness</u>	
<u>Incident Reporting</u>	
<b><u>Acknowledgment</u></b> .....	<b>33</b>

## Code of Ethics

At LCRA, we serve with integrity. Our Code of Ethics defines how we do business with each other and our customers. It includes guidance about conflicts of interest, gifts, bribery, use of LCRA property, telephones and computers, notice of outside employment and more. Use it as a reference for day-to-day decisions. What's included in our Code of Ethics and in LCRA's Employee Policy Manual is not all-inclusive. Employees still are required to follow individual department procedures, which also contain details specific to topics included in this manual.

**Standards of Conduct:** All LCRA employees:

- a) Shall be honest and ethical in their conduct and the performance of their duties;
- b) Shall adhere to all applicable state and federal laws and regulations and LCRA policies, regulations, rules and procedures;
- c) Shall endeavor to avoid any actions that would create the appearance that they are violating state or federal laws and LCRA policies, regulations, rules and procedures;
- d) Shall protect and conserve LCRA resources and shall not use them for unauthorized activities;
- e) Shall not hold financial interests that are in conflict with the conscientious performance of their duties and responsibilities;
- f) Shall not solicit or accept any gift, favor or service that might influence the performance of their job duties, or that employees know, or should know, is being offered to influence their conduct on the job;
- g) Shall not disclose confidential information obtained through their employment with LCRA;
- h) Shall not engage in any financial transaction in order to further any private interest using nonpublic information they obtain in the course of their employment with LCRA;
- i) Shall not make unauthorized commitments or promises of any kind purporting to bind LCRA;
- j) Shall not engage in any political activity while on LCRA time or use LCRA resources for any political activity;
- k) Shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with LCRA duties and responsibilities;
- l) Shall promptly disclose fraud, waste and/or abuse; and

m) Shall strictly adhere to all state and federal laws and regulations and LCRA policies, regulations, rules and procedures prohibiting unlawful harassment and ensuring equal opportunity for all persons.

Employees can report concerns or ask questions by contacting LCRA's Ethics officer or speaking to their manager or Human Resources contact. They also can report concerns anonymously by calling the LCRA Ethics Line or use the Ethics Line web reporting system. Employees who report concerns in good faith will not be subject to unlawful retaliation of any form.

**Unauthorized Recording of Business Operations:** Employees and other workers are prohibited from photographing or producing or copying audio or visual recordings of LCRA business operations (such as facilities, equipment, activities, conversations and procedures), unless authorized by their supervisor for legitimate work purposes. Publishing or distributing such materials also is prohibited, unless authorized by the business unit executive and the head of External Affairs or the head of Communications.

**Use of LCRA Property, Resources and Technology:** State law generally prohibits LCRA employees from using LCRA property, employees, time or resources for anything other than an authorized LCRA purpose. LCRA's electronic communications and computer systems are to be used in a responsible and informed manner, with professionalism, acceptable business practices and etiquette. Workers may use LCRA technology to send or receive information related to LCRA-provided benefits. Workers are allowed incidental personal use of the internet and electronic communications systems. Incidental personal use includes:

- Personal use of the internet on a worker's personal time (lunch breaks, off hours, etc.). To decide whether personal use of the internet is appropriate, follow the same discretion used for personal phone calls, and check with your supervisor.
  - Personal use does not include excessive or extended use of nonwork-related streaming media, e.g., Netflix, YouTube, Amazon Instant Video, Pandora, Spotify, Slacker and other internet-broadcast music and video programs.
- Incidental sending and receiving of nonwork-related email.
- Incidental participation in discussion groups on topics of personal interest.
- Incidental exploration of the internet to look for useful information resources.

Scanning personal documents to email is permitted. Any other personal use of printers, mobile radios, handheld radios and LCRA's toll-free lines is prohibited. Use of personal email accounts, such as Gmail or Yahoo accounts, to conduct LCRA business is prohibited.

**Off-Site Conduct:** LCRA employees represent LCRA when attending or participating in work-related off-site activities and are expected to comply with LCRA policies, guidelines and requirements, and to maintain professional, suitable and acceptable standards of conduct, regardless of the venue or activity.

Work-related off-site activities include, but are not limited to:

- Working at remote locations, attending work-related seminars, workshops, training or other professional development opportunities or those paid for by LCRA – including leisure time, meals, overnight lodging and excursions.
- Working off-site, at any time, if wearing items displaying the LCRA logo or while driving, riding in, or in the possession of an LCRA vehicle.
- Participating in activities that identify the employee as an LCRA employee, such as being introduced as a speaker or wearing a name badge with LCRA on it.
- Participating in all-employee, department or other group activities recognized as LCRA employee functions or paid for by LCRA.

Employees are expected to limit consumption of alcohol (if in a setting where alcohol is served and permitted by LCRA) and not behave in a way that will harm or otherwise damage LCRA's reputation.

**Workplace Violence:** LCRA expressly prohibits any acts or threats of violence, abuse, hostility or intimidation by any LCRA employee or former employee against any employee, customer or visitor in or around LCRA's facilities, or at any time they are engaged in business with, or on behalf of, LCRA.

**Weapons:** LCRA is committed to a weapons-free environment, except as required for an individual to do his or her job. It is against LCRA policy to possess firearms (concealed or not), explosives, clubs, brass knuckles, illegal knives or other weapons in LCRA buildings and in LCRA-owned fleet and pool vehicles. Employees are permitted to transport or store weapons and ammunition they are legally authorized to possess in their locked, personal vehicle while it is in an LCRA employee parking area.

Pursuant to Section 30.05, Penal Code, possession of a firearm while entering or remaining on the premises of any critical infrastructure facility operated by LCRA is prohibited.

Pursuant to Section 46.03, Penal Code, possession of a firearm at any meeting of the LCRA Board of Directors is prohibited.

**Dress Code:** In selecting appropriate work attire, employees shall first consider safety needs, in accordance with LCRA and department-specific requirements for uniforms and personal protective equipment. Managers and supervisors are responsible for ensuring their direct reports' attire is appropriate for the scope of their work activities and interactions.

**Open Communication:** LCRA's goal is to resolve questions, concerns and issues quickly and at the lowest level possible. In most situations, a discussion between an employee and his or her supervisor is the most effective way to address concerns and is encouraged as the first step of action. In the event a supervisor is unavailable or an employee is uncomfortable speaking with his or her supervisor, employees may escalate the issue to others within their management chain. Communications shall be respectful at all times. Matters of policy and management discretion are not subject to mediation.

See the Legal Procedures Manual and the Financial Management Procedures Manual for additional guidance.

# Compliance With LCRA Transmission Code of Conduct

LCRA has adopted the LCRA Transmission Code of Conduct applicable to employees and contractors who have access to market-sensitive transmission information. All employees and contractors will comply with the LCRA Transmission Code of Conduct.

## LCRA Transmission Code of Conduct

**Legal Requirement:** Public Utility Regulatory Act § 39.203 mandates that LCRA Transmission Services Corporation, as a transmission service provider, must provide transmission services to third parties at rates, terms of access, and conditions comparable to those that apply to LCRA TSC and to other LCRA business entities.

**Applicability:** This Code of Conduct applies to all employees and contractors (workers) of the Lower Colorado River Authority who have access to market-sensitive transmission information or could otherwise utilize such market-sensitive transmission information for business purposes.

**Market-Sensitive Transmission Information:** Market-sensitive transmission information is any information about the plans, construction, operation, or maintenance of LCRA TSC facilities within the Electric Reliability Council of Texas (ERCOT) that is not available to wholesale market participants, including, but not limited to: transmission outage information and scheduling, derating information, generation or load interconnection requests, and information on transmission and transformation facility planning or acquisition. For this Code of Conduct, market-sensitive transmission information is considered to be available to wholesale market participants if it is posted through ERCOT, available on the internet or otherwise published in a public forum.

## LCRA Standards of Conduct

1. **Fundamental Principle: Protection of Market-Sensitive Transmission Information.** Market-sensitive transmission information can provide competitive advantages to wholesale market participants such as generator owners and operators, wholesale electricity traders, power marketers, and others participating in or directly impacted by the wholesale electricity market within ERCOT.
2. **Employees Shall Implement the Code of Conduct.** All LCRA employees and contractors who have access to or business responsibilities associated with market-sensitive transmission information shall take all reasonable and necessary steps to adhere to this Code of Conduct.
3. **Nondiscriminatory Release of Information.** All LCRA employees and contractors who have access to or business responsibilities associated with market-sensitive transmission information shall adhere to the following Code of Conduct procedures to ensure that any provision of market-sensitive transmission information to any person not engaged in LCRA TSC transmission system operations is handled on a nondiscriminatory basis.

- a. If an employee receives a request for market-sensitive transmission information that is not, to the employee's knowledge, publicly available, the employee shall provide notice of the request to an appropriate manager (vice president) without disclosing the market-sensitive transmission information to the requestor.
  - b. All requests for market-sensitive transmission information shall be reported to and resolved by the head of Transmission Operations. Upon his or her determination that the requested market-sensitive transmission information is not confidential or otherwise excepted from public disclosure and may be made publicly available, such information will be published on LCRA TSC's public website or otherwise provided on a nondiscriminatory basis.
  - c. An employee may share limited market-sensitive transmission information with a landowner whose property LCRA TSC must access, but only to the extent that sharing that limited market-sensitive transmission information is necessary for coordination with that landowner.
4. **Confidentiality of Information.** No LCRA employee shall publicly disclose information (i) provided to LCRA TSC concerning the business or plans of any competitive entity in the ERCOT market, (ii) designated as Critical Energy Infrastructure Information, or (iii) otherwise confidential and excepted from public disclosure, unless that employee knows the information is already publicly available.
5. **Fair and Impartial Treatment of Customers.** LCRA TSC's rules and tariffs regarding transmission service shall be implemented by all employees and contractors of LCRA in a fair and impartial manner, treating each customer or entity in the same manner with respect to similar services or similar situations, and shall not unduly discriminate in favor of or against any market participant with respect to the provision of transmission services.
6. **LCRA TSC Decision-Making.** In the event an employee making decisions regarding an LCRA TSC activity becomes aware that the activity will benefit one or more competitive market participants to the detriment of one or more other competitive market participants, before LCRA TSC begins the activity, LCRA TSC shall analyze the market impacts of the activity (including any necessary modeling of available transmission capability) and present the results of the analysis to the appropriate leader at a level of vice president or above, who shall resolve such conflicts in favor of the least impactful outcome (e.g., maximize system reliability and available transmission capability).
  - a. In making decisions regarding LCRA TSC activities, Transmission vice presidents or above may consider the competitive market impacts of such activities, including those impacts presented to LCRA employees or contractors by competitive market participants and/or ERCOT (e.g., potential congestion that may result from an LCRA TSC activity), in

addition to the impacts of a decision on other LCRA TSC activities and potential costs to transmission ratepayers.

- b. In no event shall an employee knowingly make a decision regarding an LCRA TSC activity that materially risks the reliability of the interconnected electric system or intentionally promotes the interests of one competitive market participant over the interests of any other competitive market participant.
7. **Duty of All LCRA Employees.** Any LCRA employee or contractor who does not have access to market-sensitive transmission information shall not attempt to circumvent this Code of Conduct to obtain market-sensitive transmission information from an employee who has such information or from any physical or electronic storage system in which such information resides.
8. **Exceptions in Emergency.** In emergency situations as determined by ERCOT, LCRA employees and contractors may take necessary steps to keep the ERCOT grid and LCRA TSC facilities in stable operation, including, if necessary, sharing market-sensitive transmission information otherwise prohibited from being shared by this Code of Conduct. The persons sharing and receiving such information shall document the information shared, the date and time of the sharing, and the reason for sharing.
9. **Obligation to Report Concerns.** Each LCRA employee is obligated to report to the LCRA general counsel any known or suspected violation of this Code of Conduct. If a conflict arises regarding the interpretation or application of this Code of Conduct, the LCRA general counsel will resolve any disputes.
10. **Consequences of Noncompliance.** Any violation of this Code of Conduct can subject the violator, and any person with knowledge of the violation who did not immediately report it, to adverse employment action, up to and including termination of employment.

# Employment

LCRA complies with applicable federal and state requirements regarding equal employment opportunity and employment practices with respect to terms and conditions of employment. LCRA strives to provide equal opportunity and access to people who reflect the diversity of the communities in which we live and work.

**Employment at Will:** All employees at LCRA are at-will employees. This means that either the employee or LCRA may end the employment relationship at any time, for any reason or no reason, with or without notice.

## **Employee Classifications:**

- Regular employee – A person employed by LCRA for an undefined period who works a full- or part-time schedule.
- Project employee – A person employed by LCRA for a specific project and whose employment is not to exceed the length of a defined project or scope of work.
- Seasonal – A person employed by LCRA whose employment is not to exceed 120 days.

## **Non-LCRA Worker Classifications:**

- Volunteer – A person who donates their services to further a specific LCRA program without the promise or expectation of compensation.
- Unpaid intern – A person who receives school credit while observing the LCRA workplace.
- Temporary worker – An employee of a temporary agency assigned to work on a short-term assignment at LCRA not to exceed two years of continuous service.
- Outside services worker – An employee of a company who has a contract and performs work directly for LCRA.
- Professional staff augmentation worker – A person who is employed by a third party and whose skilled services are being used by LCRA for a specified time or project under terms specified in a contract with a defined scope of work.
- Independent contractor – A person who is self-employed and whose services are being used by LCRA for a specified time under terms specified in a contract with a defined scope of work. The classification of independent contractor is specifically defined by Internal Revenue Service guidelines.

**Equal Opportunity Employer:** LCRA provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, gender identity, national origin, age, disability, sexual orientation, genetic information or veteran status in accordance with applicable federal and state legal requirements governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, working conditions, compensation, benefits, leave and training.

LCRA expressly prohibits any form of unlawful employment discrimination or harassment based on race, color, religion, gender identity, national origin, age, disability, sexual orientation, genetic information, veteran status or special disabled veteran, or status in any group protected by applicable law. Unlawful interference with the ability of employees to perform their expected job duties is not tolerated.

**Qualifications for Employment:** LCRA is committed to hiring individuals who reflect diverse backgrounds and have the qualifications, values and potential necessary to achieve LCRA's goals. Individuals will be considered applicants and therefore eligible for consideration for employment if they:

- Complete the application process through LCRA's online application tool for a specific job opportunity; and
- Meet or exceed the minimum qualifications for the position.

An applicant will not be considered and will be disqualified from employment if he or she:

- Is not able to perform the essential functions of the position for which he or she is applying either with or without reasonable accommodation;
- Fails or refuses to submit to a required illegal drug or alcohol test;
- Fails or refuses to submit to a required background check; or
- Is not legally eligible to work in the United States.

Minor applicants between the ages of 16 and 18 may be employed in positions appropriate for minors as determined by federal and state child labor laws.

Employees must continue to meet or exceed the minimum qualifications for assigned positions.

Employees are required to self-report to their supervisor and Human Resources an arrest; conviction; deferred adjudication; court-mandated driving restriction, even if it only applies to personal vehicles; and any other legal action that could affect their ability to perform their job duties.

Employees who perform work requiring a commercial driver's license and who are convicted of violating, in any type of motor vehicle, a state or local law relating to motor vehicle traffic control (other than a parking violation), shall notify their supervisor and Human Resources in writing within 30 days of the date of conviction.

**Required Background Checks:** LCRA conducts background checks in an effort to provide a safe working environment; to reduce and/or prevent harm to LCRA staff, customers, guests and assets; to comply with state/federal laws and regulations; to mitigate legal liability; and to determine the suitability of a candidate or current employee for a position.

Certain disclosures and a signed authorization from the employee or finalist are required before a background check may be conducted.

LCRA will ensure all background checks are in compliance with the Fair Credit Reporting Act, as well as applicable federal and state requirements. In reviewing the results of a criminal background check, LCRA will consider only convictions and deferred adjudications that are related to the job for which the candidate or employee is being considered. Evidence of a criminal conviction or other relevant information obtained through a background check will not automatically disqualify an individual from employment.

All background checks must be completed, and their results must be verified before any candidate begins work.

Employees are subject to a new background check every seven years. Employees in certain departments may be subjected to more frequent checks, as required by law.

Rehires who have been separated from LCRA for more than 90 days are subject to a new background check.

Temporary workers are subject to the same background check requirements as LCRA employees. These checks are conducted by the temporary agency.

**Employment of Relatives:** State law prohibits LCRA from hiring relatives of members of the LCRA Board of Directors. If a member of the Board of Directors and an employee marry, one must resign immediately.

LCRA does not prohibit hiring relatives of employees. However, relatives will not be hired or transferred into positions where they are directly supervised by a relative or where their employment may create a conflict of interest. In rare circumstances, relatives may work for the same supervisor, and employees who have a relative within their reporting hierarchy must have prior written approval from an appropriate manager at least two levels above the reporting conflict.

Relatives are defined as a Board member's or employee's spouse, parents, children, brothers/sisters, grandparents, great-grandparents, grandchildren, great-grandchildren, aunts/uncles, nieces/nephews, parents-in-law, brothers/sisters-in-law, sons/daughters-in-law, or any other blood or other relationship that may cause a conflict of interest.

**Employment of Former Employees, Including Retirees:** Although former employees may reapply for employment with LCRA, no former employee, regardless of his or her former position or years of service, is entitled to or guaranteed reemployment.

If an employee is considering retirement and management foresees the possible need for the retiree's services post-retirement, the manager should contact Human Resources for guidance early in the process before discussing the potential opportunity with the employee.

Retirees who are rehired by LCRA are subject to current retirement and benefit plan provisions.

**Eligibility to Work:** New employees must present original documentation to LCRA to establish their identities and eligibility to be employed in the United States within three business days of the date employment begins, in accordance with federal law. Human Resources is responsible for collecting and maintaining the proper documentation and tracking work visa expiration dates. Employees must primarily reside and perform their job duties within Texas.

**Initial Period of Employment:** New regular (nonproject) employees must successfully complete an initial period of employment of 120 calendar days, and they are not eligible for transfer or promotion until the initial period of employment has been completed. The progressive discipline policy does not apply to an employee in the initial period of employment. Supervisors who are considering termination of an employee during the initial period of employment should consult with Human Resources.

The successful completion of the initial period of employment may not be construed as creating a contract, guaranteeing employment for any specific duration, or establishing a just-cause termination standard.

**Privacy and Release of Employee Information:** LCRA maintains personnel files with records relating to employment for each active and inactive employee and complies with federal and state laws on fair employment practices, privacy and identity protection, public information access, and the retention of these records.

Only Human Resources, or a contracted third-party vendor, is authorized to verify and/or release employment information. Upon receiving a telephone request, Human Resources will release only the dates of employment and job title(s) of current and former employees. Written requests for additional information related to pay, credit, employment references and mortgage applications will be addressed only if the requestor provides a written release from the current or former employee.

Open records requests for employment-related information will be handled in accordance with the Texas Public Information Act and other federal and state requirements, and may be released without the employee's express or written permission.

Employees are responsible for notifying Human Resources of any changes in name, Social Security number, home address, home telephone number, emergency contact, beneficiary designation and similar information.

Employees and their personal property, workspaces and LCRA-issued tools and equipment are subject to search and surveillance at any time while on LCRA premises or property or conducting LCRA business. Personal property includes, but is not limited to, purses, backpacks, briefcases, lunch containers, toolboxes and vehicles.

**Unlawful Harassment:** LCRA strives to provide a work environment that respects individual differences and is free from working conditions that interfere with an employee's work performance or create an intimidating, hostile or offensive working environment. An employee's work environment includes all locations where employees conduct LCRA business, even if not on LCRA premises or property. A hostile or offensive work environment can be created by any type of harassing behavior, whether blatant or covert in nature, whether it occurs in the workplace or outside, and whether employees are on duty or off duty.

LCRA expressly prohibits any form of unlawful harassment based on race, color, religion, sex, gender identity, national origin, age, disability, sexual orientation, genetic information, veteran status or status in any group protected by applicable law. Conduct constituting harassment by supervisors, co-workers or others, including temporary workers, vendors or customers, will not be tolerated.

**Duty to Report Harassment:** All employees are responsible for reporting possible violations – to their supervisor, next-level manager, Human Resources or the LCRA Ethics Line – in a timely manner and for conducting themselves in a manner respectful of others and free from unlawful harassment. Anyone receiving such a concern must immediately notify Human Resources. Managers and supervisors are held to a higher standard of conduct and must ensure their own behavior, and that of the employees reporting to them, is respectful and inclusive. Compliance with this policy is a condition of employment. Violations are subject to disciplinary action up to and including termination.

**Retaliation for Reporting:** LCRA prohibits any form of retaliation against an employee for reporting good faith concerns of unlawful harassment or discrimination or for assisting or participating in the investigation of such a concern. Any such retaliatory action will be considered a breach of a condition of employment and will be subject to disciplinary action up to and including termination.

Also see the Human Resources Procedures Manual for additional information.

## Compensation and Benefits

**Compensation:** LCRA compensates employees in compliance with federal wage and hour laws, as well as applicable fair employment practice laws. LCRA's compensation system also provides appropriate flexibility to make compensation decisions that support and further LCRA's business needs.

**Nonexempt Employees:** Nonexempt employees are responsible for accurately reporting all hours worked in the workweek in which the work is performed without overstating or understating. Overtime hours must be approved by the employee's supervisor before they are incurred.

### **Responsibility for Managers and Supervisors of Nonexempt Employees:**

Managers and supervisors are responsible for:

- Establishing clear expectations.
- Managing work and addressing situations when work is being performed without management direction and approval.
- Complying with federal wage and hour laws, including applying knowledge of what hours are considered compensable.
- Ensuring nonexempt employees report all hours worked in the workweek in which the work is performed.

**Exempt Employees:** Exempt employees are paid a predetermined salary for performing a job; they are not paid by the hour. Full-time exempt employees are paid the predetermined salary regardless of the number of hours actually worked in a workweek.

Part-time exempt employees are paid a predetermined salary for performing the part-time job as agreed upon regardless of the number of hours actually worked in a workweek.

**Flexible Work Arrangements:** LCRA offers employees the opportunity for flexible work arrangements based on their job responsibilities and at the discretion of their supervisor. A supervisor is not obligated to allow an employee to have a flexible work arrangement. LCRA management can change or end teleworking and flexible work arrangements at any time. Flexible work arrangements should be defined in advance for nonexempt employees.

**Medical Restrictions:** LCRA employees who are temporarily or permanently unable to safely perform their job due to a medical restriction or impairment will be treated on an individual basis based on the employee's capabilities and the business needs in compliance with the Americans with Disabilities Act, the Family Medical Leave Act, and workers' compensation laws.

Employees with a functional limitation that affects their ability to safely perform their specific job duties (with or without reasonable accommodation) must notify their supervisor of the impairment as soon as possible and prior to doing any job they may not be able to do safely because of the impairment. This includes medical restrictions or impairments resulting from injuries, illnesses, or other conditions that occur on or off the job.

Employees may be asked or required to disclose only functional limitations as they relate to the employee's job duties. When the supervisor becomes aware of a job-related functional limitation, he or she shall consult with Human Resources.

Accommodations may include an alternative work arrangement, such as light duty, to accommodate a permanent or temporary medical restriction or impairment.

To ensure workplace safety, employees must notify their supervisor when using an over-the-counter or prescription drug if a physician advises it may adversely affect their ability to work safely. The supervisor will treat this information as confidential, according to requirements of the Americans with Disabilities Act.

A supervisor who is concerned about an employee's physical or mental ability to safely perform his or her job should contact Human Resources for assistance in addressing the situation and possibly obtaining a release or "fitness for duty" examination.

**Benefits:** LCRA is committed to providing a competitive benefits package that attracts, motivates and retains high-quality employees. LCRA complies with all applicable federal, state and local required benefits.

Complete descriptions of LCRA benefit programs and policies are in LCRA's insurance contracts and plan documents, which govern in any conflict with this policy. LCRA may amend or terminate any of its benefit programs at any time. Employees can find details about the benefit programs on LCRA's intranet.

**Enrollment:** Other than during the initial eligibility period, an eligible employee may enroll, make changes to, or waive his or her benefit elections during the annual open enrollment period or when he or she has a qualifying event. Employees should contact Human Resources within 31 days of a birth, an adoption, a change in marital status, a death, or a gain or loss of other coverage to update coverage under LCRA's health and benefit plans.

**Family and Medical Leave:** Under the Family and Medical Leave Act, employees are eligible to take up to 12 weeks of unpaid family or medical leave, collectively referred to as FMLA leave, within a 12-month period. They are eligible for the leave if they have worked for LCRA at least 12 months and at least 1,250 hours in the 12 preceding months.

Upon returning from any type of FMLA leave, an employee is eligible to be reinstated to his or her former or an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment to the extent required by the FMLA.

**Family Care Leave:** Employees who qualify for FMLA also may qualify for up to 12 weeks of paid Family Care Leave. This leave is for the care of a benefits-eligible dependent on a continuous basis only and is administered in coordination with FMLA leave. FCL is available once within a rolling 24-month period and calculated from the last date FCL previously was used.

**Vacation Leave:** Vacation leave is intended to provide continuity of income when an employee takes personal time off that prevents the employee from working his or her regularly scheduled hours. Full-time regular and project employees or part-time regular or project employees whose standard hours are at least 20 hours per week accrue vacation leave time. Prior supervisory approval is required to use vacation leave. Employees can find details about vacation accruals and other program provisions on LCRA's intranet.

**Holiday Leave:** LCRA provides employees leave for each observed holiday.

**Floating Holiday Leave:** LCRA provides floating holiday leave annually. Floating holiday leave does not carry over from year to year. Floating holiday leave is intended to provide continuity of income when an employee takes personal time off that prevents the employee from working his or her regularly scheduled hours.

**Sick Leave:** Sick leave is intended to provide continuity of income to the employee in the event of health-related issues that prevent the employee from working his or her regularly scheduled hours. Sick leave also may be used for the illness of an eligible family member (spouse, child or parent) or other qualified adult. LCRA defines other qualified adult as an adult not meeting the spouse or parent definitions, including grandparents, stepparents, parents-in-law or other individuals who live in the same household and receive care from the employee.

Employees must notify their supervisor as soon as possible that they will be using sick leave. Notification should be prior to the start of the scheduled workday. If the need for sick leave is foreseeable, e.g., a scheduled surgery, the employee should seek to avoid disruption of work, providing 15 days advance notice when possible.

Supervisors are responsible for monitoring their employees' use of sick leave and establishing clear expectations. Employees may not be disciplined for sick leave that is protected under the FMLA.

If the employee claims sick leave for his or her own injury or illness and expects to be out for more than 30 days, the employee must apply for short-term disability benefits. Short-term disability benefits are available for active employees and must be requested within 30 days of the last day actual work is performed. If approved, the benefits are available once the employee has used all accumulated sick leave accruals.

**Military Leave:** Employees who serve in any branch of the United States or Texas state military forces, including reserves, are eligible for military leave for 15 normally scheduled workdays per calendar year paid at their regular pay.

Employees who serve on active military duty for more than 15 days during a year will be paid the difference between their military pay and their LCRA regular pay based on their normal work schedule (as of the date they leave employment) during the full period of military service, not to exceed five years.

Employees must notify their supervisor in advance of service unless notice is precluded by military necessity or an appropriate officer of the employee's uniformed service gives the notice. Military leave applies to covered employees who:

- Are engaged in required military training or duty.
- Are called to active duty with Texas state military forces by the governor because of an emergency.
- Are called to active military duty during a national emergency.

LCRA will follow the Uniformed Services Employment and Reemployment Rights Act of 1994 when administering reemployment.

**Unauthorized Leave:** An employee on unauthorized leave for three consecutive days or more will be deemed to have voluntarily terminated employment, and his or her employment will be terminated.

**Tobacco:** The use of tobacco products and electronic nicotine delivery systems – commonly referred to as e-cigarettes, e-cigs or vaporizers – are banned at all times in all areas where LCRA work is performed, as well as in LCRA pool and fleet vehicles. LCRA provides an environment free of tobacco and electronic nicotine delivery systems for everyone in all areas where LCRA work is performed. This includes the smoking of any tobacco product, the use of smokeless tobacco products, and the use of electronic nicotine delivery systems. This applies to employees, temporary workers, contractors and visitors.

All employees enrolled in an LCRA group health plan are required to complete a tobacco use affidavit upon hire and annually to certify their use or nonuse of tobacco products, regardless of whether the tobacco was used at an LCRA worksite. Failure to complete the affidavit will result in a monthly health plan tobacco surcharge even if the employee does not use tobacco.

**Health Plan Tobacco Surcharge:** A tobacco surcharge will be imposed for any LCRA group health plan participant who certifies he or she is a tobacco user and who has not completed the LCRA-approved tobacco cessation program. A tobacco surcharge also will be imposed for any LCRA group health plan participant who does not complete the tobacco use affidavit. The monthly surcharge will apply for the entire plan year unless the employee completes an LCRA-approved tobacco cessation program.

**Tobacco Cessation:** LCRA is committed to supporting all employees who wish to stop using tobacco products, and will provide resources to assist employees in making that change. Tobacco users will have an opportunity to participate in the tobacco cessation program each year for support in stopping tobacco use. If an employee submits documentation by Nov. 30 that he or she successfully completed a tobacco cessation program, LCRA will terminate the tobacco use surcharge at the end of the month in which the employee submitted the documentation. LCRA also will refund any tobacco use surcharges deducted from the employee's paycheck in the same plan year.

In addition, employees may qualify for an opportunity to avoid the tobacco surcharge by means other than participation in an LCRA-sponsored tobacco cessation program. Employees should contact Human Resources if they or their doctors recommend alternative programs that are right for them in light of their health statuses or circumstances.

## Performance

Reviews of employee performance should be based on lawful, job-related and nondiscriminatory criteria. This policy applies to regular employees. It does not apply to project employees or seasonal employees.

**Performance Review:** The performance review cycle is aligned with LCRA's fiscal year, July 1 through June 30. Supervisors provide a performance rating that reflects performance for the entire performance review cycle at the end of the fiscal year. After the supervisor discusses the performance review with the employee, the employee shall acknowledge receipt of the review and be provided an opportunity to comment.

Annual performance reviews shall be given to all active employees hired on or before April 1 preceding the annual review period.

Supervisors should consult with Human Resources for assistance in addressing performance deficiencies. Serious behavioral and conduct problems should be addressed in a timely manner with problem resolution through the progressive discipline process.

**Progressive Discipline Process:** When situations are heightened beyond the need for coaching, discipline may be used to help employees achieve satisfactory standards of conduct. Progressive discipline typically is used to constructively correct behavior that is unproductive, harmful, disruptive or otherwise unacceptable to the business. Disciplinary actions do not permanently disqualify an employee from consideration for future promotion, pay increases, commendations and other personnel actions because they are meant to constructively correct unwanted behavior. However, the degree of discipline is directly related to the seriousness of the offense, and can range from a written warning to a suspension to termination. LCRA may choose to bypass any and all steps of the disciplinary correction process at its discretion.

## Delegation of Authority and LCRA Representation

No employee of LCRA is authorized to take any action reserved to the Board of Directors under Board Policy 102 – Authority and Responsibilities. All other general powers and duties in the LCRA Enabling Act, bylaws, Board policies, and other applicable law necessary to accomplish LCRA’s purpose, plans and objectives are the responsibility of the general manager and those persons to whom the general manager specifically delegates such authority pursuant to the applicable law and LCRA procedures manual.

**General Delegation of Authority by General Manager:** The general manager delegates to the executive officers any and all powers and duties necessary to manage their respective departments and service areas, except for those matters reserved to the Board of Directors or general manager as specified in this policy and Board Policy 102 – Authority and Responsibilities. Executive officers are further authorized to delegate authority to their respective department managers and staff consistent with the applicable LCRA procedures manual. LCRA has implemented procedures manuals that control who may sign agreements on behalf of LCRA. See the Contract Management and Supply Chain Procurement procedures manuals.

**Communicating Internally and Externally:** Certain communications must be reviewed and approved by Communications prior to publication or distribution to ensure compliance with LCRA policies and consistency with graphic and editorial standards. Those standards are detailed in the LCRA Stylebook and Reference Guide and the Corporate Brand Guidelines on LCRA’s intranet.

The types of LCRA-related communication listed below must be reviewed and approved by Communications prior to publication, distribution or a speaking engagement. Communications may provide exceptions to this policy on a case-by-case basis.

- Advertising and marketing materials, except for legal notices and advertising for open LCRA jobs.
- External and internal written communications, including publications, brochures, booklets and flyers. This also includes communications on LCRA letterhead, from an LCRA email address or other means that identify the communication as coming from LCRA that are intended to be distributed to 25 or more members of the public, except for letters regarding LCRA litigation and the provision of legal services, and letters distributed as part of, or in response to, an open records request received by or impacting LCRA.
- Email distributed from an LCRA email account to 100 or more employees. Exceptions are email regarding LCRA litigation and the provision of legal services, and email distributed as part of, or in response to, an open records request received by or impacting LCRA. Review is not required for email from managers or their designees to employees in their reporting structures or work teams.
- Exhibits for LCRA use at public meetings.

- Webpages.
- Videos. Exceptions include employee-produced videos for their work group.
- Speaking engagements where an employee will speak in his or her capacity as an LCRA employee. The head of External Affairs or a leader within Communications should be notified of all public meetings and speaking engagements in which LCRA is a primary sponsor or a major participant, including town hall meetings, tours, conferences, public hearings and open houses.
- Communications with elected officials when not part of an employee's typical job duties. If employees who typically do not communicate with elected officials as part of their job duties are called upon to communicate with an elected official, they first must get permission from the head of External Affairs before communicating with elected officials.
- Changes to LCRA policy or to department procedures posted on LCRA's intranet.

Communications coordinates all responses to media inquiries to ensure consistency and transparency. Employees must refer requests from news media, including radio, television, newspapers, magazines, bloggers and trade press, to Communications.

**Social Media:** Refrain from using social media while on work time or on equipment LCRA has provided unless it is work-related. Also, do not use LCRA email addresses to register on social networks, political campaigns or websites, blogs or other online tools that are for personal use.

**Instant Messaging:** Instant messaging related to LCRA work-related matters is subject to LCRA's records retention policies and may be subject to disclosure under the Public Information Act and discovery requests in a litigation. Inappropriate use and/or unlawful content through instant messaging on LCRA computers may result in discipline up to and including termination from employment.

Also see the Communications Procedures Manual for additional guidance.

## Safety

LCRA is committed to maintaining a safe and productive work environment. Management believes all injuries can be prevented and places no business objective or priority over safety and health. LCRA promotes a safety culture in which unsafe acts, conditions and near misses are reported without fear of reprisal. All workers have the authority and responsibility to stop what they believe is an unsafe act or job, and they are responsible for following all applicable safe work practices and procedures for their departments and facilities.

LCRA employees shall comply with the Safety Services Procedures Manual, individual operating unit procedures and other safety-related direction as communicated from management or through Inside LCRA.

LCRA also has Public Safety, Environmental and Resilience departments that help prevent emergencies and respond to emergencies when they occur. LCRA employees managing contractors, visitors or outside resources are responsible for ensuring those personnel are aware of the basic safety and notification policies for the facilities where they work.

Workers should not respond to an emergency if they are not trained and designated to respond. They instead should go to a safe location and contact the appropriate personnel. Employees should follow the notification procedures for their work locations or departments. Workers unsure of their facility's emergency notification procedures should contact the Public Safety Communications Center (LCRA Dispatch) by dialing 8-9-1-1 from an LCRA phone, or toll free from any phone at 866-527-2267. Anyone performing work at an LCRA work site is expected to review and understand the emergency plans for his or her work location.

**Driving Safety:** Employees who operate LCRA fleet vehicles or who drive their personal vehicles for LCRA business are responsible for complying with all federal, state and local motor vehicle laws, rules, regulations and ordinances. LCRA prohibits the use of hand-held devices while operating an LCRA fleet asset. See the Fleet Operators Procedures Manual for guidance.

**Work-Related Injuries and Illnesses:** Employees or their supervisors must enter all incidents in LCRA's electronic incident reporting tool within 24 hours of the incident. Under state law, to be eligible for workers' compensation benefits, employees must report the job-related injury or illness to their supervisor and Human Resources within 30 days of the incident or becoming aware of the illness or injury. To be eligible for LCRA's wage continuation benefits, employees must report the injury or illness to their supervisor and Human Resources within 24 hours of the injury or learning of the illness.

Employees must notify their supervisor immediately if their work-related medical condition has resulted in a physician prohibiting or restricting work duties.

Employees should try to schedule follow-up appointments with as little disruption to LCRA operations as possible. Employees must give their supervisor a copy of the work status report provided by the treating physician at each appointment.

**Alcohol and Illegal Drugs:** LCRA will comply with all applicable state and federal requirements in administering its alcohol and illegal drug policies.

Some LCRA employees perform U.S. Department of Transportation-covered duties, which are duties that require utilizing a commercial driver's license, or they perform duties involved with operating a gas storage facility. These employees are subject to DOT-mandated testing requirements.

LCRA prohibits the purchase, manufacture, distribution, possession, sale, storage or use of an illegal drug while on duty or on LCRA premises or property. The consumption or possession of an open container of alcohol while on duty also is prohibited.

No employee may report for duty or be allowed to remain on duty with a blood alcohol concentration of 0.02 or greater.

No employee may report to the workplace within four hours after consuming alcohol.

No employee involved in an accident may consume alcohol for eight hours following the accident, or until the employee undergoes a post-accident alcohol test, whichever occurs first.

Distribution of a prescription drug or controlled substance, except by duly licensed and certified persons, while an employee is on duty or on premises or property controlled by LCRA is prohibited.

Employees who use or test positive for illegal drugs are prohibited from reporting to work or remaining on duty. A supervisor may not permit a subordinate employee to work when the supervisor knows the employee has engaged in conduct prohibited by LCRA policy on the use of alcohol and illegal drugs.

Employees who are tested based on a reasonable suspicion determination must arrange for someone to drive them home.

**Alcohol and Illegal Drug Testing:** Employees are subject to reasonable suspicion and post-accident testing in certain situations. Employees who complete a drug or alcohol treatment program are subject to return-to-duty and follow-up testing. Employees who perform DOT-covered duties and applicants applying for positions that include DOT-covered duties are subject to alcohol and illegal drug testing, including preemployment, preplacement, random, reasonable suspicion, post-accident, observed return-to-duty, and observed follow-up testing. Refusal to submit to testing and positive test results will be considered a violation of the drug and alcohol policy.

**Refusal to Submit to Alcohol and Illegal Drug Testing:** By continuing employment with LCRA, employees consent to alcohol and illegal drug testing as required by LCRA policy. An employee who refuses to consent to or undergo a required alcohol or illegal drug test will be deemed to have tested positive. Refusal to submit includes, but is not limited to:

- Failure to appear in a timely manner after being notified of a required test.
- Failure to provide adequate breath for testing without valid medical explanation after being notified of the requirement for breath testing.
- Failure to provide adequate urine for illegal drug testing without a valid medical explanation after being notified of the requirement for urine testing.
- Engaging in conduct that clearly obstructs the testing process.
- Leaving the scene of an on-the-job accident.

**Treatment for Alcohol and Illegal Drug Abuse:** Employees are responsible for seeking diagnosis and treatment for an alcohol or substance-abuse problem. LCRA encourages early diagnosis and treatment for alcohol and illegal drug abuse, provides an Employee Assistance Program, and offers medical insurance coverage through its medical coverage plans.

Employees shall self-report their intention to seek treatment for a drug or alcohol problem to their supervisor or Human Resources. The self-reporting opportunity cannot be used when an employee is notified that they will be tested due to pre-placement, random selection, post-accident circumstances, or reasonable suspicion to be under the influence of drugs or alcohol. Self-reporting of an intent to seek treatment after formal or informal corrective action by management related to poor performance and/or behavior does not invalidate or prohibit future performance management actions.

Supervisors receiving this information from employees must maintain confidentiality and work with Human Resources to handle the situation appropriately.

Employees will obtain sufficient documentation that they have successfully completed a licensed program and are released to return to work, and understand they will be subject to potential changes in job duties and return-to-duty and random follow-up drug and alcohol tests in the future.

Any medical information provided about individuals in connection with a treatment plan will be treated as confidential in accordance with the Americans with Disabilities Act and, where applicable, the Health Insurance Portability and Accountability Act.

**Reporting Possible Violations:** If an employee has reason to believe another employee is in violation of this policy, he or she must notify the appropriate supervisor or Human Resources immediately. The employee should not discuss the possible violation with anyone except the supervisor, Human Resources or a trained observer assigned to determine whether a violation has occurred.

If reasonable suspicion exists or an accident has occurred where there are reasonable grounds to believe an employee's actions were the cause of the accident for which damages may be incurred and/or results in an injury requiring medical attention, the trained observer or supervisor shall contact Human Resources to arrange for an alcohol or illegal drug test. If the violation involves the possession of alcohol or illegal drugs while in an LCRA vehicle, on LCRA premises or while performing LCRA duties, the employee should report the possible violation to the supervisor or Human Resources immediately.

**Discipline for Alcohol and Illegal Drug Policy Violations:** An employee who violates this policy may be subject to disciplinary action, including termination. Any failure of a required drug or alcohol test, or a refusal to submit to such a test, will result in disciplinary action, up to and including termination of employment.

## **Environmental**

Each LCRA employee has a responsibility for environmental protection, a fundamental component of all LCRA operations and activities.

LCRA is committed to compliance with all applicable environmental requirements, including laws, regulations, permits and LCRA policies, and to continuous improvement of environmental performance. LCRA managers are to direct LCRA operations and employees in a manner consistent with this commitment.

LCRA maintains an environmental management system to plan, implement, review and improve actions that are taken by a facility or department to meet its environmental obligations. LCRA employees are expected to perform their job responsibilities in accordance with the management system provisions applicable to their facility or department.

See the Environmental Affairs Procedures Manual for details.

## Records Management and Public Information

LCRA's records management program establishes how information and records are managed across the organization. LCRA's records management program applies best practices and requirements in compliance with applicable federal, state and local government records and public information laws.

**Records Management Compliance:** Employees are responsible for managing records and information under their control in accordance with the program. Managers and supervisors are responsible for ensuring their areas of supervision properly implement and comply with the program. All LCRA records and information belong to LCRA and not to the individuals or departments that create them.

**Approved Records Repositories:** LCRA adopted OnBase and Meridian/AutoDesk as the official record repositories. Records, which are final versions of documents, are required to be stored within official records repositories or Enterprise Content and Engineering Drawing Enterprise Content Management systems that have been authorized for records storage by LCRA's Legal department. Administratively valuable information, such as working papers, drafts and convenience copies, can be stored in SharePoint or OneDrive. Project Management files are allowed to remain in SharePoint for no more than 90 days after the close of the project. Project Management records are required to be migrated to the official records repository or enterprise content management system before the deletion of the SharePoint site. Storing files on the LCRA Corporate shared network drives such as I: drive and common drives is prohibited unless the department has an approved exception on file. Exceptions may be granted for applications and/or files not compatible with approved repositories.

**Records Retention and Destruction:** LCRA records shall be carefully protected and preserved from deterioration, alteration, mutilation, loss, removal or destruction, except as provided by the authorized destruction procedures in the records management program. The state-approved LCRA master records retention schedule sets the required retention periods that LCRA records are retained. Records that have met retention shall be destroyed according to the LCRA records management program.

**Records of Historical Importance to LCRA:** LCRA Archives is the official repository for records of enduring value that document the origin and development of LCRA. Any LCRA records and information that are deemed to possess, or continue to possess, historical value are irreplaceable business assets, and they should be preserved within the LCRA Archives.

**Open Records Requests:** An open records request is any written request received by the public information coordinator to view or receive copies of information that is outside of the normal information flow between LCRA employees and its usual customers or contractors. By state law, LCRA must respond to written requests within a reasonable time, or file any necessary documentation with the Texas Attorney General's Office within 10 business days from the date the request was received when asserting any exceptions to disclosure. An employee who receives an open records request should contact LCRA's Office of General Counsel.

## **Confidential Information and Protection of Intellectual Property Rights**

**Confidential Information:** Employees shall prevent the disclosure and publication of confidential and privileged information, except as permitted by agreement or required by law or court order. Confidential and privileged information may be generated or collected by LCRA or provided by its vendors and business partners.

Confidential and privileged information includes but is not limited to:

- Any information subject to a confidentiality provision in a contract.
- Any LCRA or LCRA nonprofit corporation strategy that is not public.
- Any financial data that is not public.
- Any employee's personal information.
- Data contained in any nonpublic report.
- Any intellectual property that was developed by any officer or employee of LCRA in the course and scope of his or her employment, including but not limited to software or other information technology, and also information for which LCRA has applied to the United States Copyright Office, the United States Patent and Trademark Office or the Texas secretary of state.
- Any nonpublic information of any form obtained or provided in the course of the rendition of legal advice by any attorney representing LCRA, including but not limited to any information or other work product prepared in anticipation of litigation and/or for trial.
- Any information related to critical infrastructure.
- Any internal risk or vulnerability assessments or audit findings.
- Any nonpublic information that could give an electric energy competitor an advantage, including but not limited to: wholesale power contracts and any information related to the rights of the parties thereunder; fuel acquisition, hedging, risk management, sales, transportation contracts and any information relating to the rights of the parties thereunder; other energy-related contracts, including, without limitation, contracts for capacity purchases, energy purchases and sales, and ancillary services; energy-related forecasts to the extent not publicly available, including power plant outage schedules; system load characteristics to the extent not publicly available; nonpublic pricing, including but not limited to prices for electric power purchases or sales, fuel, operations and maintenance contracts, or capital improvements; and customer billing, use and contract information to the extent not publicly available.

Each department is responsible for maintaining and protecting confidential and privileged information in compliance with all applicable laws and regulations. Employees who receive requests to disclose confidential and privileged information must follow the Confidentiality procedures in the Legal Procedures Manual. These obligations are ongoing and continue after the worker no longer is employed at LCRA.

## Physical Security and Cybersecurity

**Physical Security:** Employees and individuals who fall within the non-LCRA worker classifications are accountable for properly using physical security systems, including but not limited to:

- Using the person's assigned badge to enter buildings and areas that require badge access.
- Not allowing others to use the person's assigned badge to enter buildings or areas that require badge access or for any other reason.
- Reporting a lost or stolen badge immediately.
- Not circumventing physical security measures that are in place.
- Promptly reporting any suspicious activity to LCRA Public Safety.

**Cybersecurity:** Protecting all of LCRA's assets from security threats is critical to prevent interruptions to service, help ensure the organization's long-term stability and safeguard LCRA's reputation. Every LCRA worker operating or accessing any LCRA technology has an important role to play in protecting LCRA's assets.

The Cybersecurity department's authority encompasses all LCRA information systems, industrial control systems and associated information, regardless of form. In addition to the policies provided in this manual, LCRA employees shall comply with the Resilience Procedures Manual and the LCRA Cybersecurity Framework.

Personally owned devices, including phones, mobile devices, and any USB and other types of devices not previously approved by Cybersecurity, must never be connected directly to either the corporate local area network or to devices connected to the corporate LAN via USB or other ports. When working on the premises, personally owned devices must use either their carrier's mobile network or an LCRA Wi-Fi network designated for personal device use. Personally owned devices must use designated LCRA remote-access mechanisms to access internal network resources. For protection of critical infrastructure and security purposes, the following technologies are prohibited on any device used to access LCRA networks or resources, including personal and/or LCRA-provided devices.

### Prohibited Software/Applications/Developers

- Alipay
- ByteDance Ltd.
- CamScanner
- DeepSeek
- Kaspersky
- Lemon8
- Moomoo
- QQ Wallet
- RedNote

- SHAREit
- Tencent Holdings Ltd.
- Tiger Brokers
- TikTok
- VMate
- WeBull
- WeChat
- WeChat Pay
- WPS Office
- Any subsidiary or affiliate of an entity listed above.

#### Prohibited Hardware/Equipment/Manufacturers

- Dahua Technology Company
- Huawei Technologies Company
- Hangzhou Hikvision Digital Technology Company
- Hytera Communications Corporation
- SZ DJI Technology Company
- ZTE Corporation
- Any subsidiary or affiliate of an entity listed above.

An updated list of prohibited technologies may be found at:  
<https://dir.texas.gov/information-security/prohibited-technologies>

Multifactor authentication is required at LCRA to access the LCRA corporate environment. LCRA uses Microsoft Authenticator for multifactor authentication. Microsoft Authenticator must be installed on a worker's mobile device when they begin work for LCRA.

Contact Digital Services for assistance using personally owned devices to access LCRA information and network resources.

Employees and individuals who fall within the non-LCRA worker classifications with LCRA computer network access are required to complete computer-based cybersecurity awareness training assigned via the Learning Management System. The computer-based training is assigned by the Cybersecurity department annually and periodically throughout the year. Personnel assigned to North American Electric Reliability Corporation-related positions must comply with all cybersecurity awareness training as per applicable regulations.

Employees and individuals who fall within the non-LCRA worker classifications shall protect confidential and privileged information at all times, including but not limited to locking their computer workstations when they are away from their desks and storing paper, nondigital media and removable media containing confidential information in a secure location.

Employees and individuals who fall within the non-LCRA worker classifications should have no expectation of privacy in the use of all LCRA technology, including but not limited to email, chat, text, computer systems, voicemail, pagers, cellphones, tablets and mobile radios. All activity is subject to monitoring.

Only LCRA-approved and properly licensed software shall be used for LCRA business or installed or accessed on LCRA systems. Peer-to-peer file sharing technologies and “shareware” software are prohibited.

Access to LCRA computer systems is controlled by unique identifiers and passwords/passphrases or personal identification numbers. Employees and individuals who fall within the non-LCRA worker classifications shall not share passwords or other access controls, attempt to bypass or defeat security controls, or attempt to access systems or data unless a legitimate, approved and documented business reason exists.

LCRA will comply with all applicable state, federal and other regulations, LCRA policies and standards, and business requirements to ensure that access privileges to LCRA systems and LCRA facilities for any employee, temporary worker, outside services worker or contractor are terminated as soon as possible following separation of employment or where access is no longer required.

Termination information is confidential and shall be treated as such by all employees who may be recipients of access removal information.

## Use of Artificial Intelligence Applications

**Responsible Use:** LCRA's policy on artificial intelligence applications applies to both LCRA-licensed software and publicly available and open-source tools such as ChatGPT. To protect LCRA's cybersecurity and avoid the risk of compromising confidential or sensitive data, workers must ensure that they only use LCRA-approved AI technologies for LCRA business purposes. LCRA workers must use AI applications responsibly and ethically, avoiding any actions that could harm others, jeopardize confidentiality, disrupt LCRA operations, violate privacy or facilitate malicious activities. See LCRA's Artificial Intelligence Procedures Manual for instructions on how to determine if an AI solution has been approved for use and what to do if an employee is interested in obtaining approval to use a previously unapproved AI tool.

**Compliance With Laws and Regulations:** Workers must use AI applications in compliance with all applicable laws and regulations, including data protection, privacy and intellectual property laws.

**Transparency and Confidentiality:** Workers must be transparent about the use of AI applications in their work, ensuring that both internal and external stakeholders are aware of the use of such technology through conspicuous labeling in the form of footers, watermarks or other reasonable means.

Workers are responsible for the validity of data generated by AI systems and should be prepared to explain and justify outcomes. Likewise, workers must adhere to LCRA's data privacy, confidentiality and cybersecurity policies when using AI applications, ensuring confidential, competitive electric and attorney-client privileged communications, critical infrastructure, and/or other information that is proprietary in nature is secure at all times. Workers should check with their supervisors to determine whether additional procedures may apply.

**Bias and Fairness:** Workers must actively work to identify and mitigate any human biases or erroneous machine learning assumptions that may be present when using AI applications, ensuring that these systems are fair, inclusive and compliant with all applicable laws and regulations. Recognizing that AI-generated recommendations come with inherent limitations, workers must ethically use AI applications to augment human decision-making, rather than replace it.

**Incident Reporting:** Workers must report any suspected violations of this policy or any potential ethical, legal or regulatory concerns related to AI use to their supervisor, the chief information security officer and/or LCRA's ethics officer. Violations of this policy may result in disciplinary action, up to and including termination of employment, in accordance with LCRA's disciplinary policies and procedures.



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**LCRA BOARD POLICY**  
**501 – WATER RESOURCES**

**Oct. 21, 2025**

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**501.10      PURPOSE**

This policy establishes guidelines for implementing LCRA's responsibilities regarding: water supply management, planning and development; water conservation; environmental flows; water quality protection; water contracts and rates; and the temporary lowering of LCRA-operated lakes.

**501.20      WATER SUPPLY MANAGEMENT, PLANNING AND DEVELOPMENT**

**501.201 Water Supply.** LCRA will take initiative in appropriate management, planning, programs and projects to control, store, preserve, use, develop, conserve and manage the water supplies under its jurisdiction. To guide this effort, LCRA will adhere to the following general principles:

1. As a regional water supplier, LCRA will, where practically feasible, cooperate with regional efforts to benefit the Colorado River basin.
2. LCRA will optimize its water supply by managing its available water supplies with a basinwide perspective of ensuring firm water supplies are available during an extended drought while continuing to make interruptible supplies available whenever possible. With regard to water stored in lakes Buchanan and Travis, LCRA will achieve this objective, in part, through the development and implementation of its state-approved Water Management Plan.
3. While maximizing the potential supplies available from its Colorado River water rights in an economically feasible manner, LCRA may consider development of new, economically feasible supplies to serve its customers.
4. LCRA will monitor developments affecting water law, water rights permitting and federal regulation of water resources and, where necessary, take action to ensure the legal rights and obligations LCRA has as a regional water supplier are not significantly and adversely affected by such activities.
5. LCRA will explore opportunities to improve the reliability of water supply for agricultural needs through diverse, economically feasible strategies that increase available supply in the lower basin while minimizing the impact on firm water customers.

6. A preference for a basinwide approach will be given when pursuing water supply strategies.

. **Public Engagement.** LCRA will provide information to the public about plans for future water supply projects and will solicit feedback from the public in the decision-making process. LCRA's public engagement process may include the use of one or more of the following: advisory committees, community forums, town hall meetings or open houses, media outreach, dedicated webpages, online feedback forms, and other strategies, as appropriate, in addition to any applicable regulatory agency-required public process. The timing, scope and details of LCRA's public engagement process for any specific project will be determined by the general manager (GM)/CEO or his or her designee and will depend on the size and nature of the project.

For example, for any new water supply project that is expected to create 10,000 acre-feet or more per year, staff may:

- Meet with stakeholder groups and, as appropriate, individuals to provide information about the proposed project, answer questions and solicit input.
- Create a dedicated webpage designed to educate the public about the proposed project and to solicit input from stakeholders and other interested participants. The webpage may provide information relevant to the proposed project, including meeting presentations, participant comments and LCRA's responses, and appropriate technical information.
- Provide periodic progress reports to the Water Operations Committee in public meetings of the committee, including reports on feedback and input received from the public.

Nothing in this policy shall be construed as requiring the disclosure of information that is protected under Texas open government laws.

### **501.30 WATER CONSERVATION**

LCRA will meet or exceed state water conservation requirements and provide leadership in promoting the conservation of water. LCRA's commitment to conserving water will be achieved by implementing a variety of programs designed to encourage the conservation of water.

### **501.40 ENVIRONMENTAL FLOWS**

LCRA is committed to maintaining, and where reasonably possible, improving fish, wildlife and recreation resources within the lower Colorado river basin and Matagorda Bay system. LCRA will continue to be a leader in developing high-quality science on environmental flows for the benefit of the lower Colorado River basin consistent with all legal requirements and Board policies. LCRA will provide water to help meet environmental flow needs in a manner that does not diminish or hamper its ability to meet current and future water demands of other beneficial users in the basin.

## **501.50 WATER QUALITY PROTECTION**

LCRA will provide leadership in protecting water quality and, where reasonably possible, improving the quality of the surface water and groundwater within the lower Colorado River watershed. LCRA will seek to protect against degradation of water quality and will support recreation, aquatic life and water supply uses of the waters under its jurisdiction. LCRA will implement this goal through monitoring, assessment, advocacy, contracting, regulatory oversight, and reliance on the best available science, technology and innovation. LCRA will cooperate with other concerned public and private entities to help address issues of concern related to water quality within the lower Colorado River watershed, including groundwater.

## **501.60 WATER CONTRACTS AND RATES**

**501.601 Water Contracts.** LCRA will adopt and implement reasonable rules for the consideration, issuance, and fair and appropriate administration of raw water contracts consistent with all legal requirements and Board policies. The GM/CEO or his or her designee shall develop standard contract terms and conditions consistent with all legal requirements, Board policies and rules.

**501.602 Water Rates.** LCRA's rates will be just and reasonable, not unduly discriminatory, and set to fully recover LCRA's costs to control, store, preserve, conserve, use, plan, develop, manage, distribute and sell the water supplies under its jurisdiction, consistent with state law. The rates will be designed to allow LCRA to be self-supporting in providing these services and with the goal of providing for a stable and predictable source of revenue.

**501.603 Board Consideration and Public Input.** Implementation of new rates will be carried out within a time frame that attempts to minimize adverse impacts upon the customers of LCRA. All contract rules and rates will be presented to the LCRA Board of Directors for approval, and the public, including all water customers, will be afforded an opportunity to comment on such actions before the Board's consideration for approval.

## **501.70 LOWERING LCRA-OPERATED LAKES**

The GM/CEO may authorize the temporary lowering of Inks Lake, Lake LBJ, Lake Marble Falls and Lake Austin only if such lowering will not interfere with LCRA's essential operations, unreasonably impact aquatic habitat or result in any unrecovered losses related to water supply and are otherwise consistent with LCRA's water rights and existing contracts and leases. Any lowering of Lake Austin or any lowering of Inks Lake, Lake LBJ or Lake Marble Falls that occurs with a frequency of more than once every four years shall not result in any unreasonable losses related to hydroelectric revenues as determined by the GM/CEO or his or her designee. The GM/CEO may approve a lowering of a lake on a more frequent basis than allowed above if the GM/CEO determines it is necessary to address health and safety concerns associated with major flood events or maintenance or repairs at LCRA-owned or operated facilities.

**501.80      AUTHORITY**

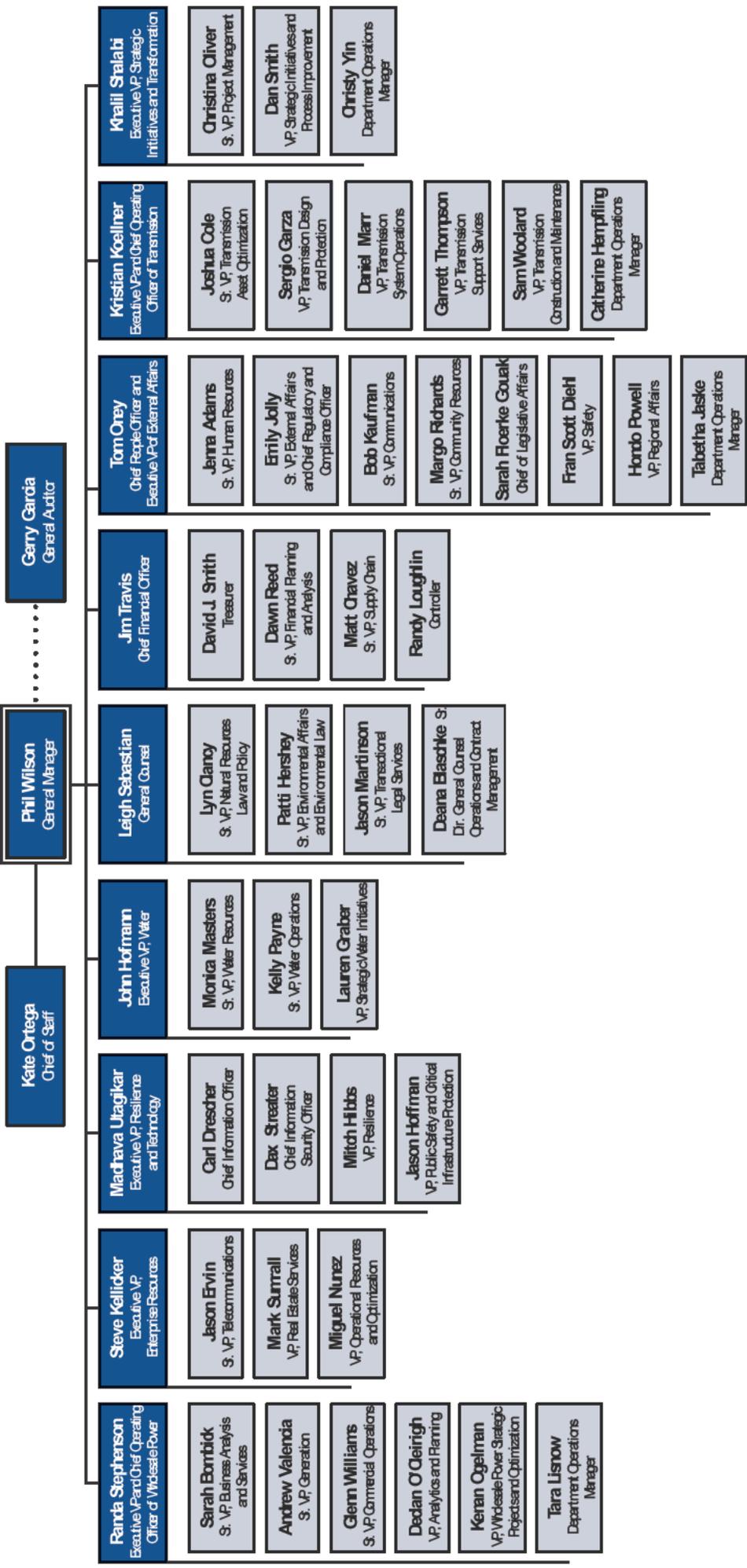
Texas Water Code, chapters 11 and 12

Texas Special District Local Laws Code sections 8503.001, 8503.004, 8503.0105, 8503.011, 8503.012, 8503.013, 8503.028, 8503.029 and 8503.030

**EFFECTIVE:** Dec. 15, 2010. Amended Sept. 21, 2016; Aug. 21, 2019; and Oct. 21, 2025.

# LCRA Organizational Overview

Updated Sept. 25, 2025



## **The Marshall Criteria [Worksheet 1.2]**

### Administrative Requirements and Fees.

All administrative requirements contained in TCEQ's administrative rules for amendment applications have been satisfied.

### Beneficial Use.

The requested amendment enhances LCRA's flexibility in where and how it can use the water diverted under this water right for the beneficial purposes that are already authorized under Certificate No. 5476, as amended (municipal, industrial, agricultural and instream uses)

### Public Welfare.

The requested amendment allows LCRA to use this water right to meet various water needs in areas LCRA already has the authority to serve, which can result in improved operational efficiencies for LCRA's water supply system, such as reducing releases of water from the Highland Lakes to meet those needs and avoiding stream losses associated with such deliveries. Thus, the requested amendment constitutes a benefit to the public welfare.

### Groundwater Effects.

No changes in authorized diversion locations, volumes, or rates are requested. Thus, the requested amendment will have no greater effect on groundwater than diversions and uses already authorized under the existing water right. The requested amendment would not increase the amount of water that may be depleted from the stream.

### State & Regional Water Plan.

The requested amendment is not inconsistent with the regional water plan for Region K. The plan identifies ongoing water demand for various beneficial uses that could be served as a result of the increased operational flexibility afforded by the requested amendment. Therefore, the requested amendment is consistent with meeting an identified demand.

### Waste Avoidance.

The requested amendment will allow LCRA to more efficiently deliver water to customers using water from the nearest source rather than having to release water from LCRA's upstream water reservoirs, lakes Buchanan and Travis. Further, the requested amendment will allow LCRA to provide targeted deliveries of water for instream uses to marshes that support the health of the Matagorda Bay system using the existing canals within the Gulf Coast Water Division. The requested amendment will thus avoid waste and achieve water conservation, entirely consistent with the terms and conditions of the existing water right, which already includes specific special conditions related to water conservation. The LCRA Water Conservation Plan has been previously provided to TCEQ and is available on LCRA's website: [lcra.org/download/lcra-water-conservation-plan/?wpdmdl=33607](http://lcra.org/download/lcra-water-conservation-plan/?wpdmdl=33607). Moreover, LCRA has drought contingency plans (DCPs) for its firm customers and for its interruptible agricultural customers. The LCRA Firm Water DCP is currently included as Appendix F to the 2020 WMP, [lcra.org/download/lcra-firm-drought-contingency-plan/?wpdmdl=33316](http://lcra.org/download/lcra-firm-drought-contingency-plan/?wpdmdl=33316).

Impacts on Water Rights or In-stream Environment.

The requested amendment will have no adverse or greater impact on any existing water rights or on the in-stream environment than would occur if the water right was fully exercised according to its current terms and conditions.

**Exhibit E. Addendum to Worksheet 6.0**

**Contents**

**Page**

- **LCRA Water Conservation Plan.....3-42**
- **LCRA Drought Contingency Plan.....43-48**
- **Documentation of Adoption.....49-53**

# 2024 LCRA Water Conservation Plan



*Approved April 2024*

<b>1.0 INTRODUCTION .....</b>	<b>4</b>
1.1 PURPOSE AND POLICY .....	4
1.2 HISTORY OF LCRA WATER CONSERVATION .....	4
1.3 2019 WATER CONSERVATION PLAN RESULTS .....	5
1.4 2024 WATER CONSERVATION PLAN DEVELOPMENT .....	5
<b>2.0 BASELINE PROFILE AND WATER CONSERVATION GOALS .....</b>	<b>6</b>
2.1 OVERVIEW OF LCRA WATER SERVICE AREA .....	6
2.2 WATER USE .....	9
2.2.1 Municipal Water Use .....	9
2.2.2 Irrigation and Recreation Water Use .....	9
2.2.3 Industrial Water Use.....	9
2.2.4 Domestic and Temporary Water Use .....	10
2.2.5 Agricultural Irrigation Water Use .....	10
2.3 2024 WATER CONSERVATION GOALS .....	12
<b>3.0 FIRM WATER CONSERVATION STRATEGIES .....</b>	<b>13</b>
3.1 MONITORING AND RECORD MANAGEMENT SYSTEM .....	13
3.2 MONITORING AND MEASURING WATER USE .....	13
3.3 RESERVOIR SYSTEMS OPERATIONS PLAN.....	13
3.4 FIRM WATER CONTRACT REQUIREMENTS .....	14
3.5 WATER RATES .....	14
3.6 CUSTOMER COST-SHARE PROGRAM .....	14
3.7 END-USER CONSERVATION INCENTIVES .....	15
3.8 LANDSCAPE IRRIGATION EVALUATIONS .....	15
3.9 PUBLIC EDUCATION AND AWARENESS .....	15
3.10 SCHOOL EDUCATION.....	16
3.11 LCRA FACILITIES .....	17
3.12 MUNICIPAL CUSTOMER MANDATORY REQUIREMENTS .....	17
3.13 CITY OF AUSTIN/LCRA WATER PARTNERSHIP .....	18
3.14 CONSERVATION RESEARCH AND VERIFICATION .....	18
<b>4.0 AGRICULTURAL WATER CONSERVATION STRATEGIES .....</b>	<b>18</b>
4.1 MONITORING AND RECORDS MANAGEMENT STRATEGY.....	19
4.2 AGRICULTURAL WATER RATES .....	19
4.3 AUTOMATION AND MODERNIZATION OF GATES .....	20
4.4 CANAL LINING .....	20
4.5 PRECISION LAND LEVELING .....	20
<b>5.0 WHOLESALE POWER GENERATION.....</b>	<b>22</b>
5.1 INTRODUCTION .....	22
5.2 BASELINE PROFILE .....	22
5.2.1 Water Use .....	24

5.2.2 Natural Evaporation .....	24
5.3 WATER CONSERVATION SAVINGS AND GOALS.....	25
5.4 SYSTEMWIDE CONSERVATION STRATEGIES .....	25
5.4.1 LCRA POWERHOUSE Education Program.....	25
5.4.2 Metering and Leak Detection .....	26
5.5 CONSERVATION PLANS FOR LCRA POWER PLANTS .....	26
<b>APPENDIX A .....</b>	<b>27</b>
MUNICIPAL FIRM WATER CUSTOMER CONTRACTED USE – 2019-2023.....	27
IRRIGATION FIRM WATER CUSTOMER CONTRACTED USE – 2019-2023 .....	28
INDUSTRIAL FIRM WATER CUSTOMER CONTRACTED USE – 2019-2023.....	30
<b>APPENDIX B .....</b>	<b>31</b>
<b>LOST PINES POWER PLANT WATER CONSERVATION PLAN.....</b>	<b>31</b>
1.0 LOST PINES POWER PARK DESCRIPTION .....	31
2.0 LOST PINES POWER PARK WATER USE.....	32
2.1 CONDENSER COOLING.....	32
2.2 BOILER MAKEUP WATER .....	33
2.3 EMPLOYEE SANITATION .....	33
2.4 LANDSCAPE IRRIGATION .....	33
3.0 LOST PINES POWER PARK WATER CONSERVATION GOALS AND STRATEGIES .....	34
<b>APPENDIX C .....</b>	<b>35</b>
<b>FAYETTE POWER PLANT WATER CONSERVATION PLAN.....</b>	<b>35</b>
1.0 FAYETTE POWER PROJECT DESCRIPTION.....	35
2.0 FAYETTE POWER PROJECT WATER USE.....	35
2.1 CONDENSER COOLING.....	36
2.2 STACK GAS SCRUBBERS .....	36
2.3 INDUSTRIAL WASTEWATER POND NATURAL EVAPORATION .....	36
2.4 BOILER SOOT BLOWING AND VENTS .....	37
2.5 FPP BOILER SEAL SYSTEMS AND BOTTOM ASH REMOVAL .....	37
2.6 PLANT WASH-DOWN SYSTEMS AND DUST SUPPRESSION .....	37
2.7 POTABLE WATER PURCHASES .....	37
3.0 FAYETTE POWER PROJECT WATER CONSERVATION FEATURES AND STRATEGIES.....	38
<b>APPENDIX D .....</b>	<b>38</b>
<b>FERGUSON POWER PLANT WATER CONSERVATION PLAN.....</b>	<b>38</b>
1.0 FERGUSON POWER PLANT DESCRIPTION.....	38
2.0 FERGUSON POWER PLANT WATER USE .....	39
2.1 CONDENSER COOLING .....	39
2.2 BOILER MAKEUP WATER .....	39
2.3 EMPLOYEE SANITATION .....	39
2.4 LANDSCAPE IRRIGATION .....	39
3.0 FERGUSON POWER PLANT WATER CONSERVATION FEATURES AND STRATEGIES .....	40

# **1.0 INTRODUCTION**

## **1.1 Purpose and Policy**

The Lower Colorado River Authority (LCRA) is a water conservation and reclamation district established by the Texas Legislature in 1934. LCRA was created to manage water supply and flooding in the lower Colorado River basin, generate and distribute electric power, protect the quality of surface water within the lower Colorado River basin, and provide water and land recreational opportunities for the residents of Texas.

LCRA developed this Water Conservation Plan for municipal, irrigation, recreation, industrial and agricultural water rights. This plan fulfills requirements of the Texas Administrative Code, Title 30, Chapter 288, Subchapter A, Water Conservation Plans, and Subchapter C, Required Submittals. This Water Conservation Plan supersedes the components of the LCRA Water Conservation Plan approved by the LCRA Board of Directors in 2019.

## **1.2 History of LCRA Water Conservation**

Water conservation is an important strategy for mitigating the effects of urban growth on the region's water resources, particularly in Travis County and surrounding areas. In addition to reducing future water demands, water conservation can make important contributions toward satisfying the water and wastewater service requirements of growing urban populations and economies. More than 25 years ago, LCRA implemented a comprehensive water conservation program targeted at what was then the two largest water use sectors within the water service area -- irrigated agriculture and municipal.

In 1989, prior to the Texas Administrative Code, Chapter 288 rules, LCRA developed Rules for Water Conservation and Drought Contingency and required all firm water customers applying for a new or modified contract to develop plans in accordance with these rules. At that time, LCRA also began providing conservation program planning support to its wholesale municipal water customers by offering technical assistance, coordinating plumbing retrofit programs and developing education efforts.

As the largest historical user of water in the lower Colorado River basin, irrigated agriculture provided a good opportunity for LCRA to reduce overall water demand through conservation programs. Between 1989 and 1997, the introduction of volumetric pricing and canal rehabilitation is estimated to have saved approximately 13% a year, or about 41,500 acre-feet annually, of the projected water use that would have occurred without conservation practices in place. House Bill (HB) 1437 was passed in 1999, allowing up to 25,000 acre-feet of water to be transferred to Williamson County subject to a requirement that there be no net loss to the Colorado River basin. This supply has been contracted to Brazos River Authority and is supplied to the cities of Round Rock, Liberty Hill and Georgetown. (HB 1437 also allows for the supply of water to the cities of Cedar Park and Leander.) Most of the conservation strategies implemented in the LCRA agricultural divisions since then have been funded or partially funded by money collected from a surcharge on the water reserved or

transferred. Other sources of funding include federal and state grants, and in-kind labor or direct funding from LCRA's agricultural operations budget.

### **1.3 2019 Water Conservation Plan Results**

LCRA continually works to improve and expand conservation strategies throughout the basin. Strategies include collecting baseline data, conducting verification studies, benchmarking of other successful water providers, and working with builders, landscapers and environmental interests.

Since 2012, new conservation programs include a residential outdoor rebate program; a commercial, institutional and industrial (CII) water audit and rebate program; a firm water customer cost-share program; irrigation evaluation training; and an irrigation technology rebate program. LCRA periodically updates rebates offered through these programs and adopted an expanded set of residential outdoor rebates in 2017. The most recent program update was in 2022. The programs are available to water users that directly or indirectly receive water from LCRA. Municipal customer mandatory requirements such as irrigation standards and permanent landscape watering schedules account for nearly 70 percent of the savings. In 2022, LCRA revised its Water Conservation Plan rules for firm water contracts to include a requirement for its municipal customers to adopt a permanent no more than twice weekly watering schedule. Firm water customers are responsible for enforcing the watering schedule. LCRA requires its customers to submit annual water conservation and drought contingency plan implementation surveys. During years when LCRA requires its customers to implement mandatory drought response measures, staff includes a section in the survey addressing drought enforcement. As of 2023, about 7,634 acre-feet per year is saved from implementation of firm water conservation strategies.

LCRA also has implemented or completed several key agricultural conservation projects since 2019. Conservation projects that continue to provide annual savings include the Garwood measurement project, a land leveling grant program, the Gulf Coast Agricultural Division gate rehabilitation project and the Garwood gate automation project. LCRA also has a revised its land leveling grant program (see section 4). As of 2023, LCRA estimates the three-year rolling average annual water savings in LCRA's agricultural divisions is 14,769 acre-feet. This averaging is used to provide a more consistent savings number during droughts, when curtailments can result in no savings in Lakeside and minimal savings in Gulf Coast, as occurred in 2023. This methodology is also consistent with the accounting approach for implementing requirements of HB1437. The 2022 three-year rolling average of the amount of conserved water was 16,520 acre-feet per year, reflecting a curtailment of the second growing season in the Lakeside and Gulf Coast divisions.

### **1.4 2024 Water Conservation Plan Development**

LCRA developed its 2024 Water Conservation Plan strategies using largely the same framework as the 2019 plan, with planned expansion of existing programs, outreach, technical assistance and marketing efforts.

The plan is divided into a baseline chapter and chapters about firm water customers, LCRA agricultural divisions and LCRA power plants. Because the City of Austin has its own water rights, the Austin water utility is required to submit its own water conservation plan directly to the Texas Commission on Environmental Quality (TCEQ). Water conservation strategies for Austin are not included in this plan.

## **2.0 BASELINE PROFILE AND WATER CONSERVATION GOALS**

### **2.1 Overview of LCRA Water Service Area**

LCRA provides water from its water rights in the Colorado River basin for municipal, industrial, recreation, irrigation, agricultural, domestic, environmental and other purposes. Surface water supplies are a combination of the natural flow of the Colorado River and stored water from lakes Buchanan and Travis.

As of February 2024, LCRA had firm water contracts with 73 municipal wholesale raw water customers, which serve an estimated population of more than 500,000, and the City of Austin, which serves a population of more than 1 million. LCRA also has firm water contracts with 40 large irrigation and recreation customers, of which 12 are golf course customers; 12 industrial use customers, which includes four LCRA power plants; four agricultural customers; 20 small landscape irrigation and recreation customers; 3,776 domestic use customers; and 74 temporary customers.

LCRA also provides water to customers in the LCRA-owned Gulf Coast, Lakeside and Garwood agricultural divisions, as well as Pierce Ranch, under provisions in the state-approved Water Management Plan. Figure 2-1 illustrates the LCRA water service area and the locations of LCRA power plants, LCRA agricultural divisions and large municipal water customers.

Water demands and water supply available under LCRA's water rights vary with weather conditions. Water use also can vary substantially from year to year based on dry or wet conditions and drought response measures in place. Table 2-1 provides a summary of the reported water use from 2019-2023.

The annual demand for municipal contracts, exclusive of Austin, in 2023 was approximately 118,514 acre-feet. LCRA supplied 7,041 acre-feet of water to its firm irrigation and recreational water customers, which are mainly golf courses. The majority of LCRA industrial water use is for generating electricity. LCRA power plants used 12,616 acre-feet in 2023. Other industrial water uses customers, including manufacturing and steam electric generation, used 17,707 acre-feet in 2023.

In addition to water use under firm water commitments, in 2023 the LCRA agricultural divisions and Pierce Ranch diverted and used 88,991 acre-feet of water for agricultural purposes. Water use in 2022 reflects partial curtailment of water in the agricultural divisions during the second irrigation season; water use in 2023 reflects complete curtailment of water in the Lakeside, Gulf Coast and Pierce Ranch operations. (Pierce Ranch diverted 1,876 acre-

feet of run-of-river water in 2023.) In addition to interruptible stored water being curtailed, Stage 2 drought restrictions under LCRA’s Drought Contingency Plan were in effect starting in August 2023.

Balancing the need for well-planned infrastructure, water quality protection and water conservation is important as LCRA works to protect and extend the basin’s natural resources. LCRA continues to work with its customers, regional interests, environmental interests, upstream water rights holders and adjoining regional planning groups to find sensible, equitable, beneficial, and economical solutions to the water supply challenges that face this growing region

**Table 2-1 LCRA Reported Total Water Use (acre-feet)<sup>1</sup>**

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023<sup>5</sup></b>
Industrial	16,844	17,970	13,359	22,064	17,707
LCRA Power Plants	10,373	14,125	14,514	13,986	12,912
Municipal, City of Austin <sup>2</sup>	35,259	56,434	37,640	109,883	102,194
Municipal, Other	77,441	88,097	81,180	91,771	96,595
Irrigation and Recreation	6,766	7,413	4,205	6,898	7,041
Irrigation Operations <sup>3</sup>	182,155	214,145	161,510	232,349	88,891
Environmental Flow <sup>4</sup>	61,954	115,585	31,318	40,510	35,287
<b>Total</b>	<b>390,792</b>	<b>513,769</b>	<b>343,726</b>	<b>517,461</b>	<b>360,627</b>

<sup>1</sup> Reported water use numbers obtained from LCRA annual Water Use Reports and does not include groundwater use.

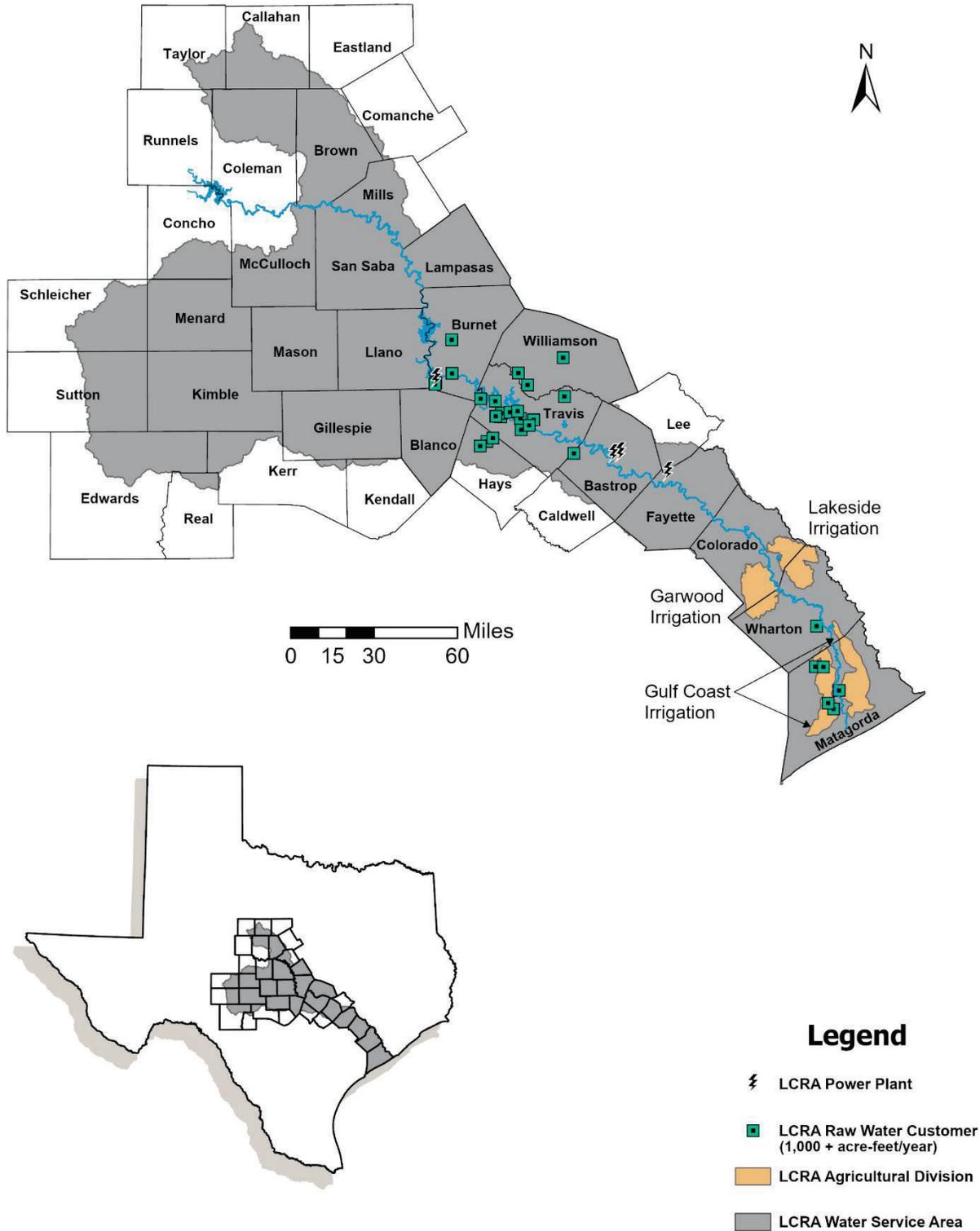
<sup>2</sup> The City of Austin used additional water for all years under its own water rights.

<sup>3</sup> Includes LCRA agricultural divisions and Pierce Ranch.

<sup>4</sup> Stored waters released for the environment.

<sup>5</sup> Water use in 2023 reflects curtailment of water in LCRA’s three agricultural divisions and Pierce Ranch due to the drought.

**Figure 2-1: Map of LCRA Water Service Area, LCRA Agricultural Divisions, LCRA Power Plants and Large Municipal Water Customers**



## **2.2 Water Use**

### **2.2.1 Municipal Water Use**

In 2023, LCRA supplied water to more than 500,000 people through LCRA wholesale municipal water customers, not including the City of Austin. These customers obtain their water supplies from LCRA's water rights for lakes Buchanan and Travis and the amended Garwood water right. LCRA municipal customers are diverse and include cities, water supply corporations, municipal utility districts, water control and improvement districts, and others, the majority of whom are in the Highland Lakes and Travis County areas. Wholesale municipal customer metered water use for 2019-2023 is included in Appendix A.

Only a few mid-sized customers have substantial commercial and multifamily use, with 93 percent of the connections reported in the service area outside of Austin in 2022 classified as single family. LCRA customer gallons per capita per day (GPCD) varies greatly, with several smaller rural systems near or less than 100 GPCD to systems serving mostly suburban single-family homes with large, irrigated lots with usage near 200 GPCD. This wide range also is reflected in the ratio of summer to winter use. LCRA municipal customers use about twice as much water in the summer than winter. In 2022, the estimated GPCD was 148 within the LCRA service area, excluding the City of Austin.

### **2.2.2 Irrigation and Recreation Water Use**

In 2023, LCRA supplied 7,041 acre-feet to 60 irrigation (not including agricultural irrigation in the agricultural divisions) and recreational water customers with firm water contracts. Irrigation and recreational contracts include contracts with golf courses, children's camps, homeowner's associations, hotels, school districts and others including for agricultural irrigation and landscape irrigation around subdivisions. In 2023, golf course water use accounted for about 50 percent of the total water use by irrigation and recreation customers. In 2023, municipalities in LCRA's service area outside of the City of Austin provided approximately 10,000 acre-feet of treated wastewater as direct reuse, mainly to golf courses and irrigation of common areas around subdivisions and roadways. Wholesale irrigation and recreation metered water use for 2019-2023 is included in Appendix A.

### **2.2.3 Industrial Water Use**

The majority of industrial water use in LCRA's service area goes toward power generation facilities, including LCRA's four power plants (Fayette Power Project, Thomas C. Ferguson Power Plant, the Lost Pines Power Park, Winchester Power Plant) and Bastrop Energy Partners. STP Nuclear Operating Company (STPNOC) has a contract with LCRA, and jointly owns a water right with LCRA that provides run-of-river to the power plant. STPNOC has not used any backup water supply from lakes Buchanan and Travis in the last five years. In addition, LCRA provides water to customers with industrial facilities in the Gulf Coast Agricultural Division canal system. Other industrial customers include facilities that produce gravel and concrete. Wholesale industrial metered water use for 2019-2023 is included in Appendix A. Water conservation strategies for LCRA wholesale power generation is found in Chapter 5 and Appendices B, C and D.

## 2.2.4 Domestic and Temporary Water Use

In addition to firm municipal, industrial, irrigation and recreational contracts, LCRA also has several thousand domestic use contracts. Domestic use contracts are for individual or household domestic purposes. The water is diverted solely through the efforts of the end-user. As of February 2024, LCRA has 3,776 domestic use contracts totaling about 4,600 acre-feet. The contract quantity for domestic users is calculated based on LCRA’s permanent maximum twice weekly watering restrictions that encourage efficient landscape watering.

LCRA also sells water to a wide-ranging customer base that purchase relatively small amounts of water (less than 10 acre-feet) for a relatively short amount of time (three years or less). These temporary customers use water for purposes such as irrigation, business interests, construction activities and recreational purposes. As of February 2024, LCRA has 74 temporary use contracts.

## 2.2.5 Agricultural Irrigation Water Use

LCRA owns the water rights associated with the Garwood, Gulf Coast, Lakeside and Pierce Ranch agricultural operations, and LCRA operates the infrastructure associated with the Garwood, Gulf Coast and Lakeside divisions. LCRA provides water to Pierce Ranch under a long-term interruptible contract, and to farmers in the Garwood, Gulf Coast and Lakeside divisions who obtain interruptible agricultural water contracts. Combined, LCRA’s three agricultural divisions cover an area of 830 square miles. Gulf Coast has the largest area at almost 500 square miles, Lakeside is almost 200 square miles, and Garwood is 150 square miles. Crops include rice, turf grass, cotton, corn, milo, soybeans, and hay. Land also is sometimes flooded for wildlife management at the end of the irrigation season if water is available for supplemental use contracts. In a non-curtailed year, over 90 percent of the crops planted in Lakeside and Garwood is rice (about 80 percent in Gulf Coast). In addition to row crops, the Gulf Coast division has some turf grass farms and aquaculture.

**Table 2-2: LCRA Agricultural Operations Acreage and Water Use: 2019-2023**

<b>Agricultural Operations</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022<sup>1</sup></b>	<b>2023<sup>2</sup></b>
<b>Gulf Coast</b>					
First Crop Rice Acres	6,253	9,590	8,952	8,327	0
Second Crop Rice Acres	3,280	5,035	2,972	0	0
Supplemental Acres <sup>1</sup>	4,863	5,975	3,113	4,662	0
Total Water Diverted <sup>2</sup> (a-f/yr)	33,838	56,836	37,640	40,116	10,278
Irrigation for Rice Crop (a-f/yr)	19,137	33,553	20,197	22,521	0
First Crop (a-f/acre)	2.51	2.71	1.79	2.70	0
Second Crop (a-f/acre)	1.04	1.50	1.42	0	0
Supplemental Water Use <sup>1</sup> (a-f/yr)	2,980	3,236	2,148	3,984	0
Supplemental Water Use (a-f/acre)	0.54	0.47	0.33	0.85	0

<sup>1</sup> In 2022, no interruptible stored water was provided for second crop water use in Gulf Coast, Lakeside, or Pierce Ranch.

<sup>2</sup> In 2023, no interruptible stored water was provided for first or second crop water use in Gulf Coast, Lakeside, or Pierce Ranch. Reported diversions are for industrial customers that divert water from LCRA’s canal system.

Total Water Used (a-f/yr)	22,116	36,789	22,345	26,505	0
Water Loss (a-f/yr)	11,722	20,047	13,819	13,611	
Percent of Water Loss	25.2%	29.4%	29.6%	25.1%	
<b>Lakeside</b>					
First Crop Rice Acres	17,998	21,460	21,594	25,625	0
Second Crop Rice Acres	8,273	13,042	15,666	0	0
Supplemental Acres <sup>1</sup>	1,392	856	1,299	875	0
Total Water Diverted	57,052	64,774	47,840	77,503	0
Irrigation for Rice Crop (a-f/yr)	41,928	48,671	36,307	64,606	0
First Crop (a-f/acre)	1.76	1.66	0.94	2.52	0
Second Crop (a-f/acre)	1.24	1.00	1.03	0	0
Supplemental Water Use <sup>1</sup> (a-f/yr)	2,869	1,199	1,735	235	0
Supplemental Water Use (a-f/acre)	2.10	1.40	1.30	0.30	0
Total Water Used (a-f/yr)	44,797	49,871	38,041	64,841	0
Water Loss (a-f/yr)	12,255	14,903	9,799	12,662	0
Percent of Water Loss	21.5%	23.0%	20.5%	16.3%	0
<b>Garwood</b>					
First Crop Rice Acres	17,574	19,756	19,777	20,785	20,013
Second Crop Rice Acres	13,319	16,146	17,308	15,878	16,334
Supplemental acres <sup>1</sup>	4,618	3,136	3,148	3,508	3,406
Total Water Diverted	74,615	75,530	63,565	100,242	87,014
Irrigation for Rice Crop (a-f/yr)	66,575	53,567	49,530	52,985	75,761
First Crop (a-f/acre)	2.13	1.92	1.20	3.19	2.29
Second Crop (a-f/acre)	1.27	1.05	1.14	1.24	1.83
Supplemental Water Use <sup>1</sup> (a-f/yr)	7,502	3,399	3,533	4,661	4,453
Supplemental Water Use (a-f/acre)	1.60	1.10	1.10	1.30	1.30
Total Water Used (a-f/yr)	61,734	58,429	46,892	90,617	80,214
Water Loss (a-f/yr)	12,881	17,101	16,673	9,625	6,800
Percent of Water Loss	17.3%	22.6%	26.2%	9.6%	7.8%
<b>Pierce Ranch</b>					
First Crop Rice Acres	2,499	2,494	2,225	2,676	0
Second Crop Rice Acres	1,597	1,746	1,522	0	0
Supplemental Acres	844	844	622	724	0
Total Water Diverted	16,650	17,006	12,465	14,488	1,876
First Crop Diversions (a-f/yr)	8,381	9,663	5,980	11,124	0
Second Crop Diversions (a-f/yr)	8,269	7,343	6,484	3,364	0
<b>Total Water Diverted - all Divisions (a-f/year)<sup>2</sup></b>	<b>182,155</b>	<b>214,145</b>	<b>161,510</b>	<b>232,349</b>	<b>88,891</b>

<sup>1</sup>Other water use includes water used for irrigating turf and row crops, and for wildlife management.

<sup>2</sup> Diversions include industrial uses for customers served through the canal system (OQ Chemicals and Underground Services Markham)

Various irrigation systems are used depending on the crop and irrigation structures in each division. Most fields are flood irrigated through a levee system. Within the canal systems, Lakeside Agricultural Division has approximately 2,000 structures, Gulf Coast Agricultural Division has approximately 2,400 structures and Garwood Agricultural Division has approximately 1,150 structures. These structures include bulkheads, water boxes, aluminum slide gates, and control or “check” structures such as aluminum flash board risers, pipes and valves, pipe headers, bridges, foot bridges, crossings, siphons, and under-drains.

Total agricultural water uses in the downstream agricultural operations in 2023 was 88,891 acre-feet of water from the Colorado River. Water loss calculated for each of LCRA’s agricultural divisions represent the difference between the amount of water diverted from the river and the amount of water measured and billed to customers at the field. Annual water loss for each LCRA agricultural division is shown in Table 2-2. This figure is not available for Pierce Ranch since it is an LCRA wholesale customer.

## **2.3 2024 Water Conservation Goals**

In the next five to 10 years, the municipal population served by LCRA is expected to grow significantly and most municipal water conservation savings will come from landscape irrigation standards and permanent watering schedules implemented by customers, and infrastructure upgrades and reuse projects implemented through the water conservation incentives grant and rebates program.

LCRA goals for firm and interruptible water supply include:

### **Five-year goals:**

- 1,000 acre-feet savings per year from LCRA power generation industrial water use.
- 12,000 acre-feet savings per year from firm water contract use. (non-power generation)
- 18,000 acre-feet savings per year from use in the agricultural divisions during a year with no curtailment of interruptible stored water.

### **10-year goals:**

- 1,100 acre-feet savings per year from LCRA power generation industrial water use.
- 15,000 acre-feet savings per year from firm water contract use. (non-power generation)
- 20,000 acre-feet savings per year from use in the agricultural divisions during a year with no curtailment of interruptible water supply.

The five-year goals build on water savings from 2019-2023. Firm water savings are estimated to increase from 7,634 acre-feet in 2023 to 12,000 acre-feet in 2029 and are projected to come from expanding existing firm water programs and additional customer strategies. These goals do not reflect the conservation efforts from the City of Austin, LCRA’s largest municipal customer. Savings in the agricultural operations are expected to increase from 16,500 acre-feet in 2022 to 18,000 acre-feet in 2029, with projected savings coming from completion of the gate automation project in the Garwood Agricultural Division, the completion of a gate

automation project in the Lakeside Agricultural Division, savings from existing and newly re-leveled fields, and canal lining of segments serving industrial customers.

The 10-year goals build on expected water savings from 2024-2029. The firm water savings are expected to increase to 15,000 acre-feet by 2034 and are projected to come from expanding existing firm water programs and additional customer strategies. These goals do not reflect the conservation efforts at the City of Austin. Savings in the agricultural operations are expected to increase to 20,000 acre-feet by 2034.

## **3.0 FIRM WATER CONSERVATION STRATEGIES**

### **3.1 Monitoring and Record Management System**

LCRA maintains records of water distribution and sales using a third-party billing system, which provides a central, automated location for water billing information. A detailed description of the billing system is available upon request.

### **3.2 Monitoring and Measuring Water Use**

LCRA Water Contract Rules impose requirements on LCRA's raw water customers to properly measure water diversions. Measuring devices must be accurate within plus or minus 5% of the indicated flow over the possible flow range. Meters generally are read on a monthly basis. Customers generally are required to provide third-party verification of meter testing and calibration to LCRA staff each year, while some smaller customers with contract quantities not exceeding 30 acre-feet per year must provide the verification at least once every two years.

Residential property owners pumping water from the Highland Lakes for domestic use are required to obtain contracts from LCRA. LCRA estimates an average of about 4,600 acre-feet per year is being pumped from the Highland Lakes by lakeside residents, mostly for landscape watering. LCRA staff works with each customer to determine the size of the irrigated area, which determines the contract quantity. Domestic users must comply with a maximum twice-a-week permanent landscape watering schedule, except during extreme drought conditions or when water restrictions change under the LCRA Drought Contingency Plan.

### **3.3 Reservoir Systems Operations Plan**

LCRA manages the Highland Lakes under the Water Management Plan (WMP) which is approved by TCEQ. The plan governs LCRA's operation of lakes Buchanan and Travis to meet the needs of major water users throughout the lower Colorado River basin. Under the WMP, LCRA uses unregulated inflows entering the river from drainage areas downstream of the Highland Lakes to the maximum extent possible before waters stored in the lakes are released to satisfy downstream water needs. The LCRA WMP is available at [www.lcra.org/watermanagementplan](http://www.lcra.org/watermanagementplan).

LCRA has improved its ability to manage water supply operations by 1) improving coordination with major customers to better quantify return flows and manage pumping operations below the Highland Lakes; 2) improving river modeling to better quantify run-of-river water in the Colorado River below the Highland Lakes; 3) improving decision support tools to more efficiently use stored water by using run-of-river water to meet demands as much as possible; and 4) improving control of releases from the Highland Lakes to more precisely match releases to downstream demands.

### **3.4 Firm Water Contract Requirements**

TCEQ rules mandate that LCRA, as a water rights holder, require wholesale water customers with new or amended contracts to develop a water conservation plan. LCRA has developed Water Conservation Plan Rules for raw water customers, which are designed to extend existing surface water supplies through water conservation. LCRA requires that its customers designate a water conservation coordinator, provide annual plan implementation reports, and adopt a permanent maximum twice-weekly watering schedule.

All firm raw water customers except domestic use and temporary contract customers are required to specify five- and 10-year conservation targets for water savings and adopt minimum conservation measures, such as leak detection and repair, conservation water rates and education. LCRA encourages customers with new or revised contracts to adopt additional conservation strategies not required in the rules, such as irrigation evaluations, deed restrictions for new development, and partnering with LCRA on rebate programs. The LCRA Water Contract Rules, including the Water Conservation Plan Rules, are available at [www.lcra.org/firmwateruse](http://www.lcra.org/firmwateruse).

### **3.5 Water Rates**

LCRA's firm water rates encourage water conservation by combining reservation and volumetric water rate structures. The current water rate is \$155 per acre-foot per year of firm water used. The cost for any water used above the contracted amount increases to \$290 per acre-foot. The water rate is \$77.50 per acre-foot per year for firm water reserved for future use. Under LCRA's Water Conservation Plan Rules, all LCRA municipal wholesale customers must employ water rate structures that are not promotional, meaning the water rate structure must be cost-based and not encourage the excess use of water. LCRA's current water rate structure does not charge different firm water rates for different types of firm water use.

### **3.6 Customer Cost-Share Program**

LCRA's Firm Water Conservation Cost-Share Program provides funding for water efficiency projects and programs established by LCRA's firm water customers. LCRA's firm water customers include cities, utilities, industries, and irrigation and recreational water users. Cost-share funds are available to projects that result in measurable water savings. Since 2019, LCRA has awarded \$700,000 while leveraging an additional \$13 million in cost-share funding provided by recipients. LCRA provides funding of up to 50% of the project cost or an annualized cost of \$155 per acre-foot (the current raw water rate), whichever is less. Projects

funded in the past five years include converting irrigated areas from raw or potable use to recycled water; decreasing utility system water loss including projects to recycle water in the water and wastewater treatment processes; improving irrigation efficiency through irrigation technology upgrades; and implementation of customer portals and utility-side tracking tools for water loss in conjunction with projects to convert metering systems from manual or drive-by monthly readings to automated metering infrastructure (AMI). Applications are accepted twice yearly. LCRA plans to increase funding for this program in the next five years and expand the types of entities that are eligible to receive funding.

### **3.7 End-User Conservation Incentives**

LCRA offers up to \$600 per year per property in rebates for WaterSense smart irrigation controllers, irrigation system evaluations, pressure-reducing irrigation technology, soil moisture sensors and rain sensors, pool filters and covers, aeration, soil testing, and compost and mulch for residential end-users of LCRA's wholesale customers. In 2019, LCRA began accepting rebate applications online. Since 2020, LCRA has processed 1,287 rebate applications and awarded \$138,085 in rebates. LCRA plans to increase funding and marketing efforts to enhance program awareness and participation over the next five years.

LCRA's Commercial, Industrial, and Institutional (CII) Rebate Program helps businesses, industries, schools, churches, and other institutions that directly or indirectly receive water from LCRA incorporate new water-saving equipment and practices. LCRA offers rebates up to \$125 per hour for outdoor audits (not to exceed \$2,000), or up to \$125 per hour for indoor and outdoor water audits (not to exceed \$5,000). The program provides rebates to replace inefficient plumbing, irrigation equipment, or process change outs up to a fixed dollar amount or cost per acre-foot saved, based on recommendations from indoor and outdoor water audits. A facility can receive a rebate of up to \$1,500 per fiscal year for irrigation equipment upgrades, aeration, compost and mulch, soil moisture sensors, and rain sensors. LCRA also has a grant that awards up to 50 percent of the project cost, up to \$20,000, for large-scale rainwater harvesting, air-cooled ice machines, HVAC condensate recycling and other water-saving technology.

### **3.8 Landscape Irrigation Evaluations**

LCRA offers irrigation evaluation training to staff members who work for LCRA wholesale water customers. As of 2022, 10 LCRA municipal customers offer irrigation evaluations to their customers. LCRA also offers rebates up to \$100 for irrigation evaluations as part of its residential rebate program and up to \$5,000 for an indoor and outdoor water audit for CII customers. 118 wholesale customers end-users have received rebates for irrigation evaluations since 2020. LCRA also offers evaluations to domestic users. LCRA will continue to partner with firm water customers to increase participation.

### **3.9 Public Education and Awareness**

#### **Community Outreach**

LCRA staff regularly speaks to community groups such as homeowner associations, individual businesses, non-profit groups such as master gardeners and business groups, and firm water customer meetings.

LCRA's water conservation website, [WaterSmart.org](http://WaterSmart.org), provides educational materials and links to additional water conservation resources, including cost-share incentive and rebate programs. LCRA is working to expand participation in its water-saving programs.

### **WaterMyYard Program**

LCRA has partnered with Texas A&M AgriLife Extension on its WaterMyYard program, which was developed to provide homeowners with scientific data to determine how much water they should use for their yards. The WaterMyYard website provides homeowners with recommendations on how many minutes to run their irrigation systems based on their utility's current recommended irrigation schedule, their sprinklers' precipitation rates, the water holding capacity of their soil, and evapotranspiration rates based on their location within the service area and proximity to the LCRA sponsored weather stations.

LCRA contributes local climate data to the website collected from eight LCRA Hydromet weather stations. WaterMyYard participants are notified weekly how long to run their irrigation system based on the climatic conditions such as rainfall, solar radiation, temperature, and wind speeds that occurred during the past week. LCRA will continue to promote this program within the service area.

### **Regional Partnerships**

LCRA helped develop the annual Central Texas Water Conservation Symposium, a daylong workshop for community leaders featuring water conservation experts from around Texas and the United States and continues to have an active role in organizing and funding the yearly event. LCRA joins other central Texas water suppliers and local environmental groups in the central Texas area in supporting the symposium, which generally has about 150 attendees. Participants share information and promote water efficiency education, legislation, programs, technologies, and other integral components of water conservation.

## **3.10 School Education**

### **LCRA Parks**

LCRA Parks operates two natural science centers that provide educational and recreational programming to youth and adults. The LCRA Parks mission is to protect natural resources; provide access to parks, lakes, and tributaries of the lower Colorado River for public recreation; and to promote land and water stewardship through education and recreation programs and services. Natural science programs educate pre-kindergarten through 12th grade students and various community groups about water quality, water conservation, wildlife, geology, and other science and natural history curriculums, reaching over 23,000 visitors annually.

### **Colorado River Alliance Programs**

LCRA provides guidance and technical assistance to the Colorado River Alliance (CRA), which provides a Colorado River water education program, including information on water conservation, to third to fifth graders at LCRA's Redbud Center. The program raises student awareness of the Colorado River in Texas and increases conservation and stewardship of the river through hands-on, field-based learning.

### **3.11 LCRA Facilities**

LCRA facilities staff ensure the irrigation systems on LCRA grounds, particularly at the General Office Complex (GOC) and the Dalchau Service Center in Austin, are maintained to minimize leaks and ensure uniform distribution. Facilities staff members have performed irrigation system audits of GOC grounds. Staff plan to continue annual irrigation evaluations of the irrigation systems on LCRA grounds.

Additionally, LCRA facilities and water conservation staff members work with CRA and local native plant experts to maintain the native plant flora at the Redbud Center, which is part of the water education curriculum CRA provides.

### **3.12 Municipal Customer Mandatory Requirements**

There are several types of regulatory requirements that have been adopted proactively by LCRA municipal customers or are required by the state for larger municipalities. LCRA enforces a watering schedule for its domestic use customers, and municipal firm water customers enforce watering schedules for their end users.

#### **Irrigation System Standards**

Texas Local Government Code Section 401.006 requires all municipalities with a population of more than 20,000 to adopt landscape irrigation ordinances that follow TCEQ rules for irrigation design, require the installer of an irrigation system to be licensed, require a permit prior to installing an irrigation system, and include minimum standards for the design, installation and operation of irrigation systems. This applies to several large LCRA customers, and several additional customers have adopted these standards on their own. As of 2022, 14 LCRA customers have a permitting and inspection program to implement the TCEQ landscape irrigation standards for new irrigation systems.

#### **Permanent Mandatory Watering Schedules**

LCRA updated its Water Conservation Plan Rules in November 2022 to require its customers to adopt a permanent no more than twice weekly watering schedule. This measure not only saves a substantial amount of water, but lowers peak use during the summer, reducing pressure on water treatment plants and extending the period of time before a new water treatment plant is needed.

### **3.13 City of Austin/LCRA Water Partnership**

In 2008, LCRA and the City of Austin agreed to a cooperative structure known as the Water Partnership. The Water Partnership is in place to jointly evaluate, plan and implement approved strategies to optimize water supplies in the basin. LCRA and Austin also have improved the efficiency with which water is released from the Highland Lakes for downstream uses by increasing coordination on daily diversions to Austin water treatment and power plants, return flows from Austin wastewater treatment plants, and Austin’s operation of Longhorn Dam.

### **3.14 Conservation Research and Verification**

LCRA partners with customers and other research organizations to promote innovative measures and determine water savings.

LCRA compiles annual progress report surveys from its water customers to track progress on water conservation goals, develops its own program implementation reports to the Texas Water Development Board (TWDB) and plans future programs.

LCRA monitors water savings using a conservation tracking tool developed by the Alliance for Water Efficiency (AWE). This tool was developed to be used at the retail level and can provide a detailed cost benefit analysis of individual conservation strategies.

In 2022, LCRA contracted with Freese & Nichols to develop a model to verify conservation related water savings for LCRA’s nine largest municipal customers, excluding the City of Austin. The model projected water demand over time, taking weather-related factors and the presence of drought restrictions into account and compared those projections to actual use to estimate water savings from conservation efforts. The study found a decrease of about 2 GPCD per year in water use since 2010, estimating a total water savings of about 11,000 a-f per year in 2022 for the subset of LCRA’s nine largest customers. The study also compared this “top-down” approach to the “bottom-up” approach LCRA uses to estimate annual savings reported to TWDB using the AWE tracking tool and validated that LCRA’s methodology for estimating savings is reasonable and lower than the savings estimated using the model-based “top-down” approach. The study also noted that LCRA’s annual savings estimating methodology does not include TWDB plumbing code savings. LCRA used the study in setting the 2024 Water Conservation plan goals for firm water contract use.

LCRA is working with Freese & Nichols on an update to the water supply resource report by the end of 2024. The update will analyze the costs and benefits of various future water supply strategies, which will include several municipal and agricultural water conservation related strategies.

## **4.0 AGRICULTURAL WATER CONSERVATION STRATEGIES**

LCRA continues to reach milestones completing significant water conservation related projects in its agricultural divisions. The 2019 goal of saving 15,000 acre-feet per year was

almost met and would have been surpassed if the drought had not required LCRA to cut off interruptible stored water from lakes Buchanan and Travis to customers in the Lakeside and Gulf Coast agricultural divisions in 2023. The conservation strategies implemented in the Garwood Agricultural Division, which continued to receive water in 2023, were instrumental to retaining savings. As of 2023, the three-year rolling average annual water savings in the agricultural divisions is 14,769 acre-feet. The averaging, as reported, factors in reduced savings in years in which supply was curtailed. A detailed explanation of the components of the total savings amount can be found in the [HB 1437 annual report](#), which is updated annually. In 2019, LCRA completed automation and rehabilitation of main gates along all main canal lines in the Gulf Coast division and in 2023, LCRA completed automation of main gates in the Garwood division.

Laser land leveling grants distributed between 2006 and 2013 continue to generate water savings when those fields are in production, but savings from fields that reached their 15-year life cycle began to expire in 2021. In 2023, LCRA launched a laser land leveling recertification cost-share program to touch up fields with a permanent levee design and redesign fields with temporary levee designs to have permanent levee designs.

## **4.1 Monitoring and Records Management Strategy**

LCRA agricultural divisions are operated to maximize water efficiency under Canal Operating Procedures guidelines. An irrigation coordinator manages the delivery of water to customer fields in each canal section, collecting on-farm water measurements, checking the system for leaks, high canal levels and potential water waste daily. Water orders are placed with the irrigation coordinator, who then generally has a set number of days to deliver water to the customer field. Canals are managed daily, and water is adjusted based on system demand. Daily measurements are entered into LCRA's billing system software, which tracks volumetric water use for each field.

LCRA maintains irrigation water use and sales records through the Water Application Management System (WAMS) and contract information is stored in LCRA's contract repository. A map indicating the Texas land survey number and outlined fields in production is attached to each irrigation contract at the local division office. The contract contains acreage for each land survey and is scanned and uploaded. Field location information is maintained in a GIS platform. The WAMS billing system includes a customer portal that has automated standard water use reports that provide a running total of water use data by field and by structure as well as detailed data by watering event. This information is updated at least weekly during the irrigation season.

## **4.2 Agricultural Water Rates**

LCRA's current rate structure applies per acre-foot of water delivered. Agricultural irrigation water rates vary for each agricultural division. Information about the rates for all three divisions is available upon request. Interruptible customers are subject to tiered pricing which encourages conservation. This pricing has been implemented at all the agricultural divisions in the form of surcharges, which apply when water use exceeds certain established limits. These surcharges can increase the effective rate for the water delivered to more than 2.5

times the per acre-foot charge. Through the customer portal mentioned above, customers are regularly provided with water use information, so they are aware of the potential for high water use to result in surcharges. Surcharges have resulted in fewer customers and fewer fields with high water use.

Volumetric measurement also is an important strategy to support the verification of savings for other conservation strategies such as precision land leveling. In 2021, LCRA worked with the University of Wisconsin to complete a study to quantify savings from conservation strategies in Garwood. Based on that study, LCRA updated the savings estimate for the Garwood volumetric measurement project completed in 2012 to 0.33 acre-foot per acre in production. LCRA will continue to monitor and measure water use to encourage efficient use of water in the agricultural divisions.

### **4.3 Automation and Modernization of Gates**

In 2019, LCRA completed the Gulf Coast gate rehabilitation and control project. From 2020-2023, LCRA automated 46 main canal gate structures in the Garwood Agricultural Division. A TWDB grant helped cover the project cost. The project was different from earlier gate projects, because the main canal gate structures in Garwood had metal slide gates in good condition and only needed to be automated. In 2023, LCRA began a pilot gate automation project in the Lakeside division to automate one main structure on the Chesterville line of the Lakeside canal system. The pilot project will test a gate design that will incorporate an overflow to pass high canal flows resulting from rainfall in the Lakeside system. LCRA plans to continue gate automation in Lakeside with the goal of completing main gate structures within the next five years. Automation of Lakeside gates is in LCRA's 2023 10-year capital plan.

### **4.4 Canal Lining**

LCRA has shifted the focus of future canal lining efforts to canal lines servicing industrial customers, which are used year-round. LCRA is evaluating the cost effectiveness of different canal lining options in these areas and will prioritize lining of segments with higher-than-average water loss. A pilot project conducted to line a small area with known seepage issues with bentonite clay was a successful and cost-effective solution. LCRA is exploring whether this option could be scaled to larger canal lines and longer segments. LCRA could implement a lining project in the next five to 10 years, subject to availability of funding.

### **4.5 Precision Land Leveling**

In October 2022, the LCRA Board of Directors approved a new land leveling recertification program to upgrade fields previously leveled through the Natural Resource Conservation Service's Environmental Quality Incentives Program (EQIP) with temporary levee designs or recertify fields with permanent levee designs that are still reliably saving water. By leveling land, the average required field flood depth is reduced, which increases the efficiency of water used on individual fields. NRCS defines the useful life of projects in the EQIP program. Per NRCS, the useful life of precision land-leveling projects is 15 years. LCRA's previous land leveling program was from 2006 to 2013, so using the NRCS definition, the useful life on

land LCRA awarded cost-share grants began maturing in 2021. The new program incorporates more stringent requirements than the EQIP program, based on findings from savings verification studies, and includes funding for structures for water control. These new requirements include a permanent levee field design with an average field levee density of less than 0.10 levees per acre. In recent years, NRCS has not funded recertification of previously leveled projects and does not require permanent levee field designs, so LCRA's program no longer operates in conjunction with EQIP.

In 2023, LCRA executed 25 contracts to redesign or regrade 1,970 acres. As of February 2024, this work is complete on 376 acres. Producers have up to two years to complete the releveling work following contract execution. LCRA plans to continue this program through the next five to 10 years, subject to availability of funding.

In 2024, LCRA expects to complete a study began in 2021 to update a 2012 savings verification study conducted by LCRA and The University of Texas LBJ School of Public Affairs. The original study quantified water savings from on-farm precision land leveling in the Lakeside division for five years using LCRA billing data and detailed farmer surveys. The study showed that precision land leveling accounted for 0.30 acre-feet of water saved per acre for the first crop when compared to unleveled fields. LCRA has revised this estimate to 0.46 acre-feet per acre by extrapolating water savings for second crop from the savings for first crop based on average water use.

In 2020, the model for this study was updated and used for a similar survey and analysis on water use data in the Garwood division. Based on findings from both savings' verification studies, LCRA added a maximum levee density requirement to field designs to qualify for participation in the land leveling recertification program.

## **5.0 WHOLESALE POWER GENERATION**

### **5.1 Introduction**

Most of the water use characteristics of a power plant are fixed once the facility has been built. Modifications to make it more thermodynamically efficient can result in small reductions in water use, similar to the way new pollution abatement practices are designed. These small changes on a plant-by-plant basis are important to the water conservation potential for LCRA's electric generation system because energy conservation efforts can directly impact water use.

This chapter will provide information on LCRA power plants -- Fayette Power Project (FPP); Lost Pines Power Park, including Sim Gideon and Lost Pines 1 power plants; Winchester Power Plant; and the Thomas C. Ferguson Power Plant -- and how a new generation mix and conservation efforts impact water use.

Unless otherwise noted, all generating capacity and energy values in this Industrial Water Conservation section refer to gross generation in units of megawatt hours (MWh) or kilowatt hours (kWh). "Gross" power values represent the total production from a generator. "Net" power values represent the remaining power after plant power usage has been subtracted. Gross power better reflects the water used for power production. In addition, the capacity values in this section represent the output levels that the generating units can dependably produce in the summer (Gross Dependable Capacities).

### **5.2 Baseline Profile**

As of 2023, LCRA provides wholesale electric power to over 30 city utilities in a 53-county service area, as seen in Figure 5-1.

LCRA operates one gas-fired steam powered generating facility, one coal-fired steam powered generating facility, two combined cycle combustion turbine facilities, and a combustion turbine peaking facility. FPP has three units, two of which are owned jointly with Austin Energy. The power plants that LCRA currently operates have a total dependable gross capacity of 3,854 MW, as summarized in Table 5-1.

A small portion of LCRA's electric generation is from renewable sources – hydroelectric, solar and wind power. LCRA operates six dams along the Colorado River: Buchanan (forming Lake Buchanan); Inks (forming Inks Lake); Wirtz (forming Lake LBJ); Starcke (forming Lake Marble Falls); Mansfield (forming Lake Travis) and Tom Miller (forming Lake Austin). Two of the lakes created by the dams, Buchanan and Travis, are water supply reservoirs. Together, the hydroelectric plants at each of the dams have more than 295 MW of capacity, but do not consume water for generating operations. Typically, hydroelectric generation only occurs during a water release intended for another purpose.



<sup>1</sup> Austin Energy co-owns two FPP units. Austin Energy owns 624 MW and LCRA owns 1,084 MW.

### 5.2.1 Water Use

Once a power plant is built and put into operation, the opportunities to reduce its water use per kilowatt hour (kWh) are somewhat limited. With the commissioning of Lost Pines 1 in 2001 and continuing with Winchester and Ferguson Power Plant, all LCRA’s additional generation capacity has been designed to help conserve water and energy. Some water reuse values have been recategorized from previous versions of the plan.

**Table 5-2 Water Usage Summary and Comparison**

<b>Power Plant</b>	<b>Average Annual Water Usage 2020 – 2022, acre-feet per year</b>	<b>Water Usage, gallons per MWh</b>	<b>Average Annual Savings over conventional steam plant (FPP), acre-feet per year</b>	<b>Year Begun</b>
Sim Gideon	3,976	1,685	N/A	1965
Fayette Power Project	10,382	330	N/A	1979
Lost Pines 1	1,178	135	2,396	2001
Winchester Power Park	3	5	50	2010
Ferguson Power Plant	1,220	116	2,241	2014
Current Total	16,754	N/A	3,896	

**Table 5-3 Water Reuse**

	<b>Direct Reuse, acre-feet per year</b>	<b>Indirect Reuse, acre-feet per year</b>
FPP	520	554
Lost Pines Power Park		155
Ferguson Power Plant		49
Total	520	758

### 5.2.2 Natural Evaporation

Natural evaporation occurs on any water surface. LCRA does not report natural evaporation as used or consumed water because it would occur whether the power plants existed or not. However, LCRA monitors evaporation and precipitation at the FPP weather station and also obtains data from the TWDB website: <https://waterdatafortexas.org/lake-evaporation-rainfall>.

In Central Texas, the average annual gross evaporation from pond surfaces typically exceeds the average annual amount of precipitation that falls on pond surfaces. The level of Lake Bastrop is generally maintained at approximately 449.3 feet above mean sea level (feet msl) from October through March each year and is raised to 450 feet msl in the summer; thus, the surface area varies between 880 acres in the winter and 906 acres in the summer. By reducing the surface area in the winter, natural evaporation is reduced by a very small amount, but more storage capacity is made available to capture runoff, if it occurs. Based on precipitation and natural evaporation data available from TWDB for 2020-2022, the annual net evaporation for Lake Bastrop (natural evaporation minus precipitation) averaged 891 acre-feet per year.

The normal operating levels for Cedar Creek Reservoir are 388 feet to 391 feet above mean sea level. The resulting surface area of the reservoir is between 2,316 and 2,450 acres. The 2020 – 2022 average annual net evaporation for Cedar Creek Reservoir (natural evaporation minus precipitation), based on the TWDB database, averaged 1,999 acre-feet per year.

Based on precipitation and natural evaporation data available from TWDB for 2020- 2022, the annual net evaporation for Lake LBJ (natural evaporation minus precipitation) averaged 12,863 acre-feet per year.

## **5.3 Water Conservation Savings and Goals**

Currently, estimated water savings as a result of the combustion turbines at Lost Pines 1, Ferguson and Winchester generation is 3,896 acre-feet per year. This equates to an LCRA system-wide consumed water savings of 23%., Table 5-2 summarizes this water usage. Table 5-3 summarizes water reuse at LCRA power plants. The direct reuse total of 520 acre-feet per year and the conservation total of 3 acre-feet per year (see Appendix C Section 3) are incorporated into LCRA’s water conservation goals listed in Section 2.3.

Energy and water efficiency programs save water at the point of use and reduce the energy needed to pump, treat, and distribute water and wastewater. This reduction in energy use can equal an estimated 2 to 4 kilowatt-hours per 1,000 end-use gallons of water saved.

LCRA looks for opportunities to save and reuse water at its power plants. LCRA will also continue to track water use per MW of generation at each of its power plants to help ensure efficient use of water. Further detail on the specific conservation strategies and associated water savings amounts are provided for each of LCRA’s power plants in Appendices B-D.

## **5.4 Systemwide Conservation Strategies**

### **5.4.1 LCRA POWERHOUSE Education Program**

LCRA’s POWERHOUSE energy investigation program teaches middle school students and their families about the effects of energy use on natural resources and the environment. Utilities sponsor the program for schools within their service areas. POWERHOUSE also helps users estimate water usage and costs.

### **5.4.2 Metering and Leak Detection**

All water diverted from the Colorado River is metered using pump curves and other methods approved by TCEQ for water diversions. The plant master meters, per LCRA rules, are maintained within an accuracy of plus or minus 5% in order to measure and account for the amount of water diverted from the source of supply. The Cedar Creek dam is equipped with monitoring equipment. Leaks that occur within the structure of the power plant are easily visible. Major flows of water such as the cooling water pumps are monitored at all plants.

### **5.5 Conservation Plans for LCRA Power Plants**

Water conservation plans for each LCRA power plant are found in Appendices B-D.

## APPENDIX A

### Municipal Firm Water Customer Contracted Use – 2019-2023

Customer Name	2019	2020	2021	2022	2023
AQUA TEXAS D/B/A PECAN UTILITIES	0.0	0.0	26.0	41.3	34.8
AQUA TEXAS, INC. - BARTON CREEK LAKESIDE WATER SYSTEM	0.0	0.0	38.3	50.9	160.3
AQUA UTILITIES, INC D/B/A AQUA TEXAS (RIVERCREST)	374.8	409.5	378.9	500.3	479.0
AUSTIN YMBL SUNSHINE CAMPS	0.3	0.3	0.1	0.3	0.6
BRAZOS RIVER AUTHORITY	322.1	863.7	841.7	3,231.2	4,744.7
BRYANT, KATHIE	22.9	27.6	18.4	15.7	25.1
CAMP LONGHORN, LTD	70.7	63.2	50.9	86.6	75.3
CITY OF AUSTIN HANDCOX WTP	28,520.5	28,575.2	32,053.0	29,011.4	25,813.6
CITY OF BURNET	416.3	466.2	439.1	500.8	653.9
CITY OF CEDAR PARK	15,552.1	16,617.0	14,841.8	16,194.3	16,425.0
CITY OF COTTONWOOD SHORES	152.2	144.5	129.8	167.7	170.9
CITY OF DRIPPING SPRINGS	103.9	148.8	192.8	342.4	352.6
CITY OF GRANITE SHOALS	438.7	457.2	400.2	445.1	434.3
CITY OF HORSESHOE BAY	2,065.2	2,170.1	1,828.0	2,530.0	2,295.9
CITY OF LAGO VISTA	1,411.1	1,499.0	1,316.4	1,710.3	1,594.1
CITY OF LEANDER	8,653.7	10,615.6	9,450.7	12,039.9	12,335.4
CITY OF MARBLE FALLS	1,442.1	1,560.9	1,364.9	1,815.2	1,793.6
CITY OF PFLUGERVILLE	6,022.7	8,345.5	6,859.1	8,971.9	7,334.6
CORIX UTILITIES TEXAS INC.	245.7	277.5	242.1	284.5	324.7
DRIPPING SPRINGS WSC	701.4	740.7	927.4	1,049.7	1,011.8
EANES ISD	15.3	12.1	14.4	21.4	21.9
HAYS COUNTY WCID #1	424.8	511.3	437.5	560.9	725.7
HAYS COUNTY WCID #2	408.7	517.5	481.7	554.2	409.6
HIDDEN VALLEY SUBDIVISION COOPERATIVE	0.8	0.6	0.2	0.6	0.5
HURST CREEK MUD	1,071.4	1,055.6	852.3	1,236.9	1,051.5
JONESTOWN WSC	712.1	885.5	739.1	945.3	960.1
KINGSLAND WSC	817.1	930.2	837.7	1,057.9	1,001.3
LAKEWAY MUD #1	2,187.5	2,579.5	2,189.2	2,710.4	2,382.1
LAZY NINE MUD #1A	470.8	565.9	484.4	543.4	728.8
LEN D. JORDAN D/B/A SAIL HAVEN WATER SYSTEM	6.9	8.0	7.1	8.8	7.5
LLANO COUNTY MUD #1	66.3	84.3	79.1	80.0	77.8
LOOP 360 WSC	747.5	893.6	731.5	926.6	1,021.0
MONARCH UTILITIES I, LP	81.0	104.1	89.9	132.3	131.4

PECAN UTILITIES CO INC	32.9	39.5	4.8	0.0	0.0
PENINSULA BLUFFS, LP	20.3	26.3	12.8	13.2	11.4
RESORT RANCH OF LAKE TRAVIS, INC.	2.8	3.0	1.2	0.5	0.9
REUNION RANCH WCID	271.3	321.4	307.0	359.8	319.2
SENNA HILLS MUD #1	207.4	236.9	264.8	260.0	225.6
SJWTX D/B/A CANYON LAKE WATER SERVICE CO	177.7	213.2	190.4	236.8	203.9
TRAVIS COUNTY ID #1	0.0	0.0	0.0	0.0	0.2
TRAVIS COUNTY MUD #04	2,072.2	2,133.5	1,907.3	2,770.2	2,419.5
TRAVIS COUNTY MUD #10	84.1	92.6	78.2	119.5	85.0
TRAVIS COUNTY MUD #12	609.4	888.5	816.5	1,126.5	1,219.7
TRAVIS COUNTY MUD #18	188.7	204.2	173.4	227.9	338.3
TRAVIS COUNTY WCID #17	7,236.2	8,099.6	7,263.4	9,330.1	8,851.5
TRAVIS COUNTY WCID #18	729.4	871.2	719.9	985.8	917.4
TRAVIS COUNTY WCID #20	477.5	466.2	392.2	530.8	554.4
TRAVIS COUNTY WCID POINT VENTURE	229.9	257.5	206.9	228.2	241.8
UNDINE DEVELOPMENT LLC	104.8	93.7	80.4	111.8	98.5
VILLAGE OF BRIARCLIFF	271.7	306.1	266.5	336.2	328.9
WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY	5,589.0	6,371.6	6,745.0	8,094.6	6,392.5
WINDERMERE OAKS WSC	55.2	68.2	44.5	50.7	48.3
<b>Grand Total</b>	<b>91,887</b>	<b>101,824</b>	<b>97,819</b>	<b>112,551</b>	<b>106,836</b>
<b>Customer Name</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>

## Irrigation Firm Water Customer Contracted Use – 2019-2023

Customer Name	2019	2020	2021	2022	2023
6D RANCH, LTD	22.0	25.3	15.6	57.3	40.5
APPLIED MATERIALS, INC.	64.0	64.0	64.0	64.0	64.0
AUSTIN COUNTRY CLUB	195.4	218.3	175.9	272.7	266.4
AUSTIN GOLF CLUB, INC.	189.5	198.9	122.6	254.7	232.3
BAE SYSTEMS INTEGRATED DEFENSE SOLUTIONS	3.6	3.6	3.6	3.6	3.6
BARTON CREEK LAKESIDE IRRIGATION CO, INC	119.4	173.8	151.2	181.9	168.8
BARTON CREEK RESORT LLC	238.4	301.7	261.6	356.3	220.2
BLUE LAKE GOLF CLUB, INC.	40.6	11.1	0.0	1.8	0.0
BLUEBONNET HILLS GOLF COURSE, LTD	111.0	0.0	0.0	0.0	0.0

BOOT RANCH HOLDINGS LLC	79.6	50.3	36.3	22.2	35.0
BULL CREEK MANAGEMENT LLC	48.1	45.6	46.4	46.6	66.4
CF RIVER PLACE ARCIS LLC	44.4	103.3	81.0	220.0	131.7
CF TWIN CREEKS ARCIS LLC	187.2	273.1	163.7	161.4	230.9
CITY OF AUSTIN (WALLER CREEK)	141.9	52.7	200.6	163.3	226.9
CITY OF AUSTIN D/B/A GREY ROCK GOLF CLUB	45.9	54.0	54.0	54.0	54.0
CLUBCORP GOLF OF TEXAS LP	143.2	68.6	66.9	95.4	139.0
COLOVISTA COUNTRY CLUB POA	0.0	0.0	0.0	0.0	0.0
ESCONDIDO CLUB, INC.	298.3	312.9	264.4	432.2	381.9
GIACOMO PROPERTIES LLC D/B/A LEGENDS ON LBJ	0.0	0.0	42.6	250.3	269.5
GRAY WOLF GOLF, LLC	0.0	0.0	0.0	23.9	4.5
GREAT HILLS GOLF CLUB OF AUSTIN INC D/B/A GREAT HILLS CC	114.7	131.7	121.1	120.6	153.9
GRIDIRON CREEK RANCH LAKE LEWIS & RIVER BLUFF	0.0	0.0	0.0	42.2	126.3
GRIDIRON CREEK RANCH LTD	0.0	0.0	0.0	11.2	0.0
HIGHLAND LAKE ATHLETIC CORP D/B/A/ CAMP CHAMPIONS	0.0	0.0	0.0	0.0	0.0
HORSESHOE BAY APPLEHEAD ISLAND POA INC.	0.0	0.0	0.0	0.0	0.0
HORSESHOE BAY POA	21.5	21.0	16.0	25.0	21.0
HORSESHOE BAY RESORT LTD	1,091.3	1,159.6	688.2	1,156.0	965.8
HYATT CORPORATION (AUSTIN)	1.9	0.0	0.0	0.0	0.0
HYATT REGENCY LOST PINES RESORT	256.0	278.9	216.8	328.5	284.0
ISLAND ON LAKE TRAVIS COA, INC.	19.2	17.9	14.6	16.7	12.7
KING RANCH TURFGRASS LP	553.2	742.8	630.5	773.2	693.1
LA GRANGE ISD	17.3	20.0	7.0	16.9	8.4
LAKECLIFF DREAM, LLC	344.6	264.6	68.5	438.6	622.7
LAKE POINTE MUD	23.2	11.9	8.0	19.0	26.8
LAKESIDE HEIGHTS INC	0.0	0.0	10.8	31.5	28.8
LCRA FACILITIES	8.6	20.4	13.4	21.4	16.6
MARINA CLUB HOA, INC.	9.8	14.3	6.8	6.6	5.9
PAM MCCASKILL D/B/A AUSTIN ORCHARD	4.9	5.4	13.2	20.3	15.6
PEDERNALES GOLF CLUB, INC.	40.2	43.0	24.6	37.4	40.4
POINT VENTURE POA, INC.	0.8	0.0	0.0	22.4	18.7
POTTS LAND COMPANY, LLC	11.9	12.7	9.2	10.7	12.3
RESERVE AT LAKE TRAVIS RESIDENTIAL COMMUNITY, INC.	102.2	119.0	60.9	74.1	132.0
RICHARD T SUTTLE JR, TRUSTEE	0.0	0.0	0.3	0.0	0.0

RIVER PLACE GOLF GROUP, LP	0.0	0.0	0.0	0.0	0.0
ROUGH HOLLOW SOUTH SHORE II MASTER COMMUNITY, INC.	47.8	21.3	31.4	33.7	39.3
ST. STEPHEN'S EPISCOPAL SCHOOL	47.2	38.0	16.9	52.8	50.0
TEXAS WATER TRADE	0.0	0.0	0.0	292.0	277.8
TOMMY LEE JONES (FLEMING SPRINGS RANCH)	0.0	20.0	20.0	20.0	20.0
TRAILS POA, INC.	12.2	26.3	30.0	20.4	37.7
TRAVIS COUNTY MUD #04	551.2	487.2	170.3	444.5	806.2
TRAVIS COUNTY WCID #17	0.0	0.1	0.0	0.0	21.9
TUSCAN VILLAGE HORSESHOE BAY COMMUNITY, INC.	0.0	0.0	0.0	10.7	16.9
VOLENTE BEACH, INC.	0.5	0.0	0.0	0.0	0.0
WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY	175.8	139.3	52.0	430.8	302.1
<b>Grand Total</b>	<b>5,429</b>	<b>5,553</b>	<b>3,981</b>	<b>7,139</b>	<b>7,293</b>

## Industrial Firm Water Customer Contracted Use – 2019-2023

Customer Name	2019	2020	2021	2022	2023
ALAMO CONCRETE PRODUCTS CO	0.0	0.0	0.0	78.3	93.2
BASTROP ENERGY PARTNERS LP	1,582.6	1,863.5	1,282.3	2,035.3	2,254.3
CITY OF AUSTIN D/B/A AUSTIN ENERGY	600.4	3,593.0	2,578.2	5,029.5	3,413.3
INEOS USA OIL & GAS	0.0	9.3	7.2	44.7	0.0
MAGNOLIA OIL & GAS OPERATING LLC	39.3	159.5	62.4	0.0	13.1
OQ CHEMICALS CORP	5,089.5	5,869.9	3,424.6	4,804.0	4,962.9
STP NUCLEAR OPERATING COMPANY <sup>3</sup>	24,028.4	12,794.7	79,094.4	9,955.3	42,137.5
TXI OPERATIONS, LP	36.3	57.5	47.6	40.4	47.0
UNDERGROUND SERVICES MARKHAM LLC	7,686.9	6,636.4	4,526.4	9,448.7	7,184.3
<b>Grand Total</b>	<b>39,063</b>	<b>30,984</b>	<b>91,023</b>	<b>31,436</b>	<b>60,106</b>

<sup>1</sup> Values are diversions from the river to refill the main cooling reservoir when river water is available and do not reflect consumptive use from the reservoir.

## APPENDIX B

# LOST PINES POWER PLANT WATER CONSERVATION PLAN

## 1.0 Lost Pines Power Park Description

Lost Pines Power Park in Bastrop County is comprised of the Sim Gideon Power Plant and the Lost Pines 1 Power Project, co-owned by LCRA and GenTex Power Corporation, an LCRA affiliate. Lost Pines 1, in service since 2001, is a 536 MW natural gas-fired, combined-cycle power plant. Lost Pines 1 has two gas-fired combustion turbines and one steam turbine. The two combustion turbines work much like jet engines, with the waste heat from the two turbines used to generate steam in the heat recovery steam generator (HRSG). Because of this configuration, the plant is 30-40 percent more thermodynamically efficient than a conventional steam electric system.

The Sim Gideon units are conventional steam electric units and are the oldest gas-fired power plants in service in the LCRA system. The three units of Sim Gideon include:

- Unit 1, completed in 1965, with a capacity of 142 MW
- Unit 2, completed in 1968, with a capacity of 142 MW
- Unit 3, completed in 1971, with a capacity of 342 MW

Winchester is a 186 MW “peaker” plant located about 20 miles north of La Grange in Fayette County. Although it is operated from Lost Pines 1, it is not technically part of Lost Pines 1. Winchester has no cooling reservoir and uses simple cycle combustion turbines that require relatively small amounts of water, which helps reduce water consumption in the LCRA generating system.

Both Sim Gideon and Lost Pines 1 are located on Lake Bastrop. TCEQ Certificate of Adjudication No. 14-5473 authorizes LCRA to divert water from the Colorado River and impound it in Lake Bastrop for power plant operations. The reservoir can also capture inflows from the Spicer Creek watershed into the reservoir. LCRA can impound up to 16,590 acre-feet when the reservoir is full. In addition to its surface water rights, LCRA also has groundwater permits that allow a maximum of 10,000 acre-feet per year to be pumped in a single year, and up to 6,500 acre-feet per year on a five-year average.

Lake Bastrop acts as a large cooling pond for Sim Gideon and Lost Pines 1. Water is passed through the power plant condensers to condense steam back into water for reuse in the plant’s steam cycle. Warmed lake water is returned to circulate through the reservoir and cool before being used again. The cooling water from the plants is discharged into a lined discharge channel, which travels approximately one mile and enters the north side of Lake Bastrop. This separation of the discharge from the intake side of the lake prevents short-circuiting and ensures that the full cooling capacity of the lake surface is utilized. Water can also be released back into the river downstream of the lake to pass flood flows.

Between 2020-2022, groundwater use averaged 5,040 acre-feet annually. Between 2020-2022, LCRA diverted no water from the Colorado River into Lake Bastrop.

## **2.0 Lost Pines Power Park Water Use**

The primary water uses at Lost Pines Power Park are cooling pond forced evaporation from condenser cooling and other equipment cooling, boiler makeup water and employee sanitation.

### **2.1 Condenser cooling**

Condenser cooling is the process by which water from a cooling pond is pumped through a heat exchanger to remove waste heat and condense the steam after it passes through the steam turbine. At Lost Pines Power Park, the cooling pond (Lake Bastrop) water is heated between approximately 6 to 10° F as it passes through the condenser. This warm water is then circulated back into and through the reservoir for cooling by the processes of evaporation, convection and radiant cooling.

In 2020, 2021 and 2022, Lost Pines 1 produced an average of 2,769,413 MWh each year - an average of 969,295 MWh per year from the steam turbine and 1,800,119 MWh per year from the two combustion turbines. Thus, the combustion turbines generate approximately 65 percent of the Lost Pines 1 power output, and the steam turbine generates approximately 35 percent.

Because the Lost Pines 1 combustion turbines reject very little heat to the cooling pond, Lost Pines 1 causes much less forced evaporation than an equivalent steam unit. If the Lost Pines 1 steam turbine has a heat rejection characteristic comparable to the similarly loaded FPP units, and using the method developed by George Ward<sup>1</sup> as an improvement to the Harbeck diagram method, Lost Pines 1 forced evaporation for 2020-2022 is an average of 1,096 acre-feet per year. The combustion turbines do use a small amount of cooling water for cooling (i.e. lube oil coolers). This amount is factored into the calculation of the steam turbine heat rejection.

Generation from the Sim Gideon facilities has increased considerably over the past five years. The average generation from the facility was 761,285 MWh annually between 2020 and 2022. The increase in output has increased the contribution of the facility toward the forced evaporation of Lake Bastrop. The forced evaporation attributable to the Sim Gideon units averaged 3,890 acre-feet annually from 2020 to 2022.

The total steam generation output for both Lost Pines 1 and Sim Gideon facilities averaged 3,530,699 MWh per year over the 2020-2022 timeframe. The Lost Pines 1 steam turbine produced an average of 78% of the steam power generated at Lost Pines Power Park and the Sim Gideon facilities produced the remaining 22 percent.

## 2.2 Boiler makeup water

Boiler makeup water is taken from wells on the LPPP facility. It is treated by filtration, reverse osmosis (RO) and ion exchange before being used in the boiler. The resulting water is extremely pure. High purity water is also used in the laboratory and for cooling of the gas turbines inlet air. Based on recent operating levels for these two facilities, approximately 168 acre-feet a year are used for this purpose. Another 143 acre-feet are returned to the cooling pond reservoir for reuse.

## 2.3 Employee sanitation

Employee sanitation facilities use potable water purchased from the Aqua Water Supply Corporation. The two power plants at Lost Pines Power Park have about 40 plant and office personnel. Lost Pines Power Park purchases approximately 2 acre-feet of potable water per year according to LCRA records and the water balance. A wastewater treatment plant at Lost Pines Power Park treats human wastewater and discharges most of the effluent to an onsite sewage facility spray field. The balance is sent to the cooling pond for reuse as cooling water. This report assumes that one-half of the potable water is consumed, or 1 acre-foot per year for years 2020-2022.

## 2.4 Landscape irrigation

In an effort to reduce freshwater usage, Lost Pines Power Park has eliminated landscape irrigation at the facility.

**Table 1 Summary of Estimated Water Use for the Lost Pines Power Park – 2020-2022**

Type of Use	Lost Pines 1 Acre- feet/year	Sim Gideon Acre-feet/year	Combined Acre-feet/year
Forced Evaporation	1,096	3,890	4986
Boiler Makeup	82	86	168
Employee Sanitation	1	0	1
<b>Total</b>	<b>1,179</b>	<b>3,976</b>	<b>5,154</b>

Lost Pines 1 uses 23 percent of all consumed water and Sim Gideon uses 77 percent.

**Table 2 Summary of Estimated Water Use for Winchester Power Park – 2020-2022**

Type of Use	Acre- feet/year
Combustion and generation enhancement	3
<b>Total</b>	<b>3</b>

Based on an average generation for the years 2020-2022 and the water use above; Lost Pines 1 utilizes 0.135 gallons per kWh or 135 gallons per MWh. The Sim Gideon Plant utilizes 1.685 gallons per kWh or 1,685 gallons per MWh. Winchester Power Park utilizes 0.005 gallons per kWh or 5 gallons per MWh.

### **3.0 Lost Pines Power Park Water Conservation Goals and Strategies**

The following are water conservation features for Lost Pines Power Park:

- Lost Pines 1 combined cycle power plant is the most significant conservation feature of Lost Pines Power Park. This saves at least 1,654 acre-feet per year over what a conventional steam electric plant would use. Lost Pines 1 savings are based on water usage rates of the similarly loaded FPP units, applied to the non-steam, combustion turbine generation of Lost Pines 1.
- Low-NOx burners and selective catalytic reduction technology instead of water injection. This technology controls nitrogen oxides during combustion without water, potentially reducing water usage of up to 503 acre-feet per year.
- Water conservation discussions during monthly safety meetings. \*
- Aggressive repair of potable water leaks both within the plant and up to the water meter just outside of the plant boundaries. \*
- Aggressive repair of service water leaks within the plant. \*
- Indirect reuse due to boiler water production rejects and sanitation water processing totals 44 acre-feet per year.
- The use of groundwater for plant use has eliminated delivery losses for water released from lakes Buchanan and Travis by an average of 145 acre-feet per year.

\*These items save an estimated 1 acre-foot per year combined.

Future conservation strategies include:

- Maintaining zero water use for landscape with a savings goal of 1 acre-foot per year.
- Continuing existing water conservation strategies outlined above.

## APPENDIX C

### FAYETTE POWER PLANT WATER CONSERVATION PLAN

#### 1.0 Fayette Power Project Description

- FPP is a coal-fired steam electric power plant. Beginning operation in 1979, the three-units have a generating capacity of 1,708 MW. Unit 1, completed in 1979, with a gross dependable capacity of 624 MW (co-owned with Austin Energy)
- Unit 2, completed in 1980, with a gross dependable capacity of 624 MW (co-owned with Austin Energy)
- Unit 3, completed in 1988, with a gross dependable capacity of 460 MW

FPP is in Fayette County on Cedar Creek Reservoir. (The reservoir is sometimes referred to as Lake Fayette or Fayette County Reservoir.) Certificate of Adjudication 14-5474 authorizes LCRA to impound up to 74,140 acre-feet in the reservoir. LCRA is authorized to divert up to 73,759 acre-feet per year of water from the Colorado River to the reservoir for industrial purposes under Certificates of Adjudication Nos. 14-5478 and 14-5482. As part of 14-5474, LCRA is also authorized to impound inflows from the Cedar Creek Watershed. LCRA is authorized to divert, circulate and recirculate from Cedar Creek Reservoir for industrial purposes. LCRA is also authorized to divert water under water right 14-5434E (the amended Garwood right) for use at FPP. The City of Austin has its own water right, no. 14-5471, for the diversion of up to 24,000 acre-feet per year from the Colorado River, plus a contract with LCRA for 7,500 acre-feet per year.

The surface water is pumped from the Colorado River through a pipeline to maintain lake levels. The metered diversions from the river for 2020, 2021 and 2022 measured 13,361 acre-feet, 12,766 acre-feet and 14,358 acre-feet per year, respectively, for an average of 13,495 acre-feet per year. These values include both LCRA and Austin Energy portions. Additional water is captured from the Cedar Creek watershed and impounded.

There are several smaller industrial waste ponds on site, including the Reclaim Pond, the Coal Pile Runoff Pond (CPRP), the Combustion By-products Landfill Pond (CBLP) and the Ash Silo Area Pond. Water from CPRP, CBLP and the Ash Silo Area Pond are capable of transferring water to the Reclaim Pond, along with other sources from the plant for reuse.

#### 2.0 Fayette Power Project Water Use

Water is currently used at FPP for the following:

- Cooling pond forced evaporation from condenser cooling and other equipment cooling;
- Stack gas scrubbers for air pollution control on Units 1, 2, and 3;
- Natural evaporation from the various industrial waste ponds;
- Boiler soot blowing and venting;
- Boiler seal systems and bottom ash removal systems;

- Plant wash-down systems and dust suppression; and
- Potable water purchased for employee sanitation and landscape irrigation.

## **2.1 Condenser cooling**

The cooling pond water at FPP is heated between approximately 8 to 20° F as it passes through the condenser heat exchangers. This warm water is then circulated back into and through the reservoir to cool by the processes of evaporation, convection and radiant cooling. During 2020-2022, FPP generated a total of 30,752,898 MWh or an average of 10,250,966 MWh per year. Based on the previously mentioned method by George Ward, the forced evaporation for all three units due to condenser cooling calculates to an average of 7,918 acre-feet per year. Unit equipment upgrades have led to reduced water usage over previous years.

Water from Cedar Creek Reservoir also cools a variety of mechanical equipment. Based on historical test data, this cooling water stream rejects approximately 2 percent as much heat to the lake as the condenser cooling water. This results in another 161 acre-feet per year of forced evaporation.

## **2.2 Stack gas scrubbers**

Stack gas scrubbers are used to remove sulfur oxides from the power plant stack gas emissions. All three FPP units have flue gas desulfurization systems and use scrubbers with a slurry of powdered limestone to capture the sulfur oxides. The heat content of the stack gas represents approximately 10% of the energy released through coal combustion at the power plant. Water in the slurry cools the gas to below the water boiling point through evaporation. This process results in approximately 1,833 acre-feet per year of water consumed through evaporation, based on water use testing and the 2020-2022 generating output levels. The resulting slurry from the scrubber process contains calcium sulfate and is a by-product sold to third parties for beneficial reuse.

Much of the water used for the scrubber process can be obtained from the Reclaim Pond which collects water from the following sources:

- Rainwater, both direct and runoff;
- Boiler water treatment processes;
- Domestic wastewater treated effluent; and
- Runoff from other sources.

This Reclaim Pond is an example of an industrial storm and rainwater reuse project.

## **2.3 Industrial wastewater pond natural evaporation**

The Reclaim Pond, CPRP, CBLP and the Ash Silo Area Pond exist to support plant operations. This report categorizes their net natural evaporation (natural evaporation minus rainfall) as used water. During 2020-2022, these ponds had a combined net natural evaporation average of 65 acre-feet of water per year.

## 2.4 Boiler soot blowing and vents

The boilers use 290 acre-feet per year through soot blowing operations and a variety of ventings to atmosphere.

## 2.5 FPP Boiler seal systems and bottom ash removal

The bottom ash and seal systems currently use 157 acre-feet per year.

## 2.6 Plant wash-down systems and dust suppression

FPP uses water to limit the generation, dispersion and accumulation of dust, including coal dust, throughout the plant site. According to a combination of measured flows and FPP Water Balance values, the plant uses 140 acre-feet per year to perform these health- and safety-related tasks.

## 2.7 Potable water purchases

FPP purchases potable water from the Fayette Water Supply Corporation (WSC) whose source is groundwater from the Carrizo-Wilcox Aquifer. The plant has about 185 personnel. Approximately 16 acre-feet of treated water are purchased annually, of which approximately 1 acre-foot is used for landscape irrigation purposes and 15 acre-feet for employee sanitation. Approximately 11 acre-feet per year of treated wastewater is sent to the Reclaim Pond for reuse.

The plumbing fixtures at FPP are water-conserving based on the current federal standard.

**Table 1 Fayette Power Project Estimated Annual Water Use**

Type of Use	Acre- feet/year
Forced evaporation	8,079
Scrubbers	1,733
Boiler soot blowing and venting	290
Boiler sealing and bottom ash handling	58
Net natural evaporation from industrial waste ponds	65
Dust control and wash down	140
Employee consumption	16
Landscape irrigation	1
<b>Total</b>	<b>10,382</b>

Table 1 indicates that more than 99 percent of the water use at FPP is for plant operation, while less than 1 percent is used for employee sanitation and irrigation purposes. Based on an average generation for 2020-2022 and the above water use, water use per kWh at FPP is 0.330 gallons per kWh or 330 gallons per MWh.

### 3.0 Fayette Power Project Water Conservation Features and Strategies

Water-saving features for FPP include:

- Water-saving plumbing fixtures for employees: 2 acre-feet per year.
- Minimal landscape watering: 1 acre-foot per year.
- **Total savings: 3 acre-feet per year.**

Direct reuse features for FPP involve using the Reclaim Pond water for:

- Stack gas scrubber makeup: 347 acre-feet per year.
- Various plant wash down locations: 23 acre-feet per year.
- Boiler sealing systems: 150 acre-feet per year.
- **Total direct reuse: 520 acre-feet per year.**

Indirect reuse features for FPP include:

- Recycling CPRP water back to the reservoir: 373 acre-feet per year.
- Sending boiler water production system (reverse osmosis system) process reject water to the reservoir for makeup purposes: 181 acre-feet per year.
- **Total indirect reuse: 554 acre-feet per year.**

## APPENDIX D

### FERGUSON POWER PLANT WATER CONSERVATION PLAN

#### 1.0 Ferguson Power Plant Description

The Thoms C. Ferguson Power Plant a 527 MW (Gross Dependable, Summer Capacity) natural gas-fired, combined-cycle power plant in Horseshoe Bay, became commercially operational in 2014. Like Lost Pines 1, the Ferguson Power Plant employs two combustion turbine-generators and one steam-powered turbine-generator. As a result, the Ferguson Power Plant incorporates the same water-saving arrangement as Lost Pines 1, in which the two combustion turbines units do not reject heat to the cooling lake and therefore do not cause any forced evaporation.

## 2.0 Ferguson Power Plant Water Use

The primary water uses at the Ferguson Power Plant are forced evaporation on Lake LBJ from condenser cooling and other equipment cooling, boiler makeup water and employee sanitation.

### 2.1 Condenser Cooling

Water from Lake LBJ is heated between approximately 6 to 12°F as it passes through the condenser’s heat exchange process. This warm water is then circulated back into and through the lake for cooling by the processes of evaporation, convection, and radiant cooling.

In 2020, 2021, and 2022, Ferguson produced an average of 3,417,674 MWh each year – an average of 1,251,928 MWh per year from the steam turbine and 2,165,746 MWh per year from the two combustion turbines. Thus, the combustion turbines generate approximately 64 percent of the power output, and the steam turbine generates approximately 36 percent. Like Lost Pines, the combustion turbines do not reject heat to the cooling lake, causing much less forced evaporation than an equivalent simple cycle steam unit. Ferguson forced evaporation calculates to a 2020-2022 annual average of 1,683 acre-feet.

### 2.2 Boiler makeup water

Boiler makeup water is taken from Lake LBJ. It is treated by filtration, reverse osmosis (RO) and ion exchange before being used in the boiler. The resulting water is extremely pure. High purity water is also used in the laboratory and for cooling of the gas turbines inlet air. Between 2020 and 2022, Ferguson withdrew approximately 136 acre-feet of water per year for this purpose and returned 45 acre-feet to Lake LBJ.

### 2.3 Employee sanitation

Ferguson purchases approximately 1 acre-feet of water per year from the City of Horseshoe Bay for employee sanitation facilities.

### 2.4 Landscape irrigation

There is no landscape irrigation at Ferguson Power Plant.

**Table 1 Ferguson Power Plant Estimated Annual Water Use**

Type of Use	Acre- feet/year
Forced evaporation	1,128
Boiler Makeup	91

Employee consumption	1
<b>Total</b>	<b>1,220</b>

### **3.0 Ferguson Power Plant Water Conservation Features and Strategies**

The following are water conservation features for the Ferguson Power Plant:

- The Ferguson combined cycle design. This uses at least 2,241 acre-feet a year less than a conventional, simple-cycle steam power plant
- Indirect reuse due to boiler water production rejects and sanitation processing totals 45 acre-feet per year.
- Aggressive repair of water leaks within the plant.

\* Ferguson savings are based on water usage rates of the similarly loaded FPP units, applied to the non-steam, combustion turbine generation of Ferguson.



# **Drought Contingency Plan for Firm Water Customers**

**Lower Colorado River Authority**

**April 2024**

# TABLE OF CONTENTS

1. Declaration of Policy, Purpose, and Intent.....	3
2. Public Input and Coordination .....	3
3. User Education.....	3
4. Authorization .....	3
5. Application .....	3
6. Notice.....	4
7. Drought Response Stages .....	4
7.1    Drought Contingency Plan Stage 1 .....	4
7.2    Drought Contingency Plan Stage 2 .....	4
7.3    Drought Contingency Plan Stage 3.....	4
7.4    Drought Contingency Plan Stage 4 .....	5
8. Firm Customer Drought Contingency Plans .....	5
9. Variances.....	5
10. Enforcement.....	6
11. Severability .....	6
12. Effective Date of Plan.....	6
13. Drought Contingency Plan Updates .....	6
14. Notification of Executive Director.....	6

## **1. DECLARATION OF POLICY, PURPOSE, AND INTENT**

The Board of Directors of the Lower Colorado River Authority (LCRA) deems it to be in the interest of LCRA to adopt a Drought Contingency Plan (DCP) for the supply of firm water. This DCP constitutes the LCRA's drought contingency plan required under Section 11.1272, Texas Water Code, and associated administrative rules of the Texas Commission on Environmental Quality (Title 30, Texas Administrative Code, Chapter 288).

## **2. PUBLIC INPUT AND COORDINATION**

Firm water customers within LCRA's water service area were provided with information related to the preparation of this DCP and provided an opportunity to give input on its development through LCRA's regularly scheduled public meetings of the LCRA Board in March and April 2024. In addition, LCRA posted its draft proposed DCP on its website, [www.lcra.org](http://www.lcra.org), provided an opportunity to submit written comments through its website, and held a customer meeting.

Further, LCRA has provided a copy of this Firm Customer DCP to the Region K Regional Water Planning Group to ensure consistency with the Region K water plan.

## **3. USER EDUCATION**

LCRA will provide water users with information about this DCP, including information about the conditions under which drought response measures are to be initiated or terminated. This information will be provided by email to customers, by providing copies of the DCP to each customer, or by posting the DCP on LCRA's public website.

## **4. AUTHORIZATION**

The LCRA General Manager or his designee is hereby authorized and directed to implement the applicable provisions of this DCP consistent with the criteria specified herein. LCRA Board action is not required for actions under this DCP other than those actions set forth below:

- Establishing surcharges or excess use rates applicable to firm water customers (Section 10).
- Declaration of a Drought Worse than Drought of Record (Section 7.4).
- Initiating, modifying and/or lifting of pro rata curtailment, or establishing criteria for such actions. (Section 7.4).
- Establishing the percentage curtailment required under continuing Stage 4 (Section 7.4).
- Updates to the Drought Contingency Plan (Section 13).

LCRA will carry out an appropriate public information campaign related to any item requiring Board action under this DCP as required by 30 Tex. Admin. Code Ch. 288.

## **5. APPLICATION**

The provisions of this DCP shall apply to the use of water by all persons using firm water provided by LCRA. To the extent a person also is using groundwater, or surface water from sources outside the Colorado River Basin, the provisions of this DCP do not limit the use of that source of water. The term "person" as used in this DCP includes individuals, corporations, partnerships, associations, and all other legal entities.

## **6. NOTICE**

Notice of the initiation of drought response measures will be given by posting on the LCRA website and by U.S. Mail or email, where available, to each individual firm water customer.

## **7. DROUGHT RESPONSE STAGES**

This DCP sets forth the procedures by which LCRA will implement drought response stages for firm water uses. LCRA will encourage its firm water customers to implement long-term water conservation measures year-round to meet the goals included in their water conservation plans. LCRA will, as needed, share information with the public on water supply conditions, water use and conservation. LCRA's Water Contract Rules, including its Drought Contingency Plan Rules and Pro Rata Curtailment Rules may include additional requirements and details applicable to the following stages.

### 7.1 Drought Contingency Plan Stage 1

If the total combined storage in lakes Buchanan and Travis drops below 1.1 million acre-feet, and interruptible stored water supplied to the Lakeside, Gulf Coast and Pierce Ranch agricultural operations is curtailed, LCRA will request its firm water customers implement mandatory drought response measures in their individual drought contingency plans with a target demand reduction goal of 10 percent. If the combined storage in lakes Buchanan and Travis subsequently increases to 1.2 million acre-feet, the stage will be exited.

### 7.2 Drought Contingency Plan Stage 2

LCRA will enter Stage 2 if interruptible stored water supplied to the Lakeside, Gulf Coast and Pierce Ranch agricultural operations is curtailed, and:

- a) the total combined storage in lakes Buchanan and Travis drops below 900,000 acre-feet; or
- b) on March 1 or July 1, the combined storage in lakes Buchanan and Travis is below 1.1 million acre-feet and the cumulative prior three months of inflows total to those lakes is less than the 25<sup>th</sup> percentile of historic inflows for the three-month periods.

In this stage, LCRA firm water customers must implement additional mandatory drought response measures in their individual drought contingency plans with a target demand reduction goal of 20 percent. In this stage, firm customers' water use reduction measures must include a no more than once-per-week watering schedule for ornamental landscaping.

If the combined storage in lakes Buchanan and Travis subsequently increases above 1.1 million acre-feet, the stage will be exited and replaced by Stage 1.

### 7.3 Drought Contingency Plan Stage 3

If the total combined storage in lakes Buchanan and Travis drops below 750,000 acre-feet and interruptible stored water supplied to the Lakeside, Gulf Coast and Pierce Ranch agricultural operations is curtailed, LCRA firm water customers must implement additional mandatory drought response measures in their individual drought contingency plans with a target demand reduction goal of 25 percent. In this stage, LCRA firm customers' water use reduction measures for ornamental landscaping must include a) a prohibition on the operation of automatic or manual sprinkler irrigation systems; or b) a maximum of no more than 6 hours per week for operating automatic or manual sprinkler irrigation systems. If the combined storage

in lakes Buchanan and Travis subsequently increases to 825,000 acre-feet, the stage will be exited and replaced by Stage 2.

#### 7.4 Drought Contingency Plan Stage 4

If the total combined storage in lakes Buchanan and Travis drops below 600,000 acre-feet, and the LCRA Board of Directors declares a Drought Worse than the Drought of Record consistent with the LCRA Water Management Plan (WMP), LCRA will curtail and distribute the available supply of firm water among its firm water customers and firm environmental flow commitments on a pro rata basis according to the amount of firm water to which they are legally entitled consistent with the Pro Rata Plan for Firm Water Demands approved by TCEQ. All uses of interruptible stored water will be cut off prior to and during any mandatory pro rata curtailment of firm water supplies. The initial curtailment of firm water supplies under pro rata will be 20 percent with a target demand reduction goal of 30 percent. In this stage, LCRA will require that firm customers implement mandatory water use reduction measures for ornamental landscaping that must include a prohibition on irrigation of ornamental turfgrass using automatic or manual irrigation systems, including drip irrigation and hose-end sprinklers. Upon entering Stage 4, the LCRA Board also shall determine the conditions under which additional mandatory actions shall be triggered, consistent with Appendix C of LCRA's Water Contract Rules, which include specific procedures and requirements related to a pro rata curtailment of firm water supplies. During Stage 4, LCRA will further encourage firm water customers to use alternative water supplies, if available.

The LCRA Board also may set additional criteria for ending or easing pro rata curtailment, such as combined storage increasing to a given level. If such criteria are subsequently met, the Board may increase or decrease the pro rata curtailment percentage. A declaration of a Drought Worse than Drought of Record will be canceled if combined storage in lakes Buchanan and Travis increases to 1.4 million acre-feet. In that event, mandatory pro rata curtailment would be lifted, and the stage would be exited.

### **8. FIRM CUSTOMER DROUGHT CONTINGENCY PLANS**

As part of its contracts, LCRA requires its firm water customers to prepare and adopt a drought contingency plan that is legally enforceable by the firm water customer and specifies the actions to be taken to comply with this Drought Contingency Plan regarding the implementation of drought response measures, including a plan to reduce demand during curtailment of firm supplies consistent with LCRA's approved Pro Rata Plan and LCRA's Water Contract Rules, including its Drought Contingency Plan Rules and Pro Rata Curtailment Rules. Customers' DCPs should be developed pursuant to LCRA guidelines and submitted for LCRA review and acceptance within 60 days of the approval of this plan. LCRA will provide firm customers a template DCP outlining recommended drought response measures for each stage that may be voluntarily adopted. For temporary contracts, domestic use contracts and landscape irrigation contracts for up to 30 acre-feet per year, customers shall follow an LCRA-developed DCP that is specific to such uses unless customers develop a stand-alone DCP that meets LCRA requirements.

## **9. VARIANCES**

The General Manager may, in writing, grant to a firm water customer a temporary variance from the pro rata curtailment required under this DCP and LCRA's Pro Rata Plan, consistent with Appendix C of LCRA's Water Contract Rules.

In addition, the General Manager may, in writing, grant a temporary variance to the pro rata curtailment of water supplied to meet environmental flow criteria under sections of the LCRA WMP if the Texas Parks and Wildlife Department submits a written variance request, and the General Manager determines a variance is justified to avoid severe adverse biological conditions and/or a variance would not result in an increase in the amount of water made available for environmental flows during the curtailment.

## **10. ENFORCEMENT**

LCRA will monitor firm customers' compliance with its DCP requirements. Specific enforcement provisions are included in customer contracts, LCRA's Drought Contingency Plan Rules (which are incorporated into this DCP by reference), and LCRA's Drought Contingency Plan for Domestic, Temporary, and Landscape Irrigation and Recreation Contracts. Monitoring and enforcement of water-use restrictions at the end-user level is the customers' responsibility. In addition, all LCRA firm water contracts include a provision requiring that, in cases of a shortage of water resulting from drought, the water will be distributed in accordance with the LCRA's WMP and Texas Water Code section 11.039. Customers that exceed their allotted supply during a pro rata curtailment will be subject to excess use rates or surcharges, to be specified by the LCRA Board, in addition to LCRA's firm water rate. They also may be subject to civil action to enjoin them for breach of contract.

## **11. SEVERABILITY**

It is hereby declared to be the intention of the LCRA Board that, if the sections, paragraphs, sentences, clauses, and phrases of this DCP shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this DCP.

## **12. EFFECTIVE DATE OF PLAN**

The effective date of this DCP shall be the date of approval by the LCRA Board and shall supersede all other Firm Water DCPs and amendments thereto, previously adopted by LCRA through resolution or otherwise. Ignorance of the DCP is not a defense to a prosecution for enforcement of a violation of the DCP.

## **13. DROUGHT CONTINGENCY PLAN UPDATES**

LCRA will make any necessary conforming changes to this DCP within 90 days of TCEQ's approval of changes to the LCRA WMP that affect the firm customer drought response measures contained in this DCP. Further, LCRA may make other updates or amendments to the DCP in accordance with other applicable law.

## **14. NOTIFICATION OF EXECUTIVE DIRECTOR**

The LCRA General Manager will provide all required notices to the TCEQ Executive Director as required by applicable law, including but not limited to notifying the Executive Director within five business days of the implementation of any mandatory provisions under this DCP.

## **EXHIBIT A**

LCRA Board of Directors  
Minutes Digest  
April 25, 2024

- 24-30 Authorization for the general manager or his designee to grant an 8,053-square-foot access easement across an LCRA-owned irrigation canal in the Gulf Coast Agricultural Division in Matagorda County to the adjoining landowner.
- 24-31 Approval of the minutes of the March 26, 2024, Board meeting.
- 24-32 Approval of the updated LCRA Drought Contingency Plan for Firm Water Customers and the updated Drought Contingency Plan Rules for Water Sale Contracts, and authorization for the general manager or his designee to submit the plan to the Texas Commission on Environmental Quality.
- 24-33 Approval of the LCRA Water Conservation Plan and authorization for the general manager or his designee to submit the plan to the Texas Commission on Environmental Quality.
- 24-34 Authorization for the general manager or his designee to negotiate and execute the following contracts and contract changes: Contract No. 6446 (Dell Marketing LP); Contract No. 6008 (Pinnacle Steel Inc.); Contract No. 5151 (Trench Limited); and Contract No. 4822 (Sam Packs Five Star Ford).

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE  
LOWER COLORADO RIVER AUTHORITY  
Brenham, Texas  
April 25, 2024

Pursuant to notice posted in accordance with the Texas Open Meetings Act, the Board of Directors (Board) of the Lower Colorado River Authority (LCRA) convened in a regular meeting at 10:01 a.m. Thursday, April 25, 2024, in Morriss Hall, at The Barnhill Center, 111 W. Main St., Brenham, Washington County, Texas. The following directors were present, constituting a quorum:

Timothy Timmerman, Chair  
Stephen F. Cooper, Vice Chair  
Joseph M. "Joe" Crane, Secretary  
Michael L. "Mike" Allen  
Matthew L. "Matt" Arthur  
Carol Freeman  
Thomas L. "Tom" Kelley  
Robert "Bobby" Lewis  
Thomas Michael Martine  
Margaret D. "Meg" Voelter  
Martha Leigh M. Whitten  
David R. Willmann

Absent: Melissa K. Blanding  
Nancy Eckert Yeary

Chair Timmerman convened the meeting at 10:01 a.m.

[Chair Timmerman welcomed the following former LCRA Directors from Washington County who were in attendance: Teddy Boehm, P.J. Ellison, Charles Moser and Milton Tate Jr.]

There were no comments from the public during the meeting [Agenda Item 1].

The Board next took action on the consent agenda. Upon motion by Director Voelter, seconded by Director Kelley, the Board unanimously approved consent items 2 and 3 by a vote of 12 to 0 as follows:

24-30 Authorization for the general manager or his designee to grant an 8,053-square-foot access easement across an LCRA-owned irrigation canal in the Gulf Coast Agricultural Division in Matagorda County to the adjoining landowner, as recommended by staff in Consent Item 2 [attached hereto as Exhibit A].

24-31 Approval of the minutes of the March 26, 2024, Board meeting [Consent Item 3].

Vice President of Water Operations Kelly D. Payne presented an update on basin conditions [Agenda Item 4].

24-32 Vice President of Water Resources Monica Masters presented for consideration a staff recommendation, described in Agenda Item 5 [attached hereto as Exhibit B], that the Board approve the updated LCRA Drought Contingency Plan for Firm Water Customers and the updated Drought Contingency Plan Rules for Water Sale Contracts, and authorize the general manager or his designee to submit the plan to the Texas Commission on Environmental Quality. Upon motion by Director Martine, seconded by Director Lewis, the recommendation was unanimously approved by a vote of 12 to 0.

Vice President of Water Resources Monica Masters presented the proposed LCRA Water Conservation Plan [Agenda Item 6].

24-33 Vice President of Water Resources Monica Masters presented for consideration a staff recommendation, described in Agenda Item 7 [attached hereto as Exhibit C], that the Board approve the LCRA Water Conservation Plan and authorize the general manager or his designee to submit the plan to the Texas Commission on Environmental Quality. Upon motion by Vice Chair Cooper, seconded by Director Voelter, the recommendation was unanimously approved by a vote of 11 to 0. [Director Arthur was absent for voting on this item.]

24-34 Vice President of Supply Chain Matt Chavez presented for consideration a staff recommendation, described in Agenda Item 8 [attached hereto as Exhibit D], that the Board authorize the general manager or his designee to negotiate and execute the following contracts and contract changes: Contract No. 6446 (Dell Marketing LP); Contract No. 6008 (Pinnacle Steel Inc.); Contract No. 5151 (Trench Limited); and Contract No. 4822 (Sam Packs Five Star Ford). Upon motion by Director Allen, seconded by Director Crane, the recommendation was unanimously approved by a vote of 12 to 0.

Executive Vice President of Enterprise Resources Stephen Kellicker gave an update on LCRA's private long-term evolution radio technology [Agenda Item 9].

Chair Timmerman declared the meeting to be in executive session at 10:38 a.m. pursuant to sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089 and 418.183(f) of the Texas Government Code. Executive session ended, and Chair Timmerman declared the meeting to be in public session at 11:24 a.m.

The Board next began the work session on the draft fiscal year 2025 business and capital plans. [Prior to this meeting, staff provided the Board copies of the draft business and capital plans for LCRA and each of its nonprofit corporations: LCRA Transmission Services Corporation; LCRA Wholesale Energy Services Corporation, known as LCRA WSC Energy; WSC Energy II; and GenTex Power Corporation.]

General Manager Phil Wilson gave opening remarks and outlined the format of the work session. He noted that while developing the business plan, LCRA staff worked with the Rates and Resources Council, a group of LCRA's wholesale electric customers, to discuss wholesale power rates. He expressed appreciation to LCRA's customers. Wilson highlighted LCRA's mission, vision and strategic goals contained in the business plan, as well as LCRA's values.

Chief Financial Officer Jim Travis discussed staff's development of the business plan in the current environment. He said the plan meets the requirements of LCRA Board Policy 301 – Finance, including requirements for debt service coverage and reserves. Travis provided a general overview of the business and capital plans.

Senior Vice President of Financial Planning and Analysis Dawn Reed provided a detailed review of the nonconfidential portions of the LCRA business plan, including the proposed budget for operations; debt service coverage; key drivers of LCRA's overall costs; rate development assumptions; and the budgets for LCRA's business units and services.

Vice President of Financial Planning John Heller provided a detailed overview of the nonconfidential portions of the LCRA capital plan. He highlighted the total lifetime budget for recommended projects and proposed budget for FY 2025 capital spending, which includes recommended new projects and projects the Board approved previously. Heller also gave an overview of some of the key projects in the plan.

Reed and Heller provided a detailed review of the LCRA TSC business and capital plans.

Staff responded to various questions from the Board throughout the discussion on the business and capital plans. [Staff noted that the FY 2025 business and capital plans will appear on the May 22, 2024, Board meeting agenda for consideration and approval.]

Chair Timmerman declared the meeting to be in executive session at 1:06 p.m., pursuant to sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089 and 418.183(f) of the Texas Government Code. Executive session ended, and Chair Timmerman declared the meeting to be in public session at 1:46 p.m.

There being no further business to come before the Board, the meeting adjourned at 1:46 p.m.

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Joseph M. Crane  
Secretary  
LCRA Board of Directors

Approved: May 22, 2024

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AMENDMENT TO A  
CERTIFICATE OF  
ADJUDICATION

CERTIFICATE NO. 14-5476E

TYPE § 11.122, 11.042, 11.085

Owner: Lower Colorado River  
Authority

Address: PO Box 220  
Austin, Texas 78767

Filed: TBD

Granted: TBD

Purpose: Agricultural, Municipal,  
Industrial, Mining,  
and Instream

Counties: Wharton and Matagorda

Watercourse: Colorado River

Watershed: Colorado River Basin,  
Colorado- Lavaca Coastal Basin  
and Brazos-Colorado Coastal  
Basin

WHEREAS, Certificate of Adjudication No. 14-5476 authorizes the Lower Colorado River Authority (LCRA) to maintain two existing dams and reservoirs (Lane City Dam and Reservoir and Bay City Dam and Reservoir) on the Colorado River, Colorado River Basin, and impound therein a combined capacity of 1,865 acre-feet of water; and

WHEREAS, LCRA is authorized to divert and use not to exceed 262,500 acre-feet of water per year from three diversion points on the reservoirs for municipal, industrial, mining and agricultural purposes to irrigate 50,000 acres of land within the LCRA Gulf Coast Water Division Service Area in Matagorda and Wharton Counties in the Colorado River Basin and the Colorado-Lavaca and Brazos-Colorado Coastal Basins; and

WHEREAS, LCRA is authorized to use the bed and banks of the Colorado River to convey water discharged from Arbuckle Off-channel Reservoir (formerly Lane City Off-channel Reservoir) for subsequent diversion; and

WHEREAS, LCRA is authorized to use water released from Arbuckle Off-channel Reservoir for instream uses to help meet the freshwater inflow

needs in Matagorda Bay; and

WHEREAS, the maximum diversion rate authorized from Diversion Point No. 1 on the Lane City Dam and Reservoir is 561.00 cfs (252,450 gpm), the maximum diversion rate authorized from Diversion Point No. 2 located on the Bay City Dam and Reservoir is 145.20 cfs (65,340 gpm), and the maximum diversion rate authorized from Diversion Point No. 3 located on the Bay City Dam and Reservoir is 561.00 cfs (252,450 gpm); and

WHEREAS, multiple time priorities and special conditions apply; and

WHEREAS, LCRA seeks to amend Certificate of Adjudication No. 14-5476 to revise the special conditions related to its authority to use water for instream uses to allow use of up to 10,000 acre-feet per year of water diverted from Diversion Point Nos. 1, 2 and 3 for instream uses to support the health of the Matagorda Bay and Estuary in addition to any water diverted and stored in Arbuckle Reservoir and subsequently released for instream uses; and

WHEREAS, LCRA seeks to clarify the place of use to include all portions of Matagorda and Wharton counties within the Colorado River Basin, Brazos-Colorado Coastal Basin and Colorado-Lavaca Coastal Basin; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, no requests for a contested case hearing were received for this application; and

WHEREAS, the Executive Director recommends that Special Conditions be included in this amendment; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 14-5476, designated Certificate of Adjudication No. 14-5476E, is issued to the Lower Colorado River Authority (Owner) subject to the following terms and conditions:

1. USE

In lieu of previous authorizations, Owner is authorized to provide water in all portions of Wharton and Matagorda County that are within the Colorado River Basin, Brazos-Colorado Coastal Basin and Colorado-Lavaca Coastal Basin.

2. TIME PRIORITY

This amendment does not change the time priority of the

existing authorizations in the Certificate.

### 3. SPECIAL CONDITIONS

- A. In lieu of Special Condition 6.A-D of Certificate of Adjudication No. 14-5476 D, the use of water for instream purposes is limited to:
1. The use of water stored in Arbuckle Off-channel Reservoir subject to the following limitations:
    - a. Use of water for instream uses is limited to use of water stored in Arbuckle Reservoir authorized by Certificate of Adjudication No. 14-5476C and shall not exceed the amounts that, when added to the amount of other water projected to arrive at the location described in Paragraph 3.B authorized by Certificate of Adjudication No. 14-5476D, would help meet the monthly and/or relevant maximum seasonal levels of inflow described in the figure set forth in 30 Tex. Admin. Code § 298.330(a) when LCRA is releasing water from the Lane City Off-channel Reservoir to help meet a monthly inflow and/or a spring, fall or intervening season quantity.
    - b. The diversion rate of water and, where applied to instream flow, the rate of delivery for use of water at the location described in Paragraph 3.B authorized by Certificate of Adjudication No. 14-5476D, is limited to a maximum combined rate not to exceed the rate of water discharged under Paragraph 2 of Certificate of Adjudication No. 14-5476D, less conveyance losses to the point(s) of diversion and use.
    - c. Owner shall measure and record daily the rate and amount of water discharged into the Colorado River from Lane City Off-channel Reservoir, estimated conveyance losses, and the amounts subsequently diverted and used under Paragraph 3 of Certificate of Adjudication No. 14-5476D to meet its downstream water supply commitments to customers or used to help meet freshwater inflow needs in Matagorda Bay. Owner shall account for the amount of water used in its annual water use reports to the Commission.
    - d. So long as LCRA owns Certificate of Adjudication No. 14-5437, as amended, jointly with the STP Nuclear Operating Company, on behalf of the STP Owners, and except to the extent STP Nuclear Operating Company provides prior and specific written consent, deliveries of water pursuant to this amendment to locations

where STP Nuclear Operating Company owns or operates authorized diversion facilities may be made only for purposes of supplying water to STP Nuclear Operating Company consistent with Contractual Permit No. 327A using physical facilities that STP Nuclear Operating Company owns and operates, or that are owned by or operated on behalf of the STP Owners; or

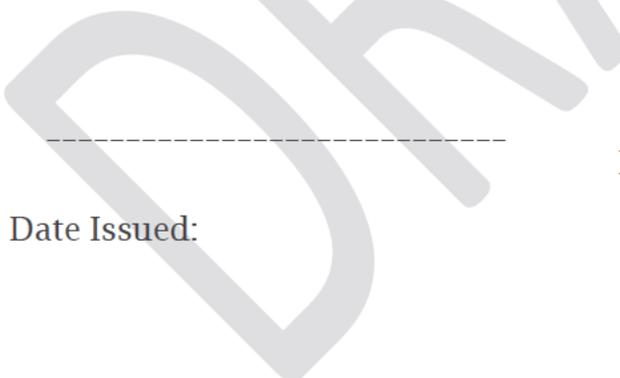
2. The use of water not stored in Arbuckle Off-channel Reservoir that is diverted at existing diversion locations 1, 2, and 3 for delivery through the Owner's canals into the Matagorda Bay and Estuary system in an amount not to exceed 10,000 acre-feet.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 14-5476, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin. Owner agrees to be bound by the terms, conditions, and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.



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For the Commission

Date Issued:



Point No. 1 on the Lane City Dam and Reservoir is 561.00 cfs (252,450 gpm), the maximum diversion rate authorized from Diversion Point No. 2 located on the Bay City Dam and Reservoir is 145.20 cfs (65,340 gpm), and the maximum diversion rate authorized from Diversion Point No. 3 located on the Bay City Dam and Reservoir is 561.00 cfs (252,450 gpm); and

WHEREAS, multiple time priorities and special conditions apply; and

WHEREAS, LCRA seeks to amend Certificate of Adjudication No. 14-5476 to revise the special conditions related to its authority to use water for instream uses to allow use of up to 10,000 acre-feet per year of water diverted from Diversion Point Nos. 1, 2 and 3 for instream uses to support the health of the Matagorda Bay and Estuary in addition to any water diverted and stored in Arbuckle Reservoir and subsequently released for instream uses; and

WHEREAS, LCRA seeks to clarify the place of use to include all portions of Matagorda and Wharton counties within the Colorado River Basin, Brazos-Colorado Coastal Basin and Colorado-Lavaca Coastal Basin; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, no requests for a contested case hearing were received for this application; and

WHEREAS, the Executive Director recommends that Special Conditions be included in this amendment; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 14-5476, designated Certificate of Adjudication No. 14-5476E, is issued to the Lower Colorado River Authority (Owner) subject to the following terms and conditions:

1. USE

In lieu of previous authorizations, Owner is authorized to provide water in all portions of Wharton and Matagorda County that are within the Colorado River Basin, Brazos-Colorado Coastal Basin and Colorado-Lavaca Coastal Basin.

2. TIME PRIORITY

This amendment does not change the time priority of the existing authorizations in the Certificate.

3. SPECIAL CONDITIONS

- A. In lieu of Special Condition 6.A-D of Certificate of Adjudication No. 14-5476 D, the use of water for instream

purposes is limited to:

1. The use of water stored in Arbuckle Off-channel Reservoir subject to the following limitations:
  - a. Use of water for instream uses is limited to use of water stored in Arbuckle Reservoir authorized by Certificate of Adjudication No. 14-5476C and shall not exceed the amounts that, when added to the amount of other water projected to arrive at the location described in Paragraph 3.B authorized by Certificate of Adjudication No. 14-5476D, would help meet the monthly and/or relevant maximum seasonal levels of inflow described in the figure set forth in 30 Tex. Admin. Code § 298.330(a) when LCRA is releasing water from the Lane City Off-channel Reservoir to help meet a monthly inflow and/or a spring, fall or intervening season quantity.
  - b. The diversion rate of water and, where applied to instream flow, the rate of delivery for use of water at the location described in Paragraph 3.B authorized by Certificate of Adjudication No. 14-5476D, is limited to a maximum combined rate not to exceed the rate of water discharged under Paragraph 2 of Certificate of Adjudication No. 14-5476D, less conveyance losses to the point(s) of diversion and use.
  - c. Owner shall measure and record daily the rate and amount of water discharged into the Colorado River from Lane City Off-channel Reservoir, estimated conveyance losses, and the amounts subsequently diverted and used under Paragraph 3 of Certificate of Adjudication No. 14-5476D to meet its downstream water supply commitments to customers or used to help meet freshwater inflow needs in Matagorda Bay. Owner shall account for the amount of water used in its annual water use reports to the Commission.
  - d. So long as LCRA owns Certificate of Adjudication No. 14-5437, as amended, jointly with the STP Nuclear Operating Company, on behalf of the STP Owners, and except to the extent STP Nuclear Operating Company provides prior and specific written consent, deliveries of water pursuant to this amendment to locations where STP Nuclear Operating Company owns or operates authorized diversion facilities may be made only for purposes of supplying water to STP Nuclear Operating Company consistent with Contractual Permit No. 327A using physical facilities that STP Nuclear Operating Company owns and operates, or that are owned by or operated on behalf of the STP Owners; or

2. The use of water not stored in Arbuckle Off-channel Reservoir that is diverted at existing diversion locations 1, 2, and 3 for delivery through the Owner's canals into the Matagorda Bay and Estuary system in an amount not to exceed 10,000 acre-feet.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 14-5476, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin. Owner agrees to be bound by the terms, conditions, and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

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For the Commission

Date Issued: