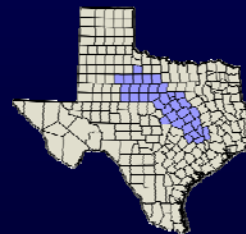


Agenda Item 10
Legislative and Other
Recommendations for the
2011 Brazos G Regional Water Plan

February 18, 2009



Background

- ✓ **Regional Water Planning Groups are encouraged to offer recommendations to the Texas Legislature**
 - **Recommend sites uniquely suited for reservoir construction**
 - **Recommend stream segments of unique ecological value**
 - **Other legislative and policy recommendations**

2006 Recommendations

- ✓ **No sites uniquely suited for reservoir construction were recommended**
- ✓ **No stream segments of unique ecological value were recommended**
- ✓ **14 recommendations concerning State water policy were formulated**

Policy Recommendation Topics

The 2006 Plan includes recommendations from the planning group on the following topics:

- ✓ **Interaction of State Agencies with Regional Water Planning Groups**
- ✓ **Coordination between Groundwater Conservation Districts and Regional Water Planning Groups**
- ✓ **System Operation of Water Facilities**
- ✓ **Interbasin Transfers (IBTs) of Surface Water**
- ✓ **Rule of Capture in Groundwater**
- ✓ **Sustainability and Groundwater Management**
- ✓ **Conjunctive Use of Groundwater and Surface Water**
- ✓ **Integrating Water Quality and Water Supply Considerations**
- ✓ **Reuse/Return Flow**
- ✓ **Watershed Planning/Source Water Protection**
- ✓ **Education**
- ✓ **Retail Customer Pricing (Conservation)**
- ✓ **Effects of the Federal Safe Drinking Water Act (SDWA) on Small Water Supply Systems**
- ✓ **Inter-Regional Cooperation/Inter-Regional Water Sharing**

Recommendation for 2011 Plan

- ✓ Establish a Water Policy Workgroup to formulate draft recommendations for the planning group to consider.
 - Revisit 2006 policy recommendations
 - Revisit stream segments having unique ecological value
 - Revisit sites uniquely suited for reservoir construction

Discussion

Retail Customer Water Pricing

“The Brazos G Regional Water Planning Group recognizes that water management strategy planning includes having the most positive effect on retail water customer pricing balanced with maintaining a long-term reliable plan. Optimizing retail water pricing with a long-term source may include an interbasin transfer when it is determined to be in the best interest of the ratepayers.

Brazos G encourages retail water providers to seriously consider implementing an inclining block rate structure that would be consistent with best management practices for conserving water. By using this methodology, a properly designed rate allows a consistent price signal to the ratepayer, without over earnings to the utility. This increasingly favored approach heightens the interest in water conservation to the end users.”

Integrating Water Quality and Water Supply Considerations

“The Brazos G Regional Water Planning Group continues to support existing efforts of State Agencies to protect current and future sources of drinking water, including both groundwater and surface water supplies. We, as well as the Regulatory Agencies, are committed to ensuring both the quality and quantity of water for our constituents. We encourage all governmental agencies, when making decisions or influencing decisions regarding land and resource use, to give preference to alternatives to protect or enhance the quality of water whenever possible. As a planning group, protecting and enhancing these resources and sustaining our supply will always be among Brazos G’s priority commitments.”

Watershed Planning/Source Water Protection

“The Brazos G Regional Water Planning Group will promote water development policies to support efforts to protect both groundwater and surface water sources by encouraging sound business practices that will not adversely affect water quality. We support other agencies and organizations in their efforts to encourage responsible land management and will oppose any practice or action in our watersheds or recharge zones that could adversely affect our water resources. Maintaining our watershed health, economic sustainability and community viability are all critical elements in our water planning efforts. Sensible stewardship of the areas adjacent to and around river basins, sensitive sub-basins, aquifers and re-charge zones is essential for maintaining these elements. Through source water protection, Texas can promote equitable costs for water sources, present and future.”

Coordination between Groundwater Conservation Districts and Regional Water Planning Groups

“The Brazos G Regional Water Planning Group is committed to working cooperatively with Groundwater Conservation Districts (GCDs) when developing the Regional Plan. Brazos G urges participation from the GCDs early on in the process of planning. The GCDs are requested to review water demand, population projections, and water availability numbers for their respective Districts and comment accordingly.

Brazos G is committed to the sustainable use of groundwater and will not adopt water management strategies that will substantially deplete the aquifers. Brazos G does recognize that there are several definitions of sustainability and the Group will determine the necessary philosophy of sustainability in accordance with aquifer conditions and any applicable state rules and regulations.

If there are disagreements between the Brazos G and a GCD, the GCD must notify the Brazos G Administrative Agency and consultants and then try to work out any differences. If the differences cannot be worked out, the issue will be referred to the Groundwater Committee of the Brazos G and they will consider and recommend to the entire Group any necessary action.”

Rule of Capture

“While the Brazos G Regional Water Planning Group recognizes that the Rule of Capture has a history of over 100 years in Texas, the Group also recognizes the advances in science and changes in water marketing that now face us.

The Group recognizes that the State groundwater supply is being threatened and, in many instances landowners risk loss due to depletion by unlimited pumping by their neighbors.

Local control through checks and balances can most effectively and fairly regulate usage. When the public chooses, Groundwater Conservation Districts are the appropriate mechanisms to provide local control of groundwater. The State should continue to develop policy and legislation to fairly protect both historic use and future sustainability.”

Sustainability and Groundwater Management

“The Brazos G Regional Water Planning Group is committed to the sustainable use of groundwater. The sustainable use of groundwater is an approach to the use of groundwater that does not result essentially in the total depletion of the groundwater resource or the deterioration of the environmental quality of the area dependant on the groundwater resource. There are several key benchmarks that may be used to determine the annual amount of sustainable groundwater use in an area (availability). The benchmarks that may be employed to determine groundwater availability include but are not limited to; the amount of draw down from current water levels that is allowable, the maintenance of spring flows or aquifer contributions to surface water systems or the amount of recharge occurring in the aquifer.”

Conjunctive Use of Groundwater and Surface Water

“The Brazos G Regional Water Planning Group recognizes conjunctive use as an important management strategy. Conjunctive use is the systematic blending of groundwater with surface water to optimize the combined yield from both sources. Conjunctive use seeks to maximize the advantages and minimize the disadvantages of each source when both are blended together. As conjunctive use projects are recognized, they should be included as management strategies for the regional water plan. Water providers should explore resources and mechanisms which promote conjunctive use projects. Brazos G encourages development of conceptual modeling for alternative conjunctive use projects, including aquifer storage and recovery (ASR) operations as needed.”

Reuse/Return Flow

“The Brazos G Regional Water Planning Group recognizes that return flows should be managed. Municipalities and other entities may manage by direct and indirect reuse within their ETJs and CCN where applicable. River Authorities and/or other regional entities may manage all return flows otherwise not used. No action should be taken that will be a disincentive for return flows into a stream. Any management of return flows should be evaluated to determine its impact on environmental instream flows.”

Effects of the Federal Safe Drinking Water Act (SDWA) on Small Water Supply Systems

“Because of the difficulty in meeting the standards of the Federal Safe Drinking Water Act for small water systems, the Brazos G Regional Water Planning Group encourages the regionalization of these systems, and/or education and proactive planning. This approach would prevent systems from being a burden to the State because of noncompliance.”

System Operation of Water Facilities

“The Brazos G Regional Water Planning Group recognizes the inherent benefit of system operations of existing water supply sources and recommends that State water planning as well as permitting continue to promote such water management strategies.

System operation involves coordinated operation of two or more water supply sources (including reservoirs and run-of-river diversions) such that the system yield is greater than the sum of the individual sources.

System operation provides several significant benefits to the State, including: better utilization of existing infrastructure; increased water supply to meet needs; delay or avoidance of expensive new water supply infrastructure; and, reduced environmental impact potentially occurring due to major new projects.”

Interbasin Transfers (IBTs) of Surface Water

“The Brazos G Regional Water Planning Group recognizes that Interbasin Transfers have been a critical component of water management in Region G, as there are currently over 80 permitted IBTs statewide. The Texas Water Development Board projects that the State’s population will double in the next 50 years. It is intuitive that IBTs will be a necessary component of the water management strategies. The real issue is how to accomplish future IBTs in fairness.”

Interaction of State Agencies with Regional Water Planning Groups

“The Brazos G Regional Water Planning Group recognizes that all State agencies, when planning and/or permitting significant new regional water projects, needs to be consistent with the current statewide water plan and to become involved with Regional Water Planning Groups with significant new regional water projects and/or permits.”

Education

“The Brazos G Regional Water Planning Group believes strongly that water education is important and recommends to the State Legislature creation of a Water Conservation Awareness Program through the Texas Water Development Board, a statewide water conservation awareness campaign, funding for ongoing water education programs through River Authorities and similar programs.”

Inter-Regional Cooperation/Inter-Regional Water Sharing

“The Brazos G Regional Water Planning Group will be proactive in communication and interaction with neighboring Regional Water Planning Groups on water issues of mutual concern. Regional Water Planning Areas are not intended to be barriers to prevent interaction between Regional Water Planning Groups.”