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January 25, 2010

Mr. John Burke, Chair
Lower Colorado (K) RWPG
Aqua Water Supply Corporation
P.O. Drawer P
Bastrop, Texas 78602

Judge Dale Spurgin, Chair
Brazos G RWPG
Jones County
P.O. Box 148
Anson, Texas 79501

Re: Water Management Strategy Affecting Regions K, G, and L

Dear Mr. Burke and Judge Spurgin:

MEMBERS

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The South Central Texas Regional Water Planning Group expects to be recommending a water management strategy identified as the GBRA Simsboro Project to meet projected needs of the Guadalupe-Blanco River Authority (GBRA) and its customers in the Initially Prepared 2011 South Central Texas (Region L) Regional Water Plan. The source of water for this strategy is the Simsboro Aquifer within the Lost Pines Groundwater Conservation District (LPGCD) in Bastrop (Region K) and Lee (Region G) Counties. As presently formulated, the GBRA Simsboro Project would produce 30,000 acft/yr from Bastrop County and 20,000 acft/yr from Lee County and deliver these supplies to the San Marcos area for treatment and distribution. As you may be aware from a newspaper article in the Austin American-Statesman (November 18, 2009), information regarding this strategy only recently became public as discussions between GBRA and the developer (End-Op) progressed to the point of negotiating a letter of intent. It is our desire to work with Regions K and G to avoid any perceived conflicts associated with this water management strategy crossing regional boundaries.

If groundwater availability estimates being used by Regions K and G in the absence of final Managed Available Groundwater (MAG) determinations through the Groundwater Management Area (GMA) process are sufficient to accommodate both the GBRA Simsboro Project and water management strategies recommended by Regions K and G, then no perceived conflicts between our respective regional water plans exist. If such is not the case, then apparent over-allocation of a resource (the Simsboro Aquifer in Bastrop and/or Lee Counties) may exist under Texas Water Development Board (TWDB) water planning procedures. Region L believes that an apparent over-allocation of this nature does not constitute a conflict because the groundwater conservation district (LPGCD) responsible for management of the resource in accordance with its rules and under state law will issue production permits only up to the amounts determined to be available, even if the production envisioned by one or more recommended water management strategies is substantially greater than the amounts determined to be available.

The South Central Texas Regional Water Planning Group has successfully addressed a similar apparent over-allocation challenge within Region L in both the 2006 and 2011 regional water plans.

from the Carrizo Aquifer within the Gonzales County Underground Water Conservation District (GCUWCD) include groundwater supplies well in excess of the amount of groundwater expected to be available on a long-term basis under production permits. This situation has received TWDB approval for two key reasons: a) The plans clearly recognize the regulatory authority of the affected GCD to limit production permits to groundwater quantities determined to be available; and b) The plans include alternative water management strategies or management supplies sufficient in size to meet projected water needs in the likely event that the GCD does not ultimately issue production permits in the amounts envisioned in the recommended water management strategies.

The South Central Texas Regional Water Planning Group respectfully requests that you or your region's Technical Consultant provide responses to the following questions.

- 1) Do the potential groundwater export quantities associated with the GBRA Simsboro Project, in combination with any water management strategies that your region may be recommending, exceed the regional planning estimates of available groundwater in Bastrop County or Lee County during the planning period ending in 2060?
- 2) Has your region identified alternative water management strategies in the event that the LPGCD issues groundwater production permits for the GBRA Simsboro Project that might limit groundwater available for recommended water management strategies in Bastrop County or Lee County during the planning period ending in 2060?
- 3) Is it acceptable for the Region L Technical Consultant to communicate and exchange relevant information directly with the Technical Consultant for your region?

Responses may be provided by contacting Sam Vaughn of HDR Engineering, Inc. (512-912-5142, Sam.Vaughn@hdrinc.com) or me (830-278-6810, cmims@nueces-ra.org).

Should you need additional information or wish to discuss these requests, please do not hesitate to contact me at your earliest convenience.

Thank you,


Con Mims, Chair

South Central Texas Regional Water Planning Group

cc: Steve Raabe, San Antonio River Authority
Matt Nelson, Texas Water Development Board
Sam Vaughn, HDR Engineering, Inc.
Trey Buzbee, Brazos River Authority
David Dunn, HDR Engineering, Inc.
James Kowis, Lower Colorado River Authority
Jaime Burke, AECOM Water