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June 25, 2010

Mr. John Burke, Chairman
Lower Colorado Regional Water Planning Group
P.O. Drawer P
Bastrop, Texas 78602

Re: Review of Lower Colorado Region Initially Prepared Regional Water Plan

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Houston

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Chairman-Emeritus
Fort Worth

Carter P. Smith
Executive Director

Dear Mr. Burke:

Thank you for seeking review and comment from the Texas Parks and Wildlife Department (TPWD) on the 2010 Initially Prepared Regional Water Plan for the Lower Colorado Region (IPP).

As you may know, the Texas Parks and Wildlife Commission recently issued a new and updated Land and Water Resources Conservation and Recreation Plan. One of the cornerstones of the Land and Water Plan calls for TPWD to promote and protect healthy aquatic ecosystems including the establishment of cooperative strategies to incorporate long-term plant, fish and wildlife needs in all statewide, regional and local watershed planning, management and permitting processes.

TPWD understands that regional water planning groups are required by TAC §357.7(a)(8)(A) to perform quantitative reporting of environmental factors including effects on environmental water needs, wildlife habitat, cultural resources, and effects of upstream development on bays, estuaries and arms of the Gulf of Mexico when evaluating water management strategies. TPWD believes this quantification is a critical step in the process of planning for our state's future water needs while also protecting environmental resources. Accordingly, TPWD staff reviewed the IPP with a focus on the following questions:

- Does the IPP include a quantitative reporting of environmental factors including the effects on environmental water needs and habitat?
- Does the IPP include a description of natural resources and threats to natural resources due to water quantity or quality problems?
- Does the IPP discuss how these threats will be addressed?
- Does the IPP describe how it provides long-term protection of natural resources?
- Does the IPP include water conservation as a water management strategy? Reuse?
- Does the IPP recommend any stream segments be nominated as ecologically unique?
- If the IPP includes strategies identified in the 2006 regional water plan, does it address concerns raised by TPWD in connection with the 2006 Water Plan?

The IPP includes a brief description of natural resources in the Lower Colorado Region including areas with vegetation, lists of species of special concern, and information on environmental flows for the lower Colorado River as identified in the LCRA's Water Management Plan (WMP). Although used in evaluations of new selected water supply strategies, the recommendations from studies conducted in support of the LCRA-SAWS Water Supply Project (LSWP) are not thoroughly discussed except in conjunction with the evaluations. The IPP includes limited information on characteristic fish and wildlife species, spring systems, and groundwater/surface water interactions in the region. Such information would be useful in understanding the impacts of selected water supply strategies on fish and wildlife species, water quality, and water-based recreation in the region.

The Lower Colorado Region IPP addresses quantitative reporting of environmental factors as required by 31 T.A.C. §357.7(a)(8)(A) by analyzing potential impacts from water supply strategies to flow levels identified in the LCRA Water Management Plan or LSWP studies for providing for environmental needs. However, understanding the analyses is difficult and would benefit from more thorough explanation and interpretation. Future refinement of the methodology employed to quantitatively examine changes to environmental flows under the supply strategies and more detailed discussion will help to better understand and explain potential flow impacts from the proposed strategies.

While a number of water supply strategies are evaluated for potential environmental impacts, a new suite of alternative strategies have been proposed for the region. Identification of the strategies is appropriate considering the current status of the LSWP. However, for many of the alternative strategies sufficient detail is lacking to conduct a meaningful environmental assessment, even for planning purposes. TPWD recommends that more information be developed for the alternative strategies so that their true environmental effects can be evaluated. Though not an alternative strategy, a similar observation and recommendation is made for the proposed Aquifer Storage and Recovery project listed as an LCRA water management strategy.

Municipal water conservation and reuse are identified as water management strategies. The IPP includes conservation as a water management strategy for all WUGs that have a shortage. TPWD agrees that conservation and reuse strategies must be a part of future water planning. In general, these strategies are preferred alternatives to large-scale water development projects. TPWD commends the regional planning group for incorporating conservation strategies that reflect the state recommendation to reduce water use by 1% per year until the 140 gpcd goal is met. Acknowledging the time constraints inherent in preparation of the IPP, TPWD notes that recent water conservation initiatives by the City of Austin and LCRA are not included in the IPP.

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For the 2006 IPP, TPWD commented that the use of drought contingency plans should be addressed as a potential supply strategy in conjunction with conservation. TPWD commends Region K for including drought management as a strategy in the current IPP. This strategy should be expanded to apply to other WUGs in the future and to account for a larger portion of water supply strategies.

Although the IPP does not recommend nomination of any stream segments as ecologically unique, it does state that further study may be warranted in future Lower Colorado Regional Water Plans. If the Region decides to pursue designation of a stream segment as ecologically unique, TPWD would be willing to assist with the preparation of a recommendation packet as identified in T.A.C. §357.8.

Once again, TPWD agrees with many of the policy recommendations included in the IPP. The recommendations consistently recognize the importance of instream flows and freshwater inflows in planning for the management of water resources in Texas. The policies are not only explicitly related to environmental flows, but also to groundwater/surface water interaction and modeling, groundwater and conjunctive use, interbasin transfers, reuse, and education. It is important that fish and wildlife resources and the environment are acknowledged as users of water and are not relegated to the category of afterthought.

Thank you for your consideration of these comments. TPWD looks forward to continuing to work with the planning group to develop water supply strategies that not only meet the future water supply needs of the region but also preserve the ecological health of the region's aquatic resources. Please contact Cindy Loeffler at (512) 389-8715 if you have any questions or comments. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross Melinchuk". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Ross Melinchuk
Deputy Executive Director, Natural Resources

RM:CL:ch