



December 16, 2010

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Jack Hunt, *Vice Chairman*
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Joe M. Crutcher, *Member*

Carolyn Brittin, *Deputy Executive Administrator*
Robert Mace, *Deputy Executive Administrator*

Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711-3231

Re: Objection to the Region L Water Plan (Agenda Item 29): “Conflict” or Smoke & Mirrors?

Dear Board Members and Deputy Executive Administrators:

Environmental Stewardship represents the interests of concerned citizens and the water resources of the Lost Pines Region primarily located in Bastrop and Lee counties of Texas. We are specifically concerned that the Guadalupe-Blanco River Authority (GBRA) Simsboro Project threatens the economic, ecological and social well being of our region. We are especially concerned that the process of “taking” water from our region to be exported to another region has been done without the consent of our local regional water planning group and groundwater conservation district. For the reasons given below, we are requesting that the Board recognize that a conflict exists and reject the 2011 Region L Water Plan. As a solution, we request that the conflict be resolved by removing the GBRA Simsboro Project from the Region L Water Plan as a “recommended” strategy.

We consider the proposed “overdraft” of groundwater from the Lower Colorado Regional Water Planning Group (Region K) and the Lost Pines Groundwater Conservation District required by the South Central Texas Regional Water Planning Group (Region L) to be a “conflict” that must be resolved before the 2011 Regional Water Plan for Region L can be approved.

We disagree with the Texas Water Development Board’s interpretation of “conflict”.

If Region K believes there is a conflict as they have stated, and if the Lost Pines Groundwater Conservation District believes there is a conflict as they have stated, and if the people of the region where the over-draft is being imposed believe there is a conflict as they have voted in resolutions and petitions, then **THERE IS A CONFLICT**, despite the technical maneuvering of Region L and the TWDB. Region L is relying on a larger volume water, from the same water source, at the same time as the water that Regions G and K have planned, and are planning, to use (no smoke and mirrors please). Just as with our banking system, it is unlawful for a person/business to write a check on another person’s/businesses checking account, much less to over-draft the account. When this occurs, it is both unlawful (as with the Texas Water Code) and establishes a “conflict” between the two parties that is subject to judicial remedies (as is required for TWDB by the Texas Water Code). The statutory duty of the Texas Water Development Board to resolve conflicts between water plans was established in our previous letter dated December 16, 2010.

EVIDENCE A CONFLICT EXISTS:

1. The magnitude of the over-draft significantly surpasses the Managed Available Groundwater (MAG) in the Lost Pines GCD (see also table attached):
 - a. MAG for Bastrop and Lee Counties (all aquifers, 2060): 56,754 ac-ft/yr
 - b. Region K water availability planned (Bastrop Co., 2060): 36,153 ac-ft/yr
 - c. Region G water availability planned (Lee Co, 2060): 31,477 ac-ft/yr
 - d. Region L Simsboro Project (Bastrop Co., 2060): 30,000 ac-ft/yr
 1. (Lee Co., 2060): 20,000 ac-ft/yr

Over-draft amount (Supply (a) minus demand (b+c+d)) = -60,876 ac-ft/yr

2. The Socio-Economic impact of water needs in excess of availability (over-drafting) in Bastrop County is excessive (based on the Bureau of Economic Geology's November 30, 2010 assessment, see also table attached):

a. Municipal Cost	2060	\$1,110,987,862
b. Irrigation Cost	2060	\$ 120,988
c. Manufacturing Cost	2060	\$ 27,517,344
d. Steam-Electric Cost	2060	<u>\$ 642,719,219</u>
Total Socio-Economic Cost to Bastrop Co. =		\$1,781,345,414

3. The economic cost of lost ecological services due to excessive over-drafting's impact on surface water and other natural resources are expected to be significant (estimates to be developed).

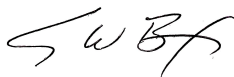
a. Rivers, streams & springs	N/A
b. Surface vegetation (Pine Forests)	N/A
c. Wastewater assimilation	N/A
d. Storm-water assimilation	N/A
e. Eco-tourism	N/A

4. Lost Pines Groundwater Conservation District has established a management goal to manage the aquifers under their jurisdiction on a sustainable basis (in a manner that can be maintained in perpetuity). The Lost Pines GCD has informed Regions L and K that their expected MAG (now Draft MAG) is less than the volume of pumping they have already permitted and that no excess water is available for export. (See our November 18, 2010 letter).
5. The Lower Colorado Regional Water Planning Group (Region K) passed a resolution on February 9, 2000, opposing the mining or over-drafting of groundwater resources within its jurisdiction. It is, therefore, in conflict with the stated intent of Region K to accept an over-draft, especially one imposed by another region without their consent.
6. The Lost Pines GCD, Region K, the elected officials, and the people of Bastrop and Lee counties have expressed their opposition to the Guadalupe-Blanco River Authority's Simsboro Project and expressed their opinion that a conflict exists.

Based on the evidence submitted in our November 18 and December 16 letters, and the evidence presented in this letter, we are requesting that the Board recognize that a conflict exists and reject the 2011 Region L Water Plan (Agenda Item 29).

Thank you for the opportunity to present our concerns.

Respectfully submitted,



Steve Box, Executive Director
Environmental Stewardship

cc: State Senator Glenn Hegar
State Representative Tim Kleinschmidt
Tilmon Lee Walker, Chair GBRA

John Burke, Chair Region K
Con Mims, Chair Region L
Joe Cooper, GM Lost Pines GCD

Environmental Stewardship is a charitable nonprofit organization whose purposes are to meet current and future needs of the environment and its inhabitants by protecting and enhancing the earth's natural resources; to restore and sustain ecological services using scientific information; and to encourage public stewardship through environmental education and outreach. We are a Texas nonprofit 501(c) (3) public charity headquartered in Bastrop, Texas. For more information visit our website at Environmental-Stewardship.org.

Socio-Economic Impact of Water Needs (Groundwater Over-draft)

Based on a Bureau of Economic Geology Study of the Carrizo-Wilcox Aquifer - November 30, 2010 Meeting Slides¹

TCEQ Carrizo-Wilcox Study: Project 582-8-75374-119

Bastrop County Sector	Total Monetary Losses Per Acre-Foot of Water Supply Needed (Deficit) ¹					
	2010	2020	2030	2040	2050	2060
Municipal	\$576	\$4,277	\$7,214	\$11,737	\$11,737	\$21,624
Irrigation	\$125	\$125	\$125	\$125	\$125	\$125
Manufacturing	\$63,229	\$63,229	\$63,229	\$63,229	\$63,229	\$126,458
Steam-Electric	\$0	\$0	\$0	\$27,719	\$27,719	\$27,719
Total	\$63,930	\$67,631	\$70,568	\$102,810	\$102,810	\$175,926

OVER-DRAFT AMOUNT	-75,750	-71,295	-66,670	-66,568	-61,556	-60,876
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Bastrop County Demand ²	Percent (%) of Demand in each Segment					
	2010	2020	2030	2040	2050	2060
Municipal	49%	55%	45%	61%	64%	68%
Irrigation	6%	4%	24%	2%	2%	1%
Manufacturing	0%	0%	0%	0%	0%	0%
Steam-Electric	44%	41%	31%	37%	35%	31%
Total	100%	100%	100%	100%	100%	100%

Socio-Economic Costs of Water Needs (Groundwater Over-drafting)

Assumptions: The total quantity of over-draft is distributed across the segments eventhough Bastrop County does not have a demand for the total quantity of the over-draft and currently takes steam-electric from surface water.

Therefore the Socio-Economic impact may be over-estimated. Does Not include economic costs of ecological impacts.

Bastrop County Sector	Total Monetary Losses Per Acre-Foot of Water Supply Needed (Deficit)					
	2010	2020	2030	2040	2050	2060
Municipal	-\$21,470,690	-\$176,710,962	-\$244,522,972	-\$542,160,197	-\$564,658,770	-\$1,110,987,862
Irrigation	-\$565,099	-\$390,255	-\$2,255,747	-\$206,051	-\$156,630	-\$120,988
Manufacturing	-\$16,334,022	-\$15,573,415	-\$12,132,650	-\$14,584,051	-\$14,335,792	-\$27,517,344
Steam-Electric	\$0	\$0	\$0	-\$767,221,317	-\$725,155,020	-\$642,719,219
Total	-\$38,369,811	-\$192,674,632	-\$258,911,369	-\$1,324,171,615	-\$1,304,306,212	-\$1,781,345,414

¹ BEG November 30, 2010 Meeting PPT <http://www.beg.utexas.edu/cswr/aquiferstudy/>

² Region K 2011 Water Plan - Chapter 2

Ecological Services Economic Costs of Over-drafting the Aquifers (To be Developed)

Rivers, Streams & Springs	N/A	N/A	N/A	N/A	N/A	N/A
Surface Vegetation (Pine Forests)	N/A	N/A	N/A	N/A	N/A	N/A
Wastewater Assimilation	N/A	N/A	N/A	N/A	N/A	N/A
Stormwater Assimilation	N/A	N/A	N/A	N/A	N/A	N/A
Eco-Tourism	N/A	N/A	N/A	N/A	N/A	N/A
Total Ecological Costs						

Lost Pines GCD Managed Available Groundwater³ (MAG-12/2010)

Aquifer	2010	2020	2030	2040	2050	2060
Calvert Bluff	1,507	1,889	2,225	2,694	3,321	3,264
Carrizo	6,514	7,502	8,217	9,094	11,596	11,803
Hooper	1,061	1,290	1,550	1,897	2,349	2,300
Queen City	1,146	1,023	2,659	890	838	785
Simsboro	29,479	32,637	31,249	34,780	36,380	37,049
Sparta	2,177	1,998	5,062	1,709	1,590	1,553
TOTAL	41,884	46,339	50,962	51,064	56,074	56,754

Region K Groundwater Availability (Demand)⁴ - Bastrop County

Carrizo-Wilcox	28,000	28,000	28,000	28,000	28,000	28,000
Trinity	12	12	10	10	8	8
Queen City	2,756	2,756	2,756	2,756	2,756	2,756
Sparta	5,389	5,389	5,389	5,389	5,389	5,389
Bastrop County Total	36,157	36,157	36,155	36,155	36,153	36,153

Region G Groundwater Availability (Demand)⁵ - Lee County

Carrizo-Wilcox	27,533	27,533	27,533	27,533	27,533	27,533
Queen City	99	99	99	99	99	99
Sparta	145	145	145	145	145	145
Yegua-Jackson	3,700	3,700	3,700	3,700	3,700	3,700
Lee County Total	31,477	31,477	31,477	31,477	31,477	31,477

Region L GBRA Simsboro Project (Demand)⁶

Bastrop County starting 2012	30,000	30,000	30,000	30,000	30,000	30,000
Lee County starting 2012	20,000	20,000	20,000	20,000	20,000	20,000
Simsboro Project Total	50,000	50,000	50,000	50,000	50,000	50,000

OVER -DRAFT AMOUNT	-75,750	-71,295	-66,670	-66,568	-61,556	-60,876
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³ Managed Available Groundwater (MAG) from TWDB GAM Run 10-044 MAG; GAM Run 10-045 MAG; GAM Run 10-046 MAG; Bastrop & Lee Co.

⁴ Region K 2011 Water Plan Chapter 3

⁵ Region G 2011 Water Plan Chapter 3

⁶ Region L 2011 Draft Water Plan - Volume II, 4.C.21 & Summary Sheet, September 2010