



TEXAS WATER DEVELOPMENT BOARD



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TO: Board Members

THROUGH: Carolyn L. Brittin, Deputy Executive Administrator
Water Resources Planning and Information *CLB*

Dan Hardin, Director, Water Resources Planning *DH*
Water Resources Planning and Information

FROM: Matt Nelson, Regional Water Planning *MN*
Water Resources Planning and Information

DATE: May 13, 2009

SUBJECT: Consider Approving the Waco Metropolitan Area Regional Sewer System Member City
Minor Amendment to the 2006 Brazos G (Region G) Regional Water Plan

ACTION REQUESTED

Consider approval of the Waco Metropolitan Area Regional Sewer System member city minor amendment to the 2006 Brazos G Regional Water Plan for three reuse water management strategies.

BACKGROUND

The 2006 Brazos G Regional Water Plan included a single reuse water management strategy associated with the City of Waco that would provide 31,779 acre-feet (af) of water supply. This minor amendment builds on that current strategy by explicitly associating this reuse water supply with three specific projects and five specific end users including the cities of Bellmead, Lacy-Lakeview, Lorena, Hewitt, and Waco.

Additional facilities and costs associated with this proposed amendment include various pump stations, pipelines, storage tanks, and one wastewater treatment plant. The associated capital cost of \$29,750,000 for these three projects was not identified in the 2006 Brazos G Regional Water Plan.

Implementation of these three reuse water management strategies will decrease water demands on the Trinity Aquifer and on potable water supplies from the cities of Waco and Lorena.

Our Mission

To provide leadership, planning, financial assistance, information and education for the conservation and responsible development of water for Texas.

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Minor amendments to regional water plans may be made if the Executive Administrator determines that an amendment is minor under 31 TAC § 357.16. The criteria under 31 TAC § 357.16 that must be met for an amendment to be considered minor include that the amendment:

- (1) does not result in overallocation of an existing or planned source of water;
- (2) does not relate to a new reservoir;
- (3) does not have a significant effect on instream flows, environmental flows or freshwater flows to bays and estuaries;
- (4) does not have a significant substantive impact on water planning or previously adopted management strategies; and,
- (5) does not delete or change any legal requirements of the plan.

On March 23, 2009, Region G submitted a request for a minor amendment determination from TWDB (Attachment A). In response to the Region's request, the Executive Administrator determined that the proposed plan amendment constituted a minor amendment and sent a letter to the planning group on April 13, 2009 (Attachment B). On April 15, 2009, the Region G Regional Water Planning Group unanimously approved the minor amendment to their 2006 Brazos G Regional Water Plan.

KEY ISSUES

The Region G Water Planning Group received no written or verbal public comments in opposition to the proposed water management strategy for the Waco Metropolitan Area Regional Sewer System member cities.

An associated amendment to the 2007 State Water Plan is presented for your consideration in a separate Board item.

ANTICIPATED OPPOSITION

None.

RECOMMENDATION

Staff recommends approval of the Waco Metropolitan Area Regional Sewer System member city minor amendment to the 2006 Brazos G Regional Water Plan.

Board Members
May 13, 2009
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This recommendation has been reviewed by legal counsel and is in compliance with applicable statutes and Board rules.



Ken Petersen
General Counsel

Attachment A: Cover Letter Request for the Waco Metropolitan Area Regional Sewer System
Member City Minor Amendment to the 2006 Region G Regional Water Plan

Attachment B: Minor Amendment Determination from Executive Administrator

BRAZOS G

WATER PLANNING GROUP

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BRAZOS RIVER AUTHORITY, Administrative Agent
P.O. Box 7555 Waco, Texas 76714-7555
(254) 761-3100 or Fax (254) 761-3204

March 23, 2009

Mr. Kevin Ward
Executive Administrator
Texas Water Development Board
P.O. Box 13231
1700 North Congress Avenue
Austin, TX 78711-3231

RE: Amendment to the 2006 Brazos G Regional Water Plan related to the City of Waco to include specific reuse infrastructure projects for City of Waco and Waco Area Metropolitan Regional Sewage System (WMARSS) member cities

Dear Mr. Ward:

The Brazos G Regional Water Planning Group (Group) requests that the Texas Water Development Board consider a proposed amendment to the 2006 Brazos G Regional Water Plan (2006 Plan) related to the City of Waco to include specific reuse infrastructure projects for City of Waco and Waco Area Metropolitan Regional Sewage System (WMARSS) member cities. The Group met in a regularly-posted public meeting on February 18, 2009, and directed the Brazos River Authority and HDR to forward the amendment materials to you for concurrence that this amendment can be considered "minor."

The Group and the applicant, the City of Waco, believe this proposed amendment qualifies as a "minor" amendment to the 2006 Plan based on the criteria set-forth in Texas Administrative Code Rule 357.16:

- It does not result in over allocation of an existing or planned source of water. The amendment does not change the allocation of any source of supply. It simply provides greater specificity on the utilization of WMARSS reuse water supplies, which are fully accounted for in the 2006 Plan.
- It does not relate to a new reservoir. The amendment only relates to the development of treatment and transmission facilities.

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Addressee
Date

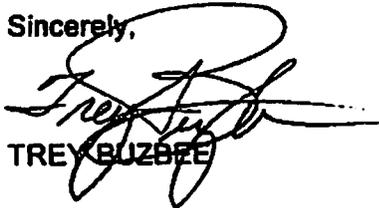
- It does not have a significant impact on instream flows, environmental flows, or freshwater flows to bays and estuaries. The 2006 Plan assumes zero discharge of effluent from the WMARSS system.
- It does not have a significant impact on water planning or previously adopted management strategies.
- It does not delete or change any legal requirements of the plan.

The proposed amendment materials are enclosed for your review.

The Brazos G Group plans to formally consider this amendment at its next meeting, scheduled for April 15, 2009. Please notify us of your decision prior to this date so that the Group can act on the matter accordingly.

Should you have any questions regarding this amendment, please contact me at (254) 761-3168 or via e-mail at tbuzbee@brazos.org. We appreciate your consideration of this request.

Sincerely,



TREY BUZBEE

Enc



James E. Herring, *Chairman*
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 Edward G. Vaughan, *Member*

J. Kevin Ward
Executive Administrator

Jack Hunt, *Vice Chairman*
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April 13, 2009

Mr. Trey Buzbee
 Brazos G Administrative Agent
 Brazos River Authority
 P.O. Box 7555
 Waco, TX 76714-7555

RE: Brazos G Regional Water Planning Group's (Region G) written request, dated March 23, 2009, for a determination regarding whether or not amending the 2006 Region G Water Plan to include three Waco Area Metropolitan Regional Sewer System (WMARSS) member city reuse projects would be a minor amendment under 31 TAC Ch. 357.16.

Dear Mr. Buzbee:

I have reviewed Region G's request and, based on Region G's request and supporting materials, have determined that adding the three Waco Area Metropolitan Regional Sewer System (WMARSS) member city reuse projects constitutes a minor amendment under 31 TAC Ch. 357.16.

If Region G adopts the proposed minor amendment, Region G will need to:

- Provide TWDB with documentation of the planning group action adopting this water management strategy as a minor amendment;
- Issue and distribute an addendum to the 2006 Region G Water Plan updating the plan accordingly;
- Provide TWDB with corrected DB07 data to reflect all the associated changes to the 2006 Region G Water Plan and the State Water Plan; and,
- Request that City of Waco and relevant member cities obtain web links from TWDB staff in order to fill out an associated online Infrastructure Financing Survey regarding how the entities plan to finance the project associated with the amendment.

If Region G makes any substantive changes to the project components or configuration during the minor amendment process, TWDB will need to review the modified proposed amendment to ensure that the modified project still meets all of the criteria under 31 TAC Ch. 357.16.

Our Mission

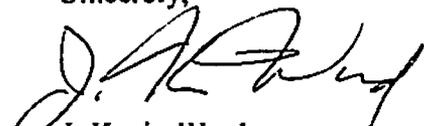
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Mr. Trey Buzbee
April 13, 2009
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If you have any questions concerning this approval or its associated requirements, please contact Matt Nelson, the Board's designated Project Manager for this region at (512) 936-3550.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Kevin Ward". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

J. Kevin Ward
Executive Administrator