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TO: Board Members

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

FROM: Temple McKinnon, Team Lead, Water Resources Planning and Information, Regional
Water Planning

DATE: September 15, 2008

SUBJECT: Amendment to the 2006 East Texas (Region I) Regional Water Plan

ACTION REQUESTED

Consider approving an amendment to the 2006 Region I Regional Water Plan for revised groundwater availability projections and an associated water management strategy for the City of Diboll.

BACKGROUND

The City of Diboll plans to increase its groundwater supply through the installation of new wells in the Yegua-Jackson Aquifer. The 2006 Region I Regional Water Plan contains a recommended water management strategy for the City of Diboll to purchase treated surface water from the City of Lufkin, which is not feasible at this time. Increasing groundwater supplies is identified as an alternative water management strategy for the City of Diboll. To be eligible to apply for State Water Plan funding, the City of Diboll requested an amendment to the 2006 Region I Regional Water Plan to reclassify the groundwater management strategy of increasing supply from the Yegua-Jackson as a recommended strategy and the purchase of surface water as its alternative strategy.

In addition to the reclassification of an alternative water management strategy, the groundwater availability from the Yegua-Jackson Aquifer is being amended based upon recent local studies by LBG-Guyton. The availability was amended to increase by 1,612 acre-feet per year, from 4,860 acre-feet per year to 6,472 acre-feet per year.

In certain cases, a region may expedite amending its regional water plan by using the ‘minor’ amendment process allowed under TWDB rules (31 TAC § 357.16). The Region I Water Planning Group initially requested a determination using the minor amendment process, however Texas Water

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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Development Board (TWDB) staff determined an over-allocation of groundwater availability would result with the data available from the 2006 Region I Regional Water Plan. The City of Diboll and the Region I Water Planning Group were directed to conduct a full amendment, including holding a public hearing, per 31 TAC §357.12. Region I held a public hearing on July 10, 2008 on the proposed amendment to increase groundwater availability in the Yegua-Jackson Aquifer and to reclassify the groundwater management strategy for the City of Diboll as recommended. Following a 30-day public comment period, the Region I Water Planning Group approved the amendment to the 2006 Region I Regional Water Plan at its August 13, 2008 meeting (Attachment A).

KEY ISSUES

The Region I Water Planning Group and TWDB received no written or verbal public comments in opposition to either increasing the modified groundwater availability from the Yegua-Jackson Aquifer or the reclassification of the water management strategy as recommended to increase supply from the Yegua-Jackson Aquifer.

If the Board approves this regional water plan amendment, TWDB staff will be returning to the Board in November requesting approval to incorporate this regional plan amendment into the 2007 State Water Plan. As required by our rules, TWDB staff will post a 30-day public notice for a public hearing to amend the 2007 State Water Plan. The public hearing would be held in conjunction with the November Board meeting.

ANTICIPATED OPPOSITION

None.

RECOMMENDATION

Staff recommends approval of the amendment to the 2006 Region I Regional Water Plan for revised groundwater availability in the Yegua-Jackson Aquifer in Angelina County and a recommended water management strategy to increase supply from the Yegua-Jackson Aquifer for the City of Diboll.

This recommendation has been reviewed by legal counsel and is in compliance with applicable statutes and Board rules.

Ken Petersen
General Counsel

Attachment A: Region I cover letter requesting approval of an amendment to the 2006 Region I Regional Water Plan.

 **EAST TEXAS**
Regional Water Planning Group

Region I WPG

Kelley Holcomb, Chair
P.O. Box 387
Lufkin, TX 75902
936-633-7543 (Phone)
936-632-2564 (Fax)

September 2, 2008

Mr. Kevin Ward
Executive Director
Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711-3231

Re: Major Amendment to the 2006 East Texas Regional Water Plan

Dear Mr. Ward:

On August 13, 2008, the East Texas Regional Water Planning Group approved an amendment to the regions 2006 Regional Water Plan. This amendment was made at the result of a request by the City of Diboll. Earlier this year, the City of Diboll determined an immediate need to increase their water supply. The 2006 Regional Water Plan recommended strategy for the City of Diboll was to purchase treated surface water from the City of Lufkin, via a proposed project that will not be constructed for a number of years.

In order for the City of Diboll to meet their growing water demands, they choose to secure additional water from groundwater sources. As a part of that change in strategy, the City chose to seek funding from the TWDB. In order to qualify for funding of their proposed new groundwater sources, it was necessary to amend our regional water plan.

The City of Diboll plans to draw water from the Yeuga aquifer which has a current published availability too low to support Diboll's planned production. Amendment of the Yeuga's availability requires a major amendment. The East Texas Regional Water Planning Group has worked with the City of Diboll to accomplish the requirements of a major amendment to the 2006 East Texas Regional Water Plan that demonstrates an increase in available water from the Yeuga aquifer in Angelina County is reasonable.

The East Texas Regional Water Planning Group respectfully requests approval of this proposed major amendment to the 2006 East Texas Regional Water Plan. To that end, please find the enclosed documents for submittal:

1. A copy of the notice for public hearing on the proposed amendment
2. A copy of the publisher's affidavit for the notice
3. A copy of the transcript of the public hearing held on the proposed amendment

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4. A copy of the East Texas Regional Water Planning Group's Agenda for their meeting of August 13, 2008 at which the planning group approved the City of Diboll's request for amendment
5. A copy of the 2006 East Texas Regional Water Plan pages revised by the amendment
6. A copy of the LGG-Guyton work demonstrating the increase in available water from the Yeaga aquifer in Angelina County is warranted.

If you have any questions or require additional information please contact myself, or Mr. Gary C. Graham, P.E. at 409-781-1814 or ggraham@spi-eng.com.

Respectfully,



Kelley Holcomb
Chairman