

From: "Lutes, Teresa" <Teresa.Lutes@ci.austin.tx.us>
To: <bill.roberts@twdb.state.tx.us>
Date: 10/6/2006 5:00:09 PM
Subject: To: Bill Roberts, Texas Water Development Board - Draft Water
Comments

Dear Mr. Roberts:

Attached please find comments from the City of Austin on the Water for
Texas - 2007 Draft.

We appreciate the opportunity to comment.

-Teresa Lutes

Teresa Lutes
Division Manager
Systems Planning Division
Water Resources Management Program
Austin Water Utility
512/972-0179
512/972-0168 FAX

City of Austin - Austin Water Utility, P.O. Box 1088, Austin, Texas 78767

October 6, 2006

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

Re: Public comment on *Water for Texas – 2007 Draft*

Mr. Roberts:

We appreciate the opportunity to provide comments the Texas Water Development Board as it seeks input on the *Water for Texas – 2007 Draft*. We have enjoyed the opportunity to participate in the regional planning process since its beginnings in late 1997 and early 1998.

On page 74 within Volume II of the *Water for Texas – 2007 Draft* the following text appears in the section on existing water supplies for Region K:

In determining water supply from the Colorado River, the planning group assumed voluntary subordination of its major water rights to those in Region F for planning purposes.

Considerable discussion and effort on this topic took place toward the end of this planning cycle when the need for Region F/Region K water availability assumption coordination came to light. Based on this process and its associated issues, which are documented in the adopted Region K Plan, we feel that this statement may be read in a manner that would not best characterize the water availability modeling assumptions of 2006 Region K and F Plans. It is the understanding of the City of Austin that the modeling assumptions, which were quickly made in order to meet the required deadlines, are not intended to lay the foundation for any type of water right subordination with Region F. Our purpose in commenting is that the City simply seeks assurance through a proposed revision, below, that the plan reflects this understanding.

The development of the 2006 Regional Water Plans was the first time that the TCEQ Water Availability Model (WAM) was used by Regions K and F. Late in the planning cycle, uncertainty over water availability shortages was identified with regards to the priority distribution of water between the two regions as modeled by the WAM. Due to limitation of time and funding for technical analysis of the modeling issues, a temporary fix, dubbed the “No Call” assumption by Region K, was adopted by both regional planning groups to allow Region F to report water supplies for its major reservoirs. The essence of the “No Call” assumption is that the major senior water right holders in Region K would not be modeled as exercising their legal right to priority-order based

Mr. Bill Roberts
October 6, 2006
Page 2 of 2

calls on inflows originating in Region F. The uncalled inflows would be modeled as contributing to storage for Region F reservoirs. Region K was assured this modeling assumption in no way represented the initiation of an inter-regional subordination agreement.

Austin agreed to the modeling assumption with the following understanding:

The effort would be a planning exercise only. No legal positions would be changed or waived as a result of this exercise. No downstream water right holders would be asked or required to formally cede or amend any of their water rights as a result of this planning exercise. In other words, the availability adjustments would have no legal effect and would be temporary in nature. [2006 Region K Plan, Section 3.2.1.2]

Region K intends to explore whether technical improvements to the Colorado River Basin WAM, in collaboration with Region F, could improve the determination of priority based water availability. As such, the City of Austin respectfully requests a rewording of the *Water for Texas – 2007 Draft* sentence regarding the temporary inter-regional modeling agreement from the 2006 Region K and F Plans. As a possible replacement, the City of Austin suggests the following phrase:

In determining water supply from the Colorado River, the planning group assumed Region F reservoirs received inflows otherwise available to Region K's major senior water rights. The assumption was intended to be temporary in nature until surface water modeling improvements could be explored during the next planning cycle.

Austin looks forward to working with Region K, TWDB, and the Region F stakeholders through the 2011 planning cycle to find a more logical and scientific approach for improving the Colorado River WAM results in a manner than meets our common surface water availability needs.

Again, we appreciate the opportunity to provide this input to TWDB. Should you have any questions or require clarification on any of these points, please contact me at 512-972-0179.

Sincerely,

[Signed Original sent by US Post]

Teresa L. Lutes, P.E.
Austin Water Utility

xc: Mr. John Burke, Chairman, Lower Colorado Regional Water Planning Group