

**John**

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**Sent:** Friday, October 06, 2006 5:00 PM  
**Subject:** Public Comments on 2007 State Water Plan

I was at the TWDB Public Hearing in Gilmer on Sept. 21, 2006 and made comments. The public was told that all comments would be recorded and reported back to the Board of Directors. As no attorney from the TWDB staff attended to collect comments and report back to the Directors per Texas Admin. Code 353.9, I offer the following to be included in its entirety into the State Water Plan.

The Texas Constitution, Article XVI, Sec. 59-a: The conservation and development of all the natural resources of the State, including . . . its storm and flood waters, the waters of its rivers and streams . . . are each and all declared public rights and duties, and the Legislature shall pass all such laws as may be appropriate there to." Article III, Sec. 49-c, creates the Texas Water Development Board (TWDB) to exercise its powers as prescribed by law. The Texas Water Code, Ch. 16, Sec. 16.051 provides that the TWDB is charged with protecting the agricultural and natural resources of the entire state. Sec. 16.053(a) further charges the TWDB with protecting the agricultural and natural resources of a particular regional water planning area and Sec. 16.053(e)(5)(C) insists that regional water planning groups include as part of their 5 year plans, "acquisition of available existing water supplies" as a feasible water management strategy. Existing water supplies are determined by permit, contract and infrastructure. A prudent person would consider expanding availability of existing water supplies to fully utilize them, before encroaching on existing agricultural and natural resources in order to create new water supplies.

Even with the limitations placed on availability of existing supplies, the 2007 Texas Water Plan states that 14.8 million acre feet of water will be available in 2060. That is enough water to supply 93 million people, twice the projected population, at a usage rate of 140 gallons per person daily. The plan also states that there is 2.7 billion acre feet of brackish well water currently unused. A prudent person would look at ways of utilizing that brackish well water before encroaching on existing agricultural and natural resources, which the TWDB is bound to protect.

Texas is practically drowning in water and yet the draft water plan paints a picture of doom and gloom if new reservoirs are not built. Doom and gloom will be a reality if new reservoirs are built. Expanded use of current water supplies, through repermitting, recontracting, and infrastructure enhancement is the prudent answer to providing increased water availability, and allows the TWDB to answer its legal charge to protect the agricultural and natural resources of the state.

Submitted by John D. McConnell, 19764 Texas Hwy. 37 South, Bogata, Texas, 75417, October 6, 2006.

10/6/2006