
Appendix C
Order Approving LCRA's Water Management Plan
and
Amending Certificate of Adjudication
Nos. 14-5478 and 14-5482,
dated September 20, 1989

TEXAS WATER COMMISSION



IN RE: CONSIDERATION OF §
THE LOWER COLORADO RIVER § BEFORE THE
AUTHORITY'S WATER MANAGEMENT §
PLAN AND AMENDMENTS TO § TEXAS WATER COMMISSION
CERTIFICATES OF ADJUDICATION §
NOS. 14-5478 AND 14-5482 §

ORDER APPROVING LOWER COLORADO RIVER AUTHORITY'S WATER MANAGEMENT PLAN AND AMENDING CERTIFICATES OF ADJUDICATION NOS. 14-5478 AND 14-5482

On the 7th day of September, 1989, the Texas Water Commission ("Commission") held a public hearing to consider the Lower Colorado River Authority's Water Management Plan and applications to amend Certificates of Adjudication Nos. 14-5478 and 14-5482. At the hearing, the following were named as parties: the Lower Colorado River Authority; the Texas Parks and Wildlife Department; the City of Austin; the Garwood Irrigation Company; the Sierra Club, Lone Star Chapter; the Texas Farm Bureau; the Matagorda County Water Council; Houston Lighting and Power Company as Project Manager for the South Texas Project; Clear, Clean Colorado River Association; Pierce Ranch; the Village of Lakeway; the Executive Director of the Texas Water Commission; and the Public Interest Counsel of the Texas Water Commission. Having considered the evidence and arguments presented, the Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Notice of the adjudicative public hearing was published on July 26, 1989, in the Blanco County News, Austin American-Statesman and the Colorado County Citizen, newspapers regularly published and generally circulated in Blanco, Travis and Colorado Counties, Texas, respectively; on July 27, 1989, in the San Saba News and Star, Llano News, Highlander and the Bay City Daily, newspapers regularly published and generally circulated in San Saba, Llano, Burnet, and Matagorda Counties, Texas, respectively; on July 28, 1989, in the Fayette County Record, a newspaper regularly published and generally circulated in Fayette County, Texas; on July 29, 1989, in the Wharton Journal-Spectator, a newspaper regularly published and generally circulated in Wharton County, Texas, and on July 31, 1989 in the Bastrop Advisor, a newspaper regularly published and generally circulated in Bastrop County, Texas, the only counties in which persons reside who may be affected by action taken as a result of the hearing. Said notice was published not less than thirty days before the date of the hearing.

2. On July 26, 1989, notice of the public hearing was sent by first-class mail to persons who may be affected by action taken as a result of the hearing and to each person as required by law.
3. The Lower Colorado River Authority (LCRA) is requesting approval of its Water Management Plan for the Lower Colorado River, Colorado River Basin in accordance with the Court's Final Judgment and Decree entered in Cause No. 115,414 A-1, 264th Judicial District, In Re: The Exceptions of the Lower Colorado River Authority and the City of Austin to the Adjudication of Water Rights in the Lower Colorado River Segment of the Colorado River Basin, and is further requesting approval of amendments to Certificates of Adjudication Nos. 14-5478 and 14-5482 to authorize LCRA to divert, release and use the water in Lakes Buchanan and Travis for additional beneficial uses including domestic, recreation, instream flow and bays/estuary purposes.
4. LCRA's Water Management Plan consists of two volumes. Volume I, Policies and Operations, describes the issues and conflicts in the demands on the Colorado River system and lays out the policies and management actions LCRA will use to accommodate the variety of demands on the system. Volume II, Technical Report, describes the models and data sources and the process used for the determination of the Combined Firm Yield and the Annual Rule Curve methodology. Volume II includes a set of Appendices consisting of the Court's Final Judgment and Decree, and the detailed data used to support the recommendations and conclusions discussed in Volumes I and II.
5. The Highland Lakes Reservoirs are operated by LCRA as a system for flood control and water supply. Mansfield Dam is the only structure with a dedicated flood pool and is operated during flooding according to flood-control regulations as published in the Code of Federal Regulations and under the supervision of the U.S. Corps of Engineers.
6. LCRA has a remote data acquisition system referred to as "Hydromet." The Hydromet allows for remote interrogation of a networked system of twenty-one self-reporting rainfall gages, twenty-two remotely monitored streamflow gages and six reservoir elevation gages. Twenty of the streamflow gages also gather rainfall information, giving a total of forty-one rainfall sites. The network is polled each hour, and all data is verified and stored in a real-time data base on a central computer system. Communications are a combination of microwave and UHF radio. The relational data provided by the Hydromet monitors flows above and below the lakes.
7. LCRA has a central computer system that is composed of two Digital Equipment Corporation MicroVAX II mini computers, one

of which is designated as an operations system located at the LCRA System Operations Control Center, and the other designated as a development system located at the Water Resources office. Real time data is logged and maintained on an on-line historical data base for one year. This is available for access by operations models, historical analyses, or other needs.

8. LCRA has developed several hydrologic models that are models used for routine operations of the system. Each model was developed to meet specific operational needs. The Daily Operations Model, analyzes the downstream inflow and demands by accessing streamflow data, totalling demands, and making multiple computer runs of the Model. The Flood Management Model is a user oriented operation tool which accesses real-time data and routes flood flows through the Highland Lakes. The Storage Projection Model uses historical inflow data to estimate the reliability of reservoir system storage subject to storage conditions and water demands.
9. The Daily Allocation Model will determine the extent to which releases from storage are diverted. It will perform a water balance every twenty-four hours at each river gage below Tom Miller Dam, and will allocate the natural flow of the river (whether or not it originated upstream or downstream of the lakes) to major water rights holders to the extent it is available. The remaining portion, if any, of each diversion is assumed to have been from water released from storage. Each amount is then totaled for the week, month and year to determine the total demand on storage.
10. Daily Operations are a joint effort between the System Operations Control Center (SOCC), Hydro Operations personnel located at the dams, and Water Operations personnel located at the Central Office complex. Water Operations personnel determine the required release by contacting downstream customers, operating the Daily Operations Model, and posting the daily release schedule. The SOCC then determines the optimum time and during the day to release the water based on the daily power peak demand, and orders the hydro generation units to begin and end at the necessary times. Hydro Operations personnel at each dam determine which unit to run at each dam.
11. The standard operating levels for the Highland Lakes are: Lake Buchanan, 1020.35 feet; Inks Lake, 887.30 +/- 0.4; Lake LBJ, 824.70 +/- 0.3; Lake Marble Falls, 736.60 +/- 0.4; Lake Travis, 681.00; and Lake Austin, 492.30 +/- 0.5. All levels are referenced to mean sea level.
12. The U. S. Corps of Engineers is evaluating potential flood damages to areas both upstream and downstream of Mansfield

Dam. LCRA is cooperating in this study. The Corps is also performing a reconnaissance study of possible additional flood control and water supply reservoirs. LCRA is cooperating in this study as well.

13. The Highland Lakes System consists of Lakes Buchanan, Inks, LBJ, Marble Falls, Travis and Austin.
14. LCRA's water rights for Lakes Buchanan, Inks, LBJ, Marble Falls and Travis are set forth in Certificates of Adjudication Nos. 14-5478, 14-5479, 14-5480, 14-5481 and 14-5482. LCRA operates Tom Miller Dam (the dam creating Lake Austin) pursuant to agreement with the City of Austin. Austin's water rights for Lake Austin are set forth in Certificate No. 14-5471.
15. LCRA's water rights on the Colorado River below the City of Austin are set forth in Certificates of Adjudication Nos. 14-5437, 14-5473, 14-5474, 14-5475, and 14-5476.
16. LCRA's right to use the waters of the Highland Lakes is subject to the terms and conditions as set out in the final judgment and decree dated April 20, 1988, in Cause No. 115, 414-A-1.
17. LCRA is committed to following the terms and conditions of the final judgment and decree dated April 20, 1988 in Cause No. 115, 414-A-1.
18. LCRA's first step in development of its Water Management Plan was a comprehensive review of LCRA's Board policies and existing programs that guide and shape the way LCRA manages the river system. The LCRA Board of Directors held a series of monthly public meetings and received testimony from LCRA staff, outside experts, and numerous representatives of diversified constituencies including state agencies, environmental groups, business, industry, agricultural interests, and wholesale electric customers. Based upon the evidence the Board received new comprehensive water policies were adopted by the LCRA Board. These policies form the foundation of the Plan.
19. LCRA's next step was the formulation of a Public Task Force. The LCRA staff and public task force met and worked together over a 6 month period.
20. A draft of the Technical Report (Volume II) of the Water Management Plan was transmitted to the Commission on December 30, 1988. A draft of both Volumes I and II of the Plan was submitted to the Commission's staff and distributed to the public in February 1989 for public comment, LCRA held public workshops followed by local meetings in Bay City, Eagle Lake

and at Buchanan Dam. Additionally, public discussions during LCRA Board meetings were held in March, April and May 1989. LCRA formally adopted the Plan in May 1989.

21. LCRA's proposed Water Management Plan was filed with the Commission on July 7, 1989. The Commission acknowledged receipt of LCRA's proposed Plan on July 18, 1989.
22. LCRA's Water Management Plan has essentially four criteria. One is that the Highland Lakes and the Colorado River downstream will be managed together as a single system for downstream water supply purposes. The second is that the beneficial use of the water derived from inflows below the Highland Lakes will be maximized. The third is that LCRA will stretch and conserve the waters stored in the Highland Lakes and advance water quality. The fourth is that adequate flows will be provided to maintain, and where reasonably possible, improve, fish, wildlife, and recreation resources in the Lower Colorado River and to maintain a proper ecological environment and health of related living marine resources in the Lavaca-Tres Palacios Estuary, to the extent it is affected by the lower Colorado River watershed.
23. LCRA will follow five guidelines in implementing its Water Management Plan including:
 - a. All demands for water from the Colorado River downstream of the Highland Lakes will be satisfied to the extent possible by run-of-river flows of the Colorado River;
 - b. Inflows will be passed through the Highland Lakes to honor downstream senior water rights only when those rights cannot be satisfied by the flow in the river below the Highland Lakes;
 - c. The firm, uninterruptible commitments of water from Lakes Travis and Buchanan will not exceed the Combined Firm Yield;
 - d. Water from Lakes Travis and Buchanan will be available on an interruptible basis only as long as LCRA's ability to meet the demand for uninterruptible water is not impaired;
 - e. Water shall not be released through any dam solely for hydroelectric generation, except during emergency shortages of electricity, and during other times that such releases will be needed for another beneficial purpose.
24. LCRA has the ability to constantly monitor the amount of water in the river available to meet demands through the Hydromet

System which should allow full utilization of the flows originating below Lake Travis prior to making any releases from storage or passing inflows through the reservoirs.

25. Under the Water Management Plan the four downstream irrigation operations (Gulf Coast, Lakeside, Garwood, and Pierce Ranch) will have first priority for the interruptible water in the annual allocation process. This priority will be set by establishing a Conservation Base for LCRA's two irrigation districts. LCRA intends to negotiate a contract which will include a Conservation Base acreage with Pierce Ranch. The Conservation Base acreage for Gulf Coast, Lakeside and Pierce Ranch was determined on the basis of a ten-year (1976-1985) historical average of actual production acreage. The allocation of water for these three users is based on a duty of 5.25 acre-feet of water per acre irrigated. The priority allocation and terms governing the interruption of supply of stored water for Garwood are based upon a contract between Garwood and LCRA. The 5.25 acre-foot-per-acre duty also applies to Garwood irrigated acreage. In the annual allocation process Lakeside has a priority to interruptible stored water in an amount necessary to firm up run-of-river rights to 136,500 acre-feet per year; Gulf Coast an amount necessary to firm up run-of-river rights to 194,250 acre-feet per year and Garwood an amount necessary to firm up run-of-river rights to 168,000 acre-feet per year.
26. When the federal allocation for the number of acres of rice that can be grown exceeds the Conservation Base acreage of Lakeside and Gulf Coast, then in that year LCRA will provide back up stored water for up to 28,300 acres at Lakeside and 42,800 acres at Gulf Coast. These limits represent the maximum number of acres served by each of the two divisions during the 10 year historic period that was used to establish the Conservation Base. For the Lakeside Division, any acreage over 25,000 and up to 28,300 can be served from an alternate source.
27. Lake levels follow an annual cycle--that of filling the conservation storage space in the winter and spring months of the year to be drawn down by larger water uses during the summer months.
28. Because these multiple purpose reservoirs were not constructed for recreational use, the demands for stability in the reservoir levels by recreation interests present conflicts which are extremely difficult to accommodate. If limits are to be placed on how far down the reservoirs' water levels are allowed to decline, a corresponding limitation on the amount of water that is available to supply the other demands on the reservoir system must also be agreed to.

29. To the extent that the annual analysis of the amount of water in storage reveals that there are interruptible water supplies available after meeting the demands of the irrigation operations, interruptible water may be held in the reservoirs to better ensure the security of supply or to maintain lake levels.
30. If additional sales of interruptible water exceed the Conservation Base amounts and the priority allocation for Garwood would draw the lakes below these minimum levels the LCRA Board will not declare any additional interruptible water available for sale in that year. Those levels are 660 feet msl for Lake Travis and 1012 feet msl for Lake Buchanan. LCRA is not guaranteeing minimum lake levels.
31. Another item to help keep the levels of Lakes Buchanan and Travis as high as possible is the agreement that no maintenance, except for emergencies, which would require the lowering of Lakes LBJ, Marble Falls, and Inks will be permitted if the refilling of those lakes would draw the levels of Lakes Travis and Buchanan below the minimum levels. Periodic lowering and refilling of Lake Austin will be done pursuant to the Settlement Agreement (December 10, 1988) between LCRA and the City of Austin.
32. Downstream recreation interests may be enhanced by LCRA's commitment to maintain minimum instream flows. LCRA will develop additional boat launches and recreation areas on the river through LCRA's 10-county district in order to give the public better access to the Colorado River.
33. Hydroelectric power plants located in each of the dams owned and operated by LCRA total 242 megawatts of capacity. Hydropower generally has been subordinated to be a by-product of the release of water for other purposes. LCRA retains the right to make releases solely for hydropower production in times of emergency as part of the Water Management Plan operating policies.
34. LCRA and Texas Parks and Wildlife Department (TPWD) have entered into a Memorandum of Understanding (MOU), wherein the LCRA and TPWD have agreed that LCRA's Water Management Plan would have a goal of maintaining, and where reasonably possible, improving fish, wildlife, and recreation resources in the Lower Colorado Watershed and of maintaining a proper ecological environment and health of related living marine resources in the Lavaca-Tres Palacios Estuary, to the extent that it is affected by that watershed. Some of the provisions addressed in the MOU have been included in LCRA's Water Management Plan.

35. LCRA and TPWD currently are studying the instream flow issue. These studies are scheduled for completion in March 1991.
36. Until the instream flow studies are complete, LCRA will commit to maintaining a minimum monthly mean flow of 200 cfs throughout the lower basin. This flow may, at times, be satisfied from inflows into the river channel and releases made by LCRA to satisfy the demands of downstream users. To assure that sufficient water will be available to satisfy this instream flow demand, LCRA has allocated 25,000 acre-feet of firm water supply to back up this demand on the system and the demand for inflows into the bays and estuaries.
37. Fresh water inflows are essential to maintenance of the productivity of the bays and estuaries. Preliminary data indicate that the amount of inflows needed for the Lavaca-Tres Palacios Estuary may represent the largest single demand on the system. TPWD and the Texas Water Development Board (TWDB) are currently studying the issue of how much fresh water is necessary to maintain the productivity of the bays and estuaries. The study is scheduled for completion by the end of 1989 with public review scheduled during 1990.
38. Until the bays and estuaries study is completed, LCRA has committed to a minimum monthly mean flow of 200 cfs, a minimum seasonal mean flow of 375 cfs, and a minimum annual flow of 272,121 acre-feet for the bays and estuaries. Measurements are to be made at the USGS gage at Bay City. This flow may at times be satisfied from inflows into the river channel, releases of stored water by LCRA for downstream uses and runoff or tailwaters from the rice irrigation operations. These flows will be backed up with 25,000 acre-feet of firm supply water which is also available for instream flow demands.
39. The Texas Water Development Board (TWDB) and the U.T. Bureau of Economic Geology are currently studying the Carrizo-Wilcox and Gulf Coast Aquifers. LCRA is studying the feasibility of the use of groundwater resources in conjunction with interruptible surface water supplies including the evaluation of artificial recharge of depleted aquifer storage space.
40. Under the existing LCRA Water Pricing Policy the rates for purchasing water must recover the costs associated with the Water Management Plan including necessary funds for water quality and conservation activities.
41. The water to be captured by the Stacy Reservoir are waters that otherwise would have flowed into Lake Buchanan. LCRA determined that the appropriate approach at this time was to calculate the firm yield of the Stacy reservoir separately

from the Highland Lakes, then add it back in, to give the total combined firm yield for Lakes Buchanan and Travis.

42. LCRA used a standard single reservoir operation model to determine the firm yield of the Stacy Reservoir. Inputs to the model included: inflow, net evaporation, monthly water demand distribution, and area/capacity curve for the reservoir.
43. LCRA used a multiple reservoir operations model to determine the combined firm yield of Lakes Buchanan and Travis. User defined local water demands were assumed at each of the reservoirs. Inputs to the model included: inflows, net evaporation, local water demands, monthly water demand distribution, minimum and maximum allowable contents, and area/capacity curves for each reservoir.
44. The period of 1941-1965 was used in the determination of the combined firm yield which includes the worst drought of record encountered.
45. Hydrologic data was related to reservoir inflow. The inflow that actually occurred in the record drought was adjusted to simulate a future time period. The monthly values of inflow to Lakes Buchanan and Travis for the period of January 1940 through December 31, 1972 provided to LCRA by TWC water availability model were adjusted. Under the approach used at this time by LCRA to determine the combined firm yield, the simulated operations of Stacy Reservoir did not pass flow to fulfill downstream senior run-of-the-river water rights.
46. LCRA determined how much water was necessary to satisfy daily water demands at a specific location to the extent that flow is available in the river at that point on that specific day. LCRA found that the average annual unsatisfied demand was 520,657 acre-feet; the maximum annual unsatisfied demand was 674,095 acre-feet; and minimum annual unsatisfied demand was 340,500 acre-feet.
47. LCRA determined that the firm yield of the Stacy Reservoir is 90,546 acre-feet. The combined firm yield of Lakes Buchanan and Travis without inflow from upstream of Stacy Reservoir is 445,266 acre-feet/year. Adding the firm yield of Stacy Reservoir results in the combined firm yield for Lakes Buchanan and Travis of 535,812 acre-feet/year which represents the maximum average annual demand that can be met by these two lakes during a repetition of the most critical drought of record on the lower Colorado River. The combined firm yield may also be expressed as a total of 2,679,060 acre-feet over any five consecutive calendar-year period.

48. LCRA developed a rule curve which defines the ability of Lakes Buchanan and Travis to meet annual demands in excess of the combined firm yield, while reserving an adequate supply to meet firm demands.
49. Starting with the reservoirs full, various demands ranging from .781 million acre-feet to 1.5 million acre-feet were placed on the system for the period. It was found that even at a demand of 1.5 million acre-feet per year 100% of the demand was met in 46% of the years; 75% of the demand was met in 63% of the years; and the amount of .781 million acre-feet was met in 80% of the years.
50. This annual rule curve is considered conservative to the degree that the effect of a critical short-term drought equal to or less severe than historical will be negligible only if total firm demands are less than the combined firm yield.
51. The annual operations rule curve will analyze projected annual demands and based on October 1 lake levels will guarantee the supply of water for firm demands and identify an annual amount of water which may be used for non-firm purposes. It will be modified as firm demands increase, and as hydrologic conditions change in the Colorado River Basin.
52. The operational rule curve will be applied to the system on a monthly basis to determine how the system is responding to current conditions as compared to historical operations. This will allow LCRA to optimize reservoir operations on a real time basis and to determine if adjustments to the amount of interruptible water are necessary. This monthly analysis will help LCRA detect early signs of drought and allow LCRA to timely develop and implement drought contingency measures.
53. The amount of water required to meet the firm demand within the system for the preceding year will be calculated in early October. This amount will be compared to the projections for that year, and any variations will be noted and documented. LCRA will solicit information and projections of use from all of its firm supply contract holders and other firm uses provided for by resolution of the LCRA Board. This information will be used to develop a projection of firm demands for the coming year.
54. LCRA will assess the contents of Lakes Travis and Buchanan as of October 1 to project the storage levels for January 1 of the next year. Inflows into Lakes Travis and Buchanan from the upstream tributaries will be added to this preliminary storage level based on the minimum annual inflow from the period of drought. This process will allow LCRA to reserve sufficient water in the system to meet all firm demands for one year beyond the year being considered for allocations.

Estimates for firm demand commitments for the next year will be subtracted from the total water supply available. The amount of water remaining will then be available for interruptible allocation for that year.

55. In October, LCRA will publish the results of the allocation process, notify the LCRA Board, firm contract holders, the Texas Parks & Wildlife Department and any existing or potential interruptible contract holders. During the October LCRA Board meeting information will be presented to the Board and discussed.
56. The recommended annual allocation plan will be published and LCRA will consider public comments and will take into account any significant water events that may have occurred up to the date of publication. The annual allocation plan will be submitted as a recommendation for LCRA Board approval in November of each year.
57. The portion of the combined firm yield that is not yet committed and the firm uninterruptible water that is committed but not yet being used increases the interruptible water that is available each year. The water that is captured and stored from flood flows also adds to the amount of interruptible water that is available. Over time, as the current contracts draw fully on their commitments and the remainder of the firm yield is contracted for, there will be less interruptible water available on an annual basis.
58. LCRA has committed the following amounts out of the combined firm yield amount:
 - a. Stacy Reservoir - the maximum impact of Stacy Reservoir on the firm yield of Lakes Travis and Buchanan is an average of 90,546 acre-feet per year.
 - b. City of Austin - LCRA has agreed to firm up or supplement Austin's independent water rights to the extent of 290,156 acre-feet per year. A commitment of an average of 148,300 acre-feet per year of stored water is necessary to meet this demand.
 - c. Highland Lakes Water Sale Contracts - municipal and industrial contracts total 104,754 acre-feet per year.
 - d. Cooling Water for LCRA Power Plants - LCRA Board Resolution of January 22, 1987 committed 15,000 acre-feet for Ferguson; 10,750 acre-feet for Sim Gideon and 38,101 acre-feet for Fayette Power Project for a total of 63,851 acre-feet per year.

- e. South Texas Project (STP) - LCRA has a contract to supply industrial water to STP in an amount up to 102,000 acre-feet per year. The commitment is met first by run-of-river water, firmed-up by stored water from Lakes Buchanan and Travis. Simulated operations through the drought of record showed a demand for stored water in one year of 51,700 acre-feet. A commitment of an average of 5,680 acre-feet per year of stored water is necessary to meet this demand.
- f. Instream Flows and Bay/Estuary Needs - LCRA is also committing (reserving) 25,000 acre-feet out of the combined firm yield to meet instream flows and bay and estuaries' needs.
59. LCRA is reserving 50,000 acre-feet of the remaining combined firm yield for future uses under LCRA's certificates of adjudication. This reservation will be until water supply and demand assessments for LCRA's 10-county district are completed or within three years whichever is sooner.
60. The uncommitted balance of the combined firm yield of Lakes Buchanan and Travis is 47,681 acre-feet per year.
61. LCRA is in the process of developing a drought management plan and will be submitting the plan to the Commission in 1990.
62. LCRA is conducting county-by-county assessments of alternative water supply sources. This data will be useful in the development of local drought management plans.
63. The goal of LCRA's conservation programs is to promote the development and application of practices and technologies that will improve water use efficiency, increase the beneficial re-use of water, and minimize the waste of water.
64. LCRA's water conservation programs are directed at the two largest users of water, irrigated agriculture and municipal.
65. LCRA's goal for conservation of water used by irrigated agriculture is to reduce agricultural demands for stored water from the Highland Lakes and reduce costs associated with the operation of LCRA-owned irrigation water delivery systems in Colorado, Wharton and Matagorda Counties.
66. LCRA's current irrigated agriculture conservation programs consist of activities aimed at improving the operating efficiency of irrigation water delivery systems and improving on-farm water use efficiency.
67. The major elements of the irrigation canal rehabilitation program include: improved operational control and management

of the system; vegetation removal and control; improved hydraulics characteristics of canals; installation of water control and measurement structures; and automation of water diversion facilities.

68. The irrigated canal rehabilitation program is expected to reduce water use by 30 percent within the Gulf Coast canal system. Preventive maintenance at Lakeside is expected to maintain canal efficiency.
69. The major elements of the on-farm water conservation program include: Direct support through funding and staff for the Cooperative Rice Water Management Research Program; assistance with the transfer of information from the research arena to the rice producer; conservation demonstrations such as the development and testing of an automated levee gate; and the inclusion of water conservation stipulations in LCRA's standard irrigation water sale contract.
70. Preliminary results indicate that on-farm water use can be reduced by 25 to 30 percent.
71. LCRA's municipal water conservation programs are directed towards implementation of urban water conservation and water re-use. Focus is towards encouraging and supporting local level initiatives by more than 300 public water utility systems within LCRA's statutory district.
72. The five major elements of LCRA's municipal water conservation programs are:
 - a. Direct technical assistance with the development and implementation of local water conservation programs including public awareness and education; water efficiency standards and guidelines for new construction (e.g., plumbing fixture efficiency standards); retrofit programs to improve water efficiency in existing developments; conservation-oriented water rates and other economic incentives; low-water-use landscaping (i.e., Xeriscape); and water re-use and recycling.
 - b. Distribution system audit and leak detection services for local water utilities serving fewer than 10,000 connections.
 - c. Integration of water conservation and re-use measures, as appropriate, with other LCRA programs and projects including LCRA water sale contracts; water resource planning and demand forecasting; water and wastewater utility service studies, projects, and service agreements; water rate design; environmental programs; and energy conservation programs.

- d. Public awareness and education on the water conservation opportunities, benefits, and measures. On-going activities include distribution of brochures, fact sheets, and videos on water conservation; media promotion (e.g., news articles, public service announcements, talk shows, etc.); presentations to civic and service organizations; and workshops, seminars, and special events.
 - e. Demonstrations of advanced water conservation and re-use technologies and low-water-use landscaping techniques.
- 73. LCRA will no later than December 31, 1991 reference and summarize existing information on point and nonpoint pollution sources and loading on the Colorado River including inputs of nutrients, metals, pesticides, oxygen demanding substances and other contaminants that may affect water quality, fish wildlife and recreation resources in accordance with the MOU with TPWD.
 - 74. LCRA will no later than December 31, 1991 identify new data needed to determine the effect of water quality on revision of minimum flow schedule and as soon as reasonably possible will modify its existing monitoring programs or new programs to collect such new data.
 - 75. LCRA is evaluating the potential problems associated with anoxic hypolimnetic releases from reservoirs and the potential for related fish kills due to resulting low dissolved oxygen levels downstream. LCRA will no later than December 31, 1991 reference and summarize this evaluation.
 - 76. LCRA has also applied to the Commission for an amendment to the Certificates of Adjudication Nos. 14-5478 and 14-5482 relating to Lakes Buchanan and Travis.
 - 77. Certificates of Adjudication Nos. 14-5478 (Lake Buchanan) and 14-5482 (Lake Travis) authorize LCRA to divert and use water from Lakes Buchanan and Travis for municipal, industrial, irrigation and mining purposes. LCRA is authorized to use the water impounded in Lakes Buchanan and Travis for recreation purposes with no right of diversion or release. LCRA is authorized to use the bed and banks of the Colorado River, below Lakes Buchanan and Travis to convey water released from Lakes Buchanan and Travis for use by LCRA or others entitled to use such water in the amounts and for the purposes authorized in the Certificates. LCRA is also authorized to divert and use water through Buchanan Dam and Mansfield Dam for the purpose of hydroelectric power generation.
 - 78. The Water Management Plan submitted by LCRA to the Commission for its consideration includes proposed reservoir operating

procedures whereby LCRA will divert or release waters stored in Lakes Buchanan and Travis for several additional purposes of use including domestic, recreation, instream flow and bays/estuary purposes.

79. In order to manage Lakes Buchanan and Travis as proposed in the Water Management Plan, LCRA's Certificates of Adjudication Nos. 14-5478 and 14-5482 need to be amended to authorize LCRA to divert, release and use the water in Lakes Buchanan and Travis for additional beneficial uses including domestic, recreation, instream flow and bay/estuary purposes.
80. As part of these amendments, LCRA is not requesting an additional amount of water. The proposed amendments will not result in an additional consumptive use of state water.
81. A "firm" demand is a contractual obligation or other commitment of LCRA's which must be met 100% of the time through the drought of record. Total firm demands will need to be less than or equal to the combined firm yield to be protected throughout recurrence of the drought of record.
82. Interruptible or "nonfirm" demands are LCRA's contractual obligations or other commitments for stored water which contractually do not have to be met 100% of the time. They will be met to the extent additional water is available each year after firm demands are satisfied.
83. LCRA has formally adopted standard water sale contract forms, and procedures and rules for administering water sale contracts. Existing contracts are written for firm supply of water, subject only to the general laws of availability. A second standard form contract for interruptible supply is presently being developed.
84. LCRA currently has no contracts upstream from the Highland Lakes, except those with upstream reservoirs with junior rights to the Highland Lakes which are more or less operation agreements.
85. Existing upstream operating agreements should be considered firm contracts, and their effect on the combined firm yield should be quantified as was Stacy Reservoir's effect.
86. Junior rights senior to November 1, 1987, will be honored as required by the Court's Judgment and Decree with interruptible supplies. Their diversions will be allocated similar to downstream senior rights.
87. A report which documents LCRA's compliance with the Water Management Plan during the previous year will contain information regarding the adequacy of the hydrologic and

hydraulic data monitoring system as to intensity and accuracy; accuracy of reported or monitored activities; adequacy of the operating rule curve and the adequacy of the daily allocation model and any additional information the Executive Director may request.

88. Under the approach used by LCRA at this time, the combined firm yield of Lakes Buchanan & Travis is 535,812 acre-feet/year. This amount may also be expressed as an average of a total of 2,679,060 acre-feet per year over any five consecutive calendar-year period.
89. LCRA's proposed Water Management Plan does not presently propose any new projects taking, storing or diverting water in excess of 5,000 acre-feet per year.
90. The use of an operational rule curve, as developed by LCRA, is an acceptable approach to insure utilization of the lakes' storage while at the same time guaranteeing that firm demands will be met dependably year after year.
91. LCRA's procedures and guidelines for the allocation of firm water and interruptible water supplies are acceptable, with the understanding that the allocation procedures may be amended at a later time to reflect the results of the instream flow and bay/estuary studies; provided, however, that the Commission shall retain jurisdiction to resolve all disputes regarding allocation of stored water that may arise in the future.
92. LCRA's initiatives regarding point and non-point sources of pollution are commendable.
93. The priorities in LCRA's Water Management Plan for interruptible water are subject to changes after the completion of the studies on the instream flows and bays/estuaries.
94. LCRA's proposed system operations under LCRA's Water Management Plan are consistent with the special conditions set forth in the Court's Final Judgment and Decree regarding LCRA's rights to use the waters of Lakes Buchanan and Travis.

CONCLUSIONS OF LAW

1. The public hearing was held under the authority and in accordance with Chapter 11 of the Texas Water Code, as amended and the Texas Water Commission Permanent Rules.
2. The Texas Water Commission has jurisdiction to consider LCRA's proposed Water Management Plan and applications to amend its Certificates of Adjudication.

3. LCRA's proposed Water Management Plan recognizes the necessity of beneficial inflows from the Colorado River into the Lavaca-Tres Palacios Estuary consistent with Section 11.147 of the Texas Water Code.
4. LCRA's proposed Water Management Plan recognizes the necessity of providing for the protection of fish and wildlife habitats and the water quality of the river as required by Section 11.147 of the Texas Water Code.
5. LCRA's proposed Water Management Plan recognizes the Commission's statutory authority to require water conservation and provides for water conservation consistent with Section 11.134(b)(4) of the Texas Water Code.
6. LCRA's applications to amend its Certificates of Adjudication Nos. 14-5478 and 14-5482 authorizing LCRA to use the waters of Lakes Buchanan and Travis for additional beneficial purposes do not contemplate an additional consumptive use of state water or an increased rate or period of diversion.
7. In order to effectuate the policies of this State relating to the conservation and best utilization of the water resources of this State as set forth in Chapter 11 of the Texas Water Code, LCRA's proposed Water Management Plan should be approved and LCRA's applications to amend Certificates of Adjudication Nos. 14-5478 and 14-5482 should be granted.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS WATER COMMISSION
THAT:

1. LCRA's proposed Water Management Plan is approved with the following conditions:
 - a. The Water Management Plan shall be subject to the continuing right of supervision of the Commission, and the Commission, on its own motion, may reconsider any element of the plan at any time in the future.
 - b. LCRA's responsibility and authority under the Water Management Plan is limited to operational control of the Highland Lakes and LCRA's facilities downstream, and is limited by the terms of this Order.
 - c. LCRA's responsibility and authority under the Water Management Plan is subject to and shall not conflict with the authority of any watermaster operation the Commission may establish on the Colorado River.
 - d. LCRA shall make available to the Commission all real-time, historical or allocated streamflow data collected by LCRA.

- e. LCRA shall supply interruptible water, in accordance with the provisions and conditions specified in the Final Judgement and Decree, to any downstream water right with a priority date junior to December 1, 1900 and senior to November 1, 1987 that authorizes the diversion of not more than 3000 acre-feet of water per year. Priority shall be given to these water rights in the same manner that LCRA allocates water to the major irrigation operations downstream (Lakeside, Gulf Coast, Garwood and Pierce Ranch).
- f. All sales, agreements or LCRA Board commitments for the use of water in or from the Highland Lakes shall be submitted to the Commission within 45 days of the effective date of the document.
- g. LCRA shall submit a drought contingency plan within one year from the date the Commission signs this order approving the Water Management Plan. Such plan shall be subject to the review and approval of the Commission.
- h. LCRA shall allocate 25,000 acre-feet per annum of its firm water supply to supplement and maintain a minimum monthly mean flow of 200 cfs throughout the lower Colorado River measured at the USGS gage at Bastrop for instream flow purposes and a minimum monthly mean flow of 200 cfs, a minimum seasonal mean flow of 375 cfs and a minimum annual flow of 272,121 acre-feet measured at the USGS gage at Bay City for freshwater inflow to the Lavaca-Tres Palacios estuarine system.
- i. Prior to any diversion of surface water for recharge purposes, LCRA shall obtain the necessary authorizations from the Commission.
- j. LCRA shall prepare and submit to the Commission, on or before March 1 of each year beginning with March 1, 1990, a report which documents compliance with the approved Water Management Plan and any special conditions thereto during the previous year. Such report shall be in a form approved by the Executive Director.
- k. After the instream study by LCRA and TPWD is completed, but in any event no later than March, 1992, LCRA will submit an application to amend its Water Management Plan to reflect the results of the instream flow studies and the studies and evaluations referenced in Findings of fact #73, 74, & 75 above. LCRA shall do all things necessary to ensure that such application is administratively and technically complete within 6 months of submission. The Commission agrees to hold a hearing within one year of the date of LCRA's submission to


consider the amendments of the Plan, or, if the studies are not complete, to determine why such studies are not complete.

1. After completion of the TWDB and TPWD study on freshwater inflows into the bays and estuaries, as applicable to the Lavaca-Tres Palacios Estuary, and in any event no later than March, 1993, LCRA will submit an application to amend its Water Management Plan to reflect the results of the bays/estuary study. LCRA shall do all things necessary to ensure that such application is administratively and technically complete within 6 months of submission. The Commission agrees to hold a hearing within one year of the date of LCRA's submission to consider the amendments of the Plan, or, if the studies are not complete, to determine why such studies are not complete.
 - m. The combined firm yield as found by the Commission in this Order is subject to adjustment and refinement from time to time as additional studies and simulations are developed that more accurately reflect assumptions and operations as required by law.
 - n. The Commission retains jurisdiction to resolve any and all disputes regarding the allocation of stored water from Lakes Travis and Buchanan, notwithstanding the procedures and guidelines set forth in the Water Management Plan.
2. LCRA's applications to amend Certificates of Adjudication Nos. 14-5478 and 14-5482 are granted with the following conditions:
 - a. LCRA's certificates of adjudication shall reflect the combined annual firm yield of Lakes Travis and Buchanan to be as found by the Commission in this Order, and as may be modified by the Commission from time to time.
 - b. For purposes of perfection, LCRA's authorization to divert, release or use water for recreation purposes is limited to that quantity of water actually sold for that purpose whether used in, or released, or diverted from Lakes Buchanan and Travis.
 3. The Chief Clerk of the Texas Water Commission forward a copy of this Order, subject to the filing of motions for rehearing, to all parties.
 4. If any provision, sentence, clause or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

5. Nothing in the Water Management Plan or this Order shall be construed to impair, or to authorize LCRA or any other person or entity to impair, senior or superior water rights in the Colorado River Basin.

Signed this 20th day of September, 1989.

TEXAS WATER COMMISSION


Buck J. Wynne, III, Chairman

(SEAL)


Brenda W. Foster, Chief Clerk

THE STATE OF TEXAS
 COUNTY OF TRAVIS
 TEXAS WATER COMMISSION



MISSIO Certify that this is a true and correct copy of a Texas Water Commission document, the original of which is filed in the permanent records of the Commission.

Given under my hand and the seal of office on
 JAN 6 1992

Glenn A. Yarnall

Glenn A. Yarnall, Chief Clerk
 BEFORE THE
 TEXAS WATER COMMISSION

CONSIDERATION OF THE
 LOWER COLORADO RIVER
 AUTHORITY'S DROUGHT
 MANAGEMENT PLAN

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ORDER APPROVING LOWER COLORADO
 RIVER AUTHORITY'S DROUGHT MANAGEMENT PLAN

On the 18th day of December, 1991, the Texas Water Commission ("Commission") held a public hearing to consider the Lower Colorado River Authority's ("LCRA") proposed Drought Management Plan. At the hearing, the following were named as parties: the Lower Colorado River Authority; the Texas Parks and Wildlife Department ("TPWD"); the City of Austin; Garwood Irrigation Company; the Sierra Club, Lone Star Chapter; the Matagorda County Water Council; Houston Lighting and Power Company as Project Manager for the South Texas Project; the Executive Director of the Texas Water Commission; and the Public Interest Counsel of the Texas Water Commission. Having considered the proposed agreed order of the parties, the Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Notice of the public hearing was published on October 10, 1991 in the Blanco County Record Courier, a newspaper regularly published and generally circulated in Blanco County, Texas; October 9, 1991 in the Austin American-Statesman, a newspaper regularly published and generally circulated in Travis County, Texas; on October 9, 1991 in the Colorado County Citizen, a newspaper regularly published and generally circulated in Colorado County, Texas; on October 10, 1991 in the San Saba News and Star, a newspaper regularly published and generally circulated in San Saba County, Texas; on October 10, 1991 in the Llano News, a newspaper regularly published and generally circulated in Llano County, Texas; on October 10, 1991 in the Highlander, a newspaper regularly published and generally circulated in Burnet County, Texas; on October 10, 1991 in the Bay City Daily Tribune, a newspaper regularly published and generally circulated in Matagorda County, Texas; on October 8, 1991 in the Fayette County Record, a newspaper regularly published and generally circulated in Fayette County, Texas; on October 5, 1991 in the El Campo Leader-News, a newspaper regularly published and generally circulated in Wharton County, Texas; and on October 7, 1991 in the Bastrop Advertiser, a newspaper regularly published and generally circulated in Bastrop County, Texas. These ten counties are

the only counties in which persons reside who may be affected by action taken as result of the hearing. Said notice was published not less than thirty (30) days before the date of the hearing.

2. On September 26, 1991, notice of the public hearing was sent by first-class mail to persons who may be affected by action taken as a result of the hearing and to each person as required by law.
3. LCRA is requesting approval of its Drought Management Plan for the Lower Colorado River, Colorado River Basin, in accordance with the Commission's September 7, 1989 Order approving LCRA's Water Management Plan and amending Certificates of Adjudication Nos. 14-5478 and 14-5482. LCRA's Water Management Plan was developed and submitted by LCRA in accordance with the Final Judgment and Decree entered by the court in Cause No. 115,414 A-1, 264th Judicial District, In Re: The Exceptions of the Lower Colorado River Authority and the City of Austin to the Adjudication of Water Rights in the Lower Colorado River Segment of the Colorado River Basin.
4. LCRA's proposed Drought Management Plan was filed with the Commission on October 19, 1990.
5. LCRA's procedures and guidelines set forth in the Water Management Plan and the Drought Management Plan for the allocation of firm water and interruptible water supplies are acceptable as conditioned by the provisions of this Agreed Order and with the understanding that the allocation procedures may be amended by the Commission at a later time for any justifiable reason including, but not limited to, an amendment to reflect the results of the instream flow and bay and estuary studies; provided, however, that the Commission shall retain jurisdiction to resolve all disputes regarding allocation of stored water that may arise in the future.
6. The priorities in LCRA's Water Management Plan and Drought Management Plan for interruptible water are subject to change after the completion of the studies on the instream flows and bays and estuaries required by conditions (k) and (l) of the September 7, 1989 Order.
7. Because of the water-availability and water-demand conditions that presently exist, it appears that 25,000 acre-feet of stored water per year probably will be adequate in the near future to firm up the minimum flows for instream flows and bays and estuaries set forth in condition (h) of the Commission's September 7, 1989 Order. Pursuant to conditions (k) and (l) of the Commission's September 7, 1989 Order, LCRA is required to submit applications to amend the Water Management Plan and the Drought Management Plan following completion of studies on instream flows and bays and estuaries

required by March 1992, and March 1993, respectively. Accordingly, it is unnecessary for the Commission to determine at this time whether the Commission, by its September 7, 1989 Order or otherwise, intended to give LCRA the authority or impose upon it the obligation to release more than 25,000 acre-feet of stored water in any one year to firm up those minimum flows.

8. Based on available studies and information, it is uncertain whether LCRA's proposed plan to begin curtailment of interruptible stored water supplies at a January 1 trigger level of 1.4 million acre-feet of water in storage is appropriate, in that it may provide more protection to firm supplies of stored water than is necessary. However, because of the water-availability and water-demand conditions that presently exist, it is likely that such level will not be reached in the near future. Accordingly, it is unnecessary for the Commission to determine at this time whether, or to what extent, such trigger level provides more protection to firm supplies than is necessary.
9. LCRA asserts that nothing in the Drought Management Plan should be construed to modify or impair in any way any contractual obligation of LCRA to supply water.

CONCLUSIONS OF LAW

1. The public hearing was held under the authority and in accordance with Chapter 11 of the Texas Water Code, as amended and the Texas Water Commission Permanent Rules.
2. The Texas Water Commission has jurisdiction to consider and take action on LCRA's proposed Drought Management Plan.
3. It is unnecessary at this time to determine whether the Commission, by its September 7, 1989 Order or otherwise intended to give LCRA the authority or impose upon it the obligation to release more than 25,000 acre-feet of stored water in any one year for instream flows and bays and estuaries. By approving the Drought Management Plan and entering this Order, the Commission specifically is not deciding these issues.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS WATER COMMISSION.
THAT:

1. LCRA's proposed Drought Management Plan is approved with the following conditions:
 - a. LCRA's Drought Management Plan is subject to LCRA's Water Management Plan and all findings, conclusions and conditions contained within the Commission's September 7, 1989 Order approving the Water

Management Plan including, without limitation, any findings, conclusions and conditions contained in this Order that are also contained within the September 7, 1989 Order.

- b. The Drought Management Plan shall be subject to the continuing right of supervision of the Commission, and the Commission, on its own motion, may reconsider any element of the plan at any time in the future.
- c. LCRA's responsibility and authority under the Drought Management Plan is limited to operational control of the Highland Lakes and LCRA's facilities downstream, and is limited by the terms of this Order and the Commission's September 7, 1989 Order.
- d. LCRA is required to pass all inflows to the Highland Lakes to the extent necessary to satisfy the demands of all downstream senior rights, and nothing in the Drought Management Plan or this order shall be construed to modify or impair this obligation.
- e. LCRA shall prepare and submit to the Commission, on or before March 1 of each year beginning with March 1, 1992, a report which documents compliance with the approved Drought Management Plan and any special conditions thereto during the previous year. Such report shall be in a form approved by the Executive Director.
- f. After the instream study by LCRA and TFWD is completed, but in any event not later than March, 1992, LCRA shall submit an application to amend its Water Management Plan and its Drought Management Plan to reflect the results of the instream flow studies and the studies and evaluations referenced in Findings of Fact Nos. 73, 74, and 75 of the Commission's September 7, 1989 Order. Such application shall also propose conditions for implementing or cancelling the declaration of a drought to be worse than the drought of record. LCRA shall do all things necessary to ensure that such application is administratively and technically complete within six months of submission. The Commission agrees to hold a hearing within one year of the date of LCRA's submission to consider the amendments of the Plans, or if the studies are not complete, to determine why such studies are not complete.

