

APPENDIX BB

**ORAL COMMENTS ON THE *INITIALLY PREPARED*
REGION C WATER PLAN AND RESPONSES**

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The oral comments on the *Initially Prepared Region C Water Plan* and the responses of the committee are included in this appendix. The response to each oral comment follows the oral comments shown in *italics*.

1. ***Ernesto Rodriguez, Collin County Citizens Coalition (9/12)***

Response: See written comment number 2 and response.

2. ***Bonnie Wenk, Collin County Citizens Coalition (9/12)***

Response: See written comment number 3 and response.

3. ***Rita Beving, Dallas Sierra Club (9/12)***

Ms. Beving told the group that the Dallas Sierra Club would be submitting formal written comments in the near future. She summarized her concerns regarding water quality in existing lakes. She noted that the Corps of Engineers is planning to put a hotel, two marinas, and a golf course on Lake Lewisville, and she is concerned about the runoff from these facilities lowering the water quality in the lake. She also noted that North Texas Municipal Water District has recently obtained a permit to dump treated wastewater into Lake Lavon, which already has high levels of atrazine. Ms. Beving mentioned that a proposed landfill in McKinney poses a threat of contaminating Lake Lavon should a leak occur.

Response: See response to written comment number 19. It should be noted that atrazine is not generally found in treated wastewater. It is an herbicide and is generally associated with agricultural runoff.

4. ***Tom Taylor, Upper Trinity Regional Water District (UTRWD) (9/14)***

Denton County is growing very fast. Mr. Taylor complimented the Region C Water Planning Group and their consultants on their planning effort. He asked the planning group for additional clarity. He explained that UTRWD was not named a major water provider and not as much information is included for Denton County. He requested clarification on the amount of water needed for Denton County and UTRWD. What is needed to meet these future needs and how much will it cost? Mr. Taylor requested that a chart explaining the current sources, projected demands, and future sources be included for UTRWD. He told the group that he had already provided these comments in writing to Tom Gooch. He also noted that Chiang, Patel and Yerby may have additional comments.

Response: See responses to written comments number 4, 6, 9, and 17.

5. ***Phil Boyd, City of Lewisville (9/14)***

Mr. Boyd began by thanking the Region C Water Planning Group and Texas Water Development Board for their efforts. Lewisville is partly located in Dallas and Denton Counties and gets all of its water supply from Dallas Water Utilities. Half of the water supply comes from raw water out of Lake Lewisville and the rest is DWU treated water. Mr. Boyd is concerned about the use of overdrafting

DWU's reservoirs as a source of dependable supply. DWU is depending on a source that cannot and should not be part of their supply. He related this as a planned water shortage for DWU customers. This method of reservoir operation could prematurely reduce water supply in the lake. He also noted that he supports UTRWD and their comments.

Response: See response to written comment number 20.

6. *Bonnie Wenk, Collin County Citizens Coalition (9/14)*

Ms. Wenk stated that she had submitted her comments in writing and did not have anything else to say.

Response: See written comment number 3 and response.

7. *Pete Patel, Chiang, Patel and Yerby, Inc. (9/14)*

Mr. Patel stated that he would like to see clarifications for Denton County. He would like to see Marvin Nichol I be included as a future supply for Denton County. This should be included in the DWU figures. UTRWD would like this to be corrected in the DWU figures. Mr. Patel stated that the rest of his comments would be provided in writing to the committee.

Response: See response to written comment number 4.

8. *James Dickens, City of Irving (9/14)*

Mr. Dickens stated that Irving is the largest wholesale municipal customer of DWU. He feels that Irving is more than just a customer. He told the group that Irving participated with North Texas MWD to build Lake Chapman. Irving is currently connecting Lake Lavon to Lake Lewisville to bring over the Lake Chapman water. Irving is in a position to provide water to others. He would like to see reuse, Oklahoma water, and other projects listed as options for Irving to participate. Mr. Dickens requested more specific options for Irving.

See response to written comments number 5 and 16.

9. *Andrew Chastain-Howley, Water Prospecting, for Fannin County Water Planning Group (9/19)*

Mr. Chastain-Howley provided written comments and summarized them for the group. He expressed his gratitude to the Regional Water Planning Group for their efforts. He stated that he was representing Fannin County, and they are concerned about the inconsistencies regarding Fannin County in the report. He expressed his concern that the population and water demand projections are underestimated for Fannin County. He stated that the water demand in 1996 was

17,500 acre-feet and in 2000 it was estimated to be 12,100 acre-feet. He did not think that was correct. In TWDB Table 7, he expressed concern about the lack of shortages listed for Fannin County. He explained that Fannin County does have groundwater shortages and the aquifer boundaries should be used to determine groundwater availability instead of the county boundaries. Mr. Chastain-Howley requested that a surface water system be developed for Fannin County, similar to those developed for Cooke and Grayson Counties. He also requested that Table P-2 be adjusted to say that the Ralph Hall Reservoir is “consistent” with other regions and to include Upper Bois d’Arc Creek Lake.

See response to written comment number 7.

10. John Welch of Telephone, Texas (9/19)

Mr. Welch stated that Lower Bois d’Arc Creek Lake poses a serious threat of flooding to the City of Bonham. He strongly urged Freese and Nichols to reconsider the rainfall intensity used in their 1984 report on page 43. The lake level recommended in this study is at elevation 540 feet. Anything above 540 feet poses a threat of flooding upstream. Mr. Welch stated that he had seen flooding in areas when Lake Bonham was at elevation 550 feet with the gates open during rain events.

Flooding issues will be examined in greater detail during permitting and design of the reservoir.

11. Tom Shotwell, Runaway Bay, Texas (9/21)

Mr. Shotwell began by saying the project was impressive. However, he was concerned about the cut-off date for public comments being October 3rd stating that does not give people enough time to make intelligent comments. He had two main concerns:

1. *Cost of Pumping Water:* It is less expensive to release water from Lake Bridgeport to downstream users than to pump water up from East Texas. Mr. Shotwell thinks that the Tarrant Regional Water District considers the water in Lake Bridgeport to be “free” water. TRWD doesn’t pump uphill if they can release water from upstream for less money.
2. *Value of Property:* Mr. Shotwell was concerned about the value of property on Lake Bridgeport due to the wild gyrations in the lake levels. He believes that an economic bias has been built into the plan due to TRWD taking water from Lake Bridgeport to maintain property values around their Tarrant County lakes. Lake Bridgeport water levels are decreasing, but Eagle Mountain, Benbrook, and Worth are almost full. Wise County is his tax area, but Tarrant County taxes the other three lakes. Don’t build economic bias into the plan.

Response: Comment noted; no changes made. Tarrant Regional Water District's operation of the reservoirs is consistent with their water rights. Lake Bridgeport was built by TRWD as a water supply reservoir.

12. *Rollins Bilby, Rancher below Lake Bridgeport (9/21)*

Mr. Bilby has lived in this area through the historical droughts. He believes that another dam is needed along the Trinity River. The amount of water that went over Lake Worth spillway between 1990 and 1996 should have been captured. He stated that we should be conserving all the water we can for Texas.

Response: Construction of an additional reservoir on the West Fork of the Trinity River would create little additional yield. The storage in Lake Bridgeport, Eagle Mountain Lake, and Lake Worth is sufficient to develop the potential yield of the watershed.

13. *Blake English, President, Upper Trinity Regional Water District (UTRWD) (9/26)*

Mr. English began by saying he appreciated the planning effort. The plan reflects a need for water. Nearly one million people are planned for Denton County. The plan is unclear as to how much the water will cost or where the supply will come from. The plan needs a road map for UTRWD. Any good plan should identify how much water is needed, where the water comes from, and how much it will cost. Mr. English submitted Tom Taylor's comments in writing.

Response: See responses to written comments number 4, 6, 9, and 17.

14. *Buddy Kindle, property owner in East Texas (9/26)*

Mr. Kindle does not want Region C to come to Region D for new water. Region C needs to get additional water from the ocean. No one has considered the ecological impacts of these new reservoirs. You should follow California's lead and begin using ocean water. Mr. Kindle owns land in East Texas. He is concerned about the morality in the project. He stated that it is not right to take someone's land. If you can't afford the water for your pools and fountains, then you don't need them. Endangered species and plants are located within the Marvin Nichols I site, but no one seems to care. During droughts, you won't have enough water in these new reservoirs. Go to the ocean for a dependable water supply. A friend recently told me that if you want to do anything in Dallas, just tell them they can't do it. In the future, we will dispose of our sewage in more efficient manners and the shortage won't be as severe. Mr. Kindle hopes that the planning group comes up with a better plan for Texas, Dallas, and the nation.

Response: Desalination of seawater and transmission to Region C would be extremely expensive due to the high cost of desalination and the distance from the ocean.

15. Dave Moldal, National Wildlife Federation (9/26)

An effective water plan must balance all of the water needs. The National Wildlife Federation believes that protecting the wildlife and its habitat is essential to a successful state water plan. The plan fails to cover:

- *Effects of new projects on instream flows*
- *Conservation measures beyond those required by law. The per capita use of 200 gallons per person per day is too high and encourages wasteful practices.*
- *Drought management measures*
- *Habitat destruction related to the Marvin Nichols I project. This site contains 22 listed species, 30,000 acres of irreplaceable bottomland hardwoods, and the excellent habitat for water fowl.*
- *Adverse effects on a stream segment that the Texas Parks and Wildlife Department recommended as unique. The Lower Bois d'Arc Creek site will impact 16,400 acres of land and will impact the Caddo National Grasslands.*
- *Recommendations for or a discussion of streams that have ecological values.*

The plan does not consider population limits for the area. The plans projections are unnecessarily high. The plan includes essentially no conservation. Marvin Nichols I and Lower Bois d'Arc Creek are not justified. The National Wildlife Federation will be submitting written comments.

Response: See response to written comment number 33. It is incorrect to say that the plan includes essentially no conservation. The plan includes a reduction in water use due to conservation of about 375,000 acre-feet per year.

16. Don Callaway, Dallas Sierra Club (9/26)

The plan does not address and needs to determine what the adequate instream environmental flows are in the region. The plan needs to identify threatened and endangered species. Conservation is essentially negligible (15%). The region can do better. If you increase your conservation to 20%, then you won't need Marvin Nichols I. Data is not included in the plan regarding per capita use for communities. This needs to be identified so they can plan. The plan needs conservation education, and it should be aimed at public officials. You should consider rainwater harvesting, and this should be a strong conservation strategy. Water reuse efforts are outstanding in Region C. You have to plan for population growth, but you need to consider air quality. Each community needs to be able to plan for the growth they want and the timing. The water rate cost benefits should be estimated for each community. Roberts County groundwater idea is outside of

the planning area, but you need to talk to the legislature about controlling or managing groundwater.

Response: See response to written comment number 19. The plan includes a reduction in water use due to conservation of about 375,000 acre-feet per year, which is not negligible. Increasing savings due to conservation from the 15 percent of municipal use already in the plan to 20 percent would reduce demand by a further 125,000 acre-feet per year, which would not replace the 495,300 acre-feet per year provided to Region C by Marvin Nichols I.

17. *Rita Beving, Dallas Sierra Club (9/26)*

Ms. Beving thanked the Texas Water Development Board for having the planning meetings, but she added that the meetings should have been held in the evenings so more of the working public could come to make comments. The plan needs more water education efforts. She thanked Don Callaway for his efforts. She told the planning group that they needed to quantify the environmental flows for fish and the environmental needs. Have you done all you can do to maximize conservation efforts? Conservation efforts are one-third the cost of new supplies. The plan should get down to community usages and needs. Conservation efforts should be used to manage the overall daily demand, not just for drought management. A similar program should be developed for water conservation education that has been developed for air quality education. Water rate incentives, or disincentives, should be included for abusers of water. Have you done enough in regards to reuse? Population and distribution should be carefully planned – known as smart growth. The quality of life is being destroyed in the outlying areas. You need to be realistic about the growth that this state and area can sustain. The groundwater supplies need to be sustained and not overused to the point of permanent damage. T. Boone Pickens and others plan to buy water rights to sell groundwater. Where does this stop? It's some of these things that need to be addresses in the water plan. Ms. Beving will be submitting written comments.

Response: See response to written comment number 19.

18. *Bonnie Wenk, Collin County Citizens Coalition (9/26)*

Ms. Wenk read Mr. Ernest Rodriguez's letter.

See response to written comment number 2.

19. *David Gray, Texas Committee on Natural Resources (9/26)*

Mr. Gray thanked the RWPG for their planning efforts. Despite the lack of rain, the City of Dallas has not been rationing water. You need to define

environmental flows for environmental needs. If you cut the per capita use in half, you would have all the water you need. We won't have to worry about the population increasing if the air quality is bad and the traffic is grid-locked. Marvin Nichols I is unnecessary. Conservation is much cheaper and is environmentally friendly. It also saves tax payers money. You should consider advanced conservation.

Response: Comment noted; no changes made.

20. *John Williams, Stream Natural Resources (9/26)*

Mr. Williams lives in the area that would be flooded by Marvin Nichols I. He has spoken with Tony Williams of Region D on numerous occasions. He has called, emailed, and written Terrace Stewart of Region C, but Mr. Williams has not heard back from Terrace. Sooner or later you will have to deal with me. Wouldn't it be better to meet on friendly terms?

Response: Comment noted; no changes made.

21. *Gary Jackson, (Region D, but representing himself) (9/26)*

Mr. Jackson appreciates the planning efforts of Region C. Region D has had a variety of public meetings as has Region C. As for the economics of saltwater, saltwater has to be treated and is very costly. Lake Tawakoni is the result of a drought. Mr. Jackson commends the Senate, the House of Representatives, and the Governor on the bottom-up plan. There are three ways to get water: out of the sky, from the ground, and from a reservoir. Most of the rain ends up in the Gulf of Mexico which is not a bad thing, but we need more water up here. Region D has three recommended reservoirs in the Sabine Basin in their plan: Carl Estes, Waters Bluff, and Carthage. Mr. Jackson commended the committee for their diligence. He invited everyone to attend the Region D public hearing in Gilmer on September 27th.

Response: Comment noted; no changes made.

22. *Charles Allen, Trinity River Expeditions (9/26)*

Mr. Allen's business is based on a free-flowing Trinity River. Population in the area is not infinitely sustainable. Desalination needs to be considered for this area.

Response: Comment noted; no changes made.