

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 2, 2018

Susan Maxwell
Bickerstaff Heath Delgado Acosta
3711 S. MoPac Expressway, Building One, Suite 300
Austin, Texas 78746

Re: Brazos River Authority
WRPERM 5851
CN600506794, RN104319736
Brazos River Basin

CHIEF CLERKS OFFICE

7918 APR -2 PM 4:02

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Ms. Maxwell:

The Texas Commission on Environmental Quality's Final Order for Water Use Permit 5851 (issued September 16, 2016) and Paragraph 5.C.7 of Permit 5851 (issued November 30, 2016) required Brazos River Authority (BRA) to perform a detailed evaluation of whether the recently ended drought: (1) represents a drought worse than the drought of record of the 1950s in the Brazos River Basin; and (2) decreases the amount of water available for appropriation under Permit 5851. BRA was required to provide a report documenting its findings nine months after the permit was issued.

BRA submitted its Drought Study report on June 16, 2017 and, after TCEQ review, submitted revisions to the report on August 4, 2017. The report concluded that although some parts of the BRA system did experience drought conditions worse than the 1950s, the BRA System yield was not reduced; therefore, the appropriation under Permit 5851 need not be reduced. TCEQ staff reviewed the report and supporting documentation and agrees that the results of the study demonstrate that no reduction in the amounts of water available under Permit 5851, as set out in Paragraphs 1.A. and 5.D.5, is required.

The Final Order required BRA to make changes to its Water Management Plan (WMP) to conform to the Final Order. Permit 5851 (Paragraph 5.A.2.) also required BRA to revise the WMP Accounting Plan. BRA submitted a Conformed WMP and a revised Accounting Plan on March 21, 2018. TCEQ staff reviewed the Conformed WMP and revised Accounting Plan and determined that BRA's submittals satisfied the requirements of the Final Order and Water Use Permit 5851. These documents have been filed with the TCEQ's Chief Clerk.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Alexander".

Kathy Alexander, Ph.D.
TCEQ Water Availability Division