

RESOLUTION NO. 20230914-080

WHEREAS, a reliable drinking water supply is critical to the life, well-being, and safety of the residents, human and non-human, of central Texas, and of the City of Austin, Texas; and

WHEREAS, a safe potable water supply is critical to all economic and civic activity in the area, the suppression of fire, the alleviation of extreme heat and the production of electric power; and

WHEREAS, the City's drinking water comes exclusively from the Highland Lakes which consists of Buchanan, Inks, LBJ, Marble Falls, Travis, Austin, and Lady Bird; and

WHEREAS, those lakes are fed by the Texas Colorado River, the San Saba, Llano, and South Llano Rivers, Sandy Creek, as well as inflows from other Hill Country streams and rivers; and

WHEREAS, water from the Colorado River and the Highland Lakes is available to the City through a combination of state-granted run-of-river water rights and a water supply contract with the Lower Colorado River Authority (LCRA) for firm water, which is water that is expected to be available without shortage through a repeat of the drought of record; and

WHEREAS, the Austin area and the rest of Texas went through a historic drought from 2008 to 2016, experiencing the lowest annual inflows since the late 1930s and early 1940s when the lakes were constructed; and

WHEREAS, the 2022 Lower Colorado River Basin inflows were the lowest on record, and to date this year have not increased; and

WHEREAS, the springs of the upper South Llano River did not cease during that time and are currently the only source of flowing water to the LCRA basin; and

WHEREAS, private landowners in Texas have historically been prevented by law and custom from impounding navigable rivers for private use without a permit from the Texas Environmental Commission (TCEQ); and

WHEREAS, an application, TCEQ permit #13524 filed by Waterstone Creek, LLC seeks authorization to construct and maintain a dam and reservoir on the South Llano River, Colorado River Basin, impounding 12.02 acre-feet of water for recreational purposes in Edwards County; and

WHEREAS, another property in Mason County recently built an unpermitted dam along the James River, a tributary to the Llano River that could further constrain water flow; and

WHEREAS, the proliferation of these types of impoundments construe an existential threat to the water supply of Austin, Bastrop, and many downstream communities, and, to the ecosystems supported by flows in the Texas Colorado River; and

WHEREAS, Water Forward highlights working with regional partners to protect and enhance the Colorado River and Highland Lakes system supply; and

WHEREAS, the ability to work closely with regional partners such as Travis, Mason, Llano, and Kimble Counties, and community stakeholders such as The Hill Country Alliance, The Llano River Watershed Alliance, The Greater Edwards Aquifer Alliance, and Save Barton Creek Association, in the stewardship of this shared resource is beneficial to all; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to seek affected party status for the City of Austin with the (TCEQ) regarding TCEQ permit application #13524 filed by Waterstone Creek, LLC and to seek, at the same time or upon the grant of affected person status, a contested hearing before TCEQ.

BE IT FURTHER RESOLVED:

The City Manager is directed to proactively engage with the Texas Parks and Wildlife Department in opposition to any permits required pertaining to the dam and reservoir.

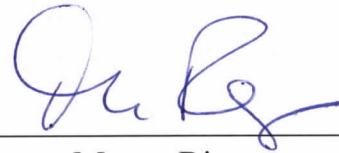
BE IT FURTHER RESOLVED:

The City Manager is directed to explore additional options to work with the Lower Colorado River Authority in opposition to the dam and reservoir permit.

BE IT FURTHER RESOLVED:

The City Manager is directed to complete these actions within 60 days and report the progress by memorandum to Council.

ADOPTED: September 14, 2023 **ATTEST:**



Myrna Rios
City Clerk