

Question Tracking Form #1

Name: Bruce G. Herlin

Address: Trull Service Company <bherlin@ykc.com

Question/Comment:

I attended the above hearing and hope it is not too late to respond as I was away from shortly after the meeting until now.

My perspective of the issues is as follows: I manage over 35,000 acres of farm and ranch land, primarily in Matagorda, Jackson, and Wharton counties. Of that acreage over 25,000 acres are cultivated annually and, of that, close to 5,000 acres is planted to rice each year. We operate a surface water irrigation system and 20 irrigation wells, many in conjunctive use with the surface water.

Observation #1: With the increasing costs of water and the decreasing acreage being farmed to rice in Texas, the rice industry will soon be below the critical mass necessary to exist and most, if not all, the water currently being used for rice production would then be available for other uses. The cost of water is not the only factor; the cost of land, the relative low rice selling price, and the shrinking (and aging) of rice industry infrastructure all contribute. Together, these items are working to free up water with almost no need for investment or expensive studies.

Observation #2: Relying only on precision laser land leveling to conserve water, whether under EQIP or not, overlooks a very good water conservation technique that can be less expensive, more rewarding (to farmers), and available to more land, particularly in the Matagorda County area. This laser controlled technique could be called non-precision land leveling or spot leveling and entails moving dirt into low spots from high spots, broadening and reducing field cut sizes for more uniformity, and reducing the number and length of levees in a field. The net result is to reduce the water required to grow the rice and to increase yield. EQIP does not recognize the benefits because they have not been proven in proper academic fashion, but in this area it is almost standard practice among forward-looking landowners. With cost sharing the practice would be used over many more acres.

Since a great deal of area lands are very irregular in shape and in many cases also rotated with row crops, EQIP sanctioned precision grading of fields is either inapplicable, impractical, or inappropriate for the land. (One aspect of inappropriate is the shallow topsoil in this area-the deep cuts required for precision leveling often strip all topsoil off leaving nonproductive clay soils, thus saving water costs a farmer production.) In my opinion, research money should be spent proving for NRCS(EQIP) and others the benefits of the practice. In my opinion the practice should save a lot of water and money. Cost sharing would extend coverage to many more acres, acres needed to keep a declining industry viable.

Your consideration would be appreciated.

Date received: September 06, 2004

Expert referred: Robert Adams, CH2M Hill

Reply sent out:

Dear Mr. Herlin:

Thank you for your insightful comments related to the rice industry and the potential for water conservation using spot leveling as opposed to laser or precision leveling. Your first observation is noted and we concur that there is some uncertainty about the long term viability of the rice industry. While we anticipate that there may be some reduction in rice acreage in the future, we also anticipate that rice will continue in production for some time. The estimates for continued rice production that we are using in our evaluations are based on the projected rice irrigation demands as established by the Lower Colorado Regional Water Planning Group in the ongoing water planning process (SB1). That group would also appreciate your perspective on the future of the rice or agricultural industry in the lower Colorado basin.

Your second point regarding the potential to achieve water conservation with spot leveling is well stated and identifies a specific water conservation practice that may not be receiving enough attention in terms of research, funding, or implementation support. We are not trying to be prejudicial in our analysis of water conservation techniques, favoring some farms or land areas over others through their selection. Our difficulty, as I am sure you can understand, is in identifying conservation practices that produce a quantifiable benefit, and that provide a reasonable means for implementation. The current NRCS-EQIP cost-share program provides a means of implementing water conservation practices with a method in place to track the expenditure and the potential for water conservation. Admittedly, there is no guarantee that precision leveled farms will achieve a specific level of water conservation, but there is some data to substantiate the potential savings.

LCRA is continuing to work with the NRCS, TAES, and our irrigation customers to identify additional water conservation techniques. Spot leveling may be a technique that should be considered for further evaluation, particularly if the cost for potential water saved is advantageous. Spot leveling can be incorporated into our evaluation of water conservation alternatives if we can identify costs (initial investment and maintenance), the potential for water savings per acre that can result from its implementation, and an estimate of the total acreage within the irrigation districts to which it can be applied. Can you provide some of this information or assist us in collecting this information?

We appreciate your comments and suggestions.

Date replied: 09/13/04

Evaluation form sent out: Yes (please see attachment)
No (please see explanation below)

Reply to the evaluation form:

Question Tracking Form #2

Name: Leon Meismer

Address: P.O. Box 23, Nada, TX 77460

Phone #: 979-758-1082
979-758-3119

Question/Comment:

1. I am very much opposed to the idea of using groundwater to supplement LCRA supplies.
2. I believe that instead of offering assistance such as laser leveling etc. the water needs to be metered at delivery point. Farmers could figure out their own ways to save water if they are given incentive.

Date received: September 02, 2004

Expert referred: Robert Adams, CH2M Hill

Reply sent out:

Response #1: Thank you for your comment. Your comment will be included in the information provided to the LCRA Board and will be considered.

Response #2: Two of the districts, Lakeside and Gulf Coast, currently use a water measurement or metering program at the delivery point, but the objective is to achieve even greater conservation than has been realized by implementing the water measurement program. LCRA may consider implementing water measurement in the Garwood District as well. The Pierce Ranch District is independently owned and therefore beyond the control of LCRA to implement water measurement or metering.

Date replied: September 16, 2004

Evaluation form sent out: Yes (please see attachment)
No (please see explanation below)

Reply to the evaluation form:

Question Tracking Form #3

Name: Reneau Gold

Address: Rt. 3 Box 213 El Campo, TX 77437

Question/Comment:

As a farmer that farms in Wharton and Colorado Counties, I was disappointed in the representation by our county officials. The farmers need someone to support their interests in this deal.

Date received: September 13, 2004

Expert referred: John McLeod, LCRA

Reply sent out:

Date replied:

Evaluation form sent out: Yes (please see attachment)
No (please see explanation below)

Reply to the evaluation form:

Question Tracking Form #4

Name: Erling Landfried

Address: P.O. Box 8296 Horseshoe Bay, TX 78657

Question/Comment:

Thank you for sending me the information on HB1437 Meeting at Marble Falls. We have many problems regarding Fresh Water. As you heard at the Marble Falls meeting Burnet County has a very low ground level, yet the LCRA has approved Marble Falls discharging 860,000 gallons of treated wastewater into Lake Marble Falls. This waste water should be used for the sprinkling of the three golf courses in Burnet county to help recharge the Burnet ground water problem.

I am enclosing a copy of my letter to Governor Rick Perry, LCRA and many others who have interested in Fresh water.

Five years ago I spoke with two management and two engineers of LCRA about the sedimentation problems of the lakes and rivers of the lower Colorado. They told me than it was not their concern.

Using their figures I now estimate sedimentation in Lake Buchanan Lake Travis represent 102 billion gallons of water missing. Town Lake has a capacity of about 428 acre feet of water, figure 20 % is sedimentation, or 27.8 billion gallons of water missing. Lake Austin has a capacity of about 492 acres of water, figure 20 % is sedimentation, or 32 billion gallons of water missing. I am sure my figures may be off but access to some of this information is hard to come by.

I have also looked into Canyon Lake as they have a big problem there. The lake has a pool level capacity of 382,000 acre-feet. A few weeks ago I went over the Guadalupe River bridge in Johnson City two time and the river was dark brown with sedimentation. All of which will settle in Canyon Lake. Looking at the river banks, I would say the sedimentation of the lake is at least 25%, or about 36.5 billion gallons of water. I have been told the Army Corp of Engineers is looking into adding on the dam two feet of concrete to help the flood problem here. It would be much better to remove the sedimentation and set up desander units at the mouth of the river to remove most of the material before it gets to the lake..

By this you can we have a sedimentation problem that must be looked into soon. I have asked for \$200,000 dollars to study and get permits, approval and cost for equipment, etc. This is to look into six Lakes and five or six rivers. It is a huge project, the longer we wait the more it will cost. It will greatly help the flooding problems each year and the shortage of fresh water.

There are too many people involved that want someone else do the work. I know how bad the problem is and the one that will get it going. I need all the help I can get to help get this project going.

Thank you

Date received: September 20, 2004

Expert referred: Seda Tamur, LBJ School of Public Affairs

Reply sent out:

Date replied:

Evaluation form sent out: Yes (please see attachment)
No (please see explanation below)

Reply to the evaluation form:

Question Tracking Form #5

Name: Mahon B. Garry, Jr.

Address: 2200 C.R. 458 Coupland, Texas 78615

E-mail: bgarry@w-g.com

Question/Comment:

My wife, Susan Garry, has just informed me that public hearings regarding this matter are over, and that the comment period has closed. Unfortunately, we were not aware of this, and respectfully request that the enclosed be incorporated as a comment on this important issue.

I am a trustee of the Garry Family Trust, which owns creek frontage on both sides of Brushy Creek between Rice's Crossing and Coupland. The Brushy Creek Return Flow Water Replacement Strategy would have a significant impact on our property, especially insofar as that strategy contemplates diverting a greater volume of water from Brushy Creek than would be recovered from the water transferred from the Highland Lakes. The effect of this transfer scheme, clearly, would be to reduce the flow of water in Brushy Creek downstream from Rice's Crossing.

Since the 1830's, my family has owned and occupied this land, and has used Brushy Creek for stock water and recreational purposes. The effect of this plan would be to substantially decrease the flow of Brushy Creek through our property, thus depriving our land of the benefit of stock and recreational use of this water, which we have enjoyed for over 150 years, and depressing the value of the property.

(Incidentally, it would appear that the plan would also have the unfortunate but unavoidable effect of increasing the already serious flood problems on Cottonwood and Wilbarger Creeks, both of which are already subject to somewhat regular flooding. I trust the cost of flood control measures along these bodies has been factored into the cost of this option.)

It is regrettable that this matter was not publicized in the Coupland community and other downstream communities, such as Beyersville and Thorndale, which will be significantly impacted by any plan that adversely affects stream flow in Brushy Creek, as well as in the New Sweden, Manor, and Webberville areas, which will be impacted by flow in Cottonwood and Wilbarger Creeks.

Please consider these comments with regard to this decision. I would also request that you consider another public hearing, publicized to the owners of riparian rights along Brushy, Cottonwood, and Wilbarger Creeks in the affected areas, so that these concerned individuals might have a fair chance to comment on this plan, which will have serious impacts on their rights.

Date received: September 27, 2004

Expert referred: Robert Adams, CH2M Hill and John McLeod, LCRA

Reply sent out:

Date replied:

Evaluation form sent out: Yes (please see attachment)
No (please see explanation below)

Reply to the evaluation form: