

January 4, 2024

Jim Thompson
Region D Chair
Ward Timber
1101 US 59
Linden, TX 75563

Dear Chair Thompson:

I have reviewed Region D's request dated October 27, 2023, for approval of alternative water supply assumptions to be used in determining existing and future surface water availability. This letter confirms that the TWDB approves the following assumptions that require a variance:

1. Model Lake Chapman in the Sulphur Basin as one pool instead of multiple pools to facilitate calculation of the firm yield for existing and strategy supplies.
2. Correct the Texas Commission on Environmental Quality (TCEQ) WAM Run3 for the Sulphur River Basin for the drainage area at Control Point C10 (Sulphur River near Talco) for existing and strategy supplies.
3. Include return flows for existing surface water rights utilizing return flows for evaluation of existing and strategy reuse supplies in the Cypress, Red, Sabine, and Sulphur Basins.
4. For the Neches River Basin, use of the Neches WAM model as modified by the Region I RWPG and approved by the TWDB for all availability analyses in the basin.
5. For the Trinity River Basin, use of the Trinity WAM model as modified by the Region C RWPG and approved by the TWDB for existing supply analyses in the basin. If Region C submits a variance for future strategy supplies and that is approved by the TWDB, the TWDB will inform Region D they are approved to apply that variance for future supplies. Otherwise, Region D will need to use TCEQ's WAM RUN3.

While the use of these modified conditions may be reasonable for planning purposes, WAM RUN3 would be utilized by the TCEQ for analyzing permit applications. It is acceptable to use the modified conditions for WMS supply evaluations only if the yield produced is more conservative (less) for surface water appropriations than WAM RUN3.

While the TWDB authorizes these modification to evaluate existing and future water supplies for development of the 2026 Region D RWP, it is the responsibility of the RWPG to

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ensure that the resulting estimates of water availability are reasonable for drought planning purposes and will reflect conditions expected in the event of actual drought conditions; and in all other regards will be evaluated in accordance with the most recent version of regional water planning contract Exhibit C, *General Guidelines for Development of the 2026 Regional Water Plans*.

Please do not hesitate to contact Ron Ellis of our Regional Water Planning staff at 512-463-4146 or Ron.Ellis@twdb.texas.gov, if you have any questions.

Sincerely,

Matt Nelson
Deputy Executive Administrator

c: Kyle Dooley, Riverbend Regional Water District
Tony Smith, Carollo Engineers
Abigail Gardner, P.E., Freese and Nichols, Inc. (Region C)
Britt Buff, P.E., Plummer Associates, Inc. (Region I)
Ron Ellis, Water Supply Planning
Sarah Lee, Water Supply Planning
Nelun Fernando, Ph.D., Surface Water