

# Watershed Weeks In Review

## *PUBLIC MEETING FOR WATERSTONE DAM*

**AUGUST 10:  
ROCKSPRINGS  
HERE WE COME**

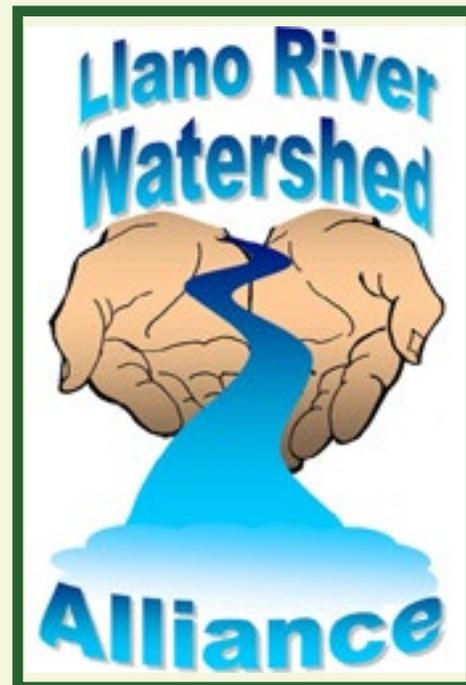
Editor/Layout: Linda Fawcett

### **UPCOMING TCEQ PUBLIC MEETING ABOUT THE PROPOSED DAM ON THE S. LLANO**

On July 6, landowners with water rights and citizens and public entities, who requested a public meeting from TCEQ concerning a proposed dam on the South Llano River, began receiving notifications of a PUBLIC MEETING with TCEQ officials and the permit applicant to debate a proposed dam across the main channel of the South Llano. The dam would impound 12.02 acre-feet of water for a private recreational lake, potentially affecting the flow of water downstream. This would potentially effect landowners downstream and the Cities of Junction and Llano, which both depend on the river for their water supply. The proposed site is located just inside Edwards County above 700 Springs, about 20 miles upstream from Junction.

This meeting is scheduled for **Thursday, August 10, 6:00 pm in Rocksprings ISD School Auditorium, 201 North Hwy 377**. This is the first and perhaps only opportunity to comment in person about how the Waterstone Creek LLC dam will affect you if it is approved by the TCEQ. Citizens have expressed concerns about the evening time in a remote location so far away from so many folks who want to attend. Despite strict TCEQ rules that a Public Meeting must be held in the same county as the project, our local State Representative, **Andrew Murr** has already penned an official request to TCEQ for an additional meeting in a more central location with an earlier meeting time. However, there is no guarantee that TCEQ will grant his request.

The applicant for the dam is officially known as Waterstone Creek LLC, but per State Records, [Axios Austin](#) reported on July 13 of last year that



the directors of Waterstone are Gregory C. Garland, the Phillips 66 executive board chairman and his wife, Laura G. Garland.



On May 12, 2022 LRWA discovered that the original notice for an application of a water use permit #13524

for the proposed dam was published in the Rocksprings Mohair Weekly and had not been published in any other newspapers. Therefore, LRWA had the notification published in the Junction, Mason, and Llano newspapers to get proper notice to everyone downstream. Since last May 2022, the Llano River

Watershed Alliance has kept everyone informed and up to date through their group email list, Facebook page, and Webpage. A 30-day TCEQ Public Comment period ensued in which affected stakeholders could send their views by mail



Above photo compliments of original TCEQ dam application

or its online portal for WRPERM 13524. Because of almost 600 comment letters last year including a very effective letter from Representative Andrew Murr, and Resolutions against the dam from the Cities of Junction, Mason, and Llano, and Kimble, Mason and Llano Counties, the TCEQ granted a Public Meeting for this summer (2023).



Left: Looking upstream from the proposed site; Right: Middle Shore of Existing Pool & Looking at Proposed Dam site (compliments of original TCEQ application)

**So here we are.** Another 30-day TCEQ Comment period has begun leading up to the Public Meeting on August 10. If you cannot attend the Public Meeting, TCEQ proclaims that written comments are of equal weight to spoken in-person comments. **LRWA urges ALL people personally affected by this dam to make comments (again).** The E-comment portal is <https://www14.tceq.texas.gov/epic/eComment/> and to send comments in the mail: Office of the Chief Clerk, TCEQ, P.O. Box 13087, Austin, TX 78711-3087.

LRWA Board members **Linda Fawcett** and **Andrew Burnard** met with the City Council of Junction on July 10 and the Kimble County Commissioners on July 11 to update them on the latest dam information.

**Why is this dam so controversial?** First and foremost, this dam will be on a navigable river, setting a dangerous precedent for future dams throughout the watershed. How could TCEQ refuse wealthy landowners asking for similar impoundments after permitting this dam? So, we are not battling one dam, *we would be allowing many dams if the permit passes.* As one stakeholder framed it, this would be a "death by a thousand cuts" to our beloved rivers and the citizens of the counties in the watershed that share their natural beauty. To properly analyze this permit, experts with TCEQ need to not only consider the impact this permit would have on the environment and use of the river, but assume that all landowners and developers up and down the

river will do likewise and what will be the impact of such development? To merely assume that the impact of this dam would be minimal is incorrect and an abrogation of the responsibility that TCEQ has to the citizens of Texas.

**Ecologically speaking**, who will properly regulate a private lake near the head of the South Llano? Will non-native fish be stocked (against TPWD rules) that pose a direct threat to the genetics of the Guadalupe Bass, that attracts out-of-town anglers to the area (and brings tourism income)? What if a small motorized or non-motorized craft from another Texas Lake or river traversed the impounded, private lakes, increasing the possibility of zebra mussels or invasive aquatic plants, all of which then move up or downstream?

**And what about the water flow?** Artificially built dams require the removal of sand and gravel from the riverbed. Natural gravel bars enhance stream FLOW and help surface water mix with groundwater. Gravel bars also lower the temperature of trapped water, thereby reducing water loss through evaporation. Gravel filters contaminants and also maintains biodiversity important to aquatic, avian and terrestrial populations.

And in extreme drought where even impounded water dries up, when it finally does rain enough to make a difference, all those private lakes up river have to fill up first before allowing water to flow downstream!

**How do you personally depend on the Llano River(s)?** Is it a business that depends on river tourism, or maintaining Kimble County's image as the "Land of Living Waters," or keeping the wildlife that attracts tourist/ hunter income, survival of your livestock, your drinking water, your recreation, maintaining your legacy... the list goes on. **Please write your comments to TCEQ and/or come to the Public Meeting on August 10 to speak your mind!**

Further questions ... there's lots of detailed information about the Waterstone permit in LRWA's website at <https://www.llanoriver.org/> or email questions and comments to: [lrwatx@gmail.com](mailto:lrwatx@gmail.com). Let us know if you plan to speak at the meeting!

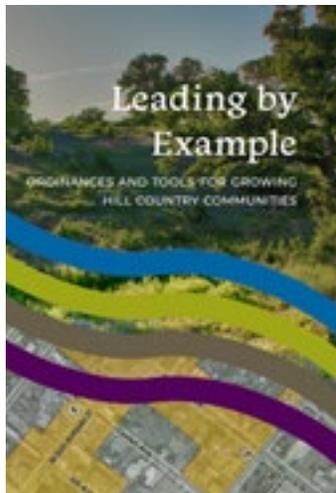


**Speaking of the dam, a very supportive Daily Tribune article** just came out: <https://www.dailytrib.com/2023/07/25/opposition-grows-to-proposed-private-dam-on-llano-river/>

## Fawcett's Notes from a VIRTUAL MEETING OF HILL COUNTRY GRASSROOTS WATER ADVOCATES, June 14, organized by the Hill Country Alliance, presented by Marisa Bruno & Cliff Kaplan

### New HCA Resource #1: Leading by Example Guidebook

Premise: Advancing local policies is easier when there are examples from neighboring communities.



- Meant to empower local advocates and elected officials and staff.
- Contains 4 sections: 1) Water, 2) Land and Skies, 3) Transportation, 4) Zoning and Development
- Mostly relevant to cities, but also some info relevant to counties.
- Each section has an explanation, then examples of nearby ordinances with links, plus ordinances from further away, and ends with Best Practices.
- Included are ordinances from smallest to biggest cities: such as from Marble Falls to Kyle, to Boerne, to San Antonio and Austin.
- Water has 7 Guides and will be a living on-line PDF, updated as needed. **An example of one of the water guides:** *Low Impact Development (LID)*.

*A LID captures, filters and retains water close to rainfall – such as in rainwater collection, rain gardens, reduction of impervious flooring, preserving tree canopies, etc. “Stormwater can be your friend.” Downside: a LID often requires high maintenance.*

- For more information: <https://hillcountryalliance.org/leading-by-example/>

### New HCA Resource #2, [Tools for Managing Groundwater In the Texas Hill Country](#) (note: one of the contributing authors: Kimble County Groundwater Conservation Manager: Meredith Allen!)

Because of growing concern about all the new development in the Hill Country, this guidebook is focused on groundwater districts, with information and tools targeted to cities, counties and residents..

*FYI: At Groundwater District Meetings, you will often hear the term, “Chapter 36,” which is a very general set of rules. and also their “enabling legislation,” but note that not every GCD (Groundwater Conservation District) will have the exact same structure. Overall, Chapter 36 seeks to balance: protecting the water supplies versus the landowner’s right to produce water.*

### Examples of GCD TOOLS:

- Well spacing
- Minimum lot size – the range is wide across districts; a 1-10 acre range
- Pumping limits. Although it is difficult to outright deny a permit, a pumping limit can be set.
- Develop and enforce drought conditions – some GCDs even have a moratorium on new drilling permits during severe droughts.
- GCDs can and should protect unique geological sites, such as a spring, for instance.

**Examples of COUNTY TOOLS:**

- Set water availability requirements for new developments
- Like GCDs, set minimum lot sizes (for septic systems and wells)
- Incentivize LIDs
- Invest in land protection to promote RECHARGE.

**Examples of CITY TOOLS:**

- Promote LIDs
- Develop and enforce drought contingency plans
- Incentivize rainwater collection
- Wastewater REUSE – for example, not use potable water to water big areas like golf courses, etc.

**Examples of RESIDENT TOOLS:**

- Monitoring systems for landowners – such as measuring private wells on a regular basis... this kind of data will improve the science behind an individual's protest action.
- A private LID (Installing rainwater collection, for example.)

**COMMENTS:**

Currently, there are currently no *regional* DFC (Desired Future Conditions) plans – each GCD has their own.

The State of Texas does not support its Groundwater Conservation Districts; there are no overall GCD meetings, with the exception of one association: the Texas Alliance of Groundwater Districts. NOTE: the Texas Water Development Board also has good information about GCDs.

There is no war chest to pay attorneys to go after violations. No funding to pay lawyers to work for GCDs, and in the case of contested cases, expert testimony (proof by science) is expensive.

NOTE: the Texas Water Development Board also has good information about GCDs.

**FOR YOUR INFORMATION:**

A good Texas Tribune article (“Texas Towns are starving for capital and lack the resources to apply for grants. This group hopes to help.”) can be found at: <https://www.texastribune.org/2023/06/16/rural-texas-grant-resources/>

## **DID YOU KNOW?** ... the difference between *Baccharis* (*baccharis neglecta*, aka Roosevelt Weed or False Willow) and *Arundo* (*arundo donax*)?

### *How are they are similar?*

*They like to live in the same places. They both like to be in or near water, as in streambeds, and both can be highly invasive. With the right conditions, they can both grow fast. Both are also highly flammable.*

### *The Differences:*

*They look different, baccharis looks a little bit like willow, arundo donax a little like cane. See pictures below...*

*Baccharis neglecta is considered native (native plants are necessary for a healthy riparian environment), Arundo IS NOT.*

*Baccharis neglecta is a weedy, woody, tall shrub abundant on unshaded disturbed ground, perfect for dry streambeds during severe drought. Its roots are capable of holding the soil in flash floods while we wait for wet conditions to return, so it's a good thing during drought. It can also rehabilitate damaged, worn-out soil because it tolerates high salt levels. When drought has lifted, then you may choose to thin it out (mechanical methods recommended...) [To find out more](#)*

*On the other hand, Arundo donax has a shallow root system and can easily be broken up during flood events, spreading itself downstream along with your soil; in essence, it worsens flooding and causes bank erosion. It grows much more thickly than baccharis neglecta, harboring pests like cattle ticks, feral hogs and nutria.*

**TPWD wants Arundo gone from Texas, LRWA can help you with this!**



**Left: Baccharis neglecta**



**Right: Arundo donax**

**INVASIVE SPECIES IN TEXAS**

# ARUNDO DONAX IMPAIRS CREEK HEALTH.

Invasive species like Arundo (giant cane), privet and others can harm Texas creeks and rivers. They devastate habitat and keep our waterways from providing essential ecosystem services, such as recreation, fresh water supply, and drought and flood protection.

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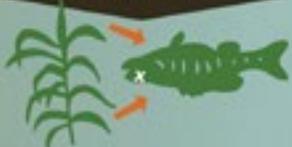
## 136+

Texas counties,  
most problematic in several  
Hill Country rivers and along  
the Rio Grande.



Arundo can grow up to  
**2 INCHES PER DAY,**  
crowding out and replacing  
native plants.

**FISHING & BOATING  
IMPACTS**



Arundo and other invasive plants degrade habitat for fish such as Guadalupe bass, the official state fish of Texas.



Blocks access for bank, wade, and kayak fishing, a **\$14-32 million industry** in the Hill Country.

**DAMAGE TO  
RIVER BANKS**



Arundo roots are very weak below the surface, causing river bank erosion.



They crowd out native grasses whose roots reach more than **6 times** deeper, stabilizing banks. An unmowed native buffer acts as a sponge and helps absorb water.

**DROUGHT & FLOOD  
RISK**



Arundo's high wax content makes it a wildfire hazard—particularly during drought.

Can increase the area impacted by flooding up to **10%**

**Keep our creeks healthy. Prevent invasives:**

1 **Don't mow, let it grow**
2 **Let woody debris be**
3 **Plant natives**

Join the Healthy Creeks Initiative: [tpwd.texas.gov/HealthyCreeks](https://tpwd.texas.gov/HealthyCreeks)

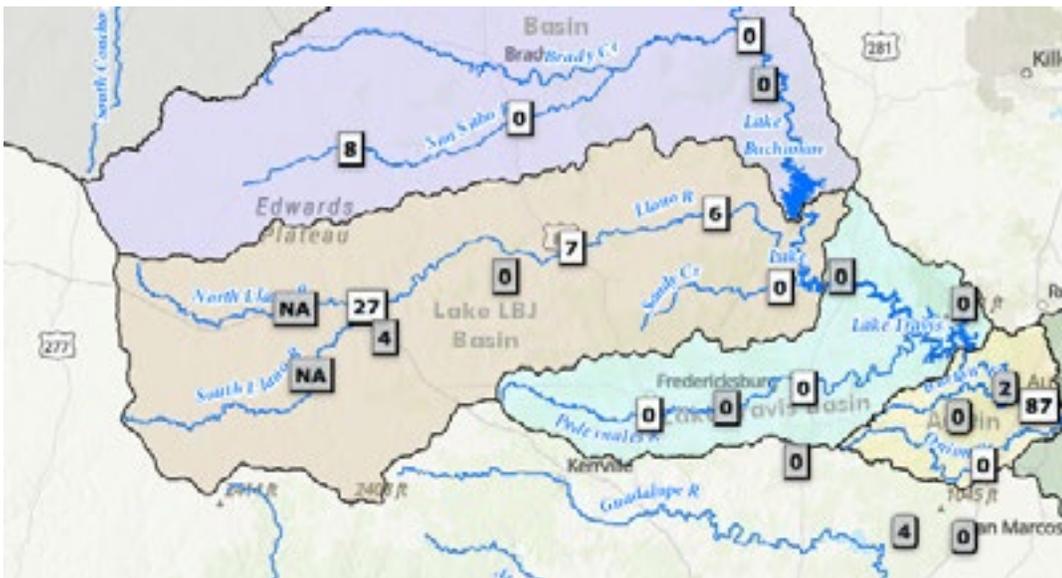


**Healthy Creeks Initiative to Combat Invasive Arundo**  
 FOR COMPLETE INFORMATION, Please go to <https://www.llanoriver.org> and  
 then click on the link that reads: **Healthy Creeks Initiative to Combat Arundo**

# ALERT:

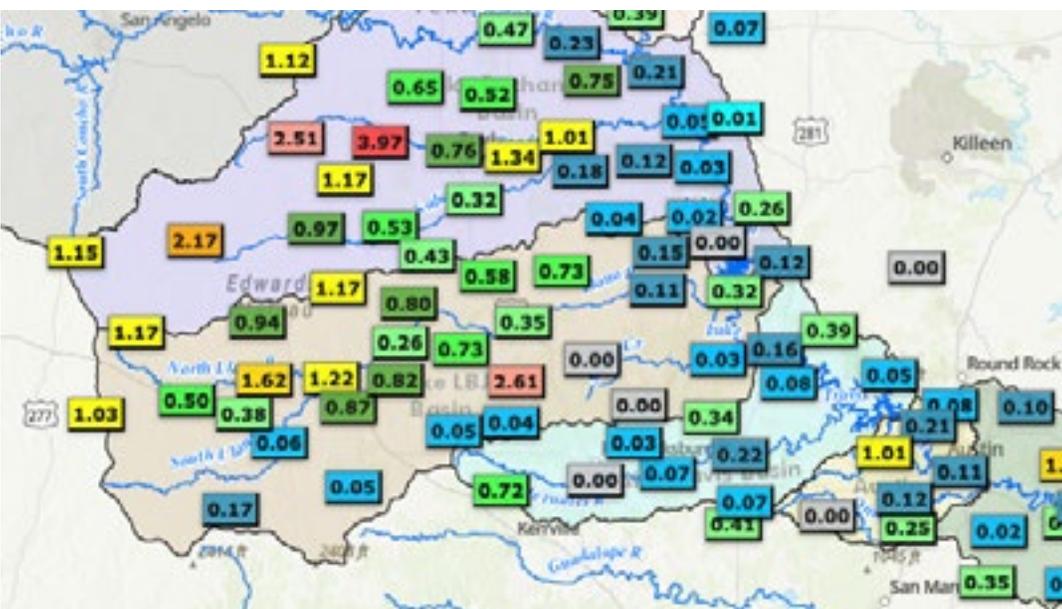
The Llano River Watershed Alliance **NEEDS YOU TO HELP US HELP YOU** (and the river!)

If you live anywhere along the Llano Rivers or their tributaries, LRWA consultants will do a **FREE** assessment of your riparian condition and vegetation to give suggestions on how to better achieve your objectives! [You also get a free *Your Remarkable Riparian* (book) worth \$50 when purchased from the Nueces River Authority.] Just email us at [lrwatx@gmail.com](mailto:lrwatx@gmail.com)



**LCRA Hydromet Stream Flow as of 7.27.23**

**Lower Colorado River Authority's Hydromet** is a system of more than 275 automated river and weather gauges throughout the lower Colorado River basin in Texas. The website displays gauges maintained by the City of Austin and USGS. The Hydromet provides near-real-time data on stream-flow, river stage, rain-fall totals, temperature and humidity. <https://hydromet.lcra.org>



**LCRA Hydromet Rain last 30 Days as of 7.27.23**