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20 **WHEREAS**, the Austin area and the rest of Texas went through a historic
21 drought from 2008 to 2016, experiencing the lowest annual inflows since the late
22 1930s and early 1940s when the lakes were constructed; and

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

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

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

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

35 **WHEREAS**, another property in Mason County recently built an
36 unpermitted dam along the James River, a tributary to the Llano River that could
37 further constrain water flow; and
38

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

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

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

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

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

55 **BE IT FURTHER RESOLVED:**

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

59 **BE IT FURTHER RESOLVED:**

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

62 **BE IT FURTHER RESOLVED:**

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

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66
67 **ADOPTED:** _____, 2023 **ATTEST:** _____

68 Myrna Rios
69 City Clerk