

ADJ_4963_CO_20251022_Investigation
Texas Commission on Environmental Quality
Investigation Report

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Customer: City of Houston
Customer Number: CN600128995

Regulated Entity Name: ADJ 4963
Regulated Entity Number: RN103974457

Investigation # 2092298

Incident Numbers

446058

Investigator: KATHY ALEXANDER

Site Classification CERTIFICATE OF
ADJUDICATION

Supervisor: KIMBERLY NYGREN

Approved Date: 10-22-2025

Conducted: 09/11/2025 -- 09/11/2025

No Industry Code Assigned

Program(s): WATER RIGHTS

Investigation Type: Compliance Invest File
Review

Location: NO LOCATION ON FILE

Additional ID(s) ADJ 4963

Address: ,

, ,

Local Unit:

Activity Type(s)

Principal(s):

Role

Name

RESPONDENT
RESPONDENT

CITY OF HOUSTON
SAN JACINTO RIVER AUTHORITY

Contact(s):

Role

Title

Name

Phone

Other Staff Member(s):

Role

Name

Supervisor
Investigator

KIMBERLY NYGREN
MACY BEAUCHAMP

Associated Check List

Checklist Name

COMPLAINT INVESTIGATION - Water Rights

Unit Name

Investigation

Investigation Comments:

In a letter dated July 25, 2025, the complainant alleged that the San Jacinto River Authority (SJRA) and the City of Houston were in violation of the terms of Certificate of Adjudication No. 10-4963, as amended

(Certificate), the Texas Water Code, and the Rules and Policies of the Texas Commission on Environmental Quality by releasing 818 acre-feet of water in May of 2024 and 6,791 acre-feet of water in June of 2024 for anticipatory flood control and reporting that use as municipal use under the Certificate.

The following were reviewed for this complaint:

- Letter from Erich M. Birch to Kelly Keel dated July 25, 2025
- Texas Water Code - TWC Sections 11.002, 11.023, 11.025 and Ch. 11 generally
- TCEQ rules - 30 TAC Chs. 288, 295, and 297
- Water use report for Certificate of Adjudication No. 10-4963, as amended
- Certificate of Adjudication No. 10-4963, as amended
- Final Determination of all Claims of Water Rights in the San Jacinto River Basin.
- Complaints, Investigation Reports, and/or correspondence for Complaints 378122, 359066, 360567, 352957, and 339157

Conclusion/Referred to:

In a previous investigation, the City of Houston and San Jacinto River Authority were found to be in violation of Certificate of Adjudication No. 10-4963, as amended, because releases from Lake Conroe exceeded the 700 cubic feet per second rate specified in the Certificate. This violation was noted and resolved with no further action required from the City of Houston, San Jacinto River Authority, or the TCEQ and the investigation was closed. The complaint that releases from Lake Conroe were charged to municipal use was also addressed in previous investigations in 2020, 2021, and 2022. SJRA and Houston were not found to be in violation of Certificate of Adjudication No. 10-4963 in those previous investigations.

Certificate of Adjudication No. 10-4963, as amended, for Lake Conroe authorizes the City of Houston and the San Jacinto River Authority to impound water in Lake Conroe and to divert from the lake or release downstream to Lake Houston 100,000 acre-feet of water per year for multiple purposes of use, including municipal use.

The certificate does not require maintenance of specific lake levels or include any operational requirements.

Releases from Lake Conroe in 2024 were reported by the City of Houston, charged to municipal use, and conveyed downstream to Lake Houston as authorized by the certificate. Lake Houston is used for municipal purposes by both the City of Houston and the San Jacinto River Authority. The amount of water released downstream did not exceed the amount of water authorized for use by the Certificate.

The amended certificate also requires the owners to implement Water Conservation Plans. Both the City of Houston and the San Jacinto River Authority have adopted Water Conservation Plans that comply with TCEQ's Chapter 288 rules. Therefore, the releases, which are in compliance with the terms of the certificate, are not a waste of water.

The City of Houston and San Jacinto River Authority were not found to be in violation of Certificate of Adjudication No. 10-4963, as amended, or any provision of the Texas Water Code or TCEQ's rules.

**Note: Kathy Alexander served as lead investigator, Macy Beauchamp entered the data into CCEDS, and Kim Nygren reviewed and approved the investigation.

No Violations Associated to this Investigation

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

___ Letter to Facility (specify type) : _____

Investigation Report

___ Sample Analysis Results

___ Manifests

___ Notice of Registration

___ Maps, Plans, Sketches

___ Photographs

___ Correspondence from the facility

___ Other (specify) : _____

List of Attached files

50228_ADJ_10-4963A_Lake Conroe Association_Redacted.pdf

ADJ 10-4963 WUR Data - City of Houston.xlsx

Investigation Report-2022-04-20-11-39-37.pdf

San Jacinto Final Determination.pdf

ADJ4963 for Lake Conroe.pdf

Investigation 1736861.pdf

Investigation 1736842.pdf

Investigation 1706224 Report.pdf