

Summary of the SJRA / CoH request from the TCEQ for an increased diversion rate.

December 2025

On July 17, 2025 the SJRA and the CoH submitted a joint request of the TCEQ to increase the authorized diversion rate from 700 cubic feet per second (cfs) to 2000 cfs. The application was 73 pages. A full version can be found on the LCA website with this summary. Another LCA document shows 14 key pages of the 73-pages with this summary.

The LCA without access to the joint request sent a letter dated **July 25** (copy included as part of this summary) to the TCEQ Executive Director (ED) Kelly Keel stating several major concerns about the SJRA / CoH request which was not public. **The LCA concerns were:**

“This nonpublic process, proposed initially by the SJRA, does not conform to the normal process to make a significant change to an existing water permit and will preclude public review of the change and its purpose.”

“Our concerns are that while the SJRA’s intent is to use the higher diversion rate for permitted water diversions the increased diversion rate will be used for flood mitigation prereleases at or below full pool which is in violation of the current water permit.”

“As the LCA has shown it is physically impossible for any of this water to be utilized as reported by the City of Houston. It cannot be sequestered for utilization before it is fully discharged across the Lake Houston spillway or through the dam gates. The LCA claims have not been refuted or proven false in any written response or technical study provided by either the SJRA or the CoH.”

Once the LCA had access to the request document a second letter dated **September 15** was sent to the TCEQ ED which clearly outlined why the requested increase was unnecessary.

“We wish to call to your attention that the **existing diversion rate of 700 cfs** (450 mgpd) already supplies the City of Houston with ~ **6.5 times the average daily water volume intake (approximately 70 mgpd) at the City of Houston (CoH) North East Water Plant.**

The current diversion rate has been in place for over forty years and the only beneficially used diversion occurred just once due to drought for CoH water needs in 2012.

Clearly there is no need for a higher diversion rate “for downstream water needs and operational optimization of the lake” as cited by the SJRA and CoH on July 17, 2025.

In our view the absence of current CoH NEWP daily water use information was an intentional and material omission to obtain TCEQ approval.

Summary Prepared by Kevin Lacy – LCA President



To: The Texas Commission on Environmental Quality

July 24, 2025

Kelly Keel

Executive Director

Address: P.O. Box 13087

Austin, Texas 78711-3087

From: Kevin Lacy – President

Lake Conroe Association

P.O. Box 376 Willis, TX 77378

The Lake Conroe Association is a non-profit organization chartered by the state of Texas in 1978 to represent the interests of area residents and businesses by acting to protect the resources of Lake Conroe.

We wish to express our objection to the intent of the San Jacinto River Authority (SJRA) and the City of Houston (CoH) to request of the Texas Commission on Environmental Quality (TCEQ) approval of a water right certificate amendment via a nonpublic process to increase the maximum diversion rate of permitted water from Lake Conroe. This nonpublic process, proposed initially by the SJRA, does not conform to the normal process to make a significant change to an existing water permit and will preclude public review of the change and its purpose.

In the May 22nd SJRA Board Meeting this plan was brought to a Board vote with minimal notice and minimal written context as to the need and purpose of the change and any impact to downstream residents. The current diversion rate has been in place for close to forty years and it is our understanding from the discussion in the May 22nd SJRA meeting the present approved diversion rate of 700 cfs will be increased to 2000 cfs – an increase of almost triple the present rate.

K.L.
7/24/25

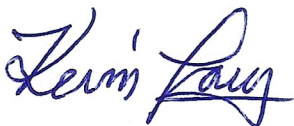
Our concerns are that while the SJRA's stated intent is to use the higher diversion rate for permitted water diversions the increased diversion rate will be used for flood mitigation prereleases at or below full pool which is in violation of the current water permit. These prereleases have occurred numerous times in the last eight years despite originally being publicly presented by the SJRA as a temporary measure.

In 2018 TCEQ issued a letter indicating that they would use "enforcement discretion" on any permit violation on a **temporary basis** while the West Fork dredging operations were underway. This dredging work was completed in Fall 2019 and the TCEQ did not issue any subsequent "discretion letter" or an authorization for further prereleases below normal pool. However, the SJRA / CoH practice of lowering below full pool has continued into 2024. Currently there is no publicly available lowering protocol or an existing technical study that concludes lowering is effective to materially reduce downstream flooding below Lake Conroe. Our concern is this increased diversion rate will be part of a future unauthorized lowering protocol that will continue to waste significant water volumes as it did in 2020, 2021, and 2024.

These flood mitigation "diversions" have resulted in approximately 50 billion gallons of water flowing to Lake Houston which went 100% unused in violation of the existing water permit. As the LCA has shown it is physically impossible for any of this water to be utilized as reported by the City of Houston. It cannot be sequestered for utilization before it is fully discharged across the Lake Houston spillway or through the dam gates. The LCA claims have not been refuted or proven false in any written response or technical study provided by either the SJRA or the CoH.

The Lake Conroe public and area municipal entities have a right and vested interest in any change to the diversion rate, the purpose of the change, the studies supporting the change, and confirmation there will not be increased flooding near the dam.

We request the TCEQ require public hearings before considering a request from the SJRA and CoH to increase the diversion rate from the current approved rate of 700 cfs.



Kevin lacy

President – Lake Conroe Association

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September 15, 2025

To: The Texas Commission on Environmental Quality

Kelly Keel

Executive Director

Address: P.O. Box 13087

Austin, Texas 78711-3087

From: Kevin Lacy – President

Lake Conroe Association - P.O. Box 376 Willis, TX 77378

Ms. Keel,

This letter represents a follow-up to our July 24th letter to you with important information further supporting the basis for that complaint regarding the San Jacinto River Authority (SJRA) and the City of Houston (CoH) application to the TCEQ for an increased diversion rate. After further analysis we wish to call to your attention that the **existing authorized diversion rate of 700 cfs** (450 mgpd) already adequately supplies the City of Houston with approximately **6.5 times the average daily water volume intake (approximately 70 mgpd) at the City of Houston (CoH) North East Water Plant**. The current diversion rate has been in place for over forty years and the only beneficial use diversion occurred just once due to drought for CoH water needs in 2012. **Clearly there is no need for a higher diversion rate “for downstream water needs and operational optimization of the lake” as cited by the SJRA and CoH application of July 17, 2025.**

The SJRA / CoH requested higher diversion rate of 2000 cfs would equal a daily discharge from Lake Conroe of 1.2 billion gallons. This rate and volume would equal approximately **18 times the average daily water volume intake** at the CoH NEWP. Only 5% of this 2000 cfs daily diversion, **(if it could be sequestered which is not possible)**, would be needed for daily water supplies at the CoH NEWP leaving 95-100% unused and discharged to the Gulf. In a state that is short of water this higher rate guarantees a total massive waste since it cannot be used as indicated in the filing.

Clearly the change is not needed as indicated in the SJRA / CoH filing for amending the Certificate of Adjudication 10-4963. The filing did not provide any data supporting the increased diversion rate, only a request for the increased rate. The request did not make it clear to the TCEQ that the volumes provided by the higher diversion rate are **far more than any CoH or SJRA daily need for water. In our view this lack of daily water use information is purposeful and a material omission to obtain TCEQ approval.**

We wish to repeat our objection to the intent of the San Jacinto River Authority (SJRA) and the City of Houston (CoH) to request of the Texas Commission on Environmental Quality (TCEQ) approval of this water right certificate amendment via a **nonpublic process**. This nonpublic process, proposed by the SJRA and CoH in the filing, does not conform to the intent and need for public transparency. To use a nonpublic process to change an existing water permit, given the recent contentious history of lowering, should not be allowed.

Our concerns are that while the SJRA's stated intent is to use the higher diversion rate for beneficial use, the increased diversion rate will be used for flood mitigation prereleases at or below full pool. This is in clear violation of the current water permit.

The 2018-2024 flood mitigation "diversions" at the present release rate of 700cfs have already resulted in approximately 50 billion gallons of water flowing to Lake Houston which went 100% unused in violation of the existing water permit. **As the LCA has shown it is physically impossible for any of this water to be utilized as reported by the City of Houston.** It cannot be sequestered for utilization before it is fully discharged across the Lake Houston spillway or through the dam gates. **The LCA claims have not been proven false in any fact-based response or technical study from either the SJRA or the CoH.**

Now that we have called this information and the omission to your attention, we request that the TCEQ decline the SJRA / CoH request. Unless the request is declined, we respectfully **request the TCEQ require public hearings** before any further TCEQ review given the long contentious history of lake lowering.

Thank you and respectfully submitted,

Kevin lacy

President – Lake Conroe Association

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