

June 20, 2024



To: Greg Eyerly – Director of Water – City of Houston

Formal Notice of Breach of “Active Storm Management” Agreement

On Friday June 14th the San Jacinto River Authority (SJRA) announced that the City of Houston (CoH) had called for diversion of water to lower Lake Conroe water levels. Although the SJRA did not publicly state the CoH requested volume or target lowering level a member of the SJRA Board was publicly quoted saying the intent was a 6” lowering from normal pool. Since June 14 the Lake Conroe Association (LCA) President has sent multiple emails and held several calls with the SJRA General Manager and two members of the SJRA Board to:

1. **Understand** the basis of the diversion and inquire why the LCA as a participant in the “Active Storm Management” agreement was not directly informed of the basis for action.
2. **To point out** lowering below normal pool on June 14 is a breach of the “Active Storm Management” agreement as no lowering / diversions are authorized after June 1 until August 1.
3. **To also point out** that if the diversion was triggered by concerns from “Potential Storm One” the initial forecasts predicted only 1-2” of rain in the Lake Conroe area, that the subsequent forecasts of the expected rainfall decreased, and so the principles of “Active Storm Management” were not evident by lowering the lake a full 6” for an anticipated 2” rainfall event and by not modifying the lowering target given the decreasing rainfall forecast.
4. **To request**, via email on June 17, that lowering cease before reaching 6” as the likely low rain levels became evident, the intended level of lowering was in our view excessive and wasteful, that based upon history the lake level would likely not recover the 6” lost due to lack of rain and seasonal evaporation, and the Lake Conroe water was being wasted as the entire volume was simply discharged across the Lake Houston Spillway. This full discharge versus retention means the diverted water cannot be physically used for any beneficial use as required by the joint water rights permit issued by the Texas Commission on Environmental Quality (TCEQ).

We request a written response explaining the basis for the CoH and SJRA to proceed with a diversion action that falls outside the Active Storm Management agreement between the CoH, SJRA, and LCA. This recent agreement, as it pertains to date windows, is consistent with all past agreements over the last seven years including the Seasonal Lake Lowering Program (SLLP). The SLLP was explicit on the allowable date windows and was authorized for a limited time and purpose by the TCEQ in 2018.

We also request that a joint meeting between the CoH, SJRA, and LCA be held as soon as practical once the requested written response is sent by the SJRA and CoH to the LCA.

Kevin Lacy

President - Lake Conroe Association

On behalf of the Lake Conroe Association Board and Membership