

History of Allens Creek Reservoir

As early as 1951, Allens Creek Reservoir was identified by the Brazos River Authority as a potential site as an off-channel reservoir on Allens Creek, a tributary of the Brazos River located near the City of Wallis in Austin County.

In 1955, Ambersen Engineering Corporation, the consulting engineers for the BRA, approached the City of Houston to participate with the BRA in the construction of the reservoir. The proposed reservoir would cover some 9,500 acres of surface area, with a projected yield of 100,000 acre -feet of water per year.

Nothing came of the discussion and reasons are lost to history.

In 1974, Houston Lighting and Power (HL&P), along with two other electrical providers in the State. proposed to build Allens Creek Reservoir as a cooling lake for its proposed second nuclear power plant. (Bay City being first). This second plant however was not constructed and eventually HL&P allowed the water right permit for the reservoir to expire.

In 1999, the Texas Legislature passed SB 1593 directing the Texas Commission on Environmental Quality to grant a water right for Allens Creek Reservoir to the Texas Water Development Board for the development of the reservoir. The City of Houston is not mentioned in SB 1593.

At some point, BRA and Houston did enter into a development agreement that resulted in an allocation of 70,000 acre-feet to Houston and 30,000 acre-feet to BRA, which would build and operate the reservoir.

In the 1970s, property for the Allens Creek Reservoir site - in Austin County - was assembled and state water rights permit was secured to provide cooling water for a planned nuclear electric generating project. The project was an off-channel reservoir that would be supplied by pumping flood flows from the Brazos River that could deliver 100,000 acre-feet of firm annual water supply.

By the late 1980s, primarily for economic reasons, it was determined that the plant wouldn't be constructed. However, a reservoir site with all the property already acquired offer significant advantages to other water supply developers; so, the Brazos River Authority and the City of Houston ultimately acquired and permitted the site to meet future municipal and industrial water supply demand.

The natural customers for the Allens Creek water supply are users in downstream Fort Bend, Brazoria and Galveston counties.

While development and water demand grew dramatically in these downstream counties since 1990s, the City of Houston continued to look east to the Trinity River Basin for its long-term water needs. In fact, the City has no demonstrated need for the Allens Creek water supply for the next 50 years.

During the last decade, the BRA who serves many of these potential downstream customers began negotiating in earnest with the COH to initiate design and construction of the Allens Creek Reservoir.

Ultimately the negotiations stalled. In 2019, HB2846 was filed by Natural Resources Committee Chair Representative Lyle Larson. HB2846, which called for sale by the City of Houston of its interest in the project to the Brazos River Authority for no more than \$23 million, was passed by the House and by the Senate and signed into law by Governor Greg Abbott.

The Brazos River Authority's most recent projected cost of the reservoir is around \$500 million.

From 1999 to 2018, the City of Houston took no action to develop the reservoir nor attempt to work with the BRA to move the project forward - and for good reason. During this time period, the City of Houston decided to look to the Trinity River as its water source and have committed over \$2 billion towards the development of that water source.

Dissatisfied with that outcome, the City sued the State of Texas and the Brazos River Authority in July 2019.