

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF PUBLIC MEETING ON AN APPLICATION FOR A WATER USE PERMIT

### APPLICATION NO. 13404

The City of Wichita Falls seeks authorization to construct and maintain a 275,000 acre-foot capacity reservoir, Lake Ringgold, on the Little Wichita River, Red River Basin. Applicant also seeks to divert 65,000 acre-feet of water per year from Lake Ringgold for multiple purposes within its service area. Applicant further seeks to use the bed and banks of the Little Wichita River (Lake Arrowhead) to convey return flows and the 65,000 acre-feet of water for subsequent diversion and use. More information on the application and how to participate in the permitting process is given below.

**APPLICATION.** City of Wichita Falls, 1300 7<sup>th</sup> Street, Wichita Falls, Texas 76307, Applicant, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Water Use Permit pursuant to Texas Water Code §§ 11.121, 11.042 and TCEQ Rules Title 30 Texas Administrative Code (TAC) §§ 295.1, et seq. Notice is being published and mailed to the water right holders of record in the Red River Basin pursuant to Title 30 TAC § 295.151.

Applicant seeks a Water Use Permit to construct and maintain a 275,000 acre-foot capacity reservoir (Lake Ringgold) on the Little Wichita River, tributary of the Red River, Red River Basin with the centerline of the dam being at Latitude 33.8962900°N, Longitude 97.9929801°W, Zip Code 76261, in Clay County.

Applicant also seeks to divert and use not to exceed 65,000 acre-feet of water per year from anywhere along the perimeter of Lake Ringgold, at a maximum diversion rate of 139.79 cfs (62,770 gpm), for municipal, industrial, mining and agricultural purposes within the Applicant's service area in Archer, Clay and Wichita counties.

Lake Arrowhead is authorized under Applicant's Certificate of Adjudication No. 02-5150, as amended.

Applicant also seeks to authorize the use of the bed and banks of the Little Wichita River (Lake Arrowhead), Red River Basin to convey up to 65,000 acre-feet of water per year for subsequent diversion and use for municipal, industrial, mining, and agricultural purposes.

Applicant is authorized to divert surface water-based return flows authorized by TPDES Permit No. WQ0010509001 under Certificate of Adjudication No. 02-5150C.

Applicant further seeks authorization to use the bed and banks of the Little Wichita River (Lake Arrowhead) to convey the return flows generated from the diversion and use of water originating from Lake Ringgold for subsequent diversion and use pursuant to the authorization to reuse return flows included in Certificate of Adjudication No. 02-5150C.

Applicant indicates water diverted from Lake Ringgold may be delivered via pipeline and discharged, at a maximum discharge rate of 139.79 cfs (62,770 gpm), anywhere along the perimeter of Lake Arrowhead in Archer and Clay counties, Zip Code 76379.

Applicant indicates the water diverted from Lake Ringgold and discharged into Lake Arrowhead will be subsequently diverted, at a maximum diversion rate of 139.79 cfs (62,770 gpm), from anywhere along the perimeter of Lake Arrowhead in Archer and Clay counties and from an existing point on Lake Arrowhead, at a maximum diversion rate of 93 cfs (41,850 gpm), being at Latitude 33.763707°N, Longitude 98.370091°W in Clay County, Zip Code 76379.

Applicant indicates that diversions from Lake Ringgold may overdraft the firm yield of the reservoir as part of a system operation with Applicant's existing water supplies.

The application is subject to the obligations of the State of Texas pursuant to the terms of the Red River Compact.

The application and partial fees were received on June 27, 2017. Additional information and fees were received July 7, July 10, and August 7, 2017. The application was declared administratively complete and filed with the Office of the Chief Clerk on August 10, 2017. Additional information was received on October 13, October 16, 2017, October 23, November 16, 2018 and June 4, 2019.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would contain special conditions including, but not limited to, mitigation, monitoring, and accounting plan requirements. The application and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Building F., Austin, TX 78753.

**PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below.** A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the permit application and the Executive Director's recommendations, but the comments and questions submitted orally during the Informal Discussion Period will not be considered by the Commissioners and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period, members of the public may state their formal comments orally into the official record. The Executive Director will subsequently summarize the formal comments and prepare a written response which will be considered by the Commissioners before they reach a decision on the application. The Executive Director's written response will be available to the public online or upon request. The public comment period on this application concludes at the close of the public meeting.

**The Public Meeting is to be held:**

**Tuesday, August 25, 2020 at 7:00 PM**

Members of the public who would like to ask questions or provide comments during the meeting may access the meeting via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 483-175-187. It is recommended that you join the webinar and register for the public meeting at least 15 minutes before the meeting begins. You will be given the option to use your computer audio or

to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the meeting for assistance in accessing the meeting and participating telephonically. Members of the public who wish to only listen to the meeting may call, toll free, (914) 614-3221 and enter access code 986-986-971.

Additional information will be available on the agency calendar of events at the following link:

<https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

**INFORMATION.** Citizens are encouraged to submit written comments anytime during the public meeting. Citizens may mail their comments to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or submit them electronically at <http://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 13404 in the search field before the public comment period closes. If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040. General information can be found at our Web site at [www.tceq.texas.gov](http://www.tceq.texas.gov). *Si desea información en Español, puede llamar al 1-800-687-4040.*

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least one week prior to the meeting.

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