

**RE Docket No. 2023-0557-MWD
City of Ennis (Application)
Request(s) filed for Permit NO WQ0010443002**

Thank you for affording me the time to share my thoughts on the proposed water diversion via the Ennis sewer water to Lake Bardwell proposal.

Granted, it sounds like an open and closed justification of the resources the City of Ennis chooses to use under their preview but clearly that is not the case and most likely illegal both on a state level and federal environmental level.

But when the city of Ennis decided to flow their processed sewer water down Cummins Creek and beyond, they set a precedent that cannot be changed without the proper considerations and studies of impacts.

Those considerations are as follows.

Endangered and protected wildlife that depend on the water in the creek. Those include and are not limited to base on what I have seen on the creek. The laws are very clear regarding endangered wildlife, and altering or changing their habitat is illegal both within Texas and are federally protected.

The following Endangered have been seen or reported seen by the creek.

Houston Toad, Red wolf, gray wolf, red tailed hawk, owls, and Eagles and currently living on my property the whooping Crane.

Protected Wildlife in jeopardy

Wild Turkeys	White-fronted Doves
Lesser Prairie Chickens	White-winged Doves
Pheasants (all varieties)	Mourning Doves
Gambel's Quail	Rails (Sora, Virginia, King, Clapper)
Bobwhite Quail	Sandhill Cranes
Scaled Quail	Woodcock
Chachalacas	Ducks (all varieties)
	Snipe (all varieties)
	Gallinules (all varieties)
	Coots
	Geese (all varieties)

Ecological Impacts: Shutting off the processed sewer water is illegal because you are changing the ecological footprint that has been established by the base of water flow on Cummins Creek.

These include wet plant life that are considered endangered and protected in the state of Texas

scientific name	plant name	plant group
<i>Abronia macrocarpa</i>	Large-fruit Sand-verbena	Nyctaginaceae
<i>Agalinis auriculata</i>	Earleaf False Foxglove	Orobanchaceae
<i>Astrophytum asterias</i>	Star Cactus	Cactaceae
<i>Ayenia limitaris</i>	Texas Ayenia	Malvaceae
<i>Chloris texensis</i>	Texas Windmill Grass	Poaceae
<i>Coryphantha ramillosa</i>	Bunched Cory Cactus	Cactaceae
<i>Cyperus grayoides</i>	Mohlenbrock's Umbrella-sedge	Cyperaceae
<i>Echinodorus tenellus</i>	Dwarf Burhead	Alismataceae
<i>Epithelantha bokei</i>	Button Cactus	Cactaceae
<i>Geocarpon minimum</i>	Tiny Tim	Caryophyllaceae
<i>Hibiscus dasycalyx</i>	Neches River Rosemallow	Malvaceae
<i>Hymenoxys texana</i>	Prairie Dawn	Asteraceae
<i>Leavenworthia texana</i>	Texas Golden Gladecress	Brassicaceae
<i>Leitneria pilosa</i> ssp. <i>pilosa</i>	Texas Corkwood	Simaroubaceae
<i>Magnolia pyramidata</i>	Pyramid Magnolia	Magnoliaceae
<i>Manihot walkerae</i>	Walker's Manihot	Euphorbiaceae
<i>Oenothera pilosella</i> ssp. <i>sessilis</i>	Prairie Evening-primrose	Onagraceae
<i>Phlox nivalis</i> ssp. <i>texensis</i>	Texas Trailing Phlox	Polemoniaceae
<i>Physaria pallida</i>	White Bladderpod	Brassicaceae
<i>Rayjacksonia aurea</i>	Houston Machaeranthera	Asteraceae
<i>Silene subciliata</i>	Scarlet Catchfly	Caryophyllaceae
<i>Thymophylla tephroleuca</i>	Ashy Dogweed	Asteraceae

Other impacts are beyond the City or County jurisdiction as the creek runs into many different counties and has been owned by the Wildlife Management Association, The Cummins Creek Wildlife Management Association is a group of private citizens joined together to manage their property for the benefit of wildlife.

Farming and Ranching, I have been told this is not a concern of the folks making the decision on water diversion. For me and the others, I am sure our Congressmen and Senators would disagree. Texas was built on ranching and farming. The proper use of the land by changing the flow of water your impacting is beyond the city limit or the county reach.

In short, my hope is that you squash this idea or come up with a water compromise. But either way you will need to provide a wildlife Impact study, an environmental impact study and an economic study before you make the decision to change the flow.

Ronald Leighton 320 Cummins Creek Rd, Ennis TX 75119

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I plan to contact every wildlife and land management society as well as all our state and federal Congressmen and Senators for assistance in this matter. Putting a notice in a newspaper no one reads or is not relevant is not really a fair approach for notification process, and the city of Ennis is well aware of

this and is making zero to no effort to informed the impacted parties and invite a fair and balanced conversation.

The City of Ennis should really investigate and research more before making the decision to re-route the water flow.