

TCEQ Interoffice Memorandum

To: Office of the Chief Clerk
Texas Commission on Environmental Quality

Thru: Chris Kozlowski, Team Leader
Water Rights Permitting Team

From: Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team

Date: November 6, 2024

Subject: Laguna Madre Water District
CN600647952, RN112043716
Application No. 14026 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Port Isabel Channel Turning Basin, tributary of Laguna Madre, Nueces-
Rio Grande Coastal Basin
Cameron County

The referenced application was received on September 11, 2024, and fees were received on September 24, 2024. Additional information was received on October 11 and 21, 2024. The application was declared administratively complete and filed with the Office of the Chief Clerk on November 6, 2024. Limited mailed notice to the downstream water right holders of record in the Nueces-Rio Grande Coastal Basin is required pursuant to Title 30 Texas Administrative Code § 295.154; however, there are no downstream water right holders of record.

All fees have been paid and the application is sufficient for filing.

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

OCC Mailed Notice Required ☐ YES ☒ NO

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 6, 2024

Mr. Charles F. Ortiz, P.E.
District Engineer
Laguna Madre Water District
105 Port Road
Port Isabel, TX 78578-2404

VIA E-MAIL

RE: Laguna Madre Water District
WRTP 14026
CN600647952, RN112043716
Application No. 14026 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Port Isabel Channel Turning Basin, tributary of Laguna Madre, Nueces-Rio Grande
Coastal Basin
Cameron County

Dear Mr. Ortiz:

This acknowledges receipt of fees, in the amount of \$574.25 (Receipt No. M540653, copy attached), on September 24, 2024 and of additional information on October 11 and 21, 2024.

The application was declared administratively complete and filed with the Office of the Chief Clerk on November 6, 2024. Staff will continue processing the application for consideration by the Executive Director.

Please be advised that additional information may be requested during the technical review phase of the application process.

If you have any questions concerning the application, please contact me at lillian.beerman@tceq.texas.gov or by phone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



24-SEP-24 01:06 PM

RECEIVED
OCT 23 2024
Water Availability Division

Page 3 of 7

RE: Laguna_Madre_Water_District_14026_Request_for_Information_10

From Charles Ortiz <[REDACTED]>

Date Mon 10/21/2024 3:02 PM

To Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Cc Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>

Hi Lillian,

In response to your question on the measures the LMWD will take to avoid impingement and entrainment of aquatic organisms, please accept the following response:

The intake will be installed on the PILOT INC dock located in the Port Isabel Turning Basin. The intake will have a screen with 1mm slots and a surface area to support an intake velocity of less than 0.5 ft./sec. The intent and design of the screen is to prevent entanglement and entrapment.

Thanks,

Charles F. Ortiz, P.E.
District Engineer
Laguna Madre Water District
Ph: (956) 943-2626 Ext 130
Fax: (956) 943-6827
www.lmwd.org

From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Monday, October 7, 2024 6:31 PM

To: Charles Ortiz <[REDACTED]>

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>; Chris Kozlowski <chris.kozlowski@tceq.texas.gov>;

Humberto Galvan <Humberto.Galvan@tceq.texas.gov>

Subject: Laguna_Madre_Water_District_14026_Request_for_Information_10

Mr. Ortiz,

Attached is the Request for Information for Laguna Madre Water District's Application No. 14026. Your response is due COB Wednesday, November 6, 2024.

If you have any questions or concerns, please do not hesitate to contact me.

Thank You,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.

Re: Request for Information for Laguna Madre Water District's Application No. 14026

From Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Date Tue 10/15/2024 11:50 AM

To David Pettry <[REDACTED]>

Thank You, David.
Finance located the check immediately and provided the receipt.
Much appreciated.

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: David Pettry <[REDACTED]>

Sent: Tuesday, October 15, 2024 11:10 AM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>; 'Charles Ortiz' <[REDACTED]>

Subject: RE: Request for Information for Laguna Madre Water District's Application No. 14026

Dr. Beerman

The check number is 10946. I have also attached a copy of the cancelled check.

V/R
David

From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Tuesday, October 15, 2024 10:07 AM

To: David Pettry <[REDACTED]> 'Charles Ortiz' <[REDACTED]>

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: Re: Request for Information for Laguna Madre Water District's Application No. 14026

Mr. Pettry and Mr. Ortiz,
Do you have the check number for your fees for Laguna Madre Water District's application no. 14026?

Thank you,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov


Request for Information for Laguna Madre Water District's Application No. 14026

From David Pettry [REDACTED]

Date Fri 10/11/2024 6:15 PM

To Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Cc Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>; Charles Ortiz <[REDACTED]>; Noe Cantu <[REDACTED]>; Jesus Leal <[REDACTED]>; Bill Norris <[REDACTED]>

 1 attachments (356 KB)

PIP Form TCEQ-20960.pdf;

Dr. Beerman

This correspondence is in response to your request for information identified in your letter on October 7, 2024 to Mr Charles Ortiz. Please find attached the requested Public Involvement Plan Form relative to the Seawater Diversion Request submitted by NorrisLeal for Laguna Madre Water District on September 10, 2024.

The \$574.25 fee for the permit application was paid to TCEQ and cashed by TCEQ on September 26, 2024. Mr. Noe Cantu from Laguna Madre Water District is working today with TCEQ staff to link the funds paid to the permit application.

Thank you for your request and please let us know if you need any additional information.

V/R

David Pettry

Principal

NORRISLEAL LLC.

Firm Registration No. F-14803

1222 E. Tyler, Suite C

Harlingen, TX 78550

O: (956) 423-7409

F: (956) 423-7482

<http://www.norrisleal.com/>

NORRISLEAL
ENGINEERING WATER



Texas Commission on Environmental Quality

Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

Section 1. Preliminary Screening

- ☒ New Permit or Registration Application
☐ New Activity – modification, registration, amendment, facility, etc. (see instructions)

If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.

Section 2. Secondary Screening

- ☒ Requires public notice,
☐ Considered to have significant public interest, and
☐ Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

**If all the above boxes are not checked, a Public Involvement Plan is not necessary.
Stop after Section 2 and submit the form.**

- ☐ Public Involvement Plan not applicable to this application. Provide **brief** explanation.

Section 3. Application Information

Type of Application (check all that apply):

Air ☐ Initial ☐ Federal ☐ Amendment ☐ Standard Permit ☐ Title V
Waste ☐ Municipal Solid Waste ☐ Industrial and Hazardous Waste ☐ Scrap Tire
☐ Radioactive Material Licensing ☐ Underground Injection Control

Water Quality

- ☐ Texas Pollutant Discharge Elimination System (TPDES)
 - ☐ Texas Land Application Permit (TLAP)
 - ☐ State Only Concentrated Animal Feeding Operation (CAFO)
 - ☐ Water Treatment Plant Residuals Disposal Permit
- ☐ Class B Biosolids Land Application Permit
- ☐ Domestic Septage Land Application Registration

Water Rights New Permit

- ☒ New Appropriation of Water
- ☐ New or existing reservoir

Amendment to an Existing Water Right

- ☐ Add a New Appropriation of Water
- ☐ Add a New or Existing Reservoir
- ☐ Major Amendment that could affect other water rights or the environment

Section 4. Plain Language Summary

Provide a brief description of planned activities.

The project is a 6 to 8 month pilot for a seawater desalination project. The intake to be installed on the pilot INC dock located in the turning basin of the Port Isabel TX ship channel. The intake will have a screen with 1mm slots and a surface area to support an intake velocity of less than 0.5ft./sec. The intent and design of the screen is to prevent entanglement and entrapment. The pilot has been submitted to TCEQ for review and approval.

Section 5. Community and Demographic Information

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.

Port Isabel

(City)

Cameron

(County)

(Census Tract)

Please indicate which of these three is the level used for gathering the following information.

☐

City

☒

County

☐

Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

High School or equivalent degree - 25.4% (US Census Bureau)

(b) Per capita income for population near the specified location

Median Household Income - \$ 50,649.00 (US Census Bureau)

(c) Percent of minority population and percent of population by race within the specified location

90% Hispanic, 8% White, 2% other (USA Facts)

(d) Percent of Linguistically Isolated Households by language within the specified location

Could not determine.

(e) Languages commonly spoken in area by percentage

English 30.5%, Spanish 68.7% Other less than 1%

(f) Community and/or Stakeholder Groups

LMWD Citizens Advisory Group

(g) Historic public interest or involvement

There was public participation with past desalination projects where community outreach was established and feedback provided and documented.

Section 6. Planned Public Outreach Activities

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

☒ Yes ☐ No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

☒ Yes ☐ No

If Yes, please describe.

Public education and outreach on the project specifies and implants.

If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.

(c) Will you provide notice of this application in alternative languages?

☐ Yes ☐ No

Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.

If yes, how will you provide notice in alternative languages?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

☐ Yes ☐ No

(e) If a public meeting is held, will a translator be provided if requested?

☐ Yes ☐ No

(f) Hard copies of the application will be available at the following (check all that apply):

- ☐ TCEQ Regional Office ☐ TCEQ Central Office
- ☐ Public Place (specify)

Section 7. Voluntary Submittal

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

☐ Yes ☐ No

What types of notice will be provided?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

Laguna_Madre_Water_District_14026_Request_for_Information_10

From Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Date Mon 10/7/2024 6:31 PM

To 'Charles Ortiz' <[REDACTED]>

Cc Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>; Chris Kozlowski <chris.kozlowski@tceq.texas.gov>;
Humberto Galvan <Humberto.Galvan@tceq.texas.gov>

 1 attachments (333 KB)

Laguna_Madre_Water_District_14026_Request_for_Information_10.07.2024.pdf;

Mr. Ortiz,

Attached is the Request for Information for Laguna Madre Water District's Application No. 14026. Your response is due COB Wednesday, November 6, 2024.

If you have any questions or concerns, please do not hesitate to contact me.

Thank You,

[Lillian E. Beerman, Ph.D.](#)

[Water Rights Permitting Team](#)

[Water Availability Division](#)

[512-239-4019](#)

lillian.beerman@tceq.texas.gov

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 7, 2024

Mr. Charles F. Ortiz, P.E.
District Engineer
Laguna Madre Water District
105 Port Road
Port Isabel, TX 78578-2404

VIA E-MAIL

RE: Laguna Madre Water District
WRTP 14026
CN600647952, RN112043716
Application No. 14026 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Port Isabel Channel Turning Basin, tributary of Laguna Madre, Nueces-Rio Grande
Coastal Basin
Cameron County

Dear Mr. Ortiz:

This acknowledges receipt, on September 11, 2024, of the referenced application.

A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

Additional information and fees are required before the application can be declared administratively complete.

1. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response.
2. Remit fees in the amount of **\$ 574.25** as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee	(WRTP = > 10 acre-feet)	\$	250.00
Recording Fee	(\$1.25 x 1 page)	\$	1.25
Use Fee	(\$1.00 x 323 acre-feet)	\$	323.00
TOTAL FEES		\$	574.25
FEES RECEIVED		\$	0.00
TOTAL FEES DUE		\$	574.25

Mr. Charles F. Ortiz, P.E.
Laguna Madre Water District
Application No. 14026
October 7, 2024
Page 2 of 2

Please submit the requested information and fees by November 6, 2024, or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

Additional information will be required prior to completion of technical review.

1. Provide a completed *Public Involvement Plan Form for Permit and Registration Applications* (TCEQ-20960), copy attached.

If you have any questions concerning this matter, please contact me via email at lillian.beerman@tceq.texas.gov or by telephone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability

Attachment



Texas Commission on Environmental Quality

Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

Section 1. Preliminary Screening

- ☐ New Permit or Registration Application
☐ New Activity – modification, registration, amendment, facility, etc. (see instructions)

If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.

Section 2. Secondary Screening

- ☐ Requires public notice,
☐ Considered to have significant public interest, and
☐ Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

**If all the above boxes are not checked, a Public Involvement Plan is not necessary.
Stop after Section 2 and submit the form.**

- ☐ Public Involvement Plan not applicable to this application. Provide **brief** explanation.

Section 3. Application Information

Type of Application (check all that apply):

Air ☐ Initial ☐ Federal ☐ Amendment ☐ Standard Permit ☐ Title V
Waste ☐ Municipal Solid Waste ☐ Industrial and Hazardous Waste ☐ Scrap Tire
☐ Radioactive Material Licensing ☐ Underground Injection Control

Water Quality

☐ Texas Pollutant Discharge Elimination System (TPDES)
☐ Texas Land Application Permit (TLAP)
☐ State Only Concentrated Animal Feeding Operation (CAFO)
☐ Water Treatment Plant Residuals Disposal Permit
☐ Class B Biosolids Land Application Permit
☐ Domestic Septage Land Application Registration

Water Rights New Permit

☐ New Appropriation of Water
☐ New or existing reservoir

Amendment to an Existing Water Right

☐ Add a New Appropriation of Water
☐ Add a New or Existing Reservoir
☐ Major Amendment that could affect other water rights or the environment

Section 4. Plain Language Summary

Provide a brief description of planned activities.

Section 5. Community and Demographic Information

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.

(City)

(County)

(Census Tract)

Please indicate which of these three is the level used for gathering the following information.

☐

City

☐

County

☐

Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

(b) Per capita income for population near the specified location

(c) Percent of minority population and percent of population by race within the specified location

(d) Percent of Linguistically Isolated Households by language within the specified location

(e) Languages commonly spoken in area by percentage

(f) Community and/or Stakeholder Groups

(g) Historic public interest or involvement

Section 6. Planned Public Outreach Activities

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

☐ Yes ☐ No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

☐ Yes ☐ No

If Yes, please describe.

If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.

(c) Will you provide notice of this application in alternative languages?

☐ Yes ☐ No

Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.

If yes, how will you provide notice in alternative languages?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

☐ Yes ☐ No

(e) If a public meeting is held, will a translator be provided if requested?

☐ Yes ☐ No

(f) Hard copies of the application will be available at the following (check all that apply):

- ☐ TCEQ Regional Office ☐ TCEQ Central Office
- ☐ Public Place (specify)

Section 7. Voluntary Submittal

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

☐ Yes ☐ No

What types of notice will be provided?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

September 10, 2024

Water Rights Permitting & Availability Section
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Laguna Madre Water District (LMWD)
Seawater Desalination Project
Application for a Temporary Water Use Permit (Form TCEQ 10202 revision 3/2010)

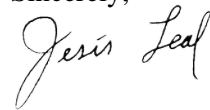
Dear Water Rights Permitting & Availability Section:

The Laguna Madre Water District (LMWD) is a popular tourist destination known for its beaches, fishing, bird watching, and golf. For many years, the LMWD has kept pace with population growth while being subject to heavy seasonal peak demands. The LMWD has been actively exploring the options of brackish groundwater, seawater, and wastewater reuse as an alternative source for raw water. The only alternatives that can meet current and future water demands would be brackish or seawater desalination. The due diligence conducted in a feasibility study with the Bureau of Reclamation identifies seawater desalination as the most cost-effective option. Seawater Desalination offers operational flexibility, allowing for the blending of river and seawater. Moreover, in scenarios where river water availability is constrained or eliminated in the future, seawater desalination provides a sustainable alternative, ensuring the District's water security independent of single-source dependency.

The attached Application for a Temporary Water Use Permit (Form TCEQ 10202 revision 3/2010) is provided for your review and approval and was prepared for Laguna Madre Water District. A Pilot Plant Study (PPS) Protocols was submitted under separate correspondence to TCEQ which provides a detailed description of the pilot plant configuration that will be used to treat seawater obtained from the Lower Laguna Madre at the Port Isabel-San Benito Navigation District Turning Basin and produce drinking water meeting all Federal, State, and local water quality requirements.

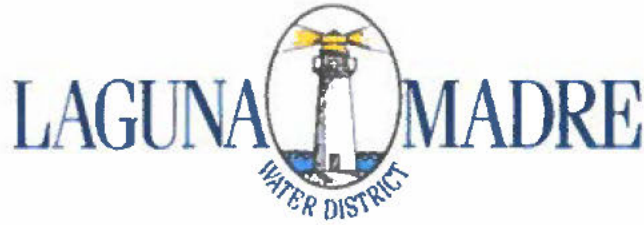
Please let us know if you have any questions or require additional information.

Sincerely,



Jesus Leal, P.E.
Principal





September 10, 2024

Water Rights Permitting & Availability Section
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Laguna Madre Water District (LMWD)
Seawater Desalination Project
Authorization Letter for Jesus Leal, NorrisLeal

Dear Water Rights Permitting & Availability Section,

Laguna Madre Water District hereby authorizes Jesus Leal, from NorrisLeal, LLC, to sign the attached Application For a Temporary Water Use Permit (Form TCEQ 10202 revision 3/2010) on behalf of Laguna Madre Water District.

Please let us know if you have any questions or require additional information.

Sincerely,

Charles F. Ortiz, P.E.
District Engineer
Laguna Madre Water District
956-943-2626 ext. 130
Email: [REDACTED]

105 Port Road
Port Isabel, Texas 78578
Phone: 956-943-2626 Fax: 956-943-6827
An Equal Opportunity Employer

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087 MC-160, Austin, Texas 78711-3087

Telephone (512) 239-4600, FAX (512) 239-4770

APPLICATION FOR A TEMPORARY WATER USE PERMIT FOR MORE THAN 10 ACRE-FEET OF WATER, AND/OR FOR A DIVERSION PERIOD LONGER THAN ONE CALENDAR YEAR

This form is for an application for a temporary permit to divert water under Section 11.138, Texas Water Code. Any permit granted from this application may be suspended at any time by the applicable TCEQ Office if it is determined that surplus water is no longer available.

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

1. **Data on Applicant and Project:** Social Security or Federal ID No. [REDACTED]
- A. Name: Laguna Madre Water District c/o Charles Ortiz, P.E.
- B. Mailing Address: 105 Port Road, Port Isabel, TX 78578
- C. Telephone Number: 956-943-2626 Fax Number: 956-943-6827 E-mail Address: [REDACTED]
- D. Applicant owes fees or penalties? ☐ Yes ☒ No
- If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

- E. Describe Use of Water Water will be used in piloting of Seawater Reverse Osmosis System
- F. Description of Project (TDH Project No. if applicable) Desalination Piloting
- G. Highway Designation No. 100 County Cameron

2. Type of Diversion (check one):☒ From Stream ☐ From Reservoir**3. Rate of Diversion:**

A. Maximum 200 gpm
(capacity of pump)

4. Amount and Source of Water:

323 acre-feet of water within a period of 1 year (specify term period not to exceed a three year term). The water is to be obtained from Port Isabel Channel Turning Basin, tributary of Laguna Madre, tributary of _____, tributary of _____, Nueces Rio Grande Coastal Basin.

5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.

At Latitude 26.061128 °N, Longitude 97.215422 °W, ((at) or near the stream crossing of), (at a reservoir in the vicinity of) 100 (R-O-W) Highway located in Zip Code 78578, located 23.7 miles in a NE direction from Brownsville (County Seat), Cameron County, and 2.7 miles in a SE direction from Laguna Vista, a nearby town shown on County road map. Note: Distance in straight line miles.

Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

6. Access to Diversion Point (check one):

- ☐ Public right-of-way
- ☒ Private property
(A letter of permission from landowner is attached)
- ☐ Other (Explain)

7. Fees Enclosed:

10 ac-ft or less greater than 10 ac-ft

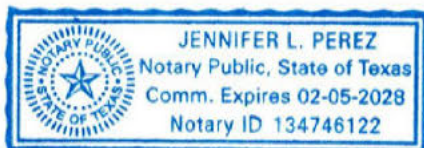
Filing	\$ 100.00	\$ 250.00
Recording.....	\$ 1.25	\$ 1.25
Use (\$1.00 per ac-ft or fraction thereof)	\$	\$ 323.00
(Note: 1 ac-ft = 325,851 gals. Total	\$	\$ 574.25
1 ac-ft = 7758.35 bbls.)		

Upon completion of any project for which a temporary water permit is granted, the Permittee is required by law to report the amount of water used. This document must be properly signed and duly notarized before it can be accepted or considered by the Texas Commission on Environmental Quality.

Jesus Leal
Name (sign)

Jesus Leal, P.E. (NorrisLeal, LLC)
Name (print)

Subscribed and sworn to me as being true and correct before me this 10th day of September, 2024



Jennifer L. Perez
Notary Public, State of Texas



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

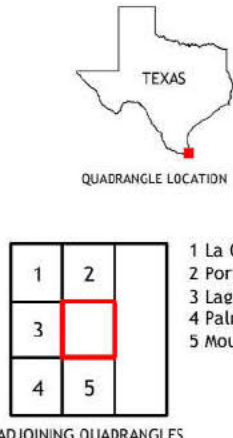
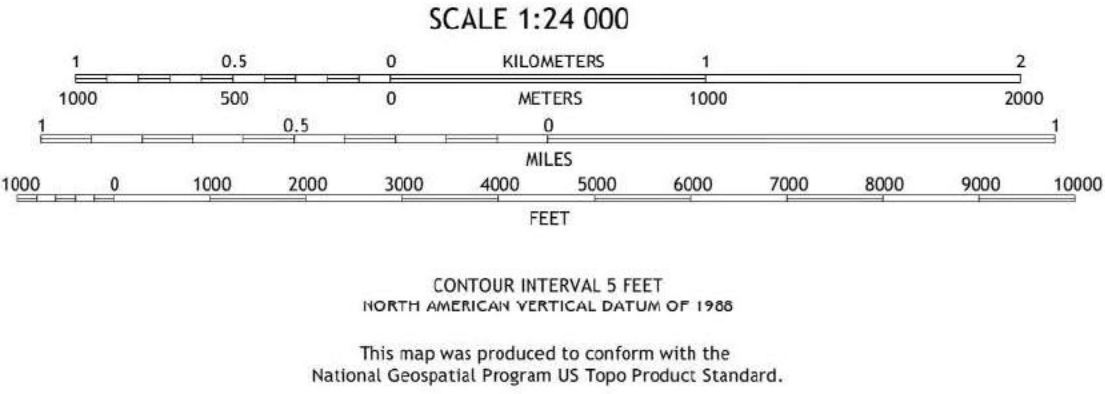
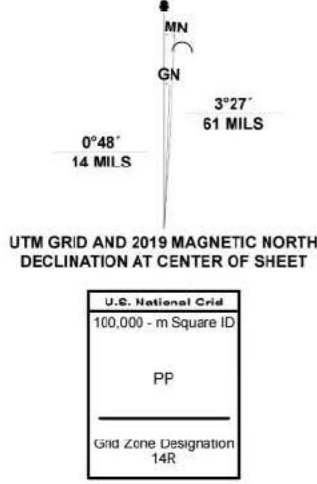


PORT ISABEL QUADRANGLE
TEXAS - CAMERON COUNTY
7.5-MINUTE SERIES



NOTE:
ALL WASTE STREAMS FROM PROPOSED
PILOT PLANT SHALL BE ROUTED TO
EXISTING LMWD LIFT STATION LOCATED
ADJACENT TO PILOT PLANT AND PUMPED
TO THE EXISTING PORT ISABEL WWTP

Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid/Universal Transverse Mercator, Zone 14R
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.
Imagery.....NAIP, November 2016 - January 2017
Roads.....U.S. Census Bureau, 2015
Names.....GNS, 1979 - 2022
Hydrography.....National Hydrography Dataset, 2002 - 2018
Contours.....National Elevation Dataset, 2019
Boundaries.....Multiple sources; see metadata file 2019 - 2021
Wetlands.....FWS National Wetlands Inventory Not Available



PORT ISABEL, TX
2022



July 30, 2024

To Whom It May Concern:

PILOT Terminal facility at Port Isabel is providing access to Laguna Madre Water District ("LMWD") and NorrisLeal engineering to utilize our dock to install a temporary intake pipe that will be connected to the pilot-program equipment located across Port Road on adjacent property of Texas Pack. The access agreement will include authorization to access our facility for the purpose of operation and maintenance of the intake and equipment during the period of the pilot-program operation.

Best regards,

A handwritten signature in black ink that reads "Scott Brown".

Scott Brown – CEO