



**DATA SHEET**  
**Agenda Item No. 15.**

**Meeting Date: August 3, 2017**

**Agenda Item:**

Consider approval of resolution to authorize the Executive Director to file an application with the Texas Commission on Environmental Quality to amend the District's Water Use Permit No. 5778 for reuse of treated effluent.

<b>Placement:</b>	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Individual Consideration	<input type="checkbox"/> Executive Session
<b>Vote:</b>	<input checked="" type="checkbox"/> Non-Weighted <input type="checkbox"/> Weighted Capital		
<b>Recommending Department: Operations &amp; Water Resources</b>			

**Background:**

On March 3, 2006 the District secured Water Use Permit No. 5778 (the "Permit") from the Texas Commission on Environmental Quality (TCEQ). The Permit authorizes the District to reuse return flows derived from Chapman Lake and that are discharged from the District's wastewater treatment plants (WWTPs) and specified WWTPs of District Members and Customers, which WWTPs discharge into or upstream of Lewisville Lake. The Permit specifies discharge points and rates of the associated return flows. As new WWTPs are developed or begin discharging return flows derived from Chapman Lake, it is in the best interest of the District and its customers to make appropriate amendments to its Permit.

On July 7, 2017 the TCEQ issued Mustang SUD a permit for the new Sandbrock WWTP upstream of the Riverbend Plant. The new plant will serve an area that receives Chapman Lake water from the District and will discharge its return flows into, or upstream, of Lewisville Lake. Per Section 6.04 of the February 16, 2003 contract between the District and Mustang SUD, "the District reserves the right of re-use of wastewater treated effluent, to the extent authorized by the State of Texas". Accordingly, it is timely and appropriate to amend the District's Permit to reflect the new discharge point.

The Texas Water Code requires authorization from the TCEQ to add new points of discharge to those specified in the Permit. Therefore, the Staff recommends that the Board authorize Staff to file an Application with the TCEQ to amend the Permit to add this newly permitted discharge point.

**Financial:**

Funds are available in the FY 2017 Future Water Resources Budget.

**Recommendation:**

Staff recommends that the Board approve the attached proposed Resolution, authorizing the filing of an application to amend the District's Water Use Permit No. 5778.

**Enclosures:**

Proposed Resolution.

Submitted By: Larry N. Patterson  
Larry N. Patterson, Deputy Executive Director

Date: July 28, 2017



# RESOLUTION

## RESOLUTION # 2017- \_\_\_\_\_

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF UPPER TRINITY REGIONAL WATER DISTRICT AUTHORIZING THE FILING AND PROSECUTION OF AN APPLICATION TO AMEND WATER USE PERMIT 5778 WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.**

**WHEREAS**, the District holds Water Use Permit No. 5778 (the "Permit"), which includes, among other things, the authorization to reuse the lesser of (1) not to exceed 9,664 acre-feet of Chapman Lake-derived return flows per year, or (2) an amount of Chapman Lake-derived return flows actually discharged less conveyance losses; and

**WHEREAS**, return flows derived from Chapman Lake discharged from wastewater treatment plants of the District and its Members and Customers pass through Lewisville Lake before diversion and use by the District; and

**WHEREAS**, the wastewater treatment plants (the "WWTPs") that are identified in the Permit discharge return flows into or upstream of Lewisville Lake; and

**WHEREAS**, the Permit specifies the discharge points and rates of the associated return flows; and

**WHEREAS**, a Member or Customer of the District that receives water that originated in Chapman Lake has recently received a permit for a new WWTP that will discharge its return flows into or upstream of Lewisville Lake; and

**WHEREAS**, the Board of Directors of the District deems it to be appropriate and in the best interest of the District to add this additional discharge point to those points now specified in the Permit; and

**WHEREAS**, Chapter 11 of the Texas Water Code (the "TWC") requires authorization from the Texas Commission on Environmental Quality (the "Commission") to add such points of discharge to the Permit; and

**WHEREAS**, to comply with the requirements of the TWC, the District must file and prosecute an application to amend the Permit (the "Application") with the Commission, which Application must include proof of authorization to execute said Application on behalf of the District; and

**WHEREAS**, the District now desires to file an Application, and authorize its Executive Director, on behalf of the District, to prepare and execute such Application to amend the Permit to add additional discharge points; and

**WHEREAS**, the Executive Director recommends that said application be filed with the Commission with due diligence.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UPPER TRINITY REGIONAL WATER DISTRICT:**

**SECTION 1.** That the Board of Directors does hereby authorize the filing and prosecution of an application with the Commission to amend Water Use Permit 5778.

**SECTION 2.** That the Executive Director is hereby directed to file said Application on behalf of the District, to appear and arrange for the appearance of persons representing the District at any proceedings on said Application before the Commission, and to direct the prosecution, compromise and settlement on behalf of the District.

**SECTION 3.** That this Resolution shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED THIS 3<sup>RD</sup> DAY OF AUGUST 2017.**

Recommended:   
Thomas E. Taylor, Executive Director

Executed: \_\_\_\_\_  
Kevin Mercer, President

Attest: \_\_\_\_\_  
Mike Fairfield, Secretary

