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TCEQ  
COMMUNICATIONS DIV.  
2015 FEB 23 AM 10:57

February 27, 2015

Mr. Ron Ellis, MC 160  
Texas Commission on Environmental Quality  
Manager, Water Rights Permitting and Availability Section  
P.O. Box 13087  
Austin, TX 78711-3087

RE: Application to Amend Water Use Permit No. 5383A (the "Permit")

Dear Mr. Ellis:

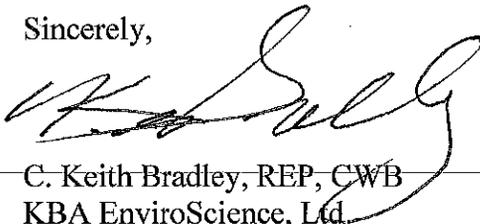
Enclosed please find an amendment application for the Permit referenced above. As discussed in the pre-application meeting on February 20, 2015, the purpose of the amendment is to (i) change the reference in the Permit from the Trinity Aquifer to the Woodbine Aquifer (Special Condition B), and (ii) remove the word "native" from the riparian area special condition (Special Condition D). The enclosed amendment application contains the following information:

- The completed TCEQ amendment application form;
- The application fee of \$101.25;
- Photograph documentation, a site map, and the approved Section 404 mitigation plan (located in Attachment A); and
- A response to the TCEQ's seven questions applicable to amendment applications (located in Attachment B).

We will be providing additional information to support the amendment application request as soon as it becomes available. This data will include a 24-hour pump test and a summary of the Town's pumping records, water quality information from the well, surface water quality data from Farmers Branch Creek, a water accounting proposal, and a resolution from the Town authorizing the City Manager to sign the amendment application.

Please let either Joe Schwartz or me know if you need any further information.

Sincerely,



C. Keith Bradley, REP, CWB  
KBA EnviroScience, Ltd.

Attachment



# Texas Commission on Environmental Quality

PO Box 13087, MC-160, Austin, Texas 78711-3087  
Telephone (512) 239-4691, FAX (512) 239-4770

## APPLICATION FOR AMENDMENT TO A WATER RIGHT

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.

Customer Reference Number (if issued): CN10062

Note: If you do not have a Customer Reference Number, complete Section II of the Core Data Form (TCEQ-10400) and submit it with this application.

1. Name: Town of Addison  
Address: 16801 Westgrove Drive  
Addison, Texas 75001-5190  
Phone Number: 972-450-2871 Fax Number: 972-450-2837  
Email Address: Lisa Pyles <lpyles@addisontx.gov>

2. 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:

3.  Permit No. 5383A  Certificate of Adjudication No. \_\_\_\_\_

Stream: Farmers Branch Creek, tributary to Elm Fork, Trinity River, tributary to Trinity River  
Watershed: Upper Trinity River  
Reservoir (present condition, if one exists): Two unnamed impoundments (2.85 ac-ft and 9.28 ac-ft)  
County: Dallas

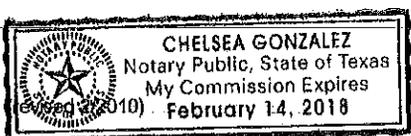
4. Proposed Changes To Water Right Authorizations:  
See attached description  
(Attach additional page as necessary, attach map/plot depicting project location, diversion point, place of use, and other pertinent data).

6. I understand the Agency may require additional information in regard to the requested amendment before considering this application.

Lea Dunn  
Name (sign)  
LEA DUNN  
Name (print)

Lisa A. Pyles  
Name (sign)  
LISA A. Pyles  
Name (print)

Subscribed and sworn to me as being true and correct before me this 27th day of February, 2015.



Chelsea Gonzalez  
Notary Public, State of Texas

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OFFICE OF THE ATTORNEY GENERAL

## APPLICATION FOR AMENDMENT TO A WATER RIGHT

### 4. Proposed Changes To Water Right Authorizations:

The Town of Addison proposes to amend the permit to change the reference to the Trinity Aquifer as the alternative source of water for the project in Special Condition B to the Woodbine Aquifer as the alternate source of water for the project. In addition, the Town of Addison proposes to change Special Condition D by removing the word "native" from the last sentence of that condition.

The riparian buffer zone that the Town is proposing is a combination of native and non-native species that was approved in the Town's US Army Corps of Engineers (USACE) Section 404 permit in 2007. Photographs of the riparian area and a copy of the Town's approved mitigation plan are included in Attachment A. The southern portion of the project site has an average 50 foot riparian zone that has been planted with native grasses and forbs (Photos 1 and 2) and is a designated mitigation area for the aforementioned USACE Permit. This area is also vegetated with large, native trees that were preserved from the pre-construction condition. Beyond this area to the east is a city park vegetated with Bermuda grass and scattered crape myrtle, red oak, and cedar elm. The area to the west of the mitigation area (greater than 50 feet away) is a multifamily residential development with associated driveways, walkways, and parking areas. Prior to the Vitruvian Park development, the riparian zone was manicured grass and mature trees (Photos 3 and 4).

The northern portion of the project site has a riparian zone consisting of planted Bermuda grass sod with scattered planted cedar elm, red oak, and bald cypress trees. Vegetative cover is approximately 100 percent except for the walkway through the park (Photos 5 and 6) and averages greater than 50 feet in width. Prior to the construction, the riparian zone in this area was partially concrete and in other areas was more narrow than now and consisted of manicured grass and multi-family residential development (Photos 7 and 8).

Photographs of the riparian area are contained in Attachment A. Responses to Public Interest Criteria are provided in Attachment B.