



MEMORANDUM

To: Mayor and City Council

From: Kent Collins, P.E., Director of Public Works

Date: September 11, 2018

Reference: Resolution Supporting Water Rights Change Application for North Lake

2030: Sustainable City Government, Goal 3
Excellent and Well-maintained City Infrastructure and Facilities

General Information:

- The City has a contractual obligation to operate North Lake within a specified water elevation of a 1 foot “operating pool depth” and a contractual obligation to provide irrigation water for the property surrounding North Lake.
- The City acquired water rights via Certificate of Adjudication No. 08-2365 for North Lake when it purchased the lake from Luminant.
- The water rights that were acquired allowed the use of water for industrial purposes.
- The City has entered into a contract with the City of Dallas for untreated water to be pumped from the Elm Fork of the Trinity River.
- The City has approved contracts to implement an on-call pumping solution to deliver untreated water from the Elm Fork of the Trinity River to North Lake.
- A separate agreement with Cypress Waters will be presented during a future Council meeting to define the terms of irrigation water purchase.
- The City is pursuing changes to the water rights to North Lake to satisfy obligations to the development surrounding the lake.
- This resolution is a required element of an application to the Texas Commission on Environmental Quality (TCEQ) to change the water rights use for North Lake from industrial to irrigation.

Introduction:

This agenda item is being presented to approve a resolution supporting an application to change the water rights for North Lake from industrial use to irrigation.

History:

North Lake was built in 1957 by Dallas Power and Light (later known as Luminant) as a cooling pond for a steam electric generating plant. In 2010, the power plant was decommissioned and by 2012, ownership was transferred to the City of Coppel. Cypress Waters soon began to develop around the lake. In the agreement with Cypress Waters, the City was responsible for lowering the pool elevation by 25 feet, constructing a new spillway, and lowering the elevations of the main and saddle dam. Construction of these modifications by the City was complete in 2014.

Currently, North Lake has a normal pool elevation of 485-ft. The City has a commitment to maintain the elevation of the water surface of North Lake by summer 2018. The City also has a commitment to provide up to 1250 acre-feet of water annually to Cypress Waters for irrigation purposes. Cypress Waters does not currently have facilities in place to pump irrigation water from North Lake. The City has contracts in place with the City of Dallas for untreated water and with separate contractors to provide on-call pumping services to deliver the untreated water to North Lake. The City is pursuing changes to the water rights to North Lake to allow for future irrigation of the development surrounding the lake. This resolution supports an application to change the allowable use to irrigation.

Analysis:

The proposed resolution is a required element of an application to the TCEQ to change the allowable use of water from North Lake to irrigation. The existing water rights provide up to 1000 acre-feet of water for industrial purposes and are under the name of Luminant. The City has acquired temporary irrigation water rights of 10 acre-feet and has submitted a name change request to TCEQ for the water rights as well. Because the quantity of water included in this application is not changing, the review and approval will be administrative, and no notice will be required.

Legal Review:

The City Attorney has reviewed this resolution.

Fiscal Impact:

There is no fiscal impact associated with approval of this resolution.

Recommendation:

The Public Works Department recommends approval of this item.