

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 14, 2025

Esteban Ramos, Water Resources Manager
City of Corpus Christi, Corpus Christi Water
2726 Holly Road
Corpus Christi, Texas 78415

RE: City of Corpus Christi
Temporary Water Use Permit No. 14124

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director (ED) has acted on the above-named application. According to 30 Texas Administrative Code (TAC) Section 50.135 the ED's action became effective on the date the ED signed the permit or other action. A copy of the final action is enclosed and cites the effective date.

For certain matters, a **motion to overturn**, which is a request that the commission review the ED's action on an application, may be filed with the chief clerk. Whether a motion to overturn is procedurally available for a specific matter is determined by Title 30 of the Texas Administrative Code Chapter 50. According to 30 TAC Section 50.139, an action by the ED is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

If a motion to overturn is filed, the motion must be received by the chief clerk within 23 days after the date of this letter. An original motion must be filed with the chief clerk in person or by mail. The Chief Clerk's mailing address is Office of the Chief Clerk (MC 105), TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. On the same day the motion is transmitted to the chief clerk, please provide copies to the Environmental Law Deputy Director (MC 173), and the Public Interest Counsel (MC 103), both at the same TCEQ address listed above. If a motion is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the ED's action. The procedure and timelines for seeking judicial review of a commission or ED action are governed by Texas Water Code Section 5.351.

Individual members of the public may seek further information by calling the TCEQ Public Education Program, toll free, at 1-800-687-4040.

Sincerely,

A handwritten signature in black ink that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

LG/vr

cc: Garrett T. Arthur, TCEQ Public Interest Counsel (MC 103)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEMPORARY WATER USE PERMIT

PERMIT NO. 14124

TYPE §§ 11.138, 11.042

Permittee: City of Corpus Christi

Address: 1201 Leopard Street
Corpus Christi, TX 78401

Received: May 12, 2025

Granted: August 7, 2025

Watercourse: Nueces River

Counties: Atascosa, Aransas, Bee, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, Nueces, San Patricio, and Willacy

Watershed: Nueces River Basin

WHEREAS, after considering the recommendation of the staff relative to the above identified application, the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. The application is in proper form and accompanied by all necessary fees.
2. Applicant has applied for a Temporary Water Use Permit, for a period of three years, to authorize use of the bed and banks of the Nueces River, Nueces River Basin to convey a maximum of 17,920 acre-feet of groundwater per year from the Gulf Coast aquifer for subsequent diversion, at diversion rates and points authorized in Certificate of Adjudication No. 21-2464, as amended, for municipal purposes in Atascosa, Aransas, Bee, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, Nueces, San Patricio, and Willacy counties.
3. Groundwater will be discharged at each of the following points on the Nueces River in Nueces County:
 - A. Discharge Point No. 1 is located at Latitude 27.900268° N, Longitude 97.687502° W with a maximum discharge rate of 3.1 cfs (1,390 gpm).
 - B. Discharge Point No. 2 is located at Latitude 27.890752° N, Longitude 97.674094° W with a maximum discharge rate of 18.5 cfs (8,303 gpm).
 - C. Discharge Point No. 3 is located at Latitude 27.899372° N, Longitude 97.682934° W with a maximum discharge rate of 3.1 cfs (1,390 gpm).
4. Discharged groundwater will be diverted, at a maximum combined rate of 339.68 cfs (152,460 gpm), from two points authorized by Certificate of Adjudication No. 21-2464, as amended:

- A. Diversion Point No. 1 is located at Latitude 27.867571 °N, Longitude 97.633179 °W.
 - B. Diversion Point No. 2 is located at Latitude 27.867309 °N, Longitude 97.633639 °W.
5. Notice of this application is required to be mailed to the interjacent water right holders of record in the Nueces River Basin and to the Texas Parks and Wildlife Department and Public Interest Council.

CONCLUSIONS OF LAW

- A. Jurisdiction is vested to consider this application under Texas Water Code §§ 11.138 and 11.042 and Title 30 Texas Administrative Code §§ 295.174 and 297.13.
- B. Applicant has complied with the particular requirements of the Texas Commission on Environmental Quality.
- C. The Executive Director recommends that special conditions be included.

NOW, THEREFORE, Temporary Water Use Permit No. 14124 is issued to the City of Corpus Christi subject to the following terms and conditions:

1. USE

Permittee is authorized, for a period of three years, to use the bed and banks of the Nueces River to convey a maximum of 17,920 acre-feet of groundwater per year from the Gulf Coast aquifer for subsequent diversion and use for municipal purposes in Atascosa, Aransas, Bee, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, Nueces, San Patricio, and Willacy counties.

2. DISCHARGE

Groundwater will be discharged at the following points on the Nueces River in Nueces County:

- A. Discharge Point No. 1 is located at Latitude 27.900268 °N, Longitude 97.687502 °W with a maximum discharge rate of 3.1 cfs (1,390 gpm).
- B. Discharge Point No. 2 is located at Latitude 27.890752 °N, Longitude 97.674094 °W with a maximum discharge rate of 18.5 cfs (8,303 gpm).
- C. Discharge Point No. 3 is located at Latitude 27.899372 °N, Longitude 97.682934 °W with a maximum discharge rate of 3.1 cfs (1,390 gpm).

3. DIVERSION

Permittee is authorized to divert its discharged groundwater, at a maximum combined rate of 339.68 cfs (152,460 gpm), from two points authorized by Certificate of Adjudication No. 21-2464, as amended:

- A. Diversion Point No. 1 is located at Latitude 27.867571 °N, Longitude 97.633179 °W.
- B. Diversion Point No. 2 is located at Latitude 27.867309 °N, Longitude 97.633639 °W.

4. SPECIAL CONDITIONS

- A. Permittee shall submit groundwater quality data to the Executive Director for any additional wells as the data becomes available. Water quality information should include, but not be limited to, chloride, sulfate, total dissolved solids (TDS), pH, and temperature. Temperature must be measured on site at the time the groundwater sample is collected.
- B. This temporary permit is issued contingent upon implementation of Permittee's *Source Water Monitoring Plan*. Any modifications to the plan must be approved by the Executive Director. Should Permittee fail to implement the plan or notify the Executive Director of any modifications to the plan, Permittee shall immediately cease operations under this permit or voluntarily forfeit the permit. If Permittee fails to cease operations or forfeit the permit, the Commission may begin proceedings to cancel the permit. Permittee shall immediately notify the Executive Director of any proposed modifications to the *Source Water Monitoring Plan* and provide copies of the appropriate documents effectuating such changes.
- C. Permittee shall conduct water quality monitoring in accordance with the *Source Water Monitoring Plan* and consistent with TCEQ's most recently approved *Surface Water Quality Monitoring Procedures* during those times that groundwater is being discharged and diverted under this bed and banks authorization. Continuous water quality monitoring shall be conducted at the following locations:
 - 1) one point 100 feet upstream of Discharge Point 1 (Instrument A);
 - 2) one point 50 feet downstream of Discharge Point 1 (Instrument B);
 - 3) one point 50 feet downstream of the Discharge Point 2 (Instrument C); and
 - 4) one point 300 feet downstream of Discharge Point 3 (Instrument D).
- D. Permittee shall commence water quality monitoring 30 days prior to groundwater discharge to determine baseline conditions.
- E. Permittee shall monitor water quality in the Nueces River in accordance with its *Source Water Monitoring Plan* which includes the following action levels, triggers, and responses. Permittee shall maintain records of implementation of Action Levels 1 through 3 and document the Response. Permittee shall provide the records to the Executive Director upon request.

Action Level	Trigger	Response
Action Level 0	Instruments B, C, and D 8-hour average TDS are <1,000 mg/L	Data is reviewed on a weekly basis to ensure water quality trends are satisfactory.
Action Level 1	Instruments B, C, and/or D 8-hour average TDS are >1,000 mg/L AND 20 - 29.9% greater than A	Downstream discharge is 20 - 29.9% higher than the upstream value. <ul style="list-style-type: none"> • Data is reviewed daily. • If levels remain above 20% for 6 hours, staff are dispatched to site. • Staff confirm equipment is operating properly and assess environmental conditions. • If levels remain elevated for 48 hours, status moves to Action Level 2.
Action Level 2	Instruments B, C, and/or D initial 8-hour average TDS or increased 4-hour TDS averages are >1,000 mg/L AND 30-39% greater than A	Downstream discharge is 30-39.9% higher than the upstream value OR downstream values have remained in Action Level 1 for 48 hours. <ul style="list-style-type: none"> • All steps in Action Level 1 occur. • Monitoring frequency is increased to hourly. • Wells currently pumping are reduced by 10%. • If levels remain elevated for 48 hours, status moves to Action Level 3.

Action Level 3	Instruments B, C, and/or D 8-hour average TDS or increased 4-hour TDS averages >1,000 mg/L AND 40%+ greater than A	<p>Downstream discharge is more than 40% higher than the upstream value OR downstream values have remained in Action Level 2 for 48 hours.</p> <ul style="list-style-type: none"> • All steps in Action Levels 1 and 2 occur. • Wells currently pumping are reduced in increments of 10% and/or increases of water released from Wesley Seale Dam occur. • Further adjustments are made every 8 hours in groundwater discharge and/or Lake Corpus Christi flow until TDS levels return to Action Level 2. • Concentration must return to the previous Action Level within 48 hours until reaching Action Level 0, or the response continues to be elevated through the tiered responses.
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- F. Permittee shall conduct initial pre-project aquatic life use monitoring in accordance with Permittee's *Aquatic Life Use Assessment Plan for the Nueces River Below Lake Corpus Christi* and consistent with TCEQ's most recently approved *Surface Water Quality Monitoring Procedures*. Permittee shall conduct the conventional water-chemistry sample component during each aquatic life monitoring event.
- G. Permittee shall continue aquatic life monitoring on an annual basis consistent with TCEQ's most recently approved *Surface Water Quality Monitoring Procedures* during any year or part of the year when permittee is diverting discharged groundwater under this permit. Aquatic life monitoring during any year in which it is required shall include a twice per year assessment of fish and macroinvertebrate communities and a physical habitat assessment, including the conventional water-chemistry sample component. All aquatic biological monitoring and physical habitat assessments shall take place in the index period (March 15 - October 15) with at least one of the twice per year monitoring events taking place in the critical period (July 1 - September 15).
- H. Permittee shall submit an annual report, starting on December 31, 2025, documenting aquatic life monitoring activities. The report shall contain a description of the field work performed, an assessment of water quality and biotic community assemblages, the biological metric scoring criteria used to assess compliance with the designated aquatic life use, a data comparison with previous years, any conclusions, and any actions taken by Permittee in response to aquatic life monitoring activities. Should aquatic life use not meet the water quality

standards for Segment 2102 or future segment designation, Permittee shall develop and implement remedial management strategies, subject to Executive Director approval, to meet the designated aquatic life use.

- I. Prior to diversion of the groundwater authorized herein, if sufficiently accurate measuring devices are not available, Permittee shall install and maintain measuring device(s), at any discharge point of the groundwater and at any authorized diversion point, capable of measuring within plus or minus 5% accuracy.
- J. Permittee shall only divert the amount of groundwater discharged to the Nueces River less the 7.0% conveyance loss.
- K. Permittee shall maintain daily records of the amount of groundwater discharged and subsequently diverted and the daily conveyance losses.
- L. This temporary water use permit may not interfere with or adversely affect existing water rights in the Nueces River Basin.
- M. Upon diversion and use of the water authorized herein, this temporary water use permit shall expire and be of no further force and effect.
- N. This temporary water use permit shall expire and become null and void three years from the date of issuance with no further Commission action. Permittee also waives the right to notice and hearing on cancellation of this water right.
- O. Permittee shall allow representatives of the South Texas Watermaster reasonable access to the property to inspect the measuring device and records.
- P. Permittee shall contact the South Texas Watermaster prior to use of the water authorized by this permit.

This temporary water use permit does not vest in its holder a permanent right and shall in no event be construed as a commitment of the Commission to approve or disapprove any other application or request by the Permittee.

Permittee agrees to be bound by the terms, conditions, and provisions contained herein, and such agreement is a condition precedent to the granting of this temporary water use permit.

All other matters requested in the application which are not specifically granted by this temporary water use permit are denied.

This temporary water use permit is subject to the requirements and orders of the South Texas Watermaster.

This temporary water use permit is issued subject to the Rules of the Texas Commission on Environmental Quality and to its right of continuing supervision.



For the Commission

DATE ISSUED: **August 7, 2025**