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April 21, 2020

Russell Schreiber
c/o Red River Authority of Texas
P.O. Box 240
Wichita Falls, TX 76307
rwpg-b@rra.texas.gov

Re: Region B Water Plan Public Hearing by Teleconference on April 22, 2020 at 6:00 P.M. on Region B's Initially Prepared Plan – Proposed "Lake Ringgold"

Mr. Schreiber

I represent Clay County, Texas. This is a formal request by Clay County for Region B to discontinue its support for the "Lake Ringgold" Project by the City of Wichita Falls. I also request that this letter be made a part of the official minutes of this meeting. My address and contact information are above. I do not have a fax. The address for Clay County is:

Mike Campbell, County Judge
212 N. Main Street
Henrietta, TX 76365
Mike.Campbell@co.clay.tx.us
940.538.4651
Fax: 940-538-5597

Mr. Schreiber, this is not personal, but I submit that you wear too many hats in connection with this proposed "Lake Ringgold" project and you should not participate in any influential position with the Red River Authority or Region B considering your position as Director of Public Works with the City of Wichita Falls.

Clay County opposes the construction of proposed "Lake Ringgold" for the reasons, and perhaps others, articulated in this letter. Here follow some bullet points that cause Clay County great concern.

1. The effect of taking substantial land value from Clay County's tax base
2. The additional burden on Clay County's law enforcement
3. Additional road maintenance to fall on Clay County

4. Ownership of water front property and the effect on law enforcement and on road maintenance as a burden on Clay County
5. The effect on wildlife
6. The effect on threatened species and cultural resources
7. The effect on Clay County and its citizens due to expected lake watershed enforcement
8. The effect of likely flooding upstream on areas in the town of Henrietta, county road reconstruction, and additional road maintenance

The arrogance of the City of Wichita Falls in using the name "Lake Ringgold" for the proposed lake is noted. It is bad enough to try to impose this burden on Clay County and its citizens, but to name a lake after a shrinking town several miles away and located completely in another county is the height of arrogance.

Please note that Wichita Falls does not have any water supply lake located in Wichita County. Where is Lake Kickapoo? Where is Lake Kemp? Where is Lake Arrowhead? Wichita Falls should get its water in its own backyard. Wichita Falls has already imposed enough on Clay County with Lake Arrowhead.

Prior Experience – Lake Arrowhead

Clay County cannot ignore the negative prior experience that Wichita Falls imposed on Clay County with its Lake Arrowhead project. Clay County has prior experience dealing with Wichita Falls lake property. Lake Arrowhead was constructed by Wichita Falls about 50 - 60 years ago. Lake Arrowhead is also on the Little Wichita River upstream from proposed "Lake Ringgold." At the outset, Wichita Falls acquired ownership of much of the waterfront property at Lake Arrowhead and offered long term leases hoping to develop a residential area around the lake. It attempted to annex the lake and adjacent land to the City of Wichita Falls. Defeated in court multiple times, Wichita Falls finally accomplished the annexation. The protracted litigation taught them how to annex.

Several years later lake area residents petitioned Wichita Falls to either provide promised and legally required services and roads or de-annex the property. Wichita Falls did de-annex the area and shirked its duty to its citizens and lot holders in the previously annexed area around the lake. That dumped that responsibility on Clay County. As a result, law enforcement and some road maintenance fell to Clay County. This substantially increased Clay County's burden to provide both adequate roads and law enforcement. Lake Arrowhead has not been a good experience for Clay County.

Reduction of Tax Base

Clay County is largely agricultural. Its tax base is land and related personal property such as livestock. Taking the land for a lake removes that property and the livestock it now supports, from the tax base which will likely require increased taxes on other county property and will burden Clay County's citizens only to benefit Wichita Falls.

Burden on Clay County Law Enforcement

The only law enforcement agency in Clay County is the Clay County Sheriff. The Sheriff provides law enforcement to all of Clay County, including our largest town and county seat, Henrietta. Based on prior experience with Lake Arrowhead, we expect the installation of proposed "Lake Ringgold" will require a minimum of two additional deputies and all the related equipment such as vehicles, radios, etc. Furthermore, even with additional deputies, wait time for responding to calls in the far reaches of the county will likely be increased. This will impair law enforcement to our citizens.

Increased Road Maintenance

During construction, existing county roads will be seriously damaged. Additional roads will likely be required to access the proposed "Lake Ringgold" at various places around the proposed lake. Based on prior experience, we expect that expense burden to fall on Clay County. It should be a burden on Wichita Falls.

Waterfront Property

Again, based on prior experience at Lake Arrowhead, Wichita Falls will likely pass the burden to Clay County of providing roads and other services if proposed "Lake Ringgold" is ever built.

Effect on Wildlife – Turkey Fest & Dove Salute

The area to be inundated by proposed "Lake Ringgold" abounds with native wildlife. Turkey specifically. Clay County hosts an annual "Turkey Fest." It is known both nationally and internationally. Hunting teams come from all over, many from out of state. Most teams film their activity in our county and those films are shown on television nationwide emphasizing our turkey population and making Clay County known for its friendliness and hunting opportunities. Multiple Clay County ranches will be inundated and that property lost for hunting. Proposed "Lake Ringgold" will handicap our hunting of turkey and other wildlife

and maybe destroy Clay County's Turkey Fest.

Dove Salute is an annual hunt for personnel at Sheppard Air Force Base. It is hosted by several Clay County ranchers. About two hundred (200) air force personnel are provided an opportunity to hunt dove in the area of proposed "Lake Ringgold" and nearby ranches. The hunting day is followed by a steak feed at the Birdwell-Clark Ranch. All this is free to our Sheppard AFB personnel and is praised by the folks at Sheppard.

Watershed Enforcement

Proposed "Lake Ringgold" will interfere with the land owners' use of adjacent and nearby property. Regulations will undoubtedly restrict ranchers and farmers use of their land that is part of the watershed area of the proposed lake. That will damage the general economy in Clay County and certainly harm the ranchers and farmers in the watershed.

Upstream Flooding

Dry Fork and East Fork are tributaries flowing into the Little Wichita River downstream from Henrietta. There is a commercial area developed along U S Highway 287 South of Henrietta and a residential area on SH 148 South. Businesses and homes in those areas suffer from flooding from time to time. That flooding is expected to increase and be more severe if the proposed "Lake Ringgold" is constructed. Likely, if the proposed "Lake Ringgold" is full and there is exceptional rain in the area, Red River will also be at flood stage and it will be difficult to empty enough water out of proposed "Lake Ringgold" to prevent back up water from flooding upstream. This increased flooding will impact the areas along US 287 and SH 148 South. In addition, impoundment of the lake area north of Henrietta will likely cause significant reconstruction of FM 1197, north of Henrietta. The residential area known as Country Club may be impacted by this increased flooding.

Threatened Species and Cultural Resources

The Feasibility Study for Proposed Lake Ringgold, Clay County, Texas, October 2013, addresses endangered species and cultural resources in the area to be inundated by proposed "Lake Ringgold." This is a near seven year old study. It states:

"There are two state-listed threatened species that have a moderate potential to be impacted. These include the Texas horned lizard and the Texas kangaroo rat. Both of these species are known to be present in the region and habitat types at the reservoir could be favorable for their presence. Field surveys would be needed to confirm if

these species or their preferred habitats are present within the footprint of the proposed reservoir.” See page ES-2.

“The proposed Lake Ringgold site does have a moderate to high potential for the presence of cultural resources. The site is located in an area with known American Indian activities. The archeological potential analysis shows approximately two-thirds of the reservoir site with high potential for cultural resources. A cultural resource survey would need to be conducted to determine the number and frequency of historic and pre-historic sites.” See page ES-2.

It is noted that the study states that surveys would be needed to confirm the endangered species presence in the area. Clearly this has not been done. The survey also says surveys would be needed to determine the number and frequency of historic and prehistoric sites. Texas Horned Lizards were plentiful in Clay County seventy years ago. They could be found even in city lots in Henrietta back then.

Summary

Clay County opposes the construction of this lake. The additional water supply is not needed in Wichita Falls. The Wichita Falls water users, the rate payers, if they are properly informed, will not be willing to bear that additional financial burden caused by the proposed lake. We expect Wichita Falls to escape the burden of submitting a bond issue to its voters as it likely cannot convince those voters to sign up for that huge tax bill. Instead, they will likely borrow the money from the SWIFT fund, or other sources, and increase water rates to its water users to foot the bill for the \$442,000,000.00 dollar project. The cost may well increase substantially before the project is shovel ready.

We in Clay County have had enough with mishandled Lake Arrowhead. We do not want another large lake in Clay County to be mishandled as Lake Arrowhead has been.

We in Clay County do not want our wildlife adversely impacted by this unnecessary proposed “Lake Ringgold.”

We in Clay County do not believe this lake project is in the best interests of the citizens of North Texas, including Wichita Falls.

Clay County objects to this project for many reasons including the likely expected negative impact of the proposed “Lake Ringgold” on endangered species and historic and prehistoric sites.

FRANK J. DOUTHITT, Lawyer

Russell Schreiber

April 21, 2020

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We respectfully request that Region B discontinue its support for the construction of "Lake Ringgold." Clay County will oppose the construction of the proposed "Lake Ringgold" in Clay County.

Very truly yours,

A handwritten signature in black ink, appearing to read "Frank J. Douthitt", written in a cursive style.

Frank J. Douthitt

xc: Mike Campbell, Clay County Judge

Becky Mataska

From: Frank Douthitt <frank@douthittlaw.com>
Sent: Tuesday, April 21, 2020 4:49 PM
To: stacey.green@rra.texas.gov; rwp-g-b@rra.texas.gov
Cc: Mike Campbell; Becky Mataska; Deborah Clark Birdwell (deborah@birdwellandclarkranch.com)
Subject: Region B Teleconference
Attachments: 200421 TO RRA TX.pdf

Importance: High

Stacy:

Please cause the attached letter on behalf of Clay County to be made a part of the official record of the teleconference meeting to be held tomorrow evening.

I will be present on the teleconference representing Clay County. My telephone for purposes of this teleconference is 940.704.8274. I expect to participate by registering Clay County's objection to Region B and the Red River Authority supporting the construction of "Lake Ringgold."

Thank you very much.

God Bless America!

Frank J. Douthitt, Lawyer

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