

TRAVIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT 17

3812 ECK LANE • AUSTIN, TEXAS 78734
PHONE (512) 266-1111 • FAX (512) 266-2790

OFFICE OF THE CLERK

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BY [Signature] VIA FACSIMILE
AND FIRST CLASS MAIL

mwd
48035

February 20, 2006

Ms. LaDonna Castañuela
Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Travis County Water Control and Improvement District No. 17 Protest of Application of Hudson Harbor, Ltd. for Renewal of Wastewater Discharge Permit No. WQ0014227001; Request for Contested Case Hearing

Dear Ms. Castañuela:

On behalf of Travis County Water Control & Improvement District No. 17 (the "District"), this letter is a request for a contested case hearing on Hudson Harbor, Ltd.'s (the "Applicant's") application for renewal of Wastewater Discharge Permit No. WQ0014227001. The Applicant's property is located within the District's boundaries and certificated wastewater service area (Wastewater CCN No. 20665).

The District will be adversely affected by the renewal of the Applicant's Wastewater Discharge Permit because the development of a new, privately funded facility within the District's CCN will be detrimental to the District's plans to provide centralized service from an established retail public utility. Furthermore, the Applicant has not demonstrated a need for renewal of its Wastewater Discharge Permit. However, should a need for wastewater service on the Applicant's property occur, the Applicant may request wastewater service from the District pursuant to its current rules and policies.

Renewing the Applicant's Wastewater Discharge Permit will be contrary to the State goal of regionalization, which the District will accomplish by providing the sewer services it provides through its current CCN. The proposed Wastewater Discharge Permit is another example of the proliferation of small developer owned wastewater treatment systems serving individual developments within the Lake Austin and Lake Travis Watersheds which the District believes will eventually be detrimental to public service and to the environment.

Based on these facts and concerns, the District disputes the Executive Director's Responses to Comments No. 1, 2, and 3. The District can be contacted at the following address:

Deborah S. Gernes
General Manager
Travis County WCID No. 17
3812 Eck Lane
Austin, Texas 78734
(512) 266-1111 ext. 13
FAX: (512) 266-2790

With a courtesy copy to:

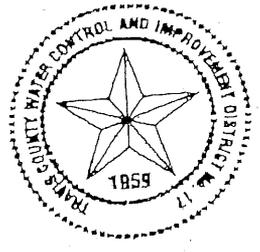
Lauren Kalisek
816 Congress Ave.
Suite 1900
Austin, Texas 78701
(512) 322-5847
FAX: (512) 472-0532

If you need any further information, please do not hesitate to contact me.

Sincerely,


Deborah S. Gernes
General Manager

cc: Board of Directors
Ms. Lauren Kalisek



TRAVIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT 17

3812 ECK LANE • AUSTIN, TEXAS 78734
PHONE (512) 266-1111 • FAX (512) 266-2790

CHIEF CLERKS OFFICE
FEB 21 AM 9:19

February 20, 2006

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FEB 21 2006

Ms. LaDonna Castañuela
Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, Texas 78711-3087

BY [Signature] VIA FACSIMILE AND FIRST CLASS MAIL

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3812 Eck Lane
Austin, Texas 78734
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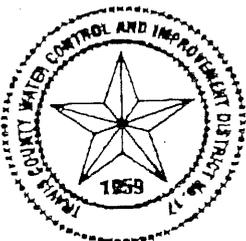
Lauren Kalisek
816 Congress Ave.
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If you need any further information, please do not hesitate to contact me.

Sincerely,


Deborah S. Gernes
General Manager

cc: Board of Directors
Ms. Lauren Kalisek



TRAVIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT 17

3812 ECK LANE • AUSTIN, TEXAS 78734
PHONE (512) 266-1111 • FAX (512) 266-2790

VIA FACSIMILE AND CERTIFIED MAIL

May 24, 2005

Ms. LaDonna Castañuela
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
PO Box 13087
Austin, Texas 78711-3087

*MWA
480035*

OPA
MAY 26 2005
BY *Juel*

2005 MAY 25 AM 11:01
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

RE: Application of Hudson Harbor, Ltd. for Renewal of TLAP Permit No. 14227-001

Dear Ms. Castanuela:

Travis County Water Control & Improvement District No. 17 (the "District") files these written comments regarding the above-referenced application. The District is a water control & improvement district providing retail water and wastewater service to approximately 14,000 acres in the Lake Travis and Lake Austin watersheds. The applicant's property is located within the District's boundaries and certificated wastewater service area (Wastewater CCN No. 20665). The applicant has not demonstrated a need for renewal of its permit. The original permit was issued in May 2001. However, the applicant has not commenced work on either its facility or proposed development in that time. The application contains no explanation of the continued need for this facility. If the applicant ever finalizes its development plans and is ready to commence work, it may request wastewater service from the District under the District's current rules and policies. The Commission should not be in the business of issuing or renewing a permit to a speculative development without an adequate demonstration of need, especially when the proposed development is located within the certificated service area of a water district capable of providing such service.

Renewal of this permit would support the proliferation of small private wastewater treatment systems serving individual developments within the Lake Austin and Lake Travis watersheds. It would also allow the permitting of a development that may never actually take place. This is exactly the type of situation that the Commission's statutes, rules and policies on regionalization and need are designed to address. The District would appreciate the Commission's careful consideration of these matters in its decision on this application.

Thank you for your attention to these comments.

Sincerely,

Deborah S. Gemes
Deborah S. Gemes
General Manager

JK

Page 2

cc: Board of Directors
Ms. Lauren Kalisek

[Faint, mostly illegible text body]

cc: Board of Directors
Ms. Lauren Kalisek

[Faint, mostly illegible text body]



816 Congress Avenue, Suite 900
 Austin, Texas 78701
 Telephone: (512) 322-5800
 Facsimile: (512) 472-0532
 www.lglawfirm.com

Ms. Kalisek's Direct Line: (512) 322-5847
 lkalisek@lglawfirm.com

February 27, 2006

Mr. Derck Seal
 General Counsel (MC 101)
 Texas Commission on Environmental Quality
 P.O. Box 13087
 Austin, TX 78711

Re: Application of Hudson Harbor, Ltd. for Renewal of TLAP Permit No. 14227-001

Dear Mr. Seal:

I represent Travis County Water Control & Improvement District No. 17 regarding its protest of the above-referenced application to renew TLAP Permit No. 14227-001. I understand that this application may be set for Commissioners' Agenda soon. My client and I respectfully request that this matter not be set on the Commissioners' Agenda until after May 30, 2006. I will be out on maternity leave until this time.

Thank you for your consideration of this request. Please contact me if you have any questions.

Sincerely,

Lauren Kalisek

Lauren Kalisek

by A. Miller

1435/00/HH/ltr060227ljk1
 LJK/arm

cc: Chief Clerk's Office
 Ms. Deborah S. Gernes
 Ms. Stacey A. Steinbach

CHIEF CLERK'S OFFICE

2006 FEB 27 PM 4:47

RECEIVED
 CHIEF CLERK'S OFFICE
 ENVIRONMENTAL QUALITY
 DIVISION
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