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9th

TCEQ Public Participation Form
Marlin Atlantis White, Ltd.
Public Meeting
Proposed TPDES Permit No. WQ0014570001
Thursday, October 6, 2005

PLEASE PRINT:

Name: BOB ATKINSON

Address: 206 15TH ST.

City/State: SAN LEON, TX. Zip: 77539

Phone: (713) 252-2275 (CELL)

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? SAN LEON MUD

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.



San Leon Municipal Utility District

JACK MURPHY
General Manager

281-339-1586
Fax: 281-339-1587
Cell: 281-330-4997

443 24th Street
P.O. Box 5506
San Leon, Texas 77539



San Leon Municipal Utility District

Bob Atkinson
President

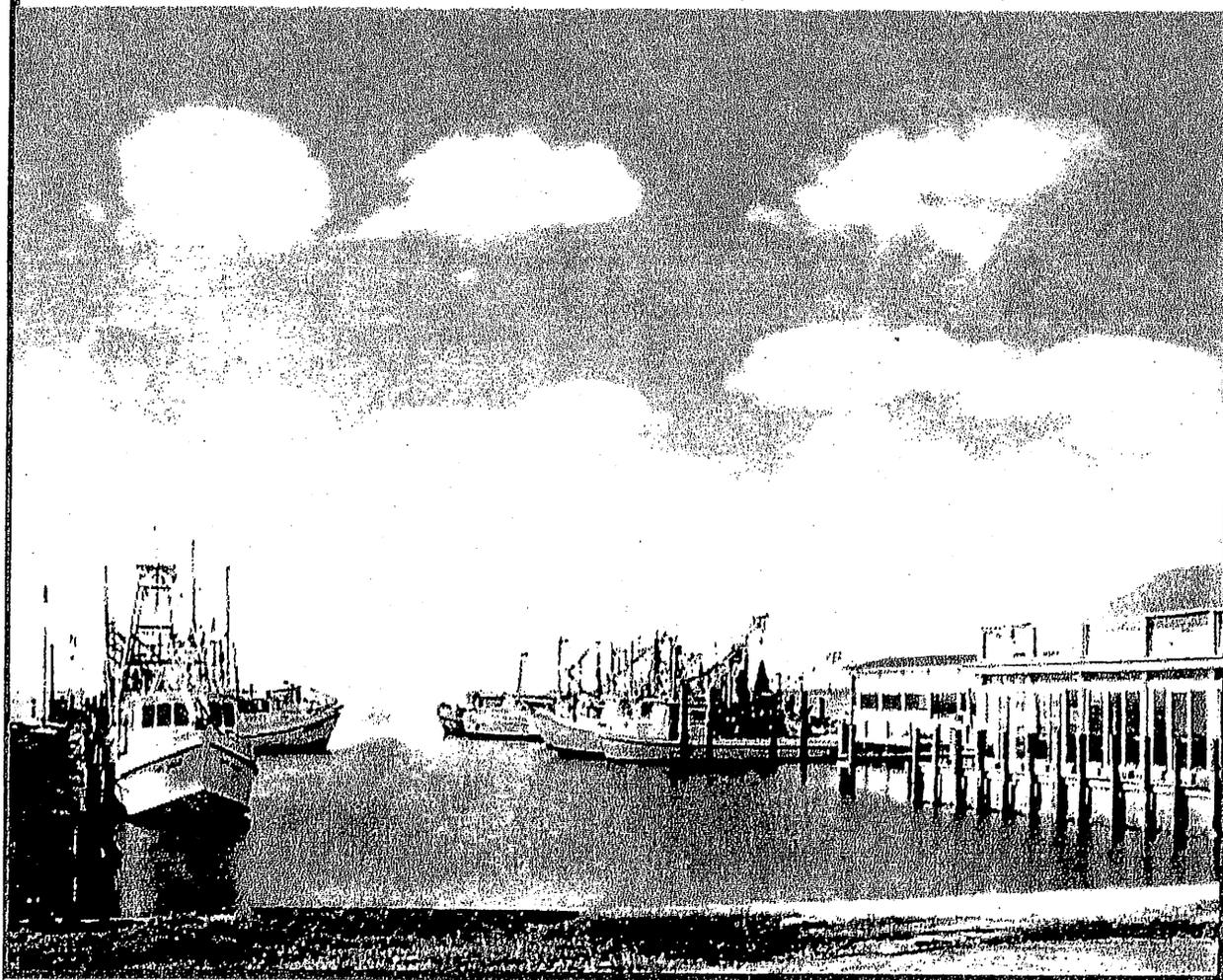
Phone: 281-339-1586
Fax: 281-339-1587
E-Mail: slmud1@verizon.net

443 24th Street
P.O. Box 5506
San Leon, Texas 77539

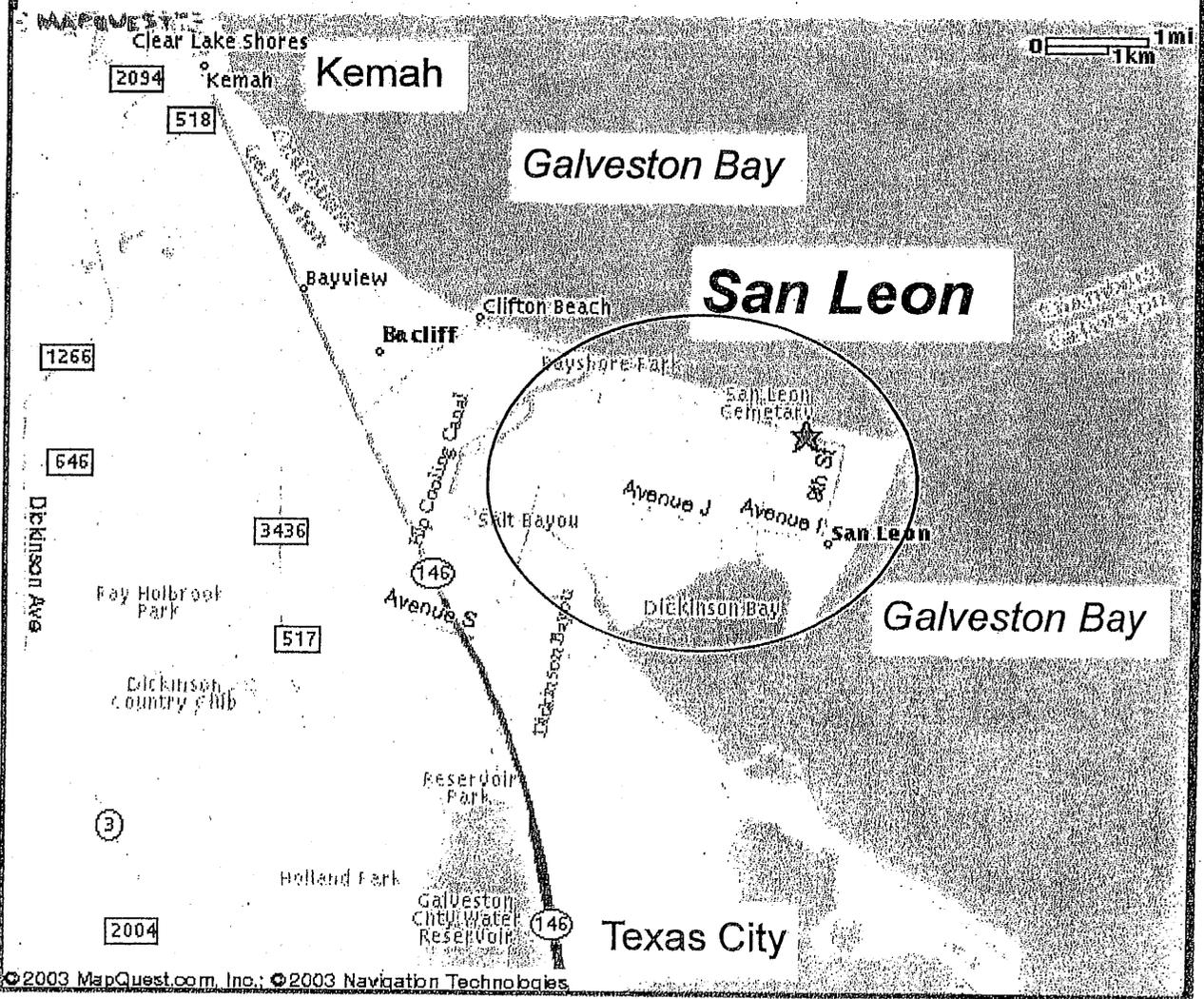
Welcome to "sunny"

San Leon

*"The brightest spot
on the Texas Gulf Coast!"*



Sunny San Leon is located between Texas City and Kemah. We front on Galveston Bay.



Bob Atkinson - President
Mike Vossler - Vice President
Darla Sharpe - Secretary
Hoi Heldt - Treasurer

San Leon Municipal Utility District
P. O. Box 5506
San Leon, TX 77539
(281) 339-1586

Gene Shaner - Asst. Secretary
Jack Murphy - General Manager

Ladies and gentlemen,

As Bob Atkinson, President, and Jack Murphy, General Manager of San Leon MUD, we thank you for allowing us to present our information Re: a Waste Discharge Permit for Marlin Atlantis, the developer of a tract of land located at FM 517 at Gum Bayou. We are objecting to the awarding of a Wastewater Discharge Permit for their project. San Leon lies east of the subject tract, and has had contact with the developers. The developers are aware that we are in process of presenting a request for a permit for a Regional Treatment Plant at our existing location. We currently hold a permit for .98 MGD. Our current usage runs slightly over 600,000 GPD. We are currently in negotiations with Texas City to provide water and sewer service for the complete area annexed by Texas City north of Dickinson Bayou, east of the City of Dickinson, and south of Hwy 646.

Perspective is what we need to discuss tonight. It is our perspective that the area is much better served by one Regional Treatment Plant rather than a series of various treatment plants. It appears that the developer's perspective to install the most economical treatment that they can get by without the needs of the overall community. They will not be concerned about future costs of linking these various plants into a regional plant, future maintenance costs, or the ecological impact of their wastewater outfall along Dickinson Bayou. Remember, they will be placing treated water into Dickinson Bayou and changing the mix between salt water and fresh water.

We collectively are building a community that needs to be planned to serve the entire area for fifty or more years into the future. If we do not plan for the future, then we will not be proud of the community we allowed to be built. We already know of at least one other developer that is waiting to see the outcome of this permit issue in order to announce their development plans. Please keep in mind that we are definitely not in opposition to the development of the area by Marlin Atlantis. Their project will provide much needed homes for future residents of our community. We all need to work together to provide a coordinated plan for the development of the area. Marlin

Atlantis a few months ago presented a plan to Texas City and the San Leon MUD showing what would be required to send sewer to the San Leon treatment plant. They projected that a 54" gravity line and a 24" force main would be required to be built at a cost of millions of dollars. They showed that the project would be uneconomical. I have never seen a development of 3500 acres be developed by the use of only one sewer line. No doubt, if they are required to come to San Leon they will figure a way to construct a more economical sewer line.

We have attached correspondence for your review to substantiate our objections in our report. Likewise, we have attached photos of current construction on our wastewater treatment plant. The new improvements to our treatment plant will be completed January 15, 2006. We will then have the tanks from the old .98 MGD plant available to be refurbished to expand our treatment capacity to serve other areas. Our new lift station is designed to provide a capacity of 2MGD. We are looking to, and providing facilities for the future.

Ladies and Gentlemen, we repeat that we are in opposition to the issuance of the sewer discharge permit as requested. However, we are pleased to have Marlin Atlantis develop in our area. We believe that the regional concept is viable, and the way to go. We thank all of you for taking your time to assist all communities in the need to provide land developments for all portions of this great state of Texas, while maintaining proper environmental and health issues. Please help us keep north Galveston County the "Bright Spot on the Texas Gulf Coast! Thank you, and have a nice day.

Bob Atkinson
President, San Leon MUD

THE CITY OF



TEXAS CITY

MATTHEW T. DOYLE
Mayor

OFFICE OF THE MAYOR

February 2, 2005

Mr. Jack Murphy, General Manager
San Leon Municipal Utility District
P. O. Box 5506
San Leon, Texas 77539

Re: Water and Sewer Service – North of Dickinson Bayou

Dear Mr. Murphy:

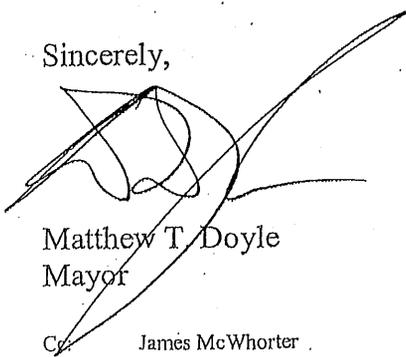
Thank you for meeting with me and James McWhorter today concerning options for water and sewer service north of Dickinson Bayou.

Will San Leon MUD please evaluate the feasibility of annexing all properties within Texas City corporate limits and E.T.J., west of Hwy. 146 and the area from and including the P.H. Robinson plant to Dickinson Bayou? This is one of the options we discussed and, at first glance, appears the most promising.

Please coordinate your evaluation with James McWhorter, City Engineer. I hope we can meet again in the near future after you have met with your Board to continue our discussions.

Please contact me or James McWhorter, if you have any questions.

Sincerely,



Matthew T. Doyle
Mayor

Cc: James McWhorter

“QPS - Quality Public Service”

SAN LEON MUNICIPAL UTILITY DISTRICT
P.O. BOX 5506
DICKINSON, TEXAS 77539-2306

February 3, 2005

The Honorable Mayor Matthew T. Doyle
City of Texas City
1801 9th Avenue N.
Galveston, Texas 77592

Re: Water and Sewer Service North of Dickinson Bayou

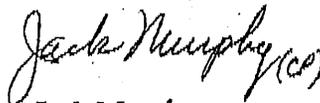
Dear Mayor Doyle:

This will acknowledge receipt of your letter dated February 2, 2005 regarding our discussions yesterday. The representatives of the District and I appreciate the meeting and the ability to exchange ideas regarding the provision of utility service to the areas within the northern portion of the Texas City extraterritorial jurisdiction.

I have communicated the outline of our discussions to members of the Board of Directors of the District, and am in the process of scheduling a meeting of the Board to discuss the issues and evaluate available options. I will be in contact with you in the near future to schedule our next meeting.

Thank you again for your time and consideration.

Very truly yours,



Jack Murphy
General Manager

cc: Board of Directors

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**SAN LEON MUNICIPAL UTILITY DISTRICT
PROPOSED DEBT SERVICE COMPONENT OF LEASE COST¹
MARCH 21, 2005**

WWTP #2 Rehabilitation and upgrade	500,000 ²
Trunk Sewer to WWTP (with Lift Station(s))	2,500,000 ³
Construction/Engineering	3,000,000 ⁴
Soft Costs	900,000
Bond Issue	3,900,000
~	4,000,000
Debt Service Payment	252,000/year ⁵

[We need to structure two financings, one under TWDB Regional Oversizing Program, one under regular TWDB or open market deal. Revenues will be either (1) contract tax revenues from customer districts or (2) water and sewer revenues from operations of customer districts, or both.]

- 1 Financing with TWDB Regional Facilities Program (50% of project costs, with deferred interest 2 years, and then phased in over 10 + years with deferred interest recovered in future payments. (See TWDB website for additional information:).
- 2 Need estimate from District Engineer.
- 3 Need District's Engineer to verify estimate of \$2,000,000 (for gravity line with one lift station) from Developer.
- 4 WAG
- 5 Financing of \$4M principal, 30 years, 4.8% interest (straight line amortization, rounded).

SAN LEON MUNICIPAL UTILITY DISTRICT
P. O. Box 5506
San Leon, Texas 7753

March 29, 2005

Honorable Mayor Matthew Doyle
CITY OF TEXAS CITY
1801 9th Avenue North
P.O. Box 2608
Texas City, Texas 77592-2608

Re: City of Texas City (the "City") and San Leon Municipal Utility (the "District"),
Proposed Agreements Relating to Utility Service to Texas City North Service Area
(hereinafter defined).

Dear Mayor Doyle:

As a result of the City's request to consider service to the City's north Service Area, the District's presents this Letter of Intent to serve the Service Area with water and wastewater service. The main points of agreement are as follows:

1. The Parties agree to negotiate in good faith for an agreement to serve the Service Area with water and wastewater utility services.
2. Negotiations shall be exclusive to September 1, 2005.
3. Each party shall bear its own expenses; however, if negotiations are terminated before September 1, 2005, City pays District expenses, not to exceed \$50,000.
4. "Service Area" means land within the City or the City extraterritorial jurisdiction north of Dickinson Bayou, east of Gum Bayou, south of FM 646 and west of the District, approximately 5,000 acres.
5. The agreement will provide that:
 - a. The district will have the exclusive right to provide water and wastewater services to the Service Area.
 - i. Wastewater.
 - (a) Wastewater service will be provided at the District's existing wastewater treatment plant or other facility to be agreed upon.
 - (b) The District shall lease temporary wastewater treatment plant capacity to districts or defined areas in the Service Area until expansion is required.
 - (c) The District shall renovate its existing .95 mgd wastewater treatment plant, as required, to be available for use as needed.

- (d) The District shall further expand the District's wastewater treatment plant, as needed, to serve the needs of the District and the Service Area.
- ii. Water.
 - (a) The District shall obtain sufficient water supplies as needed to serve the Service Area.
 - (b) The District will provide such take points, pumping stations, transmission lines, and other facilities required to deliver water to districts and customers in the Service Area
 - (c) The District may finance any facility required to deliver water to a district or customers within the Service Area, which will be secured by contract tax payments from districts.
- iii. Operations.
 - (a) The District will provide retail utility operations to all new districts in the Service Area and any other areas agreed upon between the City and the District.
 - (b) The District shall pay the City a franchise fee to be agreed upon on retail water and wastewater operations.
 - (c) The City shall require each district created within the Service Area to enter into such contracts and agreements with the District to accomplish the purposes of this agreement.
- iv. Financing.
 - (a) Each district created within the Service Area shall, at its confirmation election, vote authorization to levy a contract tax sufficient to pay its share of water and wastewater facilities.
 - (b) The District shall issue debt as necessary to finance facilities to provide services required from time to time, secured by payments to be received from the districts in the Service Area and the City.
- v. Strategic Partnership Agreement.
 - (a) The City and the District shall negotiate a strategic partnership agreement with a term of at least 20, but not exceeding 30 years.
 - (b) The strategic partnership agreement shall provide for a 50/50 sales tax split for areas currently in or annexed into the District.
 - (c) The City will consent to annexation of any portion of the Service Area east of Highway 146 into the District; if not in the City at this time. Annexed areas will then be subject to the Strategic Partnership Agreement.
- vi. Miscellaneous.
 - (a) The City shall have the right of approval of all plans and specifications for water, wastewater, drainage and paving projects within the Service Area and the District.
 - (b) The City shall have the option to oversize any facility or system.
 - (c) The City and the District shall acquire all easements and right-of-way necessary to accomplish the purpose of the Agreement.

- (d) The City will supplement the major thoroughfare plan to facilitate a major entrance to the San Leon community from Broadway to Hwy. 146 and west.

No Agreement shall be binding on the parties dated definitive agreements between the parties are approved and executed by each party.

In the event the above is acceptable to you, please sign and return one copy of this Letter of Intent to Jack Murphy.

Respectfully submitted,
SAN LEON MUNICIPAL UTILITY DISTRICT

By: Bob Atkinson
President, Board of Directors

AGREED AND ACCEPTED this _____ day of April 2005.

By: Matthew Doyle, Mayor
CITY OF TEXAS CITY

cc: Board of Directors

Mr. Jerry Arnold
A&S Engineers, Inc.

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OUTLINE OF PROPOSAL
FOR PROVIDING OF WATER AND SANITARY SEWER
SERVICES TO THE NORTH REGION UTILITY AREA

PHASE I OF DEVELOPMENT

1. The City of Texas City ("City") will commit sufficient wastewater treatment capacity from its agreement with League City to serve the first phase of development of the Southlake project (approximately 304 lots). Homebuilders within the first phase will pay the water and sewer rates, tap fees and capital recovery fees charged by League City.
2. Prior to Marlin Atlantis beginning its first phase of development, the City will enter into a contract with San Leon MUD to purchase or otherwise reserve wastewater treatment and water capacity to serve the remaining phases of Southlake (approximately 900 connections), plus whatever additional capacity it wants for the remaining "North Region Utility Area."
3. Any costs for obtaining or reserving water or wastewater capacity to serve Southlake will be offset by a credit for the cost of the sewer line and water line oversizing to be paid by Marlin-Atlantis to serve areas outside Southlake. (See Nos. 4 and 5 below). For example, if the cost of the oversized sewer line is \$2,000,000 and it serves 5,500 connections, then Southlakes' share will be approximately 16.36% or \$327,200 and Marlin Atlantis will have a credit of \$1,672,800 to be applied towards the acquisition of water and sewer capacity to serve Southlake.

PHASE II AND SUBSEQUENT DEVELOPMENT

4. In conjunction with the second phase of development of Southlake, Marlin Atlantis will construct a gravity sanitary sewer line from _____ to the San Leon MUD wastewater treatment plant of a size sufficient to serve the remaining approximately 900 connections in Southlake, plus the anticipated buildout of the "North Region Utility Area" (approximately 4,600 additional connections). The sewer line will include one lift station, which will be constructed to serve ultimate development in the North Region Utility Area, but Marlin Atlantis will only be responsible for constructing pumps sufficient to serve its development. Upon completion of such line, Southlake will have approximately 900 connections of wastewater capacity available.
5. In conjunction with the second phase of development, Marlin Atlantis will construct an approximately ____ inch water line from _____ to _____. Any oversizing costs incurred by Marlin Atlantis will result in the same type of credit as for wastewater oversizing. Upon completion of such line, Southlake will have approximately 900 connections of uninterrupted water supply.

6. Throughout the development of Southlake, Marlin Atlantis will commit to sizing and stubbing out utility lines to areas adjacent to its project which have commercial/retail potential.
7. As development occurs in the vicinity of Southlake, Marlin Atlantis will encourage the Board of Directors of the MUD serving Southlake to annex and serve such development.

BENEFITS TO SAN LEON MUD

8.
 - a. San Leon MUD will receive revenue from the sale of excess and unused water and wastewater treatment capacity. In addition, it should receive additional fees as the operator of the regional wastewater plant serving the North Region Utility Areas.
 - b. Marlin Atlantis's oversizing of water and sewer trunklines should bring additional customers to San Leon MUD, at little or no cost.

San Leon Municipal Utility District
P. O. Box 5506
San Leon, TX 77539
(281) 339-1586

Date: May 11, 2005

To: Board of Directors
San Leon M.U.D.

From: Jack Murphy

Re: Texas City

Dear Board Members;

James McWhorter, (Texas City) and I met this morning in his office to discuss the City's North Service Area, and how the City and the District can work together to provide water and sewer to the area north of Dickinson Bayou.

The City's agreement with the first developer, Marlin Atlantis, is for the Developer to pay to the City an impact fee of \$3,500.00 per lot, up front. For this fee, the City will provide water and sewer service to their development.

The Mayor has decided that they, the City, will provide all of the operations functions, i.e., maintenance and repair, taps, meter reading, etc., because this is how they do it for the other water districts.

Texas City is interested in the regionalization of the wastewater treatment plant and is willing to pay for the expansions necessary to service their areas. They understand that we have some capacity available now that could be leased to them on a temporary basis until they payed for and we built a new expansion.

Water is also an issue that could be addressed by leasing excess capacity to serve the San Leon area (outside the district boundaries).

Letter to San Leon MUD Board of Directors

Dated 5/11/05

Page 2

James stated that a 300-350 acre M.U.D. district has been created in the legislator recently, located in the San Leon area south of Salt Bayou without the City's consent, and they might annex this area.

I asked James to do three things:

- 1) Respond to our letter to the City dated March 29, 2005 for proposed agreements relative to utility service to the Texas City's North Service Area;
- 2) Outline the City's current proposals for wastewater and water services;
- 3) Outline any other areas that the District and the City could work together.

I am making no recommendations at this time and suggest that we wait until the City officially requests our help to service their areas.

Sincerely,


Jack Murphy

CITY OF TEXAS CITY, TEXAS

TRANSPORTATION & PLANNING DEPARTMENT • OFFICE: (409) 643-5936 • FAX: (409) 949-3001



James McWhorter, P.E.
City Engineer
Director of Transportation & Planning
(409) 643-5935 Direct Line
(409) 942-1073 Fax Line

Mayor:
Matthew T. Doyle

Commissioners:
Mike Land
Dee Ann Haney
Dedrick D. Johnson
Linson Landrum
Donald B. Singletor
Carl Sullivan

July 6, 2005

San Leon Municipal Utility District
P. O. Box 52965506
San Leon, Texas 77539

**RE: City of Texas City
Proposed 2005 Annexation**

The City of Texas City is proposing to annex two tracts of land:

One approximate 1300-acre tract is bounded by Carolyn Street on the west, Hwy. 146 on the east, the City of League City on the north and the City of Texas City's current city limit on the south.

One approximate 960-acre tract is bounded by Hwy. 146 on the west, P.H. Robinson Power Plant intake canal on the east, Dickinson bayou on the south, and the P. H. Robinson power plant on the north.

Based on the current Galveston County Central Appraisal District records you own one or more properties within these two areas.

There is a service plan developed by the City on file with the City Secretary's office. Also, maps and legal descriptions of the two areas are on file with the City Planning Office.

There will be two public hearings, in July and/or in August 2005, to be announced in the newspaper. At that time City Officials will further explain the area and service plan and answer any questions you may have.

"QPS - Quality Public Service"

THE CITY OF



TEXAS CITY

MATTHEW T. DOYLE
Mayor

OFFICE OF THE MAYOR

July 27, 2005

Mr. Jack Murphy
General Manager
San Leon Municipal Utility District
P. O. Box 5506
San Leon, TX 77539

**Re: Texas Water Development Board's Research and
Planning Fund Regional Facility Grants**

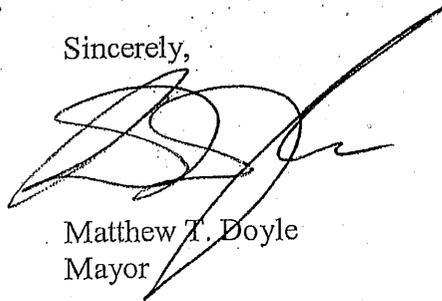
Dear Mr. Murphy,

The City of Texas City has received notification from San Leon W.C.I.D. of their intent to file a grant application for regional water supply and wastewater facilities planning.

The City has no objection to the study.

If the study area includes portions of Texas City, the City of Texas City will request review and comment on the study results. As noted, the City of Texas City encourages approval of the grant.

Sincerely,

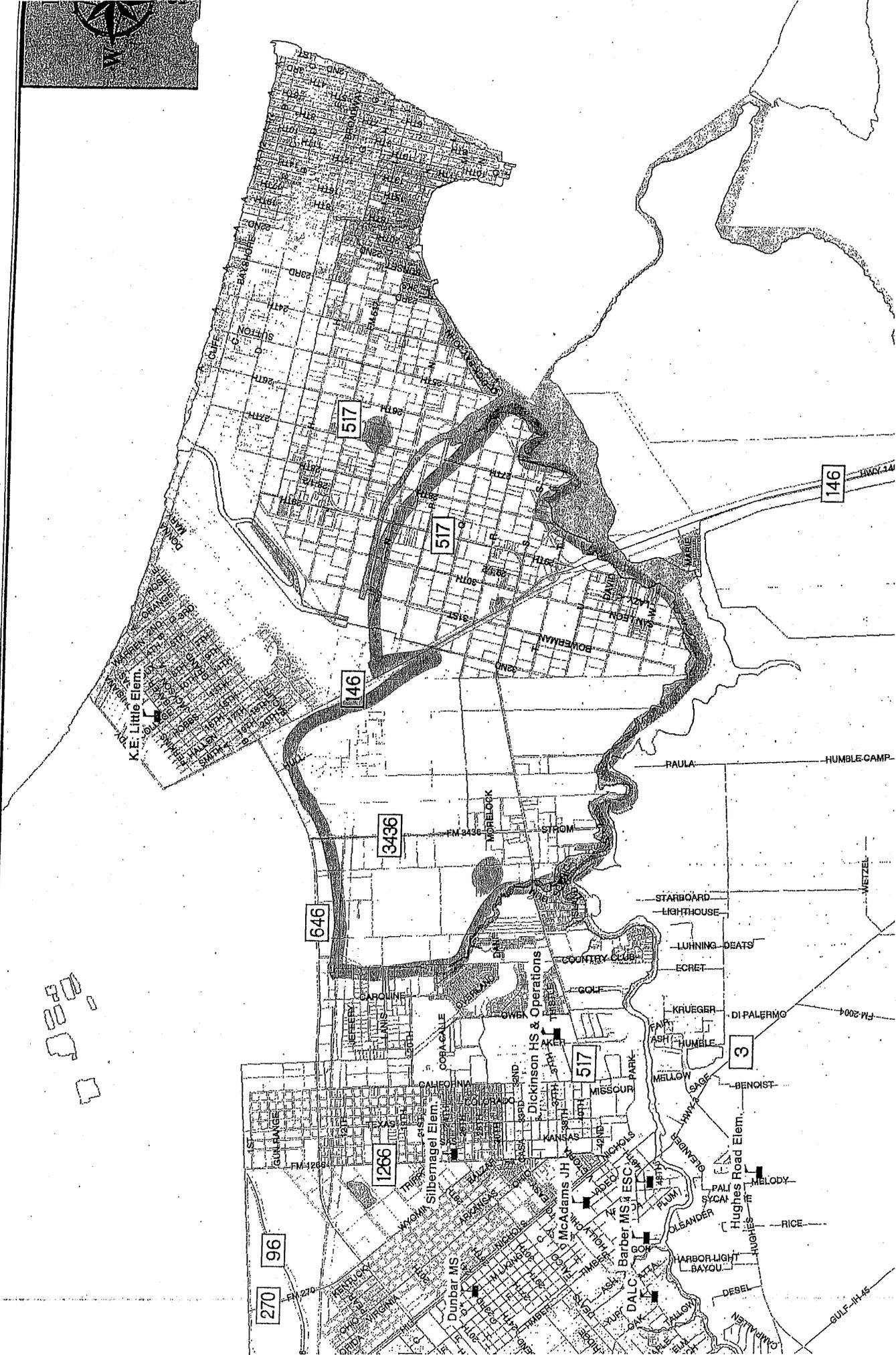


Matthew T. Doyle
Mayor

MTD:sdc

Cc: James McWhorter, City Engineer

"QPS - Quality Public Service"



A & S ENGINEERS, INC.
municipal engineering services

3101 Richmond, Suite 150, Houston, TX 77098-3098
Mail P.O. Box 271489, Houston, TX 77277-1489
Phone 713-297-3150, Fax 713-622-1017
e-mail jra@ainsworth-sherwood.com

October 5, 2005

Re: Regionalization of Wastewater Treatment Facilities

To Whom It May Concern:

San Leon MUD is currently proceeding with the obtaining designation of its wastewater treatment facility as a regional facility with the ultimate goal to provide treatment capacity for the areas north of Dickinson Bayou, east of Dickinson and the unserved areas south of FM 646. This includes the current boundary of San Leon Municipal Utility District and Texas City extra-territorial jurisdiction areas. The designation is undertaken after discussions and negotiations with the City of Texas City and the overall desire to move away from a series of small facilities in the Dickinson Bayou watershed. San Leon MUD has been in discussions with Texas City regarding being a regional provider, water and wastewater, for this service area.

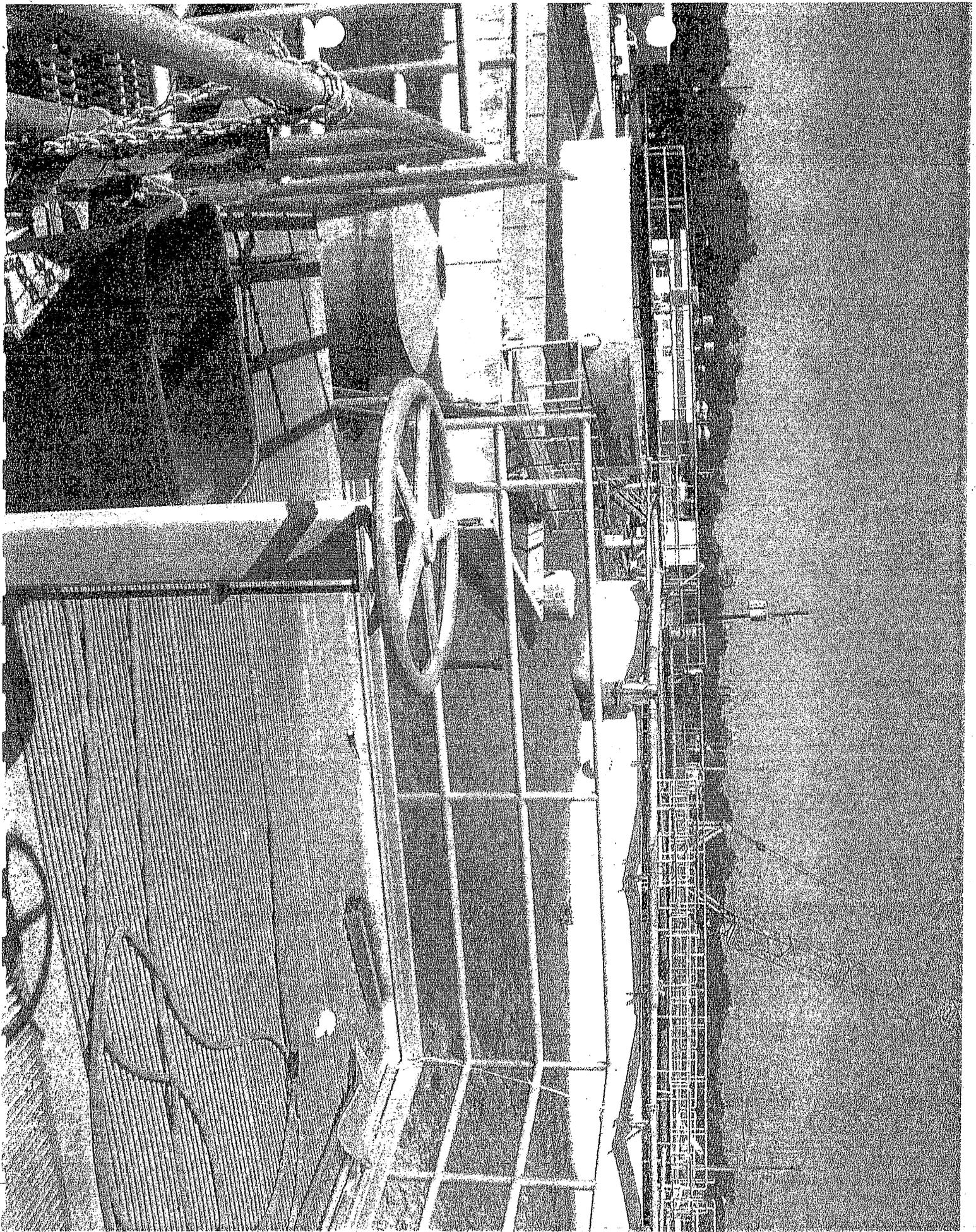
At this time the San Leon MUD wastewater facility is permitted at 950,000 gpd. The current average daily flow is 620,000 gpd. The existing facility is currently being upgraded with the contract to be completed in the next couple of months. The District has committed to the necessary expansion, within the timelines required to provide needed service for the new areas in development. The developer interest in this watershed is extremely active.

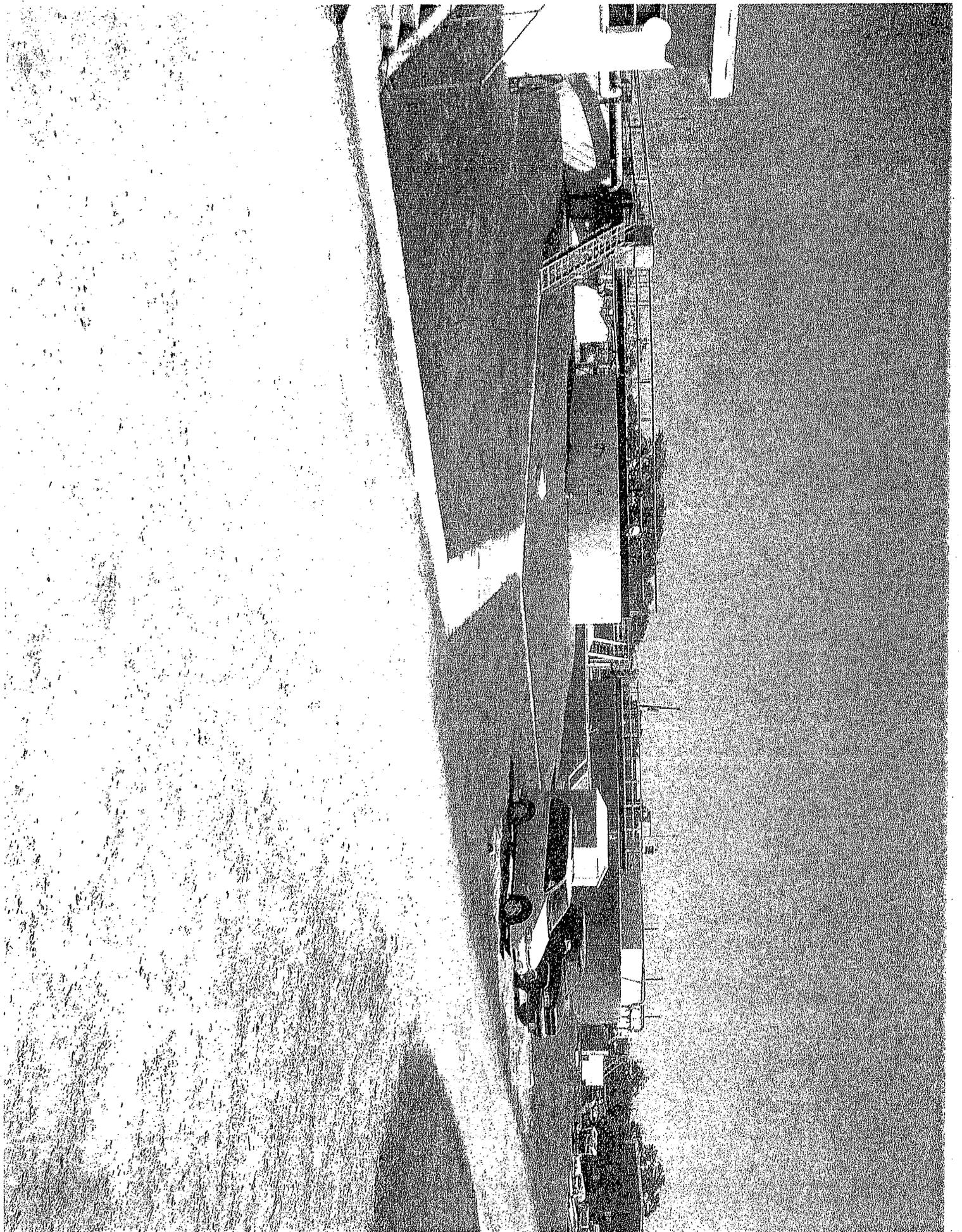
The initial transport costs may be higher than typically experienced, however, by proper phasing and sizing of facilities these costs can be held to the minimum needed and also leave the facilities positioned for future expansion to add additional development that will occur in the watershed.

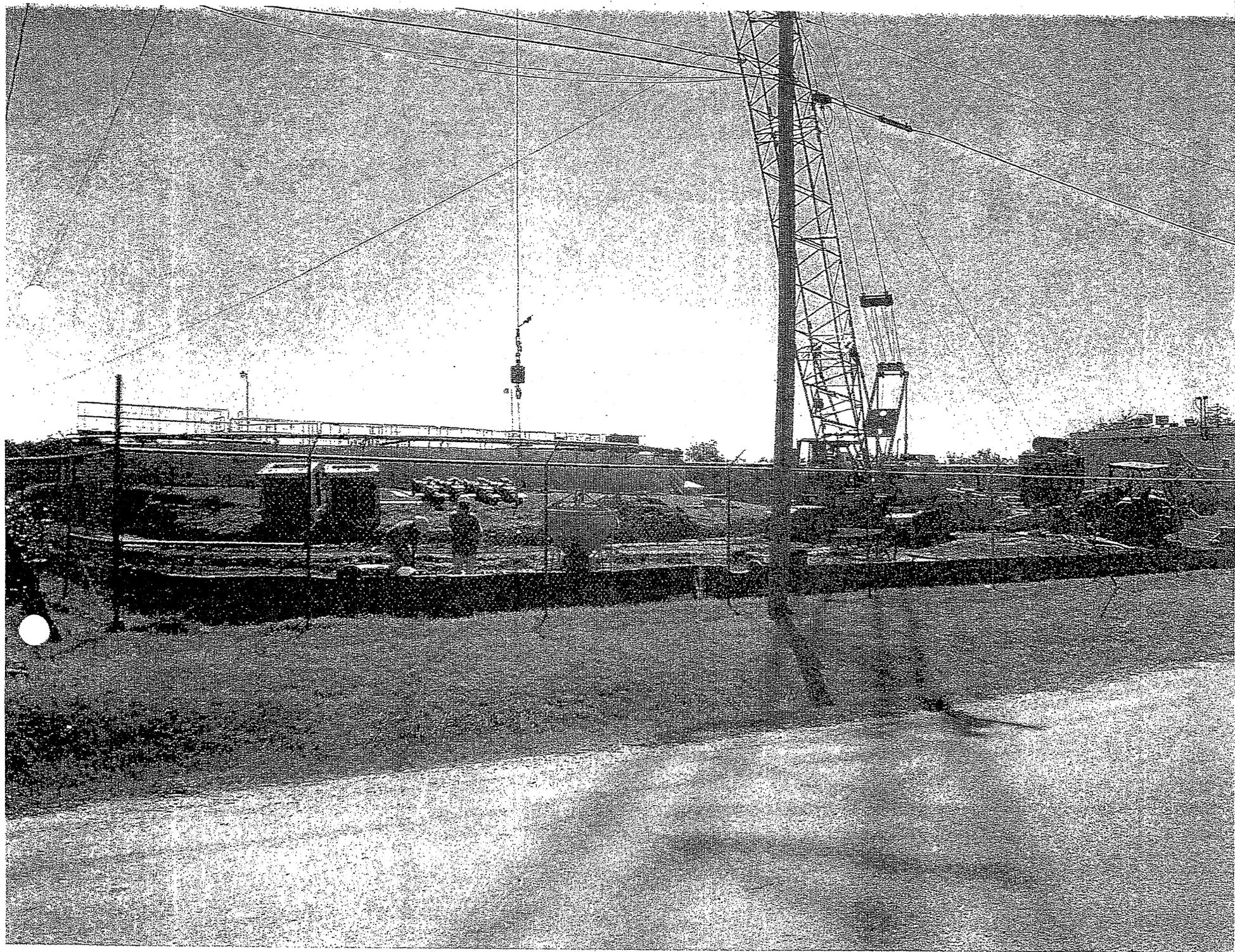
Regards,



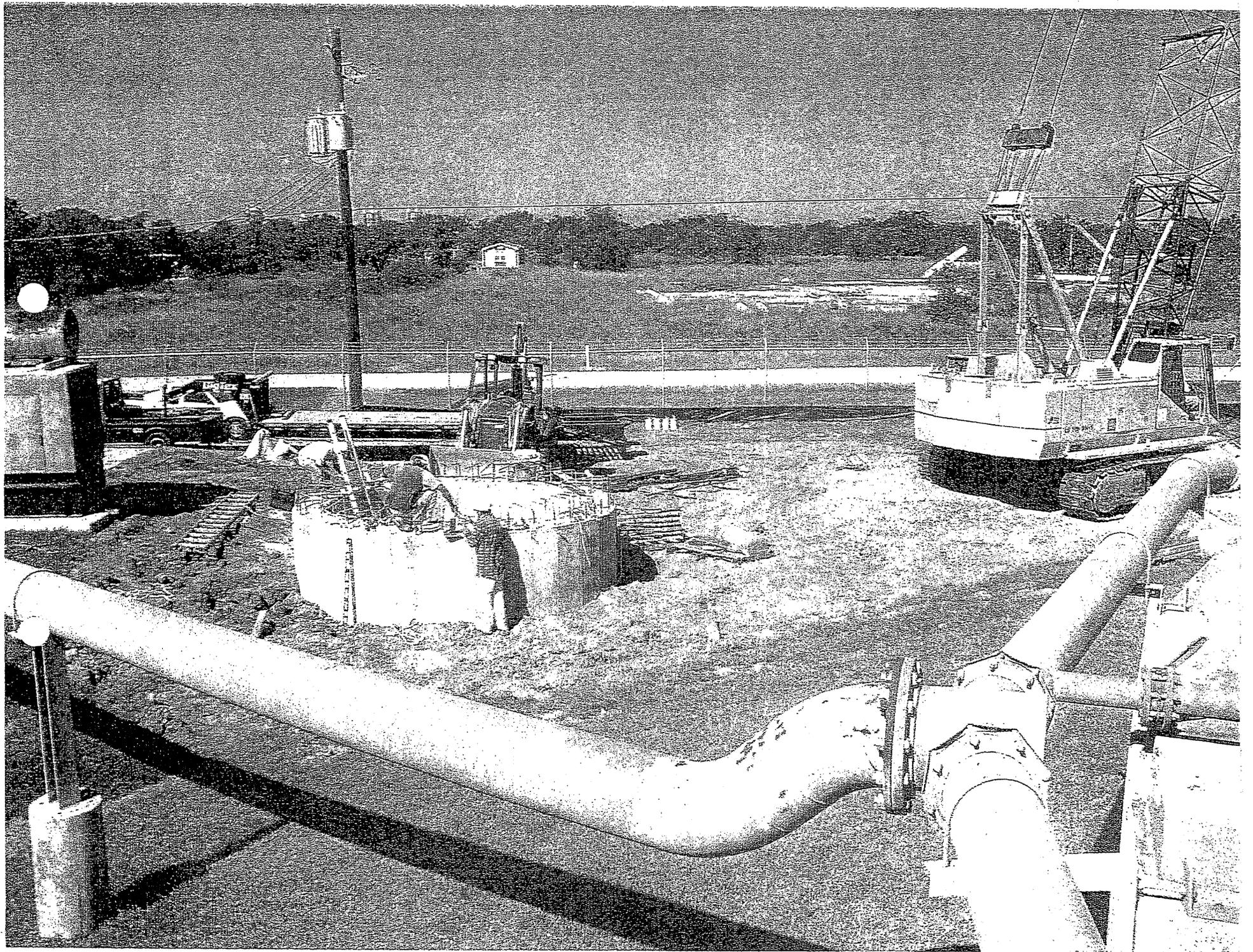
James R. Ainsworth, P.E.
Engineer for San Leon MUD

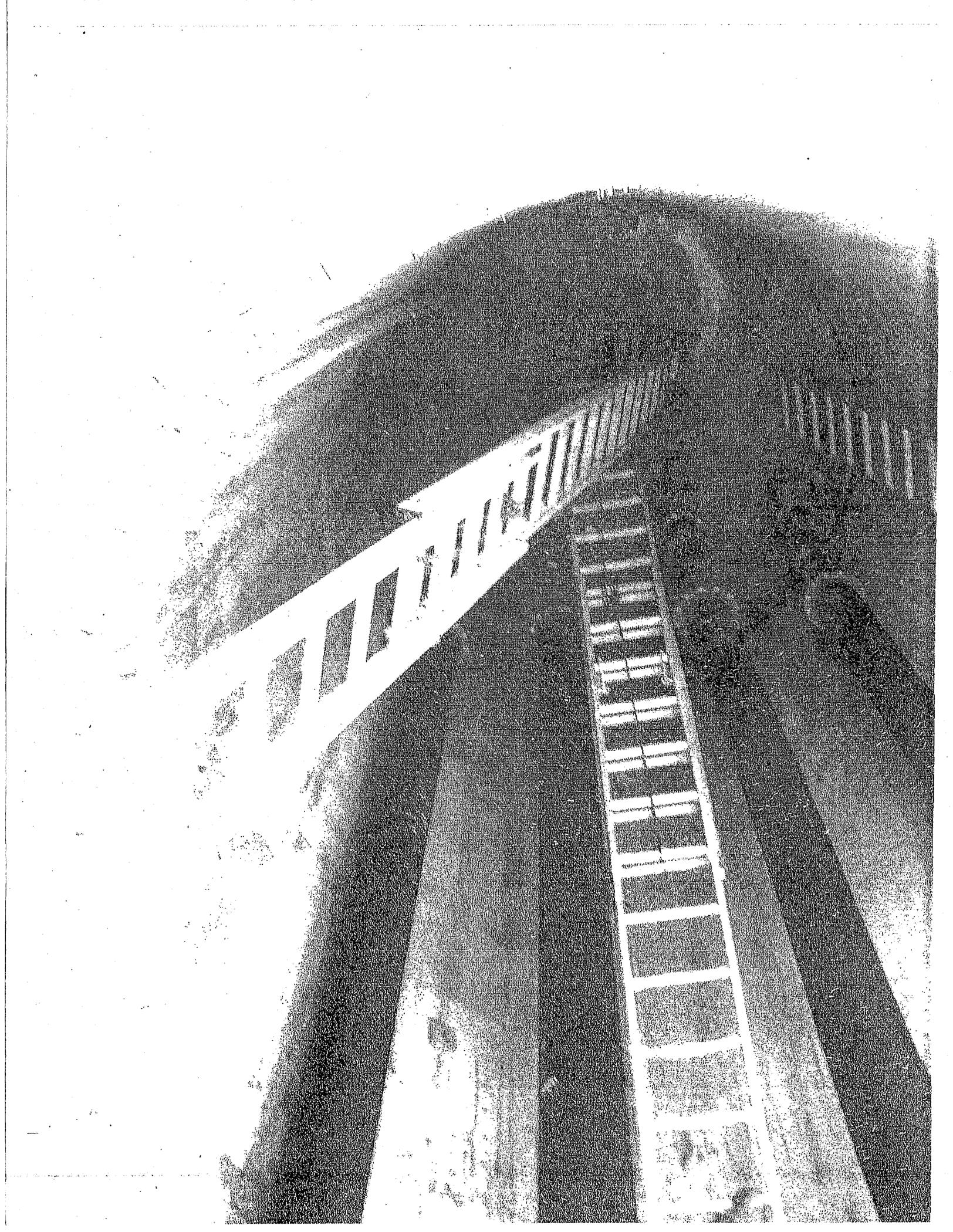


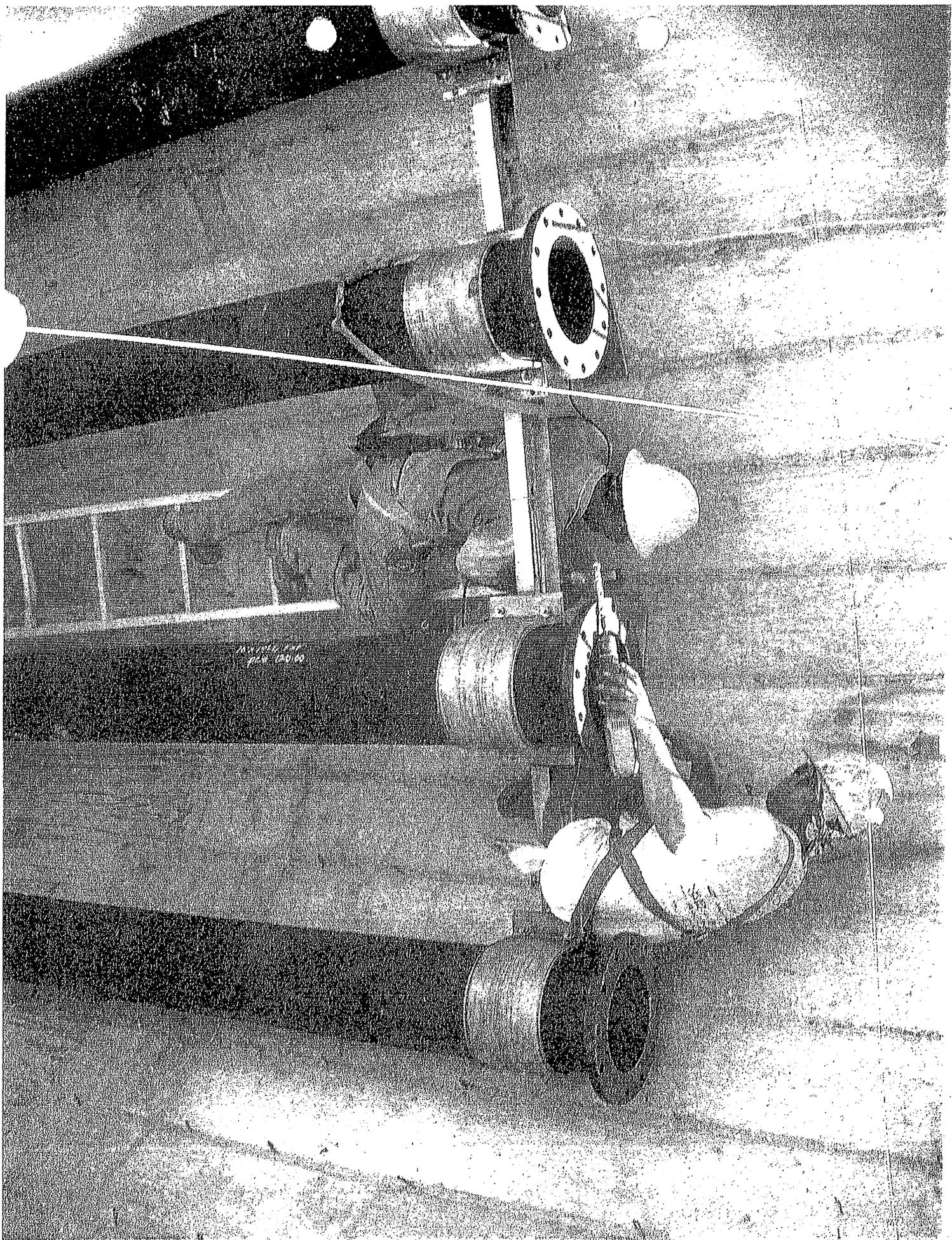


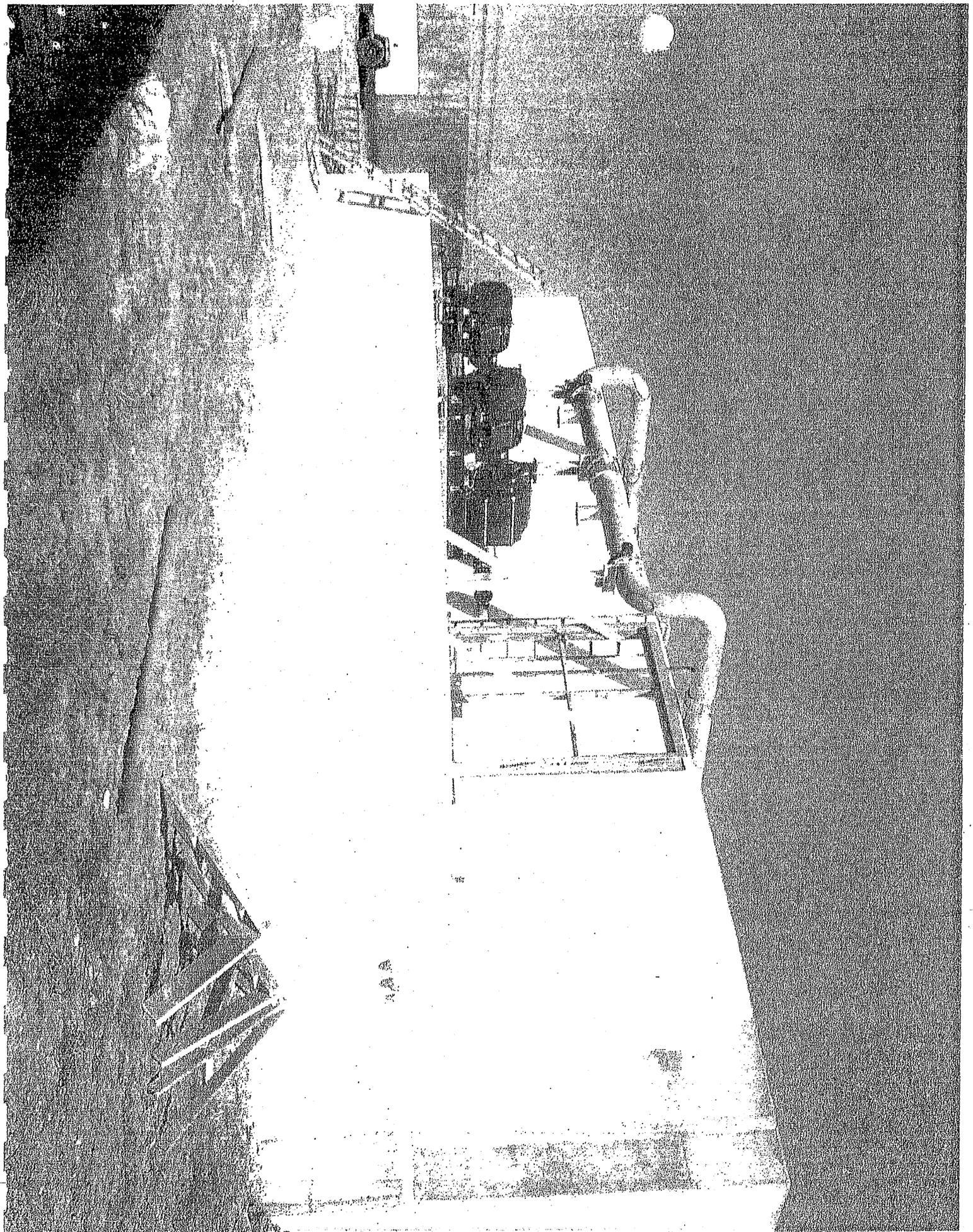












Office of the Chief Clerk

MC 105, TECQ
P.O. Box 13087
Austin, Tx. 78711-3087

46476
MWD PM

OPA

MAY 02 2005

BY Jay

April 23, 2005 4-30-05

CHIEF CLERK'S OFFICE
MAY 11 2 11 PM '05

Dear Sir,

The Citizens of Tropical Gardens are asking you for help. Our subdivision sits on Gum and Dickinson Bayous. Our subdivision floods at high tides and at very high tides we are unable to leave our homes.

We are now being told that a (TPDES) Permit No. WQ00145700 (EPA I.D. No. TX0127248) is asking to build a wastewater treatment facility on a flood zone.

Here are our problems: First, the bridge that is being built over Gum Bayou on High way 517 in Dickinson and Texas City is not high enough. Second, Gum Bayou is little more than a drainage ditch and is not deep enough to handle 500,000 gallons of wastewater per day. (the only movement of water in Gum Bayou is tidal). Third, the Dickinson Bayou is not deep in front of our subdivision. Fourth, Children play in the bayou, Neighbors fish and crab and eat their catch. Fifth, It is a safe wet land for wild life.

We are not against progress. We only want what is safe for us and the wild life. We want this plant to be built above flood waters. Move the discharge pipe down Gum Bayou to Dickinson Bayou (~~A flowing bayou~~) (A TIDAL BAYOU ALSO). Man the plant 24/7 with state certified operators. Make the plant capacity 50% over minim. Keep storm drain water out of the plant.

We request a public meeting on these plans. We are asking you for a safe plant, because Tropical Gardens is the closest to the discharge, noise, and odors.

~~Sincerely,~~

We see no reason why this discharge of 500,000 gals, per day couldn't be piped about 2 1/2 miles to an existing outlet in Bagcliff, Texas - (from P.H. Robinson Electrical Power Plant) which empties directly into Galveston bay.

over

JP

Tropical gardens were developed in 1946.
It was built by dredging Dickinson
Bayou & depositing the fill on Tide
Lands - Therefore building the land
up enough to put houses on.

W.E. Banks survey. This land
isn't very much above sea level
to begin with. - when we have South-
or South East strong winds - we have
flood waters on our property.

(Tropical Depression Allison) - 18" of
water in my garage.

(Hurricane Alicia - 1983) 4' of water
in my garage.

Please take these examples - in mind
& consideration when granting
the application to flood us further.

Dee & David Baier
4400 scenic Dr.

Dickinson, Texas 77539
281-337-2490

Resident for 33 yrs. - March 15, 1972

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

Opal E. Glenda Barrow

Name

4408 Island Dr Dickinson, Ga. 31539

Address

Orvil R. & Glenda L. Barnes
4408 Island Dr.
Dickinson, TX 77539

April 12, 2005

PM OPA MWD
46976
APR 18 2005
BY AD

Office of the Chief Clerk
MC105
TCEQ
P O Box 13087
Austin, TX 78711-3087

RE: Permit No. WQ001450001 14570-001
(EPA I. D. No. TX0127248)

Dear Chief Clerk,

This letter is being written to voice my (our) concerns regarding the above named permit number. Gum Bayou gets out of its banks several times a year with no flood prevention in place.

APPLICATION: "Marlin Atlantis White, Ltd., 13455 Noel Road, Floor 23, Dallas, TX 75240, applied to TCEQ for a Texas Pollutant Discharge Elimination System (TPDES) Permit No. listed above on October 21, 2004. This permit is to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 500,000 gallons per day. The proposed domestic wastewater treatment facility is located adjacent to Gum Bayou, approximately 2.14 miles east of State Highway 3 and 600 feet north of Farm-to-Market Road 517 in Galveston County, Texas. The discharge route is from the plant site to Gum Bayou; thence to Dickinson Bayou."

Please put my (our) name on the mailing list for this specific application. I (we) would further like to request a public meeting for comments and questions about this application.

Sincerely,

Orvil R. Barnes
Glenda L. Barnes

AD

TCEQ Public Participation Form
Marlin Atlantis White, Ltd.
Public Meeting
Proposed TPDES Permit No. WQ0014570001
Thursday, October 6, 2005

CITY OF SAN ANTONIO

PLEASE PRINT:

Name: INA BARNES

Address: 5024 SCENIC DR

City/State: DICKINSON, TX Zip: 77539

Phone: (281) 534-6273

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

10-6-2005

OPA

OCT 25 2005

46976
mwf

BY

I am concerned about your chlorine being used in the treating of the water and the flowing of this down Gum Bayou. My house on 5024 Scenic Dr. has flooded down stairs 5 times in one year through a under street Culvert that has no purpose for anyone.

Now if this goes through, I will now have the chemicals plus more volume of water in my home. Do you have any thoughts of dredging out the bayou?

I am very concerned about this!

JNA Barnes
5024 Scenic Dr.
Dickinson, TX 77539
281.534-6273

There was a lot of questions asked by the concerned people and over half of them, your response was, "We don't have the details." Why? Don't you know we are very concerned about the questions we have asked!

10

ON LINE CAPITAL
CURRENCY

2005 APR 29 PM 3:05

CHIEF CLERKS OFFICE

811
OPA
MAY 02 2005

BY

Jay

15 April 2005

Office of the Chief Clerk - MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RE: MARLIN ATLANTIS WHITE, LTD., PERMIT # WQ0014570001

To whom it may concern:

I am writing in regards to the above mentioned permit for a wastewater treatment facility to be located between FM 517 and FM 646, 2.14 ME of State Highway 3 in Texas City/Dickinson, TX.

I live in Tropical Gardens Subdivision which is bordered by both Gum and Dickinson Bayou. My concerns are as follows:

This is a 100 year Flood Zone. It floods here several times a year due to both rain and high tides. How is this going to affect the facility?

What happens if the system fails? Will there be a back-up system? This includes power and the unit itself.

How is this facility going to affect the people who are on wells? How will it affect the animals that depend on this water?

Will this runoff affect the wetlands and the migratory birds which we have Both in Gum and Dickinson Bayou?

Is the facility going to contribute to the Bayou's bacterial problem or the the impaired water problem (303d) which we already have?

Will the plant have around the clock 24/7 man coverage? Will they be State Certified operators?

I am not against progress, I just want to be assured that the wastewater facility will be built and run above the "State Standard Requirements." For this reason, I am requesting

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

Alejandro Bautista Jr.
Name

4313 Grand Blvd. : Dickinson, TX 77539
Address

Agelo P.V.

Office of the Chief Clerk

MC 105, TECQ
P.O. Box 13087
Austin, Tx. 78711-3087

OPM
OPA
APR 27 2005
BY [Signature]

14000175
OFFICE OF THE CHIEF CLERK
ON ENVIRONMENTAL QUALITY
APR 27 11 09 57
CHIEF CLERKS OFFICE

April 23, 2005

Dear Sir,

The Citizens of Tropical Gardens are asking you for help. Our subdivision sits on Gum and Dickinson Bayous. Our subdivision floods at high tides and at very high tides we are unable to leave our homes.

We are now being told that a (TPDES) Permit No. WQ00145700 (EPA I.D. No. TX0127248) is asking to build a wastewater treatment facility on a flood zone.

Here are our problems: First, the bridge that is being built over Gum Bayou on Highway 517 in Dickinson and Texas City is not high enough. Second, Gum Bayou is little more than a drainage ditch and is not deep enough to handle 500,000 gallons of wastewater per day. (the only movement of water in Gum Bayou is tidal). Third, the Dickinson Bayou is not deep in front of our subdivision. Fourth, Children play in the bayou, Neighbors fish and crab and eat their catch. Fifth, It is a safe wet land for wild life.

We are not against progress. We only want what is safe for us and the wild life. We want this plant to be built above flood waters. Move the discharge pipe down Gum Bayou to Dickinson Bayou (A flowing bayou). Man the plant 24/7 with state certified operators. Make the plant capacity 50% over minim. Keep storm drain water out of the plant.

We request a public meeting on these plans. We are asking you for a safe plant, because Tropical Gardens is the closest to the discharge, noise, and odors.

Sincerely,

Hillane Bernal
Hillane Bernal

5

TCEQ Public Participation Form
Marlin Atlantis White, Ltd.
Public Meeting
Proposed TPDES Permit No. WQ0014570001
Thursday, October 6, 2005

did not
comment

CHIEF CENSUS OFFICE

10/5/05 2:41 PM

01/28/06 10:10 AM

PLEASE PRINT:

Name: ART LEWICK

Address: 4224 SCENIC DR

City/State: DICKINSON Zip: 77539

Phone: (281) 337 2769

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

✓

Office of the Chief Clerk

MC 105, TECQ
P.O. Box 13087
Austin, Tx. 78711-3087

PM / OPA

APR 27 2005

BY JW

TE
COMMISSION
ON ENVIRONMENTAL
CLERGY

APR 27 10 49 AM '05

CHIEF CLERK'S OFFICE

April 23, 2005

mwd
46976

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Sincerely,

Jeanie Bond
A. David Bond

Handwritten initials

Oct 06 05 03:32p

P. 1



NATIONAL WILDLIFE FEDERATION
www.nwf.org

NATIONAL WILDLIFE FEDERATION

GULF STATES NATURAL RESOURCE CENTER
44 East Avenue, Suite 200
Austin, Texas 78701

(512) 476-9805
FAX (512) 476-9810
www.nwf.org

OPA

OCT 11 2005

BY

Handwritten note: *msw / 11/6/05*

Vertical stamp: *2005 OCT -6 PM 14:35*
CHIEF CLERKS OFFICE

October 6, 2005

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

Subject: Marlin Atlantis White Ltd. Wastewater Permit No 14570-001, TX0127248.
Discharge to Tributary of Dickinson Bayou Tidal, Segment 1103.

Dear Ms. Castañuela:

The National Wildlife Federation submits the following comments on the above-referenced wastewater discharge permit application. As discussed below, the proposed permit does not comply with applicable standards and may not be issued.

Legal Framework

The wastewater permit application at issue here would discharge into a water body that is listed as impaired pursuant to Section 303(d) of the federal Clean Water Act. 33 U.S.C.A. §1313(d). Special regulations and considerations govern the issuance of such a permit application.

Section 305.538 of TCEQ's rules provides that "[n]o permit may be issued under the conditions prohibited in 40 Code of Federal Regulations §122.4, as amended " 30 TAC § 305.538. Section 122.4(i) states in pertinent part that authorization of a new discharge is prohibited when " *the discharge from its construction or operation will cause or contribute to the violation of water quality standards* " 40 CFR § 122.4 (i)(emphasis added).¹

Because the proposed permit would contribute to the existing violation of the Texas Surface Water Quality Standards, the permit may not be issued. In addition, because background water quality conditions in Segment 1103 already fail to comply with water quality standards,

¹ Such a discharge may be allowed when a total maximum daily load (TMDL) has been developed and the TMDL includes an adequate allowance for the discharge as follows (1) There are sufficient remaining pollutant load allocations to allow for the discharge, and (2) The existing dischargers into that segment are subject to compliance schedules designed to bring the segment into compliance with applicable water quality standards. That exception does not apply here because no TMDL has been developed.

Oct 06 05 03:33p

P. 2

the requisite finding that conditions with the discharge in place will comply with those standards cannot be made.

Factual Background.

Marlin Atlantis White, Ltd. seeks a permit authorizing the discharge of treated domestic wastewater into Gum Bayou, a tributary of Dickinson Bayou Tidal, Segment 1103. The applicant proposes three different effluent phases: 0.125 MGD; 0.250 MGD; and 0.500 MGD. TCEQ employed a modified version of the QUAL-TX model originally developed for the Waste Load Evaluation for Dickinson Bayou (WLE 86-06). The discharger is located in Galveston County.

TCEQ's water quality modeling assessment memorandum, dated 3/2/2005, indicates the effluent sets for the permit as follows: 10 mg/L CBOD, 3 mg/L Ammonia-Nitrogen, 4 mg/L DO for the 0.125 MGD and 0.250 MGD flow phases, and 10 mg/L CBOD, 2 mg/L Ammonia-Nitrogen, and 4 mg/L DO for the 0.500 MGD phase. Those effluent sets are predicted, based on standard TCEQ modeling assumptions to be adequate to ensure that the dissolved oxygen level in the receiving streams will be maintained above the criterion of 4 mg/L for Segment 1103 of Dickinson Bayou as well as for Gum Bayou. That memorandum also states that "[m]odel results indicate that dissolved oxygen in the impaired region will not be *significantly* impacted by discharge from this facility." (Emphasis added).

Both Dickinson Bayou Tidal, Segment 1103, and Gum Bayou are listed on the Texas 303 (d) list (both the 2002 list and the 2004 list). Gum Bayou is listed for elevated bacteria levels. Segment 1103 is listed for depressed dissolved oxygen and for elevated bacteria levels. The applicant proposes to discharge the treated wastewater into Gum Bayou, which intersects with Segment 1103 approximately 2.9 miles *downstream* of the portion of Segment 1103 impaired for dissolved oxygen. However, because Segment 1103 is a tidal segment, it will be impacted by the proposed discharge as tidal surges carry the discharge upstream.

From a review of TCEQ's files, it is our understanding that the predicted impact, using standard modeling assumptions, on dissolved oxygen in segment 1103, Dickinson Bayou Tidal, is a reduction of between 0.01 to 0.03 milligrams per liter in dissolved oxygen levels. That level of impact is characterized as not being a "significant" impact.

Reasons the Proposed Permit May Not Be Issued.

- (1) TCEQ's modeling for Dickinson Bayou Tidal fails to account for dissolved oxygen impairments that already exist there.

TCEQ's standard modeling, as implemented here, does not account for the existing dissolved oxygen impairment in Dickinson Bayou Tidal. Because dissolved oxygen levels already have been determined not to comply with applicable standards, TCEQ may not authorize a discharge that will result in any additional reductions in dissolved oxygen levels. TCEQ may not assume away the listed impairment through its modeling exercise. TCEQ's modeling result predicts a dissolved oxygen level of greater than 4.0 mg/l for the impaired segment as

Oct 06 05 03:33p

P. 3

the starting point for consideration of the impacts of the discharge. However, the segment has been officially determined by TCEQ, on the basis of actual sampling of dissolved oxygen levels, not to be in compliance with that specific standard. The modeling, by contrast, merely assumes the impairment away. That does not represent a reasonable representation of the conditions on the ground.

(2) TCEQ's modeling fails to account for nonpoint source discharges.

The impairment listing for Dickinson Bayou Tidal indicates that both point and nonpoint source discharges contribute to the dissolved oxygen impairment. TCEQ's modeling does not account for nonpoint source pollution contributions that further lower dissolved oxygen levels. As a result, the dissolved oxygen levels predicted by the model are not realistic. In addition to the failure to incorporate the existing impairment, as noted above, the model fails to account for the additional impact on dissolved oxygen levels resulting from the nonpoint source discharges. Thus, TCEQ's modeling overpredicts dissolved oxygen levels in the impaired segment. As a result, it does not provide a reasonable basis for concluding that compliance with applicable water quality standards has been demonstrated.

(3) Even given the model's shortcomings, it still predicts a prohibited reduction in dissolved oxygen levels.

Even with the shortcomings noted above, TCEQ's modeling predicts that dissolved oxygen in the impaired portion of segment 1103 will be reduced between 0.01 to 0.03 milligrams per liter. Admittedly, this predicted impact is slight. But even that slight adverse impact is prohibited given that this stream segment appears on the 303(d) list. Once an impairment is listed, TCEQ's charge is to return the segment to compliance not to worsen the impairment. Even if a worsening of impacts occurs only through a series of additional impacts, each of which might be considered, by TCEQ, to be "not significant," that result still is prohibited.

TCEQ's guidance document, *Procedures to Implement the Texas Surface Water Quality Standards*, recognizes that discharges may not be authorized that would adversely affect listed segments. In providing examples of when additional discharges might be authorized in spite of a dissolved oxygen impairment, that document states: "For discharges that are well upstream from a listed area, some pollutants, such as BOD, might be shown to *completely dissipate* by the time the discharge flow reaches the listed area."² (Implementation Procedures at p.29)(emphasis added). The modeling done in the instant case acknowledges that the pollutants have not completely dissipated before reaching the impaired segment. Another example included in the Implementation Procedures of a potentially allowable discharge provides as follows: "At some sites, water quality models might predict that an additional discharge of BOD from a highly treated effluent would have *no effect on instream dissolved oxygen*. This additional load could be allowed if the model reasonably predicts that existing conditions of dissolved oxygen in the water body

² In the present case, Gum Bayou intersects *downstream* of segment 1103 of Dickinson Bayou, but because of tidal influence, the discharge still adversely affects the impaired segment. The standard is the same here as with discharges *upstream* of an impaired segment: the discharge may not cause any adverse impact

Oct 06 05 03:33p

P. 4

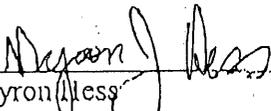
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As the Implementation Procedures acknowledge, the issue of the "significance" of the predicted impact is not relevant. The authorization of a discharge that would add any level of additional adverse impact to a segment that is already impaired is prohibited. Where consideration of the significance of impacts is authorized, the rules are clear. See, for example, 30 TAC § 307.5(b) (2), which provides in pertinent part: "[d]egradation is defined as a lowering of water quality by more than a de minimus extent but not to the extent that an existing use is impaired." 40 CFR §122.4(i), by contrast, states in pertinent part that a new discharge is prohibited when "the discharge ... will cause or contribute to the violation of water quality standards." The word "significantly" does not appear there.

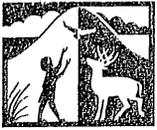
Conclusion

Because the proposed discharge has been shown by TCFQ's modeling to contribute to the existing water quality impairment, it may not be authorized. It simply is not legal or acceptable to continue to authorize additional loadings to already impaired segments. NWF expresses no opinion regarding whether, with a more stringent effluent set or a smaller level of discharge, the adverse impact could be avoided.

Sincerely,


Myron Hess
Manager, Texas Water Programs/Counsel
Gulf States Natural Resource Center
National Wildlife Federation
44 East Avenue, Suite 200
Austin, TX 78701
Tel. 512-476-9805
Fax: 512-476-9810
E-mail: hess@nwf.org


Christopher Brown
Water Projects Attorney
Gulf States Natural Resource Center
National Wildlife Federation
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GULF STATES NATURAL RESOURCE CENTER
44 East Avenue, Suite 200
Austin, Texas 78701

OPA

(512) 476-9805
FAX (512) 476-9810
www.nwf.org

OCT 10 2005

BY

[Signature]

October 6, 2005

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

*MC-105
11/9/76*

CHIEF CLERK'S OFFICE
2005 OCT 10 PM 12:47
COMMISSION
ON ENVIRONMENTAL
QUALITY

Subject: Marlin Atlantis White Ltd. Wastewater Permit No. 14570-001; TX0127248.
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[Handwritten mark]

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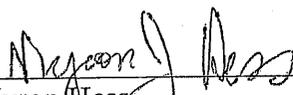
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Sincerely,


Myron Hess
Manager, Texas Water Programs/Counsel
Gulf States Natural Resource Center
National Wildlife Federation
44 East Avenue, Suite 200
Austin, TX 78701
Tel. 512-476-9805
Fax: 512-476-9810
E-mail: hess@nwf.org


Christopher Brown
Water Projects Attorney
Gulf States Natural Resource Center
National Wildlife Federation
44 East Avenue, Suite 200
Austin, TX 78701
Tel. 512-476-9805
Fax: 512-476-9810

CHIEF CLERKS OFFICE

2005 OCT 10 PM 12:49

COMMISSION
ON ENVIRONMENTAL
QUALITY

1997
STATE OF TEXAS
ON ENVIRONMENTAL
QUALITY

46976
PM

OPA

MAY 02 2005

MAY 19 09 PM 3 05

BY [Signature]

CHIEF CLERK'S OFFICE

15 April 2005

Office of the Chief Clerk - MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RE: MARLIN ATLANTIS WHITE, LTD., PERMIT # WQ0014570001

To whom it may concern:

I am writing in regards to the above mentioned permit for a wastewater treatment facility to be located between FM 517 and FM 646, 2.14 ME of State Highway 3 in Texas City/Dickinson, TX.

I live in Tropical Gardens Subdivision which is bordered by both Gum and Dickinson Bayou. My concerns are as follows:

This is a 100 year Flood Zone. It floods here several times a year due to both rain and high tides. How is this going to affect the facility?

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How is this facility going to affect the people who are on wells? How will it affect the animals that depend on this water?

Will this runoff affect the wetlands and the migratory birds which we have Both in Gum and Dickinson Bayou?

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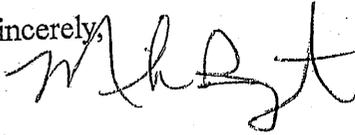
Will the plant have around the clock 24/7 man coverage? Will they be State Certified operators?

I am not against progress, I just want to be assured that the wastewater facility will be built and run above the "State Standard Requirements." For this reason, I am requesting

[Handwritten mark]

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,



Mike Bryant

Name

4324[#]1 Scenic Dr.

Address

Dickinson, TX 77539

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

Linda Burrows

Name

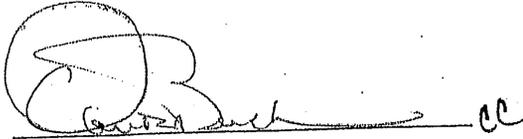
4312 Scenic Dr.

Address

Dickinson, Tx. 77539

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary Buck", is written over a horizontal line. To the right of the signature, the letters "cc" are written.

Name

4400 ISLAND DR.
Address

DICKINSON, TX 77539

This is A Picture of Street Flooding
After a major Rain, My Concern is About
Flooding Because of the Small Size of Dan Bueger.
Also We are Concerned w.r.t. Damage to the
Ecosystem.

OPA

OCT 25 2005

BY

Questions -

①. Flooding

②. Damage to Ecosystem

③. Concern About Shrimp & Crab Habitat

④. Will The Plant Be Built Above CAT 5-
Hurricane Surge

⑤. Is There ^{written} a plan in effort to handle
Spills.

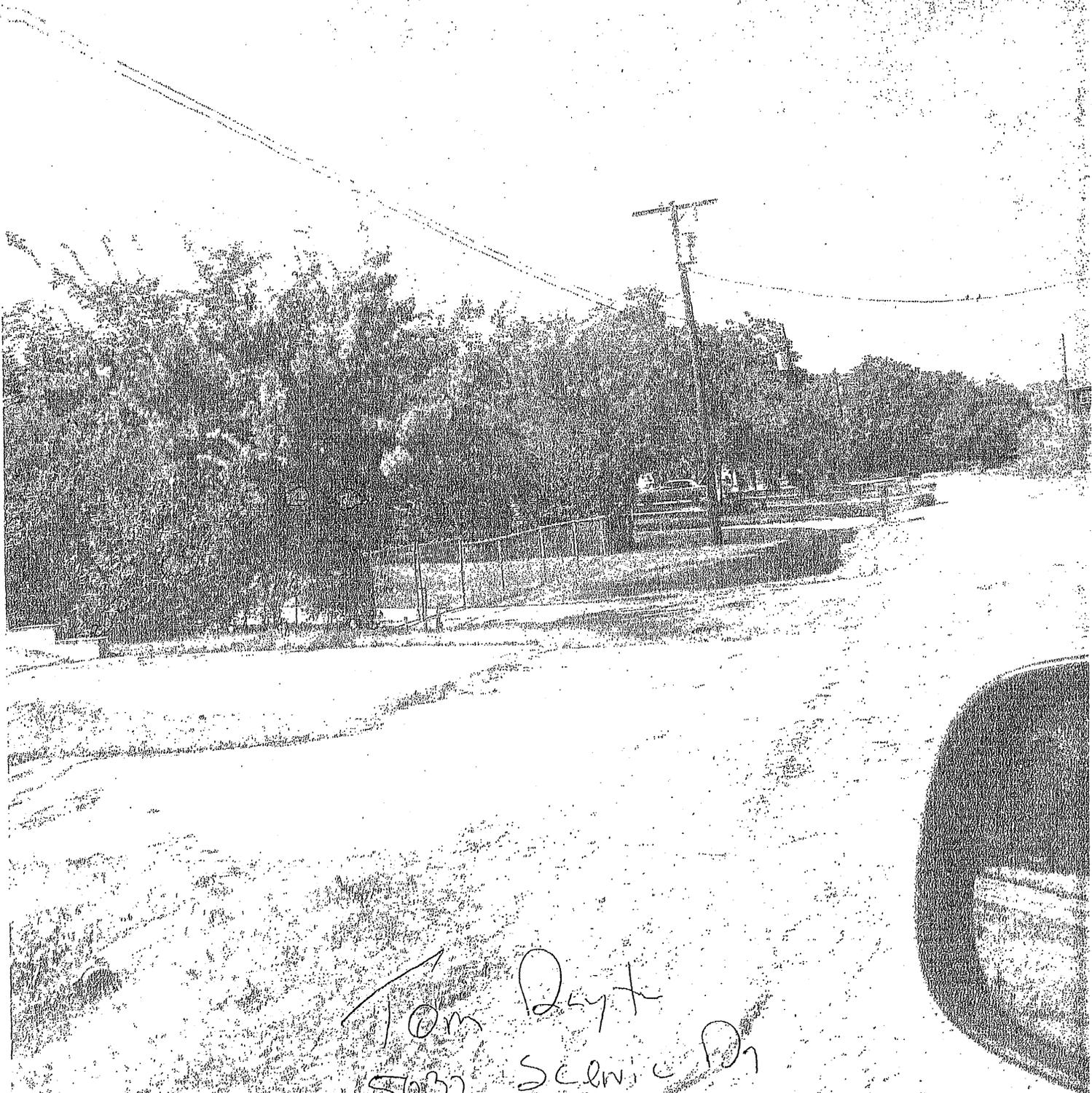
6. It Appears That the Al-ighty dollar
will probably speak Ag-

CHIEF CLERK'S OFFICE

205 OCT 24 AM 11:31

COMMISSIONER
OF ENVIRONMENTAL
QUALITY

P. J. Du



Tom Dayt
15032 Seewie Dr
Dickinson TX 77539

REID, STRICKLAND & GILLETTE, L.L.P.

A LIMITED LIABILITY PARTNERSHIP OF INDIVIDUALS AND PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW
407 CITIZENS BANK TOWER
1300 ROLLINGBROOK AT GARTH
P.O. BOX 809
BAYTOWN, TEXAS 77522-0809

13 SEP 14 11 34 AM '05
CHIEF CLERK'S OFFICE

September 13, 2005

(281) 422-8166
FAX (281) 428-2962

OPA

SEP 20 2005

BY AL

MWD
H16976

Office of the Chief Clerk
TCEQ
Mail Code MC-105
Post Office Box 13087
Austin, TX 78711-3087

Re: San Leon Municipal Utility District/Opposition to Proposed Permit WQ001 4570001.

Gentlemen:

The Board of Directors of the San Leon Municipal Utility District have asked that I correspond with you to formally submit their opposition to the above-proposed permit, wherein Marlin Atlantis White, Ltd. is attempting to secure a treated domestic wastewater discharge permit.

San Leon Municipal Utility District currently operates a fully-permitted wastewater treatment facility within five (5) miles of the proposed permit site. San Leon Municipal Utility District is currently in negotiations with the City of Texas City to provide wastewater treatment services to the Marlin Atlantis White, Ltd. development, which is to be annexed into the City of Texas City shortly. In addition, San Leon Municipal Utility District is currently preparing an application for a TWDB Research and Planning Fund Regional Facility Planning Grant, and the city of Texas City has recently advised that it will support San Leon's efforts regarding the establishment of a regional wastewater plant for this area. San Leon, through a current plant expansion, will have sufficient capacity to treat the proposed flow from Marlin Atlantis White, Ltd. It is clearly more efficient and practical for facilities which are currently permitted and available to handle the proposed discharge from this development.

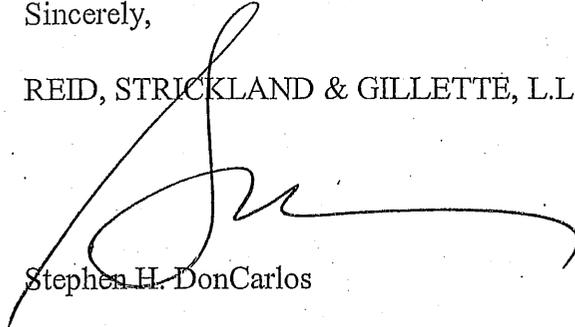
Representatives from the District will be available at the public meeting scheduled for Thursday, October 6, 2005, at the Bay Colony Cafeteria in order to answer any questions which representatives of the Commission might have on this matter. Should any technical information for the District's capacity be needed, please feel free to contact Mr. Jim Ainsworth and Mr. Jerry Arnold of A&S Engineers, Inc. at 713-297-3155.

Office of the Chief Clerk
TCEQ
September 13, 2005
Page 2

Thank you for your consideration of this matter.

Sincerely,

REID, STRICKLAND & GILLETTE, L.L.P.

A handwritten signature in black ink, appearing to read "Stephen H. DonCarlos". The signature is fluid and cursive, with a large initial "S" and a long horizontal flourish at the end.

Stephen H. DonCarlos

SHDC/jh
26dk

8th

TCEQ Public Participation Form
Marlin Atlantis White, Ltd.
Public Meeting
Proposed TPDES Permit No. WQ0014570001
Thursday, October 6, 2005

PLEASE PRINT:

Name: Mary Dunbaugh

Address: 2701 Colonial Dr

City/State: Dickinson Zip: 77539

Phone: (281) 337-2795

OFFICE OF THE ATTORNEY GENERAL

Councilwoman
City of Dickinson

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

16

CHIEF CLERK OFFICE

2701 Colonial Drive
Dickinson, TX 77539
August 18, 2005

MWD
46976

PM OPA
AUG 23 2005
BY 

Office of the Chief Clerk – MC 105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, TX 788711-3087

Re: Proposed Sewer Discharge Permit No. WQ 0014570001

Dear Sirs:

As a tax paying resident of Galveston County and the City of Dickinson; and as a Councilperson for the City of Dickinson; and as a member of the state award winning organization, Keep Dickinson Beautiful, and as an avid kayaking enthusiasts, I am writing to voice my objection to the issuance of this proposed sewer discharge permit. As a matter of record, I am opposed to the entire sewer discharge plant being built at that location as I think it will adversely affect the environmental qualities of Dickinson and Gum Bayous and the recreational activities they provide for our community.

Several private citizens and two of our mayors, with council approval, have written letters of protest expressing their concerns and opposition to this permit. We are requesting that a public meeting be held in Dickinson and that residents up and down stream on Dickinson Bayou and on Gum Bayou be notified by mail, in addition to notices in the local newspapers, of the time and place where these meetings will be held.

Thank you for your kind attention to this matter.

Very truly yours,


Mary K. Dunbaugh

Cc: Dickinson Mayor and Council
Mayor of Texas City
Mayor of League City
State Representative Larry Taylor
State Senator Mike Jackson
Galveston County Commissioner

Mc

COMMISSION
ON ENVIRONMENTAL
QUALITY

235 151 -2 11 2:56

CHIEF CLERKS OFFICE

9M OPA

MAY 02 2005

BY

[Signature]

15 April 2005

mwd

46976

Office of the Chief Clerk - MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RE: MARLIN ATLANTIS WHITE, LTD., PERMIT # WQ0014570001

To whom it may concern:

I am writing in regards to the above mentioned permit for a wastewater treatment facility to be located between FM 517 and FM 646, 2.14 ME of State Highway 3 in Texas City/Dickinson, TX.

I live in Tropical Gardens Subdivision which is bordered by both Gum and Dickinson Bayou. My concerns are as follows:

This is a 100 year Flood Zone. It floods here several times a year due to both rain and high tides. How is this going to affect the facility?

What happens if the system fails? Will there be a back-up system? This includes power and the unit itself.

How is this facility going to affect the people who are on wells? How will it affect the animals that depend on this water?

Will this runoff affect the wetlands and the migratory birds which we have Both in Gum and Dickinson Bayou?

Is the facility going to contribute to the Bayou's bacterial problem or the the impaired water problem (303d) which we already have?

Will the plant have around the clock 24/7 man coverage? Will they be State Certified operators?

I am not against progress, I just want to be assured that the wastewater facility will be

wd

built and run above the "State Standard Requirements." For this reason, I am requesting that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,


Name Jason Fennelly

4426 Island Drive
Address

Dickinson, TX 77539

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Office of the Chief Clerk
MC 105, TCEQ
P.O. Box 13087
Austin, TX 78711-3087

2005 MAY -6 AM 9:54

April 30, 2005

PM

OPA
MAY 06 2005

CHIEF CLERKS OFFICE

mwd
46976

BY *JK*

Dear Sir,

The Citizens of Tropical Gardens, in Dickinson, Texas, are asking for your help. Our subdivision is located between Gum and Dickinson Bayous. At high tides, these bayous often flood our waterfront properties.

We are now being told that a TPDES Permit no. WQ0014570001 (EPA I.D. No. TX0127248) is asking to build a wastewater treatment facility on a flood zone.

Here are our concerns:

The bridge that is being built over Gum Bayou on Highway 517 in Dickinson and Texas City is not high enough.

Gum Bayou is a little more than a drainage ditch and is not deep enough, or wide enough to handle 500,000 gallons of wastewater per day. The only movement of the bayou water is tidal.

The Dickinson Bayou is not deep in front of our subdivision.

Children and adults play in the bayous. Neighbors fish and crab and eat their catch.

It is a safe wet land for wild life.

We are not against progress. We only want what is safe for us and the wild life. We want this plant to be built above flood waters. Move this discharge pipe away from Gum Bayou.

Man the plant 24/7 with state certified operators. Make the plant capacity 50% over minimum. Keep storm drain water out of the plant.

We request a public meeting on these plans. We are asking you for a safe plant, because Tropical Gardens is the closest to the discharge, noise and odors.

*Totally
Agree with
this!*

Sincerely,

Diane Garcia
4138 Gum Drive

Dickinson, TX 77539

832-661-9457

JK

OFFICE OF THE CHIEF CLERK
TCEQ

PM

OPA

MAY 02 2005

MAY 02 2005

CHIEF CLERK'S OFFICE

BY [Signature]

15 April 2005

Office of the Chief Clerk - MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RE: MARLIN ATLANTIS WHITE, LTD., PERMIT # WQ0014570001

To whom it may concern:

I am writing in regards to the above mentioned permit for a wastewater treatment facility to be located between FM 517 and FM 646, 2.14 ME of State Highway 3 in Texas City/Dickinson, TX.

I live in Tropical Gardens Subdivision which is bordered by both Gum and Dickinson Bayou. My concerns are as follows:

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What happens if the system fails? Will there be a back-up system? This includes power and the unit itself.

How is this facility going to affect the people who are on wells? How will it affect the animals that depend on this water?

Will this runoff affect the wetlands and the migratory birds which we have Both in Gum and Dickinson Bayou?

Is the facility going to contribute to the Bayou's bacterial problem or the the impaired water problem (303d) which we already have?

Will the plant have around the clock 24/7 man coverage? Will they be State Certified operators?

I am not against progress, I just want to be assured that the wastewater facility will be built and run above the "State Standard Requirements." For this reason, I am requesting

1

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

Michael Gauder cc
Name

4143 Grand Blvd
Address Dickinson TX 77539

Gauder

Texas
COMMISSION
ON ENVIRONMENTAL
QUALITY

2005 MAY 29 PM 3:05

CHIEF CLERK'S OFFICE

46976
PM

OPA

MAY 02 2005

BY



15 April 2005

Office of the Chief Clerk - MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RE: MARLIN ATLANTIS WHITE, LTD., PERMIT # WQ0014570001

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Is the facility going to contribute to the Bayou's bacterial problem or the the impaired water problem (303d) which we already have?

Will the plant have around the clock 24/7 man coverage? Will they be State Certified operators?

I am not against progress, I just want to be assured that the wastewater facility will be built and run above the "State Standard Requirements." For this reason, I am requesting



that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

John & Janet Kressley
Name

4147 Grand Blvd
Address

Dickinson, Tex 77539



OPA

FEB 16 2006

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

FEB 16 2006 9:40

February 9, 2006

BY

MWD / 46276

CHIEF CLERKS OFFICE

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

Re: Marlin Atlantis White Ltd., Proposed TPDES Permit No. 14570-001

Dear Ms. Castañuela:

Texas Parks and Wildlife Department (TPWD) appreciates the opportunity to provide comment on the application of Marlin Atlantis White Limited for a new wastewater discharge permit, proposed permit number 14570-001. TPWD is the agency with primary responsibility for protecting the state's fish and wildlife resources in Texas. In light of this role, we are concerned about impacts of wastewater discharges on aquatic life. In view of this, please consider the following comments on the proposed permit.

TPWD staff has concerns about this proposed discharge because of its potential impact on water quality and aquatic life in the receiving waters. If permitted, this facility would discharge to Gum Bayou, and from there to Dickinson Bayou Tidal (Segment 1103). Dickinson Bayou is a tidally-influenced stream. As such, it has high ecological value to the finfish and shellfish resources of Galveston Bay. Dickinson Bayou Tidal has exhibited depressed dissolved oxygen levels for some time, resulting in placement on the 303(d) list of impaired waterbodies. For the past several years, TPWD staff has participated with the Texas Commission on Environmental Quality (TCEQ) and other organizations to address the dissolved oxygen problem through the Total Maximum Daily Load process. TPWD water quality profiles in Dickinson Bayou typically show very low dissolved oxygen concentrations below the surface layer (see attachment). TPWD staff is concerned that adding more oxygen-demanding wastewater to Dickinson Bayou will exacerbate water quality problems there.

TPWD supports regionalization of wastewater treatment in this area rather than the proliferation of small "package" plants. Adequate regional wastewater treatment facilities would be more protective of water quality as development increased in the Dickinson Bayou watershed.

Please contact Cindy Contreras at (512) 912-7095 or cindy.contreras@tpwd.state.tx.us if you have any questions or need further information.

Sincerely,

Larry D. McKinney, Ph.D.
Coastal Fisheries Director

cc: Cindy Contreras

Attachment

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.

- COMMISSIONERS
- JOSEPH B.C. FITZSIMONS
CHAIRMAN
SAN ANTONIO
 - DONATO D. RAMOS
VICE-CHAIRMAN
LAREDO
 - MARK E. BIVINS
AMARILLO
 - J. ROBERT BROWN
EL PASO
 - T. DAN FRIEDKIN
HOUSTON
 - NED S. HOLMES
HOUSTON
 - PETER M. HOLT
SAN ANTONIO
 - PHILIP MONTGOMERY
DALLAS
 - JOHN D. PARKER
LUFKIN
 - LEE M. BASS
CHAIRMAN-EMERITUS
FORT WORTH
 - ROBERT L. COOK
EXECUTIVE DIRECTOR



Take a kid hunting or fishing
Visit a state park or historic site

Water Quality Profiles in Dickinson Bayou and Gum Bayou

Date: June 28, 2005, 0900-1200 hours

Location	Depth (m)	Temp (deg C)	Sp. cond (mmhos/cm)	pH	D.O. (mg/l)
Dickinson Bayou behind TPWD office	3.2	30.3	21.8	7.2	0.5
Dickinson Bayou behind TPWD office	1.6	30.7	20.8	7.4	0.4
Dickinson Bayou behind TPWD office	1.3	31.2	14.7	7.4	0.8
Dickinson Bayou behind TPWD office	1	30.3	11.4	7.8	4.2
Dickinson Bayou behind TPWD office	0.3	30.3	11.2	7.9	5.3
Boat ramp at Hwy. 3/517	3.9	29.8	22.3	7.4	0.4
Boat ramp at Hwy. 3/517	1.4	30.0	21.5	7.5	3.4
Boat ramp at Hwy. 3/517	0.8	30.7	13.2	8.0	4.4
Boat ramp at Hwy. 3/517	1.0	31.0	15.2	7.6	not read
Boat ramp at Hwy. 3/517	0.5	31.0	13.6	7.9	4.3
Tidal break at 416/Cemetery Road	3.0	29.4	18.8	7.1	0.4
Tidal break at 416/Cemetery Road	1.5	29.3	17.0	7.2	0.3
Tidal break at 416/Cemetery Road	1.0	28.8	10.0	7.3	0.3
Tidal break at 416/Cemetery Road	0.5	27.8	5.5	7.4	2.5
Tidal break at 416/Cemetery Road	0.2	27.8	5.4	7.4	3.0
Dickinson Bayou confluence with Gum Bayou	2.9	31.0	25.7	7.4	1.7
Dickinson Bayou confluence with Gum Bayou	1.4	31.1	20.8	7.8	4.7
Dickinson Bayou confluence with Gum Bayou	1.8	31.0	24.3	7.6	2.7
Dickinson Bayou confluence with Gum Bayou	1.0	31.0	19.4	8.1	5.4
Dickinson Bayou confluence with Gum Bayou	0.2	31.0	18.8	8.2	6.7

Date: August 15, 2005, 1030-1200 hours

Location	Depth (m)	Temp (deg C)	Sp. cond (mmhos/cm)	pH	D.O. (mg/l)
Dickinson Bayou behind TPWD office	5.3	30.4	50.3	7.6	0.8
Dickinson Bayou behind TPWD office	2.5	30.6	14.4	7.6	0.6
Dickinson Bayou behind TPWD office	1.0	31.3	8.7	7.6	1.3
Dickinson Bayou behind TPWD office	0.2	31.3	6.7	8.3	5.6
Dickinson Bayou near new bulkhead (near TPWD office)	4.1	30.7	17.1	7.6	0.7
Dickinson Bayou near new bulkhead (near TPWD office)	2.1	30.8	14.4	8.1	2.5
Dickinson Bayou near new bulkhead (near TPWD office)	0.2	31.1	10.5	8.5	6.6
Dickinson Bayou at Hwy. 3 bridge	4.3	30.4	16.3	7.4	0.6
Dickinson Bayou at Hwy. 3 bridge	2.1	31.7	14.4	7.7	0.5
Dickinson Bayou at Hwy. 3 bridge	0.2	31.0	8.0	8.1	4.5
Dickinson Bayou just upstream of confluence with Gum Bayou	4.0	30.1	16.8	7.6	2.6
Dickinson Bayou just upstream of confluence with Gum Bayou	2.0	30.1	15.9	7.7	3.7
Dickinson Bayou just upstream of confluence with Gum Bayou	0.2	30.6	11.6	8.3	5.5
Gum Bayou just upstream of confluence with Dickinson Bayou	1.2	30.6	12.1	8.2	4.0
Gum Bayou just upstream of confluence with Dickinson Bayou	0.3	30.6	11.6	8.4	5.3

PTM OPA

APR 27 2005

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

APR 27 11 09 50

Office of the Chief Clerk

BY Jue

CHIEF CLERK'S OFFICE

MC 105, TECQ
P.O. Box 13087
Austin, Tx, 78711-3087

April 22, 2005

Estimado señor,

Los ciudadanos de Topical Gardens le piden su ayuda. Nuestra vecindad esta situada en Gum Bayou y Dickinson Bayou. Nuestra vecindad se unde cuando los aguas suben y cuando suben demás no podemos salir de nuestras casas.

Ahora nos dicen qu un (TPDES) permiso número WQ00145700 (EPA I.D. No TX1027248) esta pidiendo permiso para edificar una impresa (facilidad) para el tratmiento de agua sucia en la zona de inundación.

Estos son nuestros problemas: Primero, el Puente que se edifica sobre Gum Bayou en la carretera 517 entre Dickinson y Texas City no está bastante alto. Segundo, Gum Bayou no es más que una acequia y no está bastante hondo para cargar 500,000 galones de agua sucia por día. El unico movimiento que hay en Gum Bayou es el movimiento de las mareas. Tercero, el Dickinson Bayou no está bastante hondo en frente de la vecindad. Cuarto, los niños juegan en el bayou, nuestros vecinos pescan pesces y cangrejos en el bayou y se los comen. Quinto, los bayous son un santuario para lo saves y los animalitos salvajes.

No estamos contra el progreso, solo deseamos lo que es sano para nosotros y los animals salvajes. Queremos que esta planta (impresa) se edifique sobre el limite de inundación. Queremos que cambien la pipa de descargo de Gum Bayou a Dickinson Bayou (el cual es un bayou con movimiento). Queremos que haiga operadores cetificados por el Estado en la planta por 24 horas al día, 7 días a la semana. Queremos que la planta sea constuida con la capacidad de 50% sobre el mínimo y que el agua de tormentas sea dirigida fuera de la planta.

Pedimos una junta pública para discutir estos planes. Estamos pidiendo una planta segura porque la vecindad de Torpical Gardens es la vecindad más cerca al descargo, el ruido y el olor.

Sinceramente,

Address:

Leonel Mendez
5929 Brua
DICKINSON TX 77539

Office of the Chief Clerk

MC 105, TECQ
P.O. Box 13087
Austin, Tx. 78711-3087

PM

OPA

APR 27 2005

BY

[Signature]

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2005 APR 27 AM 9:53

CHIEF CLERK'S OFFICE

46976

April 22, 2005

Dear Sir,

The Citizens of Tropical Gardens are asking you for help. Our subdivision sits on Gum and Dickinson Bayous. Our subdivision floods at high tides and at very high tides we are unable to leave our homes.

We are now being told that a (TPDES) Permit No. WQ00145700 (EPA I.D. No. TX0127248) is asking to build a wastewater treatment facility on a flood zone.

Here are our problems: First, the bridge that is being built over Gum Bayou on High way 517 in Dickinson and Texas City is not high enough. Second, Gum Bayou is little more than a drainage ditch and is not deep enough to handle 500,000 gallons of wastewater per day. (the only movement of water in Gum Bayou is tidal). Third, the Dickinson Bayou is not deep in front of our subdivision. Fourth, Children play in the bayou, Neighbors fish and crab and eat their catch. Fifth, It is a safe wet land for wild life.

We are not against progress. We only want what is safe for us and the wild life. We want this plant to be built above flood waters. Move the discharge pipe down Gum Bayou to Dickinson Bayou (A flowing bayou). Man the plant 24/7 with state certified operators. Make the plant capacity 50% over minim. Keep storm drain water out of the plant.

We request a public meeting on these plans. We are asking you for a safe plant, because Tropical Gardens is the closest to the discharge, noise, and odors.

[Signature]
Sincerely,

5812 BRUCE AVE
DICKINSON TX 77539

Address:

OFFICE OF THE CHIEF CLERK
TCEQ
MAY 17 9 05
CHIEF CLERK'S OFFICE

PM OPA
MAY 02 2005
BY [Signature]

15 April 2005

Office of the Chief Clerk - MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RE: MARLIN ATLANTIS WHITE, LTD., PERMIT # WQ0014570001

To whom it may concern:

I am writing in regards to the above mentioned permit for a wastewater treatment facility to be located between FM 517 and FM 646, 2.14 ME of State Highway 3 in Texas City/Dickinson, TX.

I live in Tropical Gardens Subdivision which is bordered by both Gum and Dickinson Bayou. My concerns are as follows:

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Will this runoff affect the wetlands and the migratory birds which we have Both in Gum and Dickinson Bayou?

Is the facility going to contribute to the Bayou's bacterial problem or the the impaired water problem (303d) which we already have?

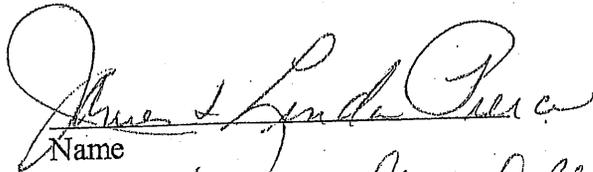
Will the plant have around the clock 24/7 man coverage? Will they be State Certified operators?

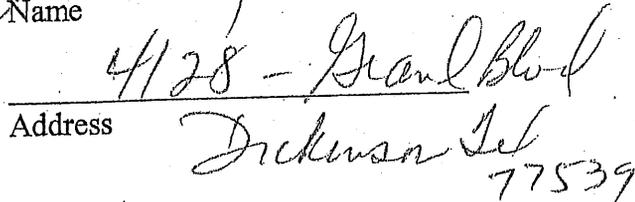
I am not against progress, I just want to be assured that the wastewater facility will be built and run above the "State Standard Requirements." For this reason, I am requesting

[Handwritten mark]

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,


Name


Address

Clare D. e TCEQ

3 of 3

OPA

APR 20 2005

205 APR 19 PM 15:30

Public Comments for Permit #WQ0014570001

BY [Signature]

CHIEF CLERKS OFFICE mwd

46976

These are my comments regarding permit WQ0014570001.

1. Upstream landowners were not notified about this permit even though they will suffer any stench that is carried by the prevailing winds and by the discharge that will inevitably fill the upper reaches of the bayou during periods of low rainfall.
2. The downstream land owners list must be out of date. I know of at least ten errors with previous owners listed. This limited the amount of accurate public comment. The process should be repeated with upstream and down stream landowners notified.
3. Has there been a hydrologic evaluation regarding the pumping action of the tides during low rainfall periods that will inventory Gum Bayou with the treatment plants effluent.
4. Metrics presented for Gum Bayou's transects and depths appear to be inaccurate and misrepresent the bayou as full flowing and of much larger volume than it truly is. TCEQ Hydrologists have described it as "fairly stagnant".
5. No dechlorination process has been specified in the permit application, the effects of which will be very detrimental to aquatic wildlife.
6. The treatment plant should not be visible from FM 517 as it will degrade the visual quality and property values of the area.
7. Effluent discharge should be of the same quality as that of the City of Dickinson's (ie; filtering)
8. Most importantly, treatment plants that come into areas like Gum Bayou have the technological capability to positively impact the quality of the bayou and should be required to do so by TCEQ. Marginalizing the negative impact of a treatment plant only leaves more potential for overstressing the area's health and wellbeing as this area becomes more populated.

Sincerely,
 Stephen Reckner
 411 Estrella Rd.
 Pasadena, TX. 77504

ps. Please include me on the mailing list for updates on this specific permit.

H

Texas
COMMISSION
ON ENVIRONMENTAL
QUALITY

mwb
46976

Public Comments for Permit #WQ0014570001

205 APR 20 PM 2:22

These are my comments regarding permit WQ0014570001.

CHIEF CLERKS OFFICE

1. Upstream landowners were not notified about this permit even though they will suffer any stench that is carried by the prevailing winds and by the discharge that will inevitably fill the upper reaches of the bayou during periods of low rainfall.
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OPA

APR 21 2005

BY _____

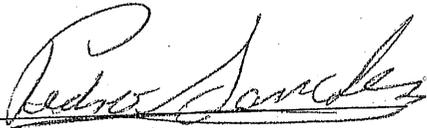


Sincerely,
Stephen Reckner
411 Estella Rd.
Pasadena, TX. 77504

ps. Please include me on the mailing list for updates on this specific permit.

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,



Name

4140 GRAND BLVD

Address

DICKINSON TX 77539

2005
ON ENVIRONMENTAL
QUALITY

255 APR 27 PM 3:05

CHIEF CLERKS OFFICE

46976

PM

OPA

MAY 02 2005

BY



15 April 2005

Office of the Chief Clerk - MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RE: MARLIN ATLANTIS WHITE, LTD., PERMIT # WQ0014570001

To whom it may concern:

I am writing in regards to the above mentioned permit for a wastewater treatment facility to be located between FM 517 and FM 646, 2.14 ME of State Highway 3 in Texas City/Dickinson, TX.

I live in Tropical Gardens Subdivision which is bordered by both Gum and Dickinson Bayou. My concerns are as follows:

This is a 100 year Flood Zone. It floods here several times a year due to both rain and high tides. How is this going to affect the facility?

What happens if the system fails? Will there be a back-up system? This includes power and the unit itself.

How is this facility going to affect the people who are on wells? How will it affect the animals that depend on this water?

Will this runoff affect the wetlands and the migratory birds which we have Both in Gum and Dickinson Bayou?

Is the facility going to contribute to the Bayou's bacterial problem or the the impaired water problem (303d) which we already have?

Will the plant have around the clock 24/7 man coverage? Will they be State Certified operators?

I am not against progress, I just want to be assured that the wastewater facility will be built and run above the "State Standard Requirements." For this reason, I am requesting



that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

Ruba Sanchez
Name

4144 GRAND BLVD
Address

DICKINSON TX 77539

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

Mr Jesse Spencer
Name

4120 Grand Blvd.
Address

Dickinson, TX 77539

3rd

8:56

TCEQ Public Participation Form
Marlin Atlantis White, Ltd.
Public Meeting
Proposed TPDES Permit No. WQ0014570001
Thursday, October 6, 2005

CHIEF CLERK'S OFFICE

PLEASE PRINT:

Name: Bob Stokes

Address: 17324-A Hwy 3

City/State: Webster, TX Zip: 77598

Phone: 281 332-3381

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Galveston Bay Foundation

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

2/

Texas
COMMISSION
ON ENVIRONMENTAL
QUALITY

46976
PM

OPA

MAY 02 2005

MAY 29 PM 3:05

BY



CHIEF CLERK'S OFFICE

15 April 2005

Office of the Chief Clerk - MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RE: MARLIN ATLANTIS WHITE, LTD., PERMIT # WQ0014570001

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Will the plant have around the clock 24/7 man coverage? Will they be State Certified operators?

I am not against progress, I just want to be assured that the wastewater facility will be built and run above the "State Standard Requirements." For this reason, I am requesting



that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

Bene & Capt. Mary Van Senken
Name

4324 Scenic Dr
Address

Didanson, TX 77539

PT/ OPA
APR 27 2005

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ON ENVIRONMENTAL
QUALITY

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Office of the Chief Clerk

CHIEF CLERK'S OFFICE

MC 105, TECQ
P.O. Box 13087
Austin, Tx, 78711-3087

April 22, 2005

Estimado señor,

Los ciudadanos de Topical Gardens le piden su ayuda. Nuestra vecindad esta situada en Gum Bayou y Dickinson Bayou. Nuestra vecindad se unde cuando los aguas suben y cuando suben dernás no podemos salir de nuestras casas.

Ahora nos dicen qu un (TPDES) permiso número WQ00145700 (EPA I.D. No TX1027248) esta pidiendo permiso para edificar una impresa (facilidad) para el tratmiento de agua sucia en la zona de inundación.

Estos son nuestros problemas: Primero, el Puente que se edifica sobre Gúm Bayou en la carretera 517 entre Dickinson y Texas City no está bastante alto. Segundo, Gum Bayou no es más que una acequia y no está bastante hondo para cargar 500,000 galones de agua sucia por día. El unico movimiento que hay en Gum Bayou es el movimiento de las mareas. Tercero, el Dickinson Bayou no está bastante hondo en frente de la vecindad. Cuarto, los niños juegan en el bayou, nuestros vecinos pescan peces y cangrejos en el bayou y se los comen. Quinto, los bayous son un santuario para lo saves y los animalitos salvajes.

No estamos contra el progreso, solo deseamos lo que es sano para nosotros y los animals salvajes. Queremos que esta planta (impresa) se edifique sobre el limite de inundación. Queremos que cambien la pipa de descargo de Gum Bayou a Dickinson Bayou (el cual es un bayou con movimiento). Queremos que haiga operadores cetificados por el Estado en la planta por 24 horas al día, 7 días a la semana. Queremos que la planta sea constuida con la capacidad de 50% sobre el mínimo y que el agua de tormentas sea dirigida fuera de la planta.

Pedimos una junta pública para discutir estos planes. Estamos pidiendo una planta segura porque la vecindad de Torpical Gardens es la vecindad más cerca al descargo, el ruido y el olor.

Sinceramente,

Mirina O'Hara
Address: 5829 Bruce Dr
DICKINSON TX 77539

that a Public Meeting be held and to please add me to your mailing list regarding this matter.

Sincerely,

Pam Williams

Name

4410 Island Dr., Dickinson, TX. 77539

Address

From: PAMELA A. WILLIAMS
P.O. Box 985
(4410 ISLAND DR)
(TROPICAL GARDENS-SUBDIVISION)
DICKINSON, TX. 77539

CELL #2814552854

MWD
46976

April 12, 2005

Office of the Chief Clerk
MC105
TCEQ
P O Box 13087
Austin, TX 78711-3087

OPA PM

MAY 16 2005

BY gr

CHIEF CLERK'S OFFICE
MAY 13 11 09 AM '05
TCEQ

RE: Permit No. WQ001450001
(EPA I. D. No. TX0127248)

Dear Chief Clerk,

This letter is being written to voice my (our) concerns regarding the above named permit number. Gum Bayou gets out of its banks several times a year with no flood prevention in place.

APPLICATION: "Marlin Atlantis White, Ltd., 13455 Noel Road, Floor 23, Dallas, TX 75240, applied to TCEQ for a Texas Pollutant Discharge Elimination System (TPDES) Permit No. listed above on October 21, 2004. This permit is to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 500,000 gallons per day. The proposed domestic wastewater treatment facility is located adjacent to Gum Bayou, approximately 2.14 miles east of State Highway 3 and 600 feet north of Farm-to-Market Road 517 in Galveston County, Texas. The discharge route is from the plant site to Gum Bayou; thence to Dickinson Bayou."

Please put my (our) name on the mailing list for this specific application. I (we) would further like to request a public meeting for comments and questions about this application.

Sincerely,

Pam Williams

I live on Dickinson Bayou,
very close (within yards) to where Gum