

H.T. Wright
County Judge
512-398-1808

Lori Rangel-Pompa
County Treasurer
512-398-1800

James E. "Sonny" Rougeou
County Auditor
512-398-1801



Caldwell County Courthouse

110 South Main Street
Lockhart, TX 78648
FAX: 512-398-1828

Tom Bonn
Commissioner, Precinct 1

Charles Bullock
Commissioner, Precinct 2

Neto Madrigal
Commissioner, Precinct 3

Joe Ivan Roland
Commissioner, Precinct 4

MWD
59667

October 17, 2007

CHIEF CLERKS OFFICE

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Office of the Chief Clerk
MC 105 TCEQ
Post Office Box 13087
Austin, TX 7871-3087

The Commissioners Court of Caldwell County strongly supports the request by the Turner Crest Village for a waste water discharge permit WQ0014831001 to be used in connection with their proposed subdivision development in Caldwell County. It is our understanding that the TCEQ Staff has preliminarily determined that the areas existing water quality uses or the environment will not be adversely impaired by this permit action.

The Turner Crest Village project, which is a proposed 5000 home gated upscale golfing community, is a significant economic development for the rural area of Caldwell County. This project when completed could double the County's tax base, increase the County's population by 40%, and serve as the economic catalyst that is so desperately need to provide growth opportunities in the County.

Your approval of the Turner Crest Permit WQ0014831001 would be greatly appreciated.

Sincerely,

H. T. Wright
County Judge

HW/mc
cc: Bob Richards

MWD

Texas Commission on Environmental Quality



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER NEW

PROPOSED PERMIT NO. WQ0014831001

APPLICATION AND PRELIMINARY DECISION. Turner Crest Village Waste Water Company, LLC, 100 East San Antonio Street, Suite 103A, San Marcos, Texas 78666, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014831001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 300,000 gallons per day. TCEQ received this application on July 2, 2007.

The facility is located approximately 3.77 miles northeast of the intersection of Highway 80 and Highway 142 and approximately 3,400 feet southeast of Highway 142 in Caldwell County, Texas. The treated effluent is discharged to an unnamed drainage channel; thence to an unnamed creek; thence to Morrison Creek; thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin. The unclassified receiving water uses are no significant aquatic life use for the unnamed drainage channel and high aquatic life use for the unnamed tributary. The designated uses for Segment No. 1808 are high aquatic life use, public water supply, and contact recreation. In accordance with §307.5 and the TCEQ implementation procedures (January 2003) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the unnamed tributary, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Texas.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name; address, phone; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

* All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 7871-3087 within 30 days from the date of newspaper publication of this notice.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our web site at www.TCEQ.state.tx.us.

Further information may also be obtained from Turner Crest Village Waste Water Company, LLC at the address stated above or by calling Mr. Kelly Kilber, P.E., Pro-Tech Engineering Group, Inc., at 512-353-3335.

Issuance Date **OCT 12 2007**