



Texas Conservation Alliance

WR
54453

2008-0495-WR

April 24, 2008

H OPA
APR 28 2008
BY BP

CHIEF CLERKS OFFICE

2008 APR 28 AM 10:19

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Ms. LaDonna Castanuela, Chief Clerk
MC 105, TCEQ
P.O. Box 13087
Austin, Texas 78711-387

RE: Consideration for a contested case hearing re Permit No. 12047

Dear Ms. Castanuela:

It has come to the attention of Texas Conservation Alliance that the Texas Commission on Environmental Quality (TCEQ) is considering holding a contested case hearing regarding the permit application to impound two reservoirs on Flat Creek, Draft Permit No. 12047. We strongly urge that the Executive Director place this issue on the Commission agenda and that he recommend to the Commissioners that a contested case hearing be granted.

Flat Creek is a beautiful navigable stream with important wildlife habitat. Inundating nearly 400 acres of the stream and its floodplain, and altering the flood flows downstream, will have significant environmental impacts, justifying a careful hearing.

Texas Conservation Alliance appreciates Mr. Shankle's consideration of this request..

Sincerely,

Janice Bezanson
Executive Director

MW

WR
54453

HR
OPA
APR 14 2008

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

BY DM

2008 APR 11 AM 10:44

RE: Draft Water Use Permit No: 12047; Grant a Contested Case Hearing **CHIEF CLERKS OFFICE**

Dear Ms. Castanuella,

Respectfully, I am writing to register my objection to TCEQ issuing the Draft Water Use Permit, No. 12047. I am also requesting that the Commissioners place this case on their agenda for consideration to grant a Contested Case Hearing on the issues.

- a large section of navigable stream will be destroyed, a part of the water commons,
- and habitat is altered, from stream to static reservoir, destroying a home for wildlife. They don't go live somewhere else, there is nowhere else to go, and
- quality and quantity of in-stream nutrient flow is altered, including silt dispersal,
- as the land becomes fragmented, forest is lost, and residential development fostered,
- bringing in pollutants to an otherwise pristine stream.

Please stop this!

Sincerely,



Guyla Bryan
706 Chimney Rock
Lufkin Tx 75904
903 588-5322

MW

WR
54453

HR
OPA
APR 08 2008
BY DM

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 APR -8 AM 8:31

CHIEF CLERKS OFFICE

LaDonna Castanuele, Chief Clerk
MC 105, TCEQ
P.O. Box 13087
Austin, Texas 78711-387

2008-0495-WR

RE: Draft Water Use Permit No: 12047; Grant a Contested Case Hearing

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Sincerely,

Annette Dawson
2926 Dogwood
Nacogdoches, TX 75965

MW

EUGENE M. DECKER, III
P.O. Box 1307
Jacksonville, Texas 75766

April 28, 2008

WR
54453

OPA

H APR 29 2008

BY *BP*

Ms. LaDonna Castanuela, Chief Clerk
MC 105, TCEQ
Austin, Texas
Fax: 512 239-3311

Dear Ms. Castanuela:

I am writing to express my strong opposition to Draft Permit Application 12047, which would permit the construction of two dams and two reservoirs on Flat Creek. Flat Creek is a major feed into the Neches River, the health of which is of prime concern to the majority of East Texans. I am also requesting a Contested Case Hearing on this permit.

I am not a tree-hugging environmentalist. My family has been in the timber business for more than a century, and I am in sympathy with the responsible use of natural resources for profit. However, at time when the United States is importing most of its food, and at a time when the world is running short of food, water, and natural habitats, granting this permit seems most unwise. We would be compromising our future national security still further.

Thank you for your consideration.

Yours truly,

Eugene M. Decker

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 APR 28 PM 12:00
CHIEF CLERKS OFFICE

mw

FRIENDS
OF THE
NECHES
RIVER



Conserving, Protecting & Restoring
Texas' Last Wild & Scenic River

WB
54453

H OPA
APR 30 2008
BY BP

2008 APR 30 AM 9:52
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

April 28, 2008

Ms. LaDonna Castanuela, Chief Clerk
MC 105, TCEQ
Austin, Texas 78711-387
Fax Number 512/239-3311

Re: OPPOSITION TO DRAFT PERMIT APPLICATION NUMBER 12047

Dear Ms. Castanuela:

The Friends of the Neches River wishes to express strong opposition to *Draft Permit Application Number 12047*, by which HRC Cherokee Tree Farm seeks to build two dams and two reservoirs on Flat Creek here in Cherokee County.

Furthermore, the Friends of the Neches River urges TCEQ Executive Director Shankle (1) to place *Draft Permit Application Number 12047* on the Commission agenda and (2) to recommend to the Commissioners that they grant a contested case hearing regarding this permit.

The Friends of the Neches River is a bi-partisan non-profit organization dedicated to the preservation of the Neches, which is Texas' last wild and scenic river. Flat Creek dams and reservoirs will pose additional threats to the River's viability, and to the unique plant and wildlife (including the Big Thicket) that the River nourishes.

Thank you.

Sincerely,

Mary C. Decker
Mary C. Decker, Co-chair
Friends of the Neches River

This letter faxed on 4/28/08

MW



Conserving, Protecting & Restoring Texas' Last Wild & Scenic River

WR
54453

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OPA

APR 29 2008

BY BP

April 28, 2008

Ms. LaDonna Castanuela, Chief Clerk
MC 105, TCEQ
Austin, Texas 78711-387
Fax Number 512/239-3311

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Thank you

Sincerely,

Mary C. Decker
Mary C. Decker, Co-chair
Friends of the Neches River

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 APR 29 12:06
CIVIL RIGHTS OFFICE

MW

WR
54453

HR
OPA

APR 14 2008

BY DM

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 APR 11 AM 10:44

CHIEF CLERKS OFFICE

RE: Draft Water Use Permit No: 12047; Grant a Contested Case Hearing

Dear Ms. Castanuella,

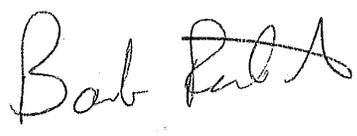
2008-0495-WR

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- as the land becomes fragmented, forest is lost, and residential development fostered,
- bringing in pollutants to an otherwise pristine stream.

Please stop this!

Sincerely,



Barbara Richert
706 Chimney Rock
Lufkin Tx 75904
903 588-5322

MW

OPA *H PM*

OCT 26 2006

22 October 2006

Office of the Chief Clerk
MC 105, TCEQ
P.O. Box 13087
Austin, TX 78711-387

BY *[Signature]*

RE: APPLICATION No. 12047; from applicant
HRC Cherokee Tree Farm, LP

*WR
34453*

CHIEF CLERK
TCEQ
AUSTIN, TEXAS
78711-3877

Dear Sir:

I am writing to register my opposition to approval of application No. 12047 from HRC Cherokee Tree Farm for a Water Use Permit to authorize construction and maintenance of two (2) dams and reservoirs impounding a combined total of 3,849.5 acre-feet of water, having a combined surface area of 385 acres on Flat Creek, Neches River Basin, for in-place recreational purposes in Cherokee County.

Herewith, I request a 1) Contested Case Hearing, and 2) a Public Meeting.

I will be adversely affected by approval of the application because any diminished free-flow of surface water from a creek to the main Neches River channel, historically already devastatingly allowed, diminishes wildlife and degrades the river channel, and will ultimately undermine and depreciate my livelihood.

I am directly affected, though I live downstream relative to the proposed activity. My work and business is primarily on the Upper Neches River to which Flat Creek is a significant tributary stream. I am dependant on the free-flow of all creeks and resultant flow of Neches River water, as I photograph the riverine habitat, bottomland hardwoods, wildlife, and guide recreational users on this segment of the River.

COMMENT: Over the years as creeks have been indiscriminately dammed, the Neches River has experienced a commensurate reduction in the free-flow of water, particularly during periods of reduced rain and drought. The old-timers of the Neches River valley will tell us, and I have observed, when tributary creeks are dammed wildlife presence on the river and fishing success is reduced and the river channel degraded. The latter is noted, in part, with resultant smaller sandbars or complete loss of them downstream at the mouth of creeks, There is an ominous trend as the surface water commons is increasingly sequestered for private use or gain, which currently may be especially detrimental in absence of the pending report on in-stream water flow needed for adequate support of nature.

Sincerely,

[Signature of Adrian F. Van Dellen]

Adrian F. Van Dellen, DVM

48 Campers Cove Rd.
Woodville, TX 75979

Home phone: 409-429-5893