

August 4, 2008

Ms. LaDonna Castanuela
Chief Clerk
TCEQ, MC 105
P. O. Box 13087
Austin, TX 78711-3087

MWD
58720

OPA
RFR AUG 06 2008
BY EB

CHIEF CLERKS OFFICE

2008 AUG - 6 AM 10: 41

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Re: LCS Corrections Services, Inc. - Proposed Permit No. WQ001/4802001
Nueces County, Texas

Dear Ms. Castanuela:

I have received your letter dated July 29, 2008 pertaining to the Decision of the Executive Director related to the above captioned permit.

The purpose of this letter is to respond to a request for reconsideration of the executive director's decision as is provided for in your letter.

Since my last correspondence to your office, Winding Brook Corporation has conveyed the property they owned in its entirety to a new ownership, Midnight Sun, Inc. VI. The deed conveyance was filed in the Nueces County deed records as file #2008020030 on July 2, 2008. The new property owner, Midnight Sun, Inc. VI, desires to continue the process of reconsideration of the permit as originally filed by Winding Brook Corp.

First we appreciate the consideration that has been provided by the TCEQ in this matter; however, we still feel that the two issues of concern for the Midnight Sun, Inc. VI property have not been addressed in the permitting/study process.

As indicated in previous correspondence the concerns are two fold:

- (1) During periods of heavy rainfall, Petronilla Creek overflows its boundaries and the addition of the wastewater from the discharge will increase the flooding of the Midnight Sun property and add to the damage of the property and any crops that may be growing.
- (2) The wastewater from the discharge may have possible long term adverse effects on the soil of this farm, decreasing the productivity of the farming capabilities and adversely affect the value of the farm property. While the permit study appears to have addressed some issues related to aquatic life, livestock or domestic animals and human health, we do not find where any study has been completed that addresses the effect of the wastewater and long term soil productivity.

MICHAEL M. BAUMANN & CO.

AGRICULTURAL
REAL ESTATE BROKERAGE-ASSET MANAGEMENT

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KERRVILLE, TX 78028

www.mmbaumannco.com
Mike Baumann mbaumann@kfc.com
Kyle Kleypas kkleypas@kfc.com
Richard J. Schnelder III schnelder.rich@gmail.com

830-257-7373
FAX 830-257-7353

BG

In summary, Midnight Sun is of the opinion that the ability to maintain the current productivity of the farming operation and ultimately the value of the property may be adversely affected if the wastewater permit is approved.

Please continue to provide me with all information and maps that may be pertinent to the application and the concerns addressed above. If possible, please e-mail to me at: mbaumann@ktc.com or if e-mail is not possible to the postal address indicated on my letterhead.

If you have any questions or need additional information, or if there are any public meetings related to this permit, please contact me so the concerns of Midnight Sun, Inc. VI, may be more fully addressed.

Sincerely,



Michael M. Baumann
Property Manager - Midnight Sun, Inc. VI

cc George Schwab sent via fax
 Tracy Robertson sent via fax

June 22, 2007

OPA

2007 AUG -7 PM 2:28

AUG 07 2007

CHIEF CLERK'S OFFICE

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

BY _____



Re: Notice of Receipt of Application and Intent to Obtain Water Quality
Permit - Proposed Permit No. WQ00114802001

Dear Sirs:

The above described notice has been received by Winding Brook Corporation (copy attached), who is the owner of a 2,917 acre tract which appears to be in close proximity to the tract which is being considered for the Water Quality Permit. A topographic map of the Winding Brook Corporation property is attached. The property is outlined in "red".

Winding Brook Corporation is concerned of the possible adverse effects this discharge may have on its property and the farming operation, since the Winding Brook Corporation property adjoins Petronilla Creek for a considerable distance.

As you are probably aware, Petronilla Creek frequently overflows its natural boundaries during periods of heavy rainfall and the added wastewater from this discharge will add to the potential damage to the property. Winding Brook Corporation is also concerned as to the nature of the quality of water being discharged and the possible harmful effects it could have on crops and the productivity of the land.

Please provide me with all information and maps that may be pertinent to the application and the concerns addressed above. If possible, please e-mail to me at: mbaumann@ktc.com or if e-mail is not possible to the postal address indicated on my letterhead.

Winding Brook Corporation would appreciate the consideration of the TCEQ as related to the above matters and would request that the permit for this facility be reviewed as to the matters indicated in this correspondence.

If you have any questions or need additional information, or if there are any public meetings related to this permit, please contact me so the concerns of Winding Brook Corporation may be more fully addressed.

MICHAEL M. BAUMANN & CO.

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830-257-7373
FAX 830-257-7353

MW

Sincerely,

Michael M. Baumann
Property Manager - Winding Brook Corporation

cc George Schwab sent via fax
 Tracy Robertson sent via fax

JUN 25 AM 10:04

June 22, 2007

OPA

CHIEF CLERKS OFFICE

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

JUN 26 2007

BY *al*

MWD
58720

Re: Notice of Receipt of Application and Intent to Obtain Water Quality
Permit – Proposed Permit No. WQ0014802001

Dear Sirs:

The above described notice has been received by Winding Brook Corporation (copy attached), who is the owner of a 2,917 acre tract which appears to be in close proximity to the tract which is being considered for the Water Quality Permit. A topographic map of the Winding Brook Corporation property is attached. The property is outlined in "red".

Winding Brook Corporation is concerned of the possible adverse effects this discharge may have on its property and the farming operation, since the Winding Brook Corporation property adjoins Petronilla Creek for a considerable distance.

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Please provide me with all information and maps that may be pertinent to the application and the concerns addressed above. If possible, please e-mail to me at: mbaumann@ktc.com or if e-mail is not possible to the postal address indicated on my letterhead.

Winding Brook Corporation would appreciate the consideration of the TCEQ as related to the above matters and would request that the permit for this facility be reviewed as to the matters indicated in this correspondence.

If you have any questions or need additional information, or if there are any public meetings related to this permit, please contact me so the concerns of Winding Brook Corporation may be more fully addressed.

MICHAEL M. BAUMANN & CO.

AGRICULTURAL

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www.mmbaumannco.com
Mike Baumann mbaumann@ktc.com
Kyle Kleypas kkleypas@ktc.com

830-257-7373
FAX 830-257-7353

Sincerely,

A handwritten signature in black ink, appearing to read "Michael M. Baumann", with a horizontal line extending from the end of the name.

Michael M. Baumann
Property Manager - Winding Brook Corporation

cc George Schwab sent via fax
 Tracy Robertson sent via fax

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

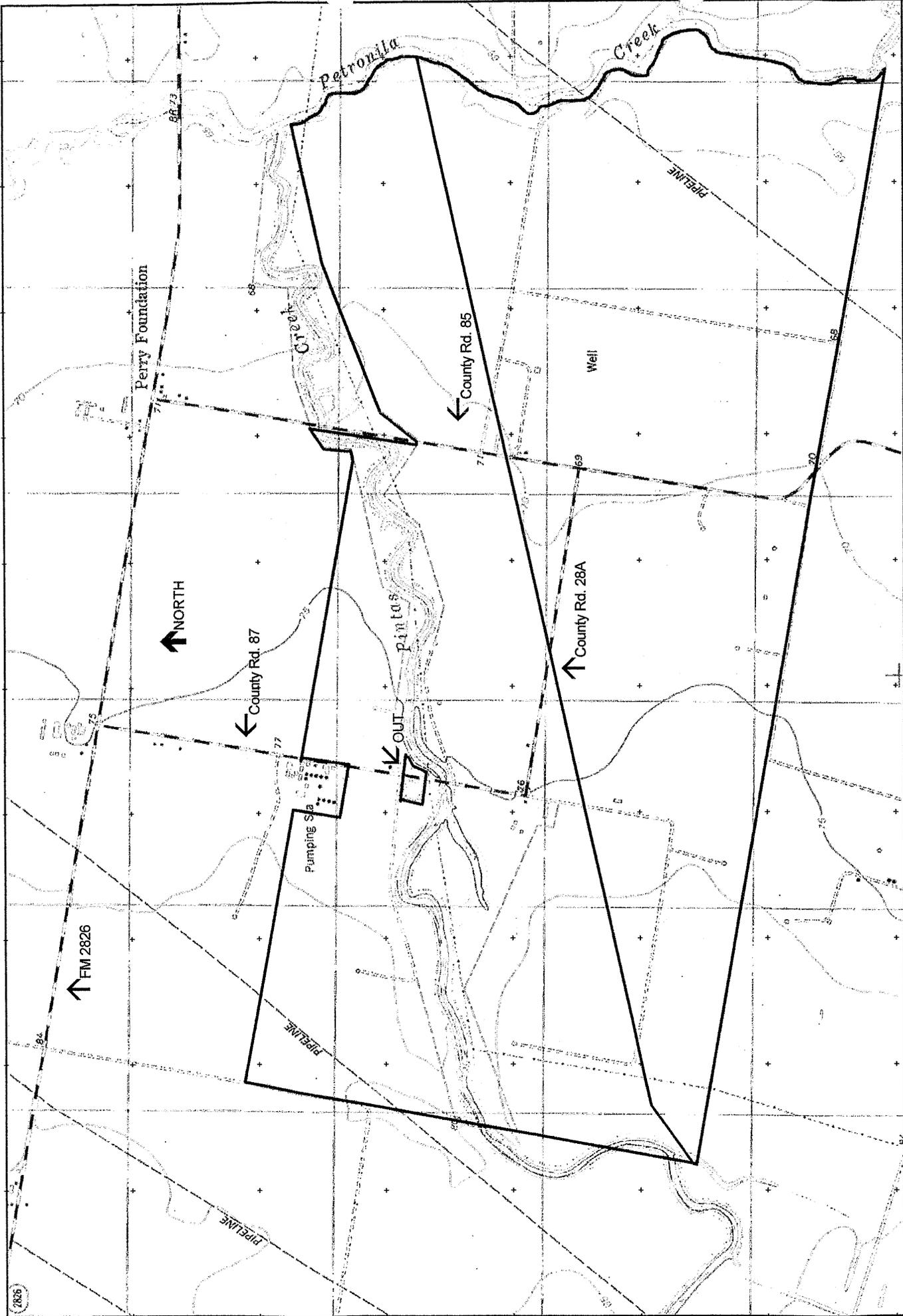
PROPOSED PERMIT NO. WQ0014802001

APPLICATION. LCS Corrections Services, Inc., 147 Easy Street, Lafayette, Louisiana, 70506, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014802001 (EPA I.D. No. TX0129607) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 150,000 gallons per day. The domestic wastewater treatment facility is located at 4909 Farm-to-Market Road 2826, approximately 470 feet west of the centerline of County Road 81 in the southwest quadrant of the intersection of County Road 81 and Farm-to-Market Road 2826, southwest of the City of Robstown in Nueces County, Texas. The discharge route is from the plant site via pipe to a drainage ditch; thence to Petronila Creek. TCEQ received this application on May 3, 2007. The permit application is available for viewing and copying at TCEQ Region 14 Office, 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas.

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold 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, and the Executive Director's decision on the application, 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 reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.



Name: DRISCOLL WEST
 Date: 2/11/100
 Scale: 1 inch equals 2000 feet

Location: 027° 43' 39.2" N 097° 47' 26.7" W
 Caption: WBC 70 - Perry Farm
 Triple T Farms and Cattle Company
 Nueces County, Texas