R&R
RUSSELL & RODRIGUEZ, L.L.P.
ATTORNEYS AT LAW

1633 WILLIAMS DRIVE
BUILDING 2, SUITE 200
GEORGETOWN, TEXAS 78628

PHONE (512) 930-1317
FAX (866) 929-1641
WWW.TXADMINLAW.COM

Email: arodriguez@txadminlaw.com

July 27, 2009

DIS
68764

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2009 AUG 10 AM 10: 31
CHIEF CLERKS OFFICE

Via Facsimile and U.S. First Class Mail

Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: *Petition from Lavon 593 Land Investment Partners, L.P. for Creation of Collin County Water Control and Improvement District No. 3*

To Whom It May Concern:

The City of Wylie, Texas ("City") is in receipt of the notification of the above-referenced application and requests a hearing on the application. This law firm represents the City in regard to the above referenced matter. In compliance with the notice, the City makes the following statements:

1. The City of Wylie may be notified of any developments in this case by providing notice to:

   Arturo D. Rodriguez, Jr.
   Russell & Rodriguez, L.L.P.
   1633 Williams Drive
   Building 2, Suite 200
   Georgetown, Texas 78628
   (512) 930-1317

2. Applicant information: *Petition from Lavon 593 Land Investment Partners, L.P. for Creation of Collin County Water Control and Improvement District No. 3.* The TCEQ Control Number is 11032008—D01.

3. The City requests a contested case hearing on the application.

MW

4. The City is adversely affected because the petition is seeking to create a water control and improvement district within a portion of the City's extraterritorial jurisdiction ("ETJ") and the City does not consent to its creation. The City maintains a water and sewer utility. The City's utility has the reasonable ability to serve the property within the proposed district.

   The proposed district may construct a wastewater treatment facility adjacent to the lake and this is contrary to the Commission's long standing efforts for regionalization. There is currently an existing plant owned and operated by the North Texas Municipal Water District, a recognized regional provider that can be utilized for wastewater treatment.

   The City does not believe that an adequate investigation and evaluation of the availability of comparable services from other providers or systems, including regional utility providers, has been conducted prior to seeking the creation of the proposed district.

   Additionally, the City is concerned that the proposed district will have a negative impact on water quality. The City has not determined if there is a complete justification for creation of the proposed district with sufficient evidence that the project is feasible, practicable, necessary, will benefit all of the land and its residents, and will further the public welfare. The land is located within a desirable area of the county with lakefront or near lakefront property. The City is interested in ensuring that the proposed project can meet these stringent requirements.

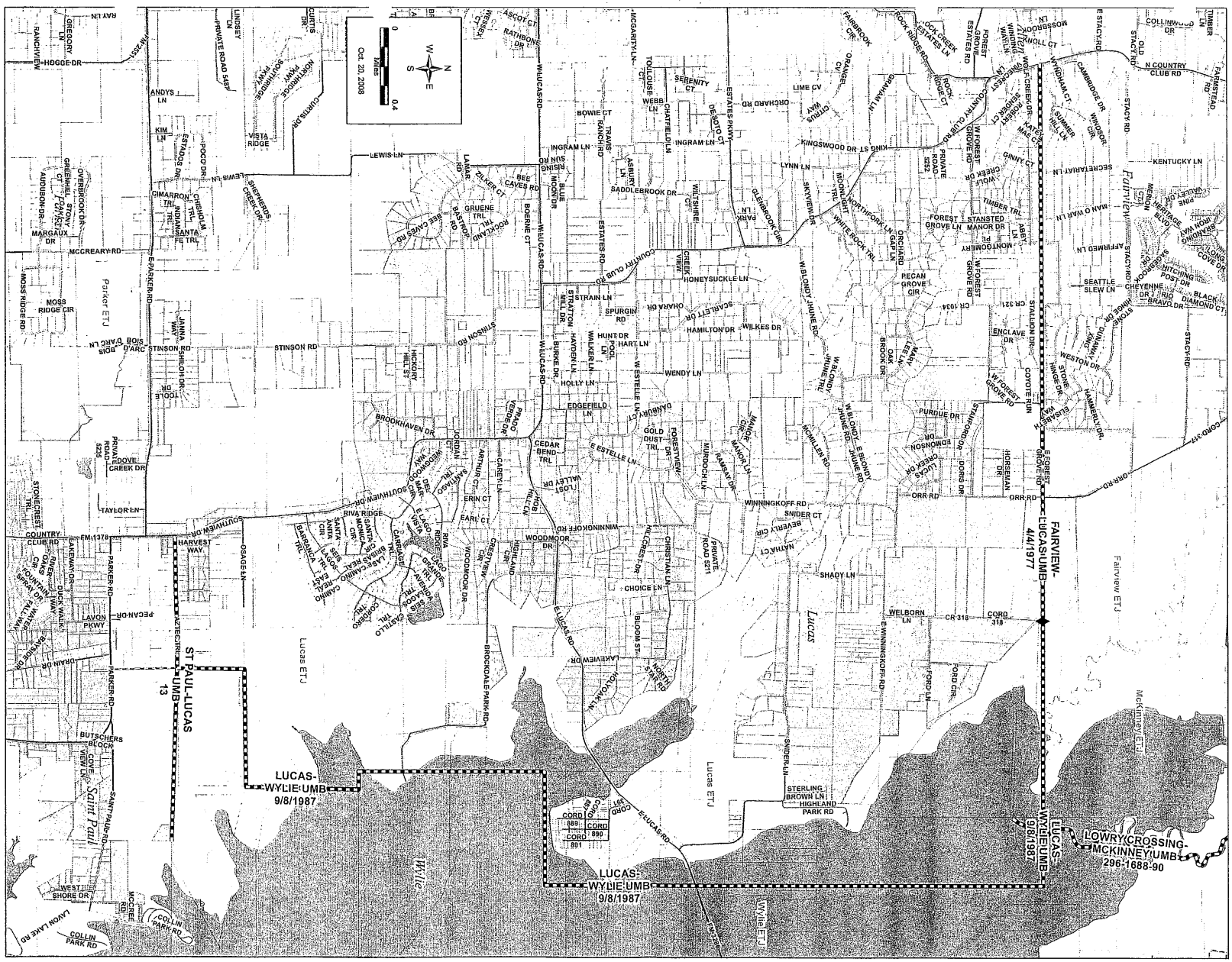
5. The proposed district boundaries are located within the City's ETJ. A map showing the extent of the City's ETJ boundaries is attached hereto as Exhibit A.

Thank you for your attention to this matter.

Sincerely,

Arturo D. Rodriguez, Jr.

cc: Ms. Mindy Manson
Mr. Michael Sferra



Oct. 20, 2008
Miles
0
0.4
N
S
E
W
FAIRVIEW-LUCAS UMB
4/4/1977
LUCAS-WYLIE UMB
9/8/1987
ST PAUL-LUCAS UMB
13
LOWRY CROSSING-MCKINNEY UMB
296-1688-90
Fairview
Lucas
Wylie
Saint Paul
Parker ETJ
Lucas ETJ
Fairview ETJ
McKinney ETJ
Wylie ETJ

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2009 AUG 10 AM 10: 31

CHIEF CLERKS OFFICE

PITNEY BOWES
$ 001.05⁰
0003826696 JUL 27 2009
MAILED FROM ZIP CODE 78628

RECEIVED

AUG 10 2009

TCEQ MAIL CENTER
JR

R&R

RUSSELL & RODRIGUEZ, L.L.P.
ATTORNEYS AT LAW
1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628

TO:

Office of the Chief Clerk
MC-105
Texas Commission on Environmental Quality
Post Office Box 13085
Austin, Texas 787 11-3085