

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 31, 2016

TO: Persons on the Attached Mailing List

**RE: Docket No. 2016-1402-MWD
633-4S Ranch, Ltd. / Stahl Lane, Ltd.
Request(s) filed on Permit No. WQ0015095001**

The above-referenced application and all timely filed hearing requests/requests for reconsideration on the above-referenced application will be considered by the commissioners of the Texas Commission on Environmental Quality (TCEQ) during the public meeting on **October 5, 2016**. The meeting will begin at 9:30 a.m. in Room 201S of Building E, at the commission's offices located at 12100 Park 35 Circle in Austin, Texas.

In accordance with commission rules, copies of the timely hearing requests/requests for reconsideration have been forwarded to the applicant, the Executive Director of the TCEQ, and the Public Interest Counsel of the TCEQ. Each of these persons is entitled to file a formal written response to the hearing requests/requests for reconsideration on or before 5:00 p.m. on **September 12, 2016**. Persons who have filed timely hearing requests/requests for reconsideration may file a formal written reply to these responses on or before 5:00 p.m. on **September 26, 2016**.

All responses and replies must be filed with the Chief Clerk of the TCEQ. Responses and replies may be filed with the Chief Clerk electronically at <http://www.tceq.texas.gov/goto/eFilings> or by filing an original and 7 copies with the Chief Clerk of the TCEQ. The mailing address of the Chief Clerk is: Office of Chief Clerk, ATTN: Agenda Docket Clerk, Mail Code 105, TCEQ, P. O. Box 13087, Austin, Texas 78711-3087 [Fax number (512) 239-3311]. On the same day any response is transmitted to the Chief Clerk, a copy must also be sent to the Executive Director, the Public Interest Counsel, the Applicant and the requesters at their addresses listed on the attached mailing list. On the same day any reply is transmitted to the Chief Clerk, a copy must also be sent to the Executive Director, the Public Interest Counsel, and other requesters and the applicant at their addresses listed on the attached mailing list.

The procedures for evaluating hearing requests/requests for reconsideration are located in 30 Texas Administrative Code (TAC) Chapter 55, Subchapter F (§§55.200-211) of the commission's rules. The procedures for filing and serving responses and replies are located in 30 TAC Chapters 1 (§§1.10-11) and 55 (§55.209) of the commission's rules.

The hardcopy filing requirement is waived by the General Counsel pursuant to 30 TAC §1.10(h). Copies of these rules may be obtained by calling the Public Education Program toll free at 1-800-687-4040.

The commissioners will not take oral argument or additional comment on this matter at the public meeting. Therefore, it is important to address the sufficiency of the requests in timely filed written responses and requesters' replies. At the public meeting, the commissioners may ask questions of the applicant, requesters, or TCEQ staff. The commissioners will make a decision on the request(s) during the meeting and will base that decision on the timely written requests, public comments, any written responses and replies, any responses to questions during the meeting, and applicable statutes and rules. Copies of all timely public comments and requests have been forwarded to the Office of Alternative Dispute Resolution to determine if informal, voluntary mediation might help resolve any dispute.

The attachment to this letter is intended to help you better understand how the TCEQ processes and evaluates hearing requests and requests for reconsideration. To obtain additional information, or to ask questions about anything in this letter, please call the Public Education Program toll free at 1-800-687-4040.

Sincerely,

A handwritten signature in cursive script that reads "Bridget C. Bohac".

Bridget C. Bohac
Chief Clerk

Enclosures: Copies of protestant correspondence to Applicant, Executive Director, Office of Public Interest Counsel, and Alternative Dispute Resolution.

ATTACHMENT

Procedures Concerning Requests for Reconsideration and Requests for Contested Case Hearing

The purpose of this document is to describe commission procedures for evaluating requests for reconsideration and requests for contested case hearing. This document is not intended to be a comprehensive guide to public participation at the TCEQ.

The three commissioners determine the validity of requests for reconsideration and requests for contested case hearing and vote to grant or deny the requests during a public meeting. These public meetings are usually held every other Wednesday in Austin. Prior to the meeting, the following occurs:

- (1) the written requests are distributed to the executive director, the public interest counsel, and the applicant. These persons may file a response at least 23 days before the meeting;
- (2) the requester may then file a reply to the responses at least 9 days before the meeting. This is the requester's opportunity to address any deficiencies in the request that have been identified by TCEQ staff or the applicant. The requester must submit any information he or she wishes the commissioners to consider (ex: maps or diagrams showing requester's location relative to the applicant's proposed activities) by this deadline; and
- (3) the commissioners read the requests, the responses to requests, and the replies, before the public meeting. Then, during the public meeting, the commissioners vote to grant or deny the requests.

Requests for Reconsideration

A request for reconsideration must expressly state that the person is requesting that the commission reconsider the executive director's decision and state the reasons why the commission should reconsider the executive director's decision. The commission will consider a request for reconsideration at a scheduled public meeting and grant or deny the request.

Requests for Contested Case Hearing

A contested case hearing is an evidentiary proceeding, similar to a hearing in civil court. The law allows for holding a contested case hearing on certain types of applications.

A valid request for a contested case hearing must:

- (1) demonstrate that the requester is an "affected person" with a "personal justiciable interest" related to a legal right, duty, privilege, power or economic interest which would be affected by the application in a manner not common to the general public;

- (2) if the request is made by a group or association, identify one or more members who have standing to request a hearing, and the interests the group or association seeks to protect;
- (3) expressly request a contested case hearing;
- (4) raise disputed issues of fact that are relevant and material to the commission's decision on the application which were raised during the comment period and not withdrawn prior to the filing of the Executive Director's Response to Comment; and
- (5) include any other information as specified in public notices.

The commission is authorized to protect human health and safety, and natural resources. The commission cannot address other matters outside the commission's authority, such as the effect of the existence of a proposed facility on nearby property values.

When the commissioners deny hearing requests, they often proceed to vote on approval or denial of the application. Alternatively, they may remand the application to the executive director for final action. If a hearing request is granted and the application is referred to the State Office of Administrative Hearings (SOAH), the commissioners will specify a list of issues which will be the subject of the hearing and an expected date for the SOAH judge's proposal for decision. The SOAH judge will conduct the hearing and submit a proposal to the commission to approve or deny the application.

The Alternative Dispute Resolution Office may contact requesters to determine their interest in informal discussions with the permit applicant and a mediator.

By necessity this document gives a very general description of commission procedures. If you have any questions, please call the Public Education Program toll free at 1-800-687-4040.

MAILING LIST
633-4S RANCH, LTD. / STAHL LANE, LTD.
DOCKET NO. 2016-1402-MWD; PERMIT NO. WQ0015095001

FOR THE APPLICANT:

Andrew Barrett
Andy Barrett & Associates, PLLC
3300 Bee Cave Road
Suite 650, Number 189
Austin, Texas 78746
Tel: (512) 600-3800

Kenneth P. Wolf
633-4S Ranch, Ltd.
1826 North Loop 1604 West
Suite 250
San Antonio, Texas 78248-4531
Tel: (210) 524-4000
Fax: (210) 524-4029

Bonnie Billquist
South Texas Wastewater Treatment
P.O. Box 1284
Boerne, Texas 78006-1284
Tel (830) 249-8098
Fax: (830) 249-4791

Oscar D. Graham, P.E.
South Texas Wastewater Treatment
P.O. Box 1284
Boerne, Texas 78006-1284
Tel (210) 317-1293
Fax: (830) 249-4791

FOR THE EXECUTIVE DIRECTOR
via electronic mail:

Kathy Humphreys, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Hollis Henley, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

John O. Onyenobi, Technical Staff
Texas Commission on Environmental
Quality
Water Quality Division, MC-148
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6707
Fax: (512) 239-4430

Brian Christian, Director
Texas Commission on Environmental
Quality
Environmental Assistance Division
Public Education Program, MC-108
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4000
Fax: (512) 239-5678

FOR PUBLIC INTEREST COUNSEL

via electronic mail:

Vic McWherter, Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6363
Fax: (512) 239-6377

**FOR ALTERNATIVE DISPUTE
RESOLUTION**

via electronic mail:

Kyle Lucas
Texas Commission on Environmental
Quality
Alternative Dispute Resolution, MC-222
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4010
Fax: (512) 239-4015

FOR THE CHIEF CLERK:

Bridget C. Bohac
Texas Commission on Environmental
Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311

**REQUESTER(S)/INTERESTED
PERSON(S):**

See attached list.

REQUESTER(S)

Mrs Maranda Alexandre
30812 Sunlight Dr
Bulverde, TX 78163-2771

Eric Allmon
Frederick Perales Allmon & Rockwell Pc
707 Rio Grande St Ste 200
Austin, TX 78701-2733

Kenneth & Leslie Brothers
30803 Sunlight Dr
Bulverde, TX 78163-2772

Erin P Cantu
2595 Casey Rd
Bulverde, TX 78163-1842

Carl F Chapman
30809 Sunlight Dr
Bulverde, TX 78163-2772

Yvonne L Chapman
30809 Sunlight Dr
Bulverde, TX 78163-2772

Mr William C Coe
31434 Sunlight Dr
Bulverde, TX 78163-2786

Judith Dunn
24335 Cibolo Vw
San Antonio, TX 78266-1790

Janice Fishlock
5020 Hawk Eye Dr
Bulverde, TX 78163-2246

Michael Heersche
5188 Meadow Lark Dr
Bulverde, TX 78163-2310

Jeanne Howe
30722 Onion Crk
Bulverde, TX 78163-2723

Melissa Laster
4845 Spreading Oak Dr
Bulverde, TX 78163-2764

Mr Michael L Maurer Sr
Po Box 700606
San Antonio, TX 78270-0606

Theresa Mcclung
30584 Onion Crk
Bulverde, TX 78163-2718

Alan Montemayor
2186 Jackson Keller Rd Ste 432
San Antonio, TX 78213-2723

Sonia L Moore
31109 Smithson Valley Rd
Bulverde, TX 78163-2753

David S Moulton
Po Box 103
Hondo, TX 78861-0103

Gregory Pasztor
Bexar Audubon Society
Po Box 6084
San Antonio, TX 78209-0084

Annalisa Peace
Greater Edwards Aquifer Alliance
Po Box 15618
San Antonio, TX 78212-8818

Sara Ranzau
325 N Plant Ave
Boerne, TX 78006-1730

Gary Rose
1620 Grand Avenue Pkwy Ste 140
Pflugerville, TX 78660-2185

Miss Nancy Sandoval
1931 Silver Mtn
San Antonio, TX 78264-3730

Emily Sauls
5374 Fallen Oak Dr
Bulverde, TX 78163-2304

Caryl Swann
16546 Hunting Glen St
San Antonio, TX 78247-1130

Cheryl Watson
Po Box 184
Bulverde, TX 78163-0184

Francesca Watson
7264 Circle Oak Dr
Bulverde, TX 78163-2433

Mr Benjamin Youngblood Iii
8207 Callaghan Rd Ste 100
San Antonio, TX 78230-4736

Bill & Stephanie Clark
Po Box 591012
San Antonio, TX 78259-0100

INTERESTED PERSON(S)

Bob Barton
2962 Barton Hill Dr
Bulverde, TX 78163-4608

Gloria Bauernfeind
5241 Hawk Eye Dr
Bulverde, TX 78163-2251

Kirsten Bequette
6907 Circle Oak Dr
Bulverde, TX 78163-2235

Robert I Boyd Jr
4620 Blue Skies Dr
Bulverde, TX 78163-2700

CONNIE HILBURN & JACK BRINKS
31151 Smithson Valley Rd
Bulverde, TX 78163-2753

Mr Chris Brodeur
30670 Smithson Valley Rd
Bulverde, TX 78163-2750

Barbara Brodeur-Straughn
30650 Smithson Valley Rd
Bulverde, TX 78163-2750

Marilee Brown
30219 Twin Ridge Dr
Bulverde, TX 78163-2405

Brian P Burke
4967 Hawk Eye Dr
Bulverde, TX 78163-2245

Dennis G Burrer
5578 Circle Oak Dr
Bulverde, TX 78163-2206

Kimberly Butler
440 Old Boerne Rd
Bulverde, TX 78163-3285

Hilda Cassady
5229 Whitewing Dr
Bulverde, TX 78163-2263

Virginia Jean Cole
6650 Circle Oak Dr
Bulverde, TX 78163-2336

James K Crowder
30748 Olympus
Bulverde, TX 78163-2733

Georgie Cunningham
4614 Blue Skies Dr
Bulverde, TX 78163-2700

Joel Cunningham
6408 Circle Oak Dr
Bulverde, TX 78163-2332

Patrick Cunningham
4614 Blue Skies Dr
Bulverde, TX 78163-2700

Brenda Davis
5470 Meadow Lark Dr
Bulverde, TX 78163-2316

Jennifer Elmendorf-Lehman
31125 Sunlight Dr
Bulverde, TX 78163-2781

Glenn & Laine Fichter
7250 Circle Oak Dr
Bulverde, TX 78163-2433

Carol Fisher
1809 Blanco Rd
San Antonio, TX 78212-2616

Carol Fisher
Po Box 15618
San Antonio, TX 78212-8818

Donald & Janice Fishlock
5020 Hawk Eye Dr
Bulverde, TX 78163-2246

Ernest & Melanie Fishlock
5020 Hawk Eye Dr
Bulverde, TX 78163-2246

Fred H Fuller
30019 Twin Ridge Dr
Bulverde, TX 78163-2401

James Garvin Iii
Po Box 4188
Cedar Park, TX 78630-4188

Jennifer M Geddie
5301 Fm 1863
Bulverde, TX 78163-2409

Mr Tom Gidley
4437 Fm 1863
Bulverde, TX 78163-2438

Mrs Carolina V Gordon
5257 Meadow Lark Dr
Bulverde, TX 78163-2313

P Graham
18645 State Highway 239 W
Kenedy, TX 78119-4739

Mr Terrell Graham
Big Compass Corp
7527 County Road 160
Kenedy, TX 78119-5370

Mr Henry Grothues
5435 Circle Oak Dr
Bulverde, TX 78163-2205

Drew Hall
1144 Cypress Pass Rd
Spring Branch, TX 78070-5505

Mr Gary Wayne Hall
30149 Twin Ridge Dr
Bulverde, TX 78163-2403

Gary & Nancy Hall
30149 Twin Ridge Dr
Bulverde, TX 78163-2403

Nancy Hall
30149 Twin Ridge Dr
Bulverde, TX 78163-2403

Terri Hall
Texans Untiing For Reform And Freedom
(Texas Turf)
Po Box 29254
San Antonio, TX 78229-0254

G O & Patricia Haney
5160 Fm 1863
Bulverde, TX 78163-2414

Patricia A Haney
5160 Fm 1863
Bulverde, TX 78163-2414

Dolores & Michael Heersche
5188 Meadow Lark Dr
Bulverde, TX 78163-2310

Kathy & Tony Hojnacki
30657 Blue Martin
Bulverde, TX 78163-2292

Brad Holt
560 Oak Cir
Spring Branch, TX 78070-3312

Sabrina A Houser-Amaya
Dry Comal Creek Vineyards
1741 Herbelin Rd
New Braunfels, TX 78132-1838

Mr Donald K Howard Jr
30390 Olympus
Bulverde, TX 78163-2725

Cynthia Johnson
30109 Twin Ridge Dr
Bulverde, TX 78163-2403

Ann Kainer
4509 Evening Star Dr
Bulverde, TX 78163-2709

Carol Keith
5577 Circle Oak Dr
Bulverde, TX 78163-2207

Richard Keith
5577 Circle Oak Dr
Bulverde, TX 78163-2207

Brian P Kennedy
30110 Running Deer Dr
Bulverde, TX 78163-2216

Mrs Diane Kirby
6064 Circle Oak Dr
Bulverde, TX 78163-2324

John A Kirby
6664 Circle Oak Dr
Bulverde, TX 78163-2336

Kelly Knight
4527 Evening Star Dr
Bulverde, TX 78163-2709

Clifford Kotara
31505 Falling Shadows Dr
Bulverde, TX 78163-2715

Bill Krawietz
Mayor
Po Box 145
Bulverde, TX 78163-0145

Andra & John Lang
5043 Hawk Eye Dr
Bulverde, TX 78163-2247

Deborah Leas
5023 Hawk Eye Dr
Bulverde, TX 78163-2247

Mr Rodney W Leas
5023 Hawk Eye Dr
Bulverde, TX 78163-2247

Christine Lively
30822 Blueberry Ridge Dr
Bulverde, TX 78163-2214

Mr Jay D Lord
30860 Setting Sun Dr
Bulverde, TX 78163-2737

Josie Lord
30860 Setting Sun Dr
Bulverde, TX 78163-2737

Manuel James Maldonado
4852 Spreading Oak Dr
Bulverde, TX 78163-2763

Dr. Ralph D Mann
31317 Falling Shadows Dr
Bulverde, TX 78163-2795

Roseann Maurer
16901 Highway 46 W
Ofc Smithson
Spring Branch, TX 78070-7088

Tessye Maurer
17055 Highway 46 W
Spring Branch, TX 78070-7085

Douglas A Mcdougall
4883 Spreading Oak Dr
Bulverde, TX 78163-2764

Luana Merlino
31019 Sunlight Dr
Bulverde, TX 78163-2778

Georgia P Miller
30906 Sunlight Dr
Bulverde, TX 78163-2797

John Miller
30906 Sunlight Dr
Bulverde, TX 78163-2797

Scott & Weslea Miller
5345 Hawk Eye Dr
Bulverde, TX 78163-2253

Weslea Miller
5345 Hawk Eye Dr
Bulverde, TX 78163-2253

Janet Mitchell
5322 Prancing Deer Dr
Bulverde, TX 78163-2424

Terrilyn Elizabeth Molina
4511 Evening Shadows Dr
Bulverde, TX 78163-2705

Mr Albert Mote
6122 Circle Oak Dr
Bulverde, TX 78163-2326

Dr. Marcus A Murphy
1320 S Florida St Spc 15
Borger, TX 79007-6359

Karen & Richard Myrick
795 Laurel Ln
New Braunfels, TX 78130-6652

Robert Nash
4622 Evening Star Dr
Bulverde, TX 78163-2710

George & Nancy Olvera
5042 Hawk Eye Dr
Bulverde, TX 78163-2246

Anita & Charles Ottem
5273 Fallen Oak Dr
Bulverde, TX 78163-2303

Annalisa Peace
1809 Blanco Rd
San Antonio, TX 78212-2616

Robert S Perry
30544 Olympus
Bulverde, TX 78163-2729

Mrs Patricia A Prescott
30216 Twin Ridge Dr
Bulverde, TX 78163-2404

Martin & Nancy Ramsey
6336 Circle Oak Dr
Bulverde, TX 78163-2330

Martin Ramsey
6336 Circle Oak Dr
Bulverde, TX 78163-2330

George Rice
414 E French Pl
San Antonio, TX 78212-3723

Estella Rich
31345 Sunlight Dr
Bulverde, TX 78163-2784

Bonnie E Ringland
5061 Meadow Lark Dr
Bulverde, TX 78163-2309

Edward Ringland
5061 Meadow Lark Dr
Bulverde, TX 78163-2309

Mr Concepcion Robles
31217 Setting Sun Dr
Bulverde, TX 78163-2749

Elizabeth Rodgers
31227 Setting Sun Dr
Bulverde, TX 78163-2749

Ms Jomar Rose
5219 Hawk Eye Dr
Bulverde, TX 78163-2251

Mrs Kathleen Rust
5277 Meadow Lark Dr
Bulverde, TX 78163-2313

Kathy & Rocky Rust
5277 Meadow Lark Dr
Bulverde, TX 78163-2313

Mr Rocky Rust
5277 Meadow Lark Dr
Bulverde, TX 78163-2313

Mr Philip Schroeder
Schroeder Family
6308 Circle Oak Dr
Bulverde, TX 78163-2330

James Shaw
30936 Blueberry Ridge Dr
Bulverde, TX 78163-2268

Carol Smith
30030 Twin Ridge Dr
Bulverde, TX 78163-2400

Carol & David Smith
30030 Twin Ridge Dr
Bulverde, TX 78163-2400

Mr David Smith
30030 Twin Ridge Dr
Bulverde, TX 78163-2400

Mr Weldon R Smith
5052 Honeysuckle Br
Bulverde, TX 78163-2270

Ms Sarah A Stevick
31118 Wildcat Dr
Bulverde, TX 78163-4552

Paul Stoeber
30871 Blue Martin
Bulverde, TX 78163-2296

Emily Thompson
900 E Quincy St
San Antonio, TX 78215-1440

Jeff Thompson
6692 Circle Oak Dr
Bulverde, TX 78163-2336

Robert Trimyer
5321 Fm 1863
Bulverde, TX 78163-2409

John Turcotte
29910 Fm 3009
New Braunfels, TX 78132-2637

Tom Turk
6335 Circle Oak Dr
Bulverde, TX 78163-2331

Christy & Phillip Wagenfuhr
5564 Circle Oak Dr
Bulverde, TX 78163-2206

Stacy Warner
5348 Hawk Eye Dr
Bulverde, TX 78163-2252

Francesca & Nick Watson
7264 Circle Oak Dr
Bulverde, TX 78163-2433

Debra White
31320 Falling Shadows Dr
Bulverde, TX 78163-2794

Nancy D Williams
5347 Prancing Deer Dr
Bulverde, TX 78163-2426

Tim Williford
1620 Grand Avenue Pkwy Ste 140
Pflugerville, TX 78660-2185

Chad Wooten
2370 Casey Rd
Bulverde, TX 78163-1851

Dina Wooten
Tech Savvy Inc
2370 Casey Rd
Bulverde, TX 78163-1851

Tamara Young
31487 Smithson Valley Rd
Bulverde, TX 78163-2760

Kay & Philip Zachman
5777 Circle Oak Dr
Bulverde, TX 78163-2211

Patricia O Zadik
5139 Honeysuckle Br
Bulverde, TX 78163-2273