

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, February 24, 2022 11:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: abbasabidi@yahoo.com <abbasabidi@yahoo.com>
Sent: Thursday, February 24, 2022 10:43 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: MR Mir Abbas Abidi

E-MAIL: abbasabidi@yahoo.com

COMPANY:

ADDRESS: 1303 OVERLAND DR
MURPHY TX 75094-4197

PHONE: 9727408575

FAX:

COMMENTS: I respectfully request a contested case hearing on the application by Harrington / Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 (the "District Application"). MUD's adverse effect on Property (important to County Commissioner's Court) o How will this affect your personal way of life or behavior. ♣ Intentional Nuisance, negligent nuisance & non-negligent nuisance • Greatly reduce the value of my investment in my home. • Ruin my investment value • Ruin my ability to use & enjoy my backyard. • This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. o Foreseeable physical damage to property based upon improper planning for potentially flooding. o Foreseeable economic harm to the property's economic value o Foreseeable harm to my health and family members' health o Psychological harm for piece of mind in the use and enjoyment of my property. o A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. • Unnecessary & unreasonable interference with the enjoyment of my home. o Interference will be substantial and will cause discomfort or annoyance that is unreasonable. o Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights • If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interfere with the homeowners of Parker and Murphy. • The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. • I have the right and privilege as the use and enjoyment of my land • The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. • The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives. o Unpleasant Odors o Worried about high noise levels ♣ pieces of equipment and processes create high noise level ♣ Pump buildings are notoriously loud. o Discharge contaminating the area wells, underground springs o Facility malfunction & spills o 100-year flood plain and increase flooding that will result o Consideration of drainage ♣ This point applies to any area around Maxwell Creek that floods. o Health concerns.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:30 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: abbasabidi@yahoo.com <abbasabidi@yahoo.com>
Sent: Wednesday, September 22, 2021 7:14 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mir Abbas Abidi

E-MAIL: abbasabidi@yahoo.com

COMPANY:

ADDRESS: 1303 OVERLAND DR
MURPHY TX 75094-4197

PHONE: 9727408575

FAX:

COMMENTS: Petition to oppose location of Restore the Grasslands LLC in the neighborhood due to impact on quality of air and odor.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, February 17, 2022 2:51 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: MUD location to my home.docx

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: lizzy_abraham@yahoo.com <lizzy_abraham@yahoo.com>
Sent: Thursday, February 17, 2022 2:43 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Elizabeth Abraham

E-MAIL: lizzy_abraham@yahoo.com

COMPANY:

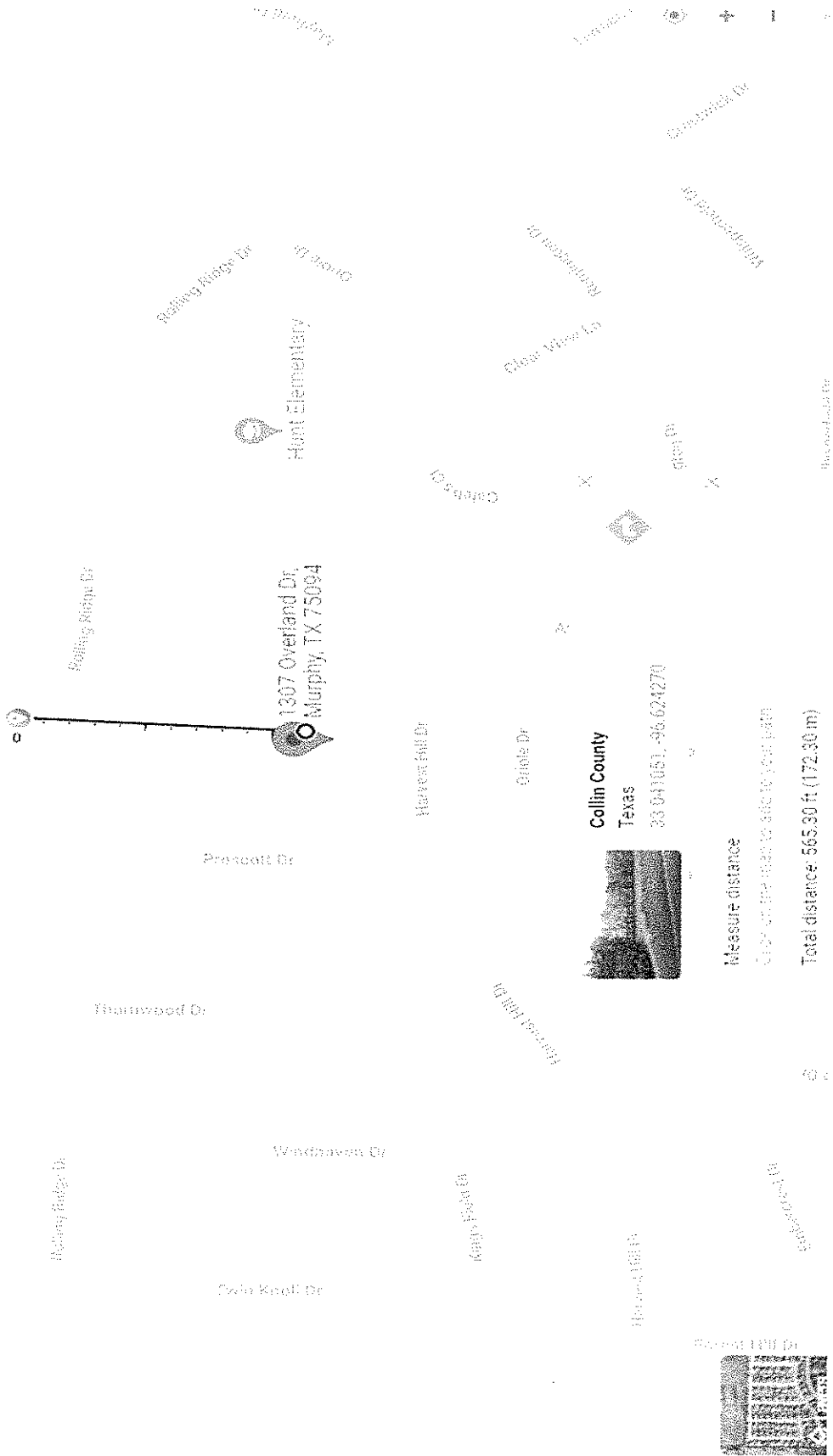
ADDRESS: 1307 OVERLAND DR
MURPHY TX 75094-4197

PHONE: 2148645622

FAX:

COMMENTS: My home is located within 600 feet of the proposed DISTRICT Boundaries as presented. PLease see attached google map of my home to the proposed development. I respectfully request a contested case hearing on the

application by Harrington / Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collir. County Municipal Utility District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 (the "District Application"). The MUD's adverse affect on my property will be that it greatly reduces the value of my investment in my home, will lower my property value, will ruin my ability to enjoy my new patio addition and backyard, unpleasant odors, high noise levels, discharge that could contaminate area wells, and underground springs, potential facility malfunction and spills, 100 year flood plain and potential flooding, drainage issues, and overall health concerns for my family and my neighbors.



1307 Overland Dr,
Murphy, TX 75094

Hunt Elementary

Collin County
Texas
33 041051 -36.624270



Measure distance

Click on the road to add to your path

Total distance: 565.30 ft (172.30 m)



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:47 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: lizzy_abraham@yahoo.com <lizzy_abraham@yahoo.com>
Sent: Wednesday, September 22, 2021 9:43 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Elizabeth Abraham

E-MAIL: lizzy_abraham@yahoo.com

COMPANY:

ADDRESS: 1307 OVERLAND DR
MURPHY TX 75094-4197

PHONE: 2148645622

FAX:

COMMENTS: I strongly oppose the water treatment plant to be located in Parker, TX. This application should be denied because the facility will be located so close to neighborhoods and a city park. Our health should be more important than a water treatment facility that is going to help a developer build less than 1 acre homes so he can line his pockets at others expense. Would he want to live next to this facility? The cities of Parker and Murphy were unaware of this water treatment facility until neighbors were notified. How is this even possible? To potentially build this facility by going

through a backdoor instead of being upfront. I understand in due process, so my neighbors and I will fight this following all the rules and involving our local politicians to help. My hope is that collective and reasonable voices will prevail.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 7:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: tracyjallen8@gmail.com <tracyjallen8@gmail.com>
Sent: Saturday, November 20, 2021 6:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tracy Jo Allen

E-MAIL: tracyjallen8@gmail.com

COMPANY:

ADDRESS: 1230 RANGER RD
MURPHY TX 75094-3646

PHONE: 2147290805

FAX:

COMMENTS: Under Texas Water Code, Section 26.081 and 26.0282 which is referred to as "regionalization," provides Texas' regionalization policy for wastewater treatment. It states that TCEQ is to implement a policy to "encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens and to prevent pollution and maintain and enhance the quality of the water in the state". In furtherance of that policy TWC Section 26.0282 authorizes TCEQ, when considering issuing a permit to

discharge waste, to deny or alter the terms and conditions of a proposed permit based on need and the availability of existing or proposed area-wide or regional waste collection, treatment, and disposal systems. I request a contested hearing. This is going to pollute our lovely city and neighborhoods and goes against the very reason that most of us moved out of the city for clean air, water and a healthy environment for our children. My children grew up playing in the creek and discovering turtles, fish, frogs, etc. This is going to ruin a whole ecosystem!!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 17, 2021 9:42 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ashvinamin@yahoo.com <ashvinamin@yahoo.com>
Sent: Wednesday, November 17, 2021 8:51 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ashvin Amin

E-MAIL: ashvinamin@yahoo.com

COMPANY: Title

ADDRESS: 4525 RED BARN
RICHARDSON TX 75082-2684

PHONE: 9722388012

FAX:

COMMENTS: We are resident in the area and strongly oppose the waster water treatment plant. We would like to be part of contested hearing on this permit request.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:14 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: nettiej316@outlook.com <nettiej316@outlook.com>
Sent: Thursday, November 25, 2021 8:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Lynnette Ammar

E-MAIL: nettiej316@outlook.com

COMPANY:

ADDRESS: 6903 AUDUBON DR
PARKER TX 75002-6927

PHONE: 3193312667

FAX:

COMMENTS: I would like to request a contested hearing. I live 1 mile from the site The flooding impact of Maxwell Creek needs to be considered. The water table in this area is very high. There may be environmental impacts to me given my proximity and I would like more information.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 2, 2021 11:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: nettiej316@outlook.com <nettiej316@outlook.com>
Sent: Tuesday, November 2, 2021 10:47 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Lynnette Ammar

E-MAIL: nettiej316@outlook.com

COMPANY:

ADDRESS: 6903 AUDUBON DR
PARKER TX 75002-6927

PHONE: 3193312667

FAX:

COMMENTS: I OPPOSE the approval of the sewer facility. The water table in this area is quite high. The degree of water discharge would likely result in flooding and associated property damage. This should at least be evaluated. The ecological damage resulting from this discharge should be evaluated.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:12 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: davej330@aol.com <davej330@aol.com>
Sent: Thursday, November 18, 2021 7:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: David J Angeles

E-MAIL: davej330@aol.com

COMPANY:

ADDRESS: 274 LOVE BIRD LN
MURPHY TX 75094-3253

PHONE: 6162830181

FAX:

COMMENTS: Requesting a contested hearing. Personal Property is approximately 5 miles from proposed plant, but a majority of the Murphy Parks System sits approximately 3 miles downstream from the proposed plant. City of Murphy General Fund dollars back maintenance and Bond Funds approved by myself and other residents funded our park system development and improvements. Murphy has invested in the Parks system that runs adjacent to Maxwell Creek to preserve green space and that ecosystem? Murphy residents have invested millions in development and maintenance

of these spaces so we can have open space, and preserve elements of vegetation and wildlife within our community. This MUD would impact vegetation and wildlife; negatively impacting community investment and our access to the current wildlife and their habitat...including alligator snapping turtles (under consideration for endangered species act with US Fish & Wildlife), and federally protected hawks. Murphy parkland is adjacent to Maxwell Creek and falls under the FEMA classification of Special Flood Hazard Area which requires purchase of flood insurance for structures. This FEMA classification indicates the range of what should be viewed as impacted by contamination during floods events...which includes a majority of City of Murphy's Park System which my family uses and I support through tax. With viable sewer available to development, the choice to opt for a MUD created unnecessary financial damages to myself and investments I support financially through tax.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 28, 2021 8:59 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: Brenda-bem@hotmail.com <Brenda-bem@hotmail.com>
Sent: Monday, September 27, 2021 4:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Brenda Kay Bement

E-MAIL: Brenda-bem@hotmail.com

COMPANY:

ADDRESS: 2805 MADISON CT
RICHARDSON TX 75082-4933

PHONE: 2147385428

FAX:

COMMENTS: We do not want this water plant in our area or pending condo's. The smail from the treatment plan would drop housing prices. Please reconsider.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 10:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jenniferb.009@gmail.com <jenniferb.009@gmail.com>
Sent: Monday, December 6, 2021 10:51 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jennifer Berthiaume

E-MAIL: jenniferb.009@gmail.com

COMPANY:

ADDRESS: 416 WOODCREST CIR
MURPHY TX 75094-3429

PHONE: 4693150031

FAX:

COMMENTS: As a resident of the City of Murphy who lives at 416 Woodcrest Circle (approximately 2.38 straight line miles from the proposed WWTP) and a Councilwoman elected at large who has 20,000+ constituents that will be affected by this proposed WWTP, I request a contested hearing and urge you to deny the permit based on: 1) the numerous inaccuracies of the application (see Stephen C. Dickman's formal public comments representing the City of Murphy, dated November 10 2021); 2) the water quality impacts on a stream that has been mischaracterized by the

applicant (see Anne Rogers Harrison's formal public comments representing Texas Parks & Wildlife, dated November 10 2021); 3) the potential flooding of Maxwell Creek both upstream and downstream of the discharge point; 4) the environmental effects on threatened and protected wildlife along Maxwell Creek; and 5) the negative impacts related to odor, health, and general enjoyment of residents such as myself that enjoy the current nature of Maxwell Creek.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, December 9, 2021 8:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: jenniferb.009@gmail.com <jenniferb.009@gmail.com>
Sent: Wednesday, December 8, 2021 10:56 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jennifer Berthiaume

E-MAIL: jenniferb.009@gmail.com

COMPANY:

ADDRESS: 416 WOODCREST CIR
MURPHY TX 75094-3429

PHONE: 4693150031

FAX:

COMMENTS: According to NTMWD, the proposed wastewater treatment plant permit WQ0016003001 would interfere with NTMWD's statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. Specifically, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and

Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. Granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C. Additionally, NTMWD's treatment process is state of the art compared to the proposed WWTP and represents significant investment in tax payer dollars and time in the region. I support the State's Regionalization policy and expect TCEQ to follow your own policy. The permit should not be granted and never should have reached this phase.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D04122021017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: Kristen.bewley@gmail.com <Kristen.bewley@gmail.com>
Sent: Saturday, February 26, 2022 3:36 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D04122021017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D04122021017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Kristen Bewley

E-MAIL: Kristen.bewley@gmail.com

COMPANY:

ADDRESS: 3101 CREEKSIDE ESTATES DR
WYLIE TX 75098-8152

PHONE: 9254137784

FAX:

COMMENTS: I own a home within one mile of the proposed mud facility and live about 1.2 miles away now. I request a contested hearing and I am concerned about the health and safety of those living near the mud plant and to residents

using the maxwell creek preserve that my family uses and visits often. I am also concerned about the negative effect the mud will have on wildlife and pristine nature of the water quality of the creek today. I am also concerned about the potential flooding and runoff the mud will contribute to. It makes no sense to build this plant when nearby water treatment facilities can be tied into and in fact have anticipated increases growth over time. TCEQ has a responsibility to the people living nearby to make a decision that is in their best interest and not one that is rubber stamped for a developer who has no interest in preserving the safety and value of the community. Do the right thing, TCEQ. Do not allow this mud plant to be built.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:00 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Kristen.bewley@gmail.com <Kristen.bewley@gmail.com>
Sent: Monday, December 6, 2021 8:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kristen Bewley

E-MAIL: Kristen.bewley@gmail.com

COMPANY:

ADDRESS: 3101 CREEKSIDE ESTATES DR
WYLIE TX 75098-8152

PHONE: 9254137784

FAX:

COMMENTS: I live about 1.5 miles from the proposed site and request a contested hearing and request TECQ reject the application. We are frequent visitors of the parks and trails around Maxwell creek (we are there at least one a week) and my children often play by and in the creek. We are concerned about the safety of the proposed plant on water quality, air quality and negative effects to wild animal life. Please do not ruin the parks and trails our community relies on.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 1:34 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Kristen.bewley@gmail.com <Kristen.bewley@gmail.com>
Sent: Tuesday, September 21, 2021 12:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kristen Bewley

E-MAIL: Kristen.bewley@gmail.com

COMPANY:

ADDRESS: 3101 CREEKSIDE ESTATES DR
WYLIE TX 75098-8152

PHONE: 9254137784

FAX:

COMMENTS: We oppose the MUD treatment plant proposed in Murphy/Parker. We have a home in the subdivision across from Murphy road and we believe it will negatively affect the surrounding area in terms of enjoyment and aesthetics and negatively impact home values. Additionally, the proposed site is located near an elementary school. We purposely didn't but near a treatment facility and strongly oppose this project.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:54 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: GBBKINC@yahoo.com <GBBKINC@yahoo.com>
Sent: Saturday, October 9, 2021 10:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Greg Blakey

E-MAIL: GBBKINC@YAHOO.COM

COMPANY:

ADDRESS: 731 MOCKINGBIRD DR
MURPHY TX 75094-3845

PHONE: 2142260986

FAX:

COMMENTS: Good evening, To all concerned. I along with my friends, family, neighbors, and fellow Murphy residents implore you to please reconsider the proposed location of the treatment plant and development area. My family and I have lived in the area for almost 18 years and absolutely Love our community. That being said, our community is small and I'm worried that even if you receive a protest letter from each and every one of us if it will be enough to stop the disaster that's possibly headed this way. If it can't be stopped it MUST be redirected. The future our health, livelihood,

quality of life, and retirement years are at stake. Aside from the potential health risks and spread of disease, our financial future will heavily depend on the value of our property, which will be highly adversely affected with the current proposed location. Let's work together to come up with a better solution. I'm positive there will be several to choose from. I can assure you that if you lived in our area or if this was happening to yours that you would feel the same way. Thank you for your consideration. Sincerely, Greg Blakey

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:58 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: TCEQ Cemeteries.RoxanneBogdan.docx

H

From: rox.bogdan1@verizon.net <rox.bogdan1@verizon.net>
Sent: Sunday, December 5, 2021 6:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Roxanne Bogdan

E-MAIL: rox.bogdan1@verizon.net

COMPANY:

ADDRESS: 6701 OVERBROOK DR
PARKER TX 75002-6935

PHONE: 9729986780

FAX:

COMMENTS: I request a contested hearing. Please see attachment for my statement.

Roxanne Bogdan
Affected Party – Not notified
Murphy Historical Society
Maintains the historic cemeteries in the Murphy Community
120 E Fm 544 Ste 72
Murphy, Texas 75094

Location of Cemetery to Maxwell Creek: The creek runs adjacent to both cemeteries
Location of Cemetery to proposed WWTP: 1.4 miles to Decatur

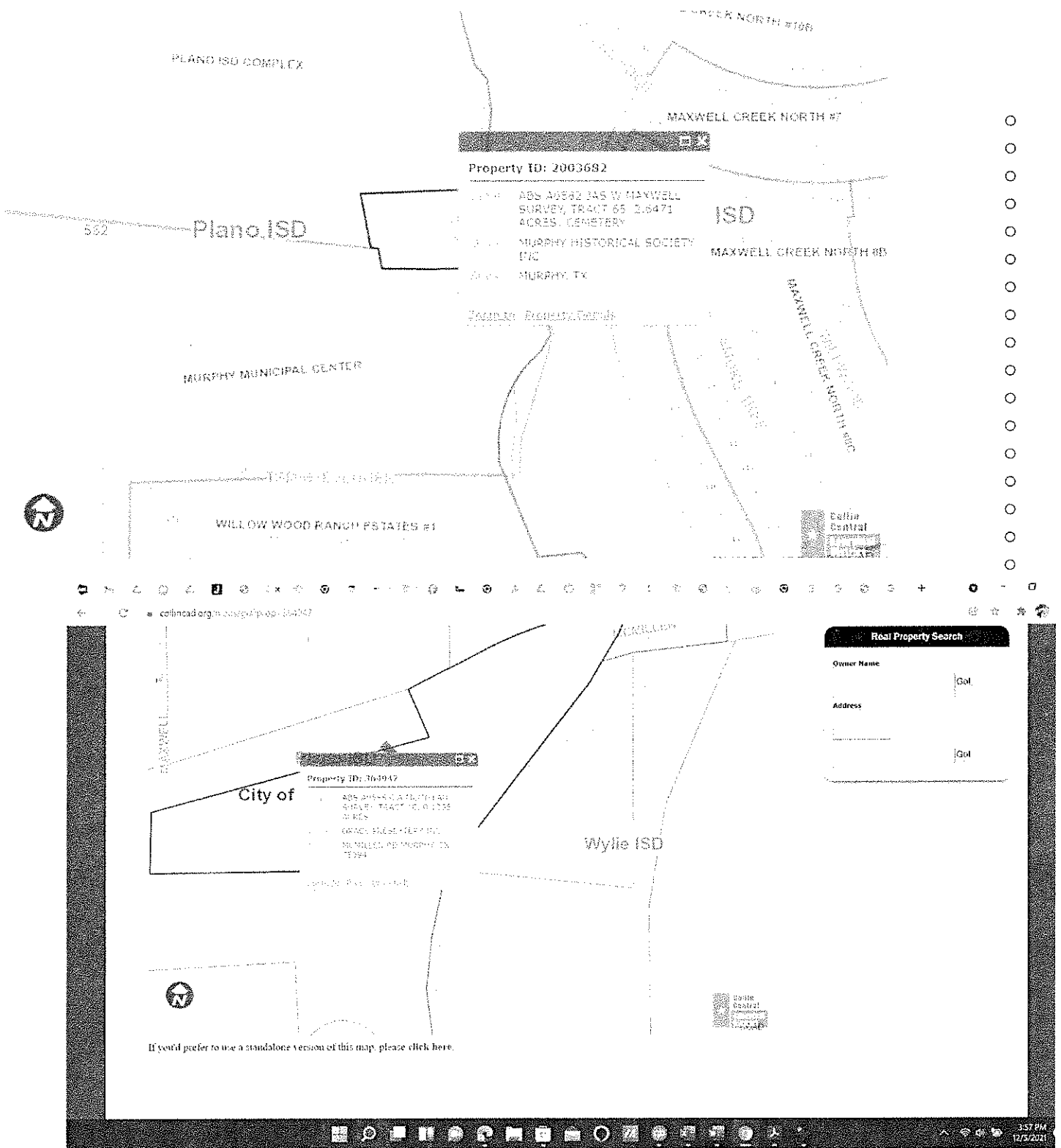
My name is Roxanne Bogdan and I am a member of the Murphy Historical Society. I am submitting to the TCEQ this supplement to my prior comments of 10/9/2021 and 10/28/2021 and requesting a contested case hearing.

<https://murphyhistorical.org/cemeteries>

Murphy historical society is responsible for the maintenance of three of our local historic cemeteries and applying for historical markers around our community. Decatur/Maxwell/Murphy Historical Cemetery (1853) and the McMillen Cemetery (1901) are Historic Sites and marked with State Historical Markers. These properties are directly adjacent to Maxwell Creek and will directly be impacted by the proposed wastewater treatment plant. Erosion from the increased capacity places the cemeteries at great risk due to the anticipated results of more degradation to the historical sites. Weather events result in Maxwell Creek's water rising significantly higher. Erosion of this area is quite extensive. Additional volume resulting from the discharged wastewater, will only increase the erosion in this area. Loosing graves at this Historical Site would be a tragedy as well as an environmental hazard.

According to the Processing of the Application by the Chief Clerk notification should have occurred

- Advisory Council on Historical Preservation was not notified of the application. There are two historical landmarked cemeteries, each of more than 100 years old, which are adjacent to Maxwell Creek.
- Murphy Historical Society should have been notified.
 - Although we are affected property owners, we did not receive the formal notice required for the Application.



o I found out about the proposed wastewater treatment plant from my friend.

Every year we have an event at the Decatur/Maxell/Murphy Cemetery for Memorial Day. Many relatives come and visit their ancestors'/families' graves. So many people that have grown up

here and live here, have relatives buried in the Decatur/Maxwell/Murphy Cemetery. These Cemeteries we preserve are an integral part of the Murphy/Parker/Plano Community.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Rox.bogdan1@verizon.net <Rox.bogdan1@verizon.net>
Sent: Saturday, October 9, 2021 5:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Roxanne & Kent Bogdan

E-MAIL: Rox.bogdan1@verizon.net

COMPANY:

ADDRESS: 6701 OVERBROOK DR
PARKER TX 75002-6935

PHONE: 9729986780

FAX:

COMMENTS: We would like to strongly voice my concerns regarding this proposed wastewater treatment plant. We live very close to this proposed area and I feel this project will effect us negatively in many ways. There will be a decrease in our property values. This will directly hurt the wildlife in our area. I have bobcats, coyotes, tons of birds, skunks, armadillos etc. that will directly be effected by this development. Our creeks and ponds will suffer greatly. We also have flooding issues in our area. Disrupting the normal flow of our area will put a lot of people & wildlife at risk.

Now let's talk smell. There are houses very close to this area that will suffer greatly having to smell this horrific structure. We live close and smell will also effect us. There are solutions for this developer to not dump this problem on the surrounding community. Please vote to stop this project from moving forward. Roxanne & Kent Bogdan

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, October 28, 2021 3:11 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rox.bogdan1@verizon.net <rox.bogdan1@verizon.net>
Sent: Thursday, October 28, 2021 11:23 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Roxanne Bogdan

E-MAIL: rox.bogdan1@verizon.net

COMPANY: Murphy Historical Society

ADDRESS: 120 E. 544 Building 72, POD 271
Murphy TX 75094

PHONE: 9729986780

FAX:

COMMENTS: The Murphy Historical Society are the care takers of the Decatur/Maxwell/Murphy Historical Cemetery (1853) and the McMillen Cemetery (1901). Both of these locations are Historic Sites and marked with State Historical Markers. These properties are directly adjacent to Maxwell Creek and will directly be impacted by the proposed waste water treatment plant. We are strongly requesting that this permit be denied by TCEQ. The amount of water that will be pumped into this creek will be very destructive not only to the wild life that lives in the area now, but the erosion from

the increased capacity runs a great risk of sweeping gravestones and actual graves away. We have graves (I will note that not all of them are necessarily marked at this time) that butt up to our back property and are very close to the creek. The water line in this creek rises quite high after heavy rains and storms and as you can see in my attached picture, the erosion of this area is quite extensive, By allowing the additional volume that this plant will add, will only increase this problem. Loosing graves at this Historical Site would be a terrible tragedy as well as an environmental hazard. Please vote NO to this permit.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, October 21, 2021 9:31 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Aboley14@yahoo.com <Aboley14@yahoo.com>
Sent: Wednesday, October 20, 2021 4:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amber Boley

E-MAIL: Aboley14@yahoo.com

COMPANY:

ADDRESS: 1110 CACTUS PATH DR
MURPHY TX 75094-3632

PHONE: 9186713288

FAX:

COMMENTS: Looking at the property map we are in a home that back directly up to #11 property ID 2500741. This is listed as City of Murphy. The green space is City of Murphy but with my yard directly backing up to that, I think our homes should be considered impacted property. I am requesting a contested hearing. The environmental impacts on Maxwell Creek need to be considered. We are in opposition to this waste water plant.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 11:15 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Aboley14@yahoo.com <Aboley14@yahoo.com>
Sent: Sunday, October 10, 2021 7:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amber Boley

E-MAIL: Aboley14@yahoo.com

COMPANY:

ADDRESS: 1110 CACTUS PATH DR
MURPHY TX 75094-3632

PHONE: 9186713288

FAX:

COMMENTS: Looking at the property map we are in a home that back directly up to #11 property ID 2500741. This is listed as City of Murphy. The green space is City of Murphy but with my yard directly backing up to that, I think our homes should be considered impacted property. I am requesting a contested hearing. The environmental impacts on Maxwell Creek need to be considered. We are in opposition to this waste water plant.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 8, 2021 7:31 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

From: Aboley14@yahoo.com <Aboley14@yahoo.com>
Sent: Thursday, October 7, 2021 8:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amber Boley

E-MAIL: Aboley14@yahoo.com

COMPANY:

ADDRESS: 1110 CACTUS PATH DR
MURPHY TX 75094-3632

PHONE: 9186713288

FAX:

COMMENTS: We do not want our city's ecosystem destroyed. We do not want potential pollutants entering our community. We don't want our air quality to suffer or our property value to diminish. This wastewater treatment plant is NOT okay! This should NOT be allowed! I am against this treatment plant!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 8, 2021 7:30 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

From: Dboegolf@yahoo.com <Dboegolf@yahoo.com>
Sent: Thursday, October 7, 2021 8:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Daniel Boley

E-MAIL: Dboegolf@yahoo.com

COMPANY:

ADDRESS: 1110 CACTUS PATH DR
MURPHY TX 75094-3632

PHONE: 9186713288

FAX:

COMMENTS: We do not want our city's ecosystem destroyed. We do not want potential pollutants entering our community. We don't want our air quality to suffer or our property value to diminish. This wastewater treatment plant is NOT okay! This should NOT be allowed! I am against this treatment plant!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:31 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: lindab@en2n.com <lindab@en2n.com>
Sent: Friday, December 3, 2021 3:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: LINDA BRASWELL

E-MAIL: lindab@en2n.com

COMPANY:

ADDRESS: 3212 DUBLIN RD
PARKER TX 75002-6510

PHONE: 2146757218

FAX:

COMMENTS: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP, 4801 West Lovers Lane, Dallas, Texas 75209, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016003001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. TCEQ received this application on May 26, 2021. Our 6-acre residence is located adjacent to the south side of Parker's Cross Creek Ranch, only 500 feet west of the ETJ where the

proposed wastewater treatment plant is to be located and 4000 feet from Maxwell Creek. We request a contested case hearing for the following reasons: Inevitable odors and risk of toxic gases: Even the best managed wastewater treatment plants produce toxic hydrogen sulfide (H₂S) due to the buildup of solids. The odor can be so intense no one wants to be outdoors and probably shouldn't be. Other environmental risks: Inadequately treated wastewater will affect wildlife and agriculture which contribute greatly to the "country living" environment the City of Parker fully supports. As encouraged by Collin County, we tend bees that rely on the open land surrounding us. Also, we currently enjoy wildlife supported by the nearby grasslands. Reduced property values: Parkers' residents have invested in valuable homes and properties with the benefits of 'country living". The culmination of environmental risks and the mere presence of the treatment plant will jeopardize the value we have worked hard to build in our properties. Increased population density: As we understand it, this wastewater treatment plant permit application is a major step toward an ultimate plan to build 600 residences on the 100-acre ETJ only 500 feet from us. With population growth comes traffic, school population growth, noise and further loss of grasslands. Dublin Road cannot accommodate traffic this development will create. Also, adequate schools are needed to accommodate new residents. Bottom-line is a wastewater treatment plant in Parker conflicts with Parker's commitment to maintaining the ecological environment we call "country living" and, personally, our proximity makes us even more vulnerable to the stench, health risks and degradation of the life we have worked so hard to make here.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 25, 2022 8:42 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: TCEQ D-04122021-017 BUCCI.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: rbucci63@gmail.com <rbucci63@gmail.com>
Sent: Thursday, February 24, 2022 10:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Robert Bucci

E-MAIL: rbucci63@gmail.com

COMPANY: Hunters Landing Homeowners Association

ADDRESS: 632 MUSTANG RIDGE DR
MURPHY TX 75094-4208

PHONE: 7329957876

FAX:

COMMENTS: Request for Contested Hearing on the application(s) by: 1. Harrington / Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 (the "District Application"). 2. Harrington / Turner Enterprises, LP and Restore the Grasslands LLC. TPDES Permit No WQ0016003001 Requestor name: Robert T Bucci, HOA President – Hunters Landing Mailing address: 632 Mustang Ridge Drive, Murphy TX 75094 Phone: 732-995-7876 Email: rbucci63@gmail.com I respectfully (again) request a contested case hearing on the application by Harrington / Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 (the "District Application"). I am an affected home owner and request a contested hearing. My name is Robert Bucci, I live at 632 Mustang Ridge Drive, Murphy TX I am the HOA President for two of five phases of the Hunters Landing development, representing 178 homeowners, households, and families. Hunters Landing is located on the West side of Murphy Road, directly across from McMillen High School, bordered by Betsy on the North and Highland to the West. Our closest home is only 2740 feet from the proposed facility and the farthest is 1.1 miles. All homes are between 2790 and 3900 feet from Maxwell Creek. I appreciate the many homeowners establishing real flood risk upstream and downstream of this proposed waste treatment facility. If there were a chance for effluent from a waste treatment plant to reach my property and family by flood waters, I'd be standing with them. I'm not concerned about flooding. My concern are the 229 days per year when it doesn't rain, when the water in Maxwell Creek is at its lowest, where it's no more than a trickle between slack pools. When our kids clamber down to the creek to catch crawdads and frogs, explore, and learn about nature. What's the impact on the environment, on these children when there isn't sufficient natural flow in the creek to move the effluent downstream at a rate that YOU determine to be safe and sustainable? On these days the flow downstream from the proposed waste treatment facility will be almost 100% undiluted effluent. You see, we don't need a flood event to cause contamination in our homes, all it takes is an inquisitive, eight year old boy returning home from the creek in a pair of effluent-steeped socks and sneakers. Furthermore, on December 6, 2021, I asked a question of a TCEQ panel, a panel of what I hope were environmental and/or waste treatment experts, because they were deciding an issue with significant, long term health implications for the city of Murphy and its surrounding environs. We heard lots of facts and figures from the panel that evening, several circuitous non-answers, but to be honest I am not an expert. We're relying on the TCEQ to make a wise decision affecting our health, home, children and community, which means that the TCEQ is expected to have information and apply wisdom in these matters. I asked, "What is the acceptable ratio of Creek flow to effluent flow necessary for safe discharge of the proposed treatment plant into Maxwell Creek?" The panel's response was that there are NO Minimum flow requirements specified! This concerns me greatly, because we also learned that Maxwell Creek was initially determined to be an intermittent stream, but later updated to 'perennial', meaning that there are periods of VERY low flow. How can the TCEQ expect the effluent to reach its intended destination of Lake Ray Hubbard when the flow in the initial water body does not MAINTAIN a PERSISTENT flow adequate to move the maximum outflow rate of the proposed treatment facility?

Requestor name: Robert T Bucci, HOA President – Hunters Landing

Mailing address: 632 Mustang Ridge Drive, Murphy TX 75094

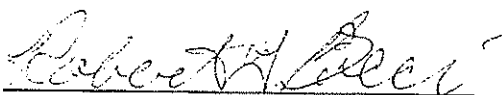
Phone: 732-995-7876

Email: rbucci63@gmail.com

I respectfully (again) request a contested case hearing on the application by Harrington / Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 (the "District Application").

I am an affected home owner and request a contested hearing. My name is Robert Bucci, I live at 632 Mustang Ridge Drive, Murphy TX I am the HOA President for two of five phases of the Hunters Landing development, representing 178 homeowners, households, and families. Hunters Landing is located on the West side of Murphy Road, directly across from McMillen High School, bordered by Betsy on the North and Highland to the West. Our closest home is only 2740 feet from the proposed facility and the farthest is 1.1 miles. All homes are between 2790 and 3900 feet from Maxwell Creek. I appreciate the many homeowners establishing real flood risk upstream and downstream of this proposed waste treatment facility. If there were a chance for effluent from a waste treatment plant to reach my property and family by flood waters, I'd be standing with them. I'm not concerned about flooding. My concern are the 229 days per year when it doesn't rain, when the water in Maxwell Creek is at its lowest, where it's no more than a trickle between slack pools. When our kids clamber down to the creek to catch crawdads and frogs, explore, and learn about nature. What's the impact on the environment, on these children when there isn't sufficient natural flow in the creek to move the effluent downstream at a rate that YOU determine to be safe and sustainable? On these days the flow downstream from the proposed waste treatment facility will be almost 100% undiluted effluent. You see, we don't need a flood event to cause contamination in our homes, all it takes is an inquisitive, eight year old boy returning home from the creek in a pair of effluent-steeped socks and sneakers.

Furthermore, on December 6, 2021, I asked a question of a TCEQ panel, a panel of what I hope were environmental and/or waste treatment experts, because they were deciding an issue with significant, long term health implications for the city of Murphy and its surrounding environs. We heard lots of facts and figures from the panel that evening, several circuitous non-answers, but to be honest I am not an expert. We're relying on the TCEQ to make a wise decision affecting our health, home, children and community, which means that the TCEQ is expected to have information and apply wisdom in these matters. I asked, "What is the acceptable ratio of Creek flow to effluent flow necessary for safe discharge of the proposed treatment plant into Maxwell Creek?" The panel's response was that there are NO Minimum flow requirements specified! This concerns me greatly, because we also learned that Maxwell Creek was initially determined to be an intermittent stream, but later updated to 'perennial', meaning that there are periods of VERY low flow. How can the TCEQ expect the effluent to reach its intended destination of Lake Ray Hubbard when the flow in the initial water body does not MAINTAIN a PERSISTENT flow adequate to move the maximum outflow rate of the proposed treatment facility?



Robert T Bucci

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, December 8, 2021 11:03 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Rbucci63@gmail.com <Rbucci63@gmail.com>
Sent: Tuesday, December 7, 2021 4:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Robert Bucci

E-MAIL: Rbucci63@gmail.com

COMPANY:

ADDRESS: 632 MUSTANG RIDGE DR
MURPHY TX 75094-4208

PHONE: 7329957876

FAX:

COMMENTS: I am an affected home owner and request a contested hearing. My name is Robert Bucci, I live at 632 Mustang Ridge Drive, Murphy TX I am the HOA President for two of five phases (178 homeowners) of the Hunters Landing development on the West side of Murphy Road, directly across from McMillen High School and bordered by Betsy on the North and Highland to the West. I appreciate the facts, data, and information presented by concerned participants and homeowners at the Dec 6th, 2021 public meeting, and the many voices establishing real flood risk

upstream and downstream of this proposed facility. If there were a chance for effluent from a waste treatment plant to reach my property and family, I'd be standing with them. I'm not concerned about flooding. My concern is 229 days per year when it doesn't rain, when the water in Maxwell Creek is at its lowest. When kids clamber down to the creek to catch crawdads and frogs, explore, and learn about nature. What's the impact on the environment, on these children, when there isn't sufficient natural flow in the creek to move the effluent downstream at a rate that YOU determine to be safe and sustainable? I asked a question of the TCEQ panel, a panel of what I hope are environmental and/or waste treatment experts, because you're deciding an issue with significant, long term health implications for the city of Murphy and its surrounding environs. We heard lots of facts and figures, several circuitous non-answers, and to be honest I am not an expert. We're relying on you to make a wise decision, which means that you're expected to have information and knowledge in these matters. I asked, "What is the acceptable ratio of Creek flow to effluent flow necessary for safe discharge of the proposed treatment plant into Maxwell Creek?" The panel's response was that there are NO Minimum flow requirements specified! This concerns me greatly, because we also learned that Maxwell Creek was initially determined to be an intermittent stream, but later updated to 'perennial', meaning that there are periods of VERY low flow. How can the TCEQ expect the effluent to reach its intended destination of Lake Ray Hubbard when the flow in the initial water body does not maintain a PERSISTENT flow adequate to move the maximum outflow rate of the proposed treatment facility?

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:18 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Rbucci63@gmail.com <Rbucci63@gmail.com>
Sent: Monday, December 6, 2021 9:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Robert Bucci

E-MAIL: Rbucci63@gmail.com

COMPANY:

ADDRESS: 632 MUSTANG RIDGE DR
MURPHY TX 75094-4208

PHONE: 7329957876

FAX:

COMMENTS: I am an affected home owner and request a contested hearing. My name is Robert Bucci, I live at 632 Mustang Ridge Drive, Murphy TX I am the HOA President for two of five phases (178 homeowners) of the Hunters Landing development on the West side of Murphy Road, directly across from McMillen High School and bordered by Betsy on the North and Highland to the West. I appreciate the facts, data, and information presented by concerned participants and homeowners at the Dec 6th, 2021 public meeting, and the many voices establishing real flood risk

upstream and downstream of this proposed facility. If there were a chance for effluent from a waste treatment plant to reach my property and family, I'd be standing with them. I'm not concerned about flooding. My concern is 229 days per year when it doesn't rain, when the water in Maxwell Creek is at its lowest. When kids clamber down to the creek to catch crawdads and frogs, explore, and learn about nature. What's the impact on the environment, on these children, when there isn't sufficient natural flow in the creek to move the effluent downstream at a rate that YOU determine to be safe and sustainable? I asked a question of the TCEQ panel, a panel of what I hope are environmental and/or waste treatment experts, because you're deciding an issue with significant, long term health implications for the city of Murphy and its surrounding environs. We heard lots of facts and figures, several circuitous non-answers, and to be honest I am not an expert. We're relying on you to make a wise decision, which means that you're expected to have information and knowledge in these matters. I asked, "What is the acceptable ratio of Creek flow to effluent flow necessary for safe discharge of the proposed treatment plant into Maxwell Creek?" The panel's response was that there are NO Minimum flow requirements specified! This concerns me greatly, because we also learned that Maxwell Creek was initially determined to be an intermittent stream, but later updated to 'perennial', meaning that there are periods of VERY low flow. How can the TCEQ expect the effluent to reach its intended destination of Lake Ray Hubbard when the flow in the initial water body does not maintain a PERSISTENT flow adequate to move the maximum outflow rate of the proposed treatment facility?

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:39 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rbucci63@gmail.com <rbucci63@gmail.com>
Sent: Monday, December 6, 2021 8:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Robert Bucci

E-MAIL: rbucci63@gmail.com

COMPANY:

ADDRESS: 632 MUSTANG RIDGE DR
MURPHY TX 75094-4208

PHONE: 7329957876

FAX:

COMMENTS: I am the HOA President for two of five phases of the Hunters Landing development on the West side of Murphy Road, directly across from McMillen High School and bordered by Betsy on the North and Heritage to the West. My property and those of my HOA are not at risk of flooding from Maxwell Creek. My concern is for the 229 days per year when it doesn't rain, when the water in Maxwell Creek is at its lowest. During the public meeting on Dec 6, 2021 I asked "What was the minimum acceptable ratio of creek flow to effluent flow necessary for safe discharge of the

proposed treatment plant into Maxwell Creek?" I received a non-response that there were no minimum flow requirements! We also learned that Maxwell Creek was originally assessed as an Intermittent water body, but that was later changed to perennials. This implies that there are periods of VERY LOW flow rate. What is the impact on the environment, on the children that clamber down to the creek to catch crayfish and frogs, when the rate of effluent discharge is greater than the creek flow? The permit clarifies the expectation for effluent to carry through to Lake Ray Hubbard. Since the facility cannot anticipate the times when it must operate at peak capacity it must require that its receiving body of water, Maxwell Creek, sustain adequate flow to move the maximum effluent. If this MINIMUM creek flow rate cannot be guaranteed, then you cannot guarantee safe distribution of the facility's outflow. Please deny this permit!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:51 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rbucci63@gmail.com <rbucci63@gmail.com>
Sent: Tuesday, September 21, 2021 9:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Robert Bucci

E-MAIL: rbucci63@gmail.com

COMPANY:

ADDRESS: 632 MUSTANG RIDGE DR
MURPHY TX 75094-4208

PHONE: 7329957876

FAX:

COMMENTS: I oppose the building of the water & waste treatment plant at the location proposed in permit # WQ0016003001. The presence of such a plant will depress home market values in the area.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 10:25 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: dennyjb68@gmail.com <dennyjb68@gmail.com>
Sent: Monday, December 6, 2021 10:24 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Zdenka J Bucci

E-MAIL: dennyjb68@gmail.com

COMPANY:

ADDRESS: 632 MUSTANG RIDGE DR
MURPHY TX 75094-4208

PHONE: 7325801232

FAX:

COMMENTS: Request for a contested hearing. I am concerned that this Water Treatment Facility will affect Air quality, water quality as well as wildlife in and around Maxwell Creek. In addition, many questions were brought up to light regarding The Application and NON-COMPLIANCE (cross-board to the illegal manner) from the Applicant alone.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: dennyjb68@gmail.com <dennyjb68@gmail.com>
Sent: Thursday, September 23, 2021 5:24 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Zdenka J Bucci

E-MAIL: dennyjb68@gmail.com

COMPANY:

ADDRESS: 632 MUSTANG RIDGE DR
MURPHY TX 75094-4208

PHONE: 7325801232

FAX:

COMMENTS: In the search for a house, we came across Murphy and fell in love with this small town. In 2015 we've purchased a house here. I DON'T WANT our city's ecosystem damaged I DON'T WANT potential pollutants from the plant entering our community I DON'T WANT our air quality to suffer I DON'T WANT our quality of life negatively impacted I DON'T WANT our property value diminished and therefore I oppose and am against the proposal to build a wastewater facility, the permit number WQ0016003001 (EPA I.D. No. TX0141381).

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, February 24, 2022 8:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Jenebutler6@gmail.com <Jenebutler6@gmail.com>
Sent: Wednesday, February 23, 2022 7:37 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jene Butler

E-MAIL: Jenebutler6@gmail.com

COMPANY:

ADDRESS: 442 WHITEWING LN
MURPHY TX 75094-4318

PHONE: 9728370286

FAX:

COMMENTS: I request a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, October 13, 2021 2:07 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Jenebutler6@gmail.com <Jenebutler6@gmail.com>
Sent: Wednesday, October 13, 2021 1:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: DR. Jene Butler

E-MAIL: Jenebutler6@gmail.com

COMPANY:

ADDRESS: 442 WHITEWING LN
MURPHY TX 75094-4318

PHONE: 9728370286

FAX:

COMMENTS: I vehemently oppose a wastewater treatment facility in Parker. This will also affect the city of Murphy and impact our quality of life as well as our neighboring cities. It is our duty and goal to protect the ecosystem, maintain air quality, property values, and quality of life, and oppose any threat of potential pollutants. My kids used to practice at the Pitt in Plano and the smell from the nearby wastewater treatment facility was horrendous. There are other more

suitable areas that are away from people and communities that can be used for this type of facility. Do not ruin or cities and quality of life with this facility.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:09 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Jcalabria24@gmail.com <Jcalabria24@gmail.com>
Sent: Thursday, November 18, 2021 8:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Julian Calabria

E-MAIL: Jcalabria24@gmail.com

COMPANY:

ADDRESS: 319 LINHURST DR
MURPHY TX 75094-4426

PHONE: 2145371507

FAX:

COMMENTS: I Julian Calabria request a Contested hearing. Living at 319 Linhurst Dr Murphy Tx approx 1.3 miles from proposed project and at Oakwood Ranch, 5804 Gregory Lane Parker Tx, approximately 1/4 mile from proposed project and 200 ft from Maxwell Creek., I want a Contested hearing based on health and safety of human life , especially my children and other children in the area due to flooding that I have personally observed and Felt threatened by ,coming from Maxwell Creek. I have witnessed wildlife that will be negatively impacted by this water treatment plant including

great horned owls, kestrels, bobcats coyotes, snapping turtles and many other water birds that migrate in and out of Maxwell Creek throughout the year. I do not believe there has been a thorough enough investigation into the impact this water treatment plant will have in our community, and the biodiversity of the wildlife. And the impact this will have on the safety of our horses and cattle and property. For these reasons I have stated I would like a contested hearing.
Sincerely Julian Calabria

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 8, 2021 8:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Jcalabria24@gmail.com <Jcalabria24@gmail.com>
Sent: Monday, November 8, 2021 3:13 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Julian Calabria

E-MAIL: Jcalabria24@gmail.com

COMPANY:

ADDRESS: 319 LINHURST DR
MURPHY TX 75094-4426

PHONE: 2145371507

FAX:

COMMENTS: Good evening, I live in Murphy just down the road from this proposed plan. I would like to request a Contested Hearing based on Health, safety of human life and especially my children and other children in our area. I am also concerned about flooding which I have personally observed and have felt threatened by coming out of Maxwell creek. I have witnessed countless wildlife that will be negatively impacted by this water treatment plant including: great horned owl, kestrels, bobcats, coyotes, snapping turtles and many other water birds that migrate in and out of Maxwell

creek throughout the year. I do not believe there has been a thorough enough investigation into the impact this water treatment plant will have on our community and all plants and animals leaving in this area. For reasons I have stated and a long list of others I would like to a contested hearing. Sincerely, Julian Calabria

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 8, 2021 8:58 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Jcalabria24@gmail.com <Jcalabria24@gmail.com>
Sent: Sunday, November 7, 2021 9:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Julian Calabria

E-MAIL: Jcalabria24@gmail.com

COMPANY:

ADDRESS: 319 LINHURST DR
MURPHY TX 75094-4426

PHONE: 2145371507

FAX:

COMMENTS: Good evening, I live in Murphy just down the road from this proposed plan. I would like to request a Contested Hearing based on Health, safety of human life and especially my children and other children in our area. I am also concerned about flooding which I have personally observed and have felt threatened by coming out of Maxwell creek. I have witnessed countless wildlife that will be negatively impacted by this water treatment plant including: great horned owl, kestrels, bobcats, coyotes, snapping turtles and many other water birds that migrate in and out of Maxwell

creek throughout the year. I do not believe there has been a thorough enough investigation into the impact this water treatment plant will have on our community and all plants and animals leaving in this area. For reasons I have stated and a long list of others I would like to a contested hearing. Sincerely, Julian Calabria

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:31 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jcalabria24@gmail.com <jcalabria24@gmail.com>
Sent: Friday, September 24, 2021 9:17 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Julian Calabria

E-MAIL: jcalabria24@gmail.com

COMPANY:

ADDRESS: 319 LINHURST DR
MURPHY TX 75094-4426

PHONE: 2145371507

FAX:

COMMENTS: I oppose the building of this water treatment plant because it will have a negative impact on the Texas wildlife and plants. The plant will also produce a smell that is undesirable for our area. Please hold a public hearing on this matter. Thank you.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 17, 2021 9:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Kathleencalabria@gmail.com <Kathleencalabria@gmail.com>
Sent: Tuesday, November 16, 2021 9:41 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kathleen Calabria

E-MAIL: Kathleencalabria@gmail.com

COMPANY:

ADDRESS: 319 LINHURST DR
MURPHY TX 75094-4426

PHONE: 2144544715

FAX:

COMMENTS: I AM REQUESTING A CONTESTED HEARING. We live in the city of Murphy and at Oakwood Ranch in Parker, Texas which is approximately 1/2 mile from the proposed facility and approximately 1/4 mile from Maxwell Creek. Flooding is an issue as we have been stranded on Gregory Lane with the bridge closed. Threat to human life is serious, especially my 3 young children. Raising the concern of the environmental impact and the air that they will breath. File attachedé " no way out of Gregory Ln" I request a Contested hearing. Thank you

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 29, 2021 8:59 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Kathleen.calabria@gmail.com <Kathleen.calabria@gmail.com>
Sent: Wednesday, September 29, 2021 8:49 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kathleen Calabria

E-MAIL: Kathleen.calabria@gmail.com

COMPANY:

ADDRESS: 319 LINHURST DR
MURPHY TX 75094-4426

PHONE: 2144544715

FAX:

COMMENTS: I oppose this as it will have a negative environmental impact on wildlife, plants and growing hay.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 8, 2021 9:00 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Patrickcalabria@gmail.com <Patrickcalabria@gmail.com>
Sent: Sunday, November 7, 2021 8:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Patrick Calabria

E-MAIL: Patrickcalabria@gmail.com

COMPANY: Oakwood Ranch

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: Request Contested Hearing , contesting this Principle , Harrington /Turner ENT. As a Member of Oakwood Ranch, A wildlife habitat , Approximately 3/4 of mike to facility and 200 yds to Maxwell Creek This proposed project would cause threat to human life via flooding and adversely effect the health of children breathing in pollutants. It will also harm to wildlife habitat and protected species as well as our cattle and horses. And ruin the biodiversity of Maxwell Creek. I oppose and request a Contested Hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:30 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Patrickcalabria@gmail.com <Patrickcalabria@gmail.com>
Sent: Friday, September 24, 2021 8:40 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Patrick Calabria

E-MAIL: Patrickcalabria@gmail.com

COMPANY: Oakwood Ranch

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2148862091

FAX:

COMMENTS: I OPPOSE this MUD and development of high density housing. As a principle of Oakwood Ranch this Would be kill the wildlife, pollute the land, and eradicate the native plants we have worked hard to preserve for a Better tomorrow. In addition it would cause flooding to the area that is already vulnerable.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:24 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: tyronkimcaldwell@gmail.com <tyronkimcaldwell@gmail.com>
Sent: Monday, December 6, 2021 9:23 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kim Caldwell

E-MAIL: tyronkimcaldwell@gmail.com

COMPANY:

ADDRESS: 1206 CROSSWIND DR
MURPHY TX 75094-4110

PHONE: 5038878898

FAX:

COMMENTS: We are located 0.3 miles, roughly 1500 ft, from the proposed location. WE ARE REQUESTING A CONTESTED HEARING due to the multiple impacts this proposed plant has on our environment, children, community, wildlife, and safety of homes. Our children have allergies and asthma that would be exacerbated by the decrease in air quality due to the contaminants added for the treatment facility. Our daughter is a competitive horse rider and practices/lessons at a barn located on Gregory Lane, during heavy rains we are unable to access this location due to flooding and wash out of

the single access point, a small bridge. This small bridge is also the only access point for emergency vehicles to reach parties located on Gregory Lane, with the proposed plants added water flow into Maxwell Creek this will only increase the frequency of flood and thus the reduction of lifesaving capabilities to those parties living there. Should my daughter have a riding accident, she may not receive the medical attention needed due to this plant. Our local wildlife will be damaged, our horses that frequent the paths along and near Maxwell Creek will no longer be safe, our children who play in the creek will no longer be allowed to use this once safe local watering hole where they learned about nature and how to take care of it - because of a developer and a group of adults choosing not to take care of it. We ask on the behalf of our children, neighbors and community that this application be denied due to the detrimental impact of it.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, December 3, 2021 9:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: hal flood pic docs2.pdf

H

From: lauraghernandez@gmail.com <lauraghernandez@gmail.com>
Sent: Thursday, December 2, 2021 5:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Hal Camp

E-MAIL: lauraghernandez@gmail.com

COMPANY:

ADDRESS: 3505 WOODCREEK CIR
PARKER TX 75002-6766

PHONE: 2146072434

FAX:

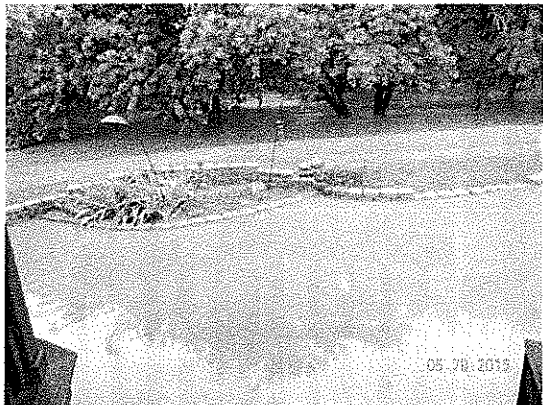
COMMENTS: These photos were taken by Hal Camp who lives 1300 feet away from the proposed Water treatment plant. Because flooding has already been a concern and the wastewater treatment plant will add an additional 200k-800k into the creek, along with adding a bridge that will create a blockage, and 100acres of cement that will not absorb

water but only add rainfall to the creek (over 3.5 million gallons if there is one inch of rain) I would like to request a contested hearing.



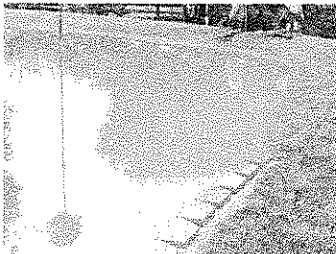
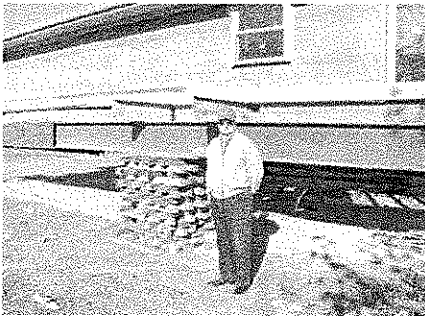
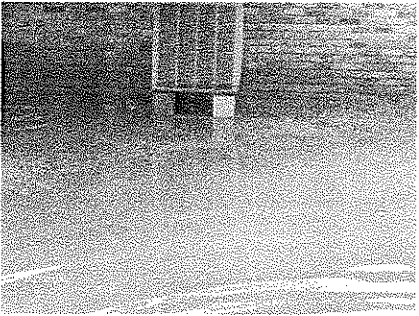
These photos were taken in 2021 by Hal Camp who lives 1300 feet away from the proposed Water treatment plant.

These photos were taken on 5/28 and 29 by Hal Camp who lives 1300 feet away from the proposed Water treatment plant. There was 3 inches of rain each day.



05/29/2015

In Aug 2008 Hal Camp and one of his neighbors' house flooded, this was not the first time and they were forced to raise their homes in December 2008 after they had flooded multiple times.
8/20



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: halcamp32572@hal-ann.com <halcamp32572@hal-ann.com>
Sent: Thursday, September 23, 2021 8:04 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Harold Camp

E-MAIL: halcamp32572@hal-ann.com

COMPANY:

ADDRESS: 3505 WOODCREEK CIR
PARKER TX 75002-6766

PHONE: 9724421203

FAX:

COMMENTS: I live on Maxwell Creek within 2000 feet of the proposed sewage treatment plant. I had to spend \$32,000 to have my house raised 4 feet to keep from flooding from Maxwell creek which had been in the house 5 times. We don't need to add 200,000 gallons of water to a flood condition which WILL happen again. The proposed plant is at the same elevation as I've seen water in my "front" yard. These plants cannot avoid odors as well. I am totally opposed to

this development of hundreds of residences in Parker's ETJ. We are a city of large acreage with a country atmosphere and want to keep it that way.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 22, 2022 8:51 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: seth@the-carrolls.org <seth@the-carrolls.org>
Sent: Saturday, February 19, 2022 3:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: MR Seth Patrick Carroll

E-MAIL: seth@the-carrolls.org

COMPANY:

ADDRESS: 216 GENE AUTRY LN
MURPHY TX 75094-3658

PHONE: 4696445154

FAX:

COMMENTS: Please reconsider the decision on this permit. We live 2,800 feet southwest from the proposed waste water facility and approx 500 feet from Maxwell Creek. We are highly concerned about the smell that this facility will bring to the area, as well as the pollution in the creek. My children often play in that creek and that is one of the reasons we moved to this neighborhood. It's disturbing to think that my kids will be stepping through treated sewage to cross

the creek. That's just gross. Please do the right thing and reject this permit. There are other options for this builder to provide sewage services to the planned neighborhood. Seth Carroll

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 15, 2021 9:32 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: seth@the-carrolls.org <seth@the-carrolls.org>
Sent: Saturday, November 13, 2021 10:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Seth Carroll

E-MAIL: seth@the-carrolls.org

COMPANY:

ADDRESS: 216 GENE AUTRY LN
MURPHY TX 75094-3658

PHONE: 4696445154

FAX:

COMMENTS: We live right by Maxwell Creek in Murphy, downstream from the proposed water treatment facility. My 3 children and I often go on hikes down near the creek, and I am greatly concerned about the safety of the water as well as the impact on wildlife due to the treated sewage that will be released into the creek. The creek and greenbelt are one of our favorite parts of living where we do. Please do not approve this permit. Keep Murphy beautiful and clean. I understand the need for water treatment, but there has to be a better option.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 11, 2022 7:20 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: CORRECTION: Public comment on Permit Number D-04122021-017
Attachments: Creek Pictures.pdf

H

From: PUBCOMMENT-OCC
Sent: Thursday, February 10, 2022 10:22 AM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>
Subject: FW: Public comment on Permit Number D-04122021-017

Also to **PERMIT NUMBER:** WQ0016003001

From: lcaughfield@gmail.com <lcaughfield@gmail.com>
Sent: Thursday, February 10, 2022 9:45 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: TX

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Lance Caughfield

E-MAIL: lcaughfield@gmail.com

COMPANY:

ADDRESS: 1404 KEATHLY CIR
MURPHY TX 75094-4119

PHONE: 2149120406

FAX:

COMMENTS: I am an affected person located approximately 500 feet from the proposed facility, approximately 400 feet from the point of discharge, and directly downstream from the discharge point per the TCEQ's locator website. Maxwell Creek borders my property on two sides, and my property extends to the midline of the creek. I request a contested case hearing, for the following reasons: 1) Erosion and Flooding. My property floods after heavy rain, and we are already experiencing erosion with current water levels. The attached photos are directly below my fence, showing the state of the current erosion. Adding the proposed volume to the current regular flow of the creek will directly harm my property. 2) Water quality. I have experience with water released from MUDS and eutrophication of the waterway as a result. The resultant odor, unsightliness, and general change in water quality and PH will directly impact my property. 3) Impact on wildlife. We observe cranes and herons fishing in the pools formed by the creek below our house for the crawdads and fish in the creek itself, and the creek is a pathway for rabbits, bobcats, coyotes, raccoons, possum, and a variety of other wildlife. We often observe fireflies coming up from the creek, turtles, tree frogs, and toads move to and from the creek through our yard, and we have barred and great owls nesting near our house along with redheaded woodpeckers. Texas Parks and Wildlife has recognized this creek and its surrounding habitat as uniquely pristine. This ecosystem should be protected, not threatened. 4) Our Health. We walk into the creek with our children at times to try to prevent further erosion and just to sit and experience this unique spot. We grow and harvest berries on the river banks as part of our erosion control. My 86 year-old mother lives with us and also spends time near the creek to relax. We have also considered the creek an emergency water source, since it is directly spring fed and clear. Degradation of the creek will directly impact our health. 5) Our property value. According to the Collin County Appraisal District, my property is appraised at approximately one-million dollars. To say I am significantly invested in my property is an understatement. Any adverse impact on the quality of the creek will negatively impact my property value and investment and will directly impact me and my family financially. I have also personally observed the creek for some time, and can state without hesitation that the statements in initial applications about the creek being anything but spring fed, clear, and continuously running are false. Indeed, a spring runs from under the bluff below our house and into the creek, as is visible in the attached picture. The creek is clear and pristine. I carefully purchased this property after ensuring non-development agreements were in place for the property directly behind my house, and based on Parker's building and development guidelines, which at the time (before changes in the law occurred) should have afforded protection from developers, like this one, who seem to seek to negatively impact and degrade the lives and properties of those around them to maximize their own profit. I strongly object to the proposed development's exploitation of changes to the law, refusal to work with NTMWD's existing plans to regionalize and build wastewater infrastructure to service this property, and attempts to override the will of nearby municipalities and citizens who have worked together to create a high quality of life in this part of the County. I understand that the Water Division of the TCEQ is interested in hearing suggestions as to remedies to these concerns. Those suggestions are simple. This development should comply with Parker's building and development guidelines, even if it is "just" in the ETJ of the county. This would ensure that the expectations of those Collin County citizens who purchased, developed, and grew this part of the County while protecting its resources are not negatively impacted by one developer who doesn't want to comply. The development should comply with the NTMWD's plans to tie into planned facilities that will not require discharge into the creek. And the development should be conformed to the surrounding area so that it enhances, not destroys, surrounding property value. Because the proposed project would directly harm my property, my quality of life, my financial investment, and my peace of mind, I oppose the project, and request a contested case hearing on this matter.









Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, February 10, 2022 10:22 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: Creek Pictures.pdf

Also to **PERMIT NUMBER:** WQ0016003001

From: lcaughfield@gmail.com <lcaughfield@gmail.com>
Sent: Thursday, February 10, 2022 9:45 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: TX

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Lance Caughfield

E-MAIL: lcaughfield@gmail.com

COMPANY:

ADDRESS: 1404 KEATHLY CIR
MURPHY TX 75094-4119

PHONE: 2149120406

FAX:

COMMENTS: I am an affected person located approximately 500 feet from the proposed facility, approximately 400 feet from the point of discharge, and directly downstream from the discharge point per the TCEQ's locator website. Maxwell Creek borders my property on two sides, and my property extends to the midline of the creek. I request a contested case hearing, for the following reasons: 1) Erosion and Flooding. My property floods after heavy rain, and we are already

experiencing erosion with current water levels. The attached photos are directly below my fence, showing the state of the current erosion. Adding the proposed volume to the current regular flow of the creek will directly harm my property.

2) Water quality. I have experience with water released from MUDS and eutrophication of the waterway as a result. The resultant odor, unsightliness, and general change in water quality and PH will directly impact my property.

3) Impact on wildlife. We observe cranes and herons fishing in the pools formed by the creek below our house for the crawdads and fish in the creek itself, and the creek is a pathway for rabbits, bobcats, coyotes, raccoons, possum, and a variety of other wildlife. We often observe fireflies coming up from the creek, turtles, tree frogs, and toads move to and from the creek through our yard, and we have barred and great owls nesting near our house along with redheaded woodpeckers. Texas Parks and Wildlife has recognized this creek and its surrounding habitat as uniquely pristine. This ecosystem should be protected, not threatened.

4) Our Health. We walk into the creek with our children at times to try to prevent further erosion and just to sit and experience this unique spot. We grow and harvest berries on the river banks as part of our erosion control. My 86 year-old mother lives with us and also spends time near the creek to relax. We have also considered the creek an emergency water source, since it is directly spring fed and clear. Degradation of the creek will directly impact our health.

5) Our property value. According to the Collin County Appraisal District, my property is appraised at approximately one-million dollars. To say I am significantly invested in my property is an understatement. Any adverse impact on the quality of the creek will negatively impact my property value and investment and will directly impact me and my family financially. I have also personally observed the creek for some time, and can state without hesitation that the statements in initial applications about the creek being anything but spring fed, clear, and continuously running are false. Indeed, a spring runs from under the bluff below our house and into the creek, as is visible in the attached picture. The creek is clear and pristine. I carefully purchased this property after ensuring non-development agreements were in place for the property directly behind my house, and based on Parker's building and development guidelines, which at the time (before changes in the law occurred) should have afforded protection from developers, like this one, who seem to seek to negatively impact and degrade the lives and properties of those around them to maximize their own profit. I strongly object to the proposed development's exploitation of changes to the law, refusal to work with NTMWD's existing plans to regionalize and build wastewater infrastructure to service this property, and attempts to override the will of nearby municipalities and citizens who have worked together to create a high quality of life in this part of the County. I understand that the Water Division of the TCEQ is interested in hearing suggestions as to remedies to these concerns. Those suggestions are simple. This development should comply with Parker's building and development guidelines, even if it is "just" in the ETJ of the county. This would ensure that the expectations of those Collin County citizens who purchased, developed, and grew this part of the County while protecting its resources are not negatively impacted by one developer who doesn't want to comply. The development should comply with the NTMWD's plans to tie into planned facilities that will not require discharge into the creek. And the development should be conformed to the surrounding area so that it enhances, not destroys, surrounding property value. Because the proposed project would directly harm my property, my quality of life, my financial investment, and my peace of mind, I oppose the project, and request a contested case hearing on this matter.









Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Creek Pictures.pdf

H

From: lcaughfield@gmail.com <lcaughfield@gmail.com>
Sent: Sunday, December 5, 2021 12:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: TX

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Lance Caughfield

E-MAIL: lcaughfield@gmail.com

COMPANY:

ADDRESS: 1404 KEATHLY CIR
MURPHY TX 75094-4119

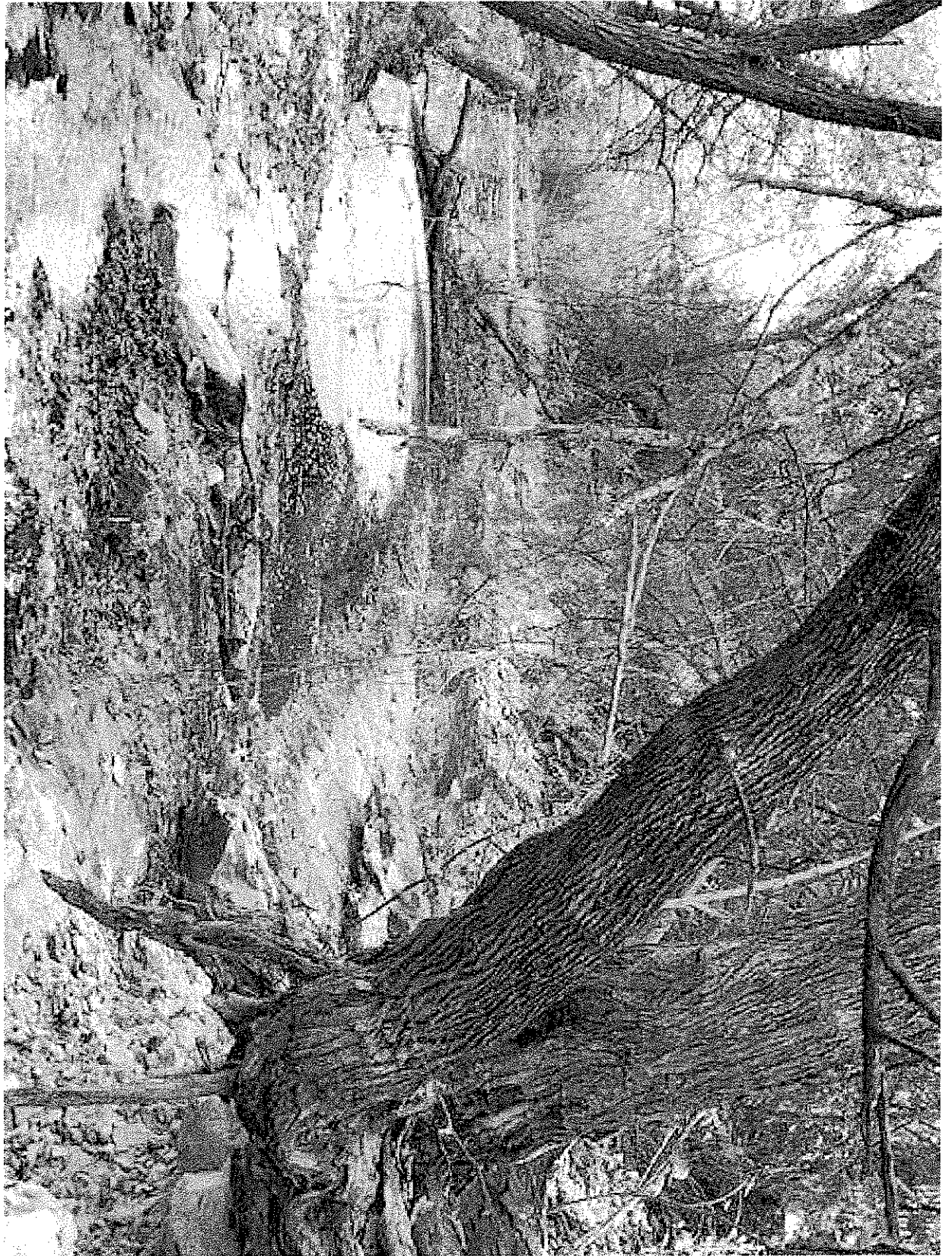
PHONE: 2149120406

FAX:

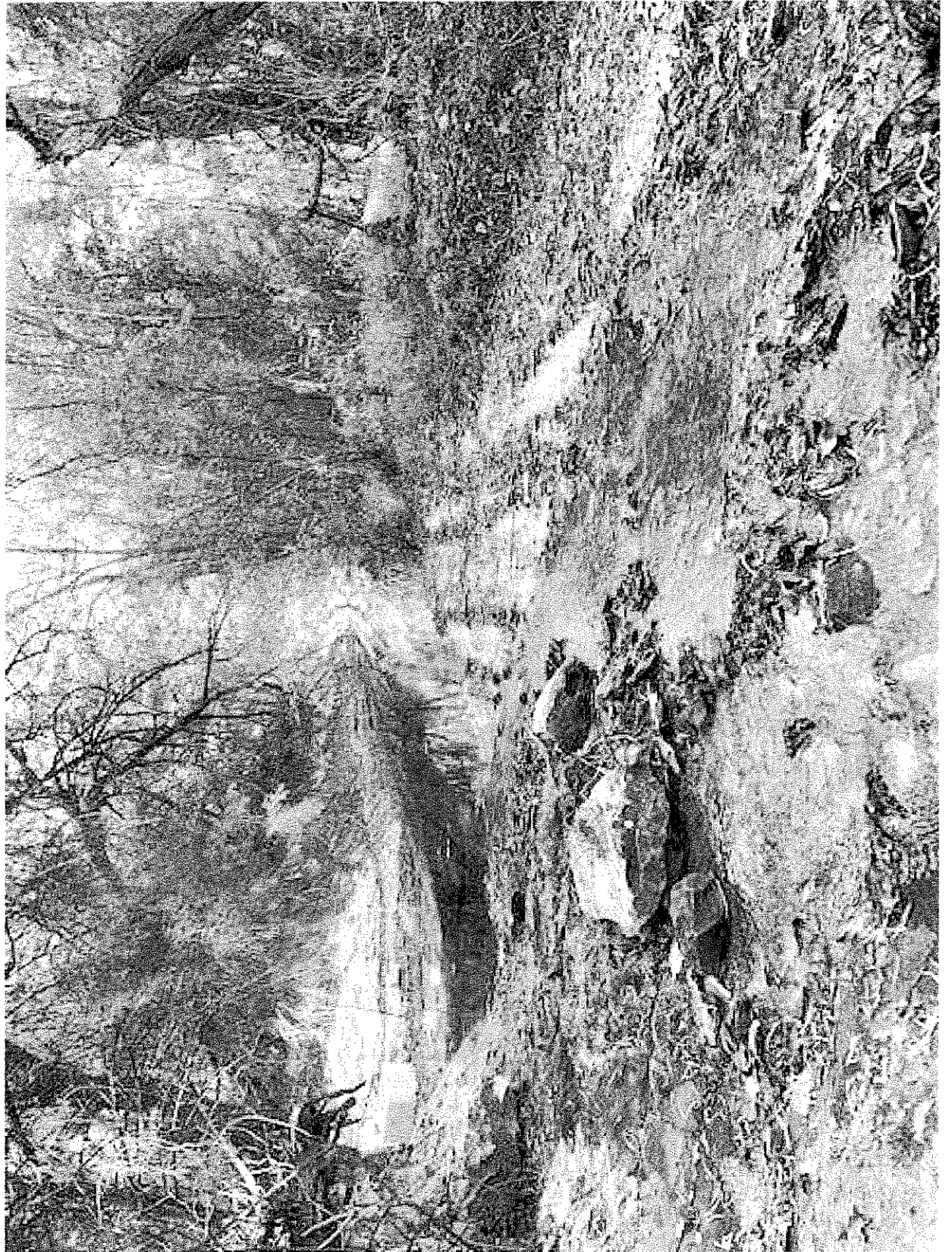
COMMENTS: I am an affected person (number 3 on the plat) located approximately 500 feet from the proposed facility, approximately 400 feet from the point of discharge, and directly downstream from the discharge point per the TCEQ's locator website. Maxwell Creek borders my property on two sides, and my property extends to the midline of the creek. I request a contested case hearing, for the following reasons: 1) Erosion. My property floods after heavy rain, and we are

already experiencing erosion with current water levels. The attached picture is directly below my fence, showing the state of the current erosion. Adding the proposed volume to the current regular flow of the creek will directly harm my property. 2) Water quality. I have experience with water released from MUDS and eutrophication of the waterway as a result. The resultant odor, unsightliness, and general change in water quality will directly impact my property. 3) Impact on wildlife. We observe cranes and herons fishing in the creek below our house for the crawdads and fish in the creek itself, and the creek is a pathway for bobcats, coyotes, raccoons, possum, and a variety of other wildlife. We often observe fireflies coming up from the creek, tree frogs and toads, and have barred and great owls nesting near our house along with redheaded woodpeckers. This ecosystem should be protected, not threatened. 4) Our Health. We walk into the creek with our children at times to try to prevent further erosion and just to sit and experience this unique spot. We grow and harvest berries on the river banks. My 86 year-old mother lives with us and also spends time near the creek to relax. We have also considered the creek an emergency water source, since it is directly spring fed and clear. Degradation of the creek will directly impact our health. 5) Our property value. According to the Collin County Appraisal District, my property is appraised at \$962,443. To say I am significantly invested in my property is an understatement. Any adverse impact on the quality of the creek will negatively impact my property value and investment and will directly impact me and my family financially. I have also personally observed the creek for some time, and can state without hesitation that the statements about the creek being anything but spring fed, clear, and continuously running are false. Indeed, a spring runs from under the bluff below our house and into the creek, as is visible in the attached picture. Because the proposed project would directly harm my property, I oppose the project, and request a contested case hearing on this matter.









Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:51 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Lcaughfield@gmail.com <Lcaughfield@gmail.com>
Sent: Tuesday, September 21, 2021 10:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Lance Caughfield

E-MAIL: Lcaughfield@gmail.com

COMPANY:

ADDRESS: 1404 KEATHLY CIR
MURPHY TX 75094-4119

PHONE: 2149120406

FAX:

COMMENTS: My home is on Maxwell creek and just south of the proposed plant. I have had a MUD build a plant that discharged into a river that was on property we used to own. It soon stank and quickly choked the once clear, limestone-bottomed river with green algae and weeds, despite being purified to requirements. The same would happen here, negatively impacting not just my property value but the quality of life of everyone in the area that lives and plays in the

green areas nurtured by the creek. The creek is a designated no discharge area for a reason. We also experience erosion that would likely worsen if flow increased. I strongly oppose this proposal.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 25, 2022 8:41 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: rolridge@ciramail.com <rolridge@ciramail.com>
Sent: Thursday, February 24, 2022 10:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Arvind Chokhani

E-MAIL: rolridge@ciramail.com

COMPANY: Rolling Ridge Estates HOA

ADDRESS: Attn: Kim Weir, 6400 International Parkway Suite 1000
Plano TX 75094

PHONE: 9723803505

FAX:

COMMENTS: Rolling Ridge Estates HOA is adjacent (0 miles) to the proposed MUD. We respectfully request a contested hearing on the application by Harrington / Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the

creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 (the "District Application"). The proposed MUD adversely affects our HOA and all of its residents. 1. The proposed plan would lead to a highly densely populated area incongruous to all the neighborhoods 2. Excessive noise 3. Foreseeable physical damage to property based upon improper planning for potentially flooding 4. Foreseeable economic harm to the economic value of all the properties in our HOA 5. Foreseeable harm to our residents 6. If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interfere with the homeowners of Parker and Murphy 7. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy We request you to kindly reject this proposal.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:40 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: rolridge@ciramail.com <rolridge@ciramail.com>
Sent: Monday, December 6, 2021 7:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Arvind Chokhani

E-MAIL: rolridge@ciramail.com

COMPANY: Rolling Ridge Estates HOA

ADDRESS: 6400 INTERNATIONAL PKWY Suite 1000
PLANO TX 75093-8216

PHONE: 8664732573

FAX:

COMMENTS: Greetings, 1. RR HOA not informed sufficiently regarding this permit request despite being an affected party 2. Health issues to thousands of our residents including hundreds of students at Hunt Elementary both from ground water contamination and airborne chemical discharge 3. High impact on protected and unprotected wildlife on our property and nearby 4. Unnatural flooding due to sewage discharge on our properties 5. Permit requested is without environment, health and community impact studies 6. This will greatly decrease our home values and decrease tax

revenues We would like a contested hearing. Regards, Arvind Chokhani On Behalf of Rolling Ridge Estates HOA Attn: Kim Weir 6400 International Parkway, Suite 1000, Plano, TX 75093

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Maxwell Creek- Gregory & Gray.pdf

H

From: scottclark56@gmail.com <scottclark56@gmail.com>
Sent: Monday, December 6, 2021 1:02 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Scott Anthony Clark

E-MAIL: scottclark56@gmail.com

COMPANY:

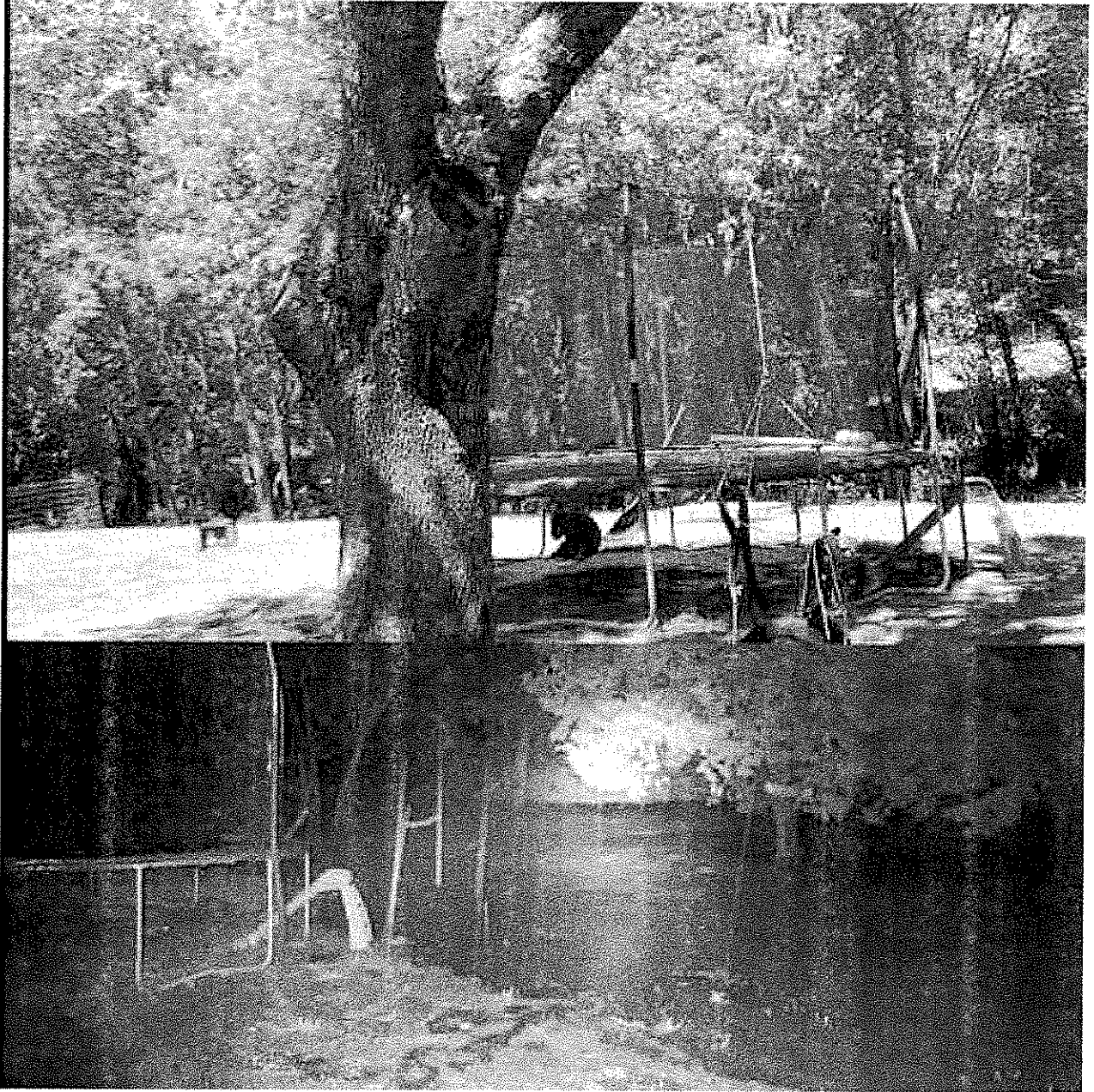
ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146867705

FAX:

COMMENTS: My Name is Scott Clark. I am a veteran, with a VA backed home, and my family and I are affected parties. Maxwell Creek runs directly through my 2.5 acre property at the intersection of Gregory and Gray Lane, across the street from Southfork Ranch. I live 0.3 miles from the proposed treatment facility, have three children that play in the creek, pets (dogs, cats, chickens, ducks and soon goats that utilize the creek on a daily basis) and I request a contested case

hearing. These photos are of Maxwell Creek running through our neighborhood (my backyard) at the Gregory & Gray Lane intersection in Parker. These photos show the impact of a 4 inch rain. 150 feet across and 30 feet from our homes within hours. This was NOT a rare occurrence in Parker, and was an imminent threat to Life and Property, as the bridge would become impassible and was the only entrance and exit for our families. The City of Parker, with the support of our Mayor Lee Pettle, spent hundreds of thousands of dollars in order to upgrade the bridge on Gregory Lane and bring it up to Collin County standards (The Legal Requirement to Maintain 1 foot of freeboard/ clearance during a 100 year flood event.) The hydrodynamic effect of the increase of water released into the creek by the water treatment facility can be explained by a simple bathtub analogy, where the drain is the creek itself, and it has a limited flow rate... if the bathtub is having difficulty draining due to heavy rain/ water flow and you stick a garden hose in the tub on full blast, it is going to backup and overflow. This is the Upstream effect of the water treatment facility. It will negate the money and effort our community has spent to improve the flooding and storm water drainage in Parker. Respectfully, Scott & Wendy Clark 6000 Gregory Lane Parker, TX 75002



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: McKinney Engineering Design Manual - compressed.pdf

From: scottclark56@gmail.com <scottclark56@gmail.com>
Sent: Monday, December 6, 2021 1:40 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Scott Anthony Clark

E-MAIL: scottclark56@gmail.com

COMPANY: Intertek

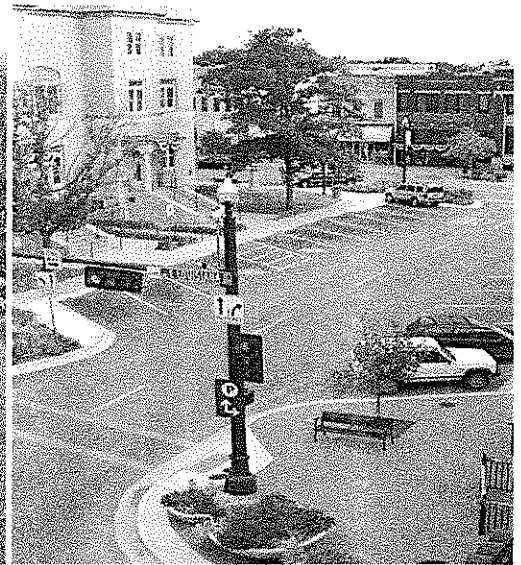
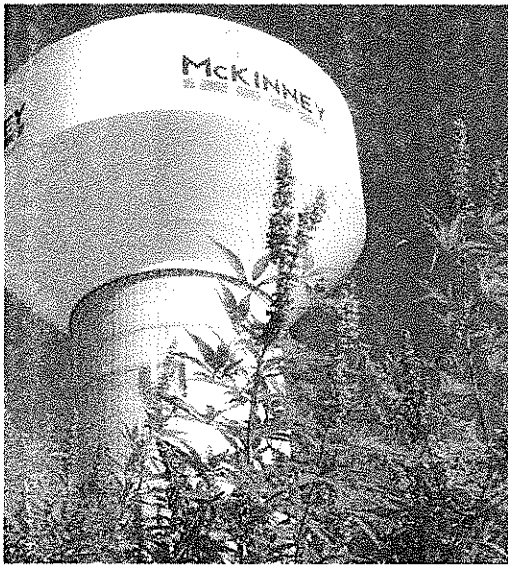
ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146867705

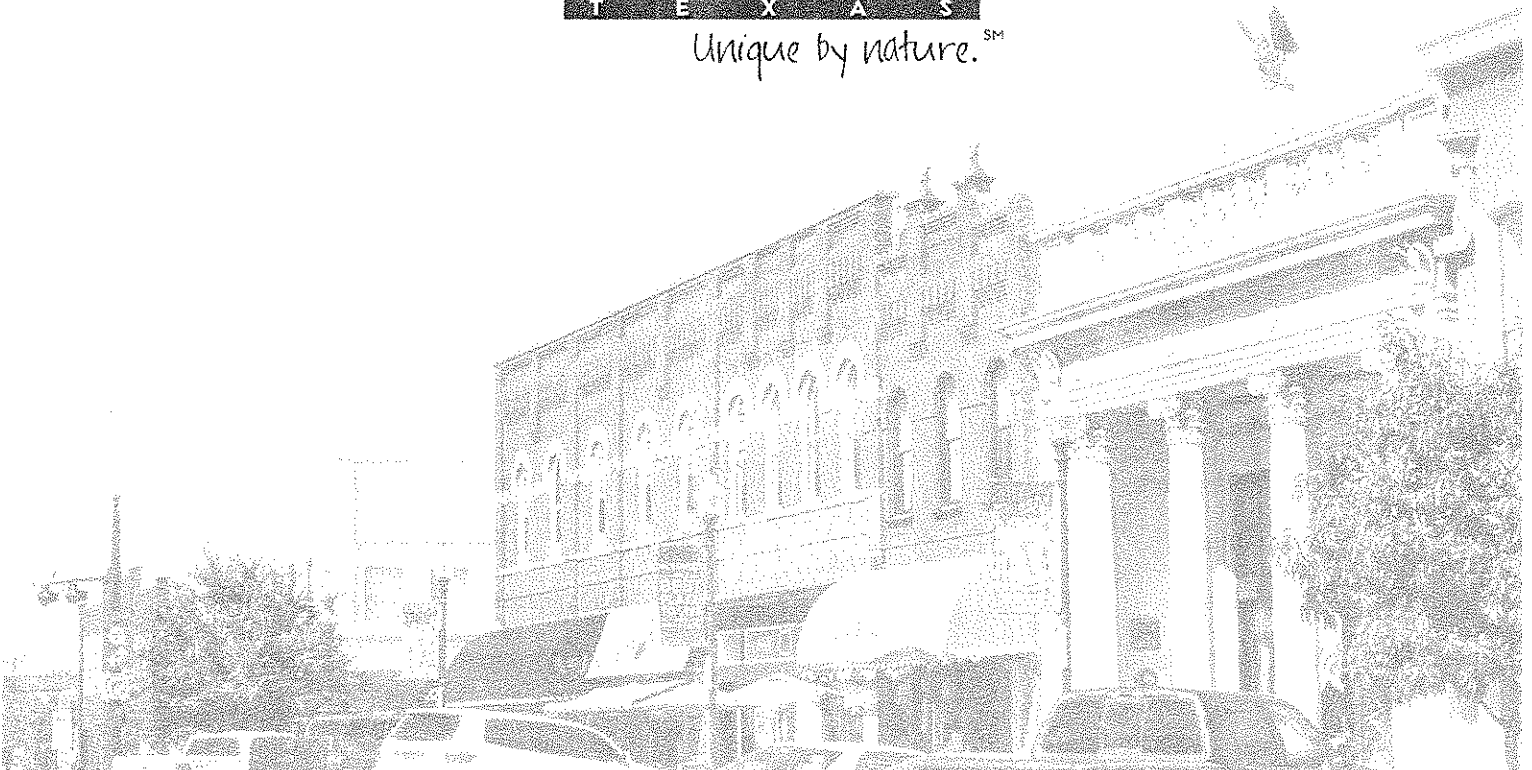
FAX:

COMMENTS: Submitting the Collin County Engineering Design Manual regarding Design Frequency and Freeboard (Clearance) Requirements of Culverts, specifically Section 4-16 on Page 93. The Gregory & Gray Lane culvert, which just underwent a \$450,000 renovation to protect Life and Property in the city of Parker, is only 0.3 miles away and would be negatively effected upstream by the increased flow into a creek that can barely manage its current volume during heavy

rain. My home at 6000 Gregory Lane, Parker TX 75002 has flooded three times due to the inadequacies of the flooding and storm water drainage infrastructure. We worked very hard with our current mayor, Lee Pettie, and her team, in order to ensure that my wife and family can live safely without threat of our home flooding, without a potential safe evacuation route, as our only entrance and exit could once again flood as the result of the additional flow rate and discharge from the proposed treatment facility. Expect to be held financially and criminally liable should harm come to my family or property due to flooding as a result of your development. I am a veteran, with a home loan backed by The United States Department of Veterans Affairs. Respectfully, Scott and Wendy Clark 6000 Gregory Lane, Parker TX 75002



Engineering Design Manual



City of McKinney Engineering Department
www.mckinneytexas.org

Adopted: April 4, 2018

CITY COUNCIL

George Fuller	Mayor
Tracy Rath	Mayor Pro-Tem
La'Shadiion Shemwell	Council Member – District 1
Rainey Rogers	Council Member – District 2
Scott Elliott	Council Member – District 3
Chuck Branch	Council Member – District 4
Tracy Rath	Council Member At Large
Charlie Philips	Council Member At Large

CITY MANAGER

Paul Grimes	City Manager
Jose Madrigal	Deputy City Manager
Barry Shelton	Assistant City Manager
Steve Tilton	Assistant City Manager

CITY STAFF

Michael Quint	Executive Director of Development Services
David Brown	Director of Public Works
Paul Sparkman	Assistant Director of Public Works
Brian Lockley	Director of Planning
Gary Graham	Director of Engineering
Michael Hebert	Assistant Director of Engineering
Nick Ataie	Engineering CIP Manager
Matt Tilke	Transportation Engineering Manager
Matt Richardson	Development Engineering Manager
Kyle Odom	Environmental Manager

SECTION 1 GENERAL DESIGN REQUIREMENTS

1.1.	Title	1-1
1.2.	Purpose	1-1
1.3.	Interpretation	1-1
1.4.	Enforcement	1-3
1.5.	Amendment	1-3
1.6.	Variance Requests	1-3
1.7.	Applicability	1-4
1.8.	Accessibility Standards and Requirements	1-4
1.9.	Submittal Requirements for Construction Plans	1-4
1.10.	Easements	1-4
1.11.	Subsurface Utility Engineering	1-6
1.12.	Survey Requirements	1-7

SECTION 2 STREET DESIGN REQUIREMENTS

2.1.	General	2-1
2.2.	Street Design	2-1
2.3.	Intersections	2-14
2.4.	Median Openings	2-28
2.5.	Turn Lanes	2-31
2.6.	Access Management	2-32
2.7.	Driveways	2-37
2.8.	Alley Design	2-43
2.9.	Traffic Control	2-44
2.10.	Pedestrian Facilities	2-45
2.11.	Street and Roadway Lighting	2-49
2.12.	Conduit Systems	2-53
2.13.	Traffic Impact Analysis	2-54

SECTION 3 PAVEMENT AND SUBGRADE DESIGN REQUIREMENTS

3.1.	General	3-1
3.2.	Existing Surface/Subsurface Investigation	3-2
3.3.	Subsurface Design	3-3
3.4.	Subgrade Design	3-4
3.5.	Pavement Design	3-5

SECTION 4 STORMWATER DESIGN REQUIREMENTS

4.1.	General	4-1
4.2.	Floodplain Development Criteria	4-6
4.3.	Design Rainfall	4-13
4.4.	Determination of Design Discharge	4-16
4.5.	Street Flow	4-22
4.6.	Inlet Design	4-26
4.7.	Storm Drain Design	4-35
4.8.	Open Channels	4-52
4.9.	Bridge and Culvert Hydraulic Design	4-57

4.10.	Detention Basin Design	4-61
4.11.	Site Erosion Control.....	4-71
4.12.	Dam and Impoundment Design	4-71

SECTION 5 WATER AND WASTEWATER DESIGN REQUIREMENTS

5.1.	General	5-1
5.2.	Water System Design Criteria	5-6
	A. General.....	5-6
	B. Water Services	5-6
	C. Water Demand and Supply	5-7
	D. Pressure Planes	5-8
	E. Sizing Water Distribution Mains	5-8
	F. Horizontal Alignment and Vertical Alignment	5-12
	G. Depth of Cover	5-12
	H. Pipe Material.....	5-13
	I. Fittings.....	5-14
	J. Pipe Embedment	5-14
	K. Dead-End Mains	5-15
	L. Fire Hydrants	5-15
	M. Valves.....	5-18
	N. Connections to Existing Water Mains.....	5-19
	O. Flushing and Disinfection.....	5-21
5.3.	Wastewater Design Criteria	5-23
	A. General.....	5-23
	B. Sewer Services.....	5-23
	C. Design Flow.....	5-24
	D. Sizing Wastewater Collection Mains	5-25
	E. Inflow and Infiltration.....	5-27
	F. Horizontal Alignment and Vertical Alignment	5-28
	G. Depth of Cover	5-30
	H. Manhole Locations and Manhole Sizes.....	5-30
	I. Pipe Material.....	5-33
	J. Pipe Embedment	5-35
	K. Cleanouts	5-35
	L. Connections to Existing Wastewater Mains	5-36
	M. Abandonment of Wastewater Lines	5-36
5.4.	Wastewater Lift Station Design Criteria	5-36
	A. General.....	5-36
	B. Site Selection and Requirements.....	5-37
	C. Wet Well and Valve Vault Design	5-38
	D. Pumps, Lift Station Piping, and Valves	5-41
	E. Force Main	5-43
	F. Electrical Requirements for New Lift Stations	5-45
	G. Emergency Provisions for Lift Stations.....	5-47
5.5.	Water and Wastewater Treatment Plant Design Criteria.....	5-47

SECTION 6 STRUCTURAL DESIGN REQUIREMENTS

6.1.	General	6-1
6.2.	Code Requirements.....	6-2
6.3.	Excavation Support	6-3
6.4.	Geotechnical Performance Specifications	6-3
6.5.	Bridge Design.....	6-5
6.6.	Retaining Wall Design	6-7
6.7.	Slope Stability Design Criteria	6-9
6.8.	Screening Wall Design Criteria.....	6-10
6.9.	Headwalls and Wingwalls.....	6-10
6.10.	Culverts.....	6-10
6.11.	Drop Structures	6-10
6.12.	Aerial Crossings	6-11
6.13.	Non-Bridge Construction Inspection and Certification.....	6-11
6.14.	Bridge Construction Inspection and Certification	6-12

SECTION 7 LANDSCAPE AND IRRIGATION DESIGN REQUIREMENTS

7.1.	General	7-1
7.2.	Landscape Requirements within Right-of-Way	7-2
7.3.	Irrigation Design Requirements within Right-of-Way.....	7-4

SECTION 8 ENVIRONMENTAL DESIGN REQUIREMENTS

8.1.	General	8-1
8.2.	Texas Construction General Permit and City Requirements.....	8-2
8.3.	Stormwater Pollution Prevention Plan – Temporary Controls	8-3
8.4.	Post Construction Stormwater Quality Plan – Permanent Controls.....	8-5

APPENDIX A – DEFINITIONS AND ABBREVIATIONS

APPENDIX B – CITY CHECKLISTS

SECTION 1 GENERAL DESIGN REQUIREMENTS

1.1. Title

These standards are hereby adopted as the "Engineering Design Manual," Sections 1 – 8 and Appendices, which shall be in full force and effect from and after the effective date of adoption of the Engineering Design Manual.

1.2. Purpose

The purpose of the Engineering Design Manual is to protect the health, safety, and welfare of the public by establishing standard engineering practices and minimum engineering criteria for the City of McKinney (City), Texas, and its extraterritorial jurisdiction (ETJ).

1.3. Interpretation

- A. In the interpretation and application of the provisions of these regulations, it is the intention of the City that the principles, standards, and requirements provided for herein shall be minimum requirements for the design of both public and municipal capital projects in the City and its ETJ. The Engineer of Record (Engineer) is expected to meet all City, State, and Federal ordinances and regulations. The Engineering Design Manual contains City-specific criteria. Where other City, State, Federal, or other jurisdiction regulations are more restrictive than the Engineering Design Manual, such other ordinances or regulations shall govern.
- B. The City has adopted various ordinances, master plans, policies, and documents, which address requirements not explicitly included in the Engineering Design Manual, including, but not limited to, the following below. The Engineer is responsible for requesting additional City requirements, such as corridor-specific or Planned Development (PD) master plans, that may not be included in this list. The Engineer is responsible for understanding and complying with the City's various ordinances and master plans.
1. Comprehensive Plan
 2. Construction Standards and Specifications Manual* including: Technical Specifications, General Notes, Standard Details, and Approved Materials Lists.
**Development in progress. Current construction standards, details, and specifications shall be used until the new manual is adopted.*
 3. Stream Bank Stabilization Manual
 4. Erosion and Sediment Control Manual
 5. Floodplain Management Study for Wilson Creek, Franklin Branch, Stover Creek and Honey Creek
 6. TPDES Phase II Stormwater Management Program
 7. Multi-Family Policy

8. Right-of-Way Construction and Permitting Procedures Manual
9. Neighborhood Traffic Management Program
10. Roadway Capital Improvement Plan and Impact Fee Update
11. Water and Wastewater Capital Improvement Plan and Impact Fee Update
12. **Master Plans**
 - a. Water Distribution System Master Plan
 - b. Wastewater Collection System Master Plan
 - c. Master Thoroughfare Plan
 - d. McKinney Town Center Phase 1: Report and Illustrative Plan
 - e. Historic Town Center Parking Study
 - f. Northwest Sector Study Phase 1 Report
 - g. S.H. 5 Corridor Master Plan
 - h. Public Art Master Plan
 - i. Parks, Recreation, Open Space, Trails, and Streetscape Visioning Master Plan
 - j. Hike and Bike Master Plan
13. **Code of Ordinances**
 - a. Building Code (Ch. 122 Art. II)
 - b. Water and Wastewater Impact Fees Ordinance (Ch. 130 Art. II Div. 1)
 - c. Roadway Impact Fees Ordinance (Ch. 130 Art. III Div. I)
 - d. Stormwater Management Ordinance (Ch. 130 Art. IV)
 - e. Subdivision Ordinance (Ch. 142)
 - f. Right-of-Way Ordinance (Ch. 142-80)
 - g. Zoning Ordinance (Ch. 146)
 - h. Tree Preservation Ordinance (Ch. 146-136)
14. International Fire Code

1.4. Enforcement

- A. The City's Engineering Design Manual is issued by the Engineering Department. The Engineering Department is hereby authorized to enforce the provisions of the Engineering Design Manual. The standards and any updates will be available on the City's website.
- B. The Engineering Design Manual shall be in full force and effect immediately upon being filed with the City Secretary. Projects will be required to comply with all requirements. The Engineering Design Manual includes the various design criteria which are considered minimum requirements for the design of adequate public facilities within the City. The Engineer shall bear the sole responsibility for meeting the Engineering Standard of Care for all aspects of the design and providing a design that is required by the site-specific conditions and intended use of the facilities, while at a minimum meeting the City's design and construction requirements.

1.5. Amendment

- A. The City may amend the Engineering Design Manual at any time without advanced notice. In order to ensure that the Engineer has the City's latest design standards, he/she is directed to the City's website to acquire the City's most current Engineering Design Manual. The Engineering Design Manual will include a Record of Revisions to identify any revisions.
- B. A formal request to modify current design criteria or add new design criteria may be submitted in writing to the Director of Engineering for consideration.

1.6. Variance Requests

- A. A formal request to vary from the Engineering Design Manual may be submitted in writing to the Director of Engineering for consideration. An Engineer who wishes to request a variance regarding the design of public facilities may do so as long as the request, if granted:
 - 1. Is not detrimental to the public welfare;
 - 2. Does not adversely impact the public facility in question;
 - 3. Is supported by a signed and sealed engineering analysis performed by a Professional Engineer licensed in the State of Texas; and,
 - 4. Is not based solely on financial interests.
- B. All deviations from the requirements included in the Engineering Design Manual must be approved by the Director of Engineering prior to implementation. A grant of an alternative material, design, or method of construction shall not affect nor relieve the Engineer of the obligation and responsibility of such material, design, or method of construction for the intended purposes.

- C. In the event that specific circumstances dictate requirements not already included in the Engineering Design Manual, it shall be the responsibility of the Engineer to provide the additional information in writing for review as deemed necessary by the Director of Engineering.

1.7. Applicability

The Engineer shall be responsible for the applicability of the information contained in the Engineering Design Manual to the design of his/her project. The Engineer shall also be responsible for the applicability and accuracy of the information furnished in his/her design. Acceptance by the City of the study or plans for construction shall not be construed to relieve the Engineer of any responsibility.

1.8. Accessibility Standards and Requirements

All plans and specifications for construction shall be in accordance with Texas Accessibility Standards (TAS), Americans with Disabilities Act (ADA), and Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) regulations. In the event that the accessibility standards conflict with each other, the more restrictive standards shall govern.

1.9. Submittal Requirements for Construction Plans

- A. All new construction, reconstruction, modifications, alterations, and improvements shall be designed in accordance with the City's Engineering Design Manual.
- B. Specific submittal requirements for construction plans can be found within the Civil Engineering Plan Review Development Checklist. It is the responsibility of the Engineer to ensure that all construction plans submitted for review adhere to the current version of the Civil Engineering Plan Review Development Checklist. The City reserves the right to specify additional requirements as necessary to facilitate the review.
- C. Any projects requiring permits from agencies other than the City (including, but not limited to, TxDOT, NTTA, or Railroad Commissions) shall submit the required permit documents to the City for initial review. Authorization to submit permit requests to the agencies is contingent upon the City's approval of the initial review. The City may elect to lead coordination and/or submittal of permit requests to the agencies.
- D. A listing of required fees for City review of construction plans is available on the City's website.

1.10. Easements

- A. General – Easements and ROW required for construction of a proposed project and dedicated to the public or to the City must be approved and accepted prior to the approval of final design drawings.
- B. Requirements for Easements and ROW dedicated to the City:

1. Easements and ROW shall be either a part of the dedication on the plat of a subdivision or dedicated by separate instrument.
 2. Easements and ROW not dedicated on a plat shall be dedicated to the City on standard forms provided by the City for that purpose or on forms approved by the City Attorney. Approved document forms and instructions can be found on the [City's website](#).
 3. Owner shall also furnish the City with a metes and bounds description and map, signed and sealed by a Texas Registered Professional Land Surveyor, showing the Easement or ROW, location and current ownership information.
 4. All Easement and Deed documents must be approved by the City prior to procuring any signatures. Owner shall be responsible for procuring signatures and delivering the fully executed original document to the City for filing. Owner shall ensure that all documents have been properly signed and any required notarizations have occurred.
 5. Owner shall be responsible for all filing fees required for the recordation of executed documents at the Collin County Deed Records office. Owner shall provide the City with a check made out to the Collin County Clerk for the amount of the calculated filing fees.
 6. After recordation, a copy of the filed document will be forwarded to the Owner.
- C. The process for acquiring an easement by separate instrument is as follows:
1. Submit a metes and bounds description, a drawing of the easement sealed, signed and dated by a licensed surveyor, and ownership information to the Engineering Department.
 2. Prepare the easement documents based on the City's [template documents](#).
 3. After fee is paid to City, the easement documents will be sent to the individual or entity requesting the easement to obtain all necessary signatures (other than City's).
 4. The individual or entity requesting the easement shall pay any document preparation and filing fees required by the City.
 5. The individual or entity shall return all signed documents to the City for filing with the County.
 6. City will send a copy of the filed easement to the person requesting the easement and the easement grantor, if needed.
- D. Abandonment of ROW and Easements – ROW abandonment requires City Council approval. Refer to the City's [Alley Abandonment and Right-of-Way Vacation Requirements Checklist](#) for additional information.

- E. Easement Use Agreements – The City may allow permitting of certain improvements within easements with the execution of an Easement Use Agreement, which is in addition to a building permit. The agreement states that the City is not responsible for the maintenance or reconstruction of any improvements located in the easement or ROW and that the Owner must remove the improvement at the request of the City. Forms and instructions are available from the Engineering Department, or on the City's website.

- F. License Agreements are processed by the Engineering Department. The following items shall require a License Agreement:
 - 1. Driveways/flatwork;
 - 2. Brick or stone fences;
 - 3. Retaining walls (less than 15 inches in height that support a structure or greater than 15 inches, see **Section 6.1.C**);
 - 4. Private storm systems/area drains;
 - 5. Swimming pools decks;
 - 6. Wood decks, gazebos, and patios (covered/uncovered);
 - 7. Sidewalk areas leased for development use; and,
 - 8. Buildings and other permanent improvements.

- G. Items listed below may be allowed without the execution of a License Agreement and with approval from the Director of Engineering:
 - 1. Paving or flatwork;
 - 2. Wooden or chain-link fences (where allowed); and,
 - 3. Retaining walls (less than 15 inches in height that do not support a structure or infringe on the required visibility triangles, see **Section 6.1.C**).

1.11. Subsurface Utility Engineering

- A. Subsurface Utility Engineering (SUE) shall be required for all projects. All existing utilities shall be located and marked prior to initiation of survey for design.

- B. SUE Provider Requirements – SUE shall be conducted by well-trained, experienced, and capable individuals using state-of-the-art designating equipment, vacuum excavation, or comparable nondestructive locating equipment as well as surveying, data recording equipment, and software systems, as necessary.

- C. Quality Level Attributes – Utility Quality Level (QL) attributes are described in the current edition of *Standard Guidelines for Collection and Depiction of Existing Subsurface Utility Data, C/ASCE 38-02* by American Society of Civil Engineers

(ASCE). Accordingly, QL C and QL D shall be conducted for all projects. QL A and QL B shall be conducted in areas with congested utilities, areas where utility information is sparse, where a specific utility of high importance is being crossed (i.e., gas line), or as required by the Director of Engineering. QL A and B shall be conducted for all projects if borings will be taken or if an open cut is needed to install utilities. The requirements for the four SUE QLs are as follows:

1. Quality Level D – Information derived from existing records or oral recollections.
 2. Quality Level C – Information obtained by surveying and plotting visible above-ground utility features and by using professional judgment in correlating this information to Quality Level D.
 3. Quality Level B – Information obtained through the application of appropriate surface geophysical methods to determine the existence and approximate horizontal position of subsurface utilities. This work shall be performed to obtain horizontal location of subsurface utilities.
 4. Quality Level A – Precise horizontal and vertical location of utilities obtained by the actual exposure and subsequent measurement of subsurface utilities, usually at a specific point. This work shall be performed to obtain precise horizontal and vertical locations of subsurface utilities.
- D. Additional SUE field work shall be required as conditions change from initial SUE field exploration.

1.12. Survey Requirements

- A. The principals, standards, and requirements provided herein shall be minimum standards for projects involving survey. All survey shall be tied to the City of McKinney Control Monuments.
- B. Markers – Markers consisting of minimum 3/8 inch diameter steel rods at least 24 inches long with caps identifying responsible surveying firm or RPLS number shall be placed at all:
 1. Lot and block corners (wherever a lot line bearing changes);
 2. Intersection points of alley and block lines;
 3. Curve and tangent points along block, lot, and ROW lines within the subdivision; and,
 4. ROW dedications.
- C. Monuments – Monuments shall be installed and three-dimensional coordinates noted on the Plat. Coordinates shall be established using the scale factor.
- D. Subdivision Monumentation – At least two Markers shall be placed at property corners in addition to at least two Monuments at opposing ends of the property.

- E. Capital Improvements Project Monuments – Found existing ROW monuments, survey markers, or property corners, and proposed monuments shall be shown on the construction drawings and located by station and offset, right or left from the control line, base line or center line, or by northing and easting.
- F. If new construction will damage, destroy, or alter existing survey markers, monuments, or property corners, they must be re-set prior to final acceptance.
- G. Electronic Submittal Requirements – The City requires the submittal of CAD files for all plats within the City of McKinney. The Engineer must provide Grid Coordinates (State Plane) or Surface Coordinates with the scale factor. The electronic files shall include the following:
 - 1. Two Monuments (with three-dimensional coordinates);
 - 2. Markers at a minimum of two property corners (with three-dimensional coordinates);
 - 3. Parcel boundaries; and,
 - 4. ROW and easement dedications.
- H. Plat Acceptance
 - 1. Prior to Record Plat Acceptance, all required Monuments must be found and re-set if damaged during construction.
 - a. The surveyor shall provide two Monuments acceptable to the City and establish grid coordinates for the monuments in reference to the City of McKinney GPS Monuments.
 - b. Elevations will be established on the two monuments on the vertical datum in reference to the City of McKinney GPS Monuments.
 - c. The three-dimensional coordinates in grid coordinates established for these monuments will be clearly shown on the face of the plat. A note shall be added to the plat specifying the grid coordinates are not for design purposes.
 - d. The plat shall hold grid bearings and shall not be from an assumed north.
 - e. All distances shown on the plat will be surface distances.
 - f. To ensure that all necessary easements are reflected on the Record Plat, a preliminary inspection should be completed after all construction work has been completed and before the Record Plat is submitted for approval.
 - g. Refer to Plat/Replat Requirements Checklist and Fire Department's Plan Review and Inspection Process Development Guidelines for New and Existing Construction for additional requirements.

SECTION 2 STREET DESIGN REQUIREMENTS

2.1. General

This section presents the basic criteria to be used in the design of roadways in the City of McKinney. The design controls described in this section should be used in the design of all roadways and shall be in conformity with the City's Comprehensive Plan. Any variance required due to project specific constraints must be approved by the Director of Engineering. At a minimum, all thoroughfare designs shall meet the guidelines in AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*.

2.2. Street Design

A. Functional Classification

1. The City recognizes the following basic classifications of public roadways that include highways, major thoroughfares, minor thoroughfares, collectors, and local streets as identified in the Comprehensive Plan. Each class provides a certain degree of continuity, capacity, and accessibility to adjacent land uses. While differentiated by function, there is also a variance in geometric design. **Table 2-1** summarizes the general design criteria of roadways within the City. The typical cross sections are depicted in **Figure 2-1**. Designer may vary from these requirements as part of the approval of Planned Developments. The roadway classifications and their respective roadway types are as follows:
 - a. Principal Arterial (P6D)
 - b. Major Arterial (M6D)
 - c. Greenway Arterial (G6D/G4D)
 - d. Minor Arterial (M4D/M4U/M3U/M3U-F)
 - e. Commercial/Residential Collectors (C2U)*
 - f. Residential Streets (R2U)*
 - g. Residential Alleys (RA)
 - h. Town Thoroughfare and Urban Streets – Transportation facilities which serve established communities and/or those which serve an urban mixed use development must take a context sensitive approach through the planning and design process. Context Sensitive Solutions is a philosophy where planners and designers initially determine what is important to the surrounding community and future use of the facility as well as what is important to preserve and enhance to complement the natural environment. That information is then utilized to design streets, sidewalks, trails, drainage facilities, streetscapes, parking, and other amenities to address the transportation and mobility needs in a way that is in harmony with the surrounding development context.

*Additional roadway classifications are provided in the Northwest Sector Study. Additional typical sections may be considered based on a context sensitive approach.

2. Acronyms – P = Principal; M = Major/Minor; G = Greenway; C = Collector; R = Residential; A = Alley; D = Divided; U = Undivided; and, F = Frontage Roadway.

Table 2-1 – General Roadway Design Criteria

Criteria	Roadway Classification															
	Principal			Major			Greenway			Minor			Collector		Residential	
	P6D	M6D	G6D	G4D	M4D	M4U	M3U	M3U-F	C2U	RA	R2U	RA				
ROW Width	130'	124'	140'	120'	100'	80'	68'	70'	50-60'	50'	50'	17'-20'				
Number of Lanes	6	6	6	4	4	4	3	3	2	2	2	1				
Paving Width	2-36' f-f	2-36' f-f	2-33' f-f	2-30' f-f	2-22' f-f	44' f-f	36' f-f	40' f-f	26-36' f-f	26' f-f	26' f-f	12'-15'				
Thru Lane Width	12'	12'	11'	11'	11'	11'	11'	11'	-	-	-	12'-15'				
Left Turn Lane Width	11'	11'	11'	11'	11'	-	-	-	-	-	-	-				
Right Turn Lane Width	11'	11'	11'	11'	11'	-	-	-	-	-	-	-				
Bike Lane Width	-	-	-	8'	-	-	-	-	-	-	-	-				
Median Width	20' f-f	20' f-f	36' f-f	20' f-f	20' f-f	-	-	-	-	-	-	-				
Parkway Width	19'	16'	19'	20'	18'	18'	16'	15'	12'	12'	12'	2.5'				
Sidewalk Width***	8'	8'	8'	8'	8'	8'	6'	6'	5' / 6'	5'	5'	-				
Design Speed	45 mph	40 mph	40 mph	40 mph	40 mph	35 mph	35 mph	45 mph	30 mph	30 mph	30 mph	15 mph				
Minimum Horizontal Inside Radius	1,050'	800'	800'	800'	800'	550'	550'	1,050'	350'	350'	350'	250'				
Minimum Tangent Between Curves	200'	200'	200'	200'	200'	200'	200'	200'	100'	100'	100'	-				
Maximum Grade	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%				
Minimum Grade*	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%				
Minimum Vertical Crest Curve (K)	61	44	44	44	44	29	29	61	19	19	19	-				
Minimum Vertical Sag Curve (K)	79	64	64	64	64	49	49	79	37	37	37	-				
Design Vehicle	WB-67 Truck/Trailer												Fire Truck			
Parking	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Allowed	Allowed			
Volume Range (VPD)	39,000-42,000	35,000-38,000	35,000-38,000	26,000-31,000	26,000-31,000	17,000-20,000	21,000-24,000	19,500-21,000	**	**	**	1,000-1,400	-			

*Minimum Grade at cul-de-sacs and knuckles shall be 0.8%.

**C2U with residential frontage: 3,000 VPD. C2U without residential frontage: 10,000 VPD. C2U volume thresholds based on development context.

***Refer to Figure 2-1 for additional information. Sidewalk widths shall vary if the corridor is identified as a Greenbelt Spine Trail (12 feet) or Arterial Trail (10-12 feet) in the Parks, Recreation, Open Space, Trails, and Streetscape Visioning Master Plan.

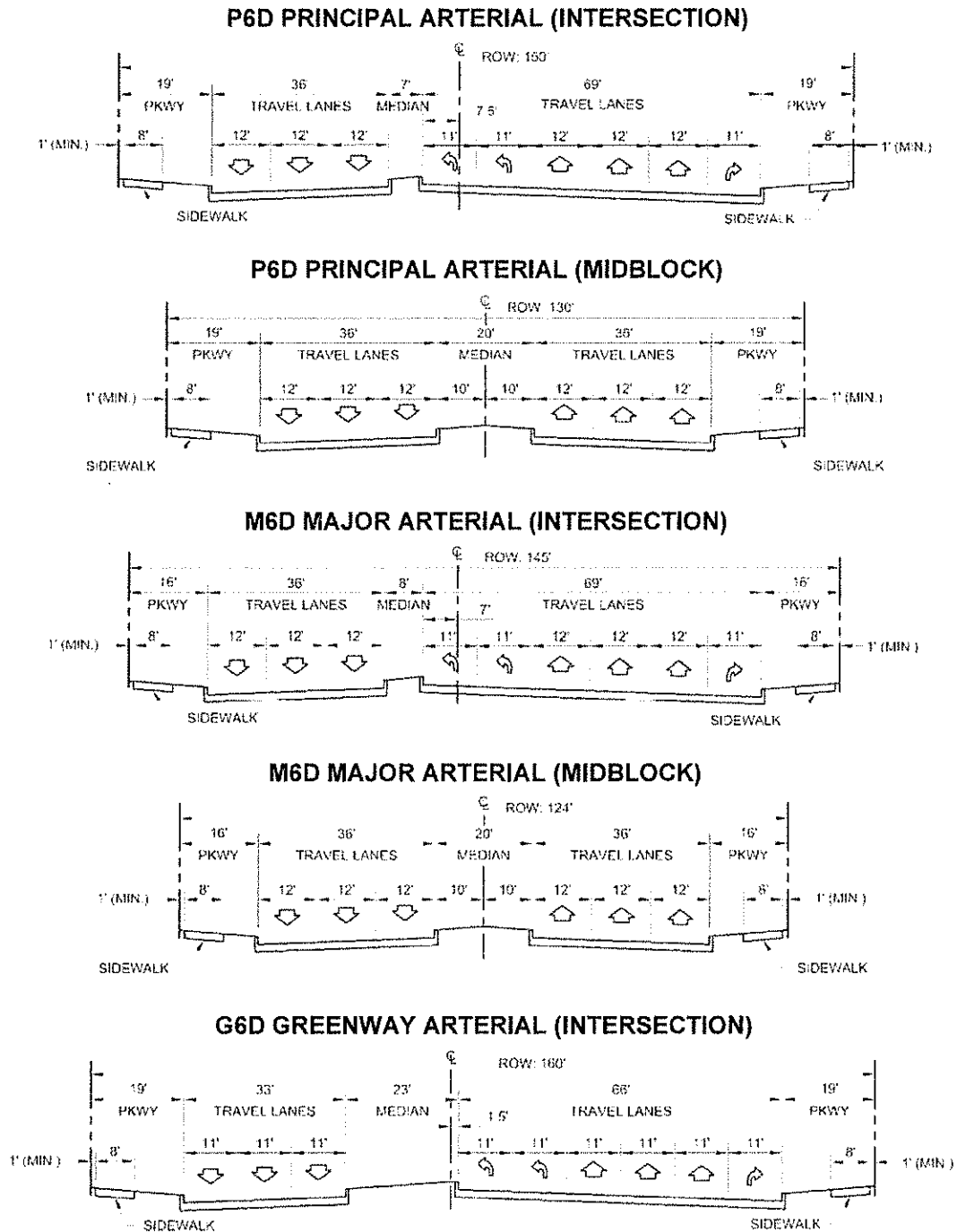
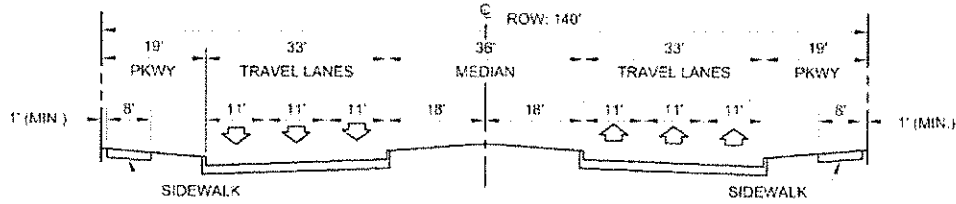
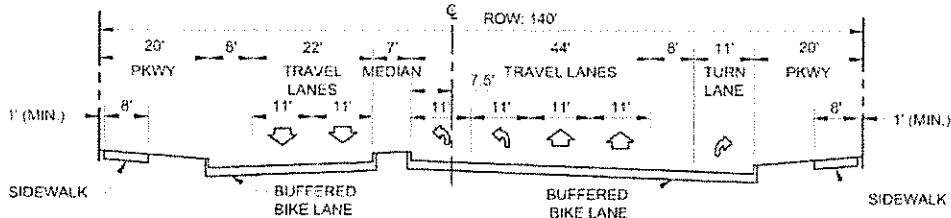


Figure 2-1 – General Roadway Typical Sections

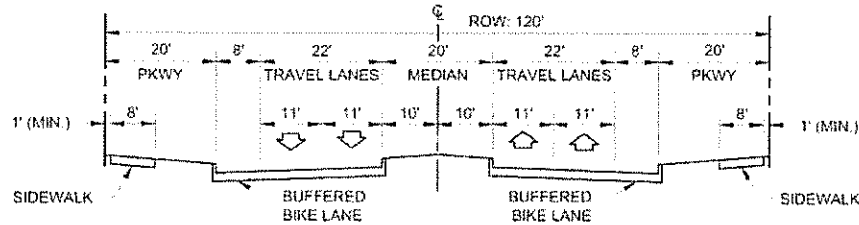
G6D GREENWAY ARTERIAL (MIDBLOCK)



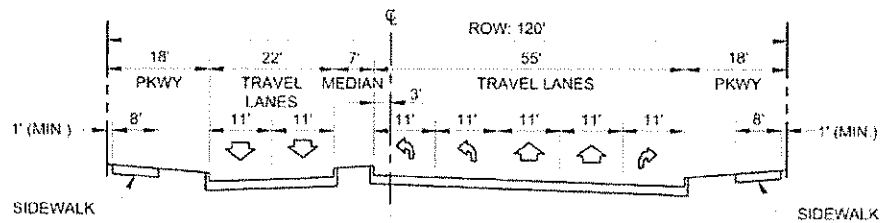
G4D GREENWAY ARTERIAL (INTERSECTION)



G4D GREENWAY ARTERIAL (MIDBLOCK)



M4D MINOR ARTERIAL (INTERSECTION)



M4D MINOR ARTERIAL (MIDBLOCK)

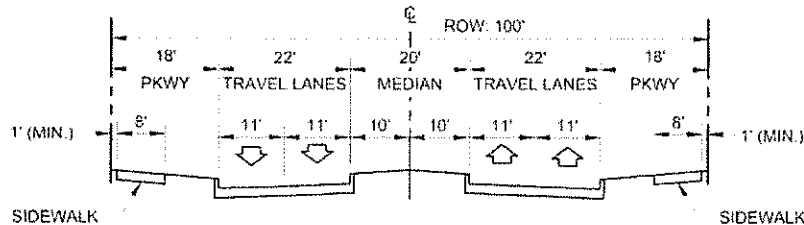


Figure 2-1 – General Roadway Typical Sections

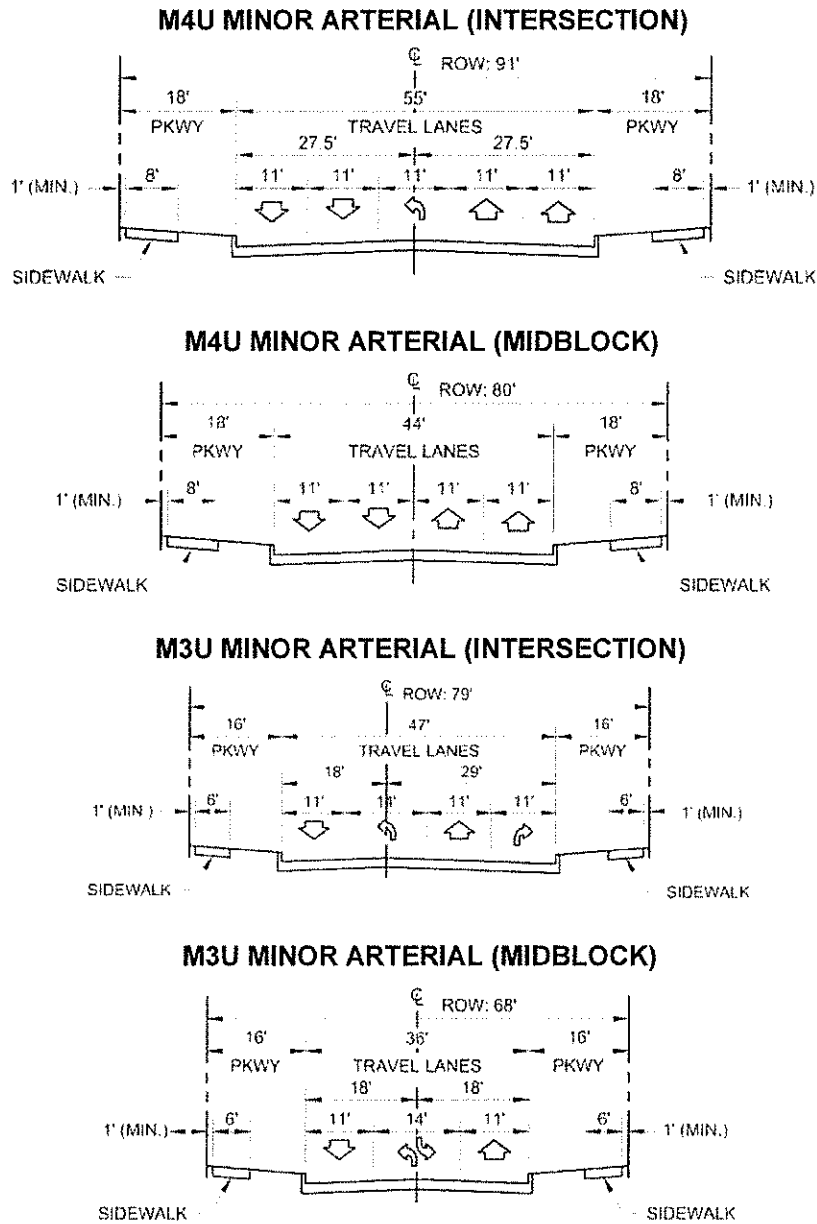
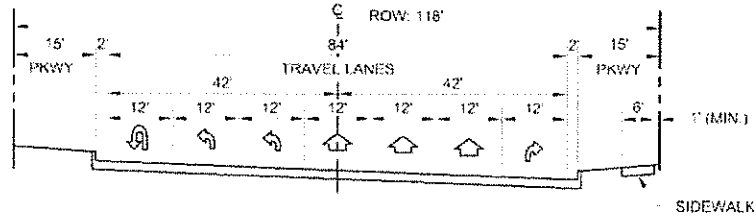
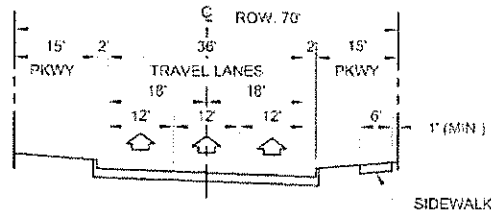


Figure 2-1 – General Roadway Typical Sections

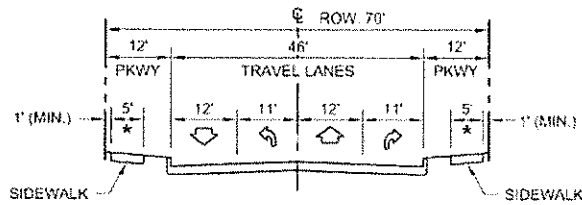
M3U-F MINOR ARTERIAL (INTERSECTION)



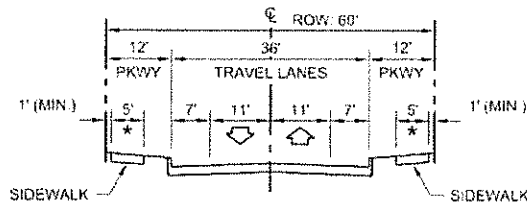
M3U-F MINOR ARTERIAL (MIDBLOCK)



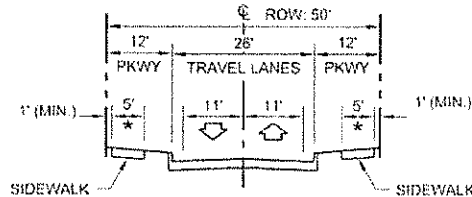
**C2U COLLECTOR (INTERSECTION)
 STREET PARKING PERMITTED**



**C2U COLLECTOR (MIDBLOCK)
 STREET PARKING PERMITTED**



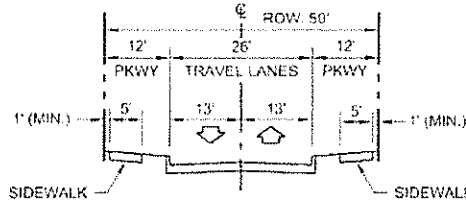
**C2U COLLECTOR (INTERSECTION/MIDBLOCK)
 STREET PARKING PROHIBITED**



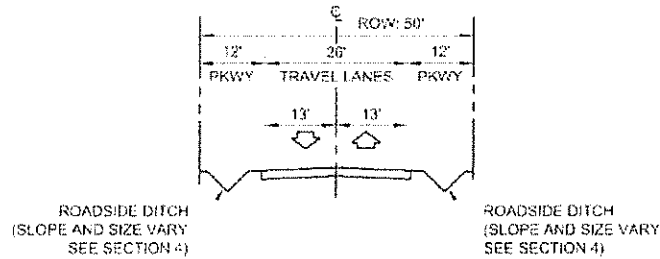
*5' SIDEWALK REQUIRED ALONG COLLECTOR STREET'S WITH NO RESIDENTIAL FRONTAGE

Figure 2-1 – General Roadway Typical Sections

R2U RESIDENTIAL STREET (INTERSECTION/MIDBLOCK)



R2U RURAL STREET (INTERSECTION/MIDBLOCK)



RA STANDARD ALLEY

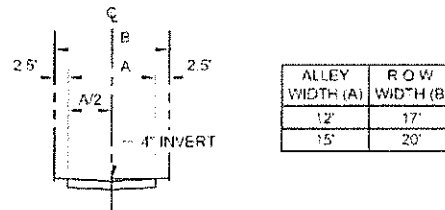


Figure 2-1 – General Roadway Typical Sections

B. Traffic Characteristics

1. Design Speed – The design speed is a primary factor in the horizontal and vertical alignment of roadways. Design features such as curvature, superelevation, turning movement radii, and sight distance affect roadway lane width, pavement width, pavement cross-slope, pavement crown, and clearances. Refer to **Table 2-1**.
2. Design Vehicle – Criteria for intersection and roadway design are based on varying sizes of vehicles and their corresponding operating characteristics. **Table 2-1** defines the design vehicle to be used for each roadway classification.

C. Horizontal Alignment

1. The recommended minimum horizontal inside radius of curvature for vehicle design speed and pavement cross-slopes is shown on **Table 2-1**. Values shown in **Table 2-1** are in accordance with the guidelines in AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*. The minimum radii shown are based on a normal crown with no superelevation (–2%). Smaller radii

may be used with the appropriate superelevation to maintain the design speed, with approval by the Director of Engineering.

2. To promote reduced speeds in residential neighborhoods, C2U roadways with residential frontage and all R2U roadways shall not exceed 600 feet in tangent length between curves, bends, and terminus points measured along the centerline of the roadway. For the purpose of determining tangent length under this paragraph, any curvature greater than the minimum horizontal radius based on the design speed of the roadway is considered tangent. For a single curve to satisfy this requirement it shall be designed with the minimum horizontal radius based on the design speed of the roadway and a minimum deflection angle of 30 degrees. For a reverse curve to satisfy this requirement it shall be designed with the minimum horizontal radius based on the design speed of the roadway, a minimum deflection angle of 15 degrees, and an offset equal to or greater than the pavement width plus 3 feet. A tangent is not required between reverse curves but may be provided if all other criteria are met. A roundabout designed to conform with all applicable requirements in **Section 2.3** may also satisfy this requirement by creating a roadway terminus point. Refer to **Section 2.3.1** for additional residential frontage requirements.
3. Reverse horizontal curves must be separated by a minimum 200-foot tangent section, and the centerline offset from the initial tangent to the final tangent must be a minimum of 30 feet.
4. Where retaining walls, traffic barriers, dense landscaping, or similar features are constructed on the inside of a horizontal curve, each obstruction should be evaluated for stopping sight distance, intersection sight distance, and horizontal offset requirements. **Figure 2-2** illustrates the affect that these features have on a driver's sight distance. To calculate horizontal offset requirements, follow the guidelines in AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*.

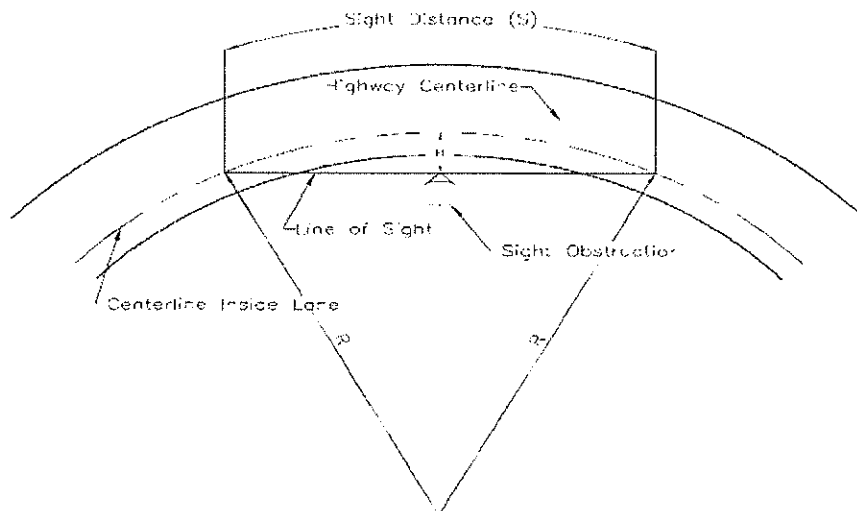


Figure 2-2 – Horizontal Sight Distance Diagram

D. Vertical Alignment

1. The maximum allowable street grades for the City of McKinney are shown in **Table 2-1**. Grades that exceed the values in **Table 2-1** may be permitted on residential streets and where required by topographical and/or natural features, subject to approval by the Director of Engineering. Design of any roadway where sidewalks are required shall be in accordance with the Pedestrian Design Guidelines discussed in **Section 2.10**.
2. Vertical curves are utilized in roadway design to affect gradual change between tangent grades and will result in a design which is safe, comfortable in operation, pleasing in appearance, and adequate for drainage. Vertical curve alignment shall also provide stopping sight distance (SSD) in all cases. SSD is a function of design speed, perception-reaction time, and deceleration rate. To calculate SSD, follow the guidelines in AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*.
3. A vertical curve is required when two longitudinal street grades intersect at a point of vertical intersection (PVI) and the algebraic difference between those two grades is greater than 1%. Where the algebraic difference is less than or equal to 1.2% for residential streets (R2U) and alleys (RA) and less than or equal to 1% for all other roadway classifications, vertical curves are not required. To determine the minimum acceptable length of crest and sag curves follow the guidelines in AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*.
4. The minimum vertical clearance for all structures traversing over City of McKinney thoroughfares is 17.5 feet on State maintained roadways. Consideration shall be given to future roadway resurfacing which would decrease the clearance provided. A minimum of 10-foot vertical clearance shall be provided for all roadway crossings of hike and bike trails.
5. All divided arterials shall be profiled such that the ultimate median curb lines have a maximum elevation differential of 3 inches per 20 feet of median width. This is necessary to accommodate the installation of future median openings and turn lanes along arterials. Spot elevations and pavement cross-slope transitions for future lanes shall be included in the plans in order to verify median cross-slopes. In areas where there is no future need for a median opening, the Engineer may justify the use of a greater differential between median curb elevations. Any differential exceeding 3 inches per 20 feet of median width requires approval from the Director of Engineering.

E. Cross-Sectional Elements

1. Pavement Cross-Slopes – All major and minor arterials shall have a cross-slope of 2%. The cross-slope can vary where there is a transition into or out of a maximum 2% superelevation. When superelevation is used as approved by the Director of Engineering, the maximum allowable rate of superelevation for roadways in the City of McKinney is 4%. Superelevation must be designed

consistent with the guidelines in AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*.

2. Parking – Where parking lanes are required, a minimum width of 8 feet is required for such lanes.
3. Intersections – See **Section 2.3** for intersection design requirements, including intersection sight distance considerations.
4. Parkway – A parkway is the area between the edge of the roadway pavement and the ROW line that is reserved for public use. The parkway width varies for different roadway classifications, and is generally a minimum of 10 feet wide. Sidewalks and utilities are typically situated within the parkway of a thoroughfare. Refer to **Section 2.10** for additional information regarding sidewalks and other pedestrian facilities within the parkway. The cross-slope of all parkways shall be a maximum of 2%.
 - a. Fences, walls, screening devices, and other structures shall conform to the Zoning Ordinance Chapter 146, and as amended, and all signs shall conform to the Sign Ordinance, Chapter 134, and as amended.
 - b. Foliage of hedges, trees, and shrubs located in or encroaching into public ROW shall be maintained such that the minimum overhang above a sidewalk shall be 7 feet and the minimum overhang above an arterial or collector street shall be 14 feet.
 - c. Plants in the public ROW that will grow over 24 inches (when mature) above the adjacent street's curb shall conform to all the above requirements, where applicable. All landscape plans shall show all items required on the Plan Review Development Checklist in **Appendix B**, including the locations and types of such plants and the prescribed visibility triangles. Refer to **Section 7** for additional landscape requirements.
5. Side Slopes – In areas where the proposed improvements require grading outside of the street ROW in order to tie to existing ground, a maximum 4H:1V slope can be used for grading.
6. Clear Zone – A clear zone shall be provided for all streets. The clear zone is an unobstructed, relatively flat area provided beyond the edge of the traveled way for the recovery of errant vehicles. A minimum clear zone of 4 feet shall be provided from the face of the curb on tangent sections. A minimum clear zone of 6 feet shall be provided from the face of the curb on curved sections. Refer to the AASHTO's current edition of *Roadside Design Guide* and TxDOT's current edition of *Roadway Design Manual* for all other cases, including rural classifications.
7. Guardrails – Where clear zone requirements cannot be met, any combination of a sloping-faced curb that is 6 inches or shorter and a strong-post guardrail can be used where the curb is flush with the face of the guardrail up to an operating

speed of 50 mph. Refer to the National Cooperative Highway Research Program (NCHRP) Report 537 for required clear zone widths and fixed object protection.

F. Partial or Half Streets

Wherever a half street has already been provided adjacent to an area to be subdivided, the other remaining portion of the street shall be platted with such subdivision. Where part of a street is being dedicated along a common property line where no roadway currently exists, the first dedication of ROW shall be of an adequate width so that the Developer shall be responsible for at least two travel lanes of clear pavement width, including on-street bicycle facilities if applicable, as considered necessary by the Director of Engineering. In cases where the ultimate typical section travel width is less than 26 feet (face of curb to face of curb), the Developer shall be responsible for the full width of clear pavement. Additional ROW and easements shall be dedicated as necessary to install signage and to perform grading activities.

G. Street Cross-Over Design

1. Street cross-overs are used on divided arterials to transition from divided to undivided sections of roadway. The minimum design speed to be provided for the transition shall be based on the roadway classification as summarized in **Table 2-1**. The transition should follow a straight-line taper for the cross-over. Street cross-over requirements can be found in **Figure 2-3**.

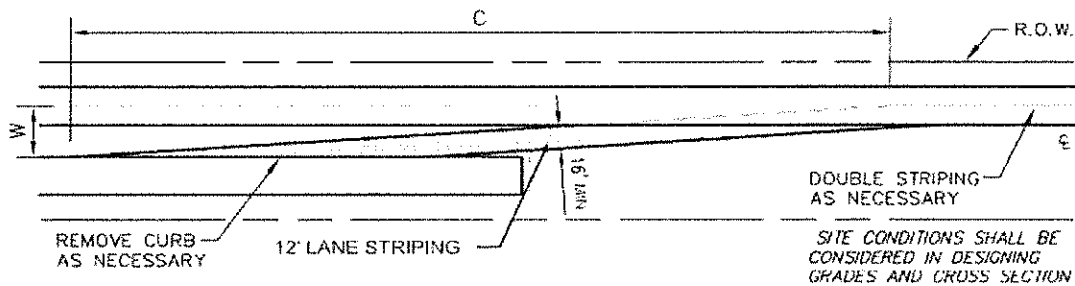


Figure 2-3 – Cross-Over Design

2. The required length of the transition is calculated using the following formulas:

$$L = \frac{WS^2}{60}$$

$$C = L/2$$

Where:

L = Length of transition (feet) measured along the roadway centerline

W = Width of the offset (feet)

S = Speed (mph)

C = Length of cross-over transition

3. For a shifting taper where the number of lanes will not be reduced, the length of the cross-over transition (C) shall be $\frac{1}{2}$ of L. For a merging taper, the length of transition shall be equal to L.
4. Reverse curves and other alternative cross-over designs shall be reviewed on a case-by-case basis and approved by the Director of Engineering.

H. Dead-End Streets/Cul-de-Sacs/Stub Streets

1. All dead-end streets shall have a turn-around unless otherwise allowed below. Turn-arounds at the end of dead-end streets (cul-de-sacs) shall have the following circular driving surface and a street ROW.
 - a. Residential (R2U), surface radius: 80 feet, ROW radius: 100 feet
 - b. Commercial (C2U), surface radius: 100 feet, ROW radius: 120 feet
2. The maximum length of a dead-end street with a turn-around (cul-de-sac) shall be 600 feet, measured from the ROW line of the intersecting street to the center point of the turn-around.
3. If any residential lot fronts onto the dead-end portion of a street that will be extended in the future, a temporary turn-around that meets the standards described above shall be constructed at the end of the dead-end street within a temporary street easement. The following note shall be placed on the plat: "Cross-hatched area is temporary street easement for turn-around until street is extended (give direction) with future development of abutting property".
4. A stub street is an undivided dead-end street that will be extended in the future that does not have a turn-around. No residential lots shall front onto a stub street. Non-residential lots adjacent to a stub street shall have access to another street. If the length of a residential stub street exceeds the depth of the adjacent residential lots, it shall be temporarily blocked at the rear edge of the lots (or alley) with barrel-mounted barricade. If a non-residential stub street extends more than 100 feet beyond the last driveway on the street, it shall be temporarily blocked at the last driveway with barrel-mounted barricade.
5. Type 4 object markers shall be installed at the terminus of a residential stub street (maximum 5-foot spacing). A residential stub street shall also have a 24"x30" sign prominently posted at its terminus with black letters on a white background that states, "NOTICE – This street will be extended as part of a future development." Permanent Type III barricades shall be installed at the terminus of an arterial stub street. The installation and cost of these markers, barricades, and/or signs shall be the responsibility of the Developer.
6. To minimize risk created by infrastructure maintenance, dead-end streets with a turn-around (cul-de-sac) shall not cross bridges, multiple barrel/box culverts, culverts deeper than 10 feet to flowline, high pressure gas lines, high voltage electric lines, and other infrastructure that may require full street closures for maintenance as determined by the Director of Engineering.

I. Residential Frontage

1. Residential lots shall not front onto an arterial unless parallel access roads are provided. The minimum distance between adjacent curbs of the thoroughfare and the access road shall be 20 feet. Access road ROW shall be in addition to the thoroughfare ROW and access roads shall not connect to the adjacent thoroughfare.
2. Residential lots shall not front onto a collector within 100 feet of the ROW line of the nearest arterial.
3. Medians installed on undivided streets at entrances to subdivisions for aesthetic or any other purpose shall be a minimum of 8 feet wide and 100 feet long. Roadway pavement in each direction adjacent to the median shall be a minimum of 24 feet (face of curb to face of curb). No driveways for adjacent houses shall be permitted on these street segments within 150 feet of the curb line of the cross street. The median shall terminate at the ROW line of the intersecting thoroughfare.
4. Residential lots shall not front onto a roundabout or traffic circle. Residential lots adjacent to roundabouts or traffic circles shall be oriented so that their houses do not face the roundabout or traffic circle and their driveways do not intersect with the roundabout, traffic circle, or along any section of street with a splitter island.

J. Block Requirements

1. Street Block Length – Blocks shall not exceed 1,200 feet in length, measured along each ROW line from intersection street ROW line to intersection street ROW line. Blocks backing to an arterial shall not exceed 1,600 feet in length. In the case of non-rectangular blocks, each side of the block with lots fronting it shall not exceed 1,200 feet, measured between the vertices formed by the extension of ROW lines at each corner of the block. Blocks shall be further restricted so that they shall contain no more than 20 lots on one side. Blocks with a continuous series of lots longer than 1,200 feet, measured along one or more sides, may be required to be bisected by a pedestrian easement and a sidewalk. Blocks exceeding these dimensions shall be bisected by a minimum 25 foot wide common area and pedestrian access easement with a minimum 5 foot side sidewalk.
2. Street Block Width – Blocks shall be wide enough to allow two tiers of lots and shall have a block width no less than 200 feet, except when only one tier of lots is possible due to the size of the property or the need to back up to an arterial.

2.3. Intersections

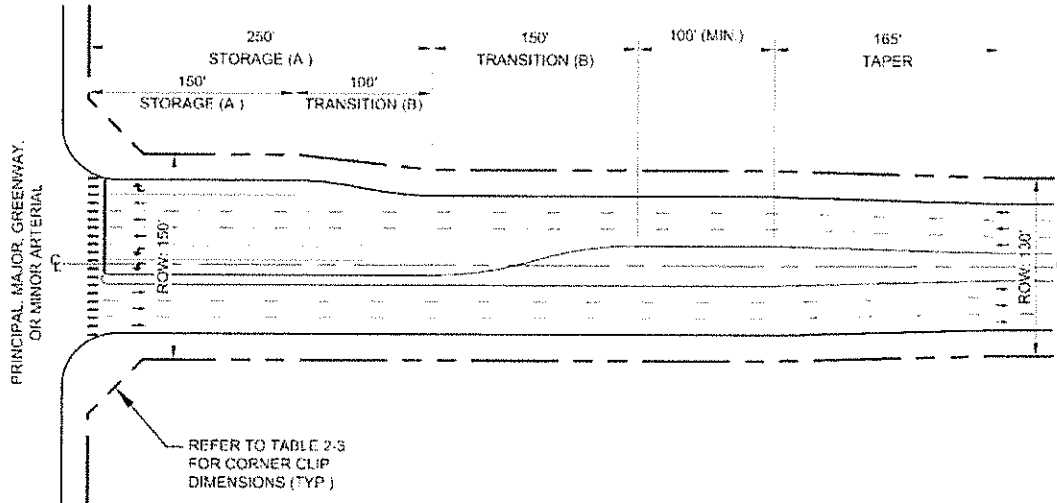
- A. The main objectives in the design of an intersection are to facilitate the safety, convenience, and efficiency of the motor vehicles, bicycles, and pedestrians traveling through it. The following sections include design criteria and requirements for intersection and median opening design in the City of McKinney. Design of intersections shall consider the following:

1. Feasibility of a roundabout intersection (refer to **Section 2.3.E**) or other non-standard intersection versus a traditional signalized or stop-controlled intersection by performing a high-level intersection control evaluation during the preliminary planning of a proposed intersection. Intersection options and strategies considered should reduce the severity of potential conflicts and strategically optimize function for all intersection users including vehicles, pedestrians, and bicyclists.
 2. Residential streets shall only intersect other residential streets or collector streets. Only arterial streets and collector streets shall intersect arterial streets.
 3. Thru lanes shall line up across intersections with no offset.
 4. The design shall fit the natural transitional paths and operating characteristics of drivers and vehicles.
 5. Smooth transitions shall be provided for changes in direction.
 6. Grades shall be relatively flat.
 7. All types of sight distance shall be sufficient to enable drivers to prepare for and avoid potential conflicts.
 8. On arterial and collector streets, intersections shall be evenly spaced to the greatest extent possible. Such an arrangement enhances the synchronization of signals, increases driver comfort, improves traffic operation, and reduces fuel consumption.
- B. Intersection shall accommodate all existing and future pedestrian movements through intersection. Geometry
1. All arterial intersections shall intersect within 5 degrees of 90 degrees. All other intersections shall intersect within 10 degrees of 90 degrees.
 2. Roadway alignment shall remain tangent upstream and downstream of an intersection for a minimum distance equal to the corresponding turn lane length (including taper) or 200 feet, whichever is larger.
 3. The curb radius shall be 40 feet at the intersection of two arterials, and shall be 35 feet at the intersection of an arterial street with a collector. At all other intersecting residential streets, the curb radius shall be 25 feet.
 4. Curb return profiles shall not exceed 2% in the vicinity of barrier free ramps. Profiles or spot elevations shall be submitted for each curb return at intersections involving collector and arterial roadways. Residential, collector, and arterial street profiles shall be limited to a maximum of 2% at the approach to collector street intersections.
 5. Grading contours within and approaching major intersections shall not be less than 0.5% nor greater than 2.0%. When grading through an intersection, the minor roadway profile shall tie into the major roadway cross-slope while at the

same time transition to match cross-slope with the major roadway profile grade. Intersection pavement details with spot elevations and pavement cross-slope transitions shall be called out for all intersections involving collector and arterial roadways. Gutter slope shall be a minimum of 0.5%.

6. Crosswalks shall pass through intersection prior to median nose.
7. Pedestrian accommodations within intersections shall conform with all applicable requirements in **Section 1.8** and **Section 2.10**.
8. Drainage inlets shall be installed to capture stormwater prior to entering arterial intersections with arterial or collector roadways. Intersection drainage shall conform to **Section 4**.
9. ROW widths for major intersections are larger than the standard mid-block ROW. This additional width allows for construction of added turn lanes to accommodate either current or future traffic conditions. Refer to **Figure 2-4** for intersection ROW widths for the corresponding roadway classification.

P6D PRINCIPAL ARTERIAL (INTERSECTION)



M6D MAJOR ARTERIAL (INTERSECTION)

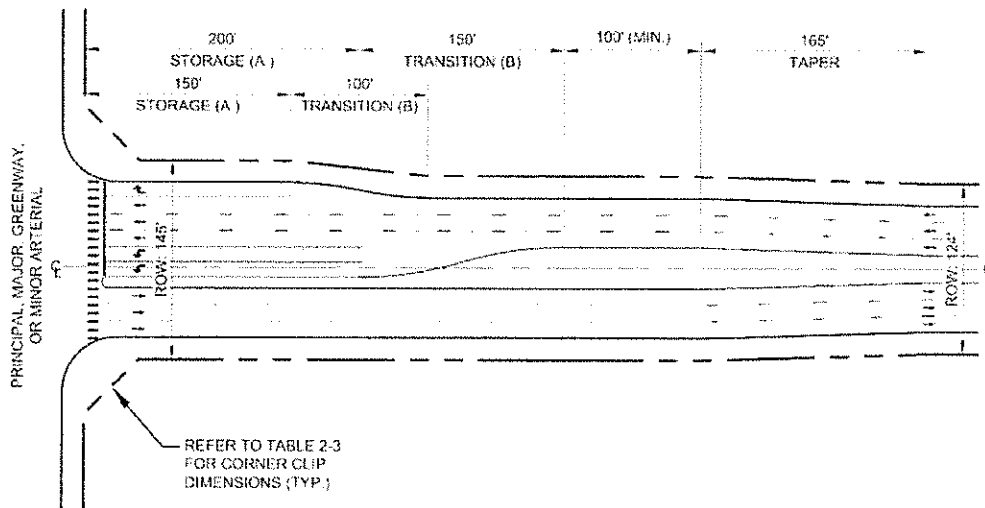
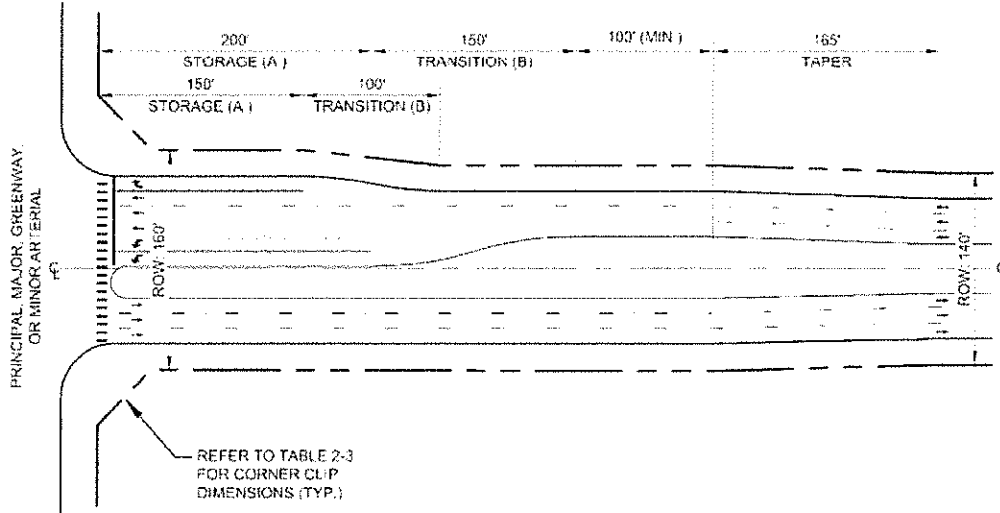


Figure 2-4 – Intersection Layouts

G6D GREENWAY ARTERIAL (INTERSECTION)



G4D GREENWAY ARTERIAL (INTERSECTION)

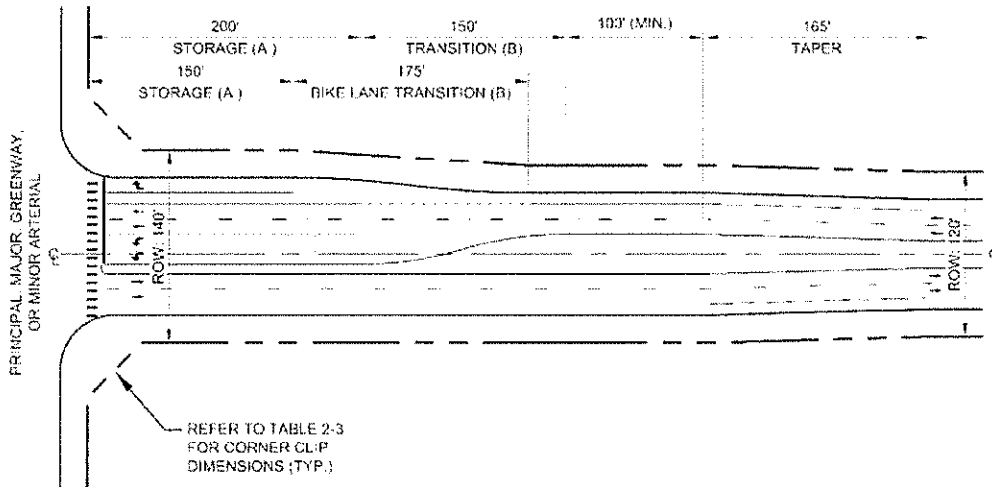
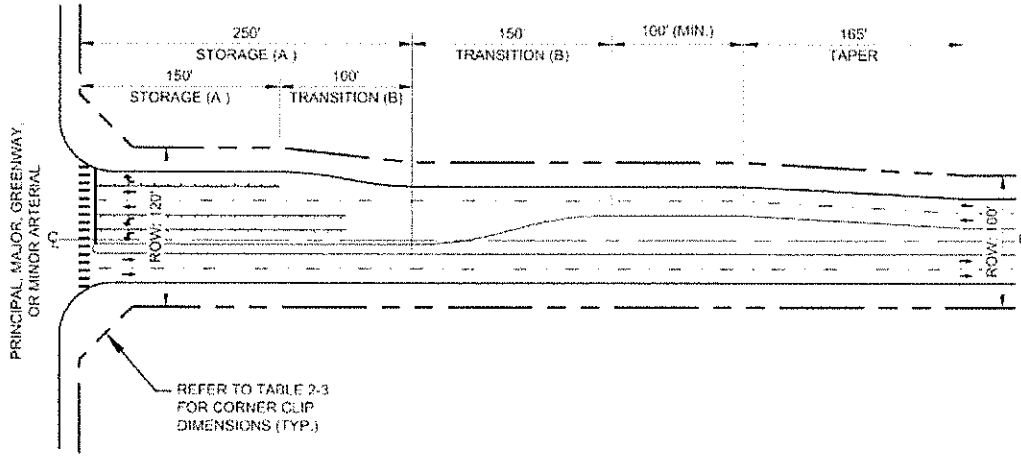
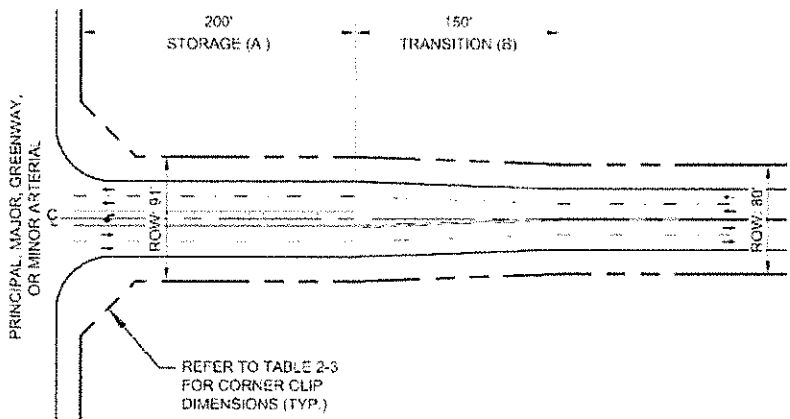


Figure 2-4 – Intersection Layouts

M4D MINOR ARTERIAL (INTERSECTION)



M4U MINOR ARTERIAL (INTERSECTION)



M3U MINOR ARTERIAL (INTERSECTION)

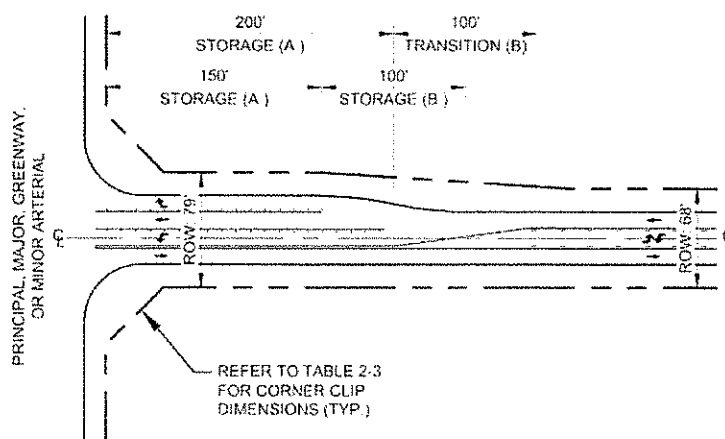
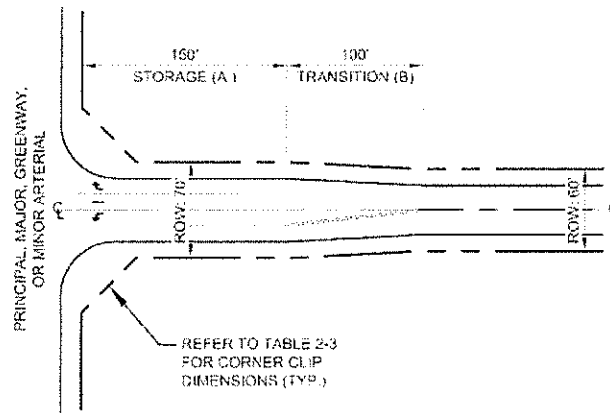
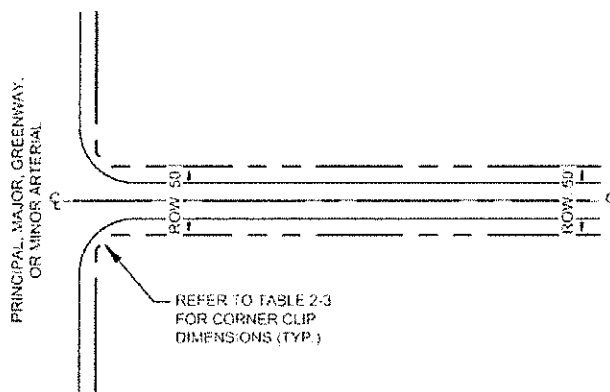


Figure 2-4 – Intersection Layouts

**C2U COLLECTOR (INTERSECTION)
 STREET PARKING PERMITTED**



**C2U COLLECTOR (INTERSECTION)
 STREET PARKING PROHIBITED**



R2U RESIDENTIAL STREET (INTERSECTION)

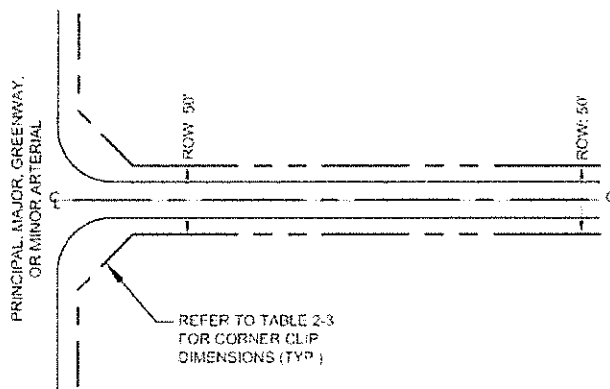


Figure 2-4 – Intersection Layouts

10. Residential roadways that have offset intersections must have a minimum of 125 feet distance from centerline to centerline. Collector roadways that have offset intersections must have a minimum of 250 feet distance from centerline to centerline. Offset intersections shall be avoided on undivided arterial roadways. For offset intersections, pedestrian crossings shall not be located within the minimum distance street length. See **Figure 2-5**.

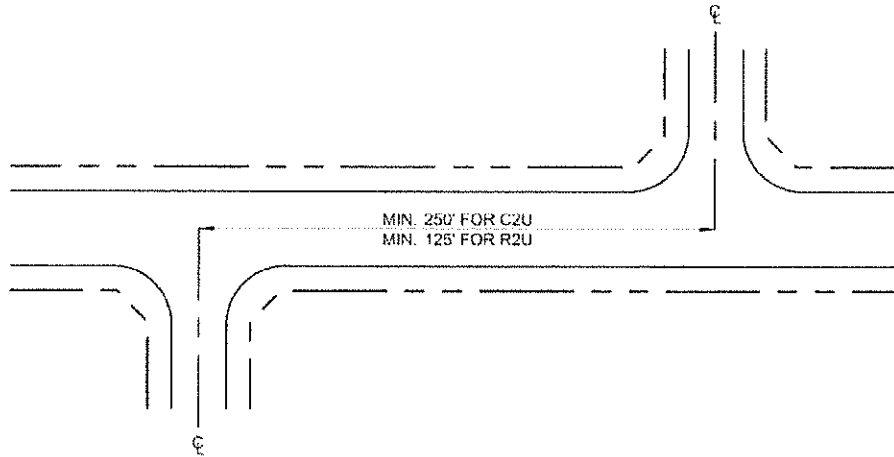


Figure 2-5 – Offset Intersections

C. Sight Distance and Visibility

1. Motorists should have an unobstructed view of roadways they are crossing. The minimum sight distance is related directly to design speed and to the distance traversed during braking, perception, and reaction times. The intersection sight distance can be calculated for different street or thoroughfare widths and for various grades.
2. Intersections contain multiple areas where potential conflicts can occur. The number of areas can be reduced by providing adequate sight distance, defined by the sight visibility line, in all directions of approaching traffic. Required intersection sight distances are shown in **Table 2-2**. **Figure 2-6** shows the method for measuring the intersection sight distance. The driver is assumed to be 14.5 feet behind the curb line of the intersection street. Sight visibility easements may be required during the platting process in order to achieve the values presented in **Table 2-2**. All intersection visibility requirements shall meet the guidelines for sight triangles in AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*.

Table 2-2 – Intersection Sight Distance

Design Speed (mph)	Sight Distance by Number of Lanes in Cross Section Near and Far Side (feet)*									
	2		3		4		5		6	
	Near	Far	Near	Far	Near	Far	Near	Far	Near	Far
30	290	335	-	-	-	-	-	-	-	-
35	-	-	335	415	335	415	335	440	-	-
40	-	-	-	-	385	530	-	-	385	560
45	-	-	430	530	-	-	-	-	430	630

*Note: Intersection sight distances shown are for a stopped passenger car at grades 3% or less and based on the City's typical roadway sections (including median). For other conditions, see AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*.

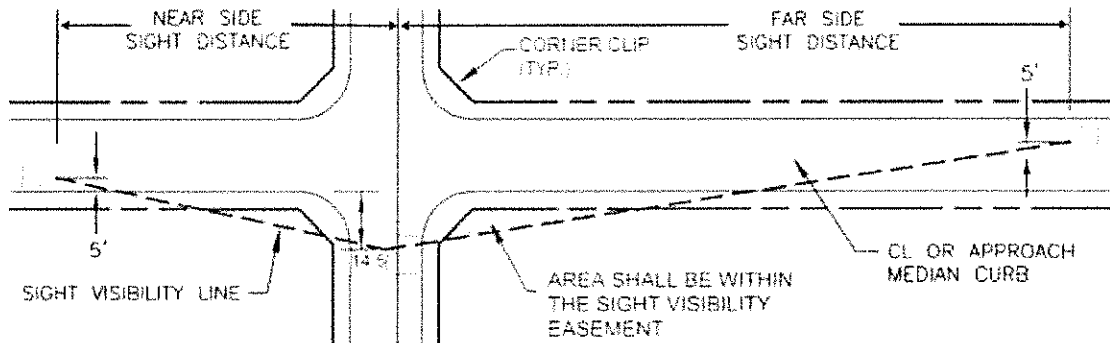


Figure 2-6 – Intersection Visibility Triangles

- Sight visibility lines shall be provided on all corners of an intersection between two thoroughfares or an intersection between an alley and a thoroughfare.
- Sight visibility lines shall be provided where a driveway, an alley, or a stop-controlled thoroughfare intersects an uncontrolled thoroughfare and on any signalized intersection approach where right turn on red operation is permitted.
- No fence, wall, screen, sign, structure, foliage, hedge, tree, bush, shrub, berm, driveway, parking, drive aisle, or any other item, either man-made or natural, shall be erected, planted, or maintained in a position that will obstruct or interfere with a driver's clear line of sight within a sight visibility easement.
- The City has the right to prune or remove any vegetation within public ROW, including within the sight visibility easement to abate a safety hazard and/or a nuisance.

- e. Vision at all intersections of thoroughfares shall be clear at elevations between 2 feet and 7 feet above the average gutter elevation within the sight visibility easement and meet AASHTO's current minimum requirements.
- f. In the case where the thoroughfare contains existing horizontal curvature, the intersection sight distance must be measured along the horizontal curve.

D. Corner Clips

- 1. Corner clips are a ROW dedication that shall be provided on all corners of an intersection between two thoroughfares or an intersection between an alley and a thoroughfare. This corner clip aids in street intersection visibility as well as provides sufficient room for sidewalks, barrier free ramps, and other street facilities. If the corner clip is within the sight visibility line, all sight distance requirements must be maintained.
- 2. All intersections shall have a ROW dedication* as shown in **Table 2-3** and **Figure 2-7**.

Table 2-3 – Corner Clip Distance

Roadway Type	Intersection Type**	Distance (X) in feet***
P6D, M6D, G6D, G4D, M4D, M4U, M3U, M3U-F, C2U	Signalized	40
P6D, M6D, G6D, G4D, M4D, M4U, M3U, M3U-F, C2U	Not Signalized	25
R2U	Not Signalized	10
RA	Not Signalized	5
Unimproved Roadway	Not Signalized	30

*Note the ROW dedication for the corner clip does not necessarily include the sight visibility easement as shown in **Figure 2-7**.

**The Director of Engineering may determine corner clip requirements based on the ultimate intersection type.

***The corner clip shall have the same dimension on all corners of the intersection, based on the largest classification roadway at the intersection.

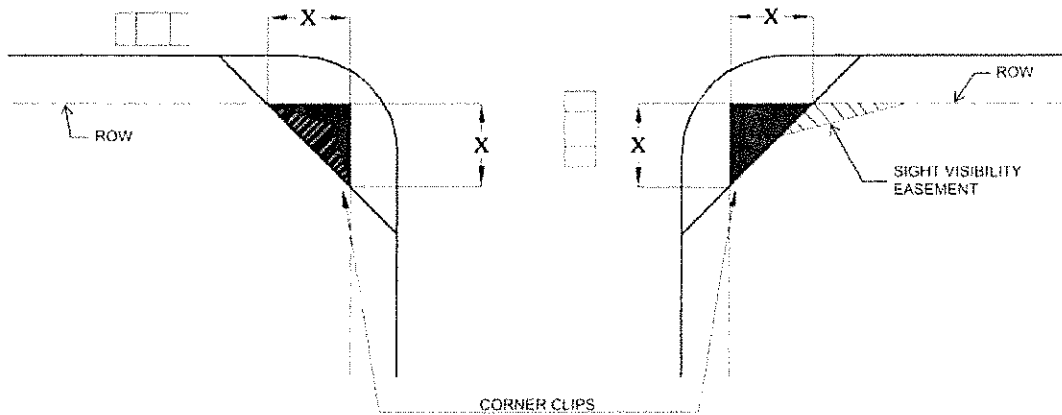


Figure 2-7 – Corner Clips for an Intersection

E. Roundabouts

1. Roundabouts are a form of circular intersections in which traffic travels counterclockwise around a central island. Features include yield control of all entering traffic, channelized approaches, and geometric features to induce desirable vehicle speed. The design of a roundabout is an iterative process and requires high level discussion between all parties involved. The City recognizes the following documents below as resources for modern roundabout design. Criteria provided in this section is intended to enhance guidance contained within the following documents.
 - a. Current edition of NCHRP Report 672, *Roundabouts: An Informational Guide*;
 - b. Current edition of NCHRP Report 674, *Crossing Solutions at Roundabouts and Channelized Turn Lanes for Pedestrians with Vision Disabilities*; and,
 - c. Current edition of *Texas Manual of Uniform Traffic Control Devices (TMUTCD)*.

2. Operational Analysis of a roundabout allows a transportation analyst to assess the operational performance of a facility, given information about the usage of the facility and its geometric design elements. Refer to Chapter 4 of the current edition of NCHRP Report 672, *Roundabouts: An Informational Guide* for further information pertaining to Operational Analysis techniques. An operational analysis shall be provided for all proposed roundabouts, and shall include the following:
 - a. Average Control Delay (s/veh),
 - b. Level of Service (LOS)
 - c. Volume to Capacity Ratio. Any design presented with Volume to Capacity Ratio greater than 1.0 will require written authorization from the Director of Engineering.

3. Geometric Design

- a. The geometric design of a roundabout requires a balance of many design objectives: safety, operational performance, and accommodation of a design vehicle. To achieve this, roundabout geometry shall include the typical features shown in **Figure 2-8**.
- b. All roundabouts shall be designed to accommodate the design vehicle making all possible entry and exit movements within the roundabout limits. The design vehicle shall be accommodated by utilization of both the circulating lanes and truck apron (if provided).
- c. Inscribed Circle Diameter is the distance across the roundabout defined by the outer curb of the circulatory lanes. This feature accommodates design vehicle, traffic volume, and speed control. The following dimensions from **Table 2-4** shall be used for inscribed circle diameter. Any deviation from these values will require written authorization from the Director of Engineering.

Table 2-4 – Inscribed Circle Diameter

Type of Roundabout	Design Vehicle	
	Fire Truck*	WB-67 Truck/Trailer
Single-Lane	90'-150'	130'-180'
Multi-Lane (2 or 3 lanes)	150'-300'	

*Contact the Engineering Department for current fire vehicle standards.

- d. Approaches
 - i. Approaches, entry and exit, are defined as areas where the roadway section becomes atypical in an effort to control vehicle speed. The approach width is measured from the point where the entrance line intersects the left edge of the circulating lanes to the right curb line. Entry and exit widths on single lane roundabouts shall not exceed 18 feet without written authorization from the Director of Engineering. For multi-lane approaches Refer to the Current edition of NCHRP Report 672, *Roundabouts: An Informational Guide*.
 - ii. Driveways, alley connections, and on-street parking shall not be permitted within the limits of a roundabout approach when a splitter island is also present within those limits.
- e. Circulating Lanes
 - i. Circulating width should be at least as wide as the maximum entry width. Lane widths shall remain consistent throughout the roundabout. Excess lane width shall be avoided. Parking shall be prohibited within limits of the circulating lanes.

- ii. Circulating lanes shall include a single vertical high point and low point within the vertical curve.
 - iii. Circulating lanes shall maintain 1.0% cross-slope and drain to exterior curb. The cross-slope can vary where there is a transition into or out of the circulating lanes. Cross slope transitions must be designed consistent with the guidelines in AASHTO's current edition of *A Policy on Geometric Design of Highways and Streets*.
- f. Truck Apron/Central Island
- i. Truck apron shall be provided to allow for an additional traversable area around the central island for the larger design vehicle. When sizing the truck apron, a minimum of a 1-foot offset distance from the design vehicle path to interior central island curb shall be provided. The curb height for the mountable truck apron shall be 3 inches in height. Since the loading on the truck apron is like that on a normal traffic lane, the pavement design for the truck apron shall assume loading conditions similar to the circulating lanes.
 - ii. Central island shall be mounded with minimum height of 3.5 feet to maximum 6 feet from outside edge of outer circulating lane to center of island. This mound is meant to enhance driver recognition of the roundabout upon approach. The central island can also be enhanced aesthetically using landscaping. The interior central island curb shall be 6 inches in height.
 - iii. Like the circulating lanes, both the truck apron and first 6 feet of central island shall maintain a 1.0% slope downward towards outside curbs.
- g. Splitter Islands
- i. Splitter islands shall be provided on all single lane roundabouts. They are meant to provide refuge for pedestrians and guide the traffic safely into the roundabout. The total island length shall be minimum 50 feet, and the width of the island must be a minimum of 6 feet at crosswalk cut-through location.
 - ii. Splitter islands shall be mountable for all single lane roundabout with curb height of 4 inches. Multi-lane roundabout islands shall be mountable with curb heights of 4 inches between crosswalk and circulating lanes.
 - iii. Refer to Exhibit 6-13 of the current edition of NCHRP 672, *Roundabouts: An Informational Guide* for splitter island geometric design criteria.
- h. Crosswalks
- i. Crosswalks shall be located a minimum of 20 feet away from edge of outermost circulating lane and shall be perpendicular to vehicle travel

path. In addition, crosswalks shall meet all applicable pedestrian accommodation requirements. Refer to **Section 1.8** and **Section 2.10**.

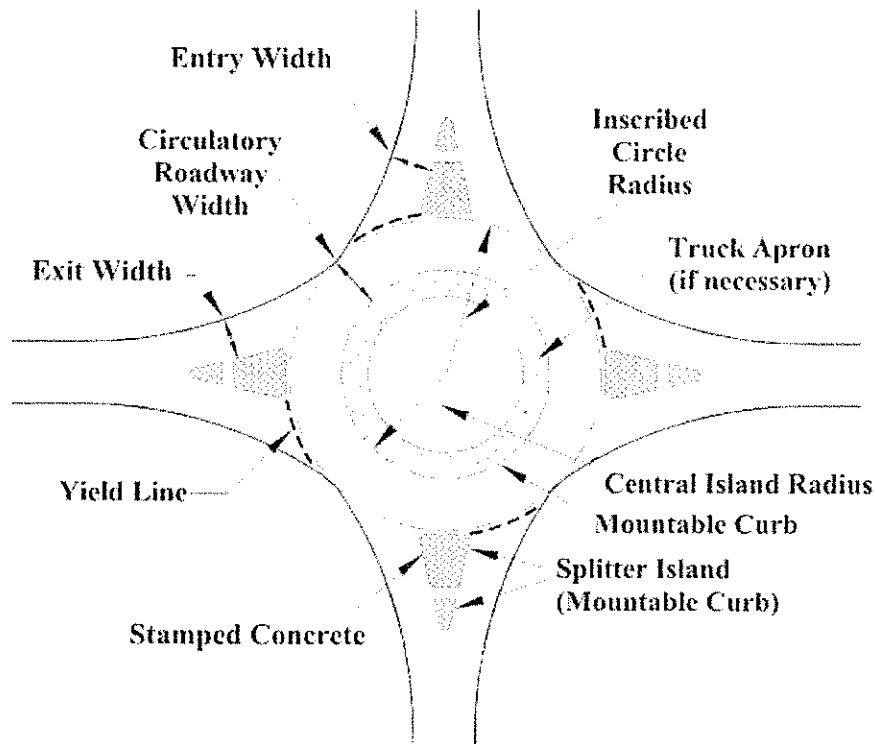


Figure 2-8 – Typical Roundabout

4. Performance Checks

- a. Performance checks are important in determining if the design meets the intent of the roundabout objectives. The engineer shall prepare performance checks for fastest path and sight distance and visibility when designing a roundabout.
- b. Fastest path calculations shall adhere to Chapter 6.7.1 of the current edition of NCHRP Report 672, *Roundabouts: An Informational Guide*. Values calculated for the vehicle paths, R1, R2, R3, R4, and R5, as shown in **Figure 2-9**, shall meet a maximum of 25 mph for a single lane roundabout and a maximum of 30 mph for a multi-lane roundabout. The relative speed between vehicle paths shall be minimized such that maximum differential between paths shall be no more than 10 mph.

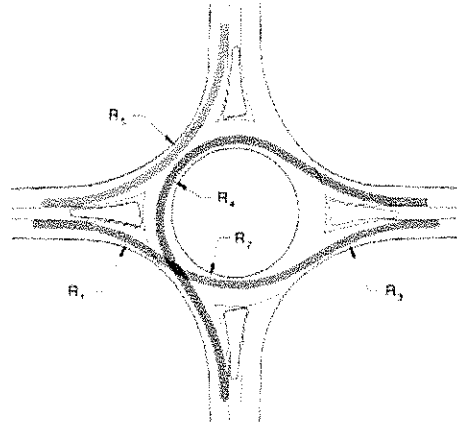


Figure 2-9 – Vehicle Path Radii

- c. Sight distance and visibility calculations shall adhere to Chapter 6.7.3 of the current edition of NCHRP Report 672, *Roundabouts: An Informational Guide*. Within a roundabout, sight distance lines shall be provided at the entry approach (both stopping and intersection sight distance), along the circulatory lanes, and to the crosswalk at the exit approach. For additional guidance, refer to **Section 2.3.C** for sight distance and visibility at an intersection.

5. Construction Considerations

- a. Joints shall be radial within circulating lanes and truck apron and shall not exceed maximum joint spacing as specified in this manual. Circular joints shall be utilized at centers or edges of lanes within circulating lanes. Construction joint shall be utilized to separate all approaches from circulating lane and circulating lanes from truck apron.
- b. Within circulating lanes and truck apron, all steel reinforcement shall be placed radially and longitudinally to circulating traffic. Refer to **Section 3.1** for roundabout jointing plan requirements.
- c. Drop slabs/sleeper slabs shall be provided beneath all mountable splitter island locations. No doweled connection shall exist between splitter island and the travel lanes. Refer to City of McKinney Technical Specifications and Standard Details for drop slab dimensions and splitter island connection.

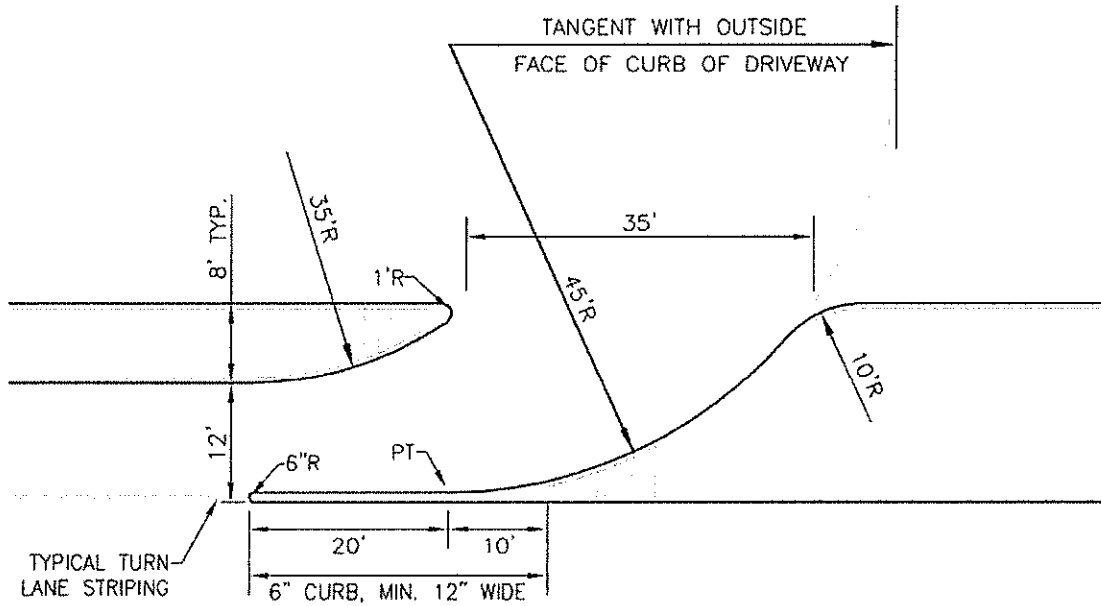
6. Roundabout lighting shall be in accordance with **Section 2.11.D**.

2.4. Median Openings

A. General

1. Median openings play a critical role in the operation and safety of divided roadways. They also provide important points of access to adjoining property. Each median opening should be evaluated based on roadway flow and capacity.

2. Median openings on divided thoroughfares shall be provided at dedicated street intersections and at private drives only where they conform to the City's spacing requirements. All median openings shall be accompanied by a left-turn lane for the driveway or street. The design of median openings and left-turn lanes shall accommodate potential future left-turn lanes that might serve undeveloped land.
 3. Median openings and left-turn lanes (including median pavers and traffic control devices) constructed to serve private drives and new roadways shall be paved to City standards, inspected by City inspectors, and paid for by property owners served by the median opening. Median noses shall be constructed monolithic with the street per the City of McKinney Standard Details. Where the median width is 6 feet or less in width the full median shall be paved with stamped concrete.
 4. All median openings on State highways are subject to review and approval by TxDOT, and shall be designed in accordance with the TxDOT Roadway Design Manual at a minimum.
- B. Spacing Requirements – Minimum median opening spacing requirements is 525 feet (nose to nose). Median openings shall be a minimum of 20 feet wider than the width of the driveway which they are serving with a minimum median opening width of 60 feet. Median openings shall accommodate all turning paths and crosswalks. They may be greater than 60 feet where necessary to accommodate turning paths and crosswalks subject to approval by the Director of Engineering. All median openings shall be centered on the driveway. Median openings occurring at the boundary of municipalities shall seek joint concurrence for median opening spacing requirements.
- C. Cross-Slope/Grade Breaks – The maximum longitudinal grade break (algebraic difference) for unsignalized non-city street median openings is 4%. During design of divided thoroughfares, spot elevations shall be provided along the median at 100 foot intervals in order to ensure that the addition of future travel lanes, left turn lanes, and median openings can be constructed without exceeding the 4% maximum grade break.
- D. Directional Median Openings – In locations where full median openings are not permitted, the use of a one-way left turn lane may be appropriate. This would permit vehicles to turn left from the major thoroughfare into the driveway but would not permit vehicles exiting the driveway to pass through the opening. Such an opening would only be permitted where the opening plus required storage and transition can be provided without affecting any other opening or intersection. The design of the one-way opening shall be as shown in **Figure 2-10** and subject to approval by the Director of Engineering. A minimum spacing of 10 feet shall be required between adjacent and opposite one-way left turn lanes.



1. ALL DIMENSIONS ARE TO FACE OF CURB.
2. ADDITIONAL CONSIDERATIONS SHALL BE MADE FOR WIDER MEDIANS AND OVER-SIZED DRIVES.
3. STANDARD TURN LANE STORAGE AND TRANSITION LENGTHS SHALL BE MEASURED FROM THE PT.
4. APPROPRIATE SIGNAGE BASED ON MUTCD STANDARDS AND SITE LOCATION TO BE DETERMINED AT DESIGN STAGE.

Figure 2-10 – One-Way Left Turn Lane Detail

2.5. Turn Lanes

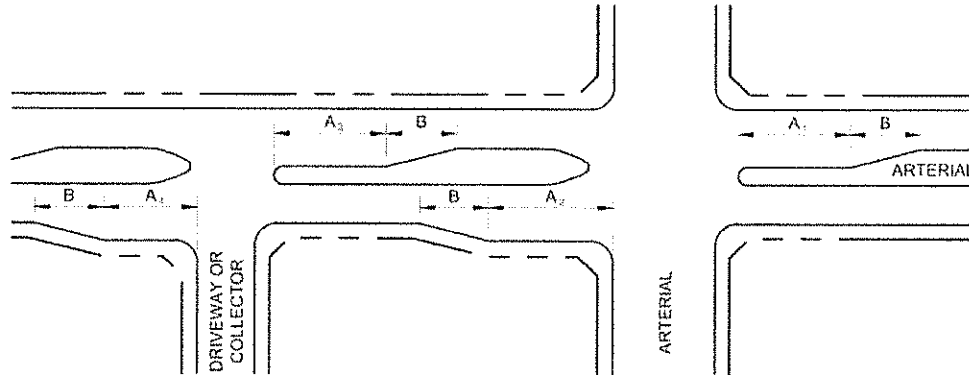


Figure 2-11 – Intersection Design Diagram

Table 2-5 – Minimum Turn Lane Design Requirements

Roadway Type	Turn Lane A ₁ (feet)	Turn Lane A _{2,3} (feet)	Turn Lane A ₄ (feet)	Turn Lane Single / Dual B (feet)
P6D	250	150	100	100 / 150
M6D	250	150	100	100 / 150
G6D	200	150	100	100 / 150
G4D	200	150	100	100 / 150
M4D	200	150	100	100
M4U	200	150	100	100
M3U	200	150	100	100
M3U-F	See TxDOT current edition of <i>Roadway Design Guide</i> and Specifications			
C2U	150	150	100	100
R2U	N/A	150	100	100

A. Left Turn Lanes

1. Left turn lanes shall be provided for all median openings and intersections on divided roadways. Left turn lanes shall also be provided on undivided minor arterial and collector roadways at their intersection with arterial roadways. Left turn lanes shall be provided for all existing driveways, including private driveways.

2. All left turn lanes shall be 11 feet in width. Larger width may be required to accommodate larger vehicles as determined by the Director of Engineering. Left turn storage lengths are sized to store the number of vehicles expected to queue in the lane during an average peak period. Required left turn storage and transition lengths are provided in **Table 2-5**. On TxDOT roadways refer to Chapter 3 of the current edition of TxDOT *Roadway Design Manual* for left turn lane requirements. Dual left turn lanes are required for all arterial/arterial intersections and are also required when peak hour turning volumes exceed 250 vehicles.
3. Left turn lane storage lengths are minimum requirements. Additional length may be required based on traffic volumes or TIA storage requirements.
4. All dual left turn lanes shall have 200-foot storage length and 150-foot transition length at arterial intersections.
5. On an interim 2-lane undivided arterial roadway, interim left turn lanes shall be provided at all planned median opening locations as determined by the Director of Engineering. Streets or driveways without left turn lanes shall be signed as such both on the arterial and on the street or driveway. Construction of an interim left turn lane does not relieve the responsibility for constructing a permanent median opening and left turn lane.

B. Right Turn Lanes

1. Right turn lanes shall be provided for all streets and driveways. All right turn lanes are 11 feet in width. Additional ROW shall be required adjacent to right turn lanes so that there is a minimum of 11 feet of ROW from the back of curb. Right turn storage lengths shall be sized to store the number of vehicles expected to queue in the lane during an average peak period. Required right turn storage and transition lengths are found in **Table 2-5**. On TxDOT roadways refer to Chapter 3 of the current edition TxDOT *Roadway Design Manual* for right turn lane requirements.
2. A minimum tangent section of 30 feet shall be provided between the preceding driveway or cross street curb return and the taper of a right turn lane. When right turn lane is a part of an intersection with a public roadway a minimum of 250 feet shall be provided between the preceding driveway or cross street curb return and the taper of a right turn lane.
3. Right turn lane storage lengths are minimum requirements. Additional length may be required based on traffic volumes or TIA storage requirements.
4. All right turn lanes adjacent to bike lanes shall have a 175-foot transition. See **Figure 2-4**.

2.6. Access Management

- A. Roadways within the City of McKinney are required to provide some level of access to abutting properties. Before designing a roadway, it is important to establish the

extent and needs of all its anticipated users. Once those needs are established, steps should be taken to protect the ability of the roadway to serve the users at the desired level of service from future changes along the corridor. The location, density, and type of future development, median openings, and cross access needs along a roadway should be anticipated regardless of its current physical setting.

- B. Access management is the systematic control of the location, spacing design, and operation of intersections, driveways, median openings, and street connection. By managing roadway access, the life of roadways can be extended, and safety increased resulting in a reduction in delay and congestion. The goals of access management are accomplished by applying the following principles:
 - 1. Provide a functional roadway system;
 - 2. Limit direct access to major roadways;
 - 3. Promote intersection hierarchy;
 - 4. Locate traffic signals to favor through movements;
 - 5. Preserve the functional area of intersections;
 - 6. Limit the number of conflict points;
 - 7. Separate traffic conflicts;
 - 8. Remove turning vehicles from through traffic lanes;
 - 9. Use non-traversable medians to manage left turn movements; and,
 - 10. Provide a supporting street and circulation system.
- C. Roadway designs shall ensure the following access management and connectivity goals are met:
 - 1. Create a well-connected series of collector roadways within the one-mile arterial grid;
 - 2. Establish a roadway network that moves vehicular traffic with a high-quality level of service while offering safe mobility for all modes of transportation;
 - 3. Create an internal network of streets, rather than a series of seemingly disconnected roadways; and,
 - 4. Integrate connections and linkages between streets, alleys, and trails within the transportation network.

To achieve these goals, the following priorities and outcomes shall guide the development of collector and residential streets:

1. Collector and residential streets should serve principally to provide neighborhood connections within and between subdivisions.
 2. Neighborhoods shall aim to be connected to one another through a woven street system that offers multiple external access points.
 3. The street network created by collector and residential streets should encourage a mix of premium lot types, including cul-de-sac lots, lots fronting to neighborhood amenities, or lots backing to open space. Cul-de-sacs, in particular, should be limited and used when the presence of physical barriers exist that limit the ability to complete a connection.
 4. Walking and cycling should be a convenient option for movement within the network in terms of safety and efficiency.
 5. Residential streets should provide access to residential property.
 6. Collector streets should provide access to small commercial areas and community amenities, such as schools, parks, and churches.
 7. Collector streets should provide access from residential streets to arterials and to commercial areas.
 8. Place-focused streets should incorporate frequent intersections and short block lengths to make travel routes more efficient and improve walkability.
 9. The street network created by collector and residential streets should balance efficient travel with appropriate speeds.
 10. Connections should be assigned within a network in conjunction with an overall connectivity strategy, rather than just to link ad-hoc elements of subdivisions.
 11. Bicycle accommodations should be provided in accordance with the City's Parks, Recreation, Open Space, Trails, and Streetscape Visioning Master Plan.
 12. Streets should follow natural features, such as creek beds and topography, as appropriate.
 13. Streets should preserve or create view sheds to natural features, amenities, landmark buildings, or other important features.
- D. Mutual Access Easement – Properties along arterials and frontage roads are required to provide a minimum 24-foot mutual access easement across the property to adjacent properties with appropriate intersection flares. Mutual access easement may be required for other roadway sections and developments based on area and site circulation patterns. Larger tracts of land shall be divided along TxDOT frontage in a manner to provide access to all tracts by means of a dedicated ROW or mutual access easement in order to not landlock any property that would meet TxDOT driveway spacing requirements.

- E. **Minimum Access Points** – A minimum of two planned points of public ingress and egress are required to facilitate emergency vehicle access and to distribute traffic through the development as determined by the Fire Marshal and the Director of Engineering.
- F. **Grade Separations** – When a grade-separation intersection is shown in the Thoroughfare Master Plan, and its construction will be at an uncertain time in the future, all property which is needed in excess of that required for constructing the intersection at grade shall be reserved.
- G. **High Volume Drive Thru Requirements** – The Director of Engineering may increase the amount of stacking spaces required on site based on the proposed development use. Proposed retail uses and drive thrus with historically high traffic volumes may have additional requirements to prevent congestion and backing up on the adjacent thoroughfare.
- H. **School Access Criteria and Locational Criteria**

The location of a school facility (daycare, Montessori school, private school, charter school, or public school) has a huge impact on adjacent land uses and mobility, and as potential sites are evaluated for future facilities, multiple factors should be considered. Early designation of school sites helps to ensure adequate access and traffic circulation as well as minimizing development costs. The following criteria are intended to assist City officials, staff, and developers in the provision of proper site locations for these facilities during the development process. Developers are encouraged to discuss with the school district where a proposed project is to be located, prior to submittal, to determine district need of a potential facility as well as best placement within the development.

If requested, a traffic circulation study shall be provided. This study shall include the estimated maximum peak hour trip generation of the facility, the planned circulation of inbound and outbound traffic during drop-off and pick-up operations, and the estimated length of the queue of cars waiting to pick up students.

Right turn lanes will be required at all driveways. Based on the site design, storage lengths greater than the minimum values shown in **Table 2-5** may be required.

- 1. **Elementary Schools:**
 - a. Elementary school sites shall not be located adjacent to major thoroughfares;
 - b. Each school site shall have a minimum of two points of public access;
 - c. Sites should be located at the intersection of two collector streets to enhance both pedestrian and vehicular traffic circulation;
 - d. The design of the site and the circulation/parking plan shall ensure that school traffic does not back up onto any public street;
 - e. Sites shall not be located next to alleys that would back to the sides of the school site. This discourages student foot traffic in alleyways;

- f. Sites should be located in close proximity to storm drainage, water, and sanitary sewer connections; and,
 - g. Sites should have topography that maximizes land utilization and safety, and minimizes development costs.
2. Middle Schools:
- a. Middle school sites should be located at arterial and collector intersections with the exception of principal arterials;
 - b. Each school site shall have a minimum of two points of public access and separate bus access;
 - c. Sites should be designed to encourage and enhance both pedestrian and vehicular traffic circulation;
 - d. The design of the site and the circulation/parking plan shall ensure that school traffic does not back up onto any public street;
 - e. Sites shall not be located next to alleys that would back to the sides of the school site. This discourages student foot traffic in alleyways;
 - f. Sites should be located in close proximity to storm drainage, water, and sanitary sewer connections; and,
 - g. Sites should have topography that maximizes land utilization and safety, and minimizes development costs.
3. High Schools:
- a. High school sites should be located adjacent to an arterial intersection with a collector/arterial with the exception of principal arterials;
 - b. Each school site shall have a minimum of two points of public access and separate bus access;
 - c. Sites should be designed to encourage and enhance both pedestrian and vehicular traffic circulation;
 - d. The design of the site and the circulation/parking plan shall ensure that school traffic does not back up onto any public street;
 - e. Sites shall not be located next to alleys that would back to the sides of the school site. This discourages student foot traffic in alleyways;
 - f. Sites should be located in close proximity to storm drainage, water, and sanitary sewer connections; and,
 - g. Sites should have topography that maximizes land utilization and safety, and minimizes development costs.

2.7 Driveways

A. Driveway Types

1. A residential driveway provides access to a single-family residence, duplex, or multi-family building containing three or fewer dwelling units. For lots 50 feet or greater in width, residential driveways shall access only residential streets or alleys. For lots less than 50 feet in width, residential driveways shall access only alleys. Residential driveways shall not access collectors or arterials. Residential driveways shall have a minimum length of 20 feet measured from the street/alley right-of-way line or pedestrian easement, whichever is closer, to the face of building.
2. A commercial driveway provides access to office, retail, institution, or a multi-family building having more than three dwelling units. Industrial plant driveways which serve administrative or employee parking lots shall be considered commercial driveways. Commercial drives shall access arterial or collector streets only.
3. An industrial driveway serves truck movements to and from loading areas of the industrial, warehouse, or truck terminals. A community of regional shopping center may have one or more driveway specially designed and located to provide access for trucks. Industrial drives shall access arterial or collector streets only.

B. Driveway Widths – The width of a driveway refers to the width of pavement at the ends of the interior curb returns. The full drive width and access pavement to the property built for the development shall be constructed with the initial project.

1. Residential drives onto streets shall have a minimum width of 11 feet and a maximum width of 20 feet. Joint access residential drives shall have no less than 9 feet on each property.
2. Commercial drives shall have a minimum width of 24 feet and a maximum width of 40 feet.
3. Industrial drives shall have a minimum width of 36 feet and a maximum width of 40 feet.
4. Commercial and industrial drives located at existing or future median openings shall have a minimum width of 36 feet to allow for separate exit lanes for left and right turns. Additional lanes may be required by the Director of Engineering based on existing or planned signalization of a driveway or based on the findings of a Traffic Impact Analysis.
5. Commercial and industrial drives with one-way operation shall have a width of 20 feet for ingress and 24 feet for egress. The separation median width shall be a minimum of 4 feet and a maximum of 10 feet.
6. All driveways intersecting dedicated streets shall be built with a circular curb radius connecting the 6-inch raised curb of the roadway to the design width

pavement of the driveway. Driveway radii shall begin at the street curb, end as a projection of the property line, and fall entirely within the subject property.

- a. The curb radii for a residential drive shall be 5 feet.
 - b. The curb radii for a commercial drive shall be 30 feet.
 - c. The curb radii for an industrial drive shall be 30 feet.
 - d. In order to maintain the location of the edge of the pavement for the roadway, driveway radii shall be designed to become tangent to the street curb line. Drainage inlets shall maintain a minimum 10-foot clearance on upstream side and 5-foot clearance on downstream side from all drive radii.
 - e. Encroachment of commercial or industrial drives shall not occur on an adjacent property without a mutual access easement being executed between both property owners. Driveway vertical grade requirements shall be as shown in **Tables 2-8** and **2-9**.
- C. Throat Length – length of driveway as measured from the street curb line to the curb line of the first on-site intersection, driveway, or parking stall.
1. Driveway throat length is important for safe and efficient traffic operation on the site and the adjacent roadway. The driveway throat needs to be sufficient length so that the vehicles may enter, exit, and circulate on the site without interference with each other or with through traffic on the adjacent roadway.
 2. Inadequate throat length creates a complex pattern of closely spaced and confusing vehicle conflicts as illustrated in **Figures 2-12** and **2-13**. Where parking maneuvers block the driveway and prevent vehicles from entering or exiting the site, the propensity of accidents significantly increases and traffic flow diminishes.
 3. Throat length and driveway length are interrelated. A wider driveway cross section requires a longer throat length due to weaving maneuvers. In addition, the need to achieve high exit flow rates becomes more important as the exit drive's volume increases. Exiting conditions control the throat length for large traffic generators due to vehicle queuing and the need to find adequate gap in traffic on the adjacent roadway. Conversely, entry conditions control throat length of smaller traffic generators due to slower vehicle speeds created by fewer on site circulation and parking opportunities.
 4. In order to determine the necessary throat length for all development driveways (minimum total storage) the sum of all driveway throat length shall equal the number of vehicles expected to accumulate in the driveways during an average peak period. Traffic volumes should be assigned to the applicable driveways and the highest lane volume should be accommodated. In the absence of adequate traffic volume and trip generation data, the minimum throat length from **Table 2-6** shall be used. **Table 2-6** was derived from the 2015 edition of the Transportation Research Board's Access Management Manual.

Table 2-6 – Minimum Driveway Throat Length for Number of Exit Lanes

Number of Exit Lanes	Minimum Throat Length (feet)
1	60
2	75
3	200
4	300

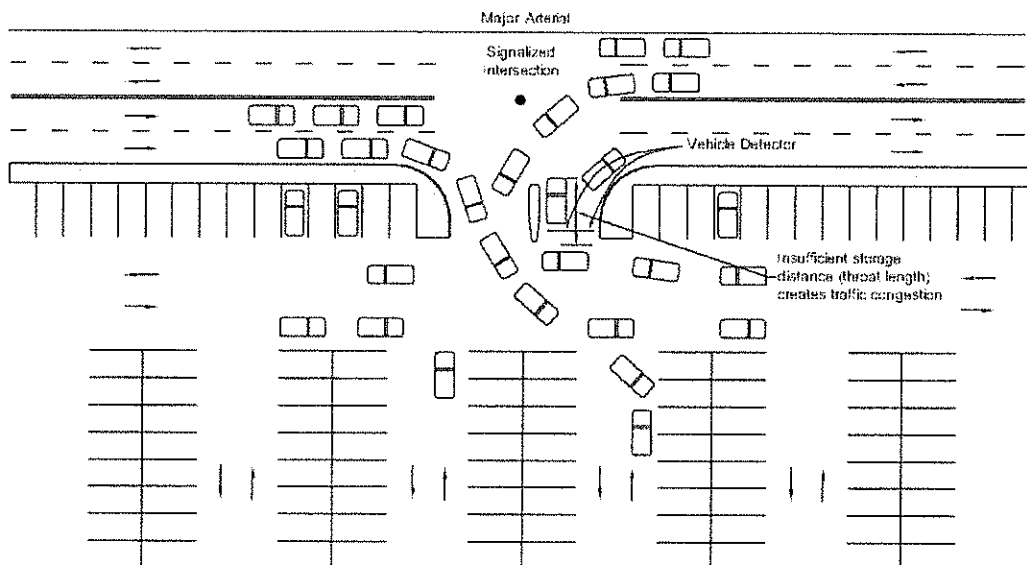


Figure 2-12 – Insufficient Driveway Throat Length

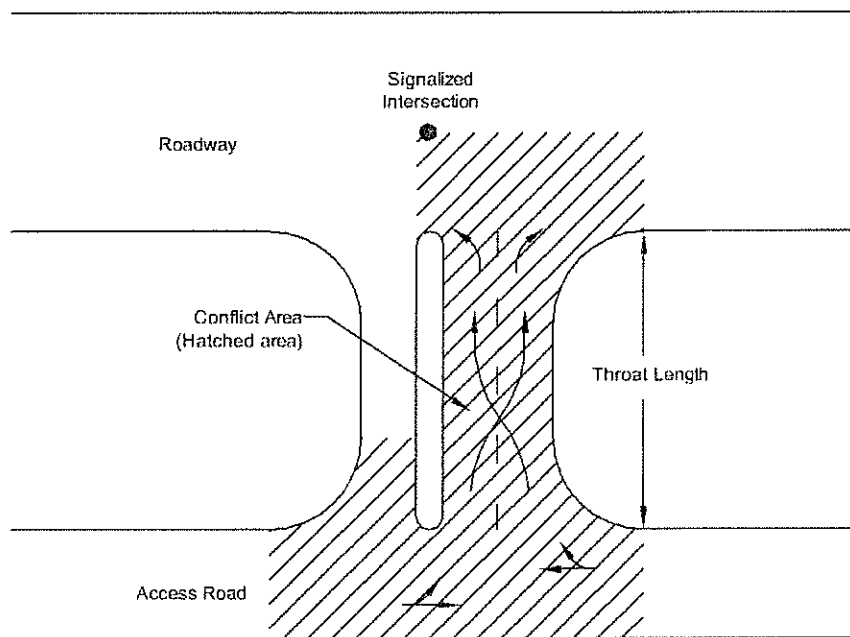


Figure 2-13 – Capacity Limited by Throat Length and Weaving Area

D. Driveway Spacing and Location in Relation to Other Streets and Drives

1. Unsignalized driveways introduce conflicts and friction into the traffic stream. As an area develops and traffic volumes on the adjacent roadways grow, the gaps between vehicles are shorter. Vehicles turning from a through lane cause through vehicles to slow, causing "shock waves" to the vehicles on the roadway network. In order to maintain the capacity of the roadway network, driveway access should be limited.
 - a. Residential – Driveway approaches on a tract of land devoted to one use shall not occupy more than 70% of the frontage abutting the roadway. No more than two driveway approaches shall be permitted on any parcel of property on each street. These standards may be waived for cul-de-sac lots.
 - b. Commercial and Industrial – Spacing and location of driveways shall be related to existing driveways and those shown on approved development plans. The spacing between driveways shall depend upon the Thoroughfare Master Plan designation of the roadway per **Table 2-7**. Driveways shall not be permitted in the transition area of any right turn lane. A maximum of three driveways shall be permitted for each 1,000 feet of roadway frontage.

3. Driveway Spacing on Frontage Roads – Driveway spacing on all frontage roads shall be governed by TxDOT and shall meet minimum standards in accordance with the current edition of TxDOT *Roadway Design Manual*. Driveways located near entrance and exit ramps are strongly discouraged and shall be reviewed on a case-by-case basis. When allowed, design must meet minimum TxDOT standards.

E. Driveway Grades

1. The change in grade between the roadway cross-slope and the slope of the driveway apron is important to ensure a smooth, low speed turning maneuver. The maximum algebraic change in grade is shown in **Table 2-8**. An abrupt change in grade will cause the front bumper to drag on surface of the street and driveway.

Table 2-8 – Maximum Driveway Grade Change

Thoroughfare Type	Algebraic Change (%)
P6D, M6D, G6D, G4D	5
M4D, M3U	6
M3U-F	See TxDOT current edition of <i>Roadway Design Guide</i>
M4U	7
C2U	10
R2U	12

2. The recommended lengths of vertical curve for the corresponding change in grade for driveway profiles are shown in **Table 2-9**.

Table 2-9 – Vertical Curve Length for Driveways

Change in Grade (%)	Length (feet)	
	Crest Curve	Sag Curve
< 6	5	6
6 to < 8	5	7
8 to <12	6	8

3. All driveway profiles should be designed to accommodate a sidewalk crossing at a maximum allowable cross-slope of 2% in order to meet ADA requirements.

2.8. Alley Design

Alleys are typically provided at the rear of residential lots for vehicular access to garages or other parking areas.

- A. Alley Intersections – Alleys shall only intersect with a residential street. Alley intersection cannot be within 100 feet of an arterial roadway intersection. Alleys which run parallel to a major thoroughfare shall turn away from the major street not less than one subdivision lot width or a minimum of 50 feet (whichever is greater) from the cross street intersection. Where this occurs, a 5-foot common area shall be provided adjacent to the ROW. Four-way alley intersections are not permitted.
- B. Alley Radius – Alley radii at street intersections shall conform to City Construction Details and not be less than 10 feet.
- C. Alley Width – The minimum width of the alley ROW shall be 15 feet, and the minimum pavement width shall be 10 feet.
- D. Turnouts – Alley turnouts shall be paved to the property line and shall be flared per the City of McKinney Standard Detail. Paving radii where alleys intersect streets shall be 17 feet and shall be 12 feet at intersections with all other streets.
- E. Intersections – Alley intersections and sudden changes in alignment shall be avoided. Lot corners shall be cut off at least 10 feet on each tangent to permit sight distance and safe vehicular movement.
- F. Dead-End Alleys – Dead-end alleys shall not be allowed.
- G. Obstructions – All alley ROW shall be kept free and clear of obstructions.
- H. Outlet – Maximum alley length of 600 feet without an outlet.
- I. Alleys shall be designed in accordance with **Figure 2-15**, **Table 2-1**, and the City of McKinney Standard Details.

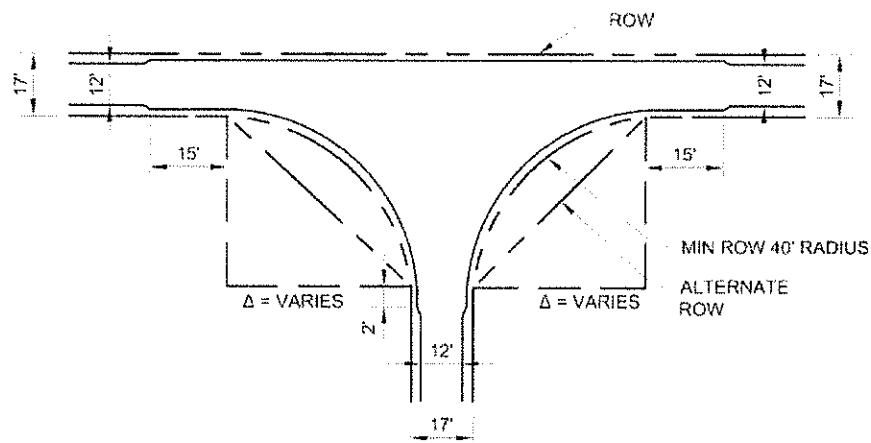


Figure 2-15 – Typical Alley Layout

2.9. Traffic Control

- A. Permanent Traffic Control – Permanent Traffic Control devices such as street signs, pavement markings, barricades, and traffic signals are used to manage traffic flow and maintain safe and efficient streets throughout the City. General requirements for traffic control devices in the City of McKinney are described in the following sections. Refer to the current edition of the *TMUTCD* for additional information and guidance. Refer to the Approved Materials List in the Construction Standards and Specifications Manual.
1. Street Signs – Signs should be used only where justified by engineering judgment and demonstrated in a Traffic Engineering Study that indicates the location of necessary signs. All signing plans shall be reviewed and approved by the Director of Engineering, and be designed in accordance with the principles described in the current edition of the *TMUTCD*.
 2. Pavement Markings – Pavement Markings provide guidance and information to roadway users and include items such as: striping, colored pavement, delineators, islands, and channelizing devices. The following markings are required per street classification.
 - a. Arterials
 - i. Centerline stripe for undivided sections;
 - ii. Lane lines;
 - iii. Turn lanes;
 - iv. Delineators for roadside obstructions;
 - v. Raised Pavement Markers; and,
 - vi. Edge lines (for non-curbed streets and bridges where width is 20 feet or more).
 - b. Collectors
 - i. Centerline stripe (where width is greater than 20 feet or more and ADT more than 4,000 vpd); and,
 - ii. Lane lines and edge lines (for non-curbed streets where width is 20 feet or more and ADT more than 3,000 vpd).
 - c. All pavement markings shall be thermoplastic or methyl methacrylate (MMA), and shall meet the requirements of the *TMUTCD*. Refer to the City's Construction Standards and Specifications Manual for specific guidance on roadway marking standards and approved manufacturers.
 3. Traffic Signal Spacing – Signals shall only be installed at warranted and justified locations as approved by the Director of Engineering. The minimum distance

between signalized intersections of arterial and/or collector streets shall be 1,200 feet.

B. Temporary Traffic Control

1. When the normal function of the roadway is suspended through closure of any portion of the ROW, temporary construction work zone traffic control devices shall be installed to effectively guide the motoring public through the area. Consideration for roadway user safety, worker safety, and the efficiency of roadway user flow is an integral element of every traffic control zone.
2. Traffic control plans shall be site-specific and included within all roadway construction plans as determined by the Director of Engineering. Within City and County jurisdictions, all traffic control plans shall be prepared and submitted in accordance with the standards identified in Part VI: Highway Traffic Signals of the current edition of the *TMUTCD*. Within TxDOT jurisdiction, all traffic control plans shall be prepared and submitted in accordance with TxDOT standards. Lane closures will not occur on arterial roadways without an approved traffic control plan. Temporary traffic control shall be in accordance with the current TxDOT BC, WZ, and TCP standards, or as approved by the Director of Engineering.
3. All traffic control plans must be prepared by an individual that is certified in their preparation. This certification can be achieved through approved organizations such as the International Municipal Signal Association (IMSA), the American Traffic Safety Services Association (ATSSA), or by a Professional Engineer licensed in the State of Texas. All traffic control plans and copies of work zone certification must be submitted for review and approval a minimum of seven working days prior to the anticipated lane closure.

C. Neighborhood Traffic Management

1. The intent is to produce a roadway network within which traffic is dispersed and slowed naturally. The result is potentially narrower street cross sections and shorter access trips to the regional roadway network, leaving drivers less inclined to speed.
2. Traffic calming measures shall be incorporated into the design of residential developments unless a Traffic Engineering Study concludes that traffic calming measures are not necessary. Traffic calming measures may alter standard City lane widths and cross sections as approved by the Director of Engineering. A Traffic Engineering Study may be waived with the approval of the Director of Engineering. All traffic calming devices must be approved by the Director of Engineering and the Fire Marshal.

2.10. Pedestrian Facilities

- A. All pedestrian facilities must conform to the following current requirements and shall be in accordance with the City's Parks, Recreation, Open Space, Trails, and Streetscape Visioning Master Plan.

- B. Pedestrian Design Guidelines include the current edition of the following:
1. Texas Accessibility Standards (TAS);
 2. Americans with Disabilities Act (ADA) Standards;
 3. Proposed Accessibility Guidelines for Pedestrian Facilities in Public Right-of-Way (PROWAG); and,
 4. Texas Manual on Uniform Traffic Control Devices (TMUTCD).
- C. Hike and Bike Routes – To create a network of trails and sidewalks, the Hike and Bike Master Plan specifies a network of enhanced sidewalks and spine trails throughout the City. Refer to the Hike and Bike Master Plan for the location of these improvements. The placement and location of these enhanced sidewalks shall be determined by the Director of Engineering. Additional ROW and easements may be needed to accommodate these improvements. Consideration shall also be given to North Central Texas Council of Government (NCTCOG) Regional Paths (Trails) and Bikeways master plans.
- D. Sidewalks
1. The purpose of the public sidewalk is to provide a safe area for pedestrians. City of McKinney policy provides that sidewalks are to be constructed with the paving of streets or building construction unless deferred by the Director of Engineering. Sidewalks constructed as part of a new development or re-development are considered public facilities and shall be constructed according to the requirements outlined in this section.
 2. A sidewalk is the paved area in a street ROW between the curb lines or the edge of pavement of the roadway and the adjacent property lines for the use of pedestrians. The City of McKinney considers a sidewalk to be an "accessible route" as specified in Section 4.3 of the Texas Accessibility Standards (TAS) and considers a public sidewalk a "facility" under the TAS and the U.S. Department of Justice Americans with Disabilities Act (ADA) regulations at 28 C.F.R. Part 35. Sidewalks are subject to the requirements of Chapter 469 of the Texas Government Code as a City-funded public ROW project for Texas Department of Licensing and Registration (TDLR) inspection purposes (per 16 Texas Administrative Code, Chapter 68) unless exempted by the Director or Engineering.
 3. Concrete sidewalks designed and located according to City standards shall be constructed along both sides of all major thoroughfares and along residential or local streets located immediately adjacent to a school site and for a distance of one block along such streets leading directly to a school. On streets other than those above, sidewalks on one side of the street shall be provided, per the City of McKinney Code of Ordinances Section 142-105.
 4. All new sidewalks in the City of McKinney shall be placed 1 foot inside the ROW line.

5. Meandering sidewalks shall have a minimum 200 foot radius. Meandering sidewalks shall be within a minimum 5 feet and a maximum 40 feet behind back of curb.
6. The maximum running grade (longitudinal slope) of the sidewalk shall not exceed 5%. The maximum cross-fall (cross-slope) of the sidewalk shall not exceed 2%.
7. Sidewalk widths vary depending on the roadway classification. The sidewalk width shall be equal to the requirement as shown in **Table 2-1**. The sidewalks shall be located within the street ROW unless pre-existing physical encroachments (e.g., utility infrastructure or trees) dictate otherwise. Sidewalks may be allowed in landscape areas and pedestrian access easements with the approval of the Director of Engineering. Sidewalks and parkways (curb to ROW) shall be graded at 2% above the top of the street curb.
 - a. Areas with Screening Walls – In areas where a screening wall is provided, a sidewalk shall be provided and shall not encroach closer than 18 inches to the wall.
 - b. Sidewalks on Bridges – All street bridges shall have a sidewalk constructed on each side of the bridge. The sidewalk shall be a minimum of 6 feet wide with a parapet wall providing a minimum of 2 feet behind the curb of the roadway. A standard pedestrian bridge rail protecting the sidewalk shall be provided on the outside edge of the bridge. Refer to **Section 6.5.E** for additional railing requirements on bridges.
 - c. Sidewalks Under Bridges – When new bridges are built as a part of the construction of a divided arterial roadway or the reconstruction of a divided arterial roadway and a pedestrian crossing for a hike and bike trail is needed, a 12-foot sidewalk will be built as a part of the embankment design underneath the bridge structure. The bridge structure should provide a minimum clearance of 10 feet above the sidewalk for pedestrian access.
 - d. Sidewalks on Culverts – All culvert crossings shall have a sidewalk constructed across and on each side of the culvert. The sidewalk shall be designed with a pedestrian handrail, designed and constructed in accordance with the Pedestrian Design Guidelines outlined above. In some situations, combination rails or parapet walls may be required.
 - e. Construction of Sidewalks – Non-residential and multi-family sidewalks, ramps, and landing areas shall be built at the time of lot development. Sidewalks, ramps, and landing areas in residential areas shall be installed along all roadways and common areas prior to final acceptance.
 - f. Temporary Sidewalks
 - i. Pedestrians are required to be accommodated during time of construction. If the construction zone affects the movement of pedestrians, adequate pedestrian access and walkways meeting ADA requirements shall be provided. All Pedestrian Accommodation Plans

shall be reviewed and approved by the Director of Engineering, and be in accordance with the principles described in the Pedestrian Design Guidelines outlined above.

- ii. Temporary Sidewalks may be constructed with materials other than concrete. The material shall be approved by the Director of Engineering and be an all-weather material of a color and texture distinctly different from the sidewalk and specified on the site plan. Where developments occur within 0.5 miles of a school site, temporary sidewalks must be constructed connecting the development to the school site. The route shall be approved by the Director of Engineering.

- g. Access to Cul-de-Sacs from Adjacent Streets – When a cul-de-sac ROW abuts the ROW of another thoroughfare, a minimum 5-foot wide sidewalk shall be provided between the cul-de-sac and adjacent street. All screening and/or fencing requirements shall be met in addition to this requirement.

- E. Barrier Free Ramps – Accessible ramps for sidewalk crossings at intersections of all streets and thoroughfares and at all driveways shall conform to the Pedestrian Design Guidelines and shall be constructed in a manner to be easily and safely negotiated by the physically disabled. Accessible ramp details shall be subject to approval by the Director of Engineering.

F. Pedestrian Handrails

- 1. Pedestrian handrail of a height not less than 42 inches shall be required when any of the following conditions are located within 5 feet of an existing or planned public sidewalk, or as directed by the Director of Engineering:
 - a. A permanent or intermittent body of water;
 - b. Top of slope steeper than 6H:1V with drop-off ending at a body of water;
 - c. Top of slope steeper than 3H:1V with drop-off greater than 2.5 feet; or,
 - d. Vertical surface with drop-off greater than 2.5 feet.
- 2. Pedestrian handrails are a long-term maintenance liability and may be considered a roadside hazard and/or a general aesthetic nuisance. To minimize these impacts, the conditions that invoke the requirement for a pedestrian handrail shall first be reviewed for alteration to remove the hazard. If no alteration is feasible, then a pedestrian handrail shall be constructed.
- 3. Exemptions to this requirement may be considered by the Director of Engineering when:
 - a. The depth of a body of water is less than 1 foot;
 - b. The sidewalk provides recreational access to a body of water;
 - c. The handrail would irreversibly spoil the natural landscape; or,

- d. Alternative means of protection are approved.
4. Pedestrian handrails located on public sidewalks shall be TxDOT Type C or E rails, constructed in accordance with the current PRD standard (the grip rail may be eliminated unless required by the Pedestrian Design Guidelines), or as approved by the Director of Engineering. Any required concrete foundation shall be in addition to the minimum sidewalk width. All rail surfaces shall be painted with industrial-grade exterior paint, with the color approved by the Director of Engineering.

2.11. Street and Roadway Lighting

A. General

1. Street lighting refers to lighting systems installed within residential subdivisions and along collector roadways. These lighting systems are designed to provide safety lighting at intersections, roadside hazards, geometric changes, and other areas.
2. Roadway lighting refers to lighting systems installed continuously along highways, frontage roads, and arterials.
3. Site lighting of private businesses, residential properties, etc. is not included in the requirements of this section.
4. Illumination of highways, tollways, and other facilities outside of City of McKinney ROW is subject to the design requirements of the applicable agency, and is not included in the requirements of this section.
5. All street lighting and roadway lighting systems within the City of McKinney shall utilize only full-cutoff luminaires.
6. All street lighting and roadway lighting systems shall be designed in accordance with Chapter 425 of the Texas Health and Safety Code regardless of the source of funds utilized for construction and/or maintenance of said lighting system.
7. Use the illuminance method for performing photometric calculations. A maintenance factor of 0.60 shall be utilized.

B. Residential and Collector Street Lighting

1. All street lighting assemblies shall be placed within the ROW.
2. No street lights shall be installed in alleys or for alley intersections with residential roadways.
3. All residential and collector street lighting systems within the City of McKinney are owned and operated by the utility provider serving the development. Luminaire and pole combinations are subject to the requirements of the applicable utility provider.

4. No signage or ornamental attachments shall be installed on street lighting assemblies. Ornamental poles, luminaires, and appurtenances may be permitted with approval by the Director of Engineering.
5. Street lighting assemblies shall be placed to avoid blocking visibility of traffic control devices. In all cases, street lighting assemblies should be placed on the downstream end of the radius, just beyond the limit of the theoretical crosswalk. Street lighting assemblies should be located on the opposite side of the intersection from the name blades. Refer to the City of McKinney Standard Details for additional information.
6. Typical residential street lighting system layout should be as shown in **Figure 2-16**. Exceptions to the typical layout are permissible where site conditions dictate alternate placement of street lighting assemblies, subject to approval by the Director of Engineering. Examples of these conditions include but are not limited to retaining walls, officially protected trees, wide medians, and non-correctable sight distance obstructions.

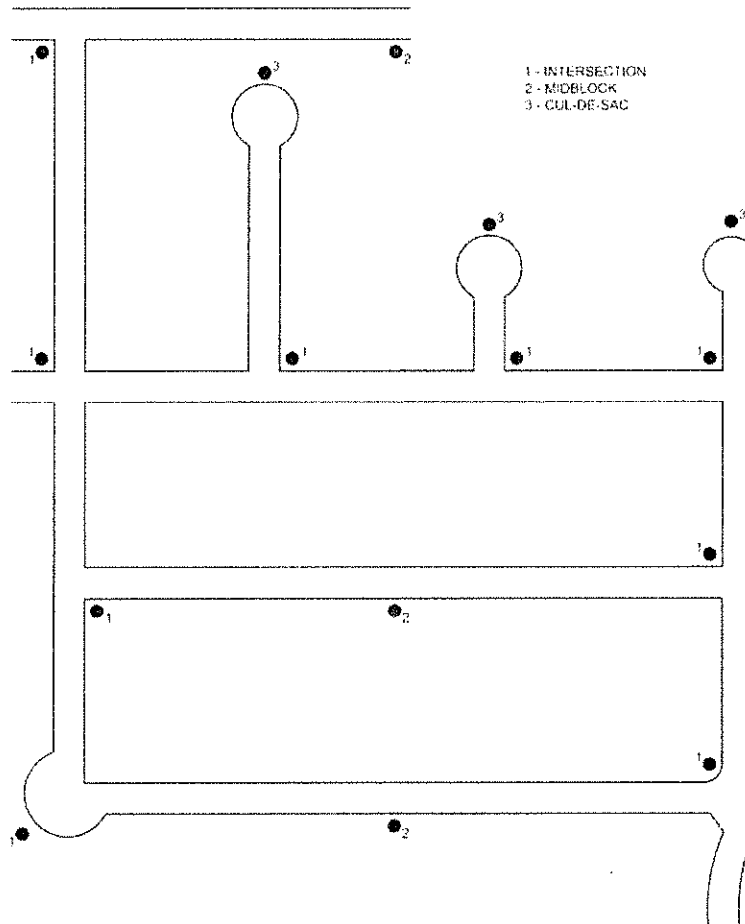


Figure 2-16 – Typical Residential Street Lighting System Layout

7. Typical street lighting system layout along collector roadways shall adhere to the minimum and maximum pole spacing values provided in this section. Luminaires shall be placed at all intersections, crosswalks, and trail crossings.
8. Street light spacing along collectors and residential roadways shall be as follows:

Residential:	Minimum spacing:	450 feet
	Maximum spacing:	900 feet
Collector:	Minimum spacing:	300 feet
	Maximum spacing:	600 feet
9. Where lighting assemblies are placed at intersections, spacing distances between lighting assemblies shall be measured from the center of the intersections, not the physical distance from pole to pole.
10. Private or other lighting outside the ROW shall not be considered a substitute for lighting under this section.

C. Continuous Arterial Roadway Lighting

1. Design values for continuous arterial roadway lighting shall be as shown in **Table 2-10**.

Table 2-10 – Photometric Design Criteria

Roadway Type	Average Maintained Illuminance (HFC)	Uniformity Ratios	
		Maximum : Minimum	Average : Minimum
Arterial – Principal	1.1	10:1	3:1
Arterial – Major	1.1	10:1	3:1
Arterial – Greenway	0.9	10:1	4:1
Arterial – Minor	0.8	10:1	4:1

2. Mounting height for street lighting fixtures is the vertical distance from the roadway surface at the edge of the travel lane to the light source, regardless of lateral placement of the pole.
3. Pole setback is the horizontal distance from the edge of the travel lane to the pole.
4. Continuous arterial lighting within the City of McKinney is typically owned and maintained by the utility provider servicing the applicable roadway. As such, utility provider design standards and requirements should be considered during the design process.

5. Typical pole spacing for arterial lighting shall be developed by the Engineer in accordance with the above photometric criteria. Photometric calculations for each project shall be submitted to the Engineering Department for approval.
6. Pole spacing near signalized intersections shall take into account the presence or lack of luminaires on the traffic signal poles.
7. Light contribution from lighting systems outside the ROW shall not be considered in the photometric design of continuous arterial lighting systems.

D. Roundabout Lighting

1. Lighting assemblies shall be placed along the outside of the roundabout. No street light poles shall be installed in the central island. Architectural or landscape lighting may be installed in the central island with the approval of the Director of Engineering.
2. Lighting of roundabouts shall be designed to emphasize the splitter islands to the greatest extent practicable.
3. No less than one light pole per roundabout approach shall be installed.
4. The requirements included in this section for roundabouts do not apply to traffic circles. Refer to residential street lighting requirements for layout of street lights at traffic circles.

E. Luminaires and Light Sources

1. The following light sources are permitted for street and roadway lighting purposes:
 - a. LED (4000K preferred)
 - b. High Pressure Sodium
 - c. Metal Halide
2. Maximum single fixture wattage shall be 400W or equivalent.
3. Maximum luminaire mounting height shall be 45 feet.
4. Minimum luminaire mounting heights shall comply with **Table 2-11**.

Table 2-11 – Mounting Height Restrictions

Light Source	Wattage*	Minimum Mounting Height (feet)
LED 4K, HPS, MH	100	18
	150	20
	250	30
	400	40

*Equivalent wattage for LED fixtures.

5. Luminaires and light sources should be selected to achieve photometric needs with an emphasis on energy efficiency. For white-light applications, use of LED luminaires is preferred to metal halide fixtures for improved energy efficiency.
6. Refer to the applicable utility provider's standards and requirements for lighting systems to be owned and operated by utility companies.
7. Use of non-standard luminaires within utility-owned and operated systems is additionally subject to the approval of the applicable utility owner.

F. Pole Requirements

1. All roadway and street lighting poles shall be of a breakaway design in accordance with AASHTO's current edition of *Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals*, unless otherwise approved by the Director of Engineering.
2. Decorative, painted, or other special light poles shall be permitted subject to special provisions and requirements as prescribed by the Director of Engineering.
3. Maintenance of non-standard light poles within a City-owned and operated system shall be funded through a cost-sharing agreement to be developed for each specific project and/or development. Use of non-standard lighting assemblies for utility-owned and operated systems is additionally subject to the approval of the applicable utility owner.
4. Refer to the applicable utility provider's standards and requirements for lighting systems to be owned and operated by utility companies.

2.12. Conduit Systems

- A. Conduit systems shall be installed for future irrigation, traffic signals, communications, and arterial roadway lighting. Refer to the City of McKinney Standard Details for additional information.

- B. Traffic signal conduit and ground boxes for future traffic signals shall be installed at all arterial-arterial and arterial-major collector intersections, the traffic signal conduit systems shall consist of one – 4-inch schedule 40 PVC pipe in accordance with the City of McKinney Standard Details prior to pavement construction.
- C. All divided arterial roadways constructed in the City of McKinney shall be built with a conduit system in the median. The conduit system shall be used for traffic signal communications and street lighting. The traffic signal communications conduit systems will consist of two each – 3-inch schedule 40 PVC pipes in accordance with the City of McKinney Standard Details.
- D. Roadway lighting conduit systems will consist of one – 2-inch schedule 40 PVC pipes in accordance with the City of McKinney Standard Details. Conduit system design requirements may vary based on the electric provider. Engineer should consult with the Engineering Department prior to performing design of these systems.
- E. Median conduit system locations shall be in accordance with the City of McKinney Standard Details. Conduit systems shall be located away from median centerline in areas planned for trees or landscaping. All conduit plans shall be reviewed and approved by the Director of Engineering.
- F. Conduit systems for residential street lighting systems are typically designed and installed by the electric provider and are not described in this manual.
- G. Maximum conduit length between any two ground boxes shall be 500 feet.

2.13. Traffic Impact Analysis

- A. The purpose of a Traffic Impact Analysis (TIA) is to assess the effects of specific development activity on the existing and planned roadway system. It is the intent of this section to make traffic access planning an integral part of the development process.
- B. For the purposes of analysis and design, the thoroughfare network for the City of McKinney is based on operational values of Level of Service D or better as a criterion for design purpose. Level of Service D is the industry standard and balances vehicle movement, impact on neighborhoods, and costs.
- C. When a Traffic Impact Analysis is required:
 - 1. A TIA will be required at the time of platting land for developments that are expected to meet a threshold level of change as described below. The City reserves the right to require a TIA for land developments that do not meet the threshold requirements, but may impact a sensitive area with traffic issues or may be a known public concern.
 - a. More than 100 Peak Hour Trip (PHT) generation
 - b. More than 5,000 vehicle trips per day generation

- c. More than 100 acres of property is involved
 2. Any changes or alterations to the Thoroughfare Master Plan
 3. A TIA shall be required when there is a request to amend the Thoroughfare Master Plan.
 4. A TIA will be required for all developments that are adjacent to and take access from TxDOT roadways.
 5. A TIA that is required of the applicant by the Engineering Department is part of the development review and approval process.
 6. The TIA must be signed and sealed by a Professional Engineer licensed in the State of Texas with experience in Transportation Engineering sufficient to assess traffic impacts.
 7. The City of McKinney's Engineering Department must review and approve all TIAs before final acceptance. After acceptance of the TIA, the construction plan review process will determine further actions.
- D. Traffic Impact Analysis Requirements – At a minimum, the TIA shall include the following items:
1. Traffic Analysis Map including:
 - a. Land Use, Site, and Study Area Boundaries, as defined.
 - b. Existing and Proposed Site Uses.
 - c. For TIAs where land use is the basis for estimating projected traffic volumes, Existing and Proposed Land Uses on both sides of boundary streets for all parcels within the study area.
 - d. All major driveways and intersecting streets adjacent to the property will be illustrated in sufficient detail to serve the purposes of illustrating traffic function. This may include showing lane widths, traffic islands, curbs, traffic control devices (traffic signs, signals, and pavement markings), and a general description of the existing pavement condition.
 2. Trip Generation and Design Hour Volumes Summary Tables
 - a. A trip generation summary table listing each type of land use, the building size assumed, average trip generation rates used (total daily traffic and A.M./P.M. peaks), and total trips generated shall be provided. For retail developments, weekend peak hour trip generation and analysis may be required.
 - b. Vehicular trip generation may be discounted in recognition of other reasonable and applicable modes, e.g., transit pedestrian, bicycles. When appropriate, pass-by trips can be modeled consistent with the current edition

of ITE's *Trip Generation*. All such estimates shall be subject to the approval of the Director of Engineering.

- c. Proposed trip generation calculations for single story commercial properties shall be based on a Floor-to-Area (building size to parcel size) ratio of 0.25 or more.
3. Trip Distribution – The estimates for percentage distribution of trips by movements to/from the proposed development and through external intersections being analyzed. Figures shall be provided by Site Exits/Entrances.
4. Trip Assignment – The direction of approach of site-attracted traffic via the area's street system.
5. Existing, Projected Build-Out, and Horizon Year Traffic Volumes – Figures shall be provided for each item. Existing traffic volumes are the numbers of vehicles on the streets of interest during the time periods listed below, immediately prior to the beginning of construction of the land development project. Existing traffic volumes shall be determined while schools are in session. Projected traffic volumes are the numbers of vehicles, including the build-out year.
 - a. Existing A.M. Peak Hour site traffic (including turning movements) if significant impact.
 - b. Existing P.M. Peak Hour site traffic (including turning movements).
 - c. Existing Weekend Peak Hour site traffic (including turning movements).
 - d. A.M. Peak hour total traffic including site-generated traffic and Projected Traffic (including turning movements).
 - e. P.M. Peak Hour total traffic including site-generated traffic and Projected Traffic (including turning movements).
 - f. For retail developments, Weekend Peak Hour total traffic including site-generated traffic and Projected Traffic (including turning movements).
 - g. For special situations where peak traffic typically occurs at non-traditional times, e.g., major sporting venues, entertainment venues, large specialty Christmas stores, etc., any other Peak Hour necessary for complete analysis (including turning movements).
 - h. Total daily existing traffic for street system in study area.
 - i. Total daily existing traffic for street system in study area and new site traffic and projected traffic from build-out of study area land uses.
6. Capacity Analysis
 - a. A capacity analysis shall be conducted for all public streets, intersections and junctions of major driveways with public streets, which are significantly

impacted (as designated by the Director of Engineering), by the proposed development within the study area.

- b. Engineer shall contact the City to request existing signal timings.
 - c. Capacity analysis shall follow the principles established in the current edition of the Transportation Research Board's *Highway Capacity Manual*. Capacity will be reported in quantitative terms as expressed in the *Highway Capacity Manual* and in terms of traffic Level of Service.
 - d. Capacity analysis shall include traffic queuing estimated for all critical applications where the length of queues is a design parameter, i.e. turn lanes and at traffic gates.
7. Conclusions and Requirements
- a. Engineer shall review the traffic layout and include recommendations related to traffic calming, connectivity to adjacent sites, pedestrian connectivity via sidewalks, sight distance at driveways and intersections, and capacities of the roadways in the network. Engineer shall identify potential overloading of roadways within the network.
 - b. Roadways and intersections within the study area, that are expected to operate at Level of Service D, E, or F, under traffic conditions including projected traffic plus site-generated traffic must be identified. Viable recommendations must be made for raising the traffic conditions to Level of Service A, B, C, or D.
 - c. Level of Service D is the design objective for all movements. Less than Level of Service D may be deemed acceptable for site and non-site traffic including existing traffic at build-out of the study area. The Director of Engineering must approve a Level of Service less than D.
 - d. For phased construction projects, implementation of traffic improvements must be accomplished prior to the completion of the project phase for which the capacity analyses show that they are required. Plans for project phases subsequent to a phase for which traffic improvement is required may be approved only if the traffic improvements are completed or bonded.
 - e. Voluntary efforts, beyond those herein required, to mitigate traffic impacts are encouraged as a means of providing enhanced traffic handling capabilities to users of the land development site as well as others.
 - f. Traffic mitigation tools include, but are not limited to, pavement widening, turn lanes, median islands, access controls, curbs, sidewalks, traffic signalization, traffic signing, and pavement markings.
 - g. The Director of Engineering may require items to be included in the TIA in addition to those listed above.

SECTION 3 PAVEMENT AND SUBGRADE DESIGN REQUIREMENTS

3.1. General

- A. The following specifies minimum standards required for the pavement and subgrade design for roadways and alleys within the City. These minimum standards are not intended to replace the professional judgment of the Geotechnical Engineer for any specific project. The standards may need to be expanded or modified on a case by case basis as determined necessary and appropriate by the Geotechnical Engineer, and as approved by the Director of Engineering in writing.
- B. Pavement design life shall be 30 years.
- C. **Table 3-1** lists the City's minimum pavement and subgrade thicknesses and dimensions. In no case shall the pavement and subgrade be less than the minimums.

Table 3-1 – Pavement and Subgrade Minimum Standards

Criteria	Thoroughfare Classification										
	P6D	M6D	G6D	G4D	M4D	M4U	M3U	M3U-F	C2U	R2U	RA
Concrete Thickness	9"	9"	9"	9"	8"	8"	8"	8"	*	6"	**
Lime Thickness	8"	8"	8"	8"	8"	8"	8"	8"	6"	6"	6"
Min. Lime Application Rate	8%	8%	8%	8%	8%	8%	8%	8%	6%	6%	6%
MC Depth											
<i>Avg. Swell < 2%</i>	0-48"	0-48"	0-48"	0-48"	0-48"	0-48"	0-48"	0-48"	0-48"	0-48"	0-48"
<i>2% ≤ Avg. Swell < 6%</i>	60"	60"	60"	60"	60"	60"	60"	60"	60"	60"	60"
<i>6% ≤ Avg. Swell < 8%</i>	72"	72"	72"	72"	72"	72"	72"	72"	72"	72"	72"
<i>8% ≤ Avg. Swell < 10%</i>	84"	84"	84"	84"	84"	84"	84"	84"	84"	84"	84"
<i>Avg. Swell ≥ 10%</i>	96"	96"	96"	96"	96"	96"	96"	96"	96"	96"	96"
SG Behind BOC	1-ft	1-ft	1-ft	1-ft	1-ft	1-ft	1-ft	1-ft	1-ft	1-ft	1-ft
MB Behind SG	2-ft	2-ft	2-ft	2-ft	2-ft	2-ft	2-ft	2-ft	2-ft	2-ft	2-ft

MC = Moisture Conditioning

Avg. Swell = Average swell to 10 feet or top of rock, whichever is less.

SG = Subgrade

BOC = Back of Curb

MB = Moisture Barrier

** Collectors (C2U) shall be paved with concrete having a minimum 8" thickness in commercial areas and 6" thickness in residential areas.*

*** Alleys (RA) shall be paved with concrete having a minimum 8" thickness in commercial areas and 6" thickness in residential areas.*

- D. All roadways and alleys shall have a geotechnical investigation and pavement and subgrade design performed. Results of the geotechnical investigations, engineering analyses, and recommendations shall be presented in a Geotechnical Report for Roadways ("Report"). The Report and any subsequent re-evaluations and/or supplemental reports shall be signed and sealed by a Licensed Professional Engineer in the State of Texas trained and qualified to provide geotechnical engineering analysis and pavement and subgrade design recommendations.
- E. The Report shall address all items listed in the Geotechnical Report for Roadways Checklist ("Checklist") in **Appendix B**. The Checklist shall be filled out completely and submitted with the Report. Any "N/A" response on the Checklist shall include a written explanation and adequate justification as deemed necessary by the Director of Engineering. Additionally, the Summary of Geotechnical Recommendations Form ("Form") in **Appendix B** shall be filled out completely and submitted with the Report.
- F. City review of the Report will be conducted as a means to verify if the pavement and subgrade design has been performed in general conformance to the City's requirements, and shall not be considered a detailed technical review of the pavement and subgrade design for adequacy, accuracy, or completeness. The Geotechnical Engineer performing the pavement and subgrade design shall remain responsible for the technical adequacy, accuracy, and completeness of the pavement and subgrade design and shall not be relieved of any responsibility for such as a result of the City's review.
- G. The information and recommendations contained in the Report and any subsequent re-evaluation and/or supplement reports shall be accepted by the Director of Engineering in writing prior to Release of Construction.
- H. Fire lane paving shall be designed in accordance with the Standard Details.
- I. The Engineer shall prepare a site-specific jointing plan for any roundabout. This includes, but is not necessarily limited to, expansion and contraction/sawed joints. Refer to **Section 2.3.E** and Standard Details for more information on roundabouts.
- J. Refer to the Standard Details and Technical Specifications for additional specific requirements related to pavement and subgrade.

3.2. Existing Surface/Subsurface Investigation

- A. Field Investigation elements include:
 - 1. Borings shall be drilled on center of proposed roadway, or within proposed roadway widening, at 500-foot spacing (or less), alternating between each roadway direction or on a 400-foot grid throughout a subdivision to a depth of at least 20 feet below finished subgrade or until competent rock is encountered, whichever is shallower. Where existing roadways exist, borings shall be taken just outside the limits of the existing roadway. Refer to **Section 6.4** for boring requirements for structures. Additional borings may be requested by the Director of Engineering.

2. Borings shall be sampled at 3-foot intervals or less to a depth of 10 feet below finished subgrade, and at 5-foot intervals or less thereafter.
3. Bulk samples of each soil type encountered in the upper 5 feet shall be taken for Laboratory Investigation.

B. Laboratory Investigation elements include:

1. Moisture Content Tests (ASTM D 2216) shall be performed. When the samples are wetter than normally expected due to seasonal variability, the samples shall be air dried such that the samples represent the drier portion of the year. Average all swell test results to determine the mean maximum swell percentage and the standard deviation.
 - a. For samples taken during the months of June through September, use the mean swell percentage to determine the design swell percentage.
 - b. For samples taken during the months of October through May, use the mean plus one standard deviation to determine the design swell percentage.
2. Soil types in each boring shall be classified as follows:
 - a. Atterberg limits (ASTM D 4318)
 - b. Percent Passing the No. 200 sieve (ASTM D 1140)
 - c. Moisture/Density

- C.** A geotechnical re-evaluation will be required if more than two months occur between the end of moisture conditioning and beginning of liming operations; when conditions have changed significantly between moisture conditioning and liming operations; when Contractor and/or Owner have not properly maintained moisture content; or as deemed necessary by the City. The re-evaluation shall include additional field and laboratory testing to confirm moisture conditioning is still acceptable, or how to rectify the substandard condition prior to liming operations as necessary. Borings for the re-evaluation will be required on center of roadway at 1,000-foot spacing (or less) or on a 800-foot grid throughout a subdivision to a depth of at least 20 feet below finished grade or until competent rock is encountered, whichever is shallower.

- D.** Geotechnical investigation must address heavily treed areas, where such trees are to be removed. Additional borings may be required in these areas.

3.3. Subsurface Design

- A.** Laboratory investigation elements include determining swell characteristics and movement potential using the Swell Test and the calculated Potential Vertical Rise (PVR) – TxDOT Tex-124-E methods for a 20-foot depth of moisture penetration. The results of both tests shall be included in the Report. The Geotechnical Engineer shall use the more conservative value in determining swell potential and depths of moisture treatment.

1. Swell Test: Test for swell potential using swell test (ASTM D 4546) at 200 psf stress at least two samples per boring at varying depths from 0 feet to 10 feet to determine the average swell potential of the subgrade. Use **Table 3-1** to determine the minimum depth of moisture treatment based on average swell potential. The Geotechnical Engineer shall provide a recommendation for swell less than 2%.
 2. PVR-TxDOT Tex-124-E: Test for swell potential using swell test (ASTM D 4546) and/or soil suction tests (ASTM D 5298) necessary to calculate PVR for a 20-foot moisture penetration. The PVR shall be calculated based upon 20-foot moisture penetration and shall provide moisture treatment depth to limit PVR to 4.5 inches.
- B. The Geotechnical Engineer shall address transitions between zones of varying depths of moisture treatment. Zones shall remain at the most conservative depth 150 feet from the location of the boring resulting in the greatest depth, prior to transitioning to a zone with less moisture conditioning depth. In no case shall the transitions be greater than 1H:1V.
- C. If street trees are proposed and within the limits of the moisture treated subgrade and moisture barriers, the Geotechnical Engineer shall address this condition in the Report and propose an alternate moisture/root barrier for the City's review.
- D. If existing trees are within the limits of the moisture treated subgrade, the Geotechnical Engineer shall address this condition in the Report and propose an alternate moisture/root barrier for the City's review.
- E. All subsurface improvements shall be in accordance with the Technical Specifications unless otherwise approved by the Director of Engineering.

3.4. Subgrade Design

A. Laboratory Investigation elements include:

1. Lime stabilization series for each soil type expected to be in the upper 12 inches of the subgrade. The Eades-Grimm method of pH testing shall be used to obtain a beginning point. Additional testing shall be performed for each soil type to determine lime content. Minimum design criteria are:

pH = 12.4 (or maximum pH) after mellowing (ASTM D 2976)

Swell potential <1.0 percent under 200 psf stress test (ASTM D 4546)

The minimum lime content shall be the percentage, by weight, of hydrated lime as determined by lime stabilization series plus 1.0%, and in no case be less than the City's minimum requirements as listed in **Table 3-1**.

2. Test for sulfates in the upper 3 feet of the subgrade in each boring using EPA 9038 or EPA 375.4 with 10:1 dilution ratio. Provide testing to determine the levels of sulfate present in all soil types in the upper 3 feet.

- B. Formations having over 6,000 ppm (0.6%) sulfates shall be lime stabilized using a double application method. Refer to Technical Specifications for lime application methods.
- C. Alternative subgrade options may be proposed by the Geotechnical Engineer, and may be approved by the Director of Engineering.
- D. Flexible base, if proposed as an alternative subgrade, shall have a minimum depth of 8 inches and shall extend a minimum of 2 feet behind the back of curb. Flexible base shall meet TxDOT Specifications, Item 247, Type D, Grade 1 or 2 with Triax TX 140 Geogrid (or approved equal) under the flexible base.
- E. All subgrade improvements shall be in accordance with the Technical Specifications unless otherwise approved by the Director of Engineering.

3.5. Pavement Design

- A. All concrete pavement shall be in accordance with Technical Specification, Standard Details, and General Notes unless otherwise approved by the Director of Engineering.
- B. The minimum pavement sections listed in **Table 3-1** are based on the Pavement Design Input Values contained in **Table 3-2**. It is the Geotechnical Engineer's responsibility to ensure those input values are applicable. In no case shall the pavement sections be less than the City's minimum. Additional pavement reinforcing shall be evaluated and determined for all concrete pavement sections thicker than 9 inches. Pavement design shall be based on American Association of State Highway and Transportation Officials (AASHTO) current edition of *Guide for Design of Pavement Structures* utilizing WinPAS, Pavement Analysis Software. A printout from the software program shall be required.

Table 3-2 – Pavement Design Input Values

Input	Thoroughfare Classification										
	P6D	M6D	G6D	G4D	M4D	M4U	M3U	M3U-F	C2U	R2U	RA
Design Period (years)	30	30	30	30	30	30	30	30	30	30	30
Initial Serviceability	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Terminal Serviceability	2.5	2.5	2.5	2.5	2.3	2.3	2.3	2.3	2.3	2.0	2.0
Concrete Modulus of Rupture @ 28 days (psi)	620	620	620	620	620	620	620	620	620	620	620
Concrete Modulus of Elasticity @ 28 days (psi)	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Modulus of Subgrade Reaction* (psi/in)	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Reliability	90%	90%	90%	90%	90%	90%	90%	90%	85%	85%	85%
Standard Deviation	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Load Transfer Coefficient	2.9	2.9	2.9	2.9	2.9	2.9	2.9	2.9	2.9	2.9	2.9
Drainage Coefficient	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Design Average Daily Traffic (ADT)	42,000	38,000	38,000	31,000	31,000	20,000	24,000	21,000	3,000	1,400	-
Traffic Growth Rate	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Percent Trucks**	2%	2%	2%	2%	2%	2%	2%	2%	1%	1%	1%
Lanes	6	6	6	4	4	4	3	3	2	2	1
Lane Distribution Factor	0.7	0.7	0.7	0.7	1	1	1	1	1	1	1

* To be determined based on the California Bearing Ratio (CBR) value. CBR values range with soil and stabilization type. Geotechnical Engineer must document the CBR and Modulus of Subgrade Reaction in the Report.

** If anticipated percentage of trucks for proposed development exceeds the minimum criteria shown in **Table 3-2**, the actual percentage shall be used.

SECTION 4 STORMWATER DESIGN REQUIREMENTS

4.1. General

- A. Purpose – The purpose of the City of McKinney’s drainage policy is to provide for the safety and welfare of the general public, mitigate flood and erosion related damages to private and public property, improve water quality, and protect aquatic resources.
- B. Drainage Plan Submittals – Refer to **Section 1.9** and to the Civil Engineering Plan Submittal Process and Civil Engineering Plan Review Development Checklist included in **Appendix B** for plan submittal requirements.
- C. A review process has been established by the City to provide control of all development activities related to stormwater runoff through natural or manmade facilities.
 - 1. A Preliminary Drainage Plan containing the conceptual layout of the proposed storm drainage system must be submitted as part of the platting and site development process in accordance with the McKinney Stormwater Management Ordinance and Subdivision Ordinance.
 - 2. A Final Drainage Plan and all supporting computations, shall be submitted at the time of the record plat application. Two hard copies of any flood study or drainage report shall be submitted along with a PDF copy of the study or report and electronic copies of all computer modeling input and output data.
- D. Drainage Structure Aesthetics – Drainage design in the urban environment must also consider appearance as an integral part of the design. In an effort to maintain the natural aesthetics of its existing floodplains, the City strongly encourages preservation of the natural floodplains as greenbelt areas, and in some cases, the City may require the floodplain to be designated as a deed restricted greenbelt area. When utilized, the design of drop structures and other hydraulic structures should blend with the natural surroundings as much as possible to maintain the aesthetics of the natural channel.
- E. Drainage Design Computations – Computations and results of analyses to support all drainage designs shall be submitted to the Director of Engineering for review as part of the Final Drainage Plan. Computer programs and spreadsheets used to perform computations shall be limited to those referenced in this manual. All computations submitted shall be certified by an engineer experienced in municipal stormwater drainage design and licensed in the State of Texas in accordance with the requirements set forth by the Texas Board of Professional Engineers and in accordance with the McKinney Stormwater Management Ordinance. Stormwater runoff computations used for design shall be based on fully developed watershed conditions and results shall be rounded in accordance with the McKinney Stormwater Management Ordinance and this manual. There may be instances in which existing or interim conditions represent the most critical condition, and these should also be reasonably considered in the design. The goal of every design should be the protection of life and property for all reasonably foreseeable conditions (this requires the exercise of prudent engineering judgment based on experience and training).

- F. Construction of Drainage Facilities – Development activities associated with the construction of drainage facilities must minimize erosion caused by construction, in accordance with the McKinney Stormwater Management Ordinance and **Section 8** of the Engineering Design Manual. The protection of desirable trees and vegetation shall be maximized during construction of development activities.
- G. Maintenance of Drainage Facilities – All maintenance responsibilities shall be in accordance with the Stormwater Management Ordinance. Drainage facilities that have been dedicated to and accepted by the City are maintained by the City. Private drainage facilities are typically maintained by the property owner on which the facility is located. Some private drainage facilities are owned and/or maintained by a Homeowner's Association. In such cases, this shall be noted on the plat. Not all natural creeks and floodplain areas are owned and maintained by the City. Rather, they are owned and maintained by the property owner on which the creek or floodplain area is located. The existence of a drainage or floodplain easement does not change ownership or maintenance responsibility. Maintenance plans for detention ponds and best management practices (BMPs) are required and shall be in accordance with the Stormwater Management Ordinance.
- H. Drainage Plan Requirements – As part of the platting process, storm drainage plans shall be prepared. These plans shall coordinate the functions of drainage facilities for both off-site and on-site drainage flows. The goal of these facilities is to prevent flood and erosion damage to all public and private property from storms up to and including the fully developed 100-year storm. Criteria for on-site development shall also apply to off-site improvements. The construction of all improvements shall be in accordance with the current Construction Standards and Specifications Manual and regulations adopted by the City. If applicable to the project, Final Drainage Plans shall follow the Civil Engineering Plan Review Development Checklist and shall include:
 - 1. Drainage Area Maps (Existing/Interim/Proposed)
 - 2. Drainage Calculation Sheets
 - 3. Storm Drain Plan and Profile Sheets
 - 4. Bridge Plans – Show the elevation of the lowest member of the bridge and the fully developed 100-year design water surface elevation based on the criteria in **Section 4.4** of the Engineering Design Manual. Provide a soils report and calculations and details for all erosion protection per the Stream Bank Stabilization Manual.
 - 5. Creek Alterations and Channel Plans – The City has an ongoing program to restore and protect its lakes and creeks. Also, individual creek master plans have been prepared and are continuing to be prepared for most of the significant creeks in McKinney. These individual creek master plans include specific recommendations on a reach-by-reach basis for stabilizing and protecting the creek. These recommendations may be followed or alternatives may be proposed to the Director of Engineering prior to commencing work in or adjacent to any creek that has a detailed master plan. In the absence of a detailed master

plan, the developer may be required to evaluate the impacts of their development on all creeks within and adjacent to their project using the methods and goals shown in the Stream Bank Stabilization Manual. Creek Alteration and Channel Plans shall indicate flow line, banks, and design water surface elevation. They shall also show standard-step backwater hydraulic computations far enough upstream and downstream to determine the hydraulic impacts of the proposed changes. See the Stream Bank Stabilization Manual for stream erosion and stability issues. Plans shall indicate existing and proposed velocities for the fully developed 5-year and 100-year flows. Refer to **Section 4.8** for open channel design requirements.

6. Environmental Reports and Plans – Refer to **Section 8** of the Engineering Design Manual for any requirements regarding Erosion Control Plans, Post Construction Stormwater Quality Plans, and Stormwater Pollution Prevention Plans.
7. Detention and Retention Facilities Plans – Detention and retention facilities are a means to mitigate the impacts of land use changes on downstream properties and drainage facilities. They are utilized to store stormwater and release it over an extended period of time. In McKinney, detention and retention facilities additionally serve as stormwater quality improvement facilities as well as frequency mitigation measures to protect the quality of the downstream receiving waters and the stability of the receiving streams. Retention facilities (those which permanently retain a volume of water) may be subject to additional TCEQ permitting requirements. Refer to **Section 4.10** for detention basin design requirements.

I. Erosion Hazard Setback Easement

1. Erosion Hazard Setback Easement determination is necessary for both the banks of natural streams in which the natural channel is to be preserved and for man-made channels. The purpose of the easement is to prevent structural damage caused by erosion. Where erosion hazard setback easements are established, no building, fence, wall, deck, swimming pool, or other structure shall be located, constructed, or maintained within the area encompassing the setback. Variations to the setback policy are allowed by the City under the conditions outlined in the Stream Bank Stabilization Manual. The City allows for stream bank stabilization as an alternative to dedicating the Erosion Hazard Setback Easement, provided there is an approved plan and adequate access to maintain the stream bank stabilization measures indefinitely. For the provisions of this alternative, see the Stream Bank Stabilization Manual. Stream bank Erosion Hazard Setback Easements may extend beyond the limits of the regulatory floodplain. The procedure for determining the stream bank Erosion Hazard Setback Easements is as follows:
 - a. Locate the toe of the natural stream bank. The toe shall be based on the most conservative estimate of a toe of slope where erosion can occur based on the fully developed 100-year design storm. The toe may be located outside of the low flow channel.

- b. From this toe, construct a line sloping at 4H:1V towards the bank until it intersects natural or proposed ground.
 - c. From this intersection, add 15 feet horizontally in the direction away from the stream to locate the outer edge of the Erosion Hazard Setback Easement.
 - d. For channels with side slopes less than 4H:1V, the Erosion Hazard Setback Easement shall be 15 feet from the top of bank of the creek, or at the fully developed 100-year floodplain elevation, whichever offers the greater buffer for the stream.
2. The Erosion Hazard Setback Easement may be reduced in places where the stream banks are composed partially or entirely of rock or are appropriately stabilized per the Stream Bank Stabilization Manual. In these areas, the interface of the natural stream bank with the top of the unweathered rock strata shall be located with the assistance of a qualified geotechnical engineer or geologist, and adequate documentation of said rock shall be provided to the City. From this point, a line sloping at 3H:1V is constructed until its intersection with natural ground. The Erosion Hazard Setback Easement is located 15 feet in the direction away from the stream from this intersection.
 3. In all cases, provision for adequate maintenance access shall be considered when establishing the Erosion Hazard Setback Easement. Refer to **Figure 4-1** for additional guidance.
- J. City of McKinney Stormwater Management Ordinance – Refer to **Section 1** for information on the City of McKinney Stormwater Management Ordinance. The ordinance contains requirements and guidelines for the design of stormwater management facilities.
- K. General Lot Grading and Drainage Requirements
1. Lot-to-lot drainage, defined as runoff from one individually owned private lot to another, is not allowed. Once runoff is conveyed to a public right-of-way (ROW) or drainage or floodplain easement, it may not be directed back onto private property outside of a drainage or floodplain easement.
 2. Grading and drainage shall not negatively impact surrounding properties.
 3. Lots shall be graded to drain surface water away from the foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. Where lot lines, walls, slopes, or other physical barriers prohibit 6 inches of fall within the first 10 feet, drains or swales shall be constructed to ensure drainage away from the structure. Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum of 2 percent away from the building.
 4. All earthen drainage swales draining areas less than one cumulative acre shall have a 2 percent minimum slope. Side yards and backyards that shall have a 1 percent minimum slope. All paved drainage swales shall have a 1 percent minimum slope.

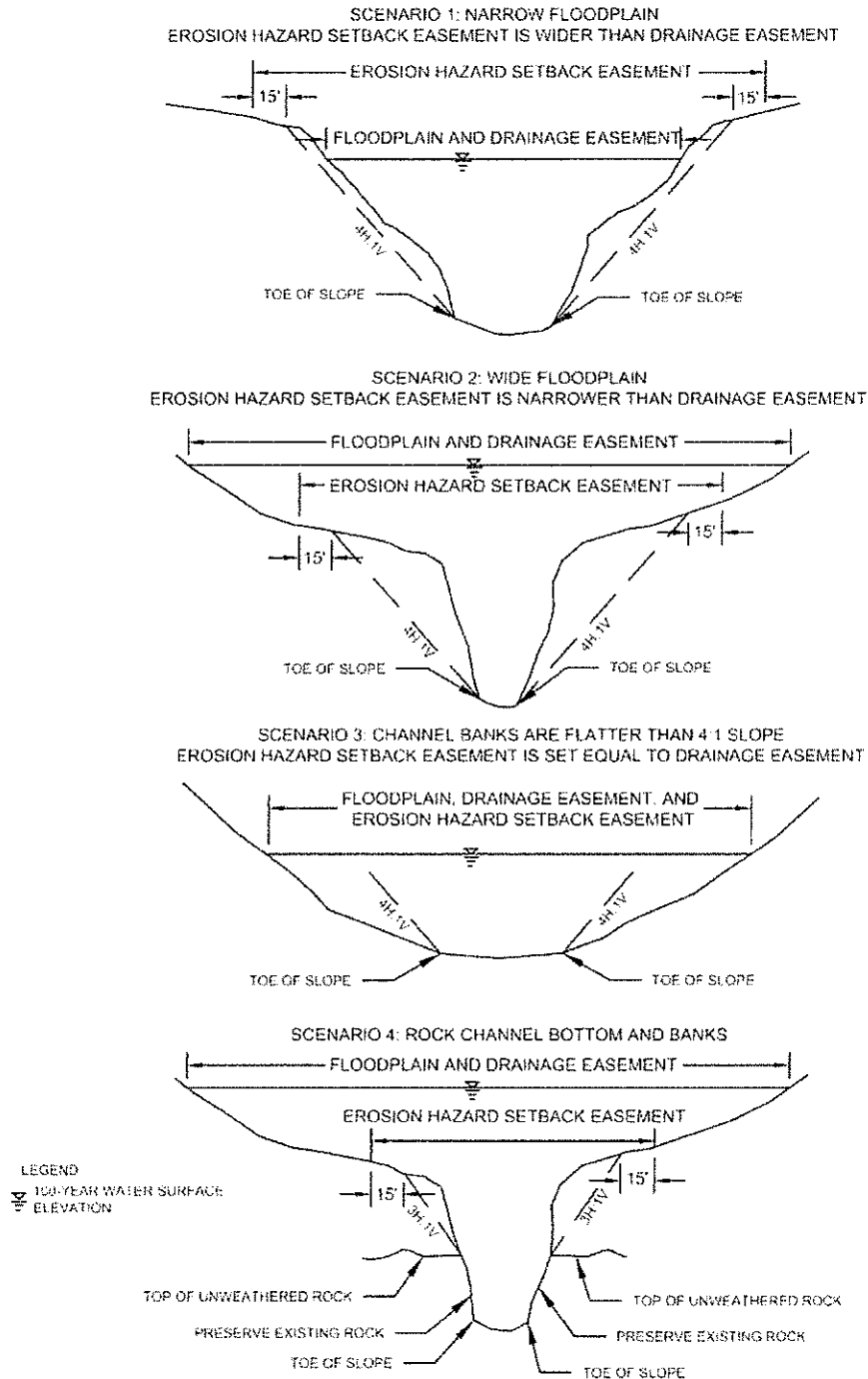


Figure 4-1 – Natural Channels: Erosion Hazard Setback, Floodplain, and Drainage Easements

4.2. Floodplain Development Criteria

A. General

1. All development within the floodplain requires review and approval by the Director of Engineering.
2. Portions of the 100-year floodplain, based on fully developed watershed conditions, may be reclaimed provided that:
 - a. There is no increase in the water surface elevation (Refer to **Section 4.2.A.3**);
 - b. Acceptable velocities are maintained (in accordance with **Table 4-20**);
 - c. Channel stability in the reach being reclaimed is not adversely impacted; and,
 - d. In any stream with a contributing watershed of 200 acres or more at the point of development, an equivalent volume of valley storage must be provided in the same reach as the proposed development.
3. Increase of the floodplain water surface elevation may be considered only when the entire floodplain area experiencing the increase is located on one's own property. The only exception to this is if there are existing floodplain or drainage easements that will accommodate the FEMA and fully developed floodplain, including any increases, and fully developed 100-year capacity exists.
4. Velocities throughout the channel must be analyzed for both the fully developed 5-year and fully developed 100-year events to ensure that any new fill and grading is protected. Refer to **Section 8** for erosion control requirements.
5. All development shall be in accordance with the Tree Preservation Ordinance.
6. Listed below are the procedures that shall be followed when developing within either the current effective FEMA floodplain or the fully developed 100-year floodplain. Refer to **Figure 4-2** for guidance on floodplain development requirements.

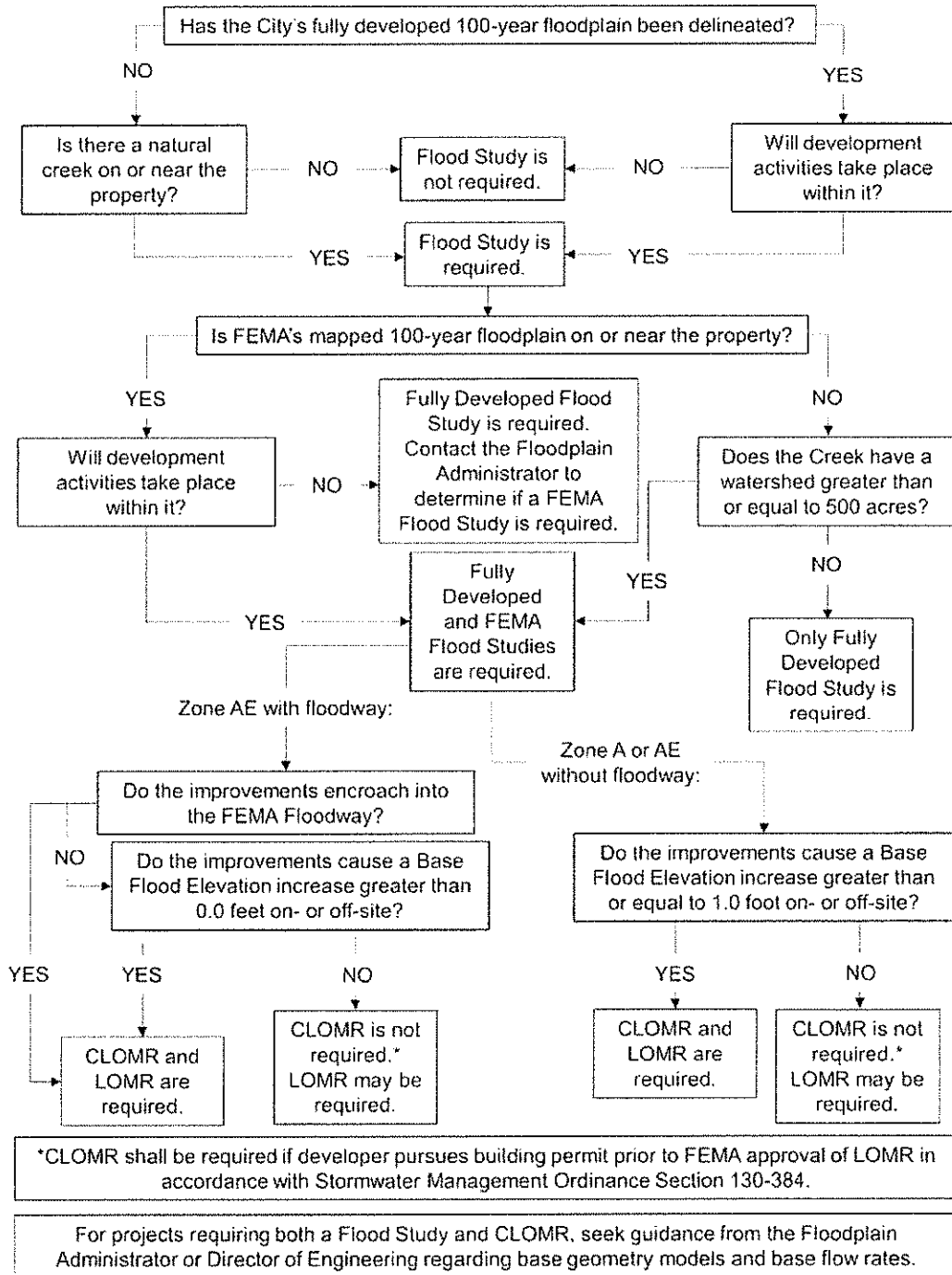


Figure 4-2 – Floodplain Development Flow Chart

B. Floodplain Development

1. Development in the floodplain fringe may be allowed provided the following criteria and those criteria outlined in the City of McKinney Stormwater Management Ordinance Section 130-382-383 are met:
 - a. Residential and non-residential structures are prohibited within the floodplain. Development proposed within a floodplain area must include a Reclamation Plan.
 - b. Pad elevations for residential lots raised out of the floodplain shall be at least one foot above the elevation of either the base flood or the fully developed 100-year flood elevation, whichever is greater.
 - c. Minimum finished floor elevations for proposed development areas adjacent to the floodplain shall be at least two feet above the elevation of either the base flood or the fully developed 100-year flood elevation, whichever is greater.
 - d. The top of the curb or street crown of all new streets to be built in reclaimed floodplain areas shall be at least one foot above the base flood or the fully developed 100-year flood elevation, whichever is greater.
 - e. The low beam of all new bridges to be constructed across floodplains shall be a minimum of one foot above the base flood or the fully developed 100-year flood elevation, whichever is greater.
 - f. Parking lots associated with residential uses in reclaimed floodplain areas shall be at least at the base flood or fully developed 100-year flood elevation, whichever is greater.
 - g. Parking lots for commercial and industrial uses may be built at one foot below the base flood or the fully developed 100-year flood elevation, whichever is greater.
 - h. Maximum slopes of filled areas or excavated areas not in sound rock shall not exceed 3H:1V. Any City-maintained land shall be at least on a 4H:1V slope regardless of the existence of rock with the following exceptions: when proposed as part of a landscape plan or creek stabilization plan, fill slopes, vertical walls, terracing, and other slope treatments may be considered where public safety and maintenance are not jeopardized and where no unbalancing of stream flow or upsetting of the channel's stability results.
 - i. The floodplain shall be altered only to the extent permitted by equal conveyance on both sides of the natural channel. An area of the stream cross section, in its existing condition, carrying a percentage of stream flow, will continue to carry the same percentage of stream flow after filing of the floodplain occurs. The right of equal conveyance applies to all owners and uses, including greenbelt, park areas and recreational usages. Owners may

relinquish their right to equal conveyance by providing a written agreement to the City.

- j. When constructing a swale parallel to the main channel where the swale also ties to the main channel, the lowest elevation of excavated areas shall not be lower than one-third of the depth of the main channel, as measured down from the top of bank of the main channel, or the water surface elevation resulting from the 5-year flood, whichever is lower. The Director of Engineering may consider an exception to this provision, depending upon the distance between the swale and the main channel and with the provision of appropriate stabilization of the swale outfall. The upstream end of the excavation area shall not tie into the creek, and no excavation shall be closer than 50 feet to the bank of the natural channel, except as necessary to drain. Excavation of lakes may exceed the depth indicated above. In any case, excavation in the floodplain shall not cause or allow a diversion of flood flows outside the FEMA floodway without Director of Engineering approval.

2. Sequence of Action for Reclamation in FEMA Designated Floodplains:

- a. Step 1 – The developer may submit a Preliminary-Final Plat to the Director of Engineering. (Note: An approved Preliminary-Final Plat expires as determined by the Subdivision Regulations unless the Record Plat has been submitted for approval.) The Preliminary-Final Plat may be approved by the Planning and Zoning Commission and/or City Council with the condition that a flood study will be submitted and approved by the Floodplain Administrator prior to Record Plat approval. With agreement of this condition and approval of the Preliminary-Final Plat, the developer may submit a Record Plat.
- b. Step 2 – The developer shall then submit the following to the Director of Engineering:
 - i. A dual element Reclamation Plan for submittal to FEMA with HEC-RAS pre- and post-project data for the existing 100-year storm event (FEMA), and a dual element Reclamation Plan for submittal to the City with HEC-RAS pre- and post-project data for the fully developed 100-year storm event. Along with these initial submittal materials, a floodplain application and review fee to the City are required before the Reclamation Plan review is initiated. Third and subsequent reviews will require an additional fee. A listing of required fees for City review of construction plans is available on the City's website.
 - ii. The Reclamation Plan data shall include these items and reflect the following guidelines: Cross-sections shall be spaced not greater than 500 feet apart and shall be spaced and aligned to adequately represent floodplain characteristics and abrupt changes within the stream including changes in discharges, slope, cross-sectional shape, and roughness, as well as locations of obstructions to flow and locations of drainage control facilities such as bridges, weirs, levees, and spillways. The submittal of data should include both input data and output data of the computer model, summary tables comparing results of the computed water surface

elevations and flow velocities for pre- and post-project conditions, documentation of Sections 9 and 10 of the Endangered Species Act, and any other necessary State or Federal permitting. For a proposed development impacting floodplain that includes greater than 50 lots, or 5 or more acres, or is contiguous with 1,000 linear feet or greater of stream stretch, and the current FEMA map of the project area is shown as Zone A but is adjacent to a Zone AE, then the study must establish base flood elevations and a regulatory floodway. Submittal of information to FEMA should have the effect of modifying the current Zone A to Zone AE along the stream stretch adjacent to the project site.

- c. Step 3 – The City will then review and comment on the completeness and impacts of the Reclamation Plan, including the HEC-RAS data. At the City's discretion, a private consultant chosen by the City may perform the review.
- d. Step 4 – If required based on comments provided by the City, the developer shall submit a revised Reclamation Plan to the City. If the Reclamation Plan impacts the regulatory floodway by realignment or fill and results in increases to base flood elevation (**Section 4.2.B**), proceed to Step 5. If the Reclamation Plan involves only the floodplain fringe and/or floodway without rise, proceed to Step 7.
- e. Step 5 – Once approved by the City, the developer shall then submit to FEMA the final, approved, and Floodplain Administrator signed Reclamation Plan based on existing (FEMA) flows in order to obtain a Conditional Letter of Map Revision (CLOMR). At this time, the developer shall also submit a copy of the final approved Reclamation Plan based on fully developed watershed conditions to the City. All fees and submittals required by FEMA are the responsibility of the developer. No Record Plat approval or Grading Permit shall be issued for floodway fill or realignment prior to FEMA CLOMR issuance.
- f. Step 6 – If FEMA approves the CLOMR application and issues the Conditional Letter of Map Revision, the engineer or developer shall provide a copy of such to the Floodplain Administrator. At this point, the City may issue a Record Plat approval letter and approve the Development Permit and Grading Plan. Floodplain reclamation may now commence. Proceed to Step 8.
- g. Step 7 – The developer's consulting engineer shall address all comments and certify that the model and submittal data meet the requirements of FEMA and should pose no problems at the time of request for the Letter of Map Revision (LOMR). Once the City is satisfied all comments have been addressed, the City may approve the Reclamation Plan. At this time, the Record Plat may be approved, and the City may then approve the Development Permit and Grading Plan. The project may now be released for fill activities and construction.
- h. Step 8 – After grading and compaction requirements relating to floodplain reclamation are complete, as-built (record) drawings of the reclamation

project reflecting post-construction conditions based on survey data shall then be prepared for submittal to FEMA in the form of a LOMR application. The LOMR application and related materials must be submitted to the City for review and approval. Once the City Floodplain Administrator has approved and signed the application MT form, the application and appropriate fees must be submitted to FEMA by the developer or the developer's consulting engineer to remove the reclaimed area from a Special Flood Hazard Area. If there are substantive changes from the previously submitted fully-developed study, a new, revised study is required. These submittals must include HEC-RAS data, compaction results from a geotechnical engineer certifying compaction of the fill to no less than 95 percent of the standard proctor densities of the material, and any other information required by FEMA.

- i. Step 9 – When FEMA issues a LOMR, the Record Plat may be filed for record. At this time, Building Permits may be issued. (Note: If FEMA rejects the submittal for the LOMR, revisions to the Record Plat may be required to modify the drainage easements to reflect the adjustments required by FEMA.)
 - j. Step 10 – Assuming all other conditions have been met, final acceptance of the development may then be given. The Certificate of Occupancy may then be issued for non-residential buildings, and Building Permits for residential buildings may then be issued.
3. Sequence of Action for Reclamation in Non-FEMA Designated Floodplains:
- a. Step 1 – The developer may submit a Preliminary-Final Plat to the Director of Engineering. (Note: An approved Preliminary-Final Plat expires as determined by the Subdivision Regulations unless the Record Plat has been submitted for approval.) The Preliminary-Final Plat may be approved by the Planning and Zoning Commission and/or City Council with the condition that a flood study will be submitted and approved by the Floodplain Administrator prior to Record Plat approval. With agreement of this condition and approval of the Preliminary-Final Plat, the developer may submit a Record Plat.
 - b. Step 2 – The developer shall then submit the following to the Director of Engineering:
 - i. A dual element Reclamation Plan for submittal to the City with HEC-RAS pre- and post-project data for both the existing and fully developed 100-year storm event. Along with these initial submittal materials, a floodplain application and review fee to the City are required before the Reclamation Plan review is initiated. Third and subsequent reviews will require an additional fee. A listing of required fees for City review of construction plans is available on the City's website.
 - ii. The Reclamation Plan data shall include these items and reflect the following guidelines: cross-sections shall be spaced not greater than 500 feet apart and shall be spaced and aligned to adequately represent abrupt changes within the stream and floodplain characteristics including changes in discharges, slope, cross-sectional shape, and roughness, as

well as locations of obstructions to flow and locations of drainage control facilities such as bridges, weirs, levees, and spillways. The submittal of data should include both input data and output data of the computer model, summary tables comparing results of the computed water surface elevations, and flow velocities for pre-project and post-project conditions.

- c. Step 3 – The City will then review and comment on the completeness and impacts of the Reclamation Plan, including the HEC-RAS data. At the City's discretion, a private consultant chosen by the City may perform the review.
- d. Step 4 – If required based on comments provided by the City, the developer shall submit a revised Reclamation Plan to the City.
- e. Step 5 – The developer's consulting engineer shall address all comments and certify that the model and submittal data meet the requirements of the City and should create no flooding issues after project completion. Once the City is satisfied all comments have been addressed, the City may approve the Reclamation Plan. At this time, the Record Plat may be approved, and the City may then approve the Development Permit and Grading Plan. The project may now be released for fill activities and construction.
- f. Step 6 – After floodplain grading and compaction are completed, as-built (Record) drawings of the reclamation project shall then be submitted to the City reflecting fully developed watershed conditions. This submittal must include HEC-RAS data for both existing and fully developed watershed conditions and compaction results from a geotechnical engineer certifying compaction of the fill to no less than 95 percent of the standard proctor densities of the material.
- g. Step 7 – Upon acceptance of the record drawings submittal, the Record Plat may be filed for record. At this time, Building Permits may be issued.
- h. Step 8 – Assuming all other conditions have been met, final acceptance of the development may then be given. The Certificate of Occupancy may then be issued for nonresidential buildings, and Building Permits for residential buildings may then be issued.

C. Floodway Realignment

1. All Floodway realignments shall be planned, designed, and constructed in accordance with FEMA, United States Army Corps of Engineers (USACE) regulations, the Stream Bank Stabilization Manual, and any pertinent creek specific master plans. Floodway realignments that impact only the submitting land owner may be approved by the Director of Engineering while realignments that will impact more than one property owner will require notification of impacted property owners. If a floodway realignment request has been approved and the realignment results in any increase in base flood elevation, the developer or the developer's consulting engineer shall submit all necessary data to the City and FEMA and is responsible for all fees required to obtain a CLOMR from FEMA.

2. Floodway realignment requests resulting in base flood elevation increases must be approved by FEMA (by obtaining a CLOMR) and the Director of Engineering prior to approval of the Record Plat. A CLOMR must be obtained from FEMA prior to issuance of a Floodplain Development Permit. Due to the typical review period required by FEMA, the developer is encouraged to submit floodway revision requests to the City as soon as possible to avoid delays in obtaining approval of the Floodplain Development Permit. Refer to **Section 4.2.B.2** for sequence of action for reclamation in FEMA designated floodplains.

4.3. Design Rainfall

A. Rainfall Intensity-Duration-Frequency

1. Rainfall rates for drainage design purposes shall be estimated in accordance with standard technical information provided by the current edition of NCTCOG Integrated Storm Water Management (iSWM™) *Hydrology Technical Manual*. The information, guidelines and procedures contained in this publication should be utilized by the engineer of record (engineer). Collin County rainfall information from the NCTCOG iSWM™ *Hydrology Technical Manual* is provided in **Table 4-1**, derived from the equation below:

$$I = \frac{b}{(T_c + d)^e}$$

Where:

- I = average rainfall intensity corresponding to the time of concentration (inches per hour)
- T_c = time of concentration (minutes)
- b, d, e = coefficients from **Table 4-1** based on the specified rainfall return period (dimensionless)

2. This rainfall information shall be used for any Rational Method design of storm drainage facilities within the City. If there are any discrepancies between the data in this manual and the referenced publication, the data from the referenced publication should be used. Storm durations shall be based on **Table 4-3**.

Table 4-1 – Collin County Rainfall Intensity Data*

Coefficients		Return Period (years)							
		1	2	5	10	25	50	100	
e		0.82667	0.79822	0.78901	0.77386	0.75875	0.74805	0.73702	
b		47.053	50.523	64.259	68.951	76.069	81.634	86.709	
d		9	9	11	11	11	11	11	
Hours	Minutes	Rainfall Intensity (inches per hour)							
0.083	5	5.31	6.15	7.21	8.07	9.28	10.26	11.24	
	6	5.02	5.82	6.87	7.70	8.86	9.80	10.74	
	7	4.76	5.53	6.57	7.36	8.49	9.39	10.30	
	8	4.52	5.26	6.29	7.06	8.15	9.02	9.90	
	9	4.31	5.03	6.05	6.79	7.84	8.68	9.53	
	10	4.13	4.82	5.82	6.54	7.55	8.37	9.20	
	11	3.95	4.62	5.61	6.31	7.29	8.08	8.89	
	12	3.80	4.45	5.41	6.09	7.05	7.82	8.60	
	13	3.65	4.28	5.24	5.89	6.82	7.58	8.33	
	14	3.52	4.14	5.07	5.71	6.61	7.35	8.09	
	0.250	15	3.40	4.00	4.91	5.54	6.42	7.14	7.86
		16	3.29	3.87	4.77	5.38	6.24	6.94	7.64
		17	3.18	3.75	4.64	5.23	6.07	6.75	7.44
		18	3.09	3.64	4.51	5.09	5.91	6.58	7.25
19		2.99	3.53	4.39	4.96	5.76	6.41	7.07	
20		2.91	3.44	4.28	4.84	5.62	6.26	6.90	
21		2.83	3.35	4.17	4.72	5.48	6.11	6.74	
22		2.75	3.26	4.07	4.61	5.36	5.97	6.59	
23		2.68	3.18	3.98	4.50	5.24	5.84	6.45	
24		2.61	3.10	3.89	4.40	5.12	5.71	6.31	
25		2.55	3.03	3.80	4.31	5.02	5.59	6.18	
26		2.49	2.96	3.72	4.22	4.91	5.48	6.06	
27		2.43	2.89	3.64	4.13	4.81	5.37	5.94	
28		2.38	2.83	3.57	4.05	4.72	5.27	5.83	
29	2.33	2.77	3.50	3.97	4.63	5.17	5.72		
0.500	30	2.28	2.71	3.43	3.89	4.54	5.07	5.62	
	31	2.23	2.66	3.37	3.82	4.46	4.98	5.52	
	32	2.18	2.61	3.30	3.75	4.38	4.90	5.42	
	33	2.14	2.56	3.25	3.69	4.31	4.81	5.33	
	34	2.10	2.51	3.19	3.62	4.23	4.73	5.24	
	35	2.06	2.46	3.13	3.56	4.16	4.66	5.16	
	36	2.02	2.42	3.08	3.50	4.10	4.58	5.08	
	37	1.99	2.38	3.03	3.45	4.03	4.51	5.00	
	38	1.95	2.34	2.98	3.39	3.97	4.44	4.92	
	39	1.92	2.30	2.93	3.34	3.91	4.37	4.85	
	40	1.89	2.26	2.89	3.29	3.85	4.31	4.78	
	41	1.85	2.23	2.84	3.24	3.79	4.25	4.71	
	42	1.82	2.19	2.80	3.19	3.74	4.19	4.65	
	43	1.79	2.16	2.76	3.15	3.69	4.13	4.58	
44	1.77	2.12	2.72	3.10	3.64	4.07	4.52		
0.750	45	1.74	2.09	2.68	3.06	3.59	4.02	4.46	
	46	1.71	2.06	2.65	3.02	3.54	3.97	4.41	
	47	1.69	2.03	2.61	2.98	3.49	3.92	4.36	
	48	1.66	2.00	2.57	2.94	3.45	3.87	4.29	
	49	1.64	1.98	2.54	2.90	3.40	3.82	4.24	
	50	1.62	1.95	2.51	2.86	3.36	3.77	4.19	
	51	1.59	1.92	2.48	2.83	3.32	3.72	4.14	
	52	1.57	1.90	2.44	2.79	3.28	3.68	4.09	
	53	1.55	1.87	2.41	2.76	3.24	3.64	4.04	
	54	1.53	1.85	2.39	2.73	3.20	3.60	4.00	
	55	1.51	1.83	2.36	2.69	3.17	3.55	3.95	
	56	1.49	1.80	2.33	2.66	3.13	3.51	3.91	
	57	1.47	1.78	2.30	2.63	3.10	3.48	3.87	
	58	1.46	1.76	2.28	2.60	3.06	3.44	3.83	
59	1.44	1.74	2.25	2.57	3.03	3.40	3.79		
1	60	1.42	1.72	2.22	2.55	3.00	3.37	3.75	
2	120	0.85	1.04	1.37	1.59	1.88	2.13	2.39	
3	180	0.62	0.77	1.02	1.18	1.41	1.61	1.81	
6	360	0.36	0.45	0.60	0.71	0.85	0.98	1.11	
12	720	0.20	0.26	0.35	0.42	0.51	0.59	0.67	
24	1440	0.11	0.15	0.21	0.25	0.30	0.35	0.41	

*Rainfall intensities provided in Table 4-1 are based on the iSWM™ Hydrology Technical Manual dated April 2010 and revised September 2014. The current edition shall be used.

- B. Rainfall Depths – Total precipitation amounts for the various 24-hour storm events are listed in **Table 4-2**. They shall be used only for those hydrologic methods that utilize rainfall depths instead of rainfall intensities.

Table 4-2 – 24-Hour Rainfall Depths

Return Period (years)	24-Hour Rainfall Depth (inches)
1	2.75
2	3.63
5	4.94
10	5.92
25	7.29
50	8.45
100	9.73
500	13.79

- C. Probable Maximum Precipitation (PMP) – PMP rainfall depths for various durations and storm sizes can be obtained from Hydrometeorological Reports No. 51 and 52, respectively. The computer program HMR52, written by the USACE, may be used to distribute the PMP over the watershed, calculating the basin average precipitation for each time step.
- D. Dams and Impoundments – The design rainfall for sizing auxiliary spillways on dams or impoundments shall be based on a percentage of the Probable Maximum Precipitation (PMP), as specified by the TCEQ under Title 30 of the Texas Administrative Code (TAC) §299.11 – §299.17 and further explained in the *Hydrologic and Hydraulic Guidelines for Dams in Texas* prepared by the TCEQ. Refer to **Section 4.12** for additional design criteria.
- E. Standard Project Precipitation (SPP) – The design rainfall for projects that require the USACE Standard Project Flood (SPF) shall be obtained by applying 50 percent of the Probable Maximum Precipitation (PMP), as described in **Section 4.3.C**.
- F. Rainfall Loss Rates – Losses due to interception, infiltration, and depression storage need to be deducted from the total design rainfall to obtain the effective design rainfall. The method used to calculate the rainfall losses will depend on the method used to compute the design discharge, as described in **Section 4.4.B** of this manual. The Rational Method accounts for rainfall losses with a runoff coefficient, as described in **Section 4.4.C**. For the unit hydrograph methods described in **Section 4.4.D**, the initial-uniform constant loss method is recommended for the Snyder's unit hydrograph method. The Natural Resource Conservation Service (NRCS) (formerly

Soil Conservation Service (SCS) Runoff Curve Number method is recommended for use with the NRCS Dimensionless Unit Hydrograph method.

4.4. Determination of Design Discharge

- A. Design Frequencies – The storm frequencies shown in Table 4-3 shall be used with fully developed watershed conditions for drainage and flood control designs in the City.

Table 4-3 – Design Frequency and Freeboard Requirements

Storm Drainage Facility	Frequency	Freeboard	Freeboard Reference Point
Enclosed Pipe Systems (non-sump areas)	10-year	1 foot	From Gutter Elevation
Roadside Ditches	10-year	None	From Lowest Point of Containment
Enclosed Pipe Systems Draining Sump Areas	100-year	None	From Gutter Elevation
City Street Rights-of-Way	100-year	None	From Top of Curb
Channels and Creek Improvements	100-year	1 foot	From Top of Channel or Creek and/or Based on Direction from the Floodplain Administrator
Culverts	100-year	1 foot	From Top of Curb
Bridges	100-year	1 foot	From Low Chord of Bridge
Pedestrian Bridges	10-year	None	From Low Chord of Bridge
Detention/Retention Basins	100-year	1 foot	From Lowest Point of Containment
Structures Adjacent to Floodplains	100-year	2 foot	From Finished Floor Elevation
Dams	See Section 4.12	See Section 4.12	From Top of Dam

1. Storm duration shall equal or exceed the time of concentration for all evaluations and designs.
2. Designs that utilize a unit hydrograph method shall be based on the 24-hour storm and shall meet or exceed TCEQ standards, if applicable. TxDOT requirements must be met for any TxDOT facility.

B. Computation Methods

1. To design drainage facilities, the Rational Method may be used to determine the runoff generated when the contributing drainage area is less than 50 acres. A unit hydrograph method shall be used to determine the runoff generated from contributing drainage areas greater than 50 acres or for locations that contain a regional stormwater detention facility upstream. The Director of Engineering may require any development with a contributing drainage areas less than 50 acres to use a unit hydrograph method. In either case, the determination of the design discharge is to be based on fully developed watershed conditions using the best available future land use projections.
2. When determining design flow rates and water surface elevations for rivers and creeks in the City, the design discharges based on fully developed watershed conditions shall be obtained from an applicable master creek study and any subsequent revisions or modifications. The Engineer must verify its accuracy related to the site under consideration for development. Check with the Floodplain Administrator for applicable master creek studies and any additional flood study information.

- C. Rational Method – The Rational Method may be used to determine runoff for watersheds with drainage areas of 50 acres or less. The peak discharge rate computed by the Rational Method is given by the following relationship:

$$Q = KCIA$$

Where:

- Q = peak flow rate for a given storm event on the watershed at the desired design point (cubic feet per second)
 - K = frequency factor from **Table 4-4** that is intended to reflect the additional runoff that results from saturated ground conditions in larger storm events (dimensionless)
 - C = weighted runoff coefficient from **Table 4-5**, representing ground cover conditions and/or land use within the watershed (dimensionless)
 - I = average rainfall intensity during the time of concentration for a given storm event from **Table 4-1** (inches per hour)
 - A = drainage area contributing runoff to the desired design point (acres)
1. Runoff Coefficient Frequency Factor – The runoff computations should include the frequency factor, K, as identified in **Table 4-4**. This coefficient is intended to reflect the additional runoff that results from saturated ground conditions in larger storm events. In no case should the product of the runoff coefficient and the frequency factor exceed 1.0 ($KC \leq 1.0$).

Table 4-4 – Frequency Factors

Storm Frequency	K
less than 100-year	1.0
100-year or greater	1.15

2. **Runoff Coefficient** – Runoff coefficients shall represent fully developed conditions based on the current edition of the City of McKinney Future Land Use Plan. A minimum runoff coefficient of 0.60 shall be used for areas not covered by the current edition of the City of McKinney Future Land Use Plan or the current edition of City of McKinney Zoning Map. **Table 4-5** provides guidelines for runoff coefficients for typical land use within the city based on the NCTCOG iSWM™ manual and past experience in the City system. A weighted runoff coefficient may be used for the design if it is more representative of the site conditions. For residential lot acreages falling between the listed residential descriptions, the higher “C” value shall be used. The weighted runoff coefficient is determined as follows:

$$C_W = \frac{A_1C_1 + A_2C_2 + A_3C_3 + \dots + A_nC_n}{A_1 + A_2 + A_3 + \dots + A_n}$$

Where:

- C_w = weighted runoff coefficient (dimensionless)
- A = drainage area contributing runoff to the desired design point (acres)
- C = runoff coefficient from **Table 4-5**, representing ground cover conditions and/or land use within the watershed (dimensionless)

Table 4-5 – Runoff Coefficients and Minimum Inlet Time Guidelines

Description	C	Minimum Inlet Time/Time of Concentration T _c (minutes)
Agricultural and, Unimproved Areas	0.30	20
Parks and Improved Open Areas	0.35	20
Residential (≥1 acre lots)	0.45	15
Residential (1/2 acre lots)	0.55	15
Residential (1/4 acre lots)	0.60	15
Residential (1/8 acre lots)	0.65	15
Multi-Family (Low Density MF-1)	0.75	10
Multi-Family (Medium and Medium-High Density MF-2 and MF-3)	0.85	10
Commercial, Industrial, and Business	0.85	10
Asphalt, Concrete, and Roofs	0.95	10

- D. Time of Concentration (T_c) – The procedures outlined in the NRCS TR-55 shall be used to determine the time of concentration (T_c). This method separates the flow through the drainage area into sheet flow, shallow concentrated flow, and open channel flow and the T_c is the sum of travel time for these flows. The time of concentration flow path shall be made available to the City upon request. The engineer shall compare the calculated times to the time listed in **Table 4-5**. If the calculated T_c differs from the values in **Table 4-5**, the engineer shall provide information to justify the T_c calculations. The total time of concentration is determined as follows:

$$T_C = T_{t1} + T_{t2} + T_{t3} + \dots + T_{tn}$$

1. Sheet Flow – The maximum allowable length for sheet flow is 200 feet for undeveloped drainage areas and 100 feet for developed areas. When selecting a sheet flow, consider vegetative cover to a height of about 0.1 feet. This is the only part of the vegetative cover that will obstruct sheet flow. The T_t for sheet flow is determined using the following equation:

$$T_t = \frac{0.0007(nL)^{0.8}}{(P_2)^{0.5} S^{0.4}}$$

Where:

- T_t = travel time (hour)
- n = Manning's roughness coefficient from Table 4-6 (dimensionless)
- L = flow length (feet)
- P_2 = 2-year, 24-hour rainfall (inches) ($P_2 = 3.6$ inches for Collin County)
- S = slope of hydraulic grade line land slope (feet per feet)

2. Shallow Concentrated Flow – Shallow concentrated flow begins where sheet flow ends. A projected slope should be established along the flow line for the shallow concentrated flow length. The T_t for shallow concentrated flow is determined by the following equation.

$$T_t = \frac{L}{3600V}$$

Where:

- T_t = travel time (hour)
- L = flow length (feet)
- V = velocity (feet per second)
- $V_{\text{unpaved}} = 16.1345 S^{0.5}$
- $V_{\text{paved}} = 20.3282 S^{0.5}$
- S = slope of hydraulic grade line or land slope (feet per feet)

3. Open Channel Flow – Open channel flow is where the runoff is located within a defined channel or in some cases, closed short systems. The T_t for open channel flow is determined using the following equation:

$$T_t = \frac{L}{3600V}$$

$$V = \frac{1.486}{n} R^{2/3} S^{1/2}$$

Where:

- T_t = travel time (hour)
- L = flow length (feet)
- V = average velocity (feet per second)
- R = hydraulic radius, which is the area of the flow divided by the wetted perimeter ($R = A/P$) (feet)
- A = cross sectional flow area (square feet)
- P = wetted perimeter (feet)
- S = slope of the hydraulic gradient (feet per feet)
- n = Manning's roughness coefficient (dimensionless)

Table 4-6 – Sheet Flow Roughness Coefficients*

Surface Description	n
Smooth surfaces	0.011
Fallow (no residue)	0.05
Cultivated soils	
Residue cover <20%	0.06
Residue cover >20%	0.17
Grass	
Short grass prairie	0.15
Dense grasses	0.24
Bermuda grass	0.41
Range (natural)	0.13
Woods	
Light underbrush	0.40
Dense underbrush	0.80

*The roughness coefficients (n values) summarized in Table 4-6 for sheet flow are not the same for open channel flow.

4. Modified Rational Method – The Modified Rational Method is used for detention pond sizing only. For further information refer to Section 4.10.

E. Unit Hydrograph Methods

1. Unit Hydrograph Methods may be used to compute stormwater discharges for all watersheds, no matter the size, but must be used for watersheds over 50 acres or watersheds where a regional stormwater detention facility exists or is anticipated upstream of the project. Acceptable methods include the NRCS Dimensionless Unit Hydrograph Method (see TR-55), Synder's Unit Hydrograph (see iSWM™ manual), or any other method approved in advanced by the Director of Engineering.
2. The post development unit hydrograph method shall be based upon fully developed watershed conditions assuming no impacts from upstream or on-site detention facilities or as directed by Director of Engineering. The engineer should discuss the approach method with Director of Engineering prior to design.
3. The runoff curve number used in design shall be based on fully developed watershed conditions. Antecedent Moisture Condition (AMC) II shall be used for all computations except for the design and/or analysis of dams, where AMC III shall be used as specified by the TCEQ. Runoff curve numbers for specific site

conditions can be found in the TR-55 manual. Derived runoff curve numbers based on actual percent imperviousness and land uses may also be used if derived in accordance with standard engineering procedures and approved by the Director of Engineering.

4. For a listing of applicable soil types, refer to the United States Department of Agriculture, Soil Conservation Service, Soil Survey of Collin County, Texas. For areas that are not included on the current edition of City of McKinney Zoning Map or Future Land Use Plan, the Curve Number shall be a minimum of 73, 82, 88 and 90 for soil types A, B, C and D, respectively.

F. Detention Requirements – Stormwater detention systems may be required to reduce the peak runoff from residential, commercial, business, or industrial areas as outlined in **Section 4.10** of this manual.

G. Hydrologic Computer Programs – HEC-HMS or HEC-1 by USACE may be used to assist the designer when using unit hydrograph methods. The designer may also utilize the TR-20 program created by the NRCS, for hydrograph analysis. Other computer programs may be used if they are included in FEMA's list of approved programs and are approved by the Director of Engineering. Input and output data from computer program models shall be summarized on the drainage plans. In addition, electronic copies of this information shall be submitted to the City.

4.5. Street Flow

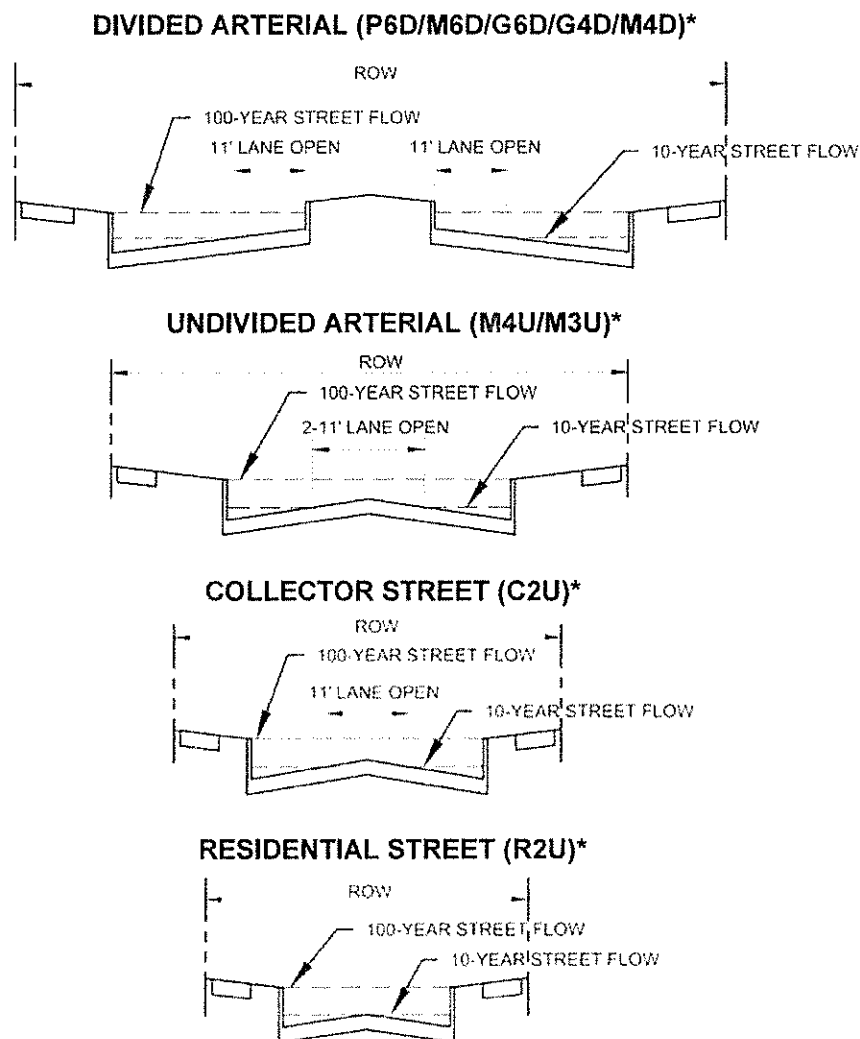
A. Street Flow Limitations

1. All street flow calculations shall be based on fully developed conditions. Streets may be used to convey stormwater runoff for the 10-year and 100-year frequency storm events in accordance with the water spread limitations listed in **Table 4-7**.

Table 4-7 – Water Spread Limits for Roadways

Street Classification	10-year Permissible Water Spread
Arterial Streets	One 11-foot traffic lane must remain open in each direction.
Collector Streets	One 11-foot traffic lane must remain open.
Residential Streets	Water flow must not exceed the top of crown.
Street Classification	100-year Permissible Water Spread
Arterial Streets	Water flow must not exceed the top of outer lane curbs.
Collector Streets	Water flow must not exceed the top of outer lane curbs.
Residential Streets	Water flow must not exceed the top of either curb.

- For the permissible water spread limits on the 10-year frequency storm event, consideration must also be given to street conveyance of the 100-year frequency storm event. All streets shall be capable of conveying the 100-year frequency storm event without water exceeding the top of curb, as shown in **Figure 4-3**. This criterion, for utilizing the street ROW to convey the major storm runoff, may require increasing the capacity of the enclosed drainage system beyond that required for the 10-year frequency storm event. The dry lane criteria shall be met in both the interim and future conditions. Allowable depths of flow across street intersections for the 10-year frequency storm event are established as indicated in **Table 4-8**. Refer to **Section 2.2** for roadway design criteria and roadway typical sections.



*Based on Typical Sections (Refer to **Section 2**). Not drawn to scale.

Figure 4-3 – Maximum Water Spread Limits

Table 4-8 – Allowable Intersection Flows

Street Intersection	10-year Flow
Arterial Streets	None
Collector Streets	None
Residential Streets	
Inlet(s) at Intersection (Grade < 3%)	None
Inlet(s) at Intersection (Grade ≥ 3%)	No more than 2.0 cfs
No inlets at intersection	Flow in valley gutter less than 3 inches

3. Lowering of the standard height of street crown shall not be allowed for the purposes of obtaining additional hydraulic capacity. Where additional hydraulic capacity is required, the proposed street gradient must be increased or curb inlets and storm drains installed to remove a portion of the flow. For non-curbed streets, the 100-year frequency storm event shall be safely contained within available rights-of-way.

B. Street Flow Calculations

1. Straight Street Sections

All straight street section capacities shall be hydraulically designed using Manning's equation:

$$Q = \frac{1.486}{n} A(R)^{2/3}(S)^{1/2}$$

Where:

- Q = discharge (cubic feet per second)
- n = Manning's roughness coefficient, 0.016 for concrete street (dimensionless)
- A = cross sectional flow area (square feet)
- R = hydraulic radius of the conduit, which is the area of the flow divided by the wetted perimeter (R= A/P) (feet)
- P = wetted perimeter (feet)
- S = slope of the hydraulic gradient (feet per feet)

2. Gutter Flow – The following form of the Manning's equation should be used to evaluate gutter flow hydraulics:

$$Q = \frac{0.56}{n} (S_x)^{5/3} (S)^{1/2} (T)^{8/3}$$

Where:

- Q = discharge (cubic feet per second)
- n = Manning's coefficient of roughness, 0.016 for streets and alleys (dimensionless)
- S_x = pavement cross slope (feet per foot)
- S = longitudinal slope of the gutter (feet per foot)
- T = spread of flow or ponding width (feet)

Depth of flow in the gutter can be calculated using the following equation which is modified from of the equation above. If the flow in the gutter is still excessive, the storm drain shall be extended to a point where the gutter flow can be effectively intercepted by curb inlets.

$$y_o = z \left(\frac{QnS_x}{(S)^{1/2}} \right)^{3/8}$$

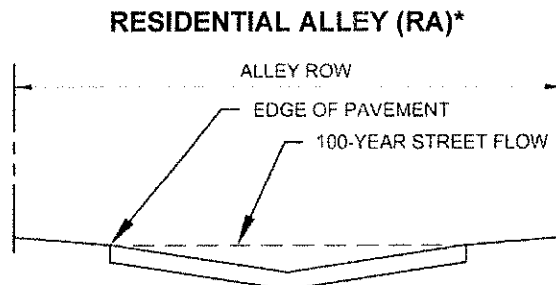
Where:

- y_o = depth of water in the curb and gutter cross section (feet)
- z = 1.24 (dimensionless)

3. Parabolic Street Sections

All parabolic street section capacities shall be hydraulically designed using Manning's equation. See the current edition of the Federal Highway Administration (FHWA) *Hydraulic Circular No. 22* for applicable equations.

- C. Alley Flow Limitations – Runoff created by the 100-year frequency storm shall be contained within the capacity of all paved alleys. Alley capacities shall be checked at all alley turns and "T" intersections to determine if curbing is needed or grades should be adjusted. Curbing shall be required for at least 10 feet on either side of an inlet in an alley and on the other side of the alley so that the top of the inlet is even with the high edge of the alley pavement, as seen in **Figure 4-4**. Alleys adjacent to a drainage channel shall be required to have curbs for the full length of the channel. Combination inlets shall be used in alleys.



*Based on Typical Sections (Refer to **Section 2**). Not drawn to scale.

Figure 4-4 – Maximum Water Spread Limits for Alleys

- D. Alley Flow Calculations – Flow in alleys is also based upon open channel hydraulics theory with Manning's equation modified to allow direct solution with regard to the alley cross section. The depth of flow for a triangular cross section can be calculated by the following equations:

$$Q = \frac{1.486}{n} A(R)^{2/3} (S)^{1/2}$$

$$A = zy^2$$

$$R = \frac{A}{P}$$

$$P = 2y\sqrt{1+z^2}$$

$$T = 2zy$$

Where:

Q	=	discharge (cubic feet per second)
n	=	Manning's coefficient of roughness, 0.016 for streets and alleys (dimensionless)
A	=	cross sectional area (square feet)
R	=	hydraulic radius (feet)
S	=	longitudinal slope of the gutter (feet per foot)
z	=	inverse of the crown slope (feet per foot)
y	=	depth of flow (feet)
P	=	wetted perimeter (feet)
T	=	spread of flow or ponding width (feet)

4.6. Inlet Design

- A. Inlet Design Considerations – The hydraulic efficiency of storm drain inlets varies with the amount of gutter flow, street grade, street crown, and the geometry of the inlet opening. The following are some considerations that must be given attention during inlet design:
1. All inlet calculations shall be based on fully developed conditions.
 2. Inlets must be located where the allowable street flow capacities are exceeded (specified in **Table 4-7**), at low points (sumps or sags), and upstream of transitions between normal and super-elevated street sections.
 3. Inlets must be located at intersections where cross flow capacities are exceeded (specified in **Table 4-8**).
 4. A bypass flow of no more than 2 cfs will be allowed for the design year storm at street intersections with grades of three percent or greater. No bypass flow will be allowed for inlets at street intersections with grades less than 3 percent.

5. For storms up to and including the 10-year frequency event, water flowing in arterial streets shall be intercepted by an inlet prior to super-elevated sections, to prevent water from flowing across the roadway.
6. In super-elevated sections of divided arterial streets, inlets placed against the center medians shall have no gutter depression. Interior gutter flow (flow along the median) shall be intercepted at the point of super-elevation transition, to prevent pavement cross flow.
7. At bridges with curbed approaches, gutter flow shall be intercepted prior to flowing onto the bridge to prevent ice from developing during cold weather.
8. The maximum approved vertical inlet opening is 6 inches. Openings larger than 6 inches require approval of the Director of Engineering and, if approved, must contain a bar or other form of restraint to prevent entry by a child and/or objects.
9. The design and location of all inlets must take into consideration pedestrian and bicycle traffic. In particular, if grate inlets are used, they should be designed for safe passage of bicycles.
10. Grate inlets may be used only where restrictions prohibit the use of other types of inlets. If used, the inlet opening should be designed to be twice as large as the theoretical required area to compensate for clogging and must be approved by the Director of Engineering.
11. Combination curb inlets (with opening in curb and grate opening in gutter) may be used only where space behind the curb prohibits the use of other inlet types.
12. Where recessed inlets are required, they shall not decrease the width of the sidewalk or interfere with utilities.
13. Recessed inlets must also be depressed. The gutter depression for recessed inlets shall be 4 inches.
14. Non-recessed, depressed inlets shall have a gutter depression of 4 inches.
15. The use of slotted drains is not allowed except in instances where there is no alternative, in which case approval must be obtained from the Director of Engineering. If slotted drains are used, the inlet capacity shall be the lesser of the calculated capacity from this manual or the manufacturer's design guidelines.
16. Curb inlets shall be sized accordingly along residential frontage to prevent conflicts with proposed driveways and curb returns. The Director of Engineering may limit the maximum inlet opening size where the possibility for a conflict may exist.

- B. Inlet Types and Descriptions – Stormwater inlets are used to remove surface runoff and convey it to a storm drainage system.
1. For curb inlets on grade, the depressed-recessed curb inlet is recommended due to its superior interception efficiency. In areas where there is insufficient room to construct the recessed inlet, other inlet types may be used with the permission of the Director of Engineering. The other on grade inlet types are listed below:
 - a. grate inlets
 - b. curb-opening inlets (depressed, non-recessed inlets or non-depressed, non-recessed curb inlets)
 - c. drop inlets
 - d. combination inlets (with or without sweeper inlet)
 - e. slotted drain inlets (slot inlets)
 2. For purposes of this manual, inlets are divided into the classes shown in **Figure 4-5**.

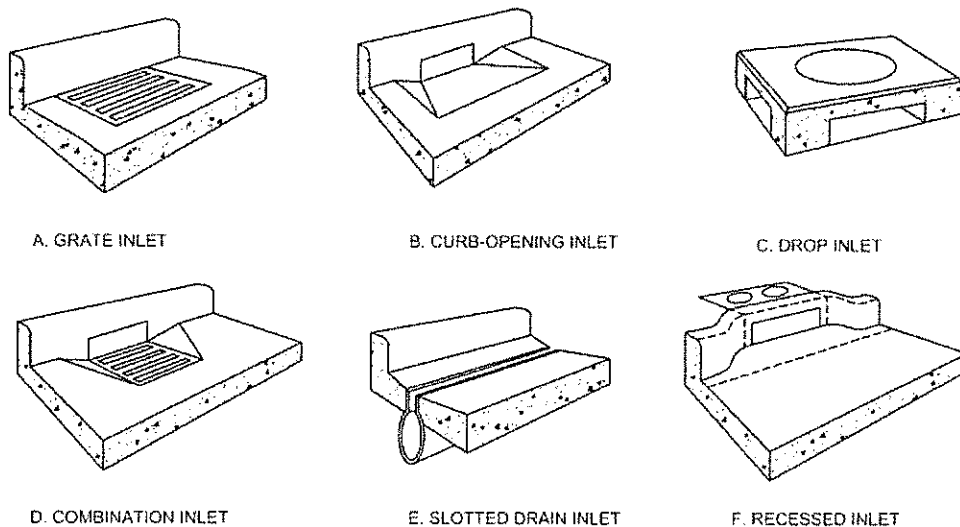


Figure 4-5 – Types of Inlets

- a. **Grate Inlets** – Although grate inlets may be designed to operate satisfactorily in a range of conditions, they may become clogged by floating debris during storm events. In addition, they can produce a hazard to wheel-chair and bicycle traffic and must be designed to be safe for both. For these reasons, they may be used only at locations approved by the Director of Engineering where restrictions prohibit the use of other types of inlets. Refer to the current edition of the FHWA *Hydraulic Engineering Circular No. 22* for grate inlet types and designs.
- b. **Curb Inlets**
 - i. Curb inlets (both recessed and non-recessed) are the most effective type of inlet on slopes flatter than 3 percent, in sag locations, and with flows that typically carry large amounts of debris. Similar to grate inlets, curb inlets also tend to lose capacity as street grades increase, but to a lesser degree than grate inlets.
 - ii. For curb inlets on grade in McKinney, the depressed-recessed curb inlet is recommended due to its superior interception efficiency. In areas where there is insufficient room to construct the recessed inlet, other inlet types may be used with the permission of the Director of Engineering. Depressed-recessed curb inlets shall be used on all major thoroughfares.
- c. **Drop Inlets** – Drop inlets are most often used in drainage of swales and sags.
- d. **Combination Inlets**
 - i. A combination inlet, consists of both the grate inlet and the curb inlet. This configuration provides many of the advantages of both inlet types. The combination inlet also reduces the chance of clogging by debris with flow into the curb portion of the inlet. If a curb opening is extended on the upstream side of the combination inlet it will act as a sweeper, and remove debris before it reaches the grate portion of the inlet. Combination inlets may be used, with the permission of the Director of Engineering, in areas where a depressed inlet cannot be constructed due to space constraints. The only combination inlets that are allowed in a sump are the Sag Curb and Grate P-1-7/8, P-1-1/8, P-1-7/8-4, and Reticuline inlets.
 - ii. Combination inlets used in a sump shall have a minimum of a 5-foot sweeper curb inlet on both sides. Combination inlets on grade will have a minimum of a 5-foot sweeper curb inlet on the upstream side. The sweeper curb inlet capacity shall be calculated as if operating alone. The flow that bypasses the sweeper inlets will then be used for the sizing of the grate inlet in the sump.
- e. **Slot Inlets** – Although slotted drains can be used to intercept sheet flow or flow in wide sections, they are not recommended for use in the City since they are very susceptible to clogging from debris. Slot inlets may only be used with the permission of the Director of Engineering. If slot inlets are allowed, the inlet capacity shall be calculated by equations for a grate inlet in

Section 4.6.C.1.a as well as the manufacturer's design guidelines. The more conservative method shall be used for design.

- C. Inlet Capacity Calculations – Stormwater inlets can be further classified into three groups: sump inlets, un-depressed inlets on grade, and depressed inlets on grade. Calculation of the capacity for each inlet type and group that pertains to it is discussed in this section. Many of the equations used for the calculation of inlet capacity came directly from, or are modified forms of, equations found in the current edition of the FHWA *Hydraulic Engineering Circular No. 22*. Refer to the current edition of the FHWA *Hydraulic Engineering Circular No. 22* for any figures, charts, and nomographs that may be used in conjunction with the equations in this section to determine the capacity for various inlet configurations. It is the responsibility of the engineer to submit inlet capacity calculations for all storm drain systems to the City for review and approval.
1. Inlets in a Sump – Inlets in a sump are to be designed to have sufficient capacity to capture all of the flow from the 100-year frequency storm event. This includes the flow from the area that contributes directly to the inlets in a sump, as well as any by-pass flow from inlets upstream of the sump. It should be noted that the longitudinal slope of the roadway decreases in the vertical curve near a sump, which may cause additional ponding and spread width. Also, no by-pass flow is allowed from a sump location, and the depth of water required to create sufficient head for the inlet to capture all the flow may be greater than the normal flow depth for a given roadway. As a result, the depth, *y*, may require adjustment to build up sufficient head. This larger "y" will increase the ponding and spread width of the water. Additional length of the sump inlet, or additional inlets or inlet length upstream of the sump inlet may be required to limit the spread width to the acceptable limits specified in **Section 4.4**.
 - a. Grate Inlets in a Sump – If the Director of Engineering approves the use of a grate inlet in a sump, it must have a minimum of a 5-foot sweeper curb inlet on both sides. When a sweeper curb inlet is used, the capacity of that portion of inlet that does not have a grate will be calculated as if operating alone. The flow that will bypass the sweeper curb inlets will then be used for the sizing of the grate inlet in the sump.
 - i. A grate inlet in a sump or sag operates under either weir or orifice flow. Capacity calculations for both conditions will be performed and the lesser of the two capacities will be the design capacity of the grate inlet. Due to the fact that grate inlets in a sump are prone to clog, calculations should be performed with the assumption that 50 percent is clogged and does not contribute to interception. The effective perimeter of the grate shall be reduced accordingly due to the clogging.
 - ii. The only grate types that are acceptable in a sump location are the P-1-7/8, P-1-1/8, P-1-7/8-4, and Reticuline grates. Capacity of a grate inlet in a sump under weir conditions shall be calculated by the following equation:

$$Q_i = C_w P(d)^{3/2}$$

Where:

- Q_i = the capacity of grate inlet under weir conditions (cubic feet per second)
- C_w = the weir coefficient of 3.0 (dimensionless)
- P = the perimeter of the grate inlet, disregarding the side against the curb (feet)
- d = the average depth across the grate, which is the average of the approach gutter flow depth and the depth at the inlet depression, (feet)

- iii. Capacity of a grate inlet in a sump location under orifice flow conditions shall be calculated by the following equation:

$$Q_i = C_o A_g (2gd)^{1/2}$$

Where:

- Q_i = capacity of grate inlet under orifice conditions (cubic feet per second)
- C_o = orifice coefficient of 0.67 (dimensionless)
- A_g = clear opening area in the grate (square feet). Effective area ratios for the different grate inlet types can be found in **Table 4-9**.
- g = acceleration due to gravity, 32.2 (feet per second squared)
- d = average depth of flow across the grate, which is the average of the approach gutter flow depth and the depth at the inlet depression, or the adjusted head required to accept the 100-year frequency storm event, whichever is greater (feet)

Table 4-9 – Grate Effective Area

Inlet	Opening Ratio
Sag Grate P-1-7/8	0.90
Sag Grate P-1-1/8	0.60
Sag Grate P-1-7/8-4	0.80
Sag Reticuline	0.80

- b. Curb Inlets in a Sump – Curb inlets and recessed curb inlets that are located in a sump or a low point are generally considered to function as rectangular broad-crested weirs. The capacity of an inlet in a sump should be based on the following weir equation:

$$Q_i = C_w(L+1.8W)(d)^{3/2}$$

Where:

- Q_i = interception capacity of a curb-opening inlet (cubic feet per second)
- C_w = weir coefficient, 2.3 for depressed gutters and 3.0 for non-depressed curb-opening inlets (dimensionless)
- L = length of curb opening, or the portion of perimeter of inlet opening through which water enters the drop inlet as shown in **Figure 4-6** (feet)
- W = lateral width of the depression or the gutter as shown in **Figure 4-6** (feet). $W = 0$ if there is no depression or if the inlet length is greater than 12 feet.
- d = depth of flow at the inlet measured from the normal cross slope, with the limitation that the depth is less than or equal to the height of the curb (feet)

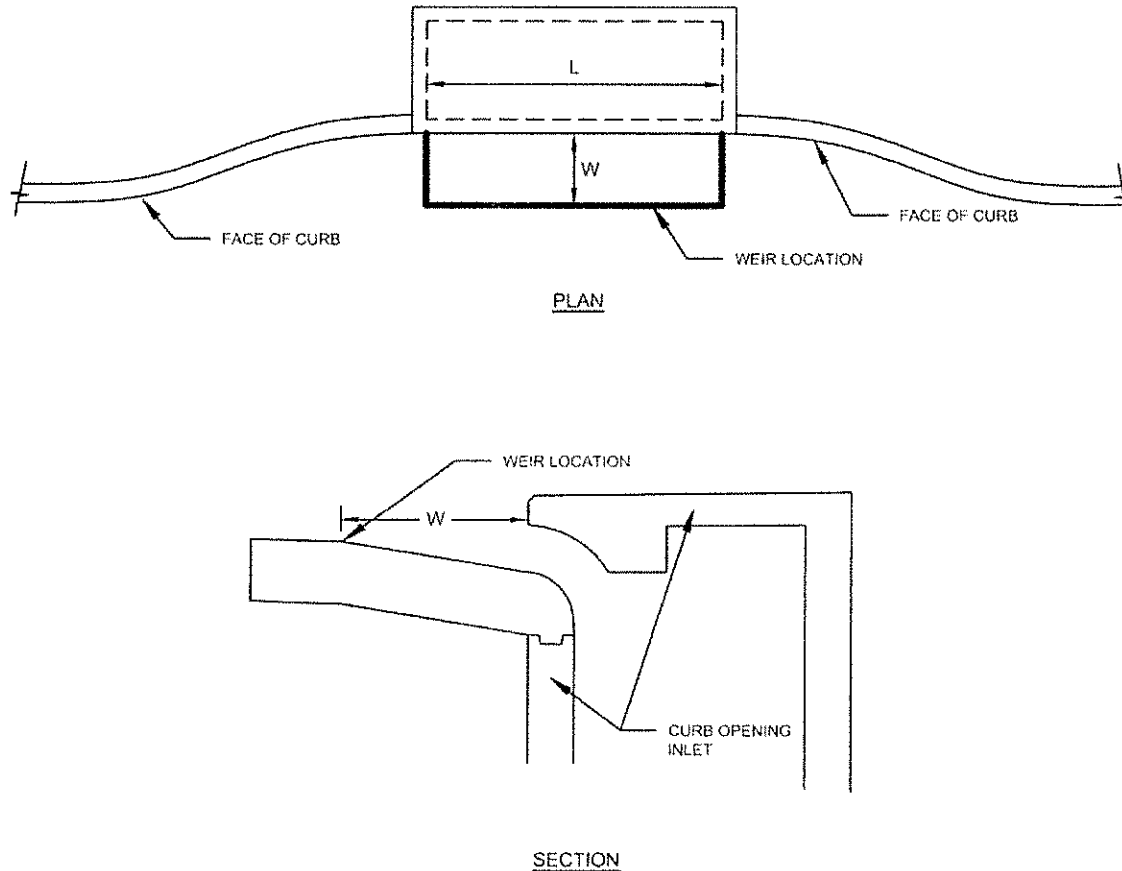


Figure 4-6 – Curb Inlet in a Sump Diagram

- i. Inlets should be located frequently enough along the street that the inlet openings do not become submerged. When the depth of flow is more than 1.4 times the height of the opening of the inlet, the inlet operates under completely submerged conditions and the orifice equation should be used to compute the inlet capacity. The capacity of a completely submerged inlet is derived from following orifice equation:

$$Q_i = C_o h L (2g d_o)^{1/2}$$

Where:

- Q_i = capacity of curb opening inlet or drop inlet under submerged conditions (cubic feet per second)
- C_o = orifice coefficient of 0.67 (dimensionless)
- h = height of the curb opening (feet)
- L = length of the orifice opening (feet)
- g = acceleration due to gravity, 32.2 (feet per second squared)
- d_o = effective head at the center of the orifice opening (feet)

- c. Combination Inlets in a Sump – The capacity of the combination inlet is 100 percent of the capacity of the grate inlet alone in a sump as determined by the equation in **Section 4.6.C.1.a.ii** when in weir flow. In orifice flow, the capacity of the combination inlet is equal to the capacity of the grate plus the capacity of the curb opening as determined by the equations in **Sections 4.6.C.1.a.ii** and **4.6.C.1.b**.
2. Drop Inlets – Drop inlets shall be located to collect water on non-paved areas where it is not practical to use a headwall. The following equation shall be used to determine the capacity of a drop inlet:

$$Q = P 3.0 (y)^{3/2}$$

Where:

- Q = flow (cubic feet per second)
- P = perimeter of opening (feet)
- y = head/depth (feet)

3. Inlets on Grade – Inlets on grade are to be placed to provide sufficient capacity to capture the flow from both the 10-year and 100-year frequency storm events as outlined in **Section 4.5**. Inlets on grade generally do not suffer diminished capacity due to floating debris. They do, however, suffer from diminished capacity from excessive street grades. In general, more inlet length will be required to remove the same flow from a steeper roadway than from a flatter roadway.
 - a. Grate Inlets on Grade – If the use of grate inlets is approved by the Director of Engineering, then refer to the charts and nomographs of the current edition

of the FHWA *Hydraulic Engineering Circular No. 22* to determine the capacity of the grate inlets.

- b. Curb Inlets on Grade – Curb inlets on grade are classified into three groups: curb inlets that have no depression and are not recessed, curb inlets that are depressed but not recessed, and curb inlets that are both depressed and recessed.
 - i. The calculation of the amount of flow intercepted by a curb inlet on grade is the same for all the types of curb inlets. It requires the calculation of the length of inlet required to intercept the entire flow, L_T , which is given by the equation:

$$L_T = K_C Q^{0.42} S_L^{0.3} \left(\frac{1}{n S_e} \right)^{0.6}$$

Where:

- K_C = the coefficient 0.6 (dimensionless)
- Q = the total gutter flow (cubic feet per second)
- S_L = the longitudinal slope of the roadway, (feet per feet)
- n = Manning's roughness coefficient, 0.016 for streets (dimensionless)
- S_e = the equivalent cross slope in cross sections with a depression (feet per feet). This is S_x if there is no depression.

$$S_e = S_x + \left(\frac{a}{W} \right) E_o$$

Where:

- S_e = equivalent cross slope of the roadway (feet per feet)
- S_x = cross slope of the roadway (feet)
- E_o = ratio of frontal or gutter flow to total flow (dimensionless)
- a = gutter depression depth as shown in **Figure 4-7** (feet)
- W = gutter depression width as shown in **Figure 4-7** (feet)

$$E_o = 1 - \left(1 - \frac{W}{T} \right)^{8/3}$$

Where:

- E_o = ratio of frontal or gutter flow to total flow (dimensionless)
- W = width of depressed gutter or grate (feet)
- T = total spread of water (feet)

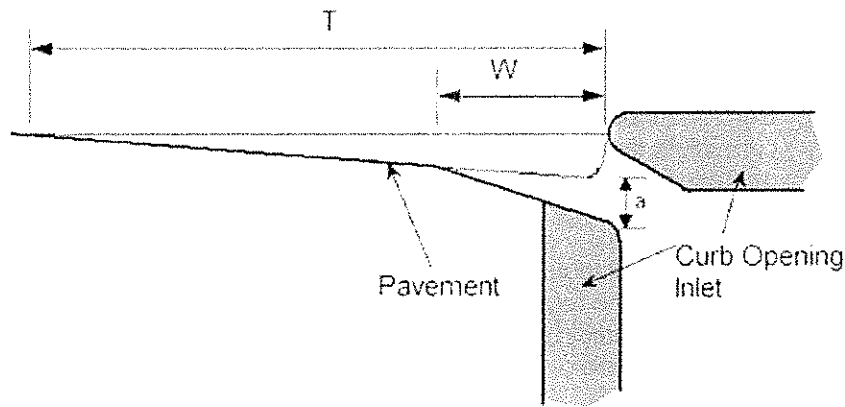


Figure 4-7 – Gutter Cross Section Diagram

- ii. The amount of flow that a curb inlet on grade will intercept is equivalent to the product of the total flow and the efficiency of the inlet, E , determined by the equation:

$$E = 1 - \left(1 - \frac{L}{L_T} \right)^{1.8}$$

Where:

- E = efficiency of the inlet (dimensionless)
 - L = actual inlet length (feet)
 - L_T = length of inlet required to intercept flow (feet)
- c. Combination Inlets on Grade – The capacity of the combination inlet portion on grade is 100 percent of the grate capacity on grade while neglecting the curb opening, as determined in **Section 4.6.C.3.a**.
- d. Slot Inlets on Grade – Slot inlets may only be used with the permission of the Director of Engineering. If slot inlets are allowed, the inlet capacity shall be calculated by equations for a grate inlet in a sump found in **Section 4.6.C.1.a** or the manufacturer's design guidelines. The more conservative method of the two shall be used.

4.7. Storm Drain Design

- A. Applicable Design Criteria – Storm drain systems are needed where the water depth, water spread, and/or intersection cross flow limits specified in **Section 4.5** of this manual are exceeded. Unless approved by the Director of Engineering, open channels shall not be permitted when the inside pipe diameter required to carry the fully developed 100-year flow is 60 inches or less. Exceptions to this would be residential estate subdivisions and other areas where there are significant natural features, including trees, springs, exposed channels, and other environmental items that would work positively into the aesthetics of a development. Open channels may

be in the form of natural channels, or they may be lined. Lining materials may include, but are not limited to, concrete, gabions, concrete segmental retaining walls, and interlocking block. The following are guidelines that shall be considered and met in storm drainage design:

1. The minimum lateral storm drain pipe diameter shall be 18 inches, except in sump areas, which shall be at least 21 inches in diameter. The minimum pipe diameter for a trunk line pipe shall be 24 inches.
2. Pipe diameters shall increase downstream.
3. At points of change in storm drain size, pipe crowns shall be set at the same elevation.
4. Laterals shall be connected to trunk lines using manholes or manufactured wye connections. Special situations may require laterals to be connected to trunk lines by a cut-in. However, such cut-ins must be approved by the Director of Engineering and shown as a detail in the plan set.
5. Vertical curves in the storm pipe will not be permitted, and horizontal curves must meet manufacturer's requirements for offsetting of the joints.
6. To prevent sedimentation in enclosed systems, a minimum full flow velocity of 2.5 feet per second shall be maintained.
7. The roughness coefficients listed in **Table 4-10** shall be used in Manning's equation.
8. Concrete pipe collars or manufactured transition pieces must be used at all pipe size changes on trunk lines and where the algebraic slope difference for the vertical grade change is less than 3 percent.
9. The maximum manhole or junction box spacing for storm drain systems is shown in **Table 4-11**, and based on iSWM™ recommendations. Manholes and junction boxes must also be located at the following scenarios:
 - a. Concentration points having three or more laterals;
 - b. Trunk line size changes for lines with a diameter difference greater than 18 inches;
 - c. Vertical alignment changes where the algebraic slope difference is greater than or equal to 3 percent; and,
 - d. Future collection points as determined by the Director of Engineering.
10. Additional manholes may be required at intermediate points as determined by the Director of Engineering. Junction boxes shall be designed in accordance with **Section 6** of this manual by a licensed professional engineer.

Table 4-10 – Storm Drain Roughness Coefficients

Material	Minimum Roughness Coefficient n
Concrete Pipe	0.013
Corrugated-metal Pipe *	
Plain or Coated	0.024
Concrete Lined	0.013
Plastic Pipe *	
Smooth	0.011
Corrugated	0.024

*Requires approval of the Director of Engineering and will not be allowed beneath pavement in public drainage easements and in the ROW.

Table 4-11 – Maximum Spacing of Manholes and Junction Boxes

Pipe Diameter (inches)	Maximum Spacing (feet)
≤ 24	300
27 - 36	400
39 - 54	500
≥ 60	1,000

- B. Design Parameters – In addition to the criteria listed above, there are several general design guidelines to be observed when designing storm drains that will tend to alleviate or eliminate common problems of storm drain performance:
1. Select pipe size and slope so that the velocity of flow will increase progressively down the system or at least will not appreciably decrease at inlets, bends or other changes in geometry or configuration.
 2. For all pipe junctions other than manholes and junction boxes, manufactured wye connections should be used, and the angle of intersection shall be 45 or 60 degrees. This includes discharges into box culverts and channels. Special circumstances may require cut-ins instead of manufactured wye connections; the use of cut-ins must be approved by the Director of Engineering.
 3. Inlet laterals will normally connect only one inlet to the trunk line. Special circumstances requiring multiple inlets to be connected with a single lateral shall be approved by the Director of Engineering.
 4. Storm drain pipe type proposed for underground detention shall be submitted for review and approval by Director of Engineering prior to installation.

5. All storm drain pipes on public facilities shall be reinforced concrete pipe. Concrete pipe shall be a minimum of a Class III load class, but a higher class may be required based on expected loading.
 6. The flow regime shall be determined for all pipes in partial flow. If supercritical flow is anticipated, the location of any potential hydraulic jumps shall be determined and noted on the plans. The precise procedure for this determination is not covered in this manual. In areas where hydraulic jumps are anticipated, additional erosion control measures may be required as directed by the Director of Engineering.
 7. Maximum flow velocities in conduits are important because of the possibility of excessive erosion of the storm drain pipe material itself. **Table 4-12** lists the maximum velocities allowed. The maximum flow velocity at the outlet of an enclosed pipe system shall be consistent with the maximum allowable velocity for the receiving channel (refer to **Section 4.8**).
- C. All outfalls to natural channels shall be analyzed for erosion impact. For this analysis, the depth of flow in the pipe at the outfall shall be the greater of either (1) the critical flow depth in the pipe or (2) the natural low water level of the creek, pond, or channel. This concept is important because the critical flow velocity that corresponds to critical flow depth is generally higher than full flow velocity. Discharges that have been concentrated in a drainage system shall be conveyed in improvements to the flowline of the receiving channel. An evaluation shall be made of the receiving stream using methods described in the Stream Bank Stabilization Manual to determine if significant degradation or aggradation is anticipated in the foreseeable future. Erosion protection is required for disturbed banks of natural channels and may be required on the opposite bank as well and/or up and downstream based on an evaluation using the methods described in the Stream Bank Stabilization Manual.

Table 4-12 – Maximum Storm Drain Flow Velocity

Storm Drain Type	Maximum Velocity (feet per second)
Inlet Laterals (shorter than 30 feet)	No Limit
Inlet Laterals (30 feet or longer)	20
Trunk Lines	20

1. When flow depths and velocities indicate the possibility of a hydraulic jump (a change in Froude Number from less than 1.0 to greater than 1.0), conjugate depths, the height of the jump, and the location of jump shall be determined. Because a hydraulic jump can occur even in closed conduits with surprisingly bad effects, additional measures may be required to control any negative impacts of such a phenomenon.

- D. Calculation of the Hydraulic and Energy Grade Lines – The hydraulic grade lines (HGL) for both the 10-year and 100-year frequency storm events shall be computed and plotted for all storm drain systems. The 10-year frequency storm HGL shall be at least one foot below the gutter elevation at the entrance to all inlets. The 100-year HGL shall be within the spread of flow requirements as outlined in **Figure 4-3** and **Table 4-7**. For designs that contain sumps, the 100-year hydraulic grade line is required from the system outfall to the most upstream sump. The determination of friction losses and minor losses are required for these calculations. The energy grade line (EGL) shall be computed and plotted for all storm drains in which the design velocity is expected to exceed 12 feet per second. It is the responsibility of the engineer to submit calculations in tabular form on the plans of the HGL and EGL for all storm drain systems to the City for review and approval. Many forms of the equations used in this section are directly from or modified forms of equations found in the current version of the FHWA *Hydraulic Engineering Circular No. 22*. Reference that document for a more detailed analysis of these concepts.
1. Starting Tailwater Conditions – The designer must determine the tailwater conditions at the downstream end of the proposed storm drain system when calculating the hydraulic performance of the system.
 - a. When proposed storm drains are to discharge into existing watercourses, the tailwater elevation used in hydraulic calculations of the proposed storm drain system will be determined by the engineer and approved by the Director of Engineering. The tailwater elevation shall be the greater of the water surface elevation of the receiving stream or the minimum outlet water surface elevation, y_m , both in feet above mean sea level (feet msl).
 - b. When proposed storm drains are to discharge into existing watercourses, the storm frequency for the receiving watercourse used to determine the starting tailwater elevation shall be based on **Table 4-13**.

Table 4-13 – Frequencies for Coincidental Occurrences*

Area Ratio	2-year design		5-year design	
	Main Stream	Tributary	Main Stream	Tributary
10,000:1	1	2	1	5
	2	1	5	1
1,000:1	1	2	2	5
	2	1	5	2
100:1	2	2	2	5
	2	2	5	5
10:1	2	2	5	5
	2	2	5	5
1:1	2	2	5	5
	2	2	5	5
Area Ratio	10-year design		25-year design	
	Main Stream	Tributary	Main Stream	Tributary
10,000:1	1	10	2	25
	10	1	25	2
1,000:1	2	10	5	25
	10	2	25	5
100:1	5	10	10	25
	10	5	25	10
10:1	10	10	10	25
	10	10	25	10
1:1	10	10	25	25
	10	10	25	25
Area Ratio	50-year design		100-year design	
	Main Stream	Tributary	Main Stream	Tributary
10,000:1	2	50	2	100
	50	2	100	2
1,000:1	5	50	10	100
	50	5	100	10
100:1	10	50	25	100
	50	10	100	25
10:1	25	50	50	100
	50	25	100	50
1:1	50	50	100	100
	50	50	100	100

*Frequencies provided in Table 4-13 are based on the iSWM™ *Hydraulics Technical Manual* dated April 2010 and revised September 2014. The current edition shall be used.

- c. The minimum outlet water surface elevation, y_m , is derived from the following equations:

$$y_m = \frac{D_o + y_c}{2} + FL$$

Where:

- y_m = minimum water surface elevation of the outlet pipe (feet msl)
 - D_o = diameter of the outlet pipe (feet)
 - y_c = critical flow depth in the outlet pipe (feet)
 - FL = flowline elevation of the outlet pipe (feet msl)
- d. Critical flow occurs when the Froude Number is equal to 1. The critical depth, y_c , is determined by the following equation and solved for depth:

$$Fr = 1.0 = \frac{V_c}{\sqrt{gD_c}}$$

Where:

- Fr = Froude Number
 - V_c = flow velocity for critical flow (feet per second) $V_c = Q/A$.
 - D_c = hydraulic depth at critical flow (feet)
 - g = acceleration due to gravity, 32.2 (feet per second squared)
- e. For rectangular channels the hydraulic depth is equal to the flow depth. For other channel geometries, hydraulic depth can be computed by the following equation:

$$D_h = \frac{A}{T}$$

Where:

- D_h = hydraulic depth (feet)
 - A = flow area (square feet)
 - T = top width of the flow (feet)
2. Friction Losses – For circular storm drains flowing full, Manning's Equation becomes:

$$Q = \frac{0.46}{n} (D)^{8/3} (S)^{1/2}$$

$$V = \frac{0.59}{n} (D)^{2/3} (S)^{1/2}$$

Where:

- Q = flow in the conduit (cubic feet per second)
- V = velocity of the flow in the conduit (feet per second)
- n = Manning's roughness coefficient from **Table 4-10** (dimensionless)
- S = slope of the conduit in the direction of flow (feet per foot)
- D = storm drain diameter (square feet)

- a. The major loss in a storm drainage system is the friction or boundary shear loss. The head loss due to friction in a pipe is computed as follows:

$$H_f = S_f L$$

Where:

- H_f = friction loss (feet)
- S_f = friction slope (feet per foot)
- L = length of pipe (feet)

- b. The friction slope is also the slope of the hydraulic gradient for a particular pipe run. The friction loss is simply the hydraulic gradient multiplied by the length of the run. Since this design procedure assumes steady uniform flow in open channel flow, the friction slope will match the pipe slope for partial flow. Pipe friction losses for full flow can be determined as follows:

$$S_f = \frac{H_f}{L} = \left(\frac{Qn}{K_Q(D)^{8/3}} \right)^2$$

Where:

- H_f = friction loss (feet)
- L = length of pipe (feet)
- Q = flow in the conduit (cubic feet per second)
- n = Manning's roughness coefficient from **Table 4-10**
- K_Q = coefficient of 0.46 (dimensionless)
- D = storm drain diameter (feet)

3. Minor Losses – There are five types of minor losses that must be considered in hydraulic calculations: exit losses, junction losses, bend losses, transition losses and inlet losses.

- a. Exit Losses – The exit loss from a storm drain outlet is a function of the change in velocity at the outlet of the pipe. For a sudden expansion such as an endwall, the exit loss is:

$$H_x = 1.0 \left(\frac{(V_2)^2}{2g} - \frac{(V_1)^2}{2g} \right)$$

Where:

- H_x = head loss incurred at the pipe outlet (feet)
- V_2 = average outlet velocity (feet per second)
- V_1 = channel velocity downstream of outlet (feet per second)
- g = acceleration due to gravity, 32.2 (feet per second squared)

Note that when $V_1 = 0$, as in a reservoir, the exit loss is one velocity head. For part full flow where the pipe outfalls in a channel with water moving in the same direction as the outlet water, the exit loss may be reduced to virtually zero.

- b. Junction Losses, Without a Manhole or Junction Box – Junction losses incurred when a lateral or trunk line flows into a trunk line without the use of a manhole or junction box as shown in **Figure 4-8** shall be computed using the following equation:

$$H_j = \frac{(Q_o V_o) - (Q_i V_i) - (Q_l V_l \cos \theta)}{0.5 g (A_o + A_i)} + h_i - h_o$$

Where:

- H_j = head loss incurred in junction (feet)
- Q_o, Q_i, Q_l = outlet, inlet, and lateral flows (cubic feet per second)
- V_o, V_i, V_l = outlet, inlet, and lateral velocities (feet per second)
- h_o, h_i = outlet and inlet velocity heads (feet)
- A_o, A_i = outlet and inlet cross-sectional areas (square feet)
- θ = angle between the inflow and outflow pipes (degrees)

Note that V_i, V_l , and h_i will need to be determined by an iterative process. The line for which losses are being calculated will be the inlet, and the other lines summed or averaged will be the lateral Q_l and V_l , respectively.

- c. Junction Losses with a Manhole or Junction Box – Junction losses are also incurred when a lateral or trunk line flows into a trunk line, concurrent with the use of a manhole or junction box. A manhole with a main line and one lateral is shown in **Figure 4-9**. The losses are calculated separately for each contributing line and lateral, and in this way, multiple lines and laterals can be added at a manhole or junction box. The losses for each line or lateral shall be computed using the following equations:

$$H_j = K_j \left(\frac{V_o^2}{2g} \right)$$

Where:

- H_j = head loss incurred in the junction (feet)
- K_j = adjusted loss coefficient, as shown in **Table 4-14** (dimensionless)
- V_o = velocity of the flow in the outlet pipe (feet per second)
- g = acceleration due to gravity, 32.2 (feet per second squared)

Table 4-14 – Head Loss Coefficients

Structure Configuration	K_j
Inlet – Straight run	0.5
Inlet – Angled through	
90°	1.5
60°	1.3
45°	1.1
22.5°	0.7
Manhole – Straight run	0.2
Manhole – Angled through	
90°	1
60°	0.9
45°	0.8
22.5°	0.5

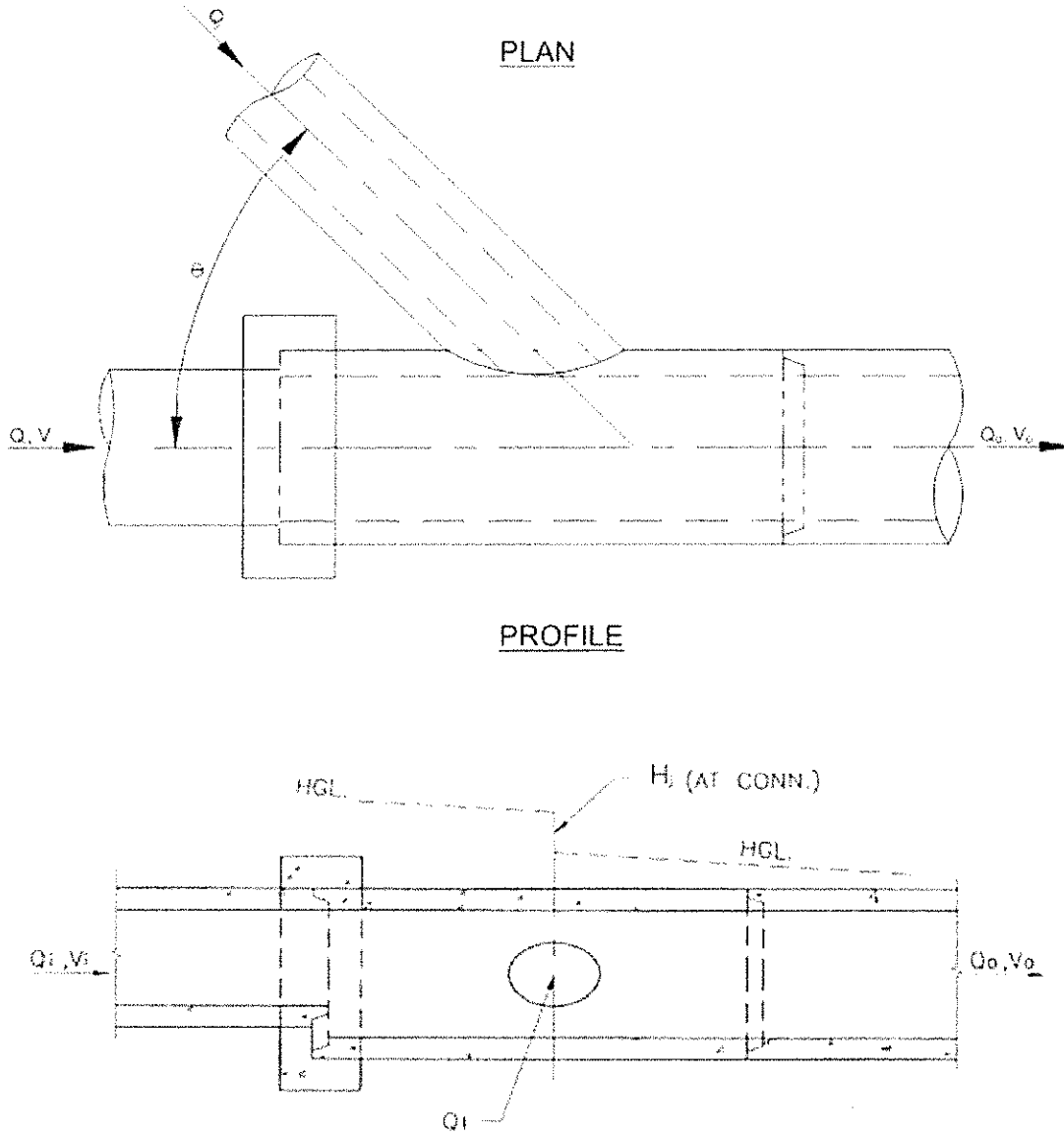


Figure 4-8 – Junction Losses Without a Manhole or Junction Box

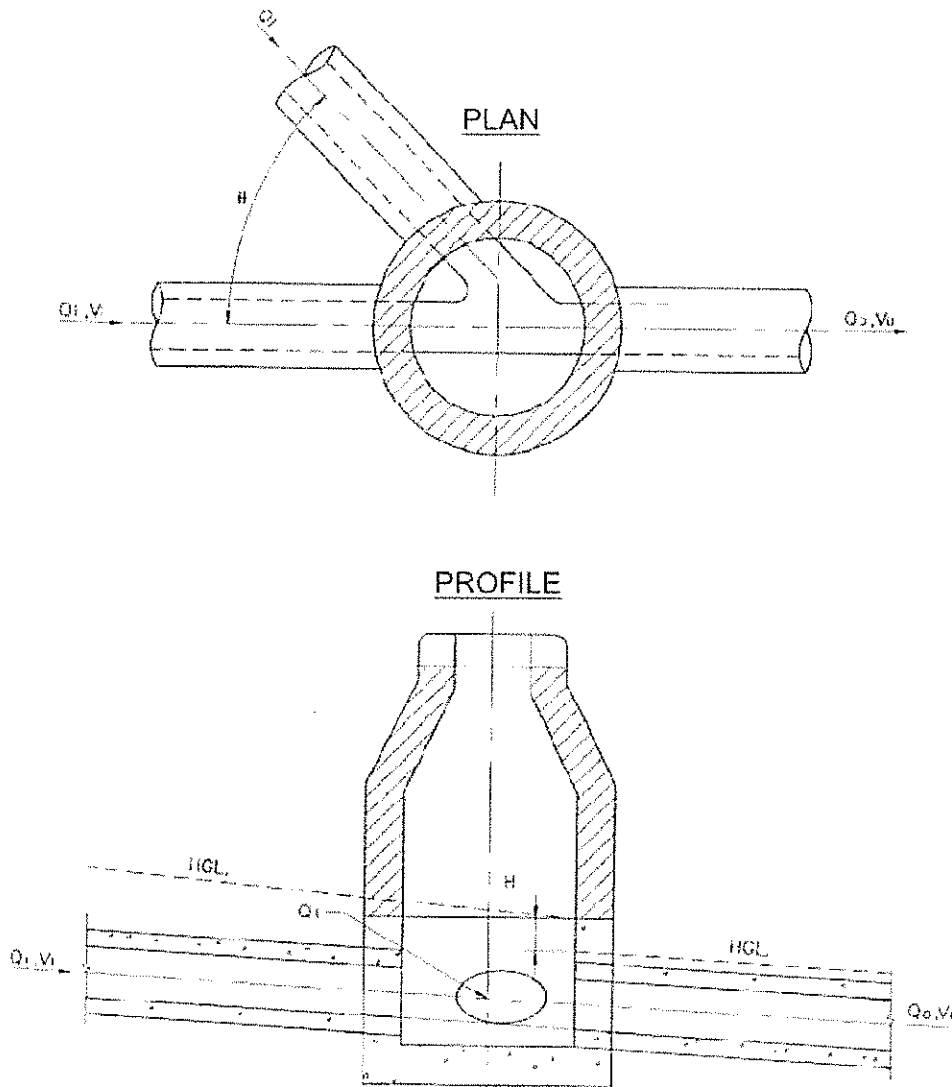


Figure 4-9 – Junction Losses with a Manhole or Junction Box

- d. Losses in a Bend – The head loss at pipe bends is minor, and can be computed using the following equation:

$$h_b = 0.0033\theta \left(\frac{(V_o)^2}{2g} \right)$$

Where:

- h_b = head loss at the bend (feet)
- θ = angle of bend (degrees)
- V_o = velocity of the flow in the outlet pipe (feet per second)
- g = acceleration due to gravity, 32.2 (feet per second squared)

- e. Losses Due to Transitions (Sudden Expansion or Contraction) – The head losses due to enlargements and contractions in non-pressure flow are calculated using the following equations comparing the kinetic energy at the two ends:

$$H_c = K_c \left(\frac{(V_2)^2}{2g} - \frac{(V_1)^2}{2g} \right)$$

$$H_e = K_e \left(\frac{(V_2)^2}{2g} - \frac{(V_1)^2}{2g} \right)$$

Where:

- H_c = head loss incurred at the contraction (feet)
- H_e = head loss incurred at the expansion (feet)
- K_c = contraction coefficient from **Table 4-15** (dimensionless)
- K_e = expansion coefficient from **Table 4-16** (dimensionless)
- V_1 = velocity of the flow upstream of the transition (feet per second)
- V_2 = velocity of the flow downstream of the transition (feet per second)
- g = acceleration due to gravity, 32.2 (feet per second squared)

**Table 4-15 – Typical Values for K_c
Sudden Pipe Contraction in Non-Pressure Flow**

D ₂ /D ₁	K_c
0.2	0.5
0.4	0.4
0.6	0.3
0.8	0.1
1.0	0.0
D ₂ /D ₁ = Ratio of diameter of smaller pipe to larger pipe	

**Table 4-16 – Typical Values for K_e
Gradual Pipe Enlargement in Non-Pressure Flow**

D ₂ /D ₁	Angle of Cone						
	10°	20°	45°	60°	90°	120°	180°
1.5	0.17	0.40	1.06	1.21	1.14	1.07	1.00
3.0	0.17	0.40	0.86	1.02	1.06	1.04	1.00

Note: For gradual contraction, $K_c = 0.5 K_e$

The head losses due to enlargements and contractions in pressure flow are calculated using the following equations while referencing Tables 4-17, 4-18, and 4-19 and Figure 4-10:

$$H_c = K_c \left(\frac{V_2^2}{2g} \right)$$

$$H_e = K_e \left(\frac{V_1^2}{2g} \right)$$

Where:

- H_c = head loss incurred at the contraction (feet)
- H_e = head loss incurred at the expansion (feet)
- K_c = contraction coefficient (dimensionless)
- K_e = expansion coefficient (dimensionless)
- V_1 = velocity of the flow upstream of the transition (feet per second)
- V_2 = velocity of the flow downstream of the transition (feet per second)
- g = acceleration due to gravity, 32.2 (feet per second squared)

**Table 4-17 – Typical Values for K_e
Gradual Pipe Enlargement in Pressure Flow**

D2/D1	Angle of Cone										
	2°	6°	10°	15°	20°	25°	30°	35°	40°	50°	60°
1.1	0.01	0.01	0.03	0.05	0.10	0.13	0.16	0.18	0.19	0.21	0.23
1.2	0.02	0.02	0.04	0.09	0.16	0.21	0.25	0.29	0.31	0.35	0.37
1.4	0.02	0.03	0.06	0.12	0.23	0.30	0.36	0.41	0.44	0.50	0.53
1.6	0.03	0.04	0.07	0.14	0.26	0.35	0.42	0.47	0.51	0.57	0.61
1.5	0.03	0.04	0.07	0.15	0.28	0.37	0.44	0.50	0.54	0.61	0.65
2.0	0.03	0.04	0.07	0.16	0.29	0.38	0.46	0.52	0.56	0.63	0.68
2.5	0.03	0.04	0.08	0.16	0.30	0.39	0.48	0.54	0.58	0.65	0.70
3.0	0.03	0.04	0.08	0.16	0.31	0.40	0.48	0.55	0.59	0.66	0.71

**Table 4-18 – Typical Values for K_c
Sudden Pipe Contractions in Pressure Flow**

D2/D1	Velocity (feet per second)							
	2.0	4.0	6.0	8.0	10.0	20.0	30.0	40.0
1.1	0.03	0.04	0.04	0.04	0.04	0.05	0.05	0.06
1.4	0.17	0.17	0.17	0.17	0.18	0.18	0.19	0.20
1.8	0.34	0.34	0.34	0.33	0.33	0.32	0.29	0.27
2.2	0.40	0.40	0.39	0.39	0.38	0.35	0.33	0.30
3.0	0.44	0.44	0.43	0.42	0.42	0.39	0.36	0.33
5.0	0.48	0.48	0.48	0.47	0.46	0.43	0.40	0.36
10.0	0.49	0.48	0.48	0.47	0.47	0.44	0.41	0.38

**Table 4-19 – Typical Values for K_e
Sudden Pipe Enlargement in Pressure Flow**

D2/D1	Velocity (feet per second)							
	2.0	4.0	6.0	8.0	10.0	20.0	30.0	40.0
1.2	0.11	0.10	0.10	0.10	0.09	0.09	0.09	0.08
1.4	0.26	.025	0.24	0.24	0.23	0.22	0.21	0.20
1.6	0.40	0.38	0.37	0.366	0.35	0.33	0.32	0.32
2.0	0.60	0.56	0.55	0.53	0.52	0.50	0.48	0.47
3.0	0.83	0.78	0.76	0.74	0.73	0.69	0.67	0.65
5.0	0.96	0.91	0.88	0.86	0.84	0.80	0.77	0.75
10.0	1.00	0.96	0.93	0.91	0.89	0.84	0.82	0.80

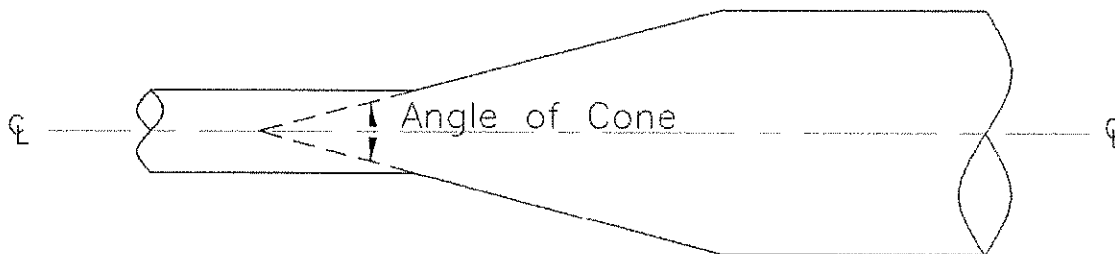


Figure 4-10 – Angle of Concentration for Pipe Diameter Changes

- f. Inlet Losses – Inlet losses, which occur at all inlets located at the upstream end of pipe systems, as shown in **Figure 4-11**, shall be computed as follows:

$$H_i = K_i \left(\frac{V_o^2}{2g} \right)$$

Where:

- H_i = head loss incurred at the inlet (feet)
- K_i = loss coefficient, 1.25 (dimensionless)
- V_o = flow velocity in the outlet pipe (feet per second)
- g = acceleration due to gravity, 32.2 (feet per second squared)

- i. It should be noted, however, that this equation only applies to pipes in pressure flow. Partial flow, especially in very steep pipes, can produce very high flow velocities where this equation would not be applicable. This may be true even for very small flow rates. For partial flow, a lower value of K_i may be used with approval from the Director of Engineering.

- g. Pipe Outfalls – See **Sections 4.7.B** and **4.8** for outfall design criteria.

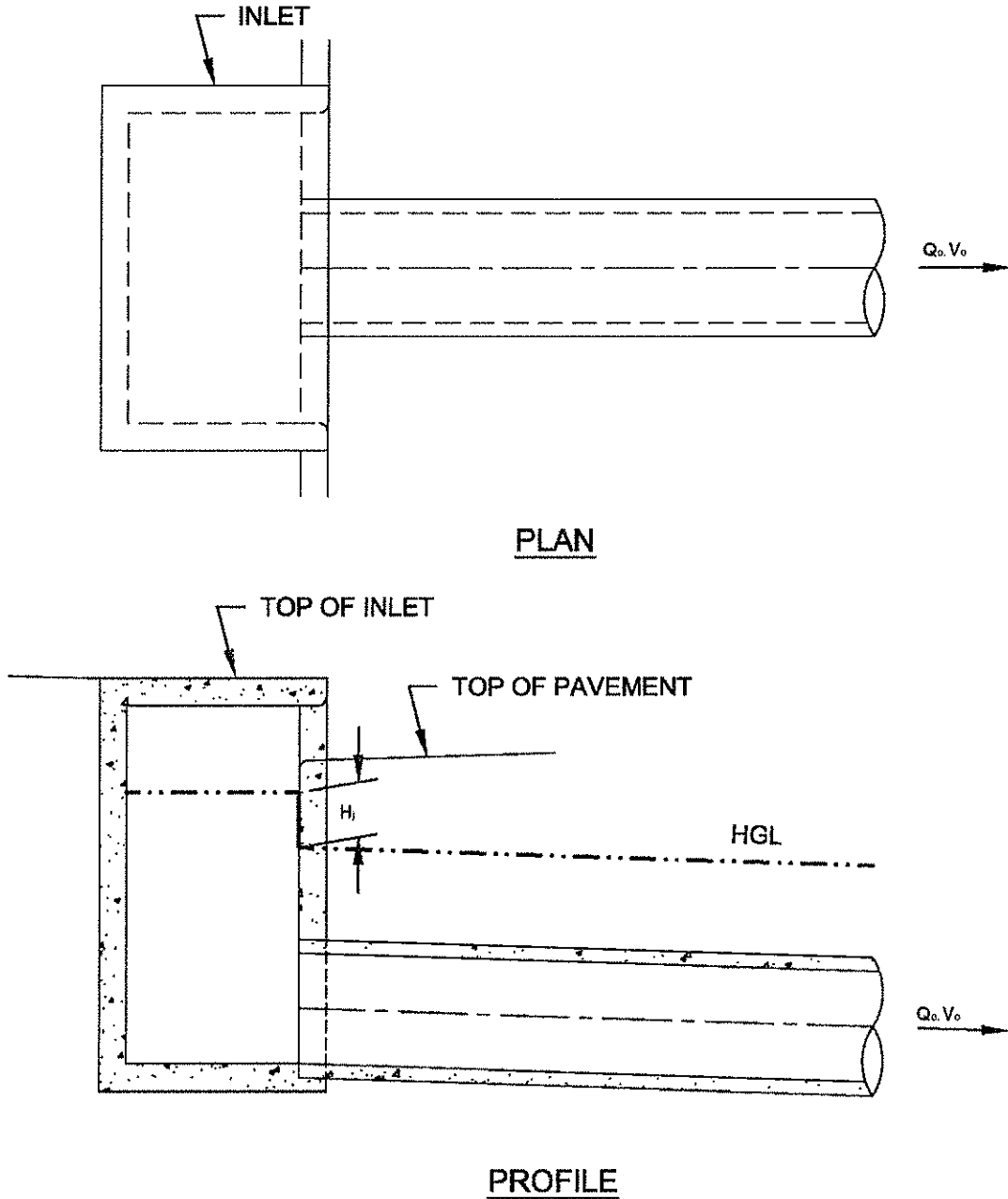


Figure 4-11 – Inlet Losses

4.8. Open Channels

A. Applicable Design Criteria

1. All constructed channel improvements shall be designed in accordance with the guidelines set forth in the Stream Bank Stabilization Manual, the City of McKinney Stormwater Management Ordinance, FEMA guidelines, and any individual creek master plans that have been completed. Unless approved by the Director of Engineering, open channels shall not be permitted when the inside pipe diameter required to carry the fully developed 100-year flow is 60 inches or less. Exceptions to this would be residential estate subdivisions and other areas where there are significant natural features, including trees, springs, exposed channels, and other environmental items that would work positively into the aesthetics of a development. All other applicable design criteria not listed in this section shall be in accordance with the current edition of the NCTCOG iSWM™ *Technical Manual*.
2. The City encourages the use of natural channels when possible. When a natural channel is not feasible, the use of a pipe system or a grass lined channel is preferred. If a grass lined channel is proposed, the City requires that the HOA or POA submit a maintenance agreement to the City to ensure the proposed channel will be maintained in perpetuity. Also note that developers are responsible for acquisition of all state and federal regulatory agency permits and approvals.
3. The developer shall be responsible for the initial (one time) channel modifications, to include the replacement of trees at the direction of the City, and as required by State and Federal agencies. Initial (one time) selective clearing of debris, small trees, brush, vines, etc. from floodways and floodplains of channels shall be the responsibility of the developer as allowed by the current permitting requirements. In addition, the developer may dedicate the floodway and/or floodplain as a deed-restricted greenbelt area. Dedication of floodways/floodplains as greenbelts does not necessarily preclude open space requirements as set forth in the applicable subdivision ordinances of the City.

B. Design Parameters – In addition to the criteria listed above, there are several general design guidelines to be observed:

1. Refer to **Section 4.2** for criteria regarding additional floodplain development criteria.
2. **Boundary Conditions** – The downstream starting water surface elevation shall be normal depth for all standard step backwater calculations. Some exceptions may apply to set the downstream boundary condition at a known water surface elevation based on a FEMA FIS profile, backwater elevation, or City effective model output. Refer to **Table 4-13** for frequencies for coincidental occurrences.

3. Design Frequency and Freeboard – Refer to **Table 4-3** in **Section 4.4** for design frequency and freeboard requirements. If the design flow for a given channel, bridge, or culvert cannot be obtained by reference to a previous study, the procedures described in **Section 4.4** shall be used to determine the design flows.
4. Roughness Coefficients and Allowable Velocities
 - a. Where possible, channels shall be designed have sufficient gradient to provide velocities that will be self-cleaning and not cause erosion. No changes shall be made to a channel that will cause the velocity to exceed the values listed in **Table 4-20**. These values are listed as maximums under normal conditions. Refer to **Table 4-12** in **Section 4.6** for maximum storm drain pipe outfall velocities into channels. The Streambank Stabilization Manual provides further detail on erosive velocities in channels.
 - b. Refer to **Table 4-20** for appropriate Manning's n values. Manning's n values shall assume the unmaintained condition.
 - c. The Director of Engineering reserves the right to require safety fencing or other protective measures.
 - d. In unlined channels, velocity reduction factors for winding channels are 5 percent for slightly sinuous channels, 13 percent for moderately sinuous channels, and 22 percent for very sinuous channels.
 - e. Unlined channels with bends shall be designed to minimize erosion at the bends, and erosion protection shall be designed based on the velocity along the outside of the channel bend.
5. Energy Dissipators – Appropriate energy dissipating or grade control structures may be used to control erosion due to high velocities at pipe and channel system outfalls, and they shall be designed in accordance with accepted design practice such as outlined by the NRCS, the USACE, the Bureau of Land Reclamation, or the Texas Department of Transportation (TxDOT). The design of energy dissipaters shall be based on a geotechnical investigation of the site. Maximum velocities shall be checked for both the 5-year and 100-year frequency storm events for both tributary and receiving water with protection provided for the most critical combination(s).
6. Side Slopes – Improved or constructed channels shall have side slopes no steeper than 4H:1V for unlined channels and no steeper than 2H:1V for lined channels.
7. Channel Geometry – Improved channels, line or unlined, shall normally have a trapezoidal cross section. The channel section should have adequate flow area to handle uncertainties in runoff estimates, seasonal changes in channel roughness coefficients, channel obstructions, and silt accumulation.

Table 4-20 – Roughness Coefficients and Allowable Velocities for Channels

Channel Description	Manning's n	Maximum Permissible Channel Velocity (feet per second)
NATURAL STREAMS		
Floodplain – Pasture		
Short grass	0.030	6.0
Tall grass	0.035	6.0
Floodplain – Cultivated Areas		
No crop	0.030	6.0
Mature row crops	0.035	6.0
Mature field crops	0.040	6.0
Floodplain – Uncleared		
Heavy weeds scattered brush	0.050	6.0
Wooded	0.120	6.0
UNLINED NON-VEGETATED CHANNELS		
Sand/Silt	0.030	3.0
Clay	0.030	5.0
Coarse Gravel	0.030	6.0
Shale	0.030	10.0
Rock	0.025	15.0
LINED CHANNELS		
Concrete	0.013	20.0
Grouted Riprap	0.030	*
Rock Riprap	0.040	*
Stone Masonry	0.032	10.0
Asphalt	0.016	15.0
Gabion	0.030	12.0

*Maximum permissible velocities for rock riprap based on gradation and depth.

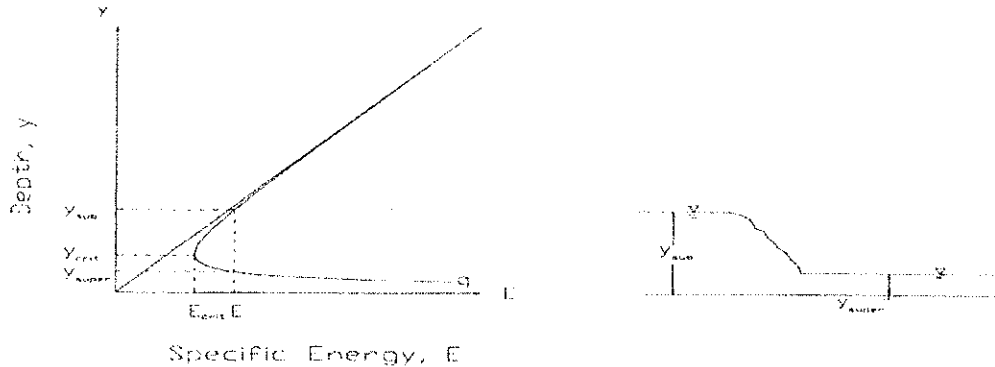
- C. Flow Conditions – The Froude Number provides a relationship between flow velocity and the hydraulic depth of flow and gravitational action and shall be calculated for all channel improvement designs. Subcritical flow conditions occur when the Froude number is less than 1.0, and supercritical flow conditions exist in lined channels when the Froude Number exceeds 1.0. The Froude number may be calculated by the following equations:

$$Fr = \frac{V}{\sqrt{gD}}$$

$$D = \frac{A}{T}$$

Where:

- V = velocity of flow (feet per second)
- g = acceleration due to gravity (feet per second squared)
- D = hydraulic depth (feet)
- A = cross-sectional area of the flow (square feet)
- T = top width of the flow (feet)



$$E = \frac{V_{sub}^2}{(2g)} + y_{sub} = \frac{V_{super}^2}{(2g)} + y_{super}$$

Figure 4-12 – Alternate Depths on the Specific Energy Curve

1. Each channel cross section has two flow depths, the normal depth and the alternate depth. Although the depths, velocities, and Froude Number differ, the specific energy of the two depths is equivalent. **Figure 4-12** shows the relationship of specific energy to depth. If a channel's normal depth is supercritical, its alternate depth is a deeper subcritical depth. Obstructions that may enter a stream during a storm event may cause supercritical flows to experience a hydraulic jump and become subcritical flows. Due to this fact, channels that are designed for supercritical conditions must have freeboard equal to the alternate depth plus one foot.

2. Subcritical flow conditions are recommended for all channel designs in the City. Supercritical flow tends to have high velocities and high potential for channel erosion. Supercritical flow conditions shall not be allowed in unlined channels except at grade control structures. Subcritical flow conditions may be achieved by using energy dissipaters in unlined channels in areas where the existing topography will not allow subcritical flow conditions to occur naturally. In all cases, the channel improvements shall be designed to avoid the unstable transitional flow conditions that occur when the Froude Number is between 0.9 and 1.1 unless analyses demonstrate that no adverse impacts will occur as a result.

- D. Flow in Bends – When a channel changes direction, the depth of flow and shear stresses along the outside edge of the curve are higher than the average channel flow depth, or the water surface is super-elevated. Therefore, additional freeboard

and armoring must be provided to prevent the channel bank from being overtopped or eroded. The amount of superelevation along the outside of the bend can be estimated using the equation:

$$\Delta H = \frac{C^2}{2g(r_o)^2(r_i)^2} \left((r_o)^2 - (r_i)^2 \right)$$

Where:

- ΔH = increase in water surface elevation along the outside of the channel bend due to superelevation (feet)
- C = circulation constant (square feet per second)
- r_o = outside radius of the channel bend (feet)
- r_i = inside radius of the channel bend (feet)
- g = acceleration due to gravity, 32.2 (feet per second squared)

1. If the discharge, depth of flow at the approach to the bend, average flow velocity in the approach to the bend, and the inner and outer radii of the bend are known, the value of the circulation constant can be approximated by solving the follow equation for C:

$$Q = C \left[y_a + \frac{(V_a)^2}{2g} - \frac{C^2}{2gr_o r_i} \right] \ln \left(\frac{r_o}{r_i} \right)$$

Where:

- Q = total flow in the channel (cubic feet per second)
- V_a = average velocity in the approach to the bend (feet per second)
- y_a = depth of flow in the approach to the bend (feet)

2. The flow velocity along the outside of the bend, V_o (feet per second), can then be approximated by:

$$V_o = \frac{C}{r_o}$$

V_o shall not exceed the maximum values established in **Table 4-20**. See Stream Bank Stabilization Manual for analyses methodology and treatment solutions for bends in unlined channels.

- E. Drop Structures – The function of a drop structure is to reduce flow velocities by dissipating some of the kinetic energy of the flow at the drop structure and also providing flatter channel slopes upstream and downstream of the drop structure. Drop structures may be used to establish or re-establish a more desirable channel invert elevation and slope. Sloping channel drops and vertical channel drops are two commonly used drop structure types. Flow velocities in the channel upstream and downstream of the drop structure shall satisfy the permissible velocities allowed for channels (**Table 4-20**). Flow velocities shall be checked for runoff produced by the 5-year and 100-year frequency storm events. Refer to **Section 6** for structural design requirements.

1. Vertical Drop Structures – The drop structure should have sufficient height to stabilize the hydraulic jump. The drop length and the hydraulic jump length of the drop structure should be calculated to determine the length of the downstream apron required to prevent erosion. In order to utilize a vertical drop structure, vehicular access must be provided to both the upstream and downstream ends of the structure.
 2. Sloping Drop Structures – The location of the hydraulic jump should be determined based on the upstream and downstream flow depths and channel slopes. The length of the hydraulic jump should be calculated to determine the length of the downstream apron required to prevent erosion. When utilizing a sloping drop structure, a maximum slope of 6H:1V shall be used to allow vehicular access from one end across the structure. If the slope of the drop structure is steeper than 6H:1V, vehicular access must be provided to both the upstream and downstream ends of the structure.
- F. Rock Riprap – Rock and grouted riprap may be used. Rock riprap gradation depends on site characteristics, velocities, and flow depth. One of the following methods shall be used for determining a nominal rock riprap size and gradation: USACE 1110-2-1601, FHWA HEC-11, or Gregory Method from the current edition of the iSWM™ *Hydraulics Technical Manual*.
- G. Maintenance Access Requirements – Unobstructed access routes shall be provided to all natural and improved open channels or creeks to allow vehicular access for maintenance. All portions of the maintenance access routes shall be located entirely within drainage easements associated with the creek or channel. The unobstructed access shall extend from the ROW and occur at a frequency of no less than 1,500 linear feet along the channel unless there exists an access route that is contained within a drainage easement on the opposite side of the creek or channel. This may be adjusted by no more than 100 feet to lessen impacts to quality trees or to avoid restrictive slopes. Access routes along open channels and to/from the ROW shall be a minimum of 15 feet wide with a maximum 4H:1V running slope and a maximum 6H:1V cross slope. Access routes shall be kept clear of structures and equipment (such as HVACs) except fences.
- H. Calculations – Water surface profiles for each design storm shall be computed for all channels and shown on all final drawings. The Standard Step Method for Backwater Calculations shall be used to determine water surface profiles for steady uniform flow equal to the design discharge. HEC-RAS by USACE may be used to perform standard step backwater calculations, and if used, a summary table shall be provided. Losses due to changes in velocity, drops, bridge openings, and other obstructions shall be considered in backwater computations, as described in the HEC-RAS *User's Manual*.

4.9. Bridge and Culvert Hydraulic Design

- A. Applicable Design Criteria – Bridges and Culverts shall be designed based on the frequency and freeboard requirements found in **Table 4-3** in **Section 4.4**. In addition to the freeboard requirements above, consideration shall be given to existing and/or

proposed development upstream of the structure. Refer to **Section 6** for structural design requirements.

1. All bridge and culvert designs shall contain the peak flow design event based on **Table 4-3** within the ROW or drainage easement limits.
 2. Headwalls and necessary erosion protection shall be provided at all culverts and shall comply with the most current Texas Department of Transportation (TxDOT) standards.
 3. Proposed reinforced concrete box culverts, bridges, and related structures may be adaptations of TxDOT standards. Refer to **Section 6** for structural design requirements.
 4. All bridges and culverts shall be designed so that if they become partially or completely blocked they will not divert flow from the natural or designed flow path or cause damage to the structure and other property.
 5. Projected changes in channel stability upstream and downstream of the structure shall be evaluated using the methods presented in the Stream Bank Stabilization Manual when establishing the structure type, channel grades, and crossing geometry. Appropriate stabilization measures are required.
 6. If designed for flows less than the fully developed 100-year peak discharge, the engineer shall demonstrate that flows exceeding the bridge's hydraulic capacity will not be diverted out of the floodplain or cause damage to upstream, downstream, or adjacent property as a result of bridge construction.
 7. All roadway drainage shall be carried to the bridge ends and collected in a closed storm sewer system. If deck drains are required, due to structural length and hydraulic capacity, they shall discharge to downspout and a properly designed splash basin or closed storm sewer system to minimize erosion. Drainage shall not discharge against any part of the structure.
 8. A scour analysis is required for all structural elements within the design floodplain.
- B. Design Parameters – The designer should begin with the culvert or bridge design from the nearest downstream control, such as a bridge, culvert, or dam, and design the proposed drainage system improvements anticipating future system expansion and stream stability changes due to fully developed watershed conditions. The most commonly used backwater program for modeling hydraulic conditions at bridge crossings is the HEC-RAS program developed by the USACE. Several hydraulic parameters should be considered in bridge design. These considerations include, but are not limited to, the following:
1. Channel transitions into and out of the bridge opening.
 2. Overall length and height of bridge.
 3. Cross-sectional opening of bridge.

4. Bridge alignment relative to general flow of main channel such as a skewed crossing.
 5. Number of crossings (dual or multiple bridges).
 6. Other obstructions to flow (piers and abutments).
 7. Design flows for bridge opening to pass the design flow.
 8. Freeboard requirements for channel design.
 9. Erosion protection at piers and abutments (based on local and system stability changes).
 10. Potential flooding impacts on property and threat to loss of life of partial and complete blockage shall be considered.
 11. Possible damages to the structure or other property due to flows in excess of the fully developed 100-year storm event.
- C. Culvert Outlet Protection – High discharge velocities from culverts can cause eddies or other turbulence that could damage unprotected downstream channel banks and roadway embankments. To prevent damage from scour and erosion in these conditions, culvert outlet protection is needed. Scour protection in accordance with FHWA *HEC-18 Evaluation of Scour at Bridges*, or equivalent, shall be provided.
1. The outlet protection should extend downstream to a point where non-erosive channel velocities are established in accordance with **Table 4-20**. The outlet protection should be placed sufficiently high on the adjacent banks to provide protection from wave wash under design flow conditions and be provided with sufficient cutoff (scour) protection at the downstream edge based on local scour calculations and downstream channel stability investigation.
 2. The critical depth shall be used to determine exit velocity and associated erosion control measures for a culvert with low tailwater. Refer to **Section 4.8.B** for erosion control requirements.
 3. Refer to **Section 4.8.F** for rock riprap sizing methods.
- D. Culvert Hydraulics – The hydraulic design of culverts shall be based upon design guidelines set forth by TxDOT, the U.S. Department of Transportation, or other suitable material as approved by the Director of Engineering. **Table 4-21** contains the culvert entrance loss coefficients (K_e) to use. Culvert calculations shall be provided to the City for review. Calculations shall include, but are not limited to, headwall, tailwater, and flowline elevations, lowest adjacent grade and structure elevations, inlet and outlet control calculations, and velocity calculations.

Table 4-21 – Culvert Entrance Loss Coefficients

Type of Culvert	K_e
Reinforced Concrete Pipe	
projecting from fill, socket end (groove end)	0.2
projecting from fill, square cut end	0.5
headwall or headwall with wingwalls	
socket end of pipe (groove end)	0.2
square edge	0.5
rounded edge (radius $\geq 0.0833D$)	0.2
mitered to conform to fill slope	0.7
beveled edges, 33.7° or 45° bevels	0.2
side or slope tapered inlet	0.2
Corrugated Metal Pipe or Arch-Pipe:	
projecting from fill (no headwall)	0.9
headwall or headwall with wingwalls, square edge	0.5
mitered to conform to fill slope, paved or unpaved slope	0.7
beveled edges, 33.7° or 45° bevels	0.2
side or slope tapered inlet	0.2
Reinforced Concrete Box:	
headwall parallel to embankment (no wingwalls)	
square-edged on three sides	0.5
rounded on three sides to radius of 1/12 barrel dimension	0.2
or beveled edges on three sides	
wingwalls at 30°-70° to barrel	
square-edged at crown	0.4
crown edge rounded to radius of 1/12 barrel dimension, or beveled top edge	0.2
wingwall at 10°-25° to barrel, square-edged at crown	0.5
wingwalls parallel (extension of sides), square-edged at crown	0.7
side or slope-tapered inlet	0.2

4.10. Detention Basin Design

- A. Determination of Required Detention – The City of McKinney Stormwater Management Ordinance outlines the criteria for when detention is needed. The following is a summary of those criteria. In the case that this manual and the code of ordinances conflict, the code of ordinances will take precedence.
1. These requirements are based on the zone of influence as determined by the ten percent rule. The zone of influence is the area downstream of a proposed development where the discharge of the development can have an impact upon the receiving stream or storm drainage system. In McKinney, the zone of influence extends downstream to the point where the property being developed comprises less than 10% of the overall watershed. For example, the zone of influence for a 10-acre development ends at the point downstream where the overall watershed is 100 acres or greater. For additional information, refer to the integrated stormwater management (iSWM™) manual published by the North Central Texas Council of Governments (NCTCOG). Note that McKinney does not require the entire procedure as spelled out in the iSWM™ manual. The zone of influence is based solely on acreage. New development in McKinney shall do the following:
 - a. Provide on-site detention facilities to limit the peak discharge of the development to pre-project levels for both the 5-year and 100-year storm events at the point(s) of discharge, or;
 - b. Study downstream facilities throughout the zone of influence to determine if:
 - i. the receiving drainage facilities and/or natural channels have the capacity to convey the fully developed 100-year storm event with appropriate freeboard, and
 - ii. the fully developed 100-year storm event is conveyed within public right of way or existing drainage and/or floodplain easements.
 - c. If the study determines that the necessary capacity with appropriate freeboard does not exist, the developer must construct the improvements to provide the necessary capacity or provide on-site detention facilities.
 - d. If the study determines that the drainage and/or floodplain easements do not exist, the developer must obtain the necessary easements, or provide on-site detention facilities.
 2. A downstream assessment may be required if the Director of Engineering has reason to believe that on-site detention may increase the fully developed 100-year peak flow due to coincidental peaks. If the assessment demonstrates coincidental peaks, on-site detention facilities will not be an acceptable option. Downstream improvements may be required if downstream capacity and easements are inadequate to convey the increased site flow. This will be determined by the Director of Engineering on a case-by-case basis.

B. Applicable Design Criteria

1. Stormwater detention basins are used to temporarily impound (detain) stormwater, thereby reducing peak discharge rates. Either regional or on-site detention/retention basins may be used to provide required detention. Detailed hydrologic studies of the entire watershed upstream of the detention site shall be required to evaluate the timing of inflow and outflow hydrographs from both regional and on-site detention facilities.
2. Basins without large, regional upstream detention facilities and with drainage areas of 50 acres or less may be designed using the Modified Rational Method, as described in **Section 4.4** and **4.10.C** of this manual. Basins with drainage areas greater than 50 acres, or where the Modified Rational Method is not appropriate or applicable, shall be designed using the Unit Hydrograph Method. The routing of a hydrograph through a detention basin shall be done using standard pond routing techniques, such as the Modified Puls method. Acceptable hydrology modeling computer programs include HEC-1, HEC-HMS, and TR-20. Other hydrology modeling computer programs may also be used with the approval of the Director of Engineering.
3. All detention basin designs shall be performed by an engineer licensed in the State of Texas and experienced in detention basin design. The following criteria shall serve as minimum requirements for detention basin design in the City:
 - a. The 100-year storm event based on fully developed watershed conditions shall be used to determine the total volume of detention storage required. In addition, the outlet structure shall be designed to control both the 100-year storm and the 5-year storm to pre-project levels. Freeboard must meet the requirements in **Table 4-3** in **Section 4.4**.
 - b. The design shall meet the minimum requirements of State and Federal regulations and guidelines.
 - c. A non-erodible emergency spillway or overflow pathway shall be provided above the 100-year maximum water surface elevation. If necessary, integrity and stability analyses as described in NRCS TR-60 may be used to demonstrate that an earthen or grass lined earthen spillway is stable and has the required integrity.
 - d. Where the outflow structure conveys flow through the embankment in a conduit, the conduit shall be reinforced concrete and designed to support the external load. The conduit is to withstand the internal hydraulic pressure without leakage under the full external load and must convey water at the design velocity without damage to the interior surface of the conduit. Antiseep collars or other acceptable piping protection shall be provided for all conduits that discharge through the embankment.
 - e. If the outflow structure discharges flows into a natural stream or unlined channels, discharge shall be at a non-erosive rate in accordance with **Section 4.8** of this Manual.

- f. Detention basins shall provide positive drainage throughout the basin with a minimum slope of 2 percent leading to the required pilot channel. The steepest side slope permitted around a detention basin is 4H:1V unless approved by a geotechnical engineer.
- g. A non-erodible pilot channel or conduit shall be provided to convey low flows from points of concentrated inflow to the basin outlet structure. Erosion protection such as open cell pavers, articulate block, rock riprap (see **Section 4.8.F**), or gabion mattress must be provided adjacent to the pilot channel or conduit to prevent undermining due to scour. The pilot channel must have a minimum slope of 0.50 percent. Refer to the Standard Details for pilot channel design requirements.
- h. Earthen embankments used to impound a required detention volume must have a minimum top width of 12 feet, shall contain a non-permeable core, and shall be based on a geotechnical investigation for the site. The geotechnical investigation shall be performed by a licensed engineer and shall include, as a minimum, the type of material on-site, water content, liquid limit, plasticity index, and desired compaction. Earthen embankments shall conform to Chapter 299 of the Texas Administrative Code (TAC) and any other applicable State and Federal dam safety requirements. Refer to **Section 4.12** for further design and permitting details.
- i. It shall be the engineer of record's responsibility to determine if a stability analysis is necessary based on global overturning and rapid drawdown. The stability analysis shall be performed by a licensed geotechnical engineer. Global overturning shall be based on full hydrostatic loading (at 100-year flood stage). The stability analysis from rapid drawdown conditions shall consider saturated soil conditions without the hydrostatic loading. A minimum factor of safety of 1.25 shall be required.
- j. Security fencing with a minimum height of 6 feet may be required to encompass the detention storage area if the location, velocity, depth, or slopes justify restricted access to the general public, as determined by the Director of Engineering. The fence shall be designed to allow access for maintenance, as well as to not restrict stormwater flow into or out of the detention basin.
- k. Ongoing maintenance by the property owner is required if detention facilities are to function properly over time and shall be in accordance with Section 130-358(c) of the Stormwater Ordinance. A Maintenance Plan with specific instructions for maintenance over the life of the facility must be submitted with the civil construction plans and approved by the Director of Engineering. At a minimum, the following maintenance guidelines apply to all detention facilities.
 - i. A maintenance ramp shall be provided for vehicular access for maintenance purposes shall meet requirements in **Section 4.8.G**. The slope of the ramp shall not exceed 6H:1V, and the minimum width shall be 12 feet.

- ii. Detention basins with permanent water storage must include dewatering facilities for maintenance purposes.
- iii. The following notes, at a minimum, shall be included on the Post Construction Stormwater Quality Plan Sheet as part of the civil construction plans:
 - a. The property owner shall be responsible for all maintenance of detention facilities.
 - b. Detention facilities shall be mowed at least twice per year to control weeds and inhibit woody growth.
 - c. Debris, litter, and sediment shall be removed from all detention facilities at least twice per year and after each storm event with more than 2 inches of rainfall in a 24 hour period, with particular attention given to the removal of debris, litter, and sediment around outlet structures, trash racks, and pilot channels.
 - d. A maintenance log shall be kept and shall be made available for review by the City upon request.
- iv. The following note shall be included on the plat: **MINIMUM MAINTENANCE REQUIREMENTS FOR DETENTION FACILITIES CAN BE FOUND ON THE POST CONSTRUCTION STORMWATER QUALITY PLAN SHEET AS PART OF THE CIVIL CONSTRUCTION PLANS.**
- l. All applicable permits must be obtained for basins with permanent water storage.
- m. To minimize both the possibility of clogging and the amount of debris conveyed to area lakes and streams, trash racks may be needed on detention system outlet structures as determined by the Director of Engineering. The design of trash racks shall be according to the guidelines set forth in the iSWM™ Hydraulics Technical Manual.

C. Modified Rational Method Detention Basin Calculations

1. The detention volume for a given duration using this method is calculated as the difference between a trapezoidal inflow hydrograph and a triangular outflow hydrograph as shown in **Figure 4-13**. Design must account for all onsite and offsite flows to the discharge point. If flow bypasses the detention basin, the allowable release must be adjusted accordingly. A range of storm durations is required to determine the critical duration for the detention basin.
2. The following is an example of the Modified Rational Method calculations necessary for the sizing of a detention pond:

a. **GIVEN** – A 53.91-acre site, which is currently zoned for agricultural use, is to be developed for Zone RS-60, Single-Family Residence District (6,000 sf lot per unit) subdivision with a Rational Method C of 0.65. Of the whole site, 41.27 acres are to be developed as single-family lots and the remaining 12.64 acres will become a park in which the proposed detention pond will be placed. The park will have a C of 0.40.

b. **DETERMINE** – Maximum release rate and required detention storage.

c. **SOLUTION** –

i. **Step 1** – Determine 100-year peak runoff rate prior to site development. This is the maximum allowable release rate from the site after development.

$$I_{100} = \frac{b}{(T_c + d)^e} = \frac{86.709}{(26 + 11)^{0.73702}} = 6.06 \text{ inches per hour}$$

Where:

$$I = \frac{b}{(T_c + d)^e}$$

b = 86.709 **Table 4-1**

d = 11 **Table 4-1**

e = 0.73702 **Table 4-1**

T_c = 26 minutes Calculated based on **Section 4.4.D**

$$Q_A = Q_{100} = K_{100} C I_{100} A = 1.15 \times 0.30 \times 6.06 \times 53.91 = 112.71 \text{ cfs}$$

Where:

Q = KCIA

K = 1.15 **Table 4-4**

C = 0.30 **Table 4-5**

ii. **Step 2** – Determine inflow hydrograph for storms of various durations in order to determine maximum volume required with release rate determined in Step 1. Incrementally increase durations to next 10-minute time and increase by 10-minutes for each additional time step to determine maximum required volume. The duration with a peak inflow less than maximum release rate or where required storage is less than storage for the prior duration is the last increment.

$$I_{100} = \frac{b}{(T_c + d)^e} = \frac{86.709}{(18 + 11)^{0.73702}} = 7.25 \text{ inches per hour}$$

Where:

$$I = \frac{b}{(T_c + d)^e}$$

$b = 86.709$ **Table 4-1**
 $d = 11$ **Table 4-1**
 $e = 0.73702$ **Table 4-1**
 $T_c = 18$ minutes Calculated based on **Section 4.4.D**

$$C_w = \frac{A_1 C_1 + A_2 C_2}{A_1 + A_2} = \frac{44.17 \times 0.65 + 12.64 \times 0.40}{44.27 + 9.64} = 0.59$$

Where:

$$C_w = \text{weighted coefficient (dimensionless)}$$

$$Q_{100} = K_{100} C_w I_{100} A = 1.15 \times 0.59 \times 7.25 \times 53.91 = 265.19 \text{ cfs}$$

- iii. Step 3 – Determine Maximum Storage Volume by deducting the volume of runoff released during the time of inflow from the total inflow for each storm duration.
- iv. Step 3A – Calculate the intensity, I, and peak flow, Q, for the various duration storms:

T_d	I	$Q_d = KC_w I A$	
18 min	7.25	$1.15 * 0.59 * (7.25) * 53.91 = 265.19$	cfs
20 min	6.90	$1.15 * 0.59 * (6.90) * 53.91 = 252.39$	cfs
30 min	5.62	$1.15 * 0.59 * (5.62) * 53.91 = 205.57$	cfs
40 min	4.78	$1.15 * 0.59 * (4.78) * 53.91 = 174.84$	cfs
50 min	4.19	$1.15 * 0.59 * (4.19) * 53.91 = 153.26$	cfs
60 min	3.75	$1.15 * 0.59 * (3.75) * 53.91 = 137.17$	cfs
70 min	3.40	$1.15 * 0.59 * (3.40) * 53.91 = 124.37$	cfs
80 min	3.12	$1.15 * 0.59 * (3.12) * 53.91 = 114.12$	cfs
90 min	2.89	$1.15 * 0.59 * (2.89) * 53.91 = 105.71$	cfs
100 min	2.70	$1.15 * 0.59 * (2.70) * 53.91 = 98.76$	cfs

- v. Step 3B – Determine the required storage volume for each storm duration:

$$V_{in} = T_d \times Q_d \times 60 \text{ seconds per minute}$$

$$V_{out} = 0.5 \times (T_d + T_c) \times Q_A \times 60 \text{ seconds per minute}$$

$$V_{req} = V_{in} - V_{out}$$

Where:

- T_d = time step duration (minutes)
 Q_d = rate of discharge for the time step duration (cubic feet per second)
 T_c = time of concentration of the basin (minutes)
 Q_A = maximum allowable release rate (cubic feet per second)

For the 20 minute storm:

$$V_{in} = 20 \text{ minute} \times 260.94 \text{ cfs} \times 60 \text{ seconds per minute} = 313,128 \text{ cubic feet}$$

$$V_{out} = 0.5 \times (20 \text{ minute} + 18 \text{ minute}) \times 112.71 \text{ cfs} \times 60 \text{ seconds per minute} = 128,489 \text{ cubic feet}$$

$$V_{req} = 313,128 \text{ cubic feet} - 128,489 \text{ cubic feet} = 184,639 \text{ cubic feet} = 4.24 \text{ acre - feet}$$

This is repeated for the other durations as shown in the example **Figure 4-15**.

- vi. Step 4 – Determine the greatest amount of storage required and at what storm duration it occurs.

Maximum volume required is 227,978 cubic feet or 5.23 acre-feet at the 50 minute storm duration, with a maximum release rate equivalent to the existing flow of 112.66 cubic feet per second.

- vii. Step 5 – Round resulting flow rates in accordance with the Stormwater Management Ordinance.

- D. Detention Pond Computation Sheet – Computations performed for detention pond sizing using the Modified Rational Method as in **Section 4.10.C** shall be submitted in a format consistent with **Figure 4-14**. For detention pond computations using a hydrology modeling computer program with the Unit Hydrograph Method, relevant input and output data shall be submitted in an organized format. An electronic copy of the hydrology model shall also be submitted for review.

Figure 4-13 -- Modified Rational Method Detention Pond Design Relationship of Inflow, Outflow, and Storage Requirements

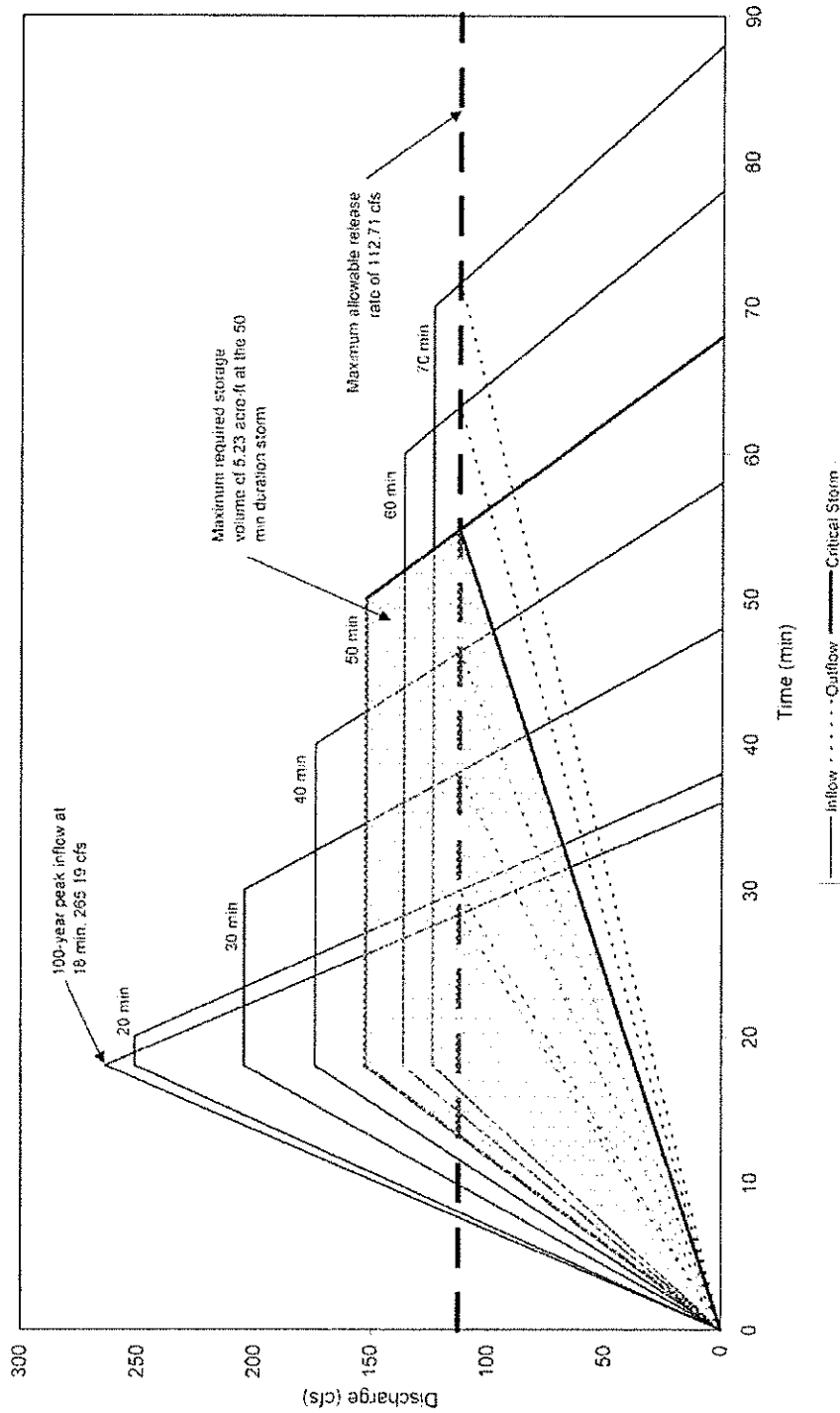


Figure 4-14 – Computation Sheet for Modified Rational Method Detention Pond Design

Step	b	d	e	T _c (min)	I (in/hr)	K	C	A (acre)	Q (cfs)
1									
2									

Step 3									
T _d (min)	K	C	I (in/hr)	A (acre)	Q (cfs)	V _{in} (cf)	V _{out} (cf)	V _{req} (cf)	V _{req} (acre-ft)

Step 4 Maximum V_{req} _____

4.11. Site Erosion Control

Refer to **Section 8** for stormwater best management practices, stormwater pollution prevention plan, and other temporary and permanent site erosion control requirements.

4.12. Dam and Impoundment Design

A. Design Frequencies for Dams or Impoundments – Lakes and dams will be designed with the top of dam established by the routed design flood as defined by current TCEQ standards and regulations and shall assume fully developed watershed conditions based on the best available land use projections. All dams and impoundments shall be designed based on the TCEQ requirements regardless of whether or not they are on-channel or off-channel. The City and TCEQ design criteria for dams are dependent on size (height and storage volume) and hazard classification. The minimum size, hazard classification, design standards, and analysis methodologies shall be the current standards and regulations adopted by the TCEQ, which provides for the safe construction, operation, maintenance, repair, and removal of dams located in the State of Texas. In addition, the City has established criteria that shall also be satisfied, as outlined below and in the City of McKinney Code of Ordinances. All activities that directly or indirectly impact existing or planned dams within the city limits and the extraterritorial jurisdiction of the City will be reviewed and evaluated by the Director of Engineering based on information furnished by the applicant or owner.

1. Hazard classification and size shall be determined based on the criteria in Title 30 of the Texas Administrative Code (TAC) §299.13 – §299.14 and the Stormwater Ordinance.
2. The Spillway Design Flood (SDF) shall be based on a percentage of the Probable Maximum Flood (PMF), specified as the minimum design flood hydrograph under the TCEQ under Title 30 of the Texas Administrative Code (TAC) §299.15(a)(1)(A). Hazard classification and size are both factors in determining the required SDF.
3. If the SDF is less than the 100-year fully developed design flood, the 100-year fully developed design flood shall be used as the design frequency.

B. Additional Design Requirements

1. An engineering plan for such construction, accompanied by complete drainage design information and sealed by a licensed professional engineer, shall be approved by the Director of Engineering.
2. The spillway and emergency overflow areas shall be located so that floodwaters will not inundate any permanent habitable structures.
3. The minimum total flood storage should be based on the 100-year, 24-hour storm without auxiliary spillway operation unless the detention time of the inflow design flood exceeds 24 hours, in which case the design storm duration shall equal or

exceed the detention time. The design flood shall be calculated following TCEQ criteria. Refer to **Section 4.3** for additional design rainfall criteria.

4. The design shall comply with all federal, state, and county laws pertaining to the impoundment of surface water, including the design, construction, and safety of the impounding structure. Copies of any federal, state, or county permits or approvals issued for the proposed impoundments shall be submitted to the Director of Engineering prior to commencing construction.
5. Any existing NRCS structures or other dams that are included in the project drainage area shall comply with the applicable federal, state, county, and city safety requirements for structures. Improvements may be required to upgrade the structure to the currently adopted guidelines.
6. Before removing, enlarging, or altering any existing lake, the applicant will furnish a study of the impacts of the alteration upon flooding conditions both upstream and downstream.
7. In order to protect lakes from accelerated sediment accumulation due to development-related upstream and adjacent grading, the Director of Engineering may require a pre-grading sediment survey of a lake with a surface area of greater than 5 acres prior to any significant grading activity in the watershed of the lake. The survey shall be conducted by the City at the developer's or contractor's expense to establish the base level of sediment in the lake. Upon completion of the project, a post-construction survey shall be conducted by the City at the developer's or contractor's expense. The developer or contractor shall be responsible for removal of additional accumulated sediment in the lake based on the difference between the pre-construction and post-construction surveys. If multiple grading projects are ongoing in the watershed of the lake, the survey costs may be shared on a pro-rata basis. The study shall be prepared by an engineer licensed in the State of Texas and submitted to the Director of Engineering for approval prior to making the proposed alteration.
8. Any improvements to existing dams or lakes or construction of new impoundments shall be made at the expense of the developer, prior to acceptance of any adjacent street, utilities, and drainage improvements, as provided for under the subdivision regulations.
9. All dams that are considered to be high hazard dams or significant hazard dams according to Title 30 of the TAC §299.14 shall have an emergency action plan submitted to the Director of Engineering for approval.
10. Auxiliary Spillway – Protection of downstream breach inundation areas and storm selection for the auxiliary spillway/top of dam will be based on the outcome of the breach analysis. The spillway design shall be based on the current standards and regulations adopted by TCEQ.
 - a. If the SDF is less than the PMF, a minimum of 2 feet of freeboard is required from the top of dam.

- b. If the SDF is equal to the PMF, freeboard shall be design to allow enough distance below the top of dam to account for wave-run up as described in *Hydrologic and Hydraulic Guidelines for Dams in Texas* prepared by the TCEQ.

C. Maintenance and Liability Criteria

1. The owner or developer shall retain their private ownership of the constructed lake, pond, lagoon, or basin and shall assume full responsibility for the protection of the general public from any health or safety hazards related to the constructed lake, pond, lagoon, or basin. The City shall have the right, but not the obligation, to enter onto the subject property to perform inspections and emergency repairs and maintenance. In the event emergency repairs or maintenance action must be taken, the responsible party shall reimburse the City its reasonable costs.
2. The owner or developer and the engineer shall assume full responsibility to ensure adequate design and construction of an impounding structure and its hydraulic discharge facilities and any associated lake, pond, lagoon, or basin. The owner or developer shall also assume full responsibility for the proper operation and maintenance of the constructed lake, pond, lagoon, basin, and any impounding structures and discharge facilities. The owner or developer shall keep the Director of Engineering advised of the currently responsible agent for operations and maintenance.

SECTION 5 WATER AND WASTEWATER DESIGN REQUIREMENTS

5.1. General

A. General

1. Compliance with Master Plans – All water and wastewater plans shall comply with the current edition of the Water Distribution System Master Plan (Water Master Plan) and the current edition of the Wastewater Collection System Master Plan (Wastewater Master Plan) and be submitted to the Director of Engineering for review.
2. General Design Criteria – It is the responsibility of the engineer of record (engineer) to ensure that all water and wastewater plans are in conformance with the current edition of the City's various ordinances and master plans listed in **Section 1.3.B** and the following:
 - a. North Central Texas Council of Governments (NCTCOG) – Public Works Construction Standard Specifications and Standard Drawings
 - b. Rules and Regulations established by the Texas Commission on Environmental Quality (TCEQ)
 - c. American Water Works Association Standards (AWWA)
3. The engineer shall obtain the available record drawings (See **Section 1**), and field investigations and verifications shall be required prior to construction in accordance with the SUE Requirements in **Section 1.11**.
4. Water and wastewater mains shall be sized and extended through the limits of a development to provide a connection for ultimate development of adjacent properties.
5. Siphons shall not be allowed for new development.
6. Construction Standards and Specifications – All work and materials shall be in accordance with the current edition of the City of McKinney Construction Standards and Specifications Manual and the North Central Texas Council of Governments (NCTCOG) Public Works Construction Standards. Should a conflict be found between the two publications, the City of McKinney Construction Standards and Specifications Manual shall take precedence. In the event that an item is not covered by the City of McKinney Construction Standards and Specifications Manual, the NCTCOG Public Works Construction Standards shall apply. Notification in writing by the contractor shall be made to the engineer, City inspector, and the Director of Engineering of the issue. The Director of Engineering shall make the final decision regarding all construction materials, methods, and procedures specified in construction plans. Reference to all documents contained in the project specifications shall refer to the current edition of each document.

B. Separation of Water Mains from Wastewater Mains

1. All water mains and wastewater mains shall be separated per TCEQ Rules and Regulations. Refer to the following:
 - a. Chapter 290 – Public Drinking Water SUBCHAPTER D: RULES AND REGULATIONS FOR PUBLIC WATER SYSTEMS §§290.38 – 290.47
 - b. Chapter 217 – Design Criteria for Domestic Wastewater Systems SUBCHAPTER C: CONVENTIONAL COLLECTION SYSTEMS §§217.51 – 217.71

C. State Highway Alignment Criteria

1. Prior to the design of facilities within TxDOT right-of-way, the engineer shall contact the appropriate regulatory agency to determine any special design, construction requirements and/or permitting requirements and shall copy the Director of Engineering on all correspondence with each regulatory agency.
2. Water and wastewater mains within or crossing a TxDOT right-of-way shall meet the requirements of the TxDOT Collin County Area Office and the TxDOT Utility Manual. Utility permits for lines within or crossing TxDOT rights-of-way shall be processed according to **Section 1.9**.
3. No new water or wastewater mains will be allowed in the TxDOT right-of-way except for perpendicular crossings.

D. Typical Utility Layouts within Right-of-Way

1. Water Mains – Water mains shall be located on the north or east parkway behind the curb. For arterial roadways, water lines shall be located outside of the ROW in a water easement.
2. Wastewater Mains – For divided arterials, the wastewater line shall be located behind the curb. For residential, collectors, and undivided arterials, wastewater mains shall be located along the roadway centerline.
3. Stormwater Mains – Stormwater mains shall be located along the centerline of the outside travel lane furthest from the water main.

E. Tunneling, Jacking, and Boring

1. All water and wastewater mains to be installed under existing roadways shall be installed by a method other than open cut. Dry bores are only allowed within City right-of-way (ROW). Steel casing shall be a minimum of 1/2 inch thick and the inside diameter shall be appropriately sized for construction and maintenance of the carrier pipe. The design of the steel casing thickness shall be verified by the engineer. No bends and/or curves are permitted with casing pipes. Casings shall be required when crossing under existing and proposed arterials, highways, and

railroads. Casings may also be required where deemed necessary by the Director of Engineering.

2. The construction bore and receiving pit shall be located at a minimum distance of 4 feet behind the back of curb. The engineer shall provide a distance greater than 4 feet where there is no curb or barrier protection at the edge of pavement. Additional bore setback distances or shoring shall be required to maintain roadway integrity and the safety of construction personnel. When bore and receiving pits are located on private property, permanent water and wastewater easements for the pits will be required for the installation and future maintenance of the line.
3. The engineer shall design the pipe casing for the following loading conditions and/or applicable combinations thereof:
 - a. Cooper's E-80 Railway loading or AASHTO HS20 loading, as applicable.
 - b. Earth loading with the height of fill above the casing as shown on the plans as existing or finish grade whichever is greater.
 - c. All other applicable loading conditions, including loads applied during transportation and handling.
4. The engineer shall consider the location, size, and depth of bore and receiving pits relative to existing utilities when establishing the beginning and ending stations.

F. Crossings

1. Culvert Crossings – A steel encasement pipe shall be used to encase the carrier pipe with a minimum vertical clearance of 2 feet from the bottom of the culvert. The encasement pipe shall be extended a minimum of 10 feet from the outside edge of a box culvert or the outside diameter edge of the storm sewer for future maintenance of the carrier pipe.
2. Railroad Crossings – Refer to **Section 1.9** for requirements regarding coordination with regulatory agencies.
3. Pipeline Crossings – Refer to **Section 1.9** for requirements regarding coordination with regulatory agencies.
4. Creek Crossings
 - a. Water and wastewater mains constructed under any flowing stream or semi-permanent body of water, such as a marsh or pond, shall be installed inside a separate watertight encasement pipe. Water mains shall have isolation valves on each side of the crossing. Wastewater mains shall have manholes on each side of the crossing.

- b. The engineer shall determine the type and limits of any special embedment, and specify the limits for specialized backfills to prevent soil erosion at the areas of trench backfill and as approved by the Director of Engineering.
- c. Mains with less than 4 feet of cover shall be protected by a concrete encasement, a minimum of 10 feet past the top of the embankment on each side, and by additional streambank stabilization practices as required by the Director of Engineering. Refer to **Section 4** for additional floodplain development requirements.
- d. Bank stabilization shall be provided for existing creek and ditch embankments disturbed by construction operations in accordance with the **Section 4** and **Section 8** of this manual and as approved by the Director of Engineering.

5. Aerial Creek Crossings

- a. Aerial crossings may be used when other alternatives have been evaluated and rejected. Any development within the fully developed 100-year floodplain must meet the requirements in **Sections 4** and **8** of this manual. This may include, but is not limited to, a flood study and environmental permitting. The design of aerial creek crossings shall be performed by a structural Professional Engineer licensed in the State of Texas.
- b. The engineer shall use a minimum 1/2 inch thick steel encasement pipe or ductile iron pipe around all aerial carrier pipes. The carrier pipe shall be restrained or welded all around joints or be a monolithic pipe between a span section. Minimum 1/2 inch thick by 6 inch wide stainless steel straps, bolts, and nuts or concrete collars shall be all around the steel encasement pipe at each pier/support structure.
- c. A span section must withstand the hydraulic forces applied by the occurrence of a fully developed 100-year flood including buoyancy. Spans must be a minimum of 50 feet. Both the aerial crossing encasement pipe and the supporting structure shall be capable of withstanding impacts from debris and water. A scour analysis shall be performed and submitted to the Director of Engineering for review and approval.
- d. Wastewater mains shall have manholes on each side of the crossing. The encasement pipe shall extend from manhole to manhole on each side of the crossing. Pier spacing for the aerial crossing supports must maintain adequate grade and meet the requirements in **Section 4** regarding development in the floodplain.
- e. Aerial crossings that parallel an existing aerial crossing shall be provided with adequate separation (20 feet minimum) to allow for maintenance and repair operations for the crossings.
- f. Support structures/piers shall be provided within the erosion hazard setback easement for the channel. Sanitary sewer manholes shall be placed on each side of the crossing outside of the erosion hazard setback easement.

- G. Easements – All proposed water or wastewater facilities that are outside of ROW or existing easements, shall be provided with permanent water or wastewater easement. The following are the minimum requirements for the easements:
1. Water and wastewater easements shall have a minimum width of 15 feet. Additional easement width shall be provided based on depth and diameter of utilities. The minimum easement width for water and wastewater mains deeper than 10 feet to the bottom of pipe, shall be equal to 2.5 times the depth of the line rounded up to the nearest 5 feet. For example, a wastewater main 13 feet deep. The wastewater easement would be $2.5 \times 13 \text{ feet} = 32.5 \text{ feet}$, rounded up to the nearest 5 feet = 35 feet. Larger easement widths may be required by the Director of Engineering.
 2. Single water or wastewater mains shall be located in the center of the easements. For 2 or more parallel water and wastewater mains in an easement, maintain the centerline of the utility a minimum of 7.5 feet from the edge of the easement for mains less than or equal to 10 feet deep. For mains greater than 10 feet deep, the easement width shall be 2.5 times the depth.
 3. In residential developments, water and wastewater mains shall not cross residential lots. Water and wastewater easements shall be located completely on one side of a fence or property line.
 4. Fire hydrants located outside of ROW or adjacent to water main easements shall be in a 15-foot wide easement along fire hydrant lead. Easement shall extend 10 feet beyond fire hydrant.
 5. Two inch and smaller water meters serving multi-family residential and non-residential developments shall be in a minimum 5 feet x 5 feet water easement. Meters larger than 2 inches shall be in a minimum 15 feet x 20 feet water easement and shall not be within the ROW.
 6. Temporary construction easements shall be provided to allow for construction operations for the installation.
 7. Non-residential 3 inch and larger water meters shall be located in a water easement and clear of high traffic areas. Water meter vaults shall be sized according to the size of the water meter. Refer to the City of McKinney Standard Details for minimum water meter vault sizes and easement sizes.
 8. Permanent water or wastewater easements are required when boring and receiving pits are located on private property. The boring and receiving pit areas are necessary for future maintenance of the line.
 9. Access easements shall be provided to all water and wastewater easements located on private property and not within the ROW.

5.2. Water System Design Criteria

A. General

1. The intent of the water system design requirements is to list minimum requirements for public water distribution and transmission system facilities and appurtenances.
2. Design criteria for all water systems shall comply with Texas Commission on Environmental Quality (TCEQ) current edition of Chapter 290, Subchapter D (Rules and Regulations for Public Water Systems), which is included in Part I of Title 30 of the Texas Administrative Code.
3. Water mains shall be sized and extended through the limits of a development to serve adjacent properties.
4. If a water loop serves only one property, the system shall be private and metered at each connection point to the public water system.
5. Connections to substandard mains shall not be allowed. Substandard mains shall be determined by the Director of Engineering based on criteria including, but not limited to: size, material, condition, pressure, flow rate, etc. Offsite improvements may be necessary to provide adequate water service to the site.
6. Twelve-inch water lines are required along proposed or future collector roadways in accordance with the Water Master Plan.
7. Only 12-inch or larger connections are permitted on 24-inch diameter and larger transmission mains. Smaller diameter connections less than 12-inch diameter shall be made on internal or parallel development lines.

B. Water Services

1. All water services from the main to the meter shall be a 1 inch minimum size. All water services from the meter to the structure shall be size on size including the meter size. All water services shall be located along the lot lines or adjacent property lines. Water services and meters shall be sized in accordance with Appendix E of the International Plumbing Code.
2. A domestic service connection shall not be allowed on fire hydrant leads.
3. Service saddle shall be double bronze flattened straps (no banded straps shall be allowed) with brass body or stainless steel double bolt wide straps with stainless steel body. Minimum size tap shall be 1 inch diameter using a stainless steel single strap with a minimum 2 inch band width.
4. Detector pads embedded in sand shall be installed above all service connections.
5. Each meter box shall be located adjacent to the curb and installed after street pavement has been completed and curbs backfilled. Bullhead meter boxes shall

be spaced 2 feet apart centered. A 2-inch minimum meter locator plate shall be placed in the recess of the meter boxes. In residential developments, bullhead water services (two meter boxes with single water service line tap) are required in single family residential developments.

6. All meters supplied by the City will be at contractor's expense. Concrete meter vaults are required for meter sizes 3 inches and larger and shall be provided by the contractor.
7. In single family residential developments, the nearest edge of the water meter box shall be a minimum of 6 inches behind the back of curb, and the water service shall be no more than 12 inches deep, covered with a meter box in place at grade. If no curb is present, the water service shall be located at the property line, no more than 12 inches deep, covered with a meter box in place at grade. Along roadways without a curb, the water service line shall be constructed at a minimum of 18 inches below the ditch flowline.
8. Commercial water meters will be located in a water easement and clear of high traffic areas. Water meter vaults shall be sized according to the size of the water meter and to allow for a minimum of a 12 inch clear working area for maintenance and operation. Minimum water meter vault sizes are shown in the City of McKinney Standard Details.
9. Installation of commercial meters will include two mainline valves, one bypass valve with chain and lock, a strainer, and bypass line, all located inside the vault. Clearances between fasteners on valves, strainers, and meters to interior surfaces shall provide adequate room for maintenance.
10. Water meter boxes shall be provided for each service per City Specifications. Requests for meters larger than those indicated above should be submitted with an installation detail specifying dimensions, materials and location of the water meter vault for review and approval by the Director of Engineering.

C. Water Demand and Supply

1. Residential development submittals shall include the total number of units and the total acres of the proposed development. Non-residential development submittals shall include estimated water use records showing the minimum hourly demand, maximum hourly demand, maximum daily demand, total building square footage, and the total acres for the proposed development. The projected maximum daily demand and maximum hourly demand shall be calculated and shown in MGD in accordance with the current edition of the Water Master Plan. A water basin map and sizing analysis shall be provided for water mains that serve more than 300 single family units, 400 multi-family units, or an equivalent combination of those uses or other uses.
2. The North Texas Municipal Water District (NTMWD) supplies treated water at the McKinney Ranch Pump Station, University Pump Station, and the Gerrish Pump Station as shown in the Water Master Plan. A NTMWD treated water delivery point will be located at the future Redbud Pump Station.

D. Pressure Planes

1. The City currently operates three pressure planes, the 794 Service Area, the 850 Service Area, and the 920 Service Area. A proposed fourth pressure plane, the 840 Service Area, was established. It is envisioned that the proposed 840 Service Area will be supplied by the 794 Service Area and pressurized with a booster pump station and pneumatic tank. The 794 Service Area has a pressure range from 40 psi to 120 psi, the 850 Service Area has a pressure range from 55 psi to 125 psi, the 920 Service Area has a pressure range from 50 psi to 140 psi, and the 840 Service Area has a pressure range from 65 psi to 90 psi. Higher pressures are experienced in the lower ground elevations in each service area in locations in close proximity to Wilson Creek or the East Fork of the Trinity River and their tributaries. The locations of the existing and proposed pressure planes are shown in the Water Master Plan.
2. The service area elevation designation is related to the high water level of elevated storage tanks.
3. Prior to the design of a water system, the engineer shall investigate and determine if the proposed water main crosses the boundary between any of the pressure planes. For those pressure planes separated by a street, a main shall be provided for each pressure plane on their respective side of the street. Proposed mains that approach pressure zone boundaries shall be designed to loop within their designated pressure planes as shown in the Water Master Plan.

E. Sizing Water Distribution Mains

1. General
 - a. Water mains shall be sized to have maximum velocities of 8 feet per second for Maximum Daily Demands and maximum velocities of 10 feet per second for Combined Maximum Daily Demand and Fire Flow Demands.
 - b. **Table 5-1** provides the water demand for residential land uses and shall apply for any residential development where the lot layout has not been finalized.
 - c. **Table 5-2** provides the water demand for non-residential land uses.

Table 5-1 – Residential Water Demand by Land Use

District	Land Use	Estimated Units Per Acre	Population Per Unit	Maximum Daily Demand (gpad)	Maximum Hourly Demand (gpad)
RED-1	Estate	1.0	3.2	1,600	3,520
RED-2	Estate	0.5	3.2	800	1,760
RS-120	Single Family	2.7	3.2	4,356	9,583
RS-84	Single Family	3.9	3.2	6,223	13,690
RS-72	Single Family	4.5	3.2	7,260	15,972
RS-60	Single Family	5.4	3.2	8,712	19,166
RS-45	Single Family	7.2	3.2	11,616	25,555
RS-30	Duplex	5.4	2.5	6,806	14,974
RG-27	General – Townhome	12.1	2.0	12,100	26,620
RG-25	General	13.1	2.0	13,068	28,750
RG-18	General	24.0	2.0	24,000	52,800
MF-1	Multi-Family Low Density	12.0	2.5	15,000	33,000
MF-2	Multi-Family Medium Density	16.0	2.5	20,000	44,000
MF-3	Multi-Family High Density	20.0	2.0	20,000	44,000
MP	Mobile Home Park	8.0	2.0	8,000	17,600

Table 5-2 – Non-Residential Water Demand by Land Use

Land Use	Max. Daily Demand (gpad)	Max. Hourly Demand (gpad)
Neighborhood Commercial / Office	1,500	3,000
Schools	39 gpcd	52 gpcd
Light Manufacturing*	2,000	3,000
Heavy Manufacturing*	2,500	3,000
Regional Commercial	3,000	3,900
Regional Employment Center*	3,000	4,500
Office Park	6,000	6,000
Parks and Open Space	1,500	1,500
Golf Course**	1,000	1,000
Hospital	720 gpd per bed	864 gpd per bed
Nursing Home	240 gpd per bed	288 gpd per bed
Restaurant	22 gpcd	26 gpcd

* Engineer shall provide the maximum daily demand and maximum hourly demand flows and/or the number and size of water meters proposed for the particular land use for review by the City.

** Engineer shall provide the number and size of water and irrigation meters proposed for the golf course for review by the City.

- d. Land uses not listed shall be classified by the land use they most nearly resemble in Table 5-2 or calculated by the engineer in accordance with the anticipated use. The engineer shall submit the Maximum Daily Demand and the Maximum Hourly Demand to the Director of Engineering for review and approval.
- e. The engineer shall contact the Director of Engineering to obtain the map of existing pressure ranges for the project area during maximum daily demands and/or determine the size of water main required from the current edition of the Water Master Plan. For all developments, re-developments, and any type

of facility tying into the City's water distribution system, the following guidelines shall be used:

- i. The engineer shall obtain the available record drawings (See Section 1). When record drawings are not available, field investigations and verifications shall be required prior to construction.
- ii. The standard water main sizes that shall be used are noted in the Table 5-3.
- iii. Fire flows for all districts shall be calculated with a minimum residual pressure of 20 psi under combined fire and domestic (Maximum Daily Demand) water flow conditions and/or the latest requirement by the TCEQ.
- iv. Mains are to be sized to ensure less than 1 foot of head loss per 1000 feet of water main using a Hazen Williams coefficient of $C = 110$ for the Maximum Hourly Demand flow rates within the subdivision internal distribution system.
- v. Mains shall be sized to provide service to adjacent properties.

Table 5-3 – Standard Water Main Sizes

8 inch	12 inch	16 inch	18 inch
20 inch	24 inch	30 inch	36 inch
42 inch	48 inch	54 inch	60 inch
66 inch	72 inch	----	----

2. Single Family Residential – 12 inch mains shall be required along all collector streets and other areas as determined by the Director of Engineering. Eight inch mains are required along smaller residential streets.
3. Multi-Family Residential – Minimum size main in any multi-family project shall be 8 inches. Mains over 600 feet in length between intersecting mains or mains supplying more than one fire hydrant/fire service line shall be 12 inch diameter unless an 8 inch diameter size has been verified by the City's modeling consultant. The City's consultant will provide the results of the modeling efforts within a brief letter report. The scope for the modeling efforts will be reviewed by the developer and the Director of Engineering for approval prior to performing the modeling efforts. The expense of the modeling efforts and letter report is the responsibility of the developer.
4. Non-Residential – Mains over 1,000 feet in length between intersecting mains or mains supplying more than two fire hydrants/fire service lines shall be 12 inch diameter unless an 8 inch diameter size has been verified by the City's modeling

consultant. The City's consultant will provide the results of the modeling efforts within a brief letter report. The scope for the modeling efforts will be reviewed by the developer and the Director of Engineering for approval prior to performing the modeling efforts. The expense of the modeling efforts and letter report is the responsibility of the developer.

F. Horizontal Alignment and Vertical Alignment

1. The following guidelines shall be used for the placement of water mains:
 - a. Sixteen inch and larger water mains shall be designed in straight alignments if possible. Avoid excessive number of high points and low points between cross street connections.
 - b. Minimum radius of curve and maximum deflection angle of pipe joints will be restricted to 75 percent of manufacturer's recommendation, after which the use of horizontal or vertical bends will be required.
 - c. Restrained joints and concrete thrust blocks shall be provided for each dead end, valve, bend, tee-connection, fire hydrant, reducer, and where changes in pipe diameters or directions occur. The size and shape of concrete thrust blocks shall be specified by the Engineer. The length of restrained-joint piping and details of joint-restraint glands, clamps, friction slabs, or other anchors shall be specified by the Engineer. Restraining mechanisms for PVC pipe and fittings shall be tested and shall meet the requirements of ASTM F1674.
 - d. All bends shall be 45 degrees or less where practical. Two 45 degree bends in a series shall be separated by a distance of five pipe diameters instead of a 90 degree bend.

G. Depth of Cover

1. The minimum depth of cover for water mains are indicated in **Table 5-4**.

Table 5-4 – Depth of Cover to Top of Pipe

Pipe Size	Minimum Depth of Cover
6 inch through 8 inch	4.0 feet
12 inch through 18 inch	5.0 feet
20 inch and larger	6.0 feet

2. The engineer shall consider the ultimate roadway elevations in determining the depth of cover. Additional depth of cover shall be required for future development and as directed by the Director of Engineering. Depths of cover greater than 8 feet shall be approved by the Director of Engineering.

H. Pipe Material

1. The specification of pipe material is the responsibility of the engineer based on the analysis of specific site, soil conditions, loading conditions, and pressure requirements. The guidelines in **Table 5-5** are based on pipe size only and in no way relieve the engineer of the responsibility of pipe material specifications applicable to the particular project and restrictions due to special construction methods.

Table 5-5 – Pipe Materials for Mains

Internal Diameter Pipe Size	Pipe Material
4 inch through 12 inch	<ul style="list-style-type: none"> • PVC, AWWA C900, minimum DR 18 (DR 14 for fire service lines). • Ductile Iron, AWWA C151, working pressure of 150 psi with 100 psi surge pressure, cement mortar lined, polyethylene encased. • HDPE, AWWA C901/C906, DIPS minimum DR 9, ASTM F714.
16 inch through 20 inch	<ul style="list-style-type: none"> • Ductile Iron, AWWA C151, working pressure of 150 psi with 100 psi surge pressure, cement mortar lined, polyethylene encased. • Bar Wrapped Concrete Steel Cylinder, AWWA C303, working pressure of 150 psi with 100 psi surge pressure. • HDPE, AWWA C901/C906, DIPS minimum DR 9, ASTM F714, working pressure of 150 psi with 100 psi surge pressure.
24 inch and larger	<ul style="list-style-type: none"> • Ductile Iron, AWWA C151, working pressure of 150 psi with 100 psi surge pressure, cement mortar lined, polyethylene encased. • Bar Wrapped Concrete Steel Cylinder, AWWA C303, working pressure of 150 psi with 100 psi surge pressure, reinforced concrete cylinder pipe. • Steel, AWWA C200 and C205, working pressure of 150 psi with 100 psi surge pressure, cement mortar lined, polyurethane coating applied to the exterior, polyurethane coating shall utilize plural component polyurethane products.

2. Additional specifications for the pipes referenced in **Table 5-5** are as follows:

- a. Corrosion Protection System

- i. All Bar Wrapped Concrete Cylinder, Ductile Iron, and Steel Pipe will require a Corrosion Protection System (CPS). The CPS must be designed by a NACE certified Professional Engineer with considerable experience in corrosion engineering.

- ii. A detailed corrosion survey shall be conducted along the alignment to identify potential corrosion problems and recommend a corrosion protection system.
 - iii. Based on the corrosion survey, a CPS shall be designed to include a Galvanic Protection System. The CPS shall be submitted for review and approval by the Director of Engineering. The final anode bed and test station locations need to be shown on the plans and record drawings.
 - iv. Dissimilar metals shall be isolated using insulating kits or other means to prevent galvanic corrosion.
- b. Steel Pipe
- i. Design fittings, special, associated joints and all field and shop welds shall have load capacities equal to or greater than those of connecting pipe segments.
 - ii. Design bulkhead, closure, or test plug, as needed for closure of sections and for field hydrostatic testing.
 - iii. Design and locate weld lead outlets as needed.
 - iv. Design and locate flush and sampling ports, as needed, for hydrostatic testing and disinfection.
- c. HDPE Pipe – Formulated with carbon black and/or ultraviolet stabilizer.
- I. Fittings
- 1. All valves and fittings shall be restrained per the Utilities Approved Materials List in the Construction Standards and Specifications Manual.
 - 2. Fittings shall be ductile iron in accordance with AWWA C110 or AWWA C153. All buried metal shall be wrapped in polyethylene tube wrap.
- J. Pipe Embedment
- 1. The type of embedment for water mains less than 16 inch diameter shall be NCTCOG Class "H" embedment extended to 12 inches minimum over the top of pipe.
 - 2. For pipe sizes 16 inches and greater, the embedment class shall be a function of the pipe material selected including dead and live load considerations provided by the engineer. The engineer shall submit calculations on the embedment selected for the particular pipe type.
 - 3. Trench dams may be required by the Director of Engineering depending on the ground water potential, pipe slope and length of sloped line segments.

K. Dead-End Mains

1. Dead-end mains shall be avoided and may only be considered when a looped or interconnected water main system is not available. The design of all water distribution systems should include the opportunity for future looping or interconnect of any approved or proposed dead-end line.
2. All dead-end lines shall only be installed upon approval from the Director of Engineering and at a maximum length of 150 feet.
3. Residential cul-de-sac dead end lines shall be reduced down to 4 inch diameter from the beginning of the cul-de-sac bulb to the last household water service connection. The fire hydrant lead shall be installed prior to the reduction of the main line size.
4. Where dead-end mains are approved, the engineer shall provide an automatic flush valve at the end of the dead-end main.

L. Fire Hydrants

1. Fire Department Connections

- a. At least one fire hydrant shall be within 50 feet of any Fire Department Connection (FDC). The FDC shall face and front a fire lane. Stand-alone FDCs located adjacent to parking lots shall be properly protected.
- b. Fire lines exceeding 100 feet shall be required to install a backflow preventer in a concrete vault near the fire service line connection to the City's recirculating water main.
- c. The Fire Marshal shall approve the construction plans for the vault, fittings, valves, and double detector check and shall issue a separate permit for fire sprinkler systems.

2. Fire Hydrant Spacing

- a. Single Family Residential – Fire hydrants shall be located at all intersecting streets and at intermediate locations between intersections as necessary to provide a maximum spacing of 500 feet between fire hydrants as measured along the route. The route shall be clear of permanent barriers and adjacent private property.
- b. Multi-Family Residential
 - i. Fire hydrants shall be located at all intersecting streets and at intermediate locations between intersections as necessary to provide a maximum spacing of 300 feet as measured along the length of the centerline of the fire lane or roadway. Any structure at grade shall be no further than 500 feet from at least two fire hydrants as measured along the route. The route shall be clear of permanent barriers and adjacent private property.

- ii. At least one fire hydrant shall be within 50 feet of any Fire Department Connection as described in **Section 5.2.L**.
 - iii. Fire hydrants shall be at least 35 feet from all buildings.
- c. Non-Residential
- i. Non-Residential Property – As the property is developed, fire hydrants shall be located at all intersecting streets and at intermediate locations between intersections as necessary to provide a maximum spacing of 300 feet as measured along the length of the centerline of the fire lane or roadway. The front of any building at grade shall be no further than 300 feet from a minimum of two fire hydrants as measured along the route. The route shall be clear of permanent barriers and adjacent private property.
 - ii. Fire Sprinkler System Stubout – The Fire Marshal shall approve the vault, fittings, valves, and double detector check and will issue a separate permit for fire suppression systems.
 - iii. Fire hydrant spacing shall be in accordance with Appendix C of the current edition of the International Fire Code.
 - iv. At least one fire hydrant shall be within 50 feet of any Fire Department Connection as described in **Section 5.2.L**.
 - v. Location of fire hydrants shall be installed outside of the PCs and PTs of curve radii of fire lanes (no fire hydrants shall be located within the radius delta angle between the PC and PT of the curve). Fire hydrants shall be at least 35 feet from all buildings.
 - vi. Where access could be blocked due to a barrier between the fire hydrant and the building which it is intended to serve, additional fire hydrants shall be provided to improve the fire protection.
- d. Spacing along Arterials – Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards. For divided roadways, fire hydrants shall be provided at a spacing not to exceed 1,000 feet for each side of the roadway with a 500 feet spacing on an alternating basis between the fire hydrants.
3. Fire Hydrant Installation
- a. Fire hydrants shall be located a minimum of 3 feet and a maximum of 6 feet from the fire lane or roadway as measured from the centerline of the fire hydrant to back of curb, edge of pavement, or fire lane.
 - b. A 3 feet clear radius shall be maintained for access and operation of the fire hydrant.

- c. Fire hydrants placed on private property shall be located in water easements and adequately protected behind a curb or curb stop, pipe bollards, or other methods as approved by the Director of Engineering and the Fire Department. Curb or curb stop, pipe bollards, or other methods shall be the responsibility of the owner.
 - d. Fire hydrants located on public or private property shall be accessible to the Fire Department at all times.
 - e. Fire Hydrants are not permitted in the bulb of a cul-de-sac due to limited parking area and reduced water main size if a dead-end line.
 - f. Standard fire hydrant barrel shoe depth where ever practical shall be 5 feet. The fire hydrant lead line shall be adjusted to meet the standard fire hydrant depth.
4. Fire Hydrant Leads
- a. Fire hydrant leads shall be a minimum of 6 inches and have a bury depth of 4 feet.
 - b. Valves shall be placed on all fire hydrant leads. The connection to the main line shall include a flanged tee connected to a flange by mechanical joint gate valve. The mechanical joint shall be restrained so that the valve is anchored to the main.
 - c. Eight inch mains shall be connected so as to serve not more than two fire hydrants located between intersecting mains. Every development shall provide adequate water capacity for fire protection purposes. The procedure for determining fire flow requirements for building or portions of buildings shall be in accordance with the current City adopted International Fire Code. The minimum required fire flow shall be 1,500 gpm at 20 psi.
 - d. Fire hydrant leads shall not exceed 100 feet.
 - e. Existing 4 inch mains used for hydrant supply shall be replaced and dead-ends eliminated where practical. Existing 6 inch lines shall be connected so that not more than one fire hydrant shall be between intersecting lines. New fire hydrants shall not be connected to substandard mains.
 - f. For main replacement projects in established neighborhoods, fire hydrants should be designed as close as possible to the old fire hydrant location, provided coverage is adequate. Fire hydrants shall not be installed closer than 9 feet to any wastewater main or any wastewater appurtenance.
5. Specifications – Fire hydrants shall be three-way breakaway type no less than 5-1/4 inch size. Mechanical joint connection is required.
6. Public and Private Fire Mains – Fire flow requirements for buildings shall be in accordance with Appendix C of the current City adopted International Fire Code. Public and private fire protection water mains shall be installed according to the

- k. All valves shall be stationed along water mains including profiles and reference roadway centerline stationing.

2. Air Release, Air/Vacuum, and Combination Air Valves

- a. Air release valves, air/vacuum, and combination air valves shall be required on 16 inch and larger water mains and as necessary for proper system operation. There are three primary functions of the valves that the engineer shall consider as follows:
 - i. To vent large volumes of air during filling of the line;
 - ii. To allow air into the pipe during emptying for maintenance and/or repairs; and,
 - iii. To vent small volumes of air that come out of solution during service.
- b. Typically these are installed at high points where the pipeline has a vertical change in gradient. Additional installation locations may be requested by the Director of Engineering.
- c. A fire hydrant shall be required at high points on 12 inch water mains for air relief and flushing maintenance operations. When a fire hydrant cannot be used, an air release valve may be approved by the Director of Engineering.

3. Flush Valves

A corporation stop shall be a 2 inch minimum ball type with compression inlet fitting with tee head shut off and a compression outlet fitting, designed for a minimum working pressure of 300 psi. The 2 inch curb stop shall be ball type with compression inlet fitting. Pipe shall be 2 inch diameter, DR-9 (250 psi) HDPE poly pipe with PE4710 as specified in ASTM F714.

N. Connections to Existing Water Mains

1. Tapping Sleeves and Valves

- a. Size on size tapping sleeves are not allowed. The largest allowable tapping sleeve shall be the main line size less one standard pipe size (Example: 16 inch x 12 inch, 8 inch x 6 inch, etc.). If a size on size connection is required, then a cut-in connection shall be used.
 - b. Connections to an existing line shall be made with full body stainless steel tapping sleeve and valve. A resilient wedge gate valve shall be flanged to the tapping sleeve.
2. Cut-In Connection – When connecting to an existing main, it may be required to provide a cut-in connection with a tee and valve being installed into the existing main in lieu of a tapping sleeve and valve where there is not an existing main line valve between proposed water connection locations as directed by the Director of Engineering. A test shut down of the existing water main(s) shall be conducted

by the Public Works Department. The requirement for a test shut-down may be waived with approvals of the Director of Engineering and the Water Superintendent.

3. **Four-Way Connections** – The installation of a cross fitting shall not be allowed on mains 16 inches and greater. Four-way connections shall be made via offset tees or a ring connection. Valves shall be provided on all legs of offset tees and ring connections except that a single valve may be placed between the offset tees or within the ring segment. Through legs of tees shall be equal to the largest pipe size. The ring segment shall be equal to or greater than the smaller pipe size. Where pipe size changes occur at a four-way connection, the largest size on each leg shall govern.
4. Blow-off valves shall be required at low points on mains 16 inches or greater in accordance with the City of McKinney Standard Details.
5. **Requirements for Abandoning Water Mains**
 - a. The engineer is to note the limits and appropriate conditions for abandoning existing water mains that are being replaced.
 - b. The engineer shall make allowances to permit the existing and proposed mains to remain in service simultaneously thereby providing a means for transferring customer's services from the old main to the new main with minimum interruption. If the construction of a proposed main necessitates the abandoning of the existing main prior to the new main's placement into service, then provisions for a temporary water main with services must be addressed with the design.
 - c. Abandoned lines to remain in place shall have the interior completely filled with grout. Valves to be abandoned in place shall have any extensions and the valve box removed and shall be capped in concrete.
 - d. Existing fire hydrants and valves located on mains being abandoned are to be removed and delivered to the Public Works Department.
6. **Replacement Lines** – To replace an existing line, the new line should be designed parallel to the line being replaced. The engineer shall perform a field investigation to determine pavement condition over the existing main. Based on this field investigation, the engineer shall include additional quantities for pavement replacement, if needed. Also, locate the proposed main at least 5 feet away from the existing curb to avoid damaging the curb or undercutting the pavement during installation of the proposed line. On lines being abandoned, the engineer should note and locate points of cut and plug at the junction with the line that remains in service.

- O. Flushing and Disinfection – The following information pertains to the current Engineering Department Pre-Construction Agenda.
1. General
 - a. All flushing and disinfection shall comply with AWWA C-651.
 - b. All work shall be coordinated in advance (minimum 72 hours) with the designated construction inspector.
 - c. The contractor is responsible for the cost of all water used in the filling, flushing, and disinfection of the new potable water system.
 - d. The contractor shall submit a Flushing and Disinfection Plan for review prior to beginning any water main installation. This plan shall show all the information needed to commission the public water mains and appurtenances in accordance with all applicable requirements. The Flushing and Disinfection Plan shall indicate how the contractor will ensure appropriate minimum velocities and flows to ensure proper flushing. Special attention should be paid to the larger diameter, long water mains. Alternative methods as identified in AWWA 651 may be more appropriate.
 - e. Sample points shall be provided on each 1,000 feet intervals of new water main, at the end of line, and at each branch on the main line.
 2. Initial Fill – The contractor shall utilize a jumper connection with backflow preventer and temporary meter assembly connected to an existing fire hydrant to fill the new system.
 3. Debris Flush (Segment Flush)
 - a. Segmented Debris Flush – The new water distribution system shall be flushed one segment at a time, using the in-line isolation valves and fire hydrants to ensure a full flow through each hydrant. The contractor shall provide all assistance necessary to operate valves and hydrants under the direction of the construction inspector.
 - b. The contractor may utilize the jumper or the main isolation valve to perform the debris flush. When the jumper is used, the contractor may perform all necessary activities as described below without requesting the assistance of the Public Works Department.
 - c. When the main isolation valve is used, the construction inspector must be given 72 hour notice to coordinate with the Public Works Department valve crew. The Public Works Department valve operator is the only one on-site authorized to operate the isolation valve on the “live” City system.
 - d. When using the jumper system to complete the debris flush, the contractor shall ensure there is an adequate supply to maintain appropriate flush velocities and flows.

- e. When the main isolation valve is used to complete the debris flush, the Public Works Department valve operator will utilize the main in-line valve as long as the new valves and fire hydrants are open to prevent backflow into the water system.
 - f. When using this method, the City valve operator will use a flow rate meter to estimate the amount of water used. The Public Works Department will report these readings to the billing office. The contractor is responsible for the cost of the water used.
4. Disinfection
- a. The contractor shall provide the equipment and material needed for the disinfection process. Chlorine shall be loaded in to all portions of the new water distribution system. Chlorination to include the main lines, fire hydrant leads, and all water services.
 - b. The construction inspector will verify the chlorine residual at the beginning of the process (minimum 100 mg/L).
5. Disinfection Flush
- a. After a minimum of 24 hours, the construction inspector will verify a minimum chlorine residual of 10 mg/L.
 - b. The contractor shall flush the new distribution system and appurtenances to reduce the residual to a maximum of 4 mg/L. This includes all fire hydrants and water services. The contract may utilize the jumper system or the main isolation valve to perform this flush. Any operation of the main isolation valve will require coordination with the Public Works Department valve operator. The contractor is responsible for the cost of all water used. Once the residual has been dissipated, the system is ready for the bacteriological testing. Refer to the City of McKinney Standard Details for temporary water test station information.
 - c. All flush water (potable water and super chlorinated water) shall be diverted to the nearest wastewater manhole by hose including all fittings and appurtenances. A strainer shall be used on the hose discharge into the wastewater manhole. Maintain a minimum 1 foot vertical air gap between end of discharge hose and manhole frame. If a sanitary sewer manhole is not available then the contractor shall provide a dichlorination diffuser at the flush outlet point(s) including all fittings and appurtenances. Detention may be allowed on-site dependent on weather conditions and approval from the Director of Engineering. The detained water cannot be released until the chlorine residual is less than 0.01 ppm (mg/L).
6. Operation – The process delineated above will be reiterated until passing water sample test results are received. Upon receipt of the passing water sample tests, the City construction inspector will work with the Public Works Department to place the new system into operation.

5.3. Wastewater Design Criteria

A. General

1. Design criteria for all wastewater systems shall comply with the current edition of the TCEQ Chapter 217 (Design Criteria for Domestic Wastewater Systems).
2. Wastewater main sizes shall comply with the Wastewater Master Plan.
3. Wastewater mains shall be sized and extended through the limits of a development to serve adjacent properties.
4. Larger lines shall not flow into smaller lines
5. Wastewater systems shall be designed so that all wastewater mains will be gravity flowlines. If the use of a wastewater lift station is approved by the Director of Engineering, it shall be designed in accordance with **Section 5.4**.
6. Connections to substandard mains and manholes shall not be allowed. Substandard mains shall be determined by the Director of Engineering based on criteria including, but not limited to: size, material, condition, flow rate, capacity, etc. Offsite improvements may be necessary to provide adequate wastewater service to the site.

B. Sewer Services

1. General – The sizes and locations of service laterals shall be designated as follows:
 - a. All sewer services shall be extended to a point 10 feet beyond the property line at a maximum depth of 5 feet.
 - b. Cleanouts shall be placed at the ROW/property line for all services.
 - c. The service shall then be extended at a 45 degree angle to 4 feet above the finished grade and capped.
 - d. When the service lateral is extended, the extension will start at the street side of the 45 degree angle and extended to the structure.
2. Single Family Residential
 - a. Service lateral size shall be 4 inch minimum at a 2 percent minimum grade for each lot or unit from the cleanout near ROW/property line to main.
 - b. One service lateral per lot or each unit. Duplexes and/or townhomes shall have two 4 inch service laterals that shall be independently attached to the main.
 - c. Service laterals shall be installed at the center of the lot or duplex unit and shall have a minimum horizontal separation of 10 feet from the water service.

- d. The engineer shall review the finish pad elevations, depth of service lateral lines, slopes from pad to street to verify the sanitary sewer system can serve all properties within the sanitary sewer basin.

3. Multi-Family Residential

- a. Service lateral size shall be 6-inch minimum at a 2 percent minimum grade.
- b. A minimum of 1 service lateral per building shall be required.
- c. Service laterals shall have a minimum horizontal separation of 10 feet from the water service.

4. Non-Residential

- a. A minimum of 1 service lateral per building shall be required.
- b. Service laterals shall have a minimum horizontal separation of 10 feet from the water service.
- c. Local Retail and Commercial – Service lateral size shall be 6 inch minimum at a 2 percent minimum grade.
- d. Manufacturing and Industrial – Service lateral size shall be 8 inch minimum at a 0.76 percent minimum grade.

C. Design Flow

1. All wastewater collection systems shall be designed in accordance with the current Wastewater Master Plan.
2. Where possible, all collection systems will be laid out so that all lines will be gravity flow unless approved by the Director of Engineering.
3. Residential development submittals shall include the total number of units and the total acres for the proposed development. Non-residential development submittals shall include total building square footage, the planned use for the building, and total acres for the proposed development. The projected wastewater flows shall be calculated and shown in MGD in accordance with the Wastewater Master Plan and per TCEQ Chapter 217 (Design Criteria for Domestic Wastewater Systems). A sanitary sewer basin map and sizing analysis shall be provided for sewer mains that serve more than 300 single family units, 400 multi-family units, or an equivalent combination of those uses or other uses.
4. All wastewater collection systems must be designed to convey the peak wet weather flow from the entire service area including offsite areas throughout the system. Basin delineation shall be provided using NCTCOG, LIDAR, or surveyed contours. Contours shall be provided on 2 foot or less intervals. USGS topo is not permissible.

5. Flow calculations must include the specifics of the average dry weather flow and the dry weather flow peaking factor.

D. Sizing Wastewater Collection Mains

1. General

- a. The engineer shall contact the Director of Engineering to obtain contact information for the City consultant maintaining the City's wastewater collection system model and/or determine the size of wastewater main required from the Wastewater Master Plan.
- b. The standard wastewater main sizes that shall be used are noted in the **Table 5-6**.

Table 5-6 – Standard Wastewater Main Sizes

8 inch	10 inch	12 inch
15 inch	18 inch	21 inch
24 inch	27 inch	30 inch
33 inch	36 inch	39 inch
42 inch	48 inch	54 inch
60 inch	---	---

2. Average Daily Flow

- a. **Table 5-7** shall be used to calculate the average daily wastewater flow. The collection system shall be designed based on the peak flow calculations.
- b. For replacement of existing sewer and construction of parallel sewers for additional capacity, wastewater flow data will be provided by the Director of Engineering from data generated by the Wastewater Master Plan computer model developed by the Director of Engineering.
- c. Wastewaters with direct connections to service lines shall be designed to be no more than 70% full and interceptors shall be designed for 100% full.
- d. Proposed parallel wastewater mains adjacent to existing wastewater mains shall be sized to eliminate surcharge in the existing lines.
- e. **Table 5-8** summarizes the non-residential land use demand rates. Land uses not listed shall be classified by the land use they most nearly resemble in **Table 5-8** or calculated by the engineer in accordance with the anticipated

use. The engineer shall submit the average daily demand and peak flow calculations including off-site flows within the drainage basin to the Director of Engineering for review and approval.

Table 5-7 – Residential Wastewater Flows by Land Use

District	Land Use	Estimated Units Per Acre	Population Per Unit	Average Daily Flow at 100 gpcd (gpad)
RED-1	Estate	1.0	3.2	320
RED-2	Estate	0.5	3.2	160
RS-120	Single Family	2.7	3.2	871
RS-84	Single Family	3.9	3.2	1,245
RS-72	Single Family	4.5	3.2	1,452
RS-60	Single Family	5.4	3.2	1,742
RS-45	Single Family	7.2	3.2	2,323
RS-30	Duplex	5.4	2.5	1,361
RG-27	General – Townhome	12.1	2.0	2,420
RG-25	General	13.1	2.0	2,614
RG-18	General	24.0	2.0	4,800
MF-1	Multi-Family Low Density	12.0	2.5	3,000
MF-2	Multi-Family Medium Density	16.0	2.5	4,000
MF-3	Multi-Family High Density	20.0	2.0	4,000
MP	Mobile Home Park	8.0	2.0	1,600

Table 5-8 – Non-Residential Wastewater Flows by Land Use

Land Use	Average Daily Demand (gpad)
Neighborhood Commercial / Office	1,200
Schools	30 gpcd
Light Manufacturing	1,700
Heavy Manufacturing	2,200
Regional Commercial	2,400
Regional Employment Center	2,400
Office Park	4,500
Parks and Open Space	150
Golf Course	100
Hospital	650 gpd per bed
Nursing Home	220 gpd per bed
Restaurant	18 gpcd

3. Peak Flow Factor – Peak flow factors are as follows:

- a. For average daily flow less than 0.05 MGD – Peak Flow Factor = 5.
- b. For average daily flow between 0.05 MGD and 1.0 MGD – Peak Flow Factor = 4.
- c. For average daily flow between 1.0 MGD and 2.0 MGD – Peak Flow Factor = 3.5.
- d. For average daily flow greater than 2.0 MGD – Peak Flow Factor = 3.

E. Inflow and Infiltration – After determining the peak flow amount, the engineer shall add an average daily inflow and infiltration rate of 650 gpad.

- F. Horizontal Alignment and Vertical Alignment – The following guidelines shall be used for the placement of wastewater mains:
1. Horizontal curves will be allowed along centerlines of curved residential streets. Minimum radius of curve and maximum deflection angle of pipe joints will be restricted to 75 percent of manufacturer's recommendation, after which the use of a manhole will be required for a change in alignment.
 2. Vertical curves are not allowed.
 3. For new construction in open space areas, sewer mains shall be laid straight between manholes.
 4. When the locations are known, services for future lots shall be installed.
 5. Alignment should follow the centerline of ROW and/or easements.
 6. No wastewater main shall be placed under pavement on divided arterial roadways.
 7. For main replacement projects, when flow permits, 8 and 10 inch mains should be replaced in the same alignment.
 8. Public wastewater mains shall not be located nearer than 8 feet from any tree. Reference **Section 7** for additional landscape requirements within the ROW.
 9. No wastewater mains shall be located in alleys.
 10. Wastewater mains deeper than 12 feet with service connections will require a second shallower parallel main to convey wastewater to the nearest downstream manhole
 11. The minimum acceptable Manning's "n" value for use in wastewater design shall be 0.013. Pipes shall be placed on such a grade that the velocity complies with current TCEQ's minimum and maximum criteria summarized in **Table 5-9**.

Table 5-9 – Grades for Wastewater Mains

Pipe Diameter (inches)	Minimum Slope* (percent)	Maximum Slope* (percent)
8	0.76	8.40
10	0.56	6.23
12	0.44	4.88
15	0.33	3.62
18	0.26	2.83
21	0.21	2.30
24	0.17	1.93
27	0.15	1.65
30	0.13	1.43
33	0.11	1.26
36	0.10	1.12
39	0.09	1.01
>39	**	**

* Minimum and maximum slopes provided in Table 5-9 comply with TCEQ Chapter 217.53 (Pipe Design) dated December 4, 2015. The current edition shall be used.

** For pipes larger than 39 inch diameter, the slope can be determined by Manning's formula to maintain a flow velocity greater than 2.0 feet per second and less than 10.0 feet per second when the pipe is flowing full. Manning's formula is as follows:

$$V = \frac{1.486}{n} (R)^{2/3} (S)^{1/2}$$

Where:

- V = flow velocity (feet per second)
- n = Manning's roughness coefficient (dimensionless)
- R = hydraulic radius, which is the area of the flow divided by the wetted perimeter ($R = A/P$) (feet)
- A = flow area (square feet)
- P = wetted perimeter (feet)
- S = pipe slope (feet per foot)

G. Depth of Cover

1. The depth for the design of sewer mains shall be determined by providing a 2 percent grade for the service lateral from the center of the house or building to the center of the proposed main and including an additional 2 foot drop from the finish floor elevation.
2. When establishing depth for proposed wastewater mains, engineer shall evaluate proposed street grades and anticipate the size of proposed storm sewers in unimproved areas. Future storm sewers should be at least 3 feet below the top of pavement. The proposed wastewater main shall be at least 2 feet below the bottom of the future storm sewer. Minimum cover shall be 4 feet. Any main with less than minimum cover shall be encased in Class "G" embedment and is subject to approval by the Director of Engineering. Refer to **Section 5.1.F.4** for additional requirements for shallow cover at creek crossings.
3. The service lateral within the ROW must have at least 3 feet of cover at its shallowest point. The engineer is responsible for insuring that sufficient depth and grade is maintained to serve all proposed and future building sites in the sewer shed.
4. The engineer shall consider the ultimate roadway elevations in determining the depth of cover. Additional depth of cover shall be required for future development and as directed by the Director of Engineering.
5. Depth of cover greater than 20 feet must be approved by the Director of Engineering.

H. Manhole Locations and Manhole Sizes

1. Manholes shall be designed based on the following requirements and in the following locations:
 - a. A manhole shall not be located in the flow path of a watercourse, or in an area where ponding of surface water is probable. Additional manholes may be required as determined by the Director of Engineering.
 - b. At each end of lines that are installed for aerial crossings and siphons.
 - c. At the location of service lateral connections that are 6 inch diameter or greater.
 - d. Spacing shall be limited to 500 feet. TCEQ mains with horizontal curvature shall have a maximum spacing of 300 feet per TAC Title 30, Part 1, Chapter 217, Subchapter C, Rule 217.53.
 - e. At all locations where diameter of the pipe changes.
 - f. At all locations where pipe material changes.

- g. At all locations where the horizontal or vertical alignment of the sewer main changes.
- h. At the beginning and end of horizontal curves.
- i. At the end of a wastewater collection system pipe that may be extended in the future. Provide pipe stub outs with plugs for future connections.
- j. Spacing between a manhole and an upstream cleanout shall be limited to 300 feet.
- k. Manholes in pavement shall be bolted and gasketed.
- l. Manhole testing shall be in accordance with ASTM 1244.
- m. Existing brick manholes shall be replaced.

2. Floodplains

Watertight sealed manholes (Type S) with chimney seals shall be used to prevent the entrance of stormwater when manholes are placed within the limits of the fully developed 100-year floodplain. Where more than three manholes in sequence are to be bolted and gasketed, every third manhole shall be vented 2 feet above the fully developed 100-year floodplain elevation or 6 feet above the adjacent ground line, whichever is higher. The engineer shall obtain and provide the elevation of the fully developed 100-year floodplain. Sealed manholes shall also be used in all areas subject to carrying drainage flow or in drainage ways. Refer to **Section 4** of this manual for methodologies to determine the limits of the fully development 100-year floodplain.

3. Manhole Lids and Rims

Reference the City of McKinney Standard Details for additional requirements for standard lids, bolted and gasketed lids, and hinged lids.

4. Manhole Sizes

- a. Manholes to be constructed on existing or proposed sewer lines shall be sized as shown in **Table 5-10**.
- b. Manholes deeper than 15 feet shall be a minimum of 5 foot diameter and require structural design. Manholes deeper than 20 feet require approval from the Director of Engineering. Manhole diameter may increase due to pipe geometry, excessive depths, and multiple pipes connected to the manhole. Special manholes shall be designed for mains larger than 36-inch diameter pipe and for mains greater than 15 feet deep. 18-inch minimum measured outside diameter to outside diameter of pipe along the outside surface of the wastewater manhole shall be maintained between pipes to manhole connections. If the 18-inch separation cannot be achieved a larger diameter manhole shall be selected to meet these requirements.

- c. Where pipes enter a manhole there shall be a minimum of 0.10 foot of drop between flowlines. Where unequal size pipes enter a manhole, crown of pipes shall match elevations.
- d. Within the manhole the inverts shall be sloped to maintain a smooth transition through the manhole connecting all inlets and outlets.

Table 5-10 – Manhole Diameter Requirements

Pipe Diameter	Manhole Minimum Diameter
8 inch through 12 inch	4.0 feet
15 inch through 27 inch	5.0 feet
30 inch through 36 inch	6.0 feet

- 5. Drop Manholes – Drop manholes shall be required when the inflow elevation is more than 24 inches above the outflow elevation. New drop manholes shall be constructed with inside drops with a 6 foot minimum diameter. Depending on the depth of the drop manhole and inside clearances between drop bowl apparatus and the manhole, the Director of Engineering may increase the minimum diameter above 6 feet. Drop manholes shall increase in diameter as necessary to accommodate the pipe for an internal drop connection as necessary to provide 48 inches of clear space for construction and maintenance operations. Within the manhole the inverts shall be sloped to maintain a smooth transition through the manhole connecting all inlets and outlets. Outside drop connections will not be allowed.
- 6. Corrosion Protection for Manholes
 - a. Apply non-structural polyurethane coating material to all exposed new interior surfaces in sanitary sewer manholes and wet wells. Apply a structural polyurethane coating material to all exposed interior surfaces in existing/rehabbed sanitary sewer manholes and wet wells. Surface preparation and protective coating material (PCM) shall follow manufacturer's recommendations.
 - b. Approved corrosion protection shall be provided for:
 - i. All wastewater manholes for 18 inch and greater line sizes.
 - ii. First wastewater manhole on line connecting to 15 inch or greater line.
 - iii. Force main transition manholes.
 - iv. All drop manholes.

I. Pipe Material

1. The specification of pipe material is the responsibility of the engineer based on the analysis of specific site, soil conditions, loading conditions, and pressure requirements. The following guidelines are based on pipe size only and in no way relieve the engineer of the responsibility of pipe material specifications applicable to the particular project and restrictions due to special construction methods.
2. Allowable pipe materials for gravity mains are shown in **Table 5-11**.

Table 5-11 – Pipe Materials for Gravity Mains

Internal Diameter Pipe Size	Pipe Material*
4 inch through 15 inch	<ul style="list-style-type: none"> • Green PVC, AWWA C900, minimum DR 18. • Green PVC, SDR 26 or 35 (ASTM D3034). • Ductile Iron, AWWA C151 Pressure Class 350, internal ceramic liner and green polyethylene encased. Ceramic liner to be manufactured by Protecto 401 or approved equal. • For water and wastewater separation deficiencies – PVC Pressure Pipe Class 160 SDR 35 (ASTM D2241) or Ductile Iron AWWA C151 Pressure Class 350, internal ceramic liner and green polyethylene encased. Ceramic liner to be manufactured by Protecto 401 or approved equal.
18 inch and larger	<ul style="list-style-type: none"> • Solid Wall Green PVC, ASTM F679. • Fiberglass Reinforced Pipe (FRP) is acceptable for 24 inch diameter and larger lines. FRP with recommended Structural Number (SN) and Pressure Class Number (PN) manufactured by Hobas, Ameron, or Flowtite. Documentation shall be provided by the manufacturer indicating a minimum of 2 years of successful production of FRP in the U.S. • For water and wastewater separation deficiencies (18 inches) – Green PVC Pressure Pipe Class 160 SDR 35 (ASTM D2241) or Ductile Iron AWWA C151 Pressure Class 350 (internal ceramic liner and green polyethylene encased). Ceramic liner to be manufactured by Protecto 401 or approved equal. • For water and wastewater TCEQ separation deficiencies (larger than 18 inches) – FRP with recommended Structural Number (SN) and Pressure Class Number (PN) (150 psi minimum). manufactured by Hobas, Ameron, or Flowtite. Documentation shall be provided by the manufacturer indicating a minimum of 2 years of successful production of FRP in the U.S.
30 inch and larger	<ul style="list-style-type: none"> • Solid Wall Green PVC, ASTM F679. • FRP with recommended Structural Number (SN) and Pressure Class Number (PN) manufactured by Hobas, Ameron, or Flowtite. Documentation shall be provided by the manufacturer indicating a minimum of 2 years of successful production of FRP in the U.S.

*Note: For piping that does not have the green material for wastewater applications, the pipe shall be spiral wrapped with appropriate detectable or non-detectable caution tape. The spiral wrapping shall be on 2 feet centers measured along the pipe.

3. For trench depths greater than 12 feet or other dead and/or live loading considerations, the engineer shall provide a pipe with the appropriate SDR rating which shall meet or exceed SDR 26 pipe specifications. The Director of Engineering may issue written approval for use of Ductile Iron AWWA C151

Pressure Class 350 (internal ceramic liner and polyethylene encased). Ceramic liner to be manufactured by Protecto 401 or approved equal.

4. Additional specifications for the above referenced pipes are as follows:
 - a. Ductile Iron Pipe – All buried metal shall be wrapped per AWWA C105/A21.5 ASTM 674 polyethylene tube wrap.
 - b. Different pipe materials are not allowed between manholes.
 - c. The material used for the wastewater shall be designed for a minimum structural life cycle of 50 years. If the pipe material will deteriorate when subjected to corrosive conditions, the engineer shall provide for an acceptable corrosion resistant liner or provide calculation and data that demonstrates that the design and operational characteristics will provide for the minimum life cycle.
 - d. All gravity sewer pipes shall be green in color. PVC fittings may be either green or white in color.
 - e. All pipes with encasings shall be restrained joint pipes for all applications.

J. Pipe Embedment

1. The type of embedment and backfill for sewer mains shall in accordance with the City of McKinney Standard Details.
2. Trench Dams may be required by the Director of Engineering depending on the ground water potential, pipe slope and length of sloped line segments.

K. Cleanouts

1. Residential cleanouts located on service laterals shall be 4-inch diameter and located on the property line/ROW line.
2. Cleanouts on residential sewer services are to be located and installed as per approved drawings, building code requirements, and City of McKinney Standard Details.
3. A clean-out with watertight plugs may be installed in lieu of a manhole at the end of a wastewater collection system pipe if no extensions are anticipated, if the cleanout is 300 feet or less from the downstream manhole. Cleanout installations must pass all applicable testing requirements outlined for gravity collection pipes in TCEQ Chapter 217.57 (Testing Requirements for Installation of Gravity Collection System Pipes).
4. Cleanouts may be used on main lines within single family development at the end of lines only.
5. Cleanouts shall not be used on City maintained collection systems for multifamily, commercial and industrial development.

6. Cleanouts shall be provided on service laterals with locator pad and tape to surface at the property line.
- L. Connections to Existing Wastewater Mains – When connecting a 6 inch or larger new line to an existing wastewater main the engineer shall provide a new manhole at the point of connection. Prior to breaking into the existing line the new manhole and upstream pipe segment shall pass inspection by the Director of Engineering.
- M. Abandonment of Wastewater Mains
 1. The engineer shall specify on the plans the limits and appropriate conditions for abandoning existing wastewater mains that are to be replaced by the construction of proposed wastewater mains.
 2. The engineer shall ensure that the service laterals tying into the existing sewer line to be abandoned are transferred to the new main so a live sewer main is not abandoned. If a manhole on the sewer main being abandoned is to remain in service because other sewer mains are entering this manhole, then the sewer main to be abandoned shall be plugged inside the manhole. A note on the plans showing which sewer main is to be plugged inside the manhole is required.
 3. Abandonment of wastewater mains shall be in accordance with the City of McKinney Standard Details. All abandoned wastewater and force main lines shall be cut and plugged and all void spaces within the abandoned line shall be filled with grout, flowable fill or an expandable permanent foam product in accordance with the Utilities Approved Materials List in the Construction Standards and Specifications Manual.
 4. Abandonment of all utilities within TxDOT ROW shall comply with TxDOT standards.

5.4. Wastewater Lift Station Design Criteria

A. General

1. Lift stations shall be designed as permanent installations. Lift stations shall be designed to exceed the minimum requirement established in TCEQ Chapter 217.59 (Lift Station Site Requirements) and the requirements of this section. Lift stations will only be allowed after all other alternatives for transporting wastewater flows have been investigated and the lift station is found to be the best alternative for the service area. The Director of Engineering reserves the right to review each proposal and determine whether there is enough merit to justify a lift station.
2. A preliminary design submittal will be required for each proposed lift station. The submittal shall include a typed report, plans, and a basin map prepared by a registered professional engineer in accordance with the Plan Review Development Checklist in **Appendix B**.

B. Site Selection and Requirements

1. **Site Selection** – The following are the minimum criteria that shall be met for a lift station site.
 - a. The station should be located as remotely as possible from populated areas. The lift station site shall not be located within 150 feet of an existing or proposed residential dwelling and 100 feet from a residential lot.
 - b. The station site and its access shall be dedicated to the City as a wastewater easement. The fencing set back shall be 20 feet from the easement line to allow for a landscape and drainage buffer.
 - c. The station site shall be located so it may serve as much of the entire sewer drainage basin as possible. This may require that the station be located off-site of the development. When a station serves a larger area than the proposed development, the developer may enter into a pro-rata agreement with the City to be reimbursed the cost of excess capacity as other developments connect to the system.
2. **Site Access**
 - a. Access will be provided by a concrete surface from a public street and/or dedicated access easement. Concrete shall be a minimum 6 inches thick, 4,000 psi reinforced concrete pavement with a minimum of 15 feet in width and 20 feet in length to allow maintenance vehicles to park fully outside of the City ROW designed in accordance with **Section 2**.
 - b. Access drives shall be "T" shaped with applicable turning radii when located on existing and future thoroughfares and all other locations when pulling out becomes a safety hazard. The alignment of the drive shall allow maintenance vehicles the ability to back up straight to the wet well.
 - c. The station shall be accessible during the fully developed 100-year flood and FEMA 100-year flood. The elevation of the site shall be a minimum of 2 feet above both the fully developed 100-year floodplain and the FEMA 100-year floodplain in accordance with **Section 4**.
3. **Site Security**
 - a. At a minimum, security of the lift station site shall be provided by an intruder-resistant fence (IRF) to restrict access by an unauthorized person(s). The IRF shall be placed around the perimeter of the site encompassing all interior structures and apparatuses and shall maintain a 3 foot clearance from all lift station components.
 - b. The IRF shall consist of a minimum 8 foot high solid screening device that complies with Section 146-132 of the Zoning Ordinance. If landscaping is provided in accordance with the tubular steel or wrought iron screening device option, the landscaping and irrigation system shall be owned and

maintained by the property owner. A minimum 16 foot wide slide gate consisting of tubular steel or wrought iron shall be provided for access.

4. Site Interior

- a. Interior shall be a minimum 6 inches thick reinforced concrete pavement designed in accordance with **Section 2**. Site shall be graded to drain away from the station to prevent storm water inflow or infiltration into the wet well. The wet well top elevation shall be a minimum of 6 inches higher than interior concrete to provide wheel stop for maintenance vehicles.
- b. Control panel shall have a 3 foot minimum clear working area away from face of cabinet. Electrical and Instrumentation Panels shall be located where they do not obstruct vehicle access to the wet well or the dry well. They shall be placed at an elevation so that they are easily accessible.
- c. A 15 foot high halogen area light with photometric cell on an aluminum pole shall be placed within 10 feet of wet well and control panel without obstructing daily operations.
- d. Hoisting equipment shall be provided when the ultimate sized pump weight exceeds 2,500 lbs. Hoisting equipment shall be electric and capable of lifting selected pumps onto a 54 inch high truck bed or trailer with minimal manual assistance.
- e. Provide a 1 inch potable freeze-proof water service with a 1 inch angle stop and double check valve shall be installed in an appropriately sized meter box.

C. Wet Well and Valve Vault Design

1. Wet Well Design – Wet well shall be cast in place or pre-cast watertight and gas tight walls with watertight joint meeting ASTM C478-90. Steel, HDPE and RCP are not acceptable materials. The tops may be pre-cast with the hatches built in. All wall penetrations through the wet well wall shall be gas tight. The wet well shall be hydrostatically tested to the top of the wet well for 48 hours prior to putting the lift station into service. Only losses due to evaporation will be tolerated. Additional design requirements are as follows:
 - a. Orientation
 - i. Orientation shall consider the routing of incoming sewer and force main for ease of maintenance and to minimize effluent turbulence.
 - ii. Orientation shall allow a 5 ton vehicle to pull in forwards or backwards directly to the wet well or the dry well.
 - iii. All influent gravity mains discharging into the wet well shall be located so that the invert/flowline is above the “on” setting liquid level of the pumps.

- b. Level Sensors
 - i. Liquid level sensors shall be ENM-10 level regulators switch or approved equal. Sensors shall be provided for "All Pumps Off," "Lead Pump On," "Lag Pump On," and "High Level Alarm" levels as well as additional "Lag-Lag Pump On" for lift stations with more than two pumps.
 - ii. Level Sensors shall be placed in a stilling well.
- c. Wet Well and Valve Vault Separation – Wet wells and valve vaults shall be a common slab separated by expansion joint. The wet well and valve vaults shall have separate entrances.
- d. Liner and Coatings
 - i. Wet wells shall have a minimum of 10 percent sloped bottoms to the pump intakes and shall have a smooth finish to avoid excess sludge deposits.
 - ii. Apply polyurethane coating material to all exposed concrete and grouted surfaces. Surface preparation and PCM application shall follow manufacturer's recommendations.
- e. Hatches – The wet well shall have a lockable odor suppressing aluminum door with an aluminum frame and safety grate. The minimum opening size shall be 4 feet x 6 feet with 2 doors large enough to adequately maintain the wet well. Door and frame shall be in accordance with the Utilities Approved Materials List in the Construction Standards and Specifications Manual.
- f. Ventilation
 - i. The design of a wet well must reduce odor potential in a populated area or as directed by the Director of Engineering.
 - ii. Passive ventilation structures shall be provided and must include screening to prevent the entry of birds and insects to the wet well. An air vent pipe shall have a minimum diameter of 4 inches with outlet located 1 foot above wet well top.
 - iii. Continuous mechanical ventilation structures shall be provided with ventilation equipment providing a minimum capacity of 12 air exchanges per hour and be constructed of corrosion resistant material.
- g. Cable Strain Relief – A stainless steel cable holder shall be provided for all cables in the wet well for cable strain relief purposes.

2. Wet Well Volume

- a. Wet well volume for a submersible pump station is the volume contained above the top of the motor, or as specified by the pump manufacturer.
- b. High level alarm elevation shall be a minimum of 60 inches below the top of the wet well or 48 inches below the flowline elevation of the lowest service tap, whichever elevation is lower.
 - i. Alarm shall be sent when both pumps are running on a duplex station or when the level is 6 inches to 12 inches over all pumps running. The Director of Engineering shall approve all situations and levels that need to trigger an alarm.
 - ii. Wet well volume shall be calculated by the following method:

$$V = \frac{TQ}{4(7.48)}$$

Where:

- V = active volume (cubic feet)
- Q = pump capacity (gallons per minute)
- T = cycle times (minutes)
- 7.48 = conversion factor (gallons per cubic foot)

- c. Pump cycle time, based on Peak Flow, must equal or exceed the criteria shown in Table 5-12.

Table 5-12 – Minimum Pump Cycle Time

Pump Horsepower	Minimum Cycle Times
< 50	6 minutes
50-100	10 minutes
> 100	15 minutes

- d. The operation cycle "T" shall not be less than 10 minutes for Average flow and not more than 60 minutes for minimum flow conditions. The operation cycle time must exceed the manufacturer's requirements.

3. Valve Vault

- a. Valve vaults shall have sloped bottoms towards a floor drain to remove liquid build up. The floor drain line from the valve vault connecting to the wet well must prevent gas and liquids from entering valve vault.

- b. The valve vault shall have a lockable aluminum door with an aluminum frame. The minimum opening size shall be 2 feet x 3 feet or large enough to adequately maintain the valve vault. Door and frame shall be in accordance with the Utilities Approved Materials List in the Construction Standards and Specifications Manual.

D. Pumps, Lift Station Piping, and Valves

1. Pumps

- a. Stations shall contain a minimum of two pumps and shall be capable of handling peak flows with one pump out of service.
- b. All pumps shall be explosion proof, non-clog, submersible type capable of passing a 2-1/2 inch diameter sphere or greater. Vortex impellers shall be used to prevent clogging.
- c. Pumps shall be sized to operate at optimum efficiency. Minimum acceptable efficiency at the operating point will be 60 percent. The minimum required horsepower for the motor must be capable of handling the entire range as shown in the pump curve. Where necessary, a higher horsepower pump will be required to prevent any damage to the motor as a result of loss of hydraulic head situation.
- d. All submersible pumps shall be equipped with an automatic flush valve attached to the pump volute using the hydraulic energy created by the pump operation to temporarily suspend settled materials.
- e. The pump rail system shall be MTM Sch 40 stainless steel with supports on 8 feet maximum spacing.

2. Pump Capacity

- a. The firm pumping capacity shall be greater than the peak flow for the entire drainage basin. If the drainage basin is significantly larger than the proposed development and it is not feasible to design for this flow, the firm capacity may be designed to handle a portion of the basin with the ability to expand for the ultimate basin capacity with approval from the Director of Engineering.
- b. The pump curves shall be selected so that during normal operating conditions the pumps will run near the best efficiency point. The curves shall not approach shut off head when the pumps are running together.
- c. System head curves, pump curves, and head calculations shall be submitted. Calculations and pump curves at both minimum (all pumps off) and maximum (last normal operating pump on) static heads, and for a C value of both 100 and 140 must be provided for each pump and for the combination of pumps with modified pump curves. Head calculations shall be the sum of static head, friction head in force main and lift station piping, and a fittings head.

- d. Flow calculations, system curves, and head calculations shall be shown in the construction drawings as well as in a final design report. Final design report shall include all of the preliminary design submittal requirements with the exception of the replacement of final design information.
3. Lift Station Piping
- a. Piping inside the lift station shall be ductile iron meeting AWWA C151. All fittings shall be ductile iron meeting AWWA C110 or C151. Interior of the pipe and fittings shall be lined with American Polybond Plus, which consists of a primer layer of 5 mils thick fusion bonded epoxy and 55 mils thick of modified DuPont Fusabond Polyethylene, or approved equal.
 - b. All nut and bolt assemblies inside the wet well shall be ASTM 316 stainless steel unless otherwise specified.
 - c. Lift station piping shall be designed with an additional emergency by-pass pump connection, allowing the station to be operated with the primary pump(s) out of service for an extended period of time.
4. Valves – Isolation valves, check valves, and air release/vacuum valves shall be located in the valve vault.
- a. Isolation Valves – Each pump shall have one isolation valve downstream of the pump and check valve, including a discharge pressure gauge between the pump and isolation valve. Isolation valves shall be plug valves meeting the City Standard Specifications. The discharge pressure gauge shall be a minimum of 4 inch diameter within the appropriate pressure ranges for the design.
 - b. Check Valves
 - i. Check valves shall be a controlled closing swing check valve with a lever arm or a ball check. There must be at least 15 feet of vertical head downstream in order to use a ball check valve.
 - ii. Check valves shall be located upstream of the isolation valve.
 - iii. All external nuts and bolts shall be ASTM 316 stainless steel.
 - c. Air Release/Vacuum Valves
 - i. Air release valves of a type suitable for wastewater service shall be installed along the force main where the force main would be prone to trapped air.
 - ii. The type of valve shall be air release or a combination of air release and vacuum breaker. Valves shall be fitted with blow off valves, quick disconnect coupling and hose to permit back flushing after installation without dismantling the valve.

- iii. The engineer shall determine the valve type and location. The calculations for valve type and valve sizing shall be provided to the Director of Engineering.
- iv. Isolation valves for 3 inch and smaller air release valves shall be all bronze or brass. Isolation valves 4 inch and larger shall meet McKinney standard specification for resilient wedge gate valve.
- v. Locations of the air release/vacuum valves shall be shown on the plan and profile sheets for the force main.

E. Force Main

1. General

- a. Force main capacity shall be sized to meet the pump capacity. The force main may be designed to handle a portion of the basin with the ability to expand for the ultimate basin capacity with the approval from the Director of Engineering. The minimum force main size shall be 4 inch diameter except for grinder pump lift stations. The minimum recommended velocity is 3 feet per second, and the velocity shall not be less than 2.5 feet per second when only the smallest pump is in operation.
- b. Force main sewer pipe shall be designed to meet the working pressure requirements of the particular application. Design calculations and pipe selection shall be submitted to the Director of Engineering.
- c. The force main must terminate below a manhole invert with the top of the pipe matching the water level in the manhole at design flow.
- d. A force main must be designed to abate any anticipated odor.
- e. Allowable pipe materials for force mains are shown in **Table 5-13**.

Table 5-13 – Materials for Force Mains

Internal Diameter Pipe Size	Pipe Material*
4 inch through 12 inch	<ul style="list-style-type: none"> • Green PVC, AWWA C900, minimum DR 18, minimum working pressure of 200 psi. • Ductile Iron, AWWA C151 Pressure Class 350 (Lining shall be American Polybond Plus, which consists of a primer layer of 5 mils thick fusion bonded epoxy and 55 mils thick of modified DuPont Fusabond Polyethylene, or approved equal and the exterior shall be green polyethylene encased).
12 inch and larger	<ul style="list-style-type: none"> • Green PVC, AWWA C905, minimum DR 18, 235 psi pressure class. • Ductile Iron, AWWA C151 Pressure Class 350 (Lining shall be American Polybond Plus, which consists of a primer layer of 5 mils thick fusion bonded epoxy and 55 mils thick of modified DuPont Fusabond Polyethylene or approved equal, and the exterior shall be green polyethylene encased).

*Note: For piping that does not have the green material for wastewater applications, the pipe shall be spiral wrapped with appropriate detectable or non-detectable caution tape. The spiral wrapping shall be on 2 feet centers measured along the pipe.

- f. For trench depths greater than 12 feet or other dead and/or live loading considerations, the engineer shall provide a pipe with the appropriate DR rating which shall exceed the minimum requirements.
- g. All fittings shall be wrapped ductile iron in accordance with AWWA C110 or AWWA C153.
- h. All valves and fittings shall be restrained with Mega-lug or approved equal. Joint material for PVC shall conform to ASTM F471.
- i. Plans shall include plan and profile for the force main.
- j. Force main shall have a minimum of 4 feet of cover and be laid to standard specifications for potable waterline.
- k. Force main separation and design criteria from water mains and all other utility lines shall meet the minimum requirements from TCEQ Chapter 217 (Design Criteria for Sewerage Systems) and Chapter 290 (Rules and Regulations for Public Water Systems).
- l. All force main contractors shall furnish and install non-metallic pipe detector tape. The detector tape must be located above and parallel to the force main

and bear the label "PRESSURIZED WASTEWATER" continuously repeated in at least 1-1/2 inch letters.

2. Embedment

- a. The type of embedment for force mains less than 24 inches shall in accordance with the City of McKinney Standard Details.
- b. Pipe sizes 24 inches and greater the embedment class shall be a function of the pipe material selected including dead and live load considerations provided by the engineer. The engineer shall submit calculations on the embedment selected for the pipe type.

F. Electrical Requirements for New Lift Stations

1. Code Information

- a. The engineer shall consult with the Building Inspections Department for the latest NEC code requirements.
- b. Allow a minimum of 3 feet in front of all enclosures to wet well openings for workmen standing space. Observe NEC Article 110 rules for working clearances around the electrical panels.

2. Electrical Supply

- a. Electrical services to be 240 volt 3 phase or 480 volt 3 phase.
- b. Where a single-phase power transformer is required, install a minimum 3 KVA transformer, fused on both the primary and secondary side.
- c. Install a power phase monitor capable of protecting against phase loss, phase reversal, low voltage, and high voltage.
- d. Power phase monitor shall have 2 sets of control or alarm contacts. One set used to disable the pump control circuit. The second set used to alarm the RTU of a power failure.
- e. Install current transformer between the service disconnect and the rest of the electrical equipment to provide a means to monitor the complete station load. Terminate secondary leads on a terminal strip for connection to a future power usage monitor.
- f. Install potential transformer to provide a 120 volt secondary voltage on all 3 phases. Terminate the secondary leads on a terminal strip for connection to a future power usage monitor.
- g. All electrical power circuits to be protected by circuit breakers (versus fuses) where applicable. As a guide for single-phase circuits use: RTU 15 amp, flow meter/record 15 amp, pump control circuit 15 amp, convenience outlet/flood light 20 amp.

3. Pumps

- a. Thermal protection and moisture sending devices in submersible pumps are to be wired to disable pumps and/or control circuits.
- b. Hand position on H-O-A switch shall be provided and will be capable of operating pump in the event of a complete failure of the level controller.
- c. The required remote start/stop capability is to be provided by using RTU control module. Install interface relay between RTU contacts pump control circuit. RTU contact operating may be momentary action only.
- d. Motor starters shall have a normally open auxiliary contact to be used for a pump run contact connected to the RTU.
- e. Where submersible pump cords are to be installed in conduits, separate dedicated conduits for each pump shall be sized and installed to facilitate removal and re-installation of the pump(s) and pump cord(s).

4. Level

- a. Liquid level sensors shall be ENM-10 level regulators switch or approved equal. Sensors shall be provided for "All Pumps Off," "Lead Pump On," "Lag Pump On," and "High Level Alarm" levels as well as additional "Lag-Lag Pump On" for lift stations with more than 2 pumps.
- b. Mercury float switch is to be installed and wired as a low level emergency shut off in the event of a continuous pump run due to a level controller failure, pump control switch left in hand position, etc.
- c. Provide a separate dedicated conduit, sized for the float control cables.

5. Site

- a. Install a weatherproof 20 amp rated 120 volt convenience receptacle outside of the electrical control panel wired to a 20 amp circuit breaker.
- b. A switch-operated floodlight shall be installed to illuminate control panel area at night.

6. Generator – Install a manual transfer switch between electrical service and electrical equipment along with an emergency generator receptacle (Appleton# ADJA 1033-150).

7. Controls

- a. All control relays are to be octal 8 pin or 11 pin plug-in type where feasible.
- b. Three laminated control drawings are to be provided.

- c. All conduit between wet well and control panel shall be sealed airtight to prevent wet well gases from entering control panel.
 - d. Enclosures shall be mounted on an appropriately sized mounting structure. Mounting structure shall be constructed of 6 inches x 2 inches x 0.25 inches hot dip galvanized steel channel stock. Intersections shall be bolted, not welded with stainless steel fasteners. Aluminum or epoxy coated steel unistrut may be attached to the mounting structure to facilitate placement of enclosures. The legs of the mounting structure shall be set at 24 inch minimum below grade and be encased in concrete.
8. Monitoring – A spare conduit shall be installed between the pump control panel and the RTU enclosure for power usage monitor wiring (1 inch minimum).
9. Supervisory Control and Data Acquisition (SCADA) – Modifications to the City's existing SCADA system will be required with the addition of any new lift station. Contractor shall supply SCADA equipment per City standards.
- G. Emergency Provisions for Lift Stations – Minimum emergency provisions shall comply with TCEQ Chapter 217.63 (Emergency Provisions for Lift Stations).

5.5. Water and Wastewater Treatment Plant Design Criteria

- A. Water and wastewater treatment for the City and its CCN is provided by the North Texas Municipal Water District. Water and wastewater treatment facilities other than those constructed and maintained by North Texas Municipal Water District are not authorized within the Certificate of Convenience and Necessity (CCN) boundaries of the City of McKinney other than an on-site septic system that serves one residential unit meeting all city, county and state regulations.
- B. If a water and/or wastewater treatment facility (not constructed and operated by North Texas Municipal Water District) is authorized, then the design, materials, coatings, and equipment used in the construction and operation shall meet the highest quality of standards for the industry. All design, construction, operation, maintenance, and reporting shall meet or exceed, but not limited to, the standards set forth by Texas Commission on Environmental Quality (TCEQ) rules: Chapter 217 – Design Criteria for Domestic Wastewater Systems and Chapter 290 - Public Drinking Water, American Society for Testing and Material (ASTM) Standards, American Concrete Institute (ACI) Standards, National Science Foundation Standards, and American Water Works Association (AWWA) Standards.

SECTION 6 STRUCTURAL DESIGN REQUIREMENTS

6.1. General

A. Responsibility

1. The Engineer of Record (engineer) shall bear the sole responsibility for meeting the engineering standard of care for all aspects of the design and providing a design that's required by the site-specific conditions and intended use of the facilities.
2. The structural design must be signed and sealed by an engineer competent in structural engineering licensed in the State of Texas. The engineer is responsible for all engineering and recognizes that specific site circumstances or conditions may require improvements that exceed minimum standards contained in the City's Engineering Design Manual. The engineer is responsible for evaluating and applying appropriate standards and specifications.
3. The engineer shall rely on the geotechnical investigation recommendations as minimum design criteria. If in the engineer's judgment, the structural design needs to be based upon more conservative geotechnical design criteria, the engineer shall provide the more conservative design.

B. Structures – For the purpose of this section of the Engineering Design Manual, structures shall include the following items, but not be limited to: bridges, foundations, retaining walls, screening walls, headwalls and wingwalls, culverts, slopes and embankments, creek and channel structures, aerial crossings, and other civil structures.

C. Permitting – A permit is required for the construction of all walls in residential applications for walls 15 inches in height and taller as measured from the top of wall footing to the top of the wall (not the top of the retained fill). For a wall where part of the wall is under 15 inches and part of the wall is over 15 inches, a permit will be required for the entire wall. For commercial and multi-family applications, all walls will require a permit regardless of height. All wall construction plans and specifications submitted to the City for review shall include a permit application submittal.

D. Inspections – Inspections of structures shall be performed in accordance with **Sections 6.13** and **6.14**. Inspection for structures not performed directly by the City shall be performed by a third-party and include a certification letter signed and sealed by a Professional Engineer licensed in the State of Texas stating that the structure was constructed in general compliance with the City-approved plans and specifications. Any structure outside the public right-of-way and any structure constructed with non-City funds whether inside the public right-of-way or not, shall require third party inspection.

E. TxDOT Standard Sheets – If TxDOT standard sheets pertaining to structures are utilized, the engineer shall ensure the loading, geometry, and allowable soil pressures are applicable to the standard design selected. The engineer shall ensure

that interruptions to the structure (i.e. wall stem or footing reinforcement altered by openings, utilities, geometric changes, or curved sections of the wall, etc.) do not compromise the design and performance of the structure. Consideration shall be given to the site-specific geotechnical requirements and whether a TxDOT standard design is applicable. No TxDOT standard sheets shall be modified unless the engineer designs, draws, signs, and seals the modified standard. If TxDOT standard sheets are not applicable, a custom structural design shall be provided.

- F. Aesthetics – Aesthetic treatments of structures within the ROW or City-owned facilities are required and shall complement the surrounding features. Aesthetic treatments shall not interfere with the functionality of the structure. Engineer shall consider any potential negative impacts resulting from the structure's drainage system design. Aesthetic treatments of handrails and guardrails shall comply with all local, state, and federal requirements, including those referenced in **Section 6.2**. Aesthetic treatments shall also comply with the City's Comprehensive Plan and/or Parks, Recreation, Open Space, Trails, and Streetscape Visioning Master Plan.
- G. Structural Plan Requirements
 - 1. Construction drawings and technical specifications shall be prepared and submitted to the applicable City departments in accordance with **Section 1.9**, the Construction Standards and Specifications Manual, and the Plan Review Development Checklist and Plan Submittal Process provided in **Appendix B**.
 - 2. If applicable, wall quantities and limits of payment shall be submitted in accordance with the City's technical specifications.
 - 3. Calculations pertinent to the design of all structures shall be submitted to the City along with the construction drawings and will be filed for record purposes by the City. The engineer remains responsible for the design of the structure(s).

6.2. Code Requirements

- A. At a minimum, all structures shall be designed using the current standards as adopted by the City and shall meet all applicable local, state, and federal standards. For other standards not adopted by the City, the latest version of that standard shall be utilized.
- B. The design and construction of roadway bridges and bridge-class culverts shall be provided in accordance with the requirements of the current edition of the *Standard Specifications for Highway Bridges* as published by the American Association of State and Highway Transportation Officials (AASHTO) and supplemented using TxDOT standards and guidelines as applicable.
- C. Specifications for bridge construction shall be in accordance with TxDOT's current edition of *Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges*.
- D. All bridge railing shall be in accordance with TxDOT's current edition of the *Bridge Railing Manual* and shall meet the specifications outlined in the National

Cooperative Highway Research Program (NCHRP) *Report 350*. All railing shall be appropriately rated railing based on site and design conditions. Guardrail, end treatments, or other features associated with bridge construction shall be in accordance with AASHTO's current edition of the *Policy on Geometric Design of Highways and Streets*, AASHTO's current edition of *Roadside Design Guide*, and current TxDOT standards. All bridge railing shall meet applicable sight distance requirements.

- E. For all bridges and bridge class culverts adjacent to or in conjunction with roadways, sight triangle exhibits shall be submitted to the City for review and approval.
- F. More stringent requirements shall be utilized as required for unusual designs such as rehabilitations, reconstructions, or for unusual site conditions. The codes cannot replace sound engineering knowledge, experience, and judgment.
- G. For any structure, the City or the engineer may require the quality of materials and construction to be higher than the minimum requirements as stated in the codes based on structure usage or site conditions.

6.3. Excavation Support

- A. Trench excavation protection shall be used for the installation of linear drainage or utility facilities that result in trenches deeper than 5 feet. Such trench protection includes vertical or sloped cuts, benches, shields, support systems, or other systems providing the necessary protection in accordance with *Occupational Safety Health Administration (OSHA) Standards and Interpretations, 29 CFR 1926, Subpart P, Excavations*.
- B. Temporary special shoring shall be used for installations of walls, footings, and other structures that require excavations deeper than 5 feet. Temporary special shoring shall be designed and constructed to hold the surrounding earth, water, or both out of the work area. Options may include, but not be limited to, vertical or sloped cuts, benches, shields, support systems, or other systems to provide the necessary protection in accordance with the approved design. Unless a complete design for temporary special shoring systems are included in the plans, the contractor is responsible for the design of the temporary special shoring system. The Contractor must submit to the City, for informational purposes only, the design calculations and details sealed by a Professional Engineer licensed in the State of Texas before constructing the shoring. The design of the shoring must provide protection in accordance with *Occupational Safety Health Administration (OSHA) Standards and Interpretations, 29 CFR 1926, Subpart P, Excavations*.

6.4. Geotechnical Performance Specifications

- A. Field investigation, geotechnical testing, and geotechnical engineering shall be performed in accordance with the standard of care taking into account local experience and conditions. The geotechnical recommendations shall establish the minimum design criteria upon which the engineer can rely.

- B. Right-of-Way (ROW) Permit must be obtained prior to performing any boring within the City's ROW.
- C. The complexity of geological conditions and the type, length, and width of the structure shall determine the number and locations of test holes required. The following should be considered by the engineer in coordination with the geotechnical engineer: depth of test hole, location of proposed grade relative to existing grade, channel relocations and/or channel widening, scour, foundation loads, and foundation types.
- D. Test holes shall be located in an accessible area. Identify test hole locations on the plans.
- E. Provide a complete soil and bedrock classification and log record for each test hole, including all pertinent information to complete the standard log. Location and surface elevation shall be shown on the boring logs.
- F. Perform the appropriate field and laboratory tests necessary to determine the soil properties for geotechnical design criteria. The geotechnical engineer shall consider both the short-term and long-term conditions.
- G. Ground water elevations shall be included as part of the data acquisition. Site conditions may require the installation of piezometers to establish a true groundwater surface elevation and a method of monitoring water surface fluctuations.
- H. Minimum boring requirements are specified below. Based on the geotechnical engineer's experience and engineering judgment, if competent rock is encountered, the minimum boring depths specified below may be reduced with approval from the Director of Engineering.
 - 1. Slopes and Embankments including Bridge Approaches – Obtain soil borings for cuts greater than 10 feet or embankments taller than 10 feet. The exploration shall include the following:
 - a. The soil under future embankments – Advance borings to a depth at least equal to the embankment height or 20 feet, whichever is greater, unless a greater depth is recommended by the geotechnical engineer.
 - b. Soil in proposed cuts – Advance borings to a depth of at least 15 feet below the bottom of the proposed cut, unless a greater depth is recommended by the geotechnical engineer.
 - 2. Bridges
 - a. In general, drill test holes shall penetrate a minimum of 15 feet into proposed bearing strata. Where depth of bearing strata becomes impractical, the Director of Engineering may determine minimum bore depth.

- b. Test holes shall be drilled near each abutment and bent location of the proposed structure plus a sufficient number of intermediate holes to determine depth and location of all significant soil and rock strata.
 - c. A site inspection by the driller or logger shall be performed to evaluate site accessibility and special equipment needs.
 - d. Grade Separations – If the borings indicate soft surface soils (fewer than 10 blows per foot), additional borings and testing shall be required for the design of the bridge approach embankments.
3. Retaining Walls – Obtain soil borings for walls taller than 2 feet.
- a. Obtain a minimum of two soil borings within limits of wall footprint. For walls longer than 200 feet, borings shall be obtained at a maximum spacing of 200 feet unless site conditions or the engineer requires alternate spacing. A greater spacing may be allowed by the Director of Engineering only if recommended in writing by the geotechnical engineer.
 - b. Fill Walls – For spread footing walls and Mechanically Stabilized Earth (MSE) walls, the depth of the boring shall be at least equal to the wall height depending on the wall type. The minimum boring depth is 10 feet below the bottom of the proposed wall unless rock is encountered (see **Section 6.4.H.2**). Extend borings at least 5 feet into rock for fill walls unless additional depth is recommended by the geotechnical engineer.
 - c. Cut Walls – For drilled shaft walls, tied-back walls, and soil and rock nail walls, the depth of the boring shall be based on the proposed ground line. Cantilever drilled shaft walls require the depth of boring to extend to the anticipated depth of the shaft below the cut, which is typically between one and two times the wall height unless additional depth is recommended by the geotechnical engineer. Borings for soil nails, tiebacks, and rock nailed walls shall be advanced through the material that is to be nailed. The minimum boring depth is 15 feet below the bottom of the proposed wall. Borings for proposed cut walls may need to penetrate bearing strata significant distances depending on the depth of the cut and wall height.
 - d. Additional testing and modeling shall be provided for taller walls, walls on slopes, or walls on soft founding strata as necessary or as recommended by the geotechnical engineer to completely evaluate wall stability.

6.5. Bridge Design

- A. The engineer shall be responsible for selecting the appropriate bridge foundation. The engineer shall consider the following factors in that selection:
 - 1. Design load – The magnitude of the design load and existing geotechnical conditions dictate the required size of the foundation.

2. Geotechnical engineering recommendations – The strength and depth of subsurface formations determine the type of foundation chosen. In general, drilled shafts are well suited to areas with competent soil and rock, and are the preferred foundation type subject to concurrence from the geotechnical engineer. Alternative foundation types require approval in writing by the Director of Engineering.
 3. Corrosive conditions – Salts, chlorides, and sulfates are detrimental to foundations. Where these conditions exist, the engineer shall take preventative measures. Use sulfate-resistant concrete as applicable.
- B. Disregard surface soil in the design of drilled shaft foundations. The disregarded depth is the amount of surface soil that is not included in the design of the foundation due to potential erosion from scour, future excavation, seasonal moisture variation (shrinkage and swelling), lateral migration of waterways, disturbed material or fill, and recommendations of the geotechnical investigation.
- C. Drilled shaft capacity relies upon penetrating a specific stratum a specified depth. The plans shall provide a note instructing the contractor and field personnel of the penetration requirement. The plans shall identify the specific type of material to be penetrated and the minimum penetration depth. The plan may allow for the drilled shaft to be shortened if the founding stratum is encountered at a shallower depth, and it requires the shaft to be lengthened if the founding stratum is not encountered at the expected elevation.
- D. When the founding stratum is present at or near the surface, the engineer shall consider the load-carrying capacity along with the stability of the superstructure on the foundation. For these conditions, a minimum drilled shaft length shall be specified on the plans and the drilled shaft will not be allowed to be shortened from plan length, but it may be lengthened if the founding stratum is not encountered at the expected elevation.
1. For evaluating scour, TxDOT guidelines in *Evaluating Scour at Bridges (HEC-18)* shall be used.
 2. Bridge foundation scour analysis is required. However, abutments shall be protected against potential scour through use of flexible revetment, where possible or hard armoring.
 3. Design bridge foundations to withstand the scour depths for either the fully developed 100-year flood or smaller flood if it will cause scour depths deeper than the fully developed 100-year flood as described in **Section 4**.
 4. Check the bridge foundations against the scour depth associated with the 500-year flood as described in **Section 4**. This flood event is considered an extreme event and the factor of safety on the bridge foundations shall be greater than or equal to 1.
- E. Railing – In addition to the requirements in **Sections 6.1.F** and **6.2**, the following bridge railing criteria shall be met:

1. The face of railing shall be a minimum of 2 feet beyond edge of outside travel lane. Where no sidewalk is present, shoulders shall be flush with the roadway slab.
 2. Separation rails shall be provided on all major and minor arterial bridges (as specified in **Section 2**). Separation rails shall not be required on collectors or local streets, or on culverts where the sidewalk is not located adjacent to the back of curb.
 3. Concrete Rail Finish – Formline all vertical surfaces where aesthetic conditions apply with an Ashlar Stone or approved equal pattern. Stain all vertical surfaces. Color(s) shall be approved by the Director of Engineering.
 4. Steel Rail Finish – All rail surfaces shall be powder-coated. Color shall be approved by the Director of Engineering. Refer to **Section 6.1.F**.
- F. Pedestrian bridges shall be designed in accordance with **Section 6.5** and the current edition of the LRFD Guide Specifications for the Design of Pedestrian Bridges and the AASHTO *Guide for the Development of Bicycle and Pedestrian Facilities* and shall meet the following additional criteria:
1. Refer to **Section 2.10** for pedestrian facility design requirements.
 2. Loading – Design loads shall be in accordance with the applicable codes outlined in this section and shall include but not be limited to construction loads and surcharge loads from slopes, structures, and specified use (i.e. bicycle, pedestrian, and/or maintenance vehicle traffic).
 3. Plans – Cast-in-place bridge foundations shall be designed for a specified pre-cast bridge structure. The foundation plans and shop drawings for the pre-cast bridge structure shall be submitted for review and approval.
 4. Hydraulics – Refer to **Section 4** for design flood, freeboard, and flood study requirements associated with pedestrian bridge design.
 5. Maintenance – Maintenance considerations of railing for pedestrian bridges that do not contain the fully developed 100-year flood with freeboard (in accordance with **Section 4**) shall be specified in the plans.

6.6. Retaining Wall Design

- A. The engineer is responsible for ensuring that the type of retaining wall selected for a given location is appropriate. The retaining wall selection process shall consider the following:
1. Height – Walls shall be measured from the top of wall footing to the top of the wall (not the top of the retained fill). An engineered design by a licensed Texas Professional Engineer is required for all walls 24" in height or taller (designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift and designed for a factor of safety of 1.5 against lateral sliding and overturning in accordance with the International Residential Code). For a wall

that has a variable height where part of the wall is under 24" and part of the wall is over 24", an engineering design will be necessary for the entire wall. For commercial and multi-family applications, all walls will require an engineering design regardless of height. Furthermore, if any wall has embedded posts, poles, or other structures anchored directly into the wall structure, wall design must also take into consideration the additional loadings due to these structures (axial, lateral, wind, etc.) The structural design shall be provided in accordance with the geotechnical recommendations and minimum design criteria provided in accordance with **Section 6.4.H.3**.

2. **Geometry** – Determine applicability of wall type – cut, cut/fill, or fill – based on geometry, site constraints, existing and proposed topography, and wall alignment and location. Identify available ROW and any necessary ROW or easements to accommodate the proposed improvements and the access necessary to accommodate access for maintenance. Identify location and type of existing and proposed utilities and drainage structures.
 3. **Economics** – Evaluate the total installed cost of the wall and consider long-term maintenance requirements. Identify necessary excavation requirements (including shoring), required utility adjustments and costs, project schedule, construction phasing requirements, and these effects on the wall design and construction.
 4. **Global Stability** – The engineer is responsible for the global stability design of the wall. Evaluate all walls to ensure that the minimum applicable factors of safety are met, if not exceeded depending on the engineer's judgment. Walls shall not be placed on slopes if avoidable.
 5. **Passive Resistance to Sliding** – The engineer shall follow the geotechnical engineer's guidance for use of passive resistance. If there is a slope in front of the wall, passive resistance shall be neglected.
 6. **Constructability** – Determine whether walls are near water or subject to inundation or groundwater. Identify access limitations for equipment both during and after construction. Ensure adequate horizontal and vertical clearances are provided.
 7. **Drainage** – Design the wall to prevent the build-up of hydrostatic pressure behind the wall. If conditions warrant such as, but not limited to, the inability to include a drainage system or situations of rapid drawdown, the City may require the wall design to withstand full hydrostatic pressure load. The wall design shall consider potential deleterious short- and long-term effects of water inundation including scour and rapid draw down.
 8. **Loading** – Design loads shall be in accordance with the Engineering Design Manual, including construction loads and surcharge loads from slopes, structures, and vehicles.
- B. Analyze and design walls following accepted geotechnical engineering industry standards for the City of McKinney area and in accordance with the Engineering

Design Manual. In analysis, use earth pressures that follow the requirements of the project's geotechnical investigation specifically addressing the retaining wall design requirements for the project's specific location.

- C. The engineer must ensure that the retaining wall system is appropriate for its location and application. The engineer shall design for all potential modes of wall system failure; including, sliding, overturning, bearing pressure, global stability, and structural capacity of the wall itself.
- D. Perched walls shall not be placed on slopes steeper than 8H:1V. When walls must be placed on slopes, or the retaining wall height or the combined wall and slope heights exceed 8 feet, the geotechnical engineer shall conduct a short-term and long-term global stability analysis using applicable soil strength characteristics, geometry, and loading conditions (including load surcharge, hydrostatic, etc.). The engineer is responsible for the design of the wall system, including its global stability.
- E. For the purposes of conforming to the Engineering Design Manual, a series of two or more walls built in tiers shall be considered a single wall in height when the base of the upper tier is set back from the base of the lower tier less than two times the height of the lower tier wall.

6.7. Slope Stability Design Criteria

- A. All slopes exceeding 8 feet in height with a steepness of 4H:1V or greater, regardless of soil type, cut, or fill, shall be evaluated for global stability for both the short-term and the long-term conditions. Additionally, any known areas of existing fill, deleterious material, or soft soils which have a height over 4 feet or slope angle greater than 6H:1V shall be evaluated for global stability for both the short-term and the long-term conditions. Specific site conditions may require evaluation for additional types of slope failure, such as bearing capacity, settlement, shear, and undercutting. Calculations pertinent to the analysis shall be submitted with the construction drawings when required by the City.
- B. Use the following data to analyze global stability of a slope:
 - 1. Geometry (cross section and loading conditions);
 - 2. Location of the water table;
 - 3. Soil/rock stratigraphy; and,
 - 4. Soil/rock properties (unit weight, Atterberg Limits, undrained and drained shear strength).
- C. For global stability of a slope, minimum factors of safety must be met for long-term and short-term stability.

6.8. Screening Wall Design Criteria

- A. Screening Walls shall meet the minimum requirements included in the Subdivision Ordinance and Zoning Ordinance.
- B. An opening designed to allow for stormwater drainage shall be provided. The opening shall be a uniform 2 inches high the full length between columns.

6.9. Headwalls and Wingwalls

- A. Refer to **Section 4.9** for bridge and culvert hydraulic design requirements. Refer to **Section 6.1.E** for use of TxDOT standard sheets.
- B. All headwalls and wingwalls shall be reinforced concrete. Wingwalls shall be either straight (parallel), flared, or tapered. Approach and discharge aprons shall be provided for all culvert headwall designs.

6.10. Culverts

Refer to **Section 6.9** for headwall and wingwall requirements. Refer to **Section 6.1.E** for use of TxDOT standard sheets.

6.11. Drop Structures

- A. Drop structures are defined as any small dam, weir, or tiered (either vertical or sloped) structure that is placed across a waterway to provide for changes in gradient, slow water velocities and reduce erosion.
- B. Refer to **Section 4.8.E** for hydraulic design requirements of vertical and sloping drop structures.
- C. The design of drop structures shall be based on the height of the drop, the flow depths upstream and downstream of the drop structure, and the flow rate. All drop structures shall be constructed of reinforced concrete, gabions, or other approved material by the City. To facilitate maintenance, drop structures should be accessible to equipment normally used for maintenance, and as approved by the Director of Engineering.
- D. An apron shall be provided immediately upstream and downstream of a drop structure to protect against scour caused by the increasing velocities and turbulence at each drop structure. Apron dimensions shall be site specific and based on velocities. At a minimum, the upstream apron shall extend at least 10 feet upstream from the point where flow becomes supercritical and shall include a cutoff wall into the ground sufficient to protect the structure from scour and hydraulic uplift. The downstream apron shall extend a minimum of 20 feet beyond the anticipated location of the jump and shall include a cutoff wall into the ground. The cutoff wall at each end shall extend below the calculated scour depth or sound bedrock (in accordance with **Section 4** and FHWA HEC-18) but shall be a minimum of 3 feet below channel flowline.

6.12. Aerial Crossings

- A. Refer to **Section 5.1.F.5** for aerial crossing requirements, including structural design and scour analysis.
- B. Stream velocity and impact loading shall be designed in accordance with the requirements of the current edition of the *Standard Specifications for Highway Bridges* as published by the American Association of State and Highway Transportation Officials (AASHTO).

6.13. Non-Bridge Construction Inspection and Certification

- A. Inspections of non-bridge structures shall be performed during construction and reports provided to the City. The inspections and reports shall be performed at the following stages of construction (at a minimum):
 - 1. Sub-base/Pre-pour:
 - a. Drilled shaft drilling and concrete placement (if applicable); and,
 - b. Forming of footing, grade beam, placement of reinforcement (if applicable).
 - 2. Wall construction;
 - 3. Drainage system construction (if applicable); and,
 - 4. Final completion.
- B. Inspector shall certify that construction inspections were performed at the prescribed stages of construction in accordance with **Section 6.13.A**. The inspection reports and final certificate of compliance shall be submitted to the City and include the following:
 - 1. Specific reference to the City-approved plans and specifications;
 - 2. Specific reference to the address and/or legal description for the construction location;
 - 3. Specific reference to the name and date of the project-specific geotechnical engineering report; and,
 - 4. A certification letter signed and sealed by a licensed professional engineer in the State of Texas, that includes a statement that the structure was constructed in general compliance with the geotechnical design criteria identified in the plans and specifications and the City-approved construction plans and specifications.

6.14. Bridge Construction Inspection and Certification

- A. Inspector shall certify bridge construction inspections were performed at the prescribed stages of construction in accordance with the Bridge Construction Inspection and Certification checklist in **Appendix B**.
- B. The inspection reports and final certificate of compliance shall be submitted to the City.

SECTION 7 LANDSCAPE AND IRRIGATION DESIGN REQUIREMENTS

7.1. General

- A. The purpose of this section is to provide additional requirements and standards to address landscaping and irrigation requirements only within the medians and right-of-way (ROW) of public roadways. Refer to the following ordinances and documents:
1. Zoning Ordinance, Section 146-135 – Landscape Requirements
 2. Zoning Ordinance, Section 146-136 – Tree Preservation Requirements
 3. Subdivision Ordinance, Section 142-105 – Improvements
 4. Subdivision Ordinance, Section 142-106 – Screening and Buffering of Certain Residential Lots Adjacent to Streets
 5. Landscape Water Management Ordinance, Chapter 110, Article VIII
 6. Water Conservation Ordinance, Chapter 110, Article IX
 7. Landscape Irrigation Ordinance, Chapter 110, Article X
 8. Tree Permit Requirements Checklist
 9. Irrigation Checklist for Final Inspections
 10. Irrigation Permitting Procedures
 11. Approved Irrigation Evapotranspiration (ET) Controllers List
 12. Parks, Recreation, Open Space, Trails, and Streetscape Master Plan
 13. Parks, Recreation, and Open Spaces Irrigation Parts Specifications (Request the most recent edition from the Parks and Recreation Department)
- B. Landscape construction plans shall be prepared and sealed by a Registered Landscape Architect, Architect, or Professional Engineer with a license to practice within the State of Texas.
- C. Irrigation construction plans shall be prepared and sealed by a Licensed Irrigator licensed within the State of Texas.
- D. Refer to the Zoning Ordinance for approved plant materials. Refer to the list of approved canopy and ornamental trees within ROW provided in **Section 7.2**. Refer to the Approved Materials List for approved irrigation equipment in the Construction Standards and Specifications Manual.

7.2. Landscape Requirements within Right-of-Way

A. General Requirements within ROW

1. Sight Distance and Visibility

- a. Rigid compliance with landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections.
- b. Whenever an intersection of two or more streets or driveways occurs, a visibility triangle shall be created in accordance with **Section 2**. Landscaping within the visibility triangle shall be designed to provide unobstructed cross visibility between two feet and seven feet in height. Canopy trees may be permitted in this area provided they are trimmed in such a manner that no limbs or foliage extend into the cross visibility area and trees have not been planted that the trunks of the trees themselves provide obstruction by how they are aligned and grouped.
- c. Multi-trunk and ornamental trees shall only be allowed in the ROW with City approval. Multi-trunk and ornamental trees shall be outside visibility triangles.
- d. Landscape maintenance shall strictly adhere to all sight distance and visibility requirements. Refer to **Section 2** for additional sight distance and visibility requirements with regards to landscaping and other obstructions at intersections.

2. Trees and planting areas shall not be installed on slopes steeper than 4H:1V.
3. Sod shall be placed to cover the first 4 feet behind the curbs of the median area and 2 feet behind the curb along the parkway along all public roadways in accordance with the Technical Specifications. No seed shall be placed within the first 2 feet behind back of curbs along medians and parkway.
4. Areas not required to be sodded shall be seeded after properly preparing the ground as designated on the plans and in accordance with Technical Specifications.
5. Artificial plants are prohibited.
6. All trees planted within 5 feet of a curb must include a rigid plastic root barrier approved by the City. Root barriers shall be used for trees within a parkway between the curb and the tree itself.
7. Trees within ROW shall be limited to the approved canopy and ornamental trees provided in **Tables 7-1** and **7-2**.

Table 7-1 – Canopy Trees Approved Within Medians and Parkways

Common Name	Latin Name
Chinese Pistache	<i>Pistachia chinensis</i>
Chinquapin Oak	<i>Quercus muhlenbergii</i>
Red Oak	<i>Quercus shumardi</i>
Texas Red Oak	<i>Quercus shumardi</i> 'Texana'
Cedar Elm	<i>Ulmus carassifolia</i>
Lacebark Elm	<i>Ulmus parvifolia</i>
Drake Elm	<i>Ulmus parvifolia</i> 'Drake'

Table 7-2 – Ornamental Trees Approved Within Medians and Parkways

Common Name	Latin Name
Desert Willow	<i>Chilopsis linearis</i>
Possumhaw Holly	<i>Ilex decua</i>
Crape Myrtle	<i>Lagerstroemia indica</i>
Vitex	<i>Vitex agnus-castus</i>

B. Requirements within the Median

1. Conduit for street lighting and irrigation shall be generally located as shown in the City of McKinney Standard Details to accommodate landscaping within the median.
2. No trees shall be installed in the location of future travel or turn lanes. Refer to **Section 2** for roadway typical sections.
3. Landscaping that is located within the median of a public roadway shall meet the minimum requirements shown in **Table 7-3**.

Table 7-3 – Median Landscaping Requirements

Median Width (feet)	Landscaping Requirements
< 8	Hardscape components only.
8 to 12	Mowed grass. Ground cover shall not exceed 1 foot in height.
> 12	Mowed grass, shrubs, or trees. Ground cover (exclusive of trees) shall not exceed 2.5 feet in height.

C. Requirements within the Parkway

1. A minimum of 4 inches suitable loam topsoil shall be furnished and installed for all seed and sod areas within the parkway.
2. Only mowed grasses shall be permitted within 6 feet of the existing or future face of curb along the parkway.
3. Trees overhanging walks and parking shall have a minimum clear trunk height of 7 feet. Trees overhanging public street pavement drive aisles and fire lanes shall have a minimum clear trunk height of 14 feet.

7.3. Irrigation Design Requirements within Right-of-Way

- A. Irrigation system shall be designed and installed to minimize runoff onto paved surfaces. Overspray on streets and walks are prohibited.
- B. Engineer shall contact the Parks Department for the most recent irrigation standards.
- C. Median conduit systems shall be designed in accordance with the City of McKinney Standard Details.

SECTION 8 ENVIRONMENTAL DESIGN REQUIREMENTS

8.1 General

- A. The Owner must provide proof of compliance with applicable federal, state, and local environmental regulations upon request by the City of McKinney (City). Potential applicable regulations and permits may include, but are not limited to:
1. Section 404 of the Clean Water Act (33 USC 1344);
 2. Section 106 of NHPA;
 3. Water Rights;
 4. Section 303(d) impaired waters;
 5. Migratory Bird Treaty Act;
 6. Water Well Drilling;
 7. Threatened and Endangered Species Act;
 8. The Texas Archeological and Research Laboratory Requirements;
 9. The Antiquities Code of Texas;
 10. Air Quality; and,
 11. TCEQ Dam Requirements.
- B. Erosion Control Plan – An Erosion Control Plan (ECP) is required for all sites regardless of size. The ECP shall consider areas where development activities or channel improvements occur and shall protect these areas from site erosion. Sediment carried by stormwater runoff through these areas shall be prevented from entering storm drain systems and natural watercourses through applicable Best Management Practices (BMPs). The owner should refer to the Civil Engineering Plan Review Development Checklist included in **Appendix B** for Erosion Control Plan requirements. The owner may also consult with the North Central Texas Council of Governments (NCTCOG) for a list of BMPs to control site erosion, but should also comply with the City's Erosion and Sediment Control Manual and the current General Notes provided in the Construction Standards and Specifications Manual. It is the responsibility of the Engineer of Record (engineer) to select and design appropriate construction controls for each site. If the most appropriate control is not shown in the current edition of the NCTCOG integrated Stormwater Management (iSWM™) Technical Manual, the engineer shall submit calculations and references for design of the control to the Director of Engineering for review and approval. Some acceptable forms of site erosion control devices include, but are not limited to, silt fences, silt traps, geo-netting, and geo-textiles. The minimum design storm for temporary BMPs is the 2-year, 24-hour storm event.

8.2 Texas Construction General Permit and City Requirements

A. Although Environmental Protection Agency (EPA) Region 6 still has regulatory authority concerning stormwater discharges in Texas and surrounding states, the Texas Commission on Environmental Quality (TCEQ) has issued Construction General Permit (CGP) TXR150000 to regulate stormwater discharges from construction sites. These requirements are modified and amended from time to time. Prior to beginning construction on any site, the engineer, developer, and contractor should make themselves aware of the current EPA, TCEQ, and City requirements. Construction activities are regulated according to the area of land disturbed. Refer to the CGP for definitions of the Primary Operator and Secondary Operator.

B. Large construction activities:

For sites that disturb 5 or more acres, or are part of a larger common plan of development that will disturb 5 or more acres, the following applies:

1. Prepare and implement a Stormwater Pollution Prevention Plan (SW3P).
2. Submit a Notice of Intent (NOI) to TCEQ.
3. Submit a copy of the NOI and CSN to the Engineering Department at least two days prior to construction.
4. Post the Large Construction Site Notice (CSN) where it is readily viewed by the general public during all construction activities.
5. Submit a Notice of Termination (NOT) to both the State and the Engineering Department upon permanent stabilization and BMP removal.

C. Small construction activities:

For sites that disturb at least 1 acre, but less than 5 acres, or are part of a larger common plan of development that will disturb at least 1 acre, but less than 5 acres, the following applies:

1. Prepare and implement a SW3P.
2. Submit a copy of the CSN to the Engineering Department at least two days prior to construction.
3. Post a Small Construction Site Notice (CSN) where it is readily viewed by the general public during all construction activities.
4. Once the site is permanently stabilized and BMPs have been removed, the CSN shall be signed and dated. A copy of this shall be provided to the Engineering Department.

D. Less than 1 acre construction activities:

Projects that disturb less than 1 acre do not require an NOI or a TCEQ CSN, but are still required to provide a City of McKinney CSN and associated ECP. These must be approved by the Director of Engineering two days prior to initiation of construction activities.

8.3 Stormwater Pollution Prevention Plan – Temporary Controls

- A. One of the requirements of the CGP is to develop a SW3P. The purpose of the SW3P is to provide guidelines for minimizing sediment and other pollutants that may originate on the site from flowing into municipal storm systems or jurisdictional waters of the U.S. during construction. The plan must also address the principal activities known to disturb significant amounts of ground surface during construction.
- B. The stormwater management controls included in the SW3P should focus on providing control of pollutant discharges with practical approaches that use readily available techniques, expertise, materials, and equipment. The SW3P must be implemented prior to the start of construction activities.
- C. Construction Controls – Structural controls and general site practices may be used for controlling pollutants for stormwater discharges from small and large sites. Structural controls shall comply with details and specifications in the current edition of the NCTCOG iSWM™ Technical Manual for Construction Controls, these standards, and the City's Construction Standards and Specifications Manual. When the NCTCOG Technical Manual and City standards are in conflict, City standards shall govern. The following are acceptable temporary controls for use during construction:
 - 1. General Site Practices
 - a. Minimizing the area of disturbance; and,
 - b. Preserving existing vegetation.
 - 2. Structural Controls
 - a. Silt fence;
 - b. Inlet protection;
 - c. Rock check dams;
 - d. Stabilized construction exits;
 - e. Sediment traps;
 - f. Vegetated buffer strips;
 - g. Temporary detention structures; and,

- h. Hydromulch.
 - 3. Additional construction controls can be found on the NCTCOG iSWM™ website.
 - 4. Temporary controls must include methods to reduce dust from the construction site. This may include wetting haul roads or areas of excavation prior to beginning work.
- D. Waste and Hazardous Material Controls – Covered containers shall be provided for waste construction materials and daily trash. Hazardous materials shall be stored in a manner that prevents contact with rainfall and runoff. Onsite fuel tanks and other containers of motor vehicle fluids shall be placed in a bermed area with a liquid tight liner or be provided with other secondary containment and spill prevention controls. The SW3P shall require federal, state, and local reporting of any spills and releases of hazardous materials greater than the regulated Reportable Quantity (RQ) and reporting to the Director of Engineering of all spills and releases to the storm drainage system.
- E. Temporary Stabilization
- 1. Portions of a site that have been disturbed, but where no work will occur for more than 21 days, shall be temporarily stabilized as soon as practicable, and no later than 14 days after soil disturbance activities have ceased, except when precluded by seasonal arid conditions or prolonged drought.
 - 2. Temporary stabilization shall consist of providing a protective cover designed to reduce erosion on disturbed areas. Temporary stabilization may be achieved using temporary seeding, soil retention blankets, hydromulch, and other techniques that cover 100 percent of the disturbed areas until either final stabilization can be achieved or until further construction activities take place.
 - 3. Perimeter controls such as silt fence, vegetated buffer strips, or other similar perimeter controls are intended to act as controls when stabilization has not occurred. Perimeter controls may remain in place during temporary stabilization.
- F. Inspection and maintenance during construction
- 1. The owner shall construct all controls required by the SW3P. The owner shall have qualified personnel inspect the controls at least every two weeks during construction and within 24 hours after a storm event of 0.5 inches, or greater.
 - 2. Certified inspection reports shall be retained as part of the SW3P. Within 24 hours of the inspection, controls identified as damaged or deteriorated shall be repaired or replaced, as appropriate. Controls shall also be routinely cleaned to maintain adequate capacity.
 - 3. Changes or additions to the SW3P or ECP by the Operator shall be implemented within 24 hours to prevent discharges from the site. The owner shall implement procedures to remove discharged soil from all portions of the storm drainage

system including streets, gutters, inlets, storm drain, channels, creeks, and ponds.

4. Notes requiring the inspection and maintenance shall be placed on SW3P drawings. The SW3P shall identify the responsible party for inspecting and maintaining each control. If no party is identified, each owner and Operator that submitted an NOI for the site shall be fully responsible for implementing all requirements of the SW3P.
- G. Final Stabilization – Stabilization measures that provide a protective cover must be initiated immediately in portions of the site where construction activities have permanently ceased. Final stabilization consists of soil cover such as vegetation, geo-textiles, mulch, rock, or placement of pavement or concrete. For stabilizing vegetated drainage ways, sod or seeded soil retention blankets shall be used. Hydromulch will not be allowed in vegetated swales, channels, or other drainage ways. The plan for final stabilization shall be coordinated with permanent controls in the PCSQP (see **Section 8.4**) and with the landscaping plan (see **Section 7**), if applicable.
- H. Notice of Termination – All parties that submitted an NOI shall submit an NOT within 30 days after final stabilization is established. Temporary controls shall be removed and permanent stabilization shall be established and accepted by the City prior to submitting an NOT. When the owner of a residential subdivision transfers ownership of individual lots to builders before final stabilization is achieved, the SW3P shall include controls for each individual lot in lieu of final stabilization. These controls shall consist of stabilization of the right-of-way and placement of structural controls at the low point of each individual lot or equivalent measures to retain soil on each lot during construction. Additionally, the builder must submit a valid NOI before an NOT can be submitted by the owner.

8.4 Post Construction Stormwater Quality Plan – Permanent Controls

- A. General Requirements – A Post Construction Stormwater Quality Plan (PCSQP) shall be prepared for all developments that disturb a surface area of 1 acre or greater. The PCSQP shall be in accordance with the checklist in **Appendix B** and shall be developed and coordinated with the site drainage plan and may be shown on the same sheet. The PCSQP shall identify permanent site features and BMPs that will be constructed with the project to minimize and mitigate the project's long-term effects on stormwater quality and quantity. The PCSQP should also be coordinated with the landscaping plan (see **Section 7**) to prevent conflicts and ensure compatible land use.
- B. Number of Permanent BMPs Required – **Table 8-1** provides the minimum number of permanent controls required for a site. Subdivisions with paved alleys, private access easements, or private streets shall provide at least one permanent control above the minimum.

Table 8-1 – Minimum Number of Permanent BMPs Required

Area Disturbed	Minimum Number of Permanent BMPs
1 acre ≤ Disturbed Area < 5 acres	1
5 acres ≤ Disturbed Area < 10 acres	2
10 acres ≤ Disturbed Area < 20 acres	3
≥ 20 acres	4

- C. Permanent Site Development Controls – It is the responsibility of the engineer to design permanent controls, or BMPs, that address site specific conditions using appropriate design criteria for the North Central Texas region. Refer to the current edition of NCTCOG iSWM™ Technical Manual for Site Development Controls for applicability and specific design information.
1. Some of the factors to be considered when evaluating and selecting controls for a development are as follows:
 - a. Impact of the development on runoff volumes and rates;
 - b. Potential pollutants from the development;
 - c. Percent of site treated by the control;
 - d. On-site natural resources;
 - e. Configuration of site (including existing waterways and topography); and,
 - f. Maintenance requirements for the control.
 2. The following are some examples of permanent controls:
 - a. Preservation of Natural Creeks;
 - b. Preservation of the 100-year Floodplain;
 - c. Stormwater Wetlands;
 - d. Stormwater Ponds;
 - e. Extended Dry Detention Basins;
 - f. Filter Strips;

- g. Vegetated Open Channels;
 - h. Bioretention;
 - i. Organic Filters;
 - j. Sand Filters;
 - k. Hydrodynamic Separators;
 - l. Green Roofs; and,
 - m. Rain Harvesting.
- D. Construction and Maintenance – The owner shall construct all permanent controls in accordance with this section and is responsible for maintenance of the controls. When the control falls within a drainage easement, the plat or separate instrument dedicating the easement shall include a statement of the owner's responsibility for maintenance.

APPENDIX A

DEFINITIONS AND ABBREVIATIONS

DEFINITIONS

The definitions within this section are intended to provide descriptions for terms used within the Engineering Design Manual. When words and terms are defined herein and in other City ordinance(s), they shall be read in harmony. If an irreconcilable conflict exists, the definition contained herein shall control. Where no definition appears, the term should be interpreted according to their customary usage in the practice of municipal planning and engineering. The Director of Engineering has the final determination of interpretation.

Words used in the present tense include the future tense. Words in the singular tense include the plural tense. The word "shall" is mandatory and not directory. The word "may" is directory and not mandatory.

100-year – A flood event that statistically has a recurrence interval (return period) of 100 years and a one percent chance of being equaled or exceeded in any given year. The event shall be based upon fully developed watershed conditions unless otherwise specified.

Alley – A public or private way set aside as a permanent right-of-way for the movement of vehicular traffic. An alley is meant to provide access to abutting property, provide utility service, and has a right-of-way with an ultimate width of 20 feet or less.

Applicant – Any firm, entity, partnership, company, public utility company, or individual that submits a formal request or application.

Arterial Street – A roadway designed to carry high volumes of through traffic and serves as a link between major activity centers within the urban area.

Arterial Trail – A trail with a typical width ranging from 10 feet to 12 feet that follows a street and is separated from motor vehicle traffic. Arterial Trails have a slightly lower level of amenities than Spine Trails. Arterial Trails are also less likely to have fully grade-separated crossings of streets; however, grade-separated crossings are desirable when crossing principal arterials and state highways.

Auxiliary Lane – A lane striped for use as an acceleration lane, deceleration lane, right-turn lane, or left-turn lane. Auxiliary lanes shall not be for through traffic use.

Average Daily Flow (ADF) – The arithmetic average of all daily flow determinations taken within a period of 24 consecutive hours.

Average Daily Traffic (ADT) – A volume that represents the total two-way traffic on a roadway for a period less than a year, divided by the total number of days it represents, and includes both weekday and weekend traffic. ADT is typically adjusted for day of the week, seasonal variations, and/or vehicle classification.

Base Flood – The flood event having a one percent chance of being equaled or exceeded in any given year based on existing watershed conditions, FEMA guidelines, and SFHA as shown in the current effective FIS and FIRM. Differs from design flood. The resulting water surface elevation from the base flood shall correspond with the FEMA BFE.

Best Management Practice (BMP) – A physical, chemical, structural, or managerial practice or device that prevents, reduces, or treats contamination of stormwater, prevents or reduces soil erosion, and/or reduces or minimizes stormwater runoff. A BMP may be temporary to protect during construction or permanent to protect from long-term impacts of the development.

Carrier Pipe – A pipe used to carry stormwater, water, or wastewater, as opposed to an exterior protective casing pipe.

Casing Pipe – An exterior protective pipe that encases a carrier pipe for various types of crossings, including roadways, creeks, and railroads. Also known as encasement pipe.

Collector Street – Roadway designed to collect and distribute local traffic to and from arterial streets and provides access to adjacent properties.

Commercial Driveway – Provides access to office, retail, institutional, or a multiple-family building having more than 5 dwelling units. Industrial plant driveways which serve administrative or employee parking lots shall be considered commercial driveways.

Connection – The point at which a facility is provided service by the City water or wastewater system.

Corner Clip – Right-of-way dedication at intersection corners to provide sufficient room for intersection visibility, pedestrian access, and other street facilities.

Crown – (a) The highest point on the inside of a closed conduit; (b) The highest point of a roadway cross section. Also known as soffit.

Deceleration Lane – A speed-change lane, including tapered areas, which enables a vehicle exiting a roadway to leave the travel lanes and slow before making a turn.

Depression Storage – Collection and storage of rainfall in natural depressions or puddles after exceeding the infiltration capacity of the soil.

Design Flood – The flood event that is used as the basis for design to provide a stated degree of protection or other specified result. The design flood for the City of McKinney is the frequency flood specified in **Table 4-3** based on fully developed watershed conditions. Also known as design storm. Differs from base flood. The City of McKinney design flood elevation will not necessarily correspond with the FEMA BFE.

Design Speed – A selected speed used to determine the various geometric design features of the roadway.

Dimension Ratio (DR) – For pressure flow applications, the outside pipe diameter divided by the pipe wall minimum thickness. The DR provides a method of specifying product dimensions to maintain mechanical properties regardless of size. For a given dimension ratio the pipe stiffness remains constant for all pipe sizes.

Director of Engineering – The Director of Engineering, City Engineer, or his/her designee.

Distribution System – A system of pipes that conveys potable water from a water treatment plant to consumers. Distribution systems include pump stations, ground and elevated storage tanks, potable water mains, potable water service lines, and all associated valves, fittings, and meters, but excludes potable water customer service lines.

Drainage System – Includes streets, alleys, storm drains, drainage channels, culverts, bridges, overflow swales, and any other facility through which or over which stormwater flows.

Engineer of Record – The Professional Engineer (P.E.) licensed in the State of Texas through the Texas Board of Professional Engineers (TPBE) who is responsible for the signing and

sealing of construction plans, studies, calculations, and/or any other engineering documents in accordance with TBPE's requirements for professional practice. Also known as engineer.

Firm Pumping Capacity – The pumping capacity of the station handling the expected peak flow or the maximum hourly demand with the largest pump out of service.

Flood Control – The elimination or reduction of stormwater damage by means of land use restrictions, detention storage, erosion control, drainage systems, channel improvements, dikes and levees, bypass channels, and/or other engineering works. Also known as stormwater management.

Floodplain – The entire geographic area subject to flooding based on the design flood or base flood. The floodplain shall refer to the area subject to flooding resulting from the 100-year design flood (based on fully developed watershed conditions). The FEMA floodplain shall refer to the area subject to flooding resulting from the 100-year base flood (based on existing watershed conditions).

Floodplain Administrator – The City official or his/her designee appointed to administer and implement the provisions of the Stormwater Management Ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance – NFIP Regulations) pertaining to floodplain management.

Floodplain Fringe – Part of the SFHA within the FEMA Floodplain but outside of the Regulatory Floodway.

Floodplain Reclamation – The act of removing property from floodplain by the placement of fill or other topographical alteration such that the area is elevated above the base flood or design flood elevation. This does not include the elevation of a structure within the floodplain.

Floodway – The channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than a designated height. Also known as regulatory floodway.

Flowline – The floor, bottom, or lowest elevation of an open channel or closed conduit. Also known as invert.

Freeboard – The distance between the design flood elevation and the top of an open channel, dam, levee, or detention basin to allow for wave action, floating debris, or any other condition or emergency without overflowing the structure.

Frontage Road – A local roadway along an arterial highway allowing control of access and service to adjacent areas and property. Also known as a service road.

Fully Developed – The condition of the watershed after the entire watershed has undergone development. Refer to the current City of McKinney Future Land Use Plan to determine future land uses. Also known as ultimate development.

Greenbelt Spine Trail – A trail with a typical width of 12 feet connecting parks found along the creek corridors. Greenbelt Spine Trails have the highest level of amenities where users experience little to no interaction with motor vehicle traffic. Where Greenbelt Spine Trails cross streets, crossings are either fully grade-separated or have signalized traffic control to increase safety and visibility.

Improved Channel – A drainage channel or area of concentrated drainage that has been cleared, excavated, realigned, lined, graded, stabilized, or created by equipment. Also known as improved creek and improved stream.

Industrial Driveway – Serves truck movements to and from loading areas of industrial, warehouse, or truck terminals. A community or regional shopping center may have one or more driveways specially designed, signed, and located to provide access for trucks.

Intersection – Any at grade connection with a roadway. This includes the connection of two roadways or a driveway and a roadway.

Level of Service (LOS) – A measure of traffic flow and congestion. LOS is a qualitative measure describing operational conditions within a traffic stream, generally described in terms of speed, travel time, freedom to maneuver, traffic interruptions, comfort, convenience, and safety.

Local Street – A minor roadway that serves abutting land use and traffic within a neighborhood or limited residential area.

Maximum Daily Demand – The total amount of water used during the day of heaviest consumption in any given year and the minimum rate, which the high service pumps shall be capable of pumping. Water shall be supplied to the pumps at this rate.

Maximum Hourly Demand – The rate at which water is drawn from the entire system during the hour of maximum consumption on the day of maximum demand. This rate is generally of a short duration and is most economically provided for by the use of elevated storage in addition to water supplied to the system by pumps. The distribution system, including storage and pumping capacity, shall be able to satisfy this demand. Also known as peak flow.

Median – The portion of a divided roadway separating the opposing traffic flows. A median may be traversable or non-traversable.

Median Opening – An opening in a non-traversable median that allows accessing or crossing the opposing traffic lanes.

Minimum Hourly Demand – This is the rate at which water is drawn from the distribution system during the hour of minimum demand on the day of maximum demand. This rate is used in the water distribution analysis to determine the adequacies of the system to replenish elevated storage.

Natural Channel – An unlined and unimproved existing drainage channel that has not been graded, modified, cleared, or created by equipment. Also known as natural creek and natural stream.

Non-traversable Median – A physical barrier in a roadway or driveway that separates vehicular traffic traveling in opposite directions, and prohibits movement of traffic across the median. Non-traversable medians include, but are not limited to, concrete barriers, raised concrete curbs and/or islands, and grass or swale medians.

Owner – For the purposes of this manual, owner refers to the person responsible for developing a particular site or project. Also referred to as developer.

Parkway – (a) An area within the right-of-way but outside the edge of pavement which is typically reserved for public use other than vehicular traffic; (b) a freeway which does not have continuous frontage roads.

Post-development – The condition of the given site and drainage area after the anticipated development has taken place. Also known as post-project.

Pre-development – The existing condition of the given site and drainage area prior to development. Also known as pre-project.

Residential Driveway – Provides access to a single family residence, a duplex, or a multi-family building containing five or fewer dwelling units. These drives shall intersect primarily residential streets or collector streets. All access to residential property abutting all other thoroughfares shall be off an alley or a service road.

Right-of-Way (ROW) – A strip of land dedicated for use of public streets and/or related facilities. Other facilities include, but are not limited to, utilities, drainage systems, and other transportation uses.

ROW Width – The shortest horizontal distance between the lines which delineate the limits of right-of-way.

Sidewalk – A paved area within the right-of-way specifically designed for pedestrians and/or bicyclists.

Sight Distance – The distance visible to the driver of a passenger vehicle measured along the normal travel path of a roadway from a designated location and to a specified height above the roadway when the view is unobstructed by traffic.

Standard Dimension Ratio (SDR) – For gravity flow applications, the pipe diameter divided by the pipe wall thickness and provides a method of specifying product dimensions to maintain mechanical properties regardless of size. For a given dimension ratio the pipe stiffness remains constant for all pipe sizes.

Standard of Care – The care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. No provision or requirement of the Engineering Design Manual shall relieve the engineer of his/her responsibility to meet the standards of conduct and ethics established by the Texas Board of Professional Engineers (TPBE).

Stopping Sight Distance (SSD) – The distance required by a driver of a vehicle, traveling at a given speed, to bring the vehicle to a stop after an object on the roadway becomes visible. It includes the distance traveled during driver perception time, reaction time, and the vehicle braking distance.

Storage Length – The portion of an auxiliary lane required to store the number of vehicles expected to accumulate in the lane during an average peak period.

Time of Concentration – The estimated time required for runoff to flow from the most hydraulically remote section of the drainage area to the point at which the flow is to be determined. Hydraulically remote refers to the travel path with the longest flow travel time, not necessarily the longest linear distance.

Trunk Line – The main line of a storm drain system. This includes lines extending from manhole to manhole or from manhole to outlet structure.

Watershed – The area contributing stormwater runoff to a stream or drainage system. Also known as drainage area, drainage basin, and catchment area.

ABBREVIATIONS

% – Percent.

' – Foot or feet.

" – Inch or inches.

AASHTO – American Association of State Highway and Transportation Officials.

ACI – American Concrete Institute.

ADA – Americans with Disabilities Act.

ADT – Average Daily Traffic.

AMC – Antecedent Moisture Condition.

amp – Ampere.

ANSI – American National Standards Institute.

ASCE – American Society of Civil Engineers.

ASME – American Society of Mechanical Engineers.

ASTM – American Society for Testing and Materials.

ATSSA – American Traffic Safety Services Association.

AWWA – American Water Works Association.

AVG – Average.

b-b – Back of curb to back of curb distance.

BC – Barricade and Construction.

BFE – Base Flood Elevation.

BMP – Best Management Practice.

CAD – Computer-aided Design.

CFR – Code of Federal Regulations.

cfs – Cubic feet per second.

CGP – Construction General Permit.

CLOMR – Conditional Letter of Map Revision.

CPS – Corrosion Protection System.

CSN – Construction Site Notice.

CWA – Clean Water Act.

DIPS – Ductile Iron Pipe Standard.

ECP – Erosion Control Plan.

EGL – Energy grade line.

EPA – Environmental Protection Agency.

ETJ – Extraterritorial Jurisdiction.

FAA – Federal Aviation Administration.
FDC – Fire Department Connection.
FEMA – Federal Emergency Management Agency.
f-f – Curb face to curb face distance.
FHBM – Flood Hazard Boundary Map.
FHWA – Federal Highway Administration.
FIRM – Federal Insurance Rate Map.
FIS – Flood Insurance Study.
FM – Farm to Market road.
fps – Feet per second.
FRP – Fiberglass reinforced pipe.
gpad – Gallons per acre per day.
gpcd – Gallons per capita per day.
gpd – Gallons per day.
gpm – Gallons per minute.
GPS – Global Positioning System.
H – Horizontal.
HEC-HMS – Hydrologic Engineering Center Hydrologic Modeling System.
HEC-RAS – Hydrologic Engineering Center River Analysis System.
HDPE – High Density Polyethylene.
HGL – Hydraulic grade line.
HOA – Homeowners Association.
H-O-A – Hand-Off-Auto.
IFC – International Fire Code.
IMSA – International Municipal Signal Association.
in – Inch.
IRF – Intruder resistant fence.
ISD – Independent School District.
iSWM – Integrated Stormwater Management.
ITE – Institute of Transportation Engineers.
KVA – Thousand volt-amperes.
L – Liter.
lbs – Pound or pounds.
LF – Linear Feet.
LIDAR – Light Detection and Ranging.
LOMA – Letter of Map Amendment.
LOMR – Letter of Map Revision.
LOS – Level of Service.
Max – Maximum.
mg – Milligram.
mgd – Million gallons per day.
mg/L – Milligram per Liter.
MMA – Methyl methacrylate.
Min – Minimum.
mph – Miles per hour.
MSE – Mechanically Stabilized Earth.
msl – Mean seal level.

MSMTR – Multi-Stream, Multi-Trajectory, Rotating.
MS4 – Municipal Separate Storm Sewer System.
MTC – McKinney Town Center.
NCHRP – National Cooperative Highway Research Program.
NCTCOG – North Central Texas Council of Governments.
NEC – National Electric Code.
NEPA – National Environmental Policy Act.
NFIP – National Flood Insurance Program.
NFPA – National Fire Protection Association.
NOI – Notice of Intent.
NOT – Notice of Termination.
NPDES – National Pollution Discharge Elimination System.
NRCS – National Resources Conservation Service.
NRHP – National Registration of Historic Places.
NST – National Standard Thread.
NTMWD – North Texas Municipal Water District.
NTTA – North Texas Tollway Authority.
OHWM – Ordinary High Water Mark.
OSHA – Occupational Safety and Health Administration.
PC – Point of curvature.
PCM – Protective coating material.
PCSQP – Post Construction Stormwater Quality Plan.
P.E. – Professional Engineer.
PHT – Peak hour trip.
PI – Plasticity Index.
PI – Point of intersection.
PMF – Probable Maximum Flood.
PMP – Probable Maximum Precipitation.
PN – Pressure Class Number.
ppm – Parts per million.
PROWAG – Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way.
psi – Pounds per square inch.
PT – Point of tangency.
PD – Planned Development.
PVC – Polyvinyl Chloride.
PVI – Point of Vertical Intersection.
PVR – Potential Vertical Rise.
QL – Utility Quality Level.
RA – Residential Alley.
RCP – Reinforced concrete pipe.
REV – Revision.
ROW – Right-of-Way.
RQ – Reportable quantity.
RTP – Regional Transportation Plan.
RTU – Remote terminal unit.
RWGV – Resilient Wedge Gate Valve.

S – Sight Distance.
SCADA – Supervisory Control and Data Acquisition.
SCS – Soil Conservation Service.
SDF – Spillway Design Flood.
SDR – Standard Dimension Ratio.
SFHA – Special Flood Hazard Area.
SH – State Highway.
SN – Structural Number.
SPF – Standard Project Flood.
SPP – Standard Project Precipitation.
SSD – Stopping Sight Distance.
SUE – Subsurface Utility Engineering.
SW3P – Stormwater Pollution Prevention Plan.
s/veh – Seconds per vehicle.
TAC – Texas Administrative Code.
TAS – Texas Accessibility Standards.
TBPE – Texas Board of Professional Engineers.
T_c – Time of Concentration.
TCEQ – Texas Commission on Environmental Quality.
TCP – Traffic Control Plan.
TDLR – Texas Department of Licensing and Regulation.
THC – Texas Historical Commission.
TIA – Traffic Impact Analysis.
TMUTCD – Texas Manual on Uniform Traffic Control Devices.
tpd – Trips per day.
TPDES – Texas Pollution Discharge Elimination System.
TPWD – Texas Parks & Wildlife Department.
TWDB – Texas Water Development Board.
TxDOT – Texas Department of Transportation.
U.S. – United States.
USACE – United States Army Corps of Engineers.
USFWS – United States Fish and Wildlife Service.
USGS – United States Geological Survey.
V – Vertical or Velocity (depending on context).
VPD – Vehicles Per Day.
WZ – Work Zone.

APPENDIX B

CITY CHECKLISTS

CITY CHECKLISTS

1. Civil Engineering Plan Submittal Process
2. Civil Engineering Development Plan Review Checklist
3. Geotechnical Report for Roadways Checklist
4. Summary of Geotechnical Recommendations Form
5. Bridge Construction Inspection and Certification Checklist
6. Post Construction Stormwater Quality Plan Checklist
7. Tree Permit Requirements Checklist
8. Engineering Development Final Acceptance Checklist

The engineer shall verify the current edition of the checklists with the Engineering Department.



Geotechnical Report for Roadways Checklist

Project Name: _____

Geotechnical Engineer/Firm: _____

Report Date: _____

Date Received: _____

Note: Any N/A response shall include a written explanation with adequate justification, as deemed necessary by the Director of Engineering.

COMPLETE	N/A	1. SECTION 3.1 GENERAL
<input type="checkbox"/>	<input type="checkbox"/>	A. Include the <i>Summary of Geotechnical Recommendations Form</i>
<input type="checkbox"/>	<input type="checkbox"/>	B. Description of Project
<input type="checkbox"/>	<input type="checkbox"/>	C. Location of Project
<input type="checkbox"/>	<input type="checkbox"/>	D. Roadway type and classification
<input type="checkbox"/>	<input type="checkbox"/>	E. Grading plan and summary
<input type="checkbox"/>	<input type="checkbox"/>	F. Discussion of underground utilities within the Project limits
COMPLETE	N/A	2. SECTION 3.2 EXISTING SURFACE/SUBSURFACE INVESTIGATION
<input type="checkbox"/>	<input type="checkbox"/>	A. Discussion of existing surface/subsurface conditions that may affect subgrade and pavement design or performance (i.e. vegetation, terrain, existing structures, existing pavement, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	B. Discussion of geological conditions that may impact subgrade and pavement design or performance. Specify formation.
<input type="checkbox"/>	<input type="checkbox"/>	C. Surface/subsurface conditions with logs <ul style="list-style-type: none"> - Sampling techniques - Description of soil and rock encountered, including lab test details - Discussion of water and groundwater conditions - Discussion of seasonal variations in moisture content - Atterberg limits (ASTM D 4318) - Percent Passing the No. 200 sieve (ASTM D 1140)
<input type="checkbox"/>	<input type="checkbox"/>	D. All standards used in field and laboratory testing shall be identified. Any deviations to standard procedures shall be discussed.
COMPLETE	N/A	3. SECTION 3.3 SUBSURFACE DESIGN
<input type="checkbox"/>	<input type="checkbox"/>	A. Expansive Soils Evaluation <ul style="list-style-type: none"> - Percent swell calculation and test results - Effect of cut/fills (i.e. long-term soil uplift in cut areas; settlement overburden pressure effects in fill areas) - Identify soil movement estimates at each boring location - Explanation of anomalous variations within the soil profile and between borings (i.e., Atterberg limits, PI, sulfates, clay to rock, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	B. Soil Moisture Conditioning <ul style="list-style-type: none"> - Discussion of swell test results summary - Recommended depth of moisture conditioning - Address transition between zones of varying depth - Discussion of possible variations during construction and mitigation thereof - Discussion of techniques to maintain moisture in soil



Geotechnical Report for Roadways Checklist

- Discussion of methods to test soil moisture conditioning during construction (i.e. a second geotechnical investigation/re-evaluation may be required to specifically address soil moisture prior to lime operations)
- Address street trees

COMPLETE

N/A

4. SECTION 3.4 SUBGRADE DESIGN

A. Subgrade Stabilization

- Typical subgrade type
- Explanation of anomalous soil conditions anticipated and discussion of potential variations to consider
- Construction techniques to implement
- Effects of rock/rock fragments encountered during construction and recommendations to abate

B. Soluble Sulfates

- Identify soluble sulfate test results; summarize results and discuss variations
- Discussion of techniques during construction to mitigate sulfate-induced heaving
- Sulfate retesting during construction

COMPLETE

N/A

5. SECTION 3.5 PAVEMENT DESIGN

A. Identify roadway type(s) and classifications(s)

B. Identify deviations from Pavement Design Input Values (Re: Table 3-2)

C. Identify recommended pavement section

COMPLETE

N/A

6. APPENDIX

A. Geological Map

B. Boring Locations

C. Boring Logs

D. Grading Plan (for non-linear projects)

E. Cut vs. fill by station number (for linear projects)

F. Printout from WinPAS pavement design software program

G. Proposed typical section with dimensions showing pavement thickness, subgrade type and thickness, moisture conditioning depth, and location of moisture barrier. If applicable, location of proposed trees and root barriers shall be shown.

Geotechnical Engineer Signature: _____

Date: _____



Bridge Construction Inspection and Certification Checklist

Project Name: _____

Inspector Name: _____

Design Engineer: _____

Report Date: _____

Inspector shall certify bridge construction inspections were performed at the prescribed stages of construction in accordance with the following checklist. The inspection reports and final certificate of compliance shall be submitted to the City and include the following items.

COMPLETE	N/A	1. BEFORE CONCRETE PLACEMENT
<input type="checkbox"/>	<input type="checkbox"/>	A. Check beam profiles after they are erected to see if vertical profile adjustment is necessary.
<input type="checkbox"/>	<input type="checkbox"/>	B. Check to ensure contractor's profile of slab includes the anticipated dead load deflection values.
<input type="checkbox"/>	<input type="checkbox"/>	C. Check that safety measures are in-place according to OSHA standards, toe-board, rail, etc. throughout duration.
<input type="checkbox"/>	<input type="checkbox"/>	D. Check that maximum build up of panel shims are not exceeded. Verify that panels overhang the shims, so that panel is supported by concrete and not shims throughout the design life.
<input type="checkbox"/>	<input type="checkbox"/>	E. Check that thickened ends (cast-in-place diaphragms) of spans are per plan dimensions.
<input type="checkbox"/>	<input type="checkbox"/>	F. Check reinforcing steel. Epoxy coated? If epoxy coated specified, chairs and tie wire must also be epoxy coated. Size? Spacing? Grade? Percent tied? Percent supported? Is steel from an approved source?
<input type="checkbox"/>	<input type="checkbox"/>	G. Check that longitudinal splicing of reinforcing steel is staggered.
<input type="checkbox"/>	<input type="checkbox"/>	H. Check, if applicable, steel for bridge rail (anchor steel). Spacing? Grading? Location of joints? Drainage openings (slots)?
<input type="checkbox"/>	<input type="checkbox"/>	I. Check that overhang brackets are according to pre-approved forming detail.
<input type="checkbox"/>	<input type="checkbox"/>	J. Check screed during dry run – Vibrator's amplification; Rotation of steel drums; are they true? When drum reaches ends, must have smooth change in direction, not a jump that will indent fresh concrete. Check drum at armor joints.
<input type="checkbox"/>	<input type="checkbox"/>	K. Check slab depth and reinforcing steel coverage from bottom of steel drums during screed dry run at quarter points on regular intervals.
<input type="checkbox"/>	<input type="checkbox"/>	L. Check that contractor has a water mister.
<input type="checkbox"/>	<input type="checkbox"/>	M. Hold a pre-concrete placement field meeting prior to scheduled placement.
<input type="checkbox"/>	<input type="checkbox"/>	N. Check contractor's slab concrete mix design. Does it meet specifications? Has it been approved? Have material tests and admixture certifications on file before concrete placement.



Bridge Construction Inspection and Certification Checklist

COMPLETE	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	2. DURING CONCRETE PLACEMENT
<input type="checkbox"/>	<input type="checkbox"/>	A. Check that materials testing lab is onsite and prepared.
<input type="checkbox"/>	<input type="checkbox"/>	B. Check that contractor has enough polyethylene to cover slab in case of unexpected rain.
<input type="checkbox"/>	<input type="checkbox"/>	C. Check, if applicable, contractor has all cold weather equipment necessary and onsite prior to beginning pour to maintain minimum concrete temperature, including proper high-low thermometers. In hot weather, ensure contractor has measures in place to maintain concrete temperatures (ice, etc.).
<input type="checkbox"/>	<input type="checkbox"/>	D. Check that contractor has all the necessary material onsite prior to beginning pour to water cure the concrete slab for the duration specified.
<input type="checkbox"/>	<input type="checkbox"/>	E. Check that contractor's personnel have the proper safety equipment.
<input type="checkbox"/>	<input type="checkbox"/>	F. Check that curing compound is being applied to the slab properly.
<input type="checkbox"/>	<input type="checkbox"/>	G. Check that measured depth of placed concrete slab meets design requirements.
<input type="checkbox"/>	<input type="checkbox"/>	H. Check to see if contractor needs wrecking cylinders.
<input type="checkbox"/>	<input type="checkbox"/>	I. Check concrete truck tickets and confirm that approved concrete mix design is used.
<input type="checkbox"/>	<input type="checkbox"/>	J. Check that contractor does not exceed "water withheld amount" if water is being added after truck arrives.
<input type="checkbox"/>	<input type="checkbox"/>	K. Check and run all concrete tests on first truck, slump, air, make cylinders and temperature. After this, perform air and slump tests if needed to ensure concrete compliance.
<input type="checkbox"/>	<input type="checkbox"/>	L. Check concrete temperature regularly. Reject loads that are out of temperature specifications.
<input type="checkbox"/>	<input type="checkbox"/>	M. Check that slab is being straight edged at 45 degrees direction from both sides in addition to the roller screed.
<input type="checkbox"/>	<input type="checkbox"/>	N. Check that concrete is not too wet or dry when contractor begins carpet dragging/brooming and tining (if allowed).
<input type="checkbox"/>	<input type="checkbox"/>	O. Check that contractor's surveyors are taking overhang shots to ensure the anticipated dead load deflection. Must make immediate adjustments if needed. Visually inspect overhangs for irregularities.
COMPLETE	N/A	3. AFTER CONCRETE PLACEMENT
<input type="checkbox"/>	<input type="checkbox"/>	A. Check that quality control test cylinders are removed from the field as specified.
<input type="checkbox"/>	<input type="checkbox"/>	B. Check that wrecking cylinders are being cured same way as slab.
<input type="checkbox"/>	<input type="checkbox"/>	C. Check, if applicable, that cold weather requirements are being met.
<input type="checkbox"/>	<input type="checkbox"/>	D. Check that slab is being water cured properly throughout the required duration.

Inspector Signature: _____

Date: _____



Post Construction Stormwater Quality Plan Checklist

Project Name: _____

Engineer of Record: _____

Firm: _____

Site Size (acres): _____ Number of Permanent BMPs: _____

Report Date: _____ Date Received: _____

Engineer of Record must fill out this form completely and submit with additional items in accordance with the Civil Engineering Plan Review Development checklist.

- | COMPLETE | N/A | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Are the following <u>existing</u> site features shown? |
| <input type="checkbox"/> | <input type="checkbox"/> | A. Existing two foot contours |
| <input type="checkbox"/> | <input type="checkbox"/> | B. Existing drainage patterns and features |
| <input type="checkbox"/> | <input type="checkbox"/> | C. Existing "C" value (runoff coefficient) |
| <input type="checkbox"/> | <input type="checkbox"/> | D. "Q" for 2-year, 24-hour duration storm event (pre-development) |
| <input type="checkbox"/> | <input type="checkbox"/> | E. Approximate limit of tree canopy |
| <input type="checkbox"/> | <input type="checkbox"/> | F. Tree survey, if commercial site |
| <input type="checkbox"/> | <input type="checkbox"/> | G. Approximate limit of wetlands |
| <input type="checkbox"/> | <input type="checkbox"/> | H. Soil type and classification |
| <input type="checkbox"/> | <input type="checkbox"/> | I. Fully Developed 100-year floodplain and FEMA 100-year floodplain delineated |

- | COMPLETE | N/A | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Are the following <u>permanent, post-development</u> site features shown? |
| <input type="checkbox"/> | <input type="checkbox"/> | A. Total site impervious area (square feet) for Commercial Projects |
| <input type="checkbox"/> | <input type="checkbox"/> | B. Total site open space area (acres) for Residential Projects |
| <input type="checkbox"/> | <input type="checkbox"/> | C. Proposed two foot contours |
| <input type="checkbox"/> | <input type="checkbox"/> | D. Drainage areas and sub areas delineated and labeled |
| <input type="checkbox"/> | <input type="checkbox"/> | E. Proposed stormwater conveyance systems |
| <input type="checkbox"/> | <input type="checkbox"/> | F. Flow arrows for surface drainage |
| <input type="checkbox"/> | <input type="checkbox"/> | G. Post-development "C" value (runoff coefficient) |
| <input type="checkbox"/> | <input type="checkbox"/> | H. "Q" for 2-year, 24-hour duration storm event (post-development) |
| <input type="checkbox"/> | <input type="checkbox"/> | I. Site layout |
| <input type="checkbox"/> | <input type="checkbox"/> | J. Areas to be protected from disturbance |
| <input type="checkbox"/> | <input type="checkbox"/> | K. Trees to be saved |
| <input type="checkbox"/> | <input type="checkbox"/> | L. Fully Developed 100-year floodplain and FEMA 100-year floodplain delineated |
| <input type="checkbox"/> | <input type="checkbox"/> | M. Erosion Hazard Setback and drainage easements |
| <input type="checkbox"/> | <input type="checkbox"/> | N. List of potential pollutants |
| <input type="checkbox"/> | <input type="checkbox"/> | O. Proposed Permanent BMPs |



Post Construction Stormwater Quality Plan Checklist

Permanent BMP #1

Description: _____

Maintenance: _____

Responsible Party for Maintenance: _____

COMPLETE

N/A

-
-
-
-
-

-
-
-
-
-

1. Design criteria provided
2. Appropriate application
3. Shown as public or private
4. Coordinated with drainage plan
5. Coordinated with landscaping plan

Permanent BMP #2

Description: _____

Maintenance: _____

Responsible Party for Maintenance: _____

COMPLETE

N/A

-
-
-
-
-

-
-
-
-
-

1. Design criteria provided
2. Appropriate application
3. Shown as public or private
4. Coordinated with drainage plan
5. Coordinated with landscaping plan



Post Construction Stormwater Quality Plan Checklist

Permanent BMP #3

Description: _____

Maintenance: _____

Responsible Party for Maintenance: _____

COMPLETE	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	1. Design criteria provided
<input type="checkbox"/>	<input type="checkbox"/>	2. Appropriate application
<input type="checkbox"/>	<input type="checkbox"/>	3. Shown as public or private
<input type="checkbox"/>	<input type="checkbox"/>	4. Coordinated with drainage plan
<input type="checkbox"/>	<input type="checkbox"/>	5. Coordinated with landscaping plan

Permanent BMP #4

Description: _____

Maintenance: _____

Responsible Party for Maintenance: _____

COMPLETE	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	1. Design criteria provided
<input type="checkbox"/>	<input type="checkbox"/>	2. Appropriate application
<input type="checkbox"/>	<input type="checkbox"/>	3. Shown as public or private
<input type="checkbox"/>	<input type="checkbox"/>	4. Coordinated with drainage plan
<input type="checkbox"/>	<input type="checkbox"/>	5. Coordinated with landscaping plan



Post Construction Stormwater Quality Plan Checklist

Permanent BMP #5

Description: _____

Maintenance: _____

Responsible Party for Maintenance: _____

COMPLETE

-
-
-
-
-

N/A

-
-
-
-
-

1. Design criteria provided
2. Appropriate application
3. Shown as public or private
4. Coordinated with drainage plan
5. Coordinated with landscaping plan

Miscellaneous Items and Notes:

Engineer of Record Signature: _____

Date: _____

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:38 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Scottclark56@gmail.com <Scottclark56@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Scott A. Clark

E-MAIL: Scottclark56@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
ALLEN TX 75002-6712

PHONE: 7146867705

FAX:

COMMENTS: This project will result in an imminent threat to the health and safety of life and property in Parker, Texas. The degradation of the flow of water upstream from the proposed facility will cause a slowdown in the areas just north of the proposed project, which have experienced significant flooding in the past and exist on a flood plane. Our city and citizens have spent substantial time and money to rectify a potentially dangerous flooding situation that this project would directly threaten.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Scottclark56@gmail.com <Scottclark56@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Scott A. Clark

E-MAIL: Scottclark56@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146867705

FAX:

COMMENTS: This project will result in an imminent threat to the health and safety of life and property in Parker, Texas. The degradation of the flow of water upstream from the proposed facility will cause a slowdown in the areas just north of the proposed project, which have experienced significant flooding in the past and exist on a flood plane. Our city and citizens have spent substantial time and money to rectify a potentially dangerous flooding situation that this project would directly threaten.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:13 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Scottclark56@gmail.com <Scottclark56@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Scott A. Clark

E-MAIL: Scottclark56@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146867705

FAX:

COMMENTS: This project will result in an imminent threat to the health and safety of life and property in Parker, Texas. The degradation of the flow of water upstream from the proposed facility will cause a slowdown in the areas just north of the proposed project, which have experienced significant flooding in the past and exist on a flood plane. Our city and citizens have spent substantial time and money to rectify a potentially dangerous flooding situation that this project would directly threaten.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:14 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Scottclark56@gmail.com <Scottclark56@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Scott A. Clark

E-MAIL: Scottclark56@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146867705

FAX:

COMMENTS: This project will result in an imminent threat to the health and safety of life and property in Parker, Texas. The degradation of the flow of water upstream from the proposed facility will cause a slowdown in the areas just north of the proposed project, which have experienced significant flooding in the past and exist on a flood plane. Our city and citizens have spent substantial time and money to rectify a potentially dangerous flooding situation that this project would directly threaten.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Scottclark56@gmail.com <Scottclark56@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Scott A. Clark

E-MAIL: Scottclark56@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146867705

FAX:

COMMENTS: This project will result in an imminent threat to the health and safety of life and property in Parker, Texas. The degradation of the flow of water upstream from the proposed facility will cause a slowdown in the areas just north of the proposed project, which have experienced significant flooding in the past and exist on a flood plane. Our city and citizens have spent substantial time and money to rectify a potentially dangerous flooding situation that this project would directly threaten.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:21 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Scottclark56@gmail.com <Scottclark56@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Scott A. Clark

E-MAIL: Scottclark56@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
ALLEN TX 75002-6712

PHONE: 7146867705

FAX:

COMMENTS: This project will result in an imminent threat to the health and safety of life and property in Parker, Texas. The degradation of the flow of water upstream from the proposed facility will cause a slowdown in the areas just north of the proposed project, which have experienced significant flooding in the past and exist on a flood plane. Our city and citizens have spent substantial time and money to rectify a potentially dangerous flooding situation that this project would directly threaten.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, December 10, 2021 8:01 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: CORRECTION: Public comment on Permit Number WQ0016003001

H
RFR

From: PUBCOMMENT-OCC
Sent: Thursday, December 9, 2021 8:20 AM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: WendyClark26@gmail.com <WendyClark26@gmail.com>
Sent: Thursday, December 9, 2021 5:49 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Wendy Clark

E-MAIL: WendyClark26@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146868964

FAX:

COMMENTS: Based on the information below, I request a contested hearing and reconsideration of this application: "According to NTMWD the proposed wastewater treatment plant permit WQ0016003001 would interfere with NTMWD's ****statutory right, privilege, and economic interest**** as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. Specifically******, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single- family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, ****granting the TPDES permit to the Applicants violates applicable statutory requirements**** pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C." This permit should not be granted and TCEQ should be following Regionalization.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, December 9, 2021 8:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: WendyClark26@gmail.com <WendyClark26@gmail.com>
Sent: Thursday, December 9, 2021 5:49 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Wendy Clark

E-MAIL: WendyClark26@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146868964

FAX:

COMMENTS: Based on the information below, I request a contested hearing and reconsideration of this application: "According to NTMWD the proposed wastewater treatment plant permit WQ0016003001 would interfere with NTMWD's ****statutory right, privilege, and economic interest**** as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. Specifically******, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that

will be developed into single- family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, ****granting the TPDES permit to the Applicants violates applicable statutory requirements**** pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C." This permit should not be granted and TCEQ should be following Regionalization.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:10 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: wendyclark26@gmail.com <wendyclark26@gmail.com>
Sent: Sunday, December 5, 2021 7:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTITY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Wendy Clark

E-MAIL: wendyclark26@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146868964

FAX:

COMMENTS: I REQUEST A CONTESTED HEARING. MY HOME IS LESS THAN A HALF MILE FROM WATER TREATMENT FACILITY. I am an AFFECTED PARTY as our home is located on the corner of Gregory Lane, on a flood plain. Maxwell Creek runs directly between my property. Our home has had several flood events over the years, the most recent being in 2015. During heavy rains, the creek and culvert on Gregory Lane routinely back up causing a deluge of water to rush over the street creating an imminent threat to our lives and property. The creek can rise to dangerous levels with just a

few inches of continuous rainfall. We have lived in Parker for 6 years and the creek has become a place of solace and recreation for our family. My children caught their first fish in the creek. We frequently see frogs, crawdads, alligator snapping turtles, sliders, crawdads, snakes and other aquatic wildlife. We've had families of possums, raccoons, skunks, coyotes, bobcats and armadillos nest along the creek banks and raise their young. Since the creek is in my backyard, my family, along with our pets (dog, chickens and ducks) spend a lot of time exploring the creek. I am very concerned about the health and safety with this proposed treatment facility due to its close proximity to my home along with the thousands of gallons of water emptied into Maxwell Creek daily.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 17, 2021 9:42 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: wendyclark26@gmail.com <wendyclark26@gmail.com>
Sent: Wednesday, November 17, 2021 9:01 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Wendy Jill Clark

E-MAIL: wendyclark26@gmail.com

COMPANY:

ADDRESS: 6000 GREGORY LN
PARKER TX 75002-6712

PHONE: 7146868964

FAX:

COMMENTS: I would like to request a contested hearing. I live on Gregory Lane in Parker. Maxwell Creek runs right through the middle of my property. As a result, our home is on a flood plain and has experienced several flood events over the years since it was built in 1972. With heavy rains, it is commonplace to see the creek level rise to the point of washing over the culvert/bridge on Gregory Lane, stretching 30 feet or so from my home. Maxwell Creek is a diverse home for many aquatic wildlife and serves as a "highway" for many animals such as coyotes, raccoons, bobcats,

opossums and armadillos. I have photographed many species over the 6 years we have lived on the creek; many species of turtles, such as red-eared sliders the protected alligator snapping turtle. The creek is home to frogs, crawfish, bluegill, catfish, etc. We routinely have Blue Herons walking the creek for food. The creek is a treasure for our family and our neighbors. We love to explore the creek and the animals that call it home and want to see it protected. My children attend Hunt Elementary school and I am concerned for their health as well due to the proximity of the school to the MUD facility.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 14, 2022 12:30 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H
RFR

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Sunday, March 13, 2022 8:19 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Don Cloud, JR

E-MAIL: smcbyses@verizon.net

COMPANY:

ADDRESS: 103 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: PART C of comments filed today 3-13-22 Although we are affected property owners we did not receive the formal notice required for the Application. We received informal notice from a neighbor only on October 8, 2021. Applicant's failure to provide required notice to affected residents and entities and troubling inaccuracies are material defects in the Application which cannot be remedied, and should not be rewarded, under the law. Applicant seeks to

build a Sewage Plant on purported ETJ land in Collin County which sits between the cities of Murphy and Parker. Murphy, settled in the 1800's, is already fully developed. Parker, settled in the 1800's, is already fully developed. The substantial and material lowering of water quality is NOT necessary for important economic or social development. The policies of regionalization and anti-degradation will be violated should the Application be approved and the permit sought by Applicant issued. The TIER 2 review does require a tier 3 review and the reconsideration and denial of the Application. We respectfully refer to the letter dated November 10, 2021 from Texas Parks & Wildlife to the TCEQ regarding the Application. Texas Parks & Wildlife does not support the Application. Texas Parks & Wildlife points out material inconsistencies in the Application and recommends seeking alternatives to the Sewage Plant. On its official web site Murphy has posted its approved \$44,472,286 2022 budget. In that document on page 9 Murphy lists as a guiding principle that we will have attractive and inviting parks and trails. Murphy has already spent millions of taxpayer dollars on developing, improving and promoting its natural centerpiece, Maxwell Creek, which will be ruined by the Sewage Plant. Murphy also lists the guiding principle of we will seek innovative solutions for local issues. The actions for which Applicant seeks TCEQ permission will violate existing Collin County policy. The Collin County Commissioners Court in a published report dated September 28, 2020 stated this important policy: Adverse impacts shall not be allowed within the County. Adverse impacts take place when the actions of one property owner adversely affects the rights of another property owner. A portion of our Murphy land is in the flood plain created by Maxwell Creek, which flood risk will be substantially increased should the Application be approved and the permit sought be issued. Maxwell Creek is a valuable year round flowing natural creek surrounded by areas of exceptional recreational, such as parks and hiking trails, and ecological, such as aquatic and other wildlife, significance. The quality of Maxwell Creek and its substantial high quality aquatic life and downstream cannot be maintained or protected if the Harmful Activities are permitted. The Harmful Activities will result in the substantial degradation of water quality of Maxwell Creek and downstream by more than a de minimis extent and as a result existing uses will be materially impaired. The Harmful Activities will cause substantial and material degradation of waters in Maxwell Creek and downstream that exceeds fishable/swimmable quality and should not be allowed. To illustrate the historic important value of a clean, safe and protected Maxwell Creek to the city of Murphy, kindly consider this description from the city of Murphy web site: Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision). These facilities were constructed in 2008. The Harmful Activities will cause many material and substantial adverse impacts to us personally given our extremely close proximity, as noted above, to the proposed Sewage Plant and to Maxwell Creek, including, without limitation, the adverse impacts of: (1) material and substantial degradation of the water quality in Maxwell Creek and downstream; (2) material and substantial erosion of soil in and around Maxwell Creek and downstream; (3) material and substantial damage to two historical landmarked cemeteries, each of more than 100 years old, which are adjacent to Maxwell Creek; (4) material and substantial degradation and harm to aquatic life in Maxwell Creek and downstream; (5) material and substantial risk of known harm to our health; (6) material and substantial damage to the local and surrounding economies as residents will have no choice but to relocate; (7) material and substantial damage to wildlife, including protected and/or endangered species in and around Maxwell Creek and downstream; (8) material and substantial visual, noise and odor harmful nuisances; (9) material and substantial decrease in the market value of our Murphy, Texas home; (10) material and substantial enhanced flood risk from Maxwell Creek, both upstream and downstream, as a portion of our land is already in the flood plain created by Maxwell Creek; and (11) material and substantial degradation of important vegetation in and around Maxwell Creek. All of these adverse impacts are foreseeable. Maxwell Creek flows adjacent to and/or in close proximity to many schools including, without limitation, Tibbals Elementary, Hunt Elementary, Murphy Middle School, and McMillen High School, playgrounds and other recreational features such as hiking trails, Liberty Ridge Park, Waters Edge Park, and Murphy Central Park in Murphy, as well as City of Parker recreation areas. We and other residents pay for these amenities and schools through taxes. The Harmful Activities will cause many material and substantial adverse impacts to thousands of residents of Murphy, Parker and surrounding communities. Our list of disputed facts includes any and all facts, or purported facts, Applicant and any other person or entity asserts in support of the Application and/or in opposition to any of our claims and assertions set forth herein. In addition, we dispute, and include on our list of disputed facts, these

disputed facts and conclusions cited in the October 6, 2021 Statement of Basis/Technical Summary and Executive Director's Preliminary Decision, namely, (1) We dispute the statement that existing water quality uses of the water in Maxwell Creek will not be impaired by the permit action; (2) We dispute the statement that numerical and narrative criteria to protect existing uses in Maxwell Creek will be maintained; (3) We dispute the statement that a Tier 2 review is not required and we dispute the statement that no exceptional, high, or intermediate aquatic life uses water bodies have been identified in the discharge route; (4) We dispute the statement that existing uses in Maxwell Creek will be maintained and protected should the Application be approved; (5) We dispute the statement that the discharge from the permit sought by Applicant is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species of their critical habitat; (6) We dispute the statement that the permit sought by Applicant does not require EPA review with respect to the presence of endangered or threatened species; (7) We dispute the statement that the effluent levels in the draft permit will maintain and protect existing instream uses; (8) We dispute the statement that existing water quality uses in Maxwell Creek will not be impaired by the permit action; and (9) We dispute the statement that effluent levels, limitations and conditions in the draft permit comply with federal and state law, including without limitation, requirements for secondary treatment and the requirement for disinfection. Parker, adjacent to the purported ETJ at issue, generally has required septic tanks, which have worked fine for years, and required lot sizes necessary for septic tanks. Murphy, also adjacent to the purported ETJ at issue, provides city sewer services. The Harmful Activities will cause an unauthorized property taking and foreseeable damages. All parties who will be involved in the Harmful Activities have been, and remain, on proper notice for substantial liability and damages. We kindly request that the TCEQ grant our request for a contested case hearing, reconsider the TCEQ Decision and deny the Application in its entirety, as no amendment can save the Application. We reserve our rights to submit additional arguments. Kindly include us on the applicable notice mailing list and please let us know the status of your TCEQ process. Thank you, Wade and Scheri Cloud

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 14, 2022 12:34 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: CLOUDS COMMENTS TO PERMIT NO. WQ00016003001 FILED MARCH 13, 2022.pdf

H
RFR

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Sunday, March 13, 2022 7:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Don Cloud, JR

E-MAIL: smcbyses@verizon.net

COMPANY:

ADDRESS: 103 SALSBUARY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: March 13, 2022 To the Texas Commission on Environmental Quality ("TCEQ"): Our names, address, phone number and email address are submitted electronically to the TCEQ simultaneously with these requests and comments. We respectfully submit to the TCEQ this supplement to our previously filed comments of on or about October 9, 2021,

on or about November 9, 2021, and on or about December 6, 2021 to the application by Harrington/Turner Enterprises, LP and Restore the Grasslands LLC (collectively, "Applicant") TPDES Permit No.WQ0016003001("Application"). We incorporate our previously filed comments herein. The Application is for a new Texas Pollutant Discharge Elimination System permit to construct on ETJ land in Collin County a wastewater treatment plant ("Sewage Plant") within .3 mile or less of our Murphy home. The Sewage Plant will discharge sewage into Maxwell Creek and downstream which runs within .1 mile or less of our affected Murphy home located in Collin County, Texas. Request for Reconsideration - We request reconsideration of the TCEQ executive director final decision on permit with number WQ0016003001 dated February 11, 2022 ("TCEQ Decision"). The TCEQ Decision should be reconsidered and reversed for the reasons set forth herein. Request for Contested Case Hearing - We request a contested case hearing on permit with number WQ0016003001 and the TCEQ Decision. We live within .3 mile or less to the proposed Sewage Plant site and within .1 mile or less from the discharge into Maxwell Creek. We will be negatively affected by emissions of air contaminants from the Sewage Plant. We disagree with the TCEQ Decision and we are "affected persons." We have a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the Application. A portion of our Murphy land is in the flood plain created by Maxwell Creek, which flood risk will be substantially and materially increased should the Sewage Plant be permitted. Private action (lawsuit) – The TCEQ states at least 16 times in its EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENTS dated February 4, 2022 ("EXECUTIVE DIRECTOR'S RESPONSE") that "the proposed permit does not limit the landowner's ability to seek private action against the Applicants". This statement inappropriately implies private actions or lawsuits may only be filed against Applicants. We request that the TCEQ amend and mail its amended EXECUTIVE DIRECTOR'S RESPONSE to all persons and entities to whom were mailed the original document to eliminate the confusion caused by the statement. To be accurate, the statement should be: the proposed permit does not limit the landowner's ability to seek or private action or lawsuit against the Applicants and/or any other entities and individuals. The public deserves immediate written clarification on the TCEQ statement on private actions or lawsuits. In this submission, we describe how and why we would be adversely affected by the Sewage Plant and by the Harmful Activities, as defined herein. Each and every issue raised herein is relevant and material to the TCEQ Decision and was raised by us timely and in writing during the public comment period. To facilitate the TCEQ's determination of the number and scope of issues to be referred to hearing, we: 1) specify the executive director's responses in the EXECUTIVE DIRECTOR'S RESPONSE to our comments that we dispute; 2) the factual basis of the dispute; and 3) disputed issues of law. We dispute the below listed responses set forth in the EXECUTIVE DIRECTOR'S RESPONSE. One substantial issue of law, among many, is whether the TCEQ has jurisdiction to permit an action which does not maintain Maxwell Creek's designated uses, does not maintain groundwater quality, does not protect human health and aquatic life, and will result in material damage and negative impacts to adjacent landowners and the substantial degradation of water quality. We dispute that the TCEQ has jurisdiction to issue a permit for Applicant to take action in violation of law and the policy of Collin County. As a matter of law, "but for" a TCEQ permit the construction and operation of the Sewage Plant, and the related discharge, ("Harmful Activities") could not occur. The Harmful Activities and the effluent limits and conditions in the permit do not maintain Maxwell Creek's designated uses, do not maintain groundwater quality, and do not protect human health and aquatic life, and will result in material damage and negative impacts to adjacent landowners and the and the substantial degradation of water quality. (please see attached pdf of complete comments).

March 13, 2022

To the Texas Commission on Environmental Quality ("TCEQ"):

Our names, address, phone number and email address are submitted electronically to the TCEQ simultaneously with these requests and comments.

We respectfully submit to the TCEQ this supplement to our previously filed comments of on or about October 9, 2021, on or about November 9, 2021, and on or about December 6, 2021 to the application by Harrington/Turner Enterprises, LP and Restore the Grasslands LLC (collectively, "Applicant") TPDES Permit No. WQ0016003001 ("Application"). We incorporate our previously filed comments herein.

The Application is for a new Texas Pollutant Discharge Elimination System permit to construct on ETJ land in Collin County a wastewater treatment plant ("Sewage Plant") within .3 mile or less of our Murphy home. The Sewage Plant will discharge sewage into Maxwell Creek and downstream which runs within .1 mile or less of our affected Murphy home located in Collin County, Texas.

Request for Reconsideration - We request reconsideration of the TCEQ executive director final decision on permit with number WQ0016003001 dated February 11, 2022 ("TCEQ Decision"). The TCEQ Decision should be reconsidered and reversed for the reasons set forth herein.

Request for Contested Case Hearing - We request a contested case hearing on permit with number WQ0016003001 and the TCEQ Decision. We live within .3 mile or less to the proposed Sewage Plant site and within .1 mile or less from the discharge into Maxwell Creek. We will be negatively affected by emissions of air contaminants from the Sewage Plant. We disagree with the TCEQ Decision and we are "affected persons." We have a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the Application. A portion of our Murphy land is in the flood plain created by Maxwell Creek, which flood risk will be substantially and materially increased should the Sewage Plant be permitted.

Private action (lawsuit) – The TCEQ states at least 16 times in its EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENTS dated February 4, 2022 ("EXECUTIVE DIRECTOR'S RESPONSE") that "the proposed permit does not limit the landowner's ability to seek private action against the Applicants". This statement inappropriately implies private actions or lawsuits may only be filed against Applicants. We request that the TCEQ amend and mail its amended EXECUTIVE DIRECTOR'S RESPONSE to all persons and entities to whom were mailed the original document to eliminate the confusion caused by the statement. To be accurate, the statement should be: the proposed permit does not limit the landowner's ability to seek or private action or lawsuit against the Applicants and/or any other entities and individuals. The public deserves immediate written clarification on the TCEQ statement on private actions or lawsuits.

In this submission, we describe how and why we would be adversely affected by the Sewage Plant and by the Harmful Activities, as defined herein. Each and every issue raised herein is relevant and material to the TCEQ Decision and was raised by us timely and in writing during the public comment period.

To facilitate the TCEQ's determination of the number and scope of issues to be referred to hearing, we: 1) specify the executive director's responses in the EXECUTIVE DIRECTOR'S RESPONSE to our comments that we dispute; 2) the factual basis of the dispute; and 3) disputed issues of law.

We dispute the below listed responses set forth in the EXECUTIVE DIRECTOR'S RESPONSE.

One substantial issue of law, among many, is whether the TCEQ has jurisdiction to permit an action which does not maintain Maxwell Creek's designated uses, does not maintain groundwater quality, does not protect human health and aquatic life, and will result in material damage and negative impacts to adjacent landowners and the substantial degradation of water quality. We dispute that the TCEQ has jurisdiction to issue a permit for Applicant to take action in violation of law and the policy of Collin County. As a matter of law, "but for" a TCEQ permit the construction and operation of the Sewage Plant, and the related discharge, ("Harmful Activities") could not occur.

The Harmful Activities and the effluent limits and conditions in the permit do not maintain Maxwell Creek's designated uses, do not maintain groundwater quality, and do not protect human health and aquatic life, and will result in material damage and negative impacts to adjacent landowners and the and the substantial degradation of water quality. (please see attached pdf of complete comments)

Response 16 on page 9 - This response fails to address our comment about water quality. TCEQ's claim that adding a total phosphorus limit of 0.5 mg/L addresses our concern is factually incorrect and legally insufficient. This measure will not maintain Maxwell Creek's designated uses, will not maintain groundwater quality, will not protect human health and aquatic life, and will not prevent the substantial degradation of water quality.

Comment 17 on page 10 states that "Don Cloud and Scheri Cloud commented that the draft permit should include secondary treatment and the requirement for disinfection." We did not submit this comment. No amount of secondary treatment and disinfection could make the Sewage Plant discharge safe. Our comment was that we dispute the statement cited in the October 6, 2021 Statement of Basis/Technical Summary and Executive Director's Preliminary Decision that effluent levels, limitations and conditions in the draft permit comply with federal and state law, including without limitation, requirements for secondary treatment and the requirement for disinfection. Therefore, we respectfully ask TCEQ to promptly amend and resubmit its EXECUTIVE DIRECTOR'S RESPONSE.

Response 18 on page 10 – This response fails to address our comment about flooding. TCEQ states that it does not have the authority to regulate flooding in the wastewater permitting process unless there is an associated water quality concern. However, the flooding is associated with water quality concerns arising from sewage discharge causing flooding. Therefore, TCEQ does have jurisdiction to prevent, by not permitting, the flooding which will result from the Harmful Activities. TCEQ states that the draft permit does not authorize the invasion of personal rights nor any violation of federal, state or local laws or regulations and does not limit any landowner's ability to seek private action against the Applicants.

The permit permits actions which will cause adverse impacts to us as adjacent landowners and will violate Collin County policy and applicable law. Also, we note private actions are not limited to Applicants.

Response 24 on page 12 - This response fails to address our comment about regionalization and we dispute that the policy of regionalization has been satisfied.

Response 25 on page 13 - This response fails to address our comment about regionalization and we dispute that the policy of regionalization has been satisfied.

Response 32 on page 15 - This response fails to address our comment that the permit would allow activity which violates Collin County policy. Our comment was that the Harmful Activities will violate existing Collin County policy. The Collin County Commissioners Court in a published report dated September 28, 2020 stated this important policy:

Adverse impacts shall not be allowed within the County. Adverse impacts take place when the actions of one property owner adversely affects the rights of another property owner.

In response the TCEQ stated that the draft permit does not grant the permittee the right to use private or public property for conveyance of wastewater along the discharge route. Clearly, the response from TCEQ does not respond to our comment. Our comment was about adverse impacts and not rights to use. We request an updated response from TCEQ to our comment.

Response 34 on page 16 - This response fails to address our comment about inaccuracies in the Application. TCEQ states that it relies on the representations made in the Application, signed under penalty of perjury. TCEQ never states how or when the Applicant is held to account for material inaccuracies.

Response 49 on page 21 - This response fails to address our comment about lack of notice. We live within .3 mile of the proposed Sewage Plant. Applicant did not notify us of the Application as required by law. TCEQ cannot allow Applicant to benefit from its no notice tactic.

Response 50 on page 22 - This response fails to address our comment about lack of notice. We live within .3 mile of the proposed Sewage Plant. Applicant did not notify us of the Application as required by law. TCEQ cannot allow Applicant to benefit from its no notice tactic.

Response 72 on page 28 - This response fails to address our comment about flooding and erosion. TCEQ states that it does not have the authority to regulate flooding in the wastewater permitting process unless there is an associated water quality concern. However, flooding and erosion are associated with water quality concerns arising from discharge causing flooding and erosion. Therefore, TCEQ does have jurisdiction to prevent, by not permitting, the flooding and erosion to surrounding land, including to historical cemeteries, which will result from the Harmful Activities.

Response 83 on page 32 - This response fails to address our comment about endangered or threatened species. TCEQ states that the discharge is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. The determination is subject to re-evaluation due to subsequent updates or amendments to the biological opinion and the EPA definitely should be requested a review.

Response 105 on page 37 - This response fails to address our comment about harm caused by the Sewage Plant to property values claiming lack of jurisdiction. TCEQ cannot claim lack of jurisdiction over property value damage when it is the TCEQ permit which will allow the activity which will result in damage to property value.

Response 110 on page 38 - This response fails to address our comment about noise and light pollution. TCEQ states that such matters are outside of TCEQ's jurisdiction despite that "but for" a permit from TCEQ there would not be noise and light pollution. In issuing a permit TCEQ is exercising jurisdiction over the Harmful Activities. Therefore, TCEQ does have jurisdiction to prevent, by not permitting, the noise and light pollution which will result from the Harmful Activities.

Response 111 on page 39 - This response fails to address aesthetics claiming a lack of jurisdiction.

TCEQ states that such matters are outside of TCEQ's jurisdiction despite that "but for" a permit from TCEQ there would not be damage to the area aesthetics. In issuing a permit TCEQ is exercising jurisdiction over the Harmful Activities. Therefore, TCEQ does have jurisdiction to prevent, by not permitting, the aesthetics harm which will result from the Harmful Activities.

Although we are affected property owners we did not receive the formal notice required for the Application. We received informal notice from a neighbor only on October 8, 2021. Applicant's failure to provide required notice to affected residents and entities and troubling inaccuracies are material defects in the Application which cannot be remedied, and should not be rewarded, under the law.

Applicant seeks to build a Sewage Plant on purported ETJ land in Collin County which sits between the cities of Murphy and Parker. Murphy, settled in the 1800's, is already fully developed. Parker, settled in the 1800's, is already fully developed. The substantial and material lowering of water quality is NOT necessary for important economic or social development.

The policies of regionalization and anti-degradation will be violated should the Application be approved and the permit sought by Applicant issued. The TIER 2 review does require a tier 3 review and the reconsideration and denial of the Application.

We respectfully refer to the letter dated November 10, 2021 from Texas Parks & Wildlife to the TCEQ regarding the Application. Texas Parks & Wildlife does not support the Application. Texas Parks & Wildlife points out material inconsistencies in the Application and recommends seeking alternatives to the Sewage Plant. On its official web site Murphy has posted its approved \$44,472,286 2022 budget. In that document on page 9 Murphy lists as a guiding principle that we will have attractive and inviting parks and trails. Murphy has already spent millions of taxpayer dollars on developing, improving and promoting its natural centerpiece, Maxwell Creek, which will be ruined by the Sewage Plant. Murphy also lists the guiding principle of we will seek innovative solutions for local issues.

The actions for which Applicant seeks TCEQ permission will violate existing Collin County policy. The Collin County Commissioners Court in a published report dated September 28, 2020 stated this important policy:

Adverse impacts shall not be allowed within the County. Adverse impacts take place when the actions of one property owner adversely affects the rights of another property owner.

A portion of our Murphy land is in the flood plain created by Maxwell Creek, which flood risk will be substantially increased should the Application be approved and the permit sought be issued. Maxwell Creek is a valuable year round flowing natural creek surrounded by areas of exceptional recreational, such as parks and hiking trails, and ecological, such as aquatic and other wildlife, significance. The quality of Maxwell Creek and its substantial high quality aquatic life and downstream cannot be maintained or protected if the Harmful Activities are permitted.

The Harmful Activities will result in the substantial degradation of water quality of Maxwell Creek and downstream by more than a *de minimis* extent and as a result existing uses will be materially impaired. The Harmful Activities will cause substantial and material degradation of waters in Maxwell Creek and downstream that exceeds fishable/swimmable quality and should not be allowed.

To illustrate the historic important value of a clean, safe and protected Maxwell Creek to the city of Murphy, kindly consider this description from the city of Murphy web site:

Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision). These facilities were constructed in 2008.

The Harmful Activities will cause many material and substantial adverse impacts to us personally given our extremely close proximity, as noted above, to the proposed Sewage Plant and to Maxwell Creek, including, without limitation, the adverse impacts of: (1) material and substantial degradation of the water quality in Maxwell Creek and downstream; (2) material and substantial erosion of soil in and around Maxwell Creek and downstream; (3) material and substantial damage to two historical landmarked cemeteries, each of more than 100 years old, which are adjacent to Maxwell Creek; (4) material and substantial degradation and harm to aquatic life in Maxwell Creek and downstream; (5) material and substantial risk of known harm to our health; (6) material and substantial damage to the local and surrounding economies as residents will have no choice but to relocate; (7) material and substantial damage to wildlife, including protected and/or endangered species in and around Maxwell Creek and downstream; (8) material and substantial visual, noise and odor harmful nuisances; (9) material and substantial decrease in the market value of our Murphy, Texas home; (10) material and substantial enhanced flood risk from Maxwell Creek, both upstream and downstream, as a portion of our land is already in the flood plain created by Maxwell Creek; and (11) material and substantial degradation of important vegetation in and around Maxwell Creek. All of these adverse impacts are foreseeable. Maxwell Creek flows adjacent to and/or in close proximity to many schools including, without limitation, Tibbals Elementary, Hunt Elementary, Murphy Middle School, and McMillen High School, playgrounds and other recreational features such as hiking trails, Liberty Ridge Park, Waters Edge Park, and Murphy Central Park in Murphy, as well as City of Parker recreation areas. We and other residents pay for these amenities and schools through taxes. The Harmful Activities will cause many material and substantial adverse impacts to thousands of residents of Murphy, Parker and surrounding communities.

Our list of disputed facts includes any and all facts, or purported facts, Applicant and any other person or entity asserts in support of the Application and/or in opposition to any of our claims and assertions set forth herein. In addition, we dispute, and include on our list of disputed facts, these disputed facts and conclusions cited in the October 6, 2021 Statement of Basis/Technical Summary and Executive Director's Preliminary Decision, namely,

- (1) We dispute the statement that existing water quality uses of the water in Maxwell Creek will not be impaired by the permit action;
- (2) We dispute the statement that numerical and narrative criteria to protect existing uses in Maxwell Creek will be maintained;
- (3) We dispute the statement that a Tier 2 review is not required and we dispute the statement that no exceptional, high, or intermediate aquatic life uses water bodies have been identified in the discharge route;
- (4) We dispute the statement that existing uses in Maxwell Creek will be maintained and protected should the Application be approved;
- (5) We dispute the statement that the discharge from the permit sought by Applicant is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species of their critical habitat;
- (6) We dispute the statement that the permit sought by Applicant does not require EPA review with respect to the presence of endangered or threatened species;
- (7) We dispute the statement that the effluent levels in the draft permit will maintain and protect existing instream uses;
- (8) We dispute the statement that existing water quality uses in Maxwell Creek will not be impaired by the permit action; and
- (9) We dispute the statement that effluent levels, limitations and conditions in the draft permit comply with federal and state law, including without limitation, requirements for secondary treatment and the requirement for disinfection.

Parker, adjacent to the purported ETJ at issue, generally has required septic tanks, which have worked fine for years, and required lot sizes necessary for septic tanks. Murphy, also adjacent to the purported ETJ at issue, provides city sewer services. The Harmful Activities will cause an unauthorized property taking and foreseeable damages. All parties who will be involved in the Harmful Activities have been, and remain, on proper notice for substantial liability and damages.

We kindly request that the TCEQ grant our request for a contested case hearing, reconsider the TCEQ Decision and deny the Application in its entirety, as no amendment can save the Application. We reserve our rights to submit additional arguments. Kindly include us on the applicable notice mailing list and please let us know the status of your TCEQ process.

Thank you,

Wade and Scheri Cloud

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:51 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Monday, December 6, 2021 8:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Don Wade Cloud, JR

E-MAIL: smcbyses@verizon.net

COMPANY:

ADDRESS: 103 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: To the Texas Commission on Environmental Quality ("TCEQ") on December 6, 2021: Kindly consider these comments during the Formal Comment Period of the Public Hearing, which is occurring at this moment. Our names, address, phone number and email address are submitted electronically to the TCEQ simultaneously with these comments. We respectfully submit to the TCEQ this supplement to our prior comments of on or about October 9, 2021 and on or about November 9, 2021, which we continue to assert, and respectfully again request a contested case

hearing on the application by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP. (the "Applicant") for a new Texas Pollutant Discharge Elimination System permit with number WQ0016003001 (the "Application") to construct on purported, in part, ETJ land in Collin County a wastewater treatment plant (the "Sewage Plant") within .3 mile or less of our Murphy home which plant will discharge sewage into Maxwell Creek and downstream which runs within .1 mile or less of our affected Murphy home located in Collin County, Texas. We continue to vigorously oppose the Application. We also request that TCEQ reconsider its decision to issue the preliminary draft permit. We request TCEQ to withdraw the preliminary draft permit. Applicant should not benefit from submitting a faulty and misleading application and avoiding giving required notice. We assert the Applicant wholly lacks a valid legal status to file the Application and we assert the Application must be denied due to Applicant not having the required legal status to file the Application as commented by Murphy's counsel at the Public Hearing. Although we are affected property owners we did not receive the formal notice required for the Application. We received informal notice from a neighbor only on October 8, 2021. Applicant's failure to provide required notice to affected residents and entities and troubling inaccuracies are material defects in the Application which cannot be remedied, and should not be rewarded, under the law. Applicant seeks to build a Sewage Plant on purported ETJ land in Collin County which sits between the cities of Murphy and Parker. Murphy, settled in the 1800's, is already fully developed. Parker, settled in the 1800's, is already fully developed. The substantial and material lowering of water quality is NOT necessary for important economic or social development. The policies of regionalization and anti-degradation will be violated should the Application be approved and the permit sought by Applicant issued. A TIER 2 review, at a minimum, is necessary, and such review will require the denial of the Application. We respectfully refer to the letter dated November 10, 2021 from Texas Parks & Wildlife to the TCEQ regarding the Application. Texas Parks & Wildlife does not support the Application. Texas Parks & Wildlife points out material inconsistencies in the Application and recommends seeking alternatives to the Sewage Plant. On its official website Murphy has posted its approved \$44,472,286 2022 budget. In that document on page 9 Murphy lists as a guiding principle that we will have attractive and inviting parks and trails. Murphy has already spent millions of taxpayer dollars on developing, improving and promoting its natural centerpiece, Maxwell Creek, which will be ruined by the Sewage Plant. Murphy also lists the guiding principle of we will seek innovative solutions for local issues. The actions for which Applicant seeks TCEQ permission will violate existing Collin County policy. The Collin County Commissioners Court in a published report dated September 28, 2020 stated this important policy: Adverse impacts shall not be allowed within the County. Adverse impacts take place when the actions of one property owner adversely affects the rights of another property owner.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:54 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Monday, December 6, 2021 5:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Don Wade Cloud, JR

E-MAIL: smcbyses@verizon.net

COMPANY:

ADDRESS: 103 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: To the Texas Commission on Environmental Quality ("TCEQ") on December 6, 2021: Kindly consider these comments during the Formal Comment Period of the Public Hearing. Our names, address, phone number and email address are submitted electronically to the TCEQ simultaneously with these comments. We respectfully submit to the TCEQ this supplement to our prior comments of on or about October 9, 2021 and on or about November 9, 2021, which we continue to assert, and respectfully again request a contested case hearing on the application by Restore the

Grasslands LLC and Harrington/Turner Enterprises, LP. (the "Applicant") for a new Texas Pollutant Discharge Elimination System permit with number WQ0016003001 (the "Application") to construct on purported, in part, ETJ land in Collin County a wastewater treatment plant (the "Sewage Plant") within .3 mile or less of our Murphy home which plant will discharge sewage into Maxwell Creek and downstream which runs within .1 mile or less of our affected Murphy home located in Collin County, Texas. We continue to vigorously oppose the Application. We also request that TCEQ reconsider its decision to issue the preliminary draft permit. We request TCEQ to withdraw the preliminary draft permit. Applicant should not benefit from submitting a faulty and misleading application and avoiding giving required notice. Although we are affected property owners we did not receive the formal notice required for the Application. We received informal notice from a neighbor only on October 8, 2021. Applicant's failure to provide required notice to affected residents and entities and troubling inaccuracies are material defects in the Application which cannot be remedied, and should not be rewarded, under the law. Applicant seeks to build a Sewage Plant on purported ETJ land in Collin County which sits between the cities of Murphy and Parker. Murphy, settled in the 1800's, is already fully developed. Parker, settled in the 1800's, is already fully developed. The substantial and material lowering of water quality is NOT necessary for important economic or social development. The policies of regionalization and ant-degradation will be violated should the Application be approved and the permit sought by Applicant issued. A TIER 2 review, at a minimum, is necessary, and such review will require the denial of the Application. We respectfully refer to the letter dated November 10, 2021 from Texas Parks & Wildlife to the TCEQ regarding the Application. Texas Parks & Wildlife does not support the Application. Texas Parks & Wildlife points out material inconsistencies in the Application and recommends seeking alternatives to the Sewage Plant. On its official web site Murphy has posted its approved \$44,472,286 2022 budget. In that document on page 9 Murphy lists as a guiding principle that we will have attractive and inviting parks and trails. Murphy has already spent millions of taxpayer dollars on developing, improving and promoting its natural centerpiece, Maxwell Creek, which will be ruined by the Sewage Plant. Murphy also lists the guiding principle of we will seek innovative solutions for local issues. The actions for which Applicant seeks TCEQ permission will violate existing Collin County policy. The Collin County Commissioners Court in a published report dated September 28, 2020 stated this important policy: Adverse impacts shall not be allowed within the County. Adverse impacts take place when the actions of one property owner adversely affects the rights of another property owner. A portion of our Murphy land is in the flood plain created by Maxwell Creek, which flood risk will be substantially increased should the Application be approved and the permit sought be issued. Maxwell Creek is a valuable year round flowing natural creek surrounded by areas of exceptional recreational, such as parks and hiking trails, and ecological, such as aquatic and other wildlife, significance. The quality of Maxwell Creek, and its substantial high quality aquatic life, and downstream cannot be maintained or protected if the Application is approved and the permit sought is issued. The Sewage Plant and related discharge will result in the substantial and material lowering of water quality of Maxwell Creek and downstream by more than a de minimis extent and as a result existing use will be materially impaired. The Sewage Plant and related discharge will cause substantial and material degradation of waters in Maxwell Creek and downstream that exceeds fishable/swimmable quality and should not be allowed. To illustrate the historic important value of a clean, safe and protected Maxwell Creek to the city of Murphy, kindly consider this description from the city of Murphy web site: Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision). These facilities were constructed in 2008.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 9, 2021 2:06 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Tuesday, November 9, 2021 2:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Don Wade Cloud, JR

E-MAIL: smcbyses@verizon.net

COMPANY:

ADDRESS: 103 SALSBUARY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: To the Texas Commission on Environmental Quality ("TCEQ") on November 9, 2021: Our names, address, phone number and email address are submitted electronically to the TCEQ simultaneously with these comments. We respectfully submit to the TCEQ this supplement to our prior comments, which we continue to assert, and respectfully again request a contested case hearing on the application by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP. (the "Applicant") for a new Texas Pollutant Discharge Elimination System permit with number

WQ0016003001 (the "Application") to construct on purported, in part, ETJ land in Collin County a wastewater treatment plant (the "Sewage Plant") within .3 mile or less of our Murphy home which plant will discharge sewage into Maxwell Creek and downstream which runs within .1 mile or less of our affected Murphy home located in Collin County, Texas. We continue to vigorously oppose the Application. Although we are affected property owners we did not receive the formal notice required for the Application. We received informal notice from a neighbor only on October 8, 2021. The failure to provide required notice to affected residents and entities is a material defect in the Application. Applicant seeks to build a Sewage plant on purported ETJ land in Collin County which sits between the cities of Murphy and Parker. Murphy, settled in the 1800's, is already fully developed. Parker, settled in the 1800's, is already fully developed. The substantial and material lowering of water quality is NOT necessary for important economic or social development. The policies of regionalization and ant-degradation will be violated should the Application be approved and the permit sought by Applicant issued. A TIER 2 review, at a minimum, is necessary, and such review will require the denial of the Application. The actions for which Applicant seeks TCEQ permission will violate existing Collin County policy. The Collin County Commissioners Court in a published report dated September 28, 2020 stated this important policy: Adverse impacts shall not be allowed within the County. Adverse impacts take place when the actions of one property owner adversely affects the rights of another property owner. A portion of our Murphy land is in the flood plain created by Maxwell Creek, which flood risk will be substantially increased should the Application be approved and the permit sought be issued. Maxwell Creek is a valuable year round flowing natural creek surrounded by areas of exceptional recreational, such as parks and hiking trails, and ecological, such as aquatic and other wildlife, significance. The quality of Maxwell Creek and downstream cannot be maintained or protected if the Application is approved and the permit sought is issued. The Sewage Plant and related discharge will result in the substantial and material lowering of water quality of Maxwell Creek and downstream by more than a de minimis extent and as a result existing use will be materially impaired. The Sewage Plant and related discharge will cause substantial and material degradation of waters in Maxwell Creek and downstream that exceeds fishable/swimmable quality and should not be allowed. To illustrate the historic important value of a clean, safe and protected Maxwell Creek to the city of Murphy, kindly consider this description from the city of Murphy web site: Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision). These facilities were constructed in 2008. The proposed Sewage Plant and related discharge, if permitted by the TCEQ, will cause many material and substantial adverse impacts to us personally given our extremely close proximity to the proposed Sewage Plant and to Maxwell Creek, including, without limitation, the adverse impacts of: (1) material and substantial degradation of the water quality in Maxwell Creek and downstream; (2) material and substantial erosion of soil in and around Maxwell Creek and downstream; (3) material and substantial damage to two historical landmarked cemeteries, each of more than 100 years old, which are adjacent to Maxwell Creek; (4) material and substantial degradation and harm to aquatic life in Maxwell Creek and downstream; (5) material and substantial risk of known harm to our health; (6) material and substantial damage to the local and surrounding economies as residents will have no choice but to relocate; (7) material and substantial damage to wildlife, including protected and/or endangered species in and around Maxwell Creek and downstream; (8) material and substantial visual, noise and odor harmful nuisances; (9) material and substantial decrease in the market value of our Murphy, Texas home; (10) material and substantial enhanced flood risk from Maxwell Creek, both upstream and downstream, as a portion of our land is already in the flood plain created by Maxwell Creek; and (11) material and substantial degradation of important vegetation in and around Maxwell Creek. All of these adverse impacts are foreseeable. Maxwell Creek flows adjacent to and/or in close proximity to many schools including, without limitation, Tibbals Elementary, Hunt Elementary, Murphy Middle School, and McMillen High School, playgrounds and other recreational features such as hiking trails, Liberty Ridge Park, Waters Edge Park, and Murphy Central Park in Murphy, as well as City of Parker recreation areas. We and other residents pay for these amenities and schools through taxes. The proposed Sewage Plant and related discharge, if permitted by the TCEQ, will cause many material and substantial adverse impacts to thousands of residents of Murphy, Parker and surrounding communities. Our list of disputed facts includes any and all facts, or purported facts, Applicant and any other person or entity asserts in support of the Application and/or in opposition to any of our claims and assertions set forth herein. In addition, we

dispute, and include on our list of disputed facts, these disputed facts and conclusions cited in the October 6, 2021 Statement of Basis/Technical Summary and Executive Director's Preliminary Decision, namely, (1) We dispute the statement that that existing water quality uses of the water in Maxwell Creek will not be impaired by the permit action; (2) We dispute the statement that numerical and narrative criteria to protect existing uses in Maxwell Creek will be maintained; (3) We dispute the statement that that a Tier 2 review is not required since no exceptional, high, or intermediate aquatic life uses water bodies have been identified in the discharge route; (4) We dispute the statement that that existing uses in Maxwell Creek will be maintained and protected should the Application be approved; (5) We dispute the statement that the discharge from the permit sought by Applicant is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species of their critical habitat; (6) We dispute the statement that the permit sought by Applicant does not require EPA review with respect to the presence of endangered or threatened species; (7) We dispute the statement that that the effluent levels in the draft permit will maintain and protect existing instream uses; (8) We dispute the statement that that existing water quality uses in Maxwell Creek will not be impaired by the permit action; and (9) We dispute the statement that that effluent levels, limitations and conditions in the draft permit comply with federal and state law, including without limitation, requirements for secondary treatment and the requirement for disinfection. The material adverse effects or impacts of the Sewage Plant and related discharge will be felt at our affected Murphy home and throughout the communities of Parker, Murphy, Lucas, Wylie, Sachse and beyond. The Sewage Plant and related discharge will cause adverse effects not only to our home, many other existing residents but also to the future residents of the proposed high density subdivision on the purported ETJ land. Parker, adjacent to the purported ETJ at issue, generally has required septic tanks, which have worked fine for years, and required lot sizes necessary for septic tanks. Murphy, also adjacent to the purported ETJ at issue, provides city sewer services. The Sewage Plant and related discharge will result in an unauthorized property taking and foreseeable damages. If the permit is finally approved, the voters who have paid their taxes, cast their votes in elections for our elected officials, and paid for city services will be called upon to lose all of their property values to sewage from homes not in their cities. We kindly request that the TCEQ deny the Application in its entirety, as no amendment can save the Application. We reserve our rights to submit additional arguments. Kindly include us on the applicable notice mailing list and please let us know the status of your TCEQ process. Thank you, Wade and Scheri Cloud

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Saturday, October 9, 2021 4:45 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: MR DON WADE CLOUD, JR

E-MAIL: smcbyses@verizon.net

COMPANY: THE CLOUD LAW FIRM PLLC

ADDRESS: 103 SALSBUURY CIR Salsbury Circle
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: To whom it may concern: This is regarding TCEQ permit # WQ0016003001 and our request for a contested case hearing. We just learned October 8, 2021 that a wastewater treatment plant may be built on land in Parker, Texas within a .3 mile radius of our home. Parker requires septic tanks, which have worked fine for years, and requires lots 2 acres or more in size generally. It appears that in order to bypass the requirements stated above for a new planned subdivision, the applicant has requested a permit with number WQ0016003001 to build a wastewater treatment plant. We,

along with many other residents, vigorously oppose the permitting and construction of this hazardous plant which construction would amount to an unauthorized property taking through devaluation in Collin County, Texas. The plant will destroy the local environment including wildlife, pose substantial known health risks to citizens, and destroy local property values. Wastewater will be discharged into a designated non-discharge Maxwell Creek. As I noted above, we only learned of this issue on October 8, 2021. We were given no prior notice despite that we are affected by this matter. We kindly request the application to build the wastewater plant in Parker, Texas be entirely denied ASAP. Any such plant should never be built in, around or near the backyards of Collin County residents and their children's school yards. I suspect the Texas government will not support a few developers to profit at the tremendous expense of a huge number of Collin County residents. We reserve our rights to submit additional arguments. Please let me know the status of your permitting process. We respectfully request a contested case hearing on permit with number WQ0016003001 to build a wastewater treatment plant. Thank you, D. Wade Cloud, Jr. and Scheri M. Cloud Email: smcbyses@verizon.net

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 14, 2022 12:33 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Sunday, March 13, 2022 8:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: MR Don Cloud, JR

E-MAIL: smcbyses@verizon.net

COMPANY:

ADDRESS: 103 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: PART B of comments filed today 3-13-22 Response 16 on page 9 - This response fails to address our comment about water quality. TCEQ's claim that adding a total phosphorus limit of 0.5 mg/L addresses our concern is factually incorrect and legally insufficient. This measure will not maintain Maxwell Creek's designated uses, will not maintain groundwater quality, will not protect human health and aquatic life, and will not prevent the substantial degradation of water quality. Comment 17 on page 10 states that "Don Cloud and Scheri Cloud commented that the

draft permit should include secondary treatment and the requirement for disinfection.” We did not submit this comment. No amount of secondary treatment and disinfection could make the Sewage Plant discharge safe. Our comment was that we dispute the statement cited in the October 6, 2021 Statement of Basis/Technical Summary and Executive Director’s Preliminary Decision that effluent levels, limitations and conditions in the draft permit comply with federal and state law, including without limitation, requirements for secondary treatment and the requirement for disinfection. Therefore, we respectfully ask TCEQ to promptly amend and resubmit its EXECUTIVE DIRECTOR’S RESPONSE. Response 18 on page 10 – This response fails to address our comment about flooding. TCEQ states that it does not have the authority to regulate flooding in the wastewater permitting process unless there is an associated water quality concern. However, the flooding is associated with water quality concerns arising from sewage discharge causing flooding. Therefore, TCEQ does have jurisdiction to prevent, by not permitting, the flooding which will result from the Harmful Activities. TCEQ states that the draft permit does not authorize the invasion of personal rights nor any violation of federal, state or local laws or regulations and does not limit any landowner’s ability to seek private action against the Applicants. The permit permits actions which will cause adverse impacts to us as adjacent landowners and will violate Collin County policy and applicable law. Also, we note private actions are not limited to Applicants. Response 24 on page 12 - This response fails to address our comment about regionalization and we dispute that the policy of regionalization has been satisfied. Response 25 on page 13 - This response fails to address our comment about regionalization and we dispute that the policy of regionalization has been satisfied. Response 32 on page 15 – This response fails to address our comment that the permit would allow activity which violates Collin County policy. Our comment was that the Harmful Activities will violate existing Collin County policy. The Collin County Commissioners Court in a published report dated September 28, 2020 stated this important policy: Adverse impacts shall not be allowed within the County. Adverse impacts take place when the actions of one property owner adversely affects the rights of another property owner. In response the TCEQ stated that the draft permit does not grant the permittee the right to use private or public property for conveyance of wastewater along the discharge route. Clearly, the response from TCEQ does not respond to our comment. Our comment was about adverse impacts and not rights to use. We request an updated response from TCEQ to our comment. Response 34 on page 16 - This response fails to address our comment about inaccuracies in the Application. TCEQ states that it relies on the representations made in the Application, signed under penalty of perjury. TCEQ never states how or when the Applicant is held to account for material inaccuracies. Response 49 on page 21 - This response fails to address our comment about lack of notice. We live within .3 mile of the proposed Sewage Plant. Applicant did not notify us of the Application as required by law. TCEQ cannot allow Applicant to benefit from its no notice tactic. Response 50 on page 22 - This response fails to address our comment about lack of notice. We live within .3 mile of the proposed Sewage Plant. Applicant did not notify us of the Application as required by law. TCEQ cannot allow Applicant to benefit from its no notice tactic. Response 72 on page 28 - This response fails to address our comment about flooding and erosion. TCEQ states that it does not have the authority to regulate flooding in the wastewater permitting process unless there is an associated water quality concern. However, flooding and erosion are associated with water quality concerns arising from discharge causing flooding and erosion. Therefore, TCEQ does have jurisdiction to prevent, by not permitting, the flooding and erosion to surrounding land, including to historical cemeteries, which will result from the Harmful Activities. Response 83 on page 32 -This response fails to address our comment about endangered or threatened species. TCEQ states that the discharge is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. The determination is subject to re-evaluation due to subsequent updates or amendments to the biological opinion and the EPA definitely should be requested a review. Response 105 on page 37 -This response fails to address our comment about harm caused by the Sewage Plant to property values claiming lack of jurisdiction. TCEQ cannot claim lack of jurisdiction over property value damage when it is the TCEQ permit which will allow the activity which will result in damage to property value. Response 110 on page 38- This response fails to address our comment about noise and light pollution. TCEQ states that such matters are outside of TCEQ’s jurisdiction despite that “but for” a permit from TCEQ there would not be noise and light pollution. In issuing a permit TCEQ is exercising jurisdiction over the Harmful Activities. Therefore, TCEQ does have jurisdiction to prevent, by not permitting, the noise and light pollution which will result from the Harmful Activities. Response 111 on page 39 -This response fails to address aesthetics claiming a lack of jurisdiction. TCEQ states that such matters are outside of TCEQ’s jurisdiction despite that “but for” a permit from TCEQ there would not be damage to the area aesthetics. In issuing a permit TCEQ is exercising jurisdiction over the Harmful Activities. Therefore, TCEQ does have jurisdiction to prevent, by not permitting, the aesthetics harm which will result from the Harmful Activities.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:03 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: smcbyse@verizon.net <smcbyse@verizon.net>
Sent: Monday, December 6, 2021 8:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR DON Wade CLOUD, JR

E-MAIL: smcbyse@verizon.net

COMPANY:

ADDRESS: 103 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: Part B --A portion of our Murphy land is in the flood plain created by Maxwell Creek, which flood risk will be substantially increased should the Application be approved and the permit sought be issued. Maxwell Creek is a valuable year round flowing natural creek surrounded by areas of exceptional recreational, such as parks and hiking trails, and ecological, such as aquatic and other wildlife, significance. The quality of Maxwell Creek , and its substantial high quality aquatic life, and downstream cannot be maintained or protected if the Application is approved and the

permit sought is issued. The Sewage Plant and related discharge will result in the substantial and material lowering of water quality of Maxwell Creek and downstream by more than a de minimis extent and as a result existing use will be materially impaired. The Sewage Plant and related discharge will cause substantial and material degradation of waters in Maxwell Creek and downstream that exceeds fishable/swimmable quality and should not be allowed. To illustrate the historic important value of a clean, safe and protected Maxwell Creek to the city of Murphy, kindly consider this description from the city of Murphy web site: Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision). These facilities were constructed in 2008. The proposed Sewage Plant and related discharge, if permitted by the TCEQ, will cause many material and substantial adverse impacts to us personally given our extremely close proximity, as noted above, to the proposed Sewage Plant and to Maxwell Creek, including, without limitation, the adverse impacts of: (1) material and substantial degradation of the water quality in Maxwell Creek and downstream; (2) material and substantial erosion of soil in and around Maxwell Creek and downstream; (3) material and substantial damage to two historical landmarked cemeteries, each of more than 100 years old, which are adjacent to Maxwell Creek; (4) material and substantial degradation and harm to aquatic life in Maxwell Creek and downstream; (5) material and substantial risk of known harm to our health; (6) material and substantial damage to the local and surrounding economies as residents will have no choice but to relocate; (7) material and substantial damage to wildlife, including protected and/or endangered species in and around Maxwell Creek and downstream; (8) material and substantial visual, noise and odor harmful nuisances; (9) material and substantial decrease in the market value of our Murphy, Texas home; (10) material and substantial enhanced flood risk from Maxwell Creek, both upstream and downstream, as a portion of our land is already in the flood plain created by Maxwell Creek; and (11) material and substantial degradation of important vegetation in and around Maxwell Creek. All of these adverse impacts are foreseeable. Maxwell Creek flows adjacent to and/or in close proximity to many schools including, without limitation, Tibbals Elementary, Hunt Elementary, Murphy Middle School, and McMillen High School, playgrounds and other recreational features such as hiking trails, Liberty Ridge Park, Waters Edge Park, and Murphy Central Park in Murphy, as well as City of Parker recreation areas. We and other residents pay for these amenities and schools through taxes. The proposed Sewage Plant and related discharge, if permitted by the TCEQ, will cause many material and substantial adverse impacts to thousands of residents of Murphy, Parker and surrounding communities. Our list of disputed facts includes any and all facts, or purported facts, Applicant and any other person or entity asserts in support of the Application and/or in opposition to any of our claims and assertions set forth herein. In addition, we dispute, and include on our list of disputed facts, these disputed facts and conclusions cited in the October 6, 2021 Statement of Basis/Technical Summary and Executive Director's Preliminary Decision, namely, (1) We dispute the statement that existing water quality uses of the water in Maxwell Creek will not be impaired by the permit action; (2) We dispute the statement that numerical and narrative criteria to protect existing uses in Maxwell Creek will be maintained; (3) We dispute the statement that a Tier 2 review is not required and we dispute the statement that no exceptional, high, or intermediate aquatic life uses water bodies have been identified in the discharge route; (4) We dispute the statement that existing uses in Maxwell Creek will be maintained and protected should the Application be approved; (5) We dispute the statement that the discharge from the permit sought by Applicant is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species of their critical habitat; (6) We dispute the statement that the permit sought by Applicant does not require EPA review with respect to the presence of endangered or threatened species; (7) We dispute the statement that the effluent levels in the draft permit will maintain and protect existing instream uses; (8) We dispute the statement that existing water quality uses in Maxwell Creek will not be impaired by the permit action; and (9) We dispute the statement that effluent levels, limitations and conditions in the draft permit comply with federal and state law, including without limitation, requirements for secondary treatment and the requirement for disinfection. The material adverse effects or impacts of the Sewage Plant and related discharge will be felt at our affected Murphy home and throughout the communities of Parker, Murphy, Lucas, Wylie, Sachse and beyond. The Sewage Plant and related discharge will cause adverse effects not only to our home, many other existing residents but also to the future residents of the proposed high density sub-division on the purported ETJ land. Parker, adjacent to the purported ETJ at

issue, generally has required septic tanks, which have worked fine for years, and required lot sizes necessary for septic tanks. Murphy, also adjacent to the purported ETJ at issue, provides city sewer services. The Sewage Plant and related discharge will result in an unauthorized property taking and foreseeable damages. All parties who will be involved in the MUD, the Sewage Plant, and the related discharge have been, and remain, on proper notice for substantial damages. If the permit is finally approved, the voters who have paid their taxes, cast their votes in elections for our elected officials, and paid for city services will be called upon to lose all of their property values to sewage from homes not in their cities. We kindly request that the TCEQ deny the Application in its entirety, as no amendment can save the Application. The fact of building and operating the Sewage Plant will cause irreparable harm and substantial damages to us and many, many others. We reserve our rights to submit additional arguments. Kindly include us on the applicable notice mailing list and please let us know the status of your TCEQ process. Thank you, Wade and Scheri Cloud

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:14 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: smcbyse@verizon.net <smcbyse@verizon.net>
Sent: Monday, December 6, 2021 5:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR DON WADE CLOUD, JR

E-MAIL: smcbyse@verizon.net

COMPANY: Wade Cloud

ADDRESS: 103 SALSBUURY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: To the Texas Commission on Environmental Quality ("TCEQ") on December 6, 2021: Kindly consider these comments during the Formal Comment Period of the Public Hearing. PART 2 OF COMMENTS JUST SUBMITTED The proposed Sewage Plant and related discharge, if permitted by the TCEQ, will cause many material and substantial adverse impacts to us personally given our extremely close proximity, as noted above, to the proposed Sewage Plant and to Maxwell Creek, including, without limitation, the adverse impacts of: (1) material and substantial degradation of

the water quality in Maxwell Creek and downstream; (2) material and substantial erosion of soil in and around Maxwell Creek and downstream; (3) material and substantial damage to two historical landmarked cemeteries, each of more than 100 years old, which are adjacent to Maxwell Creek; (4) material and substantial degradation and harm to aquatic life in Maxwell Creek and downstream; (5) material and substantial risk of known harm to our health; (6) material and substantial damage to the local and surrounding economies as residents will have no choice but to relocate; (7) material and substantial damage to wildlife, including protected and/or endangered species in and around Maxwell Creek and downstream; (8) material and substantial visual, noise and odor harmful nuisances; (9) material and substantial decrease in the market value of our Murphy, Texas home; (10) material and substantial enhanced flood risk from Maxwell Creek, both upstream and downstream, as a portion of our land is already in the flood plain created by Maxwell Creek; and (11) material and substantial degradation of important vegetation in and around Maxwell Creek. All of these adverse impacts are foreseeable. Maxwell Creek flows adjacent to and/or in close proximity to many schools including, without limitation, Tibbals Elementary, Hunt Elementary, Murphy Middle School, and McMillen High School, playgrounds and other recreational features such as hiking trails, Liberty Ridge Park, Waters Edge Park, and Murphy Central Park in Murphy, as well as City of Parker recreation areas. We and other residents pay for these amenities and schools through taxes. The proposed Sewage Plant and related discharge, if permitted by the TCEQ, will cause many material and substantial adverse impacts to thousands of residents of Murphy, Parker and surrounding communities. Our list of disputed facts includes any and all facts, or purported facts, Applicant and any other person or entity asserts in support of the Application and/or in opposition to any of our claims and assertions set forth herein. In addition, we dispute, and include on our list of disputed facts, these disputed facts and conclusions cited in the October 6, 2021 Statement of Basis/Technical Summary and Executive Director's Preliminary Decision, namely, (1) We dispute the statement that existing water quality uses of the water in Maxwell Creek will not be impaired by the permit action; (2) We dispute the statement that numerical and narrative criteria to protect existing uses in Maxwell Creek will be maintained; (3) We dispute the statement that a Tier 2 review is not required and we dispute the statement that no exceptional, high, or intermediate aquatic life uses water bodies have been identified in the discharge route; (4) We dispute the statement that existing uses in Maxwell Creek will be maintained and protected should the Application be approved; (5) We dispute the statement that the discharge from the permit sought by Applicant is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species of their critical habitat; (6) We dispute the statement that the permit sought by Applicant does not require EPA review with respect to the presence of endangered or threatened species; (7) We dispute the statement that the effluent levels in the draft permit will maintain and protect existing instream uses; (8) We dispute the statement that existing water quality uses in Maxwell Creek will not be impaired by the permit action; and (9) We dispute the statement that effluent levels, limitations and conditions in the draft permit comply with federal and state law, including without limitation, requirements for secondary treatment and the requirement for disinfection. The material adverse effects or impacts of the Sewage Plant and related discharge will be felt at our affected Murphy home and throughout the communities of Parker, Murphy, Lucas, Wylie, Sachse and beyond. The Sewage Plant and related discharge will cause adverse effects not only to our home, many other existing residents but also to the future residents of the proposed high density sub-division on the purported ETJ land. Parker, adjacent to the purported ETJ at issue, generally has required septic tanks, which have worked fine for years, and required lot sizes necessary for septic tanks. Murphy, also adjacent to the purported ETJ at issue, provides city sewer services. The Sewage Plant and related discharge will result in an unauthorized property taking and foreseeable damages. All parties who will be involved in the MUD, the Sewage Plant, and the related discharge have been, and remain, on proper notice for substantial damages. If the permit is finally approved, the voters who have paid their taxes, cast their votes in elections for our elected officials, and paid for city services will be called upon to lose all of their property values to sewage from homes not in their cities. We kindly request that the TCEQ deny the Application in its entirety, as no amendment can save the Application. The fact of building and operating the Sewage Plant will cause irreparable harm and substantial damages to us and many, many others. We reserve our rights to submit additional arguments. Kindly include us on the applicable notice mailing list and please let us know the status of your TCEQ process. Thank you, Wade and Scheri Cloud

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 10, 2021 8:12 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Tuesday, November 9, 2021 2:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Don Wade Cloud, JR

E-MAIL: smcbyses@verizon.net

COMPANY:

ADDRESS: 103 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: continuation of comments just submitted but not shown on TCEQ site: Parker, adjacent to the purported ETJ at issue, generally has required septic tanks, which have worked fine for years, and required lot sizes necessary for septic tanks. Murphy, also adjacent to the purported ETJ at issue, provides city sewer services. The Sewage Plant and related discharge will result in an unauthorized property taking and foreseeable damages. If the permit is finally approved, the voters who have paid their taxes, cast their votes in elections for our elected officials, and paid for city

services will be called upon to lose all of their property values to sewage from homes not in their cities. We kindly request that the TCEQ deny the Application in its entirety, as no amendment can save the Application. We reserve our rights to submit additional arguments. Kindly include us on the applicable notice mailing list and please let us know the status of your TCEQ process. Thank you, Wade and Scheri Cloud

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: smcbyses@verizon.net <smcbyses@verizon.net>
Sent: Friday, October 8, 2021 9:41 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: D. Wade Cloud, JR

E-MAIL: smcbyses@verizon.net

COMPANY:

ADDRESS: 103 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 9725673669

FAX:

COMMENTS: To whom it may concern: We just learned today, October 8, 2021 that a wastewater treatment plant may be built on land in Parker, Texas within a .3 mile radius of my home. Parker requires septic tanks, which have worked fine for years, and requires lots 2 acres or more in size generally. It appears that in order to bypass the requirements stated above for a new planned sub-division, the applicant has requested a permit with number WQ0016003001 to build a wastewater treatment plant. We, along with many other residents, vigorously oppose the permitting and

construction of this hazardous plant which construction would amount to an unauthorized property taking through devaluation in Collin County, Texas. The plant will destroy the local environment including wildlife, pose substantial known health risks to citizens, and destroy local property values. Wastewater will be discharged into a designated non-discharge Maxwell Creek. As I noted above, we only today learned of this issue. We kindly request the application to build the wastewater plant in Parker, Texas be entirely denied ASAP. Any such plant should never be built in, around or near the backyards of Collin County residents and their children's school yards. I suspect the Texas government will not support a few developers to profit at the tremendous expense of a huge number of Collin County residents. I reserve my rights to submit additional arguments. Please let me know the status of your permitting process. Thank you, D. Wade Cloud, Jr. Email: smcbyses@verizon.net

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 11:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ashleyconner@verizon.net <ashleyconner@verizon.net>
Sent: Sunday, October 10, 2021 8:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ashley Conner

E-MAIL: ashleyconner@verizon.net

COMPANY:

ADDRESS: 213 LAKESIDE CIR
MURPHY TX 75094-4107

PHONE: 9727418909

FAX:

COMMENTS: As a nearby resident I have the following concerns and request a public hearing for this matter: 1) High Density Development with a Wastewater treatment plant (MUD) is proposed on Murphy Road just north of Betsy Lane 2) MUD will discharge 200,000+ to 800,000 gallons of treated water in Maxwell Creek. (describe a water tank 33 foot diameter X 32 feet high holds 200k gallons). 3) Cities affected – PARKER, MURPHY, SACHSE (wherever Maxwell Creek flows) 4) Concerns include - a. Decrease in property value b. Decrease in taxes City of Murphy will collect to provide

services c. Harm to wildlife (only naming a few) i. THREATENED Species - Bald eagle, Texas tortoise, ii. PROTECTED Species - Great Horned Owl, Redtail Hawk, Turkey vultures d. Harm to livestock e. Polluting of our creek & ponds f. Flooding – Review of flood plane along Maxwell & Muddy Creek support this concern.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 11:15 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ashleyconner@verizon.net <ashleyconner@verizon.net>
Sent: Sunday, October 10, 2021 7:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ashley Conner

E-MAIL: ashleyconner@verizon.net

COMPANY:

ADDRESS: 213 LAKESIDE CIR
MURPHY TX 75094-4107

PHONE: 9727418909

FAX:

COMMENTS: As a nearby resident I have the following concerns and request a public hearing for this matter: 1) High Density Development with a Wastewater treatment plant (MUD) is proposed on Murphy Road just north of Betsy Lane 2) MUD will discharge 200,000+ to 800,000 gallons of treated water in Maxwell Creek. (describe a water tank 33 foot diameter X 32 feet high holds 200k gallons). 3) Cities affected – PARKER, MURPHY, SACHSE (wherever Maxwell Creek flows) 4) Concerns include - a. Decrease in property value b. Decrease in taxes City of Murphy will collect to provide

services c. Harm to wildlife (only naming a few) i. THREATENED Species - Bald eagle, Texas tortoise, ii. PROTECTED Species - Great Horned Owl, Redtail Hawk, Turkey vultures d. Harm to livestock e. Polluting of our creek & ponds f. Flooding – Review of flood plane along Maxwell & Muddy Creek support this concern.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 7, 2022 9:43 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H
RFR

From: maya.dalal@yahoo.com <maya.dalal@yahoo.com>
Sent: Saturday, March 5, 2022 8:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Maya Dalal

E-MAIL: maya.dalal@yahoo.com

COMPANY:

ADDRESS: 1308 SALSBURY CIR
MURPHY TX 75094-4129

PHONE: 9724225298

FAX:

COMMENTS: My name is Maya Dalal, and I reside on 1308 Salsbury Circle, Murphy, TX, located within approximately .3 mile of the proposed Sewage Plant and MUD facility. Within the meaning of the law, we believe that, by virtue of the location of our Murphy home, we are an affected party and/or person. We respectfully request a contested case hearing on this matter, and strongly oppose the application for this permit, permit No. WQ0016003001. This is also my request

to the Executive Director to reconsider his decision. I believe that I have a personal justiciable interest related to a legal right, privilege, and economic interest that would be adversely impacted as a result of the approval of this permit application. To my knowledge, the applying party in this matter, Restore the Grasslands LLC and Harrington/Turner Enterprises LP has failed to justify the necessity for this proposed facility. The surrounding existing facilities for waste treatment hold the capacity to serve the new proposed housing development, therefore demonstrating a lack of necessity for MUD. Furthermore, as a result of their actions in connection with building their sewer conveyance and treatment system, I believe it is inevitable that there will be overflowed lands within the area that they seek to operate in, which is close to our Murphy home. This will be due to the additional discharge and the addition of concrete into the development which will limit the unsanitary water to be taken in by the soil. There is no explanation or statement on how the Applicants seek to remedy these unsanitary and environmentally harmful conditions. Furthermore, there is no explanation of how the foul smell that is very likely to result from this facility will impact our home. As a result of this private nuisance, the value of our Murphy home is likely to be severely adversely impacted. As a matter of policy, we should be allowed to enjoy the back and front yards of our home, and this will be negatively impacted by any associated smells traveling into our airspace from the facility. We believe that we are close enough to the facility that any resulting odors that are very likely to occur, will inevitably travel into our airspace. Additionally, in response to original comments, it is stated that "a health hazard as a result of pests should not occur." However, there is no explanation of how keeping proper operation and maintenance of a facility of this specific nature, meaning so close to an existing housing development, will not result in health hazards. While the response states that a health hazard should not occur, that is no assurance that a health hazard will not occur. As mentioned by numerous comments, there are many demonstrating how many health and environmental hazards will occur. Additionally, although the proposed permit does not limit any landowner's ability to seek private action against the Applicants, the undue burden that is being placed on residents who have expressed concerns to retain counsel and be subjected to lengthy hearings is not in accordance with principles of fairness. There has been an influx of comments submitted by other Affected Parties, and other concerned persons, filed with the TCEQ, with many alarming reasons for concerns stated. Affected Parties respectfully request a contested case hearing on this matter so that we may demonstrate why the most just outcome to this permit application is denial.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, October 21, 2021 9:33 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: mike.dalal@yahoo.com <mike.dalal@yahoo.com>
Sent: Wednesday, October 20, 2021 3:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Meerna Dalal

E-MAIL: mike.dalal@yahoo.com

COMPANY:

ADDRESS: 1308 SALSBURY CIR
MURPHY TX 75094-4129

PHONE: 2142357327

FAX:

COMMENTS: I am writing this comment to communicate that I am in direct opposition to the proposed MUD waste treatment facility to be built in such close proximity to Murphy, Wyle, Parker, and Sachse, Texas. Building this facility implicates extremely harmful effects on human and environmental health. It is especially disappointing to hear of this proposition with such damaging effects on human health during a global health crisis. As a resident of Rolling Ridge, living very close to where the facility is proposed to be present, I believe that I am an affected person and request a

contested case hearing. There are many known dangers to human health brought by such facilities through the presence of rodents and bacteria. Furthermore, the pollutants would be extremely damaging to the environmental health of the area. Last but not least, property values would likely be negatively impacted by this proposition. For the above reasons and countless others not mentioned herein, this permit and all appeals should be denied.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 7, 2022 9:43 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H
RFR

From: mike.dalal@yahoo.com <mike.dalal@yahoo.com>
Sent: Saturday, March 5, 2022 8:04 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Michael Dalal

E-MAIL: mike.dalal@yahoo.com

COMPANY:

ADDRESS: 1308 SALSBURY CIR
MURPHY TX 75094-4129

PHONE: 9724225298

FAX:

COMMENTS: My name is Michael Dalal, and I reside on 1308 Salsbury Circle, Murphy, TX, located within approximately .3 mile of the proposed Sewage Plant and MUD facility. Within the meaning of the law, we believe that, by virtue of the location of our Murphy home, we are an affected party and/or person. We respectfully request a contested case hearing on this matter, and strongly oppose the application for this permit, permit No. WQ0016003001. This is also my request

to the Executive Director to reconsider his decision. I believe that I have a personal justiciable interest related to a legal right, privilege, and economic interest that would be adversely impacted as a result of the approval of this permit application. To my knowledge, the applying party in this matter, Restore the Grasslands LLC and Harrington/Turner Enterprises LP has failed to justify the necessity for this proposed facility. The surrounding existing facilities for waste treatment hold the capacity to serve the new proposed housing development, therefore demonstrating a lack of necessity for MUD. Furthermore, as a result of their actions in connection with building their sewer conveyance and treatment system, I believe it is inevitable that there will be overflowed lands within the area that they seek to operate in, which is close to our Murphy home. This will be due to the additional discharge and the addition of concrete into the development which will limit the unsanitary water to be taken in by the soil. There is no explanation or statement on how the Applicants seek to remedy these unsanitary and environmentally harmful conditions. Furthermore, there is no explanation of how the foul smell that is very likely to result from this facility will impact our home. As a result of this private nuisance, the value of our Murphy home is likely to be severely adversely impacted. As a matter of policy, we should be allowed to enjoy the back and front yards of our home, and this will be negatively impacted by any associated smells traveling into our airspace from the facility. We believe that we are close enough to the facility that any resulting odors that are very likely to occur, will inevitably travel into our airspace. Additionally, in response to original comments, it is stated that "a health hazard as a result of pests should not occur." However, there is no explanation of how keeping proper operation and maintenance of a facility of this specific nature, meaning so close to an existing housing development, will not result in health hazards. While the response states that a health hazard should not occur, that is no assurance that a health hazard will not occur. As mentioned by numerous comments, there are many demonstrating how many health and environmental hazards will occur. Additionally, although the proposed permit does not limit any landowner's ability to seek private action against the Applicants, the undue burden that is being placed on residents who have expressed concerns to retain counsel and be subjected to lengthy hearings is not in accordance with principles of fairness. There has been an influx of comments submitted by other Affected Parties, and other concerned persons, filed with the TCEQ, with many alarming reasons for concerns stated. Affected Parties respectfully request a contested case hearing on this matter so that we may demonstrate why the most just outcome to this permit application is denial.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 15, 2021 8:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: mike.dalal@yahoo.com <mike.dalal@yahoo.com>
Sent: Thursday, October 14, 2021 10:40 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Michael Dalal

E-MAIL: mike.dalal@yahoo.com

COMPANY:

ADDRESS: 1308 SALSBURY CIR
MURPHY TX 75094-4129

PHONE: 9724225298

FAX:

COMMENTS: I live in Rolling Ridge and I oppose this permit based on the proximity to my home and community. I and family: 1- Don't want our quality of life negatively impacted 2- Don't want potential pollutants from the plant entering our community 3- Don't want our city's ecosystem damaged 4- Don't want our air quality to suffer 5- Don't want my property value diminished Thus We kindly request a contested case hearing on permit# WQ0016003001 to build a

wastewater treatment plant in Parker but very close our Murphy home and finally "Please do not approve this development."

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:15 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Dangvivian@yahoo.com <Dangvivian@yahoo.com>
Sent: Wednesday, November 17, 2021 10:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Vivian Dang

E-MAIL: Dangvivian@yahoo.com

COMPANY:

ADDRESS: 502 HILLTOP DR
MURPHY TX 75094-5344

PHONE: 9722071323

FAX:

COMMENTS: I'm opposing the waste water plan due to environmental and health concerns, damage to ecosystem and wildlife on the creek. I'm requesting for a contest hearing

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:24 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: dangvivian@yahoo.com <dangvivian@yahoo.com>
Sent: Friday, October 8, 2021 7:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Vivian Dang

E-MAIL: dangvivian@yahoo.com

COMPANY:

ADDRESS: 502 HILLTOP DR
MURPHY TX 75094-5344

PHONE: 9722071323

FAX:

COMMENTS: As a resident of Murphy, I'm opposing te proposal of the water treatment plant. We don't want the air quality to be polluted and damage the ecosystem.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:11 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Wastewater Treatment Plant2.docx

H

From: cyndi.daugherty@gmail.com <cyndi.daugherty@gmail.com>
Sent: Thursday, November 18, 2021 8:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: CYNDI DAUGHERTY

E-MAIL: cyndi.daugherty@gmail.com

COMPANY:

ADDRESS: 3603 HOGGE DR
PARKER TX 75002-6733

PHONE: 4056538916

FAX:

COMMENTS: Please see the attached document for comments.

Cyndi Daugherty
3603 Hogge Drive
Parker, TX 75002-6733

My name is Cyndi Daugherty and I live at 3603 Hogge Drive, Parker, TX 75002-6733, approximately 645 meters northeast of the proposed Waste Water Treatment Facility under permit number WQ0016003001 (EPA ID NO TX 0141381). I have lived at this address for 29 years. I am requesting a contested case hearing regarding the Restore the Grasslands LC and Harrington/Turner Enterprises, LP and their permit no WQ0016003001 for a new Texas Pollutant Discharge Elimination System (TPDES).

I would be affected by this facility and the high density neighborhood negatively. I have been experiencing health issues for some time, but was recently (in 2020) diagnosed with 4 autoimmune diseases. I have suffered from migraines for over 10 years. The migraines are brought on by pressure changes in the weather and high pollution days. The proposed facility would significantly increase the traffic, noise and pollution on Hogge Drive. This would affect my migraines, as well as my autoimmune diseases and overall health.

My property is a little over 4 acres in size. We live in a neighborhood of 12 houses (Ranchview Court and Woodcreek), all with acreage, which sit adjacent to the property where this WWTP is being proposed. I raise meat chickens (for consumption), laying chickens, and laying ducks. We also have a horse and alpacas. Our animals are raised on our property, with no fertilizers, pesticides, or GMO products. They are grass fed and supplemented with an all natural, Non-Soy, Non-GMO feed. Many of my customers, whom I sell my chicken and duck eggs to, are autoimmune compromised. This proposed facility, located just 645m away from my property, would potentially affect the health of my animals and the products they produce, which may in turn affect the health of my autoimmune compromised customers.

The environment would also be impacted by this proposed Waste Water Treatment Plant. We currently have whooping cranes, Monarch butterflies, redheaded wood peckers, fox, red-tail hawks, great white owls, armadillos, skunks, possums, packs of coyotes, bobcats, raccoons, and many other animals roaming through our neighborhood and property. These animals would all be misplaced and affected by the environmental changes brought on by this WWTP and the housing development being proposed.

I am very concerned about the flooding this WWTP could create. We have already experienced flooding issues in our neighborhood. 3503 Woodcreek Circle has flooded twice. 3505 Woodcreek Circle has flood four times (they have since has their house raised). 6002 Ranchview Court has flooded twice (they have also had their house raised). We have witnessed flooding over the bridge on Gregory Lane too many times to count, including twice since the bridge has been repaired and "improved". My neighbors and I walk our therapy dogs at the Parker Rose Garden 2-3 times per week (on Maxwell Creek, in the city of Parker). Countless times we have been unable to cross the bridge, in the park that crosses Maxwell Creek, because of flooding and high water. These are flooding issues we experience NOW. Imagine

what kind of problems with flooding will occur if this proposed WWTP is approved and we get just 1" of rain, and it is dumping an extra 1,357,000 gallons of water into the creek!

We moved to the city of Parker to experience the "country lifestyle". As stated earlier, I've lived here for **29 years**. I've witnessed lots and lots of changes. Some have not been good. But this city, with its 2 acre minimum lot sizes is an oasis in the middle of high density housing. The property this proposed WWTP is planning to be placed on, is within our city's ETJ (Extra Territorial Jurisdiction). The property should be developed as a "buffer" between our city's large lots and the high density areas around us. That means 1 acre, minimum, lots with septic lines. The proposed WWTP and development are just a way the "Restore the Grassland LC" and "Harrington/Turner Enterprises LP" companies are trying to get around the larger lot sizes. The proposed facility and development are anything BUT what I would consider RESTORING the GRASSLANDS!

Bottom line is this. This WWTP, with its runoff being allowed to enter Maxwell Creek, with its bacteria, fungal emissions, hydrogen sulfide gas, and chlorine, is going to harm our wildlife, domestic animals AND the humans who reside near it (myself included!). The development and its additional runoff from all of the concrete (the land will no longer be able to soak up the hard rain) will add additional run off, causing more flooding. And all of this is not necessary because there is already another treatment plant located just down the road off of Los Rios. Please deny this permit. There simply is not any good that can come from this, other than lining the pocketbooks of those requesting this permit. It's simply outrageous! They can build a beautiful subdivision with 1 acre lots, with septic systems. Again, I am requesting a contested hearing regarding permit no. WQ0016003001.

Thank you for your time and attention to this matter,

Cyndi Daugherty

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:24 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: cyndi.daugherty@gmail.com <cyndi.daugherty@gmail.com>
Sent: Wednesday, November 17, 2021 10:00 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Cyndi Daugherty

E-MAIL: cyndi.daugherty@gmail.com

COMPANY:

ADDRESS: 3603 HOGGE DR
PARKER TX 75002-6733

PHONE: 4693969897

FAX:

COMMENTS: I am requesting a CONTESTED HEARING.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:24 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

PM

From: cyndi.daugherty@gmail.com <cyndi.daugherty@gmail.com>
Sent: Wednesday, November 17, 2021 9:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Cynthia Daugherty

E-MAIL: cyndi.daugherty@gmail.com

COMPANY:

ADDRESS: 3603 HOGGE DR
PARKER TX 75002-6733

PHONE: 2148140642

FAX:

COMMENTS: I live approximately 363 meters from the proposed location of this Water Treatment plant. I am requesting a meeting to discuss.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 10:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: cyndi.daugherty@gmail.com <cyndi.daugherty@gmail.com>
Sent: Tuesday, September 21, 2021 10:24 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Cyndi Daugherty

E-MAIL: cyndi.daugherty@gmail.com

COMPANY:

ADDRESS: 3603 HOGGE DR
PARKER TX 75002-6733

PHONE: 4056538916

FAX:

COMMENTS: I am in opposition to this. As I understand, it isn't even legal to put waste treatment water into Maxwell Creek. The city of Parker (which this land is in the ETJ for the city of Parker) requires septic lines for housing. This builder is trying to get out of putting septic lines in for the houses they want to build. WE DON'T NEED A WASTE TREATMENT facility in our backyard simply because a builder is trying to circumvent the process. The city of Murphy denied allowing these houses to tie into their sewer lines and the city of Parker has told them to use septic lines. The builder is just being

non-compliant. Please DENY this request for a water treatment plant and require the builder to follow the rules. Thank you for your attention to this matter.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: harrison4daugherty@gmail.com <harrison4daugherty@gmail.com>
Sent: Wednesday, November 17, 2021 10:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Harrison Daugherty

E-MAIL: harrison4daugherty@gmail.com

COMPANY:

ADDRESS: 3603 HOGGE DR
PARKER TX 75002-6733

PHONE: 2142353541

FAX:

COMMENTS: I am requesting a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:24 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: timmydaugherty@gmail.com <timmydaugherty@gmail.com>
Sent: Wednesday, November 17, 2021 9:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tim Daugherty

E-MAIL: timmydaugherty@gmail.com

COMPANY:

ADDRESS: 3603 HOGGE DR
PARKER TX 75002-6733

PHONE: 2142880153

FAX:

COMMENTS: I am against this Water Treatment plant and am requesting a contested hearing. I live approximately 630 meters from the proposed sight. I WANT A CONTESTED HEARING.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 9:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: Carriedavis54@yahoo.com <Carriedavis54@yahoo.com>
Sent: Saturday, September 25, 2021 10:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Carrie Davis

E-MAIL: Carriedavis54@yahoo.com

COMPANY:

ADDRESS: 617 AXIS DR
MURPHY TX 75094-5324

PHONE: 9137065934

FAX:

COMMENTS: I am opposed to putting a water treatment plant so close to my neighborhood. Please reconsider the location and move it farther from our neighborhood schools and waterways

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:09 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ellen@thedavisreg.com <ellen@thedavisreg.com>
Sent: Monday, December 6, 2021 9:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ellen Davis

E-MAIL: ellen@thedavisreg.com

COMPANY:

ADDRESS: 505 LEEWARD DR
MURPHY TX 75094-5347

PHONE: 2147895058

FAX:

COMMENTS: I live at 505 Leeward Drive, Murphy, TX 75094 and request a contested hearing. My property is located approximately 947 feet from Maxwell Creek and 1.2 miles downstream from the proposed Wastewater plan. My family (myself, my husband and two children, ages 10 years and 6 years) use Maxwell Creek frequently. We walk the trails surrounding Maxwell Creek, we play at the park on the banks of Maxwell Creek, we ride bikes all around Maxwell Creek including crossing back and forth over the creek AND in the spring, summer and fall, we go INTO the water to play and

explore. The proposed wastewater discharge into Maxwell Creek where we spend a great deal of time creates a major health concern. The health concerns that I am specifically concerned about include neurological issues, cancer, fertility issues (for my children) and breathing problems from touching water with waste in it and breathing fumes related to the plant. My husband I are also realtors and own a real estate brokerage that operates out of Murphy. This proposed wastewater plant is going to very negatively affect the property values in Murphy and Parker and the surrounding areas. Homeowners and buyers in our community are very concerned about health effects, flooding, fumes and more. I have already heard of many residents considering selling their properties due to the wastewater plant. A decrease in property values will negatively affect all the residents in and around Murphy and Parker and negatively affect the city with a decrease in property taxes due to a decrease in property values. My children also attend school at Tibbals Elementary that is located approximately 1500 ft from Maxwell Creek. Children at the school spend time outside during recess, gym class, gardening classes, before and after school and this will negatively affect almost 700 school children. TCQ needs to re-evaluate this permit as it will negatively impact the health and well being of all Murphy and Parker residents.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: tim@thedavisreg.com <tim@thedavisreg.com>
Sent: Monday, December 6, 2021 9:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Timothy Richard Davis

E-MAIL: tim@thedavisreg.com

COMPANY:

ADDRESS: 505 LEEWARD DR
MURPHY TX 75094-5347

PHONE: 9727576033

FAX:

COMMENTS: I live at 505 Leeward Drive, Murphy, TX 75094 and request a contested hearing. My property is located approximately 947 feet from Maxwell Creek and 1.2 miles downstream from the proposed Wastewater plan. My family (myself, my wife and two children, ages 10 years and 6 years) use Maxwell Creek frequently. We walk the trails surrounding Maxwell Creek, we play at the park on the banks of Maxwell Creek, we ride bikes all around Maxwell Creek including crossing back and forth over the creek AND in the spring, summer and fall, we go INTO the water to play and

explore. The proposed wastewater discharge into Maxwell Creek where we spend a great deal of time creates a major health concern. The health concerns that I am specifically concerned about include neurological issues, cancer, fertility issues (for my children) Toxic and breathing problems from touching water with waste in it and breathing fumes related to the plant. I am also concerned with Algae bloom downstream from the plant that would cause problems similar to the ones being experienced in central Texas. My wife I are also realtors and own a real estate brokerage that operates out of Murphy. This proposed wastewater plant is going to very negatively affect the property values in Murphy and Parker and the surrounding areas. Homeowners and buyers in our community are very concerned about health effects, flooding, fumes and more. I have already heard of many residents considering selling their properties due to the wastewater plant. A decrease in property values will negatively affect all the residents in and around Murphy and Parker and negatively affect the city with a decrease in property taxes due to a decrease in property values. My children also attend school at Tibbals Elementary that is located approximately 1500 ft from Maxwell Creek. Children at the school spend time outside during recess, gym class, gardening classes, before and after school and this will negatively affect almost 700 school children. TCQ needs to re-evaluate this permit as it will negatively impact the health and well being of all Murphy and Parker residents.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 18, 2021 9:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: amydeans@verizon.net <amydeans@verizon.net>
Sent: Sunday, October 17, 2021 3:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTITY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amy Deans

E-MAIL: amydeans@verizon.net

COMPANY:

ADDRESS: 1303 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 9723841111

FAX:

COMMENTS: I would like to oppose the plans to put a water treatment plant at the location proposed in Parker, Tx. While, I do live in Murphy, the proposed site is 1/4 mile from my home, would be in the backyard of many homes as well as 1/4 mile from an elementary school. Depending on the way the wind is blowing, the smell would make learning and playing outside near impossible for these students. Who have all been inside enough with the Covid pandemic. There is livestock and wild animals that use that land for food and water and when it rains/floods, the water flows through these

areas the animals use. There is a lot of land that is not so close to houses, schools and livestock that could be utilized. Please reconsider the location.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:04 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: amydeans@verizon.net <amydeans@verizon.net>
Sent: Wednesday, September 22, 2021 10:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amy Deans

E-MAIL: amydeans@verizon.net

COMPANY:

ADDRESS: 1303 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 9723841111

FAX:

COMMENTS: I would like to oppose the plans to put a water treatment plant at the location proposed in Parker, Tx. While, I do live in Murphy, the proposed site is 1/4 mile from my home, would be in the backyard of many homes as well as 1/4 mile from an elementary school. Depending on the way the wind is blowing, the smell would make learning and playing outside near impossible for these students. Who have all been inside enough with the Covid pandemic. There is livestock and wild animals that use that land for food and water and when it rains/floods, the water flows through these

areas the animals use. There is a lot of land that is not so close to houses, schools and livestock that could be utilized. Please reconsider the location.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: amydeans@verizon.net <amydeans@verizon.net>
Sent: Wednesday, September 22, 2021 4:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amy Deans

E-MAIL: amydeans@verizon.net

COMPANY:

ADDRESS: 1303 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 9723841111

FAX:

COMMENTS: I would like to oppose the plans to put a water treatment plant at the location proposed in Parker, Tx. While, I do live in Murphy, the proposed site is 1/4 mile from my home, would be in the backyard of many homes as well as 1/4 mile from an elementary school. Depending on the way the wind is blowing, the smell would make learning and playing outside near impossible for these students. Who have all been inside enough with the Covid pandemic. There is livestock and wild animals that use that land for food and water and when it rains/floods, the water flows through these

areas the animals use. There is a lot of land that is not so close to houses, schools and livestock that could be utilized. Please reconsider the location.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 3:23 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: amydeans@verizon.net <amydeans@verizon.net>
Sent: Wednesday, September 22, 2021 3:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amy Deans

E-MAIL: amydeans@verizon.net

COMPANY:

ADDRESS: 1303 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 9723841111

FAX:

COMMENTS: I would like to oppose the plans to put a water treatment plant at the location proposed in Parker, Tx. While, I do live in Murphy, the proposed site is 1/4 mile from my home, would be in the backyard of many homes as well as 1/4 mile from an elementary school. Depending on the way the wind is blowing, the smell would make learning and playing outside near impossible for these students. Who have all been inside enough with the Covid pandemic. There is livestock and wild animals that use that land for food and water and when it rains/floods, the water flows through these

areas the animals use. There is a lot of land that is not so close to houses, schools and livestock that could be utilized. Please reconsider the location.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 10:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: amydeans@verizon.net <amydeans@verizon.net>
Sent: Wednesday, September 22, 2021 10:42 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amy Deans

E-MAIL: amydeans@verizon.net

COMPANY:

ADDRESS: 1303 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 9723841111

FAX:

COMMENTS: I would like to oppose the plans to put a water treatment plant at the location proposed in Parker, Tx. While, I do live in Murphy, the proposed site is 1/4 mile from my home, would be in the backyard of many homes as well as 1/4 mile from an elementary school. Depending on the way the wind is blowing, the smell would make learning and playing outside near impossible for these students. Who have all been inside enough with the Covid pandemic. There is livestock and wild animals that use that land for food and water and when it rains/floods, the water flows through these

areas the animals use. There is a lot of land that is not so close to houses, schools and livestock that could be utilized. Please reconsider the location.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 4, 2022 7:21 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: gdeans@ds-law.com <gdeans@ds-law.com>
Sent: Thursday, February 3, 2022 7:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Greg Deans

E-MAIL: gdeans@ds-law.com

COMPANY:

ADDRESS: 1303 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 2142882883

FAX:

COMMENTS: I would like to request a Contested Case Hearing. I live within 1 mile of the proposed site.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 30, 2021 9:04 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: rick.d@signazon.com <rick.d@signazon.com>
Sent: Monday, November 29, 2021 6:24 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Rick Debus

E-MAIL: rick.d@Signazon.com

COMPANY:

ADDRESS: 5007 DUBLIN CREEK LN
ALLEN TX 75002-6553

PHONE: 8575406898

FAX:

COMMENTS: As one of the closest parker residents at roughly 5,000 feet, I'm requesting a contested hearing. My land, primary residence and health will be directly affected by this permit due to the hazardous gases that the proposed facility will release into the air.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 11:00 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: lauradeel@gmail.com <lauradeel@gmail.com>
Sent: Friday, November 19, 2021 5:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Laura Deel

E-MAIL: lauradeel@gmail.com

COMPANY:

ADDRESS: 507 SMOKE TREE DR
MURPHY TX 75094-5336

PHONE: 2146752662

FAX:

COMMENTS: I am writing to request a public contested hearing for permit WQ0016003001. I live at 507 Smoke Tree Dr which is approximately 1.6 miles from the proposed water treatment plant and less than .15 miles from Maxwell Creek itself. Because of our close proximity to the creek, it has become an integral part of our daily lives. The park and one of the trail entrances is right around the corner from our home. We receive much-needed physical activity and stimulus from the park, trails, and creek. We hike, bike, run, climb, wade, skip rocks, and just generally explore. My 10 year old's

life has revolved around the creek and trails for years. His friends meet there regularly for a release after long days at school. If the creek were filled with algae blooms and chemically treated water, our use of the area would become restricted. Our physical and mental health would suffer without this access to these activities. Additionally, since we live so close to the creek, our respiratory and gastro-intestinal health would be compromised by the decreased water and air quality, even if we remained at home and didn't venture to the creek and trails itself. My son and I both suffer from seasonal allergies which would be exacerbated by the algae blooms that will result from dumping the wastewater into the creek. Our yard regularly has birds, bobcats, and possums that call the creek area their home. These animals keep the pest, bunny, and bug population under control in our yard. If their home was destroyed, we would likely become more overrun with chiggers, mosquitos, etc. Lastly, our yard is full of bees and butterflies at various times in the year. Destroying the creek ecosystem would impact these vital pollinators. We regularly spend a ton of time in our backyard: hanging out with friends and family, swimming, playing tennis, jumping on the trampoline, etc. The approval of the plant and the subsequent dumping of water into Maxwell Creek would significantly deprive us of our right for the preservation and enjoyment of our property. I would like to again request a public contested hearing. Thank you for your time.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:40 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Monday, December 6, 2021 7:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 9728675528

FAX:

COMMENTS: I demand a contested hearing to formally review this request submitted. First, the developer application was submitted with false information and lies about its notification to affected parties living in Murphy, Parker, or other adjacent cities affected. I live less than 1 mile from the proposed wastewater treatment plant which I am against for health reasons. I have an autoimmune health conditions. I grow my own organic fruits and vegetables for personal consumption which supports my immune system and human health. Having the wastewater treatment within less than

1/2 mile from my land where I grow my own organic food for personal consumption is of high concern due to sewage seeping into the ground and contaminating the surrounding land which I live. The wastewater treatment plant will also kill natural wildlife part of Maxwell Creek. The killing of natural wildlife will have expanded negative impacts which must be formally reviewed by the EPA before final decision is made. A contested hearing must occur to ensure proper review of this WWTP application.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 15, 2021 9:34 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Saturday, November 13, 2021 10:12 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: I demand a contested hearing. The application submitted for this development and wastewater treatment contained purposeful lies in hopes to expedite approvals. I demand a contested hearing where all the facts of the land, surrounding area, and Maxwell Creek are accurately presented for review. Maxwell Creek already regularly floods upon rains and shuts down roads and Gregory Lane where the developer wants to build preventing any road crossing until the water recedes. Maxwell Creek is home to wildlife and natural habitats regularly enjoyed by children in the community.

And, surrounding property owners grow food for our families which will get polluted due to the sewage treatment plant. It's absurd this permit# WQ0016003001 hasn't already been dismissed due to the lies and deceit submitted on their form in their effort to make a quick profit for the developer. A contested hearing must occur to ensure all community members affected by the MUD proposal can present the full facts for proper review. Decisions on this MUD cannot be made based on lies and false submissions from the developer, they were purposely trying to sneak this approval choosing profit over environmental safety and environmental sustainability. PLEASE APPROVE A CONTESTED HEARING!!!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:14 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: Contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: Contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:39 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: We are adamantly against this wastewater treatment for many reasons including its environmental impact to our groundwater as this will increase flooding to the surrounding areas which already experiences annual flooding. With the groundwater now getting polluted with improperly treated sewage from the plant, it negatively affects our wildlife and natural habitat. We grow food and herbs for consumption which our ground will now be polluted affecting our food supply. We also live across the street from the Hunt Elementary school which our children will be smelling

polluted air during their physical education and daily recess having long term psychological affect on their wellbeing now associating physical wellness with sewage. The developers were not honest in their forms and misrepresented the current environment so they could build a structure for their personal profit without having to manage the long term impact to all affected residents and adjacent elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: We are adamantly against this wastewater treatment for many reasons including its environmental impact to our groundwater as this will increase flooding to the surrounding areas which already experiences annual flooding. With the groundwater now getting polluted with improperly treated sewage from the plant, it negatively affects our wildlife and natural habitat. We grow food and herbs for consumption which our ground will now be polluted affecting our food supply. We also live across the street from the Hunt Elementary school which our children will be smelling

polluted air during their physical education and daily recess having long term psychological affect on their wellbeing now associating physical wellness with sewage. The developers were not honest in their forms and misrepresented the current environment so they could build a structure for their personal profit without having to manage the long term impact to all affected residents and adjacent elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:52 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: We are adamantly against this wastewater treatment for many reasons including its environmental impact to our groundwater as this will increase flooding to the surrounding areas which already experiences annual flooding. With the groundwater now getting polluted with improperly treated sewage from the plant, it negatively affects our wildlife and natural habitat. We grow food and herbs for consumption which our ground will now be polluted affecting our food supply. We also live across the street from the Hunt Elementary school which our children will be smelling

polluted air during their physical education and daily recess having long term psychological affect on their wellbeing now associating physical wellness with sewage. The developers were not honest in their forms and misrepresented the current environment so they could build a structure for their personal profit without having to manage the long term impact to all affected residents and adjacent elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:59 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: We are adamantly against this wastewater treatment for many reasons including its environmental impact to our groundwater as this will increase flooding to the surrounding areas which already experiences annual flooding. With the groundwater now getting polluted with improperly treated sewage from the plant, it negatively affects our wildlife and natural habitat. We grow food and herbs for consumption which our ground will now be polluted affecting our food supply. We also live across the street from the Hunt Elementary school which our children will be smelling

polluted air during their physical education and daily recess having long term psychological affect on their wellbeing now associating physical wellness with sewage. The developers were not honest in their forms and misrepresented the current environment so they could build a structure for their personal profit without having to manage the long term impact to all affected residents and adjacent elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:08 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: We are adamantly against this wastewater treatment for many reasons including its environmental impact to our groundwater as this will increase flooding to the surrounding areas which already experiences annual flooding. With the groundwater now getting polluted with improperly treated sewage from the plant, it negatively affects our wildlife and natural habitat. We grow food and herbs for consumption which our ground will now be polluted affecting our food supply. We also live across the street from the Hunt Elementary school which our children will be smelling

polluted air during their physical education and daily recess having long term psychological affect on their wellbeing now associating physical wellness with sewage. The developers were not honest in their forms and misrepresented the current environment so they could build a structure for their personal profit without having to manage the long term impact to all affected residents and adjacent elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:11 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: We are adamantly against this wastewater treatment for many reasons including its environmental impact to our groundwater as this will increase flooding to the surrounding areas which already experiences annual flooding. With the groundwater now getting polluted with improperly treated sewage from the plant, it negatively affects our wildlife and natural habitat. We grow food and herbs for consumption which our ground will now be polluted affecting our food supply. We also live across the street from the Hunt Elementary school which our children will be smelling

polluted air during their physical education and daily recess having long term psychological affect on their wellbeing now associating physical wellness with sewage. The developers were not honest in their forms and misrepresented the current environment so they could build a structure for their personal profit without having to manage the long term impact to all affected residents and adjacent elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: boyd.tami@verizon.net <boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: We are adamantly against this wastewater treatment for many reasons including its environmental impact to our groundwater as this will increase flooding to the surrounding areas which already experiences annual flooding. With the groundwater now getting polluted with improperly treated sewage from the plant, it negatively affects our wildlife and natural habitat. We grow food and herbs for consumption which our ground will now be polluted affecting our food supply. We also live across the street from the Hunt Elementary school which our children will be smelling

polluted air during their physical education and daily recess having long term psychological affect on their wellbeing now associating physical wellness with sewage. The developers were not honest in their forms and misrepresented the current environment so they could build a structure for their personal profit without having to manage the long term impact to all affected residents and adjacent elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:23 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Boyd.tami@verizon.net <Boyd.tami@verizon.net>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami Deweese

E-MAIL: Boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: We are adamantly against this wastewater treatment for many reasons including its environmental impact to our groundwater as this will increase flooding to the surrounding areas which already experiences annual flooding. With the groundwater now getting polluted with improperly treated sewage from the plant, it negatively affects our wildlife and natural habitat. We grow food and herbs for consumption which our ground will now be polluted affecting our food supply. We also live across the street from the Hunt Elementary school which our children

will be smelling polluted air during their physical education and daily recess having long term psychological affect on their wellbeing now associating physical wellness with sewage. The developers were not honest in their forms and misrepresented the current environment so they could build a structure for their personal profit without having to manage the long term impact to all affected residents and adjacent elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:07 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Boyd.tami@verizon.net <Boyd.tami@verizon.net>
Sent: Wednesday, September 22, 2021 9:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tami DeWeese

E-MAIL: Boyd.tami@verizon.net

COMPANY:

ADDRESS: 316 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2144775355

FAX:

COMMENTS: •DON'T WANT our city's ecosystem damaged •DON'T WANT potential pollutants from the plant entering our community •DON'T WANT our air quality to suffer •DON'T WANT our quality of life negatively impacted •DON'T WANT our property value diminished

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 14, 2022 10:08 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: City of Murphy Request for Contested Case Hearing & Response to Exec Director1.pdf

H

From: sdickmanlaw@att.net <sdickmanlaw@att.net>
Sent: Friday, March 11, 2022 5:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Stephen C Dickman

E-MAIL: sdickmanlaw@att.net

COMPANY: Law Office of Stephen C Dickman

ADDRESS: 6005 UPVALLEY RUN
AUSTIN TX 78731-3671

PHONE: 5129227137

FAX:

COMMENTS: City of Murphy's Request for Contested Case Hearing letter is being uploaded to TCEQ's E-Comments filing system.

LAW OFFICE OF STEPHEN C. DICKMAN

6005 Upvalley Run
Austin, Texas 78731
Tel: 512-922-7137
Fax: 512-454-8495
Email: sdickmanlaw@att.net
Website: <https://www.sdickmanlaw.com>

March 11, 2022

Laurie Gharis, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Restore the Grasslands LLC and Harrington/Turner Enterprises, LP for Proposed TPDES Permit No. WQ0016003-001; Request for Contested Case Hearing

Dear Ms. Gharis:

I represent the City of Murphy (the "City") regarding the above-referenced TPDES permit application (the "Application"). The City opposes the issuance of the permit and hereby submits this request for contested case hearing in response to the TCEQ notice of February 11, 2022 to all interested persons. By letter dated November 10, 2021, the City submitted its public comments as well as a request for contested case hearing. This request for contested case hearing reiterates the grounds for hearing based on the City's public comments submitted on November 10, 2021, and also states why the City's disagrees with the Executive Director's Response to Public Comments ("E.D.'s RTC") on those issues.

I. The City's Location and Distance From the Proposed Wastewater Plant

As identified in the Application, the City owns land directly on the proposed discharge route on Maxwell Creek within one-half mile downstream of the discharge point. In the affected landowner map contained in the Application, the City-owned property consists of four tracts labeled as Tract Nos. 9, 11, 12 and 13.

II. Disputed Issues of Fact That Are Relevant and Material to the Application and On Which the City Provided Comments During the Public Comments Period

The following are disputed issues of fact that are relevant and material to the TCEQ's decision on the Application and that were raised by the City in its comments submitted on November 10, 2021:

1. Whether the proposed design of the wastewater treatment plant is inadequate to ensure that the required effluent water quality will be achieved. The City has concerns that the engineering design of the proposed package wastewater plant will create operational problems and result in inadequate treatment of sewage influent. The proposed plant is at the

very lower end of modern design for wastewater treatment plants and can be expected to malfunction or overflow in the event of unexpected influent contaminants, heavy rainfall and other unexpected events. For example, the City is concerned about whether in the Phase 2 design the single Phase 1 clarifier, chlorine contact chamber and digestion basin will be adequate to properly treat Phase 2 permitted flows and 2-hour peak flows. The City also questions the validity of several of the process design calculations shown in the Application such as the BOD₅ loading rate and the organic loading rate for the density of the proposed development. Also, the unit dimensions shown on the Application's Attachment 8 do not appear to match up with the unit sizes shown on the two process flow diagrams. For example, the aeration basin sized as 40 ft. x 12 ft. x 13.2 ft. would equal a volume of 6,336 cu. ft. for each aeration basin (= 12,672 cu. ft. for two aeration basins), but the process flow diagram states that this volume is 10,794 cu. ft. This same error is contained in the Phase 2 process flow diagram. Similarly, the chlorine contact basin sized at 15 ft. x 12 ft. x 12 ft. would equal a volume of 2,160 cu. ft., but the process flow diagram states that this volume is 1,980 cu. ft. Also, the two process flow diagrams fail to depict the aerobic digesters referenced in Attachment 8. Furthermore, the process design calculations fail to address the proposed sizing of the sludge holding basins. Finally, the Application does not discuss or even identify what, if any, emergency notification features and alarms will be used to ensure that treatment mishaps will be immediately addressed.

The City disagrees with the E.D.'s RTC No. 34 because the E.D. merely relies on representations made in the Application and it does not appear that the E.D. did an independent review of the accuracy of the technical data presented in the Application.

2. Whether the water quality parameters in the draft permit are inadequate to ensure that the existing water quality uses will not be impaired. The City-owned property on Maxwell Creek downstream of the discharge point is used and enjoyed by numerous City residents every year for walking, jogging, biking, fishing, swimming and aesthetic enjoyment. Under the effluent parameters set forth in the draft permit, the effluent discharge from the proposed plant will result in the creation of algae blooms which in summer months will decay, create offensive smells and impair the existing uses of the land. In the initial TCEQ staff technical review of the Application, TCEQ failed to adequately consider the high aquatic life uses of Maxwell Creek and the public contact and recreational uses of Maxwell Creek within this City-owned land.

Based on new information received during the public comments period, the E.D. performed a Tier 2 antidegradation review based on new information showing that Maxwell Creek is a perennial stream with high aquatic life uses. Based on that new review, the E.D. is now recommending a total phosphorus limit of 0.5 mg/l. However, it is possible that this limit is still inadequate to protect against the creation of noxious algae blooms in hot weather months as Maxwell Creek flows through City-owned lands.

3. Whether the proposed wastewater discharge will adversely affect the health of persons on the City-owned land and nearby properties. The City-owned land immediately downstream of the discharge point is used and occupied by numerous City residents and City employees

throughout the year. These residents and City employees may come into contact with the waters in Maxwell Creek either intentionally or inadvertently. The inadequately treated wastewater effluent discharged from the proposed plant may contain significant and harmful concentrations of bacteria, viruses, pathogens and chemical contaminants that are harmful to human health. Moreover, the inability of the plant to properly treat influent wastewater flows will result in release of harmful and noxious concentrations of hydrogen sulfide gasses.

The City disagrees with the E.D.'s RTC in that the E.D. merely summarily concluded that because the draft permit effluent limits were established in accordance with the Texas Surface Water Quality Standards ("TSWQS"), the E.D. does not anticipate that the wastewater discharge will have an adverse effect on the receiving water or on persons who come in contact with the wastewater. See, e.g., the E.D.'s RTC Nos. 7, 8, 9, 11, and 81. However, the E.D. failed to consider the high intensity of public recreational and parkland uses of the City-owned land immediately below the discharge point and whether the high intensity of such uses necessitates more stringent effluent limits to protect public health.

4. Whether the proposed wastewater discharge will harm fish, wildlife and other environmental receptors immediately downstream of the discharge point. Inadequately treated wastewater from the proposed wastewater package plant may result in a quality of effluent that harms the fish and aquatic life in Maxwell Creek, the wildlife and wildlife habitat in and around Maxwell Creek, and the trees and other native vegetation in and around Maxwell Creek. The introduction of 200,000 gals/day of inadequately treated wastewater could adversely impact the entire ecosystem in and around Maxwell Creek in other unforeseen ways.

The City disagrees with the E.D.'s RTC in that the E.D. merely summarily concluded that because the draft permit effluent limits were established in accordance with the TSWQS, the E.D. does not anticipate that the wastewater discharge will have an adverse effect on fish and wildlife in Maxwell Creek. See e.g., E.D.'s RTC No. 69. However, the City is concerned that even if effluent limits in the draft permit meet the TSWQS, there could still be harm to particular fish and wildlife species, including threatened and endangered species. While the TSWQS may be protective of Texas fish and wildlife in general, there may be one or more particular species in the and around the Maxwell Creek below the discharge point that suffer adverse impacts from the proposed wastewater discharge.

5. Whether there is inadequate information in the Application on the experience and qualifications of the plant operator. The key to successful operation of any wastewater plant is having qualified, experienced and diligent plant operating personnel. However, the Application fails to identify who the plant operator will be. Therefore the City and general public have no way of evaluating the quality of plant operations and whether the proposed operator has a successful track record of plant operations and compliance with TCEQ rules.

In RTC No. 75, the E.D. merely stated that a Class C licensed wastewater plant operator is required, but the E.D. did not require the applicant to identify who the operator or operations company will be. Without this information, the City and concerned members of the public are not able to know about the qualifications, experience and track record of the plant

operator. Considering how important day-to-day operations of a wastewater plant are to its ability to comply with the permit, TCEQ should require that the plant operator be identified in the permit.

6. Whether there will be potential impacts on area groundwater that have not been evaluated. There are near-surface groundwater formations along and near Rolling Ridge Drive as noted by various Rolling Ridge Drive homeowners in their comments filed in this case (*see e.g.*, the comments of Carolyn Jean Moebius). There may be adverse impacts of the wastewater discharge on these groundwater resources, but the applicant failed to evaluate or even identify these potential groundwater impacts in the Application.

In RTC No. 13, the E.D. merely summarily concluded that because the draft permit will be protective of surface water quality, then groundwater quality in the vicinity will not be impacted by the proposed wastewater discharge. Accordingly, the E.D. did not review or investigate local groundwater resources and groundwater quality, despite the statutory mandate of Texas Water Code §26.401(c)(1). However, there may be local groundwater characteristics that do create impacts on groundwater quality such as existing groundwater contamination or contamination threats that would be exacerbated by the proposed wastewater discharge, either through contribution of new concentrations of wastewater contaminants or increased pressure head on near-surface groundwater. The potential adverse impacts of the proposed discharge on local groundwater resources must be evaluated as part of TCEQ's review of the Application.

7. Whether the establishment of a new package plant violates the TCEQ's regionalization policy. TCEQ's regionalization policy is intended to prevent the proliferation of new unneeded package plants when a regional wastewater service provider is available. In this case, there is a regional provider with nearby wastewater lines that would be the most logical and viable wastewater provider for the proposed development. The September 22, 2021 public comments and request for hearing submitted by the City of Parker in this case states that Parker has a contract with the North Texas Municipal Water District ("NTMWD") under which NTMWD has agreed to accept and treat wastewater generated within the City of Parker. According to Parker's hearing request, that contract would allow flows from the proposed development to be collected by Parker and treated by NTMWD and thus avoid the creation of a new wastewater point source discharge in this area. Because Parker has already-constructed wastewater collection lines near the development "which can easily, economically and reasonably be connected to a centralized system already in existence", the proposed construction of the Restore the Grasslands wastewater package plant violates TCEQ's regionalization policy.

In RTC Nos. 24 through 26, the E.D. merely summarily concludes that because no responses to request-for-service letters was received from various existing wastewater providers, they had no ability to serve the applicant's proposed development. However, as described in the City of Murphy's comment above, the City of Parker may be a viable wastewater service provider. Moreover, the E.D.'s RTC did not state whether the City of Murphy provided a response to the applicant's request-to-serve letter. In fact, the City of Murphy has discussed

with the applicant a possible tie-on of the applicant's proposed development to Murphy's wastewater collection system which flows wastewater to a NTMWD regional wastewater plant. The City will allow the applicant's proposed development to tie-in to the City's wastewater system if the applicant agrees (i) to bear the full cost of any necessary modifications to the City's wastewater system necessitated by the tie-in, and (ii) to make reasonable modifications of their development project concept plan to be consistent with an adjacent residential development. Such wastewater service would be provided by the City in a much more cost-effective and environmentally protective manner than if wastewater service were to be provided by the small package wastewater plant proposed by the applicant.

8. Whether nuisance odor conditions will be created. Because the current draft permit may not have sufficiently stringent effluent limits on nutrients, algae blooms could be created which will decay in summer months and produce persistent nuisance odors. Moreover, noxious odors (e.g., hydrogen sulfide gasses) will result from any plant malfunction or operational error. City residents and employees using the City-owned land just downstream of the discharge point, as well as numerous adjacent homeowners, will be forced to endure noxious odors that will prevent or impair current use and enjoyment of their property.

In RTC No. 39, the E.D. merely summarily concluded that because the proposed wastewater plant will meet TCEQ's 150-foot buffer zone requirement, the potential for nuisance odors will be avoided. However, it is clear that nuisance odors can be created more than 150 feet from a wastewater treatment plant. Moreover, the E.D. failed to investigate prevailing wind characteristics in relation to the nearby dense residential development. TCEQ has authority for imposing nuisance odor control requirements in addition to a buffer zone and it should do so in this case.

9. Whether the wastewater plant is subject to potential flood dangers and will exacerbate downstream flooding and erosion. Although the proposed wastewater plant itself does not appear to be located in a designated flood zone, it is located immediately adjacent to FEMA Zone "AE" which is the 100-year floodplain. In fact, the 150-ft. buffer zone for the facility lies within the 100-year floodplain. Any existing error in how the Zone AE boundaries were drawn, or a future modification by FEMA of the AE Zone boundary line of only a few feet to the west, would place the proposed plant within the 100-year flood zone. Accordingly, the plant should be designed with special flood protection features. Moreover, the City-owned land just downstream of the discharge point is within the regulatory floodway designated by FEMA and so the addition of up to 200,000 gals/day of effluent discharge with peak flows of 556 gals/minute will significantly add to and exacerbate potential flood dangers and uncontrolled erosion of the City-owned land. The City is especially concerned about flooding impacts of the proposed wastewater plant because the City has recently committed substantial amounts of capital funding to improve drainage on Maxwell Creek and to enhance recreational offerings along the banks of Maxwell Creek. Any contribution of the proposed wastewater plant to greater flood flows in Maxwell Creek threaten to diminish the value of the costly capital drainage improvements the City has made and will be making in the future.

In RTC No. 18, the E.D. stated that contribution of wastewater flows to local area flooding is not a proper matter for TCEQ review. However, TCEQ should not turn a “blind eye” to the issue of flooding impacts because there are obvious adverse impacts on wildlife and public health from flooding that may be exacerbated by flows from the proposed wastewater plant. Moreover, the erosional alterations of the Maxwell Creek channel could alter the discharge route and adversely impact the ability of the wastewater flows to move down the discharge route.

10. Whether the Application should be dismissed by TCEQ because the co-applicant Harrington/Turner Enterprises, LP did not legally exist from the date of filing of the Application until its general partner Harrington/Turner Enterprises Management LLC revived its corporate privileges and existence (which had been forfeited on February 10, 2012) on December 10, 2021. The general partner of the co-applicant Harrington/Turner Enterprises, LP is Harrington/Turner Enterprises Management, LLC. However, that general partner forfeited its corporate existence on February 10, 2012. See the copies of the Secretary of State’s records provided in the City’s comments submitted on November 10, 2021 showing that Harrington/Turner Enterprises Management, LLC is the general partner of the co-applicant Harrington/Turner Enterprises, LP and that this general partner forfeited its corporate existence on February 10, 2012.

The E.D.’s RTC No. 33 does not acknowledge the fact that the co-applicant Harrington/Turner Enterprises Management, LLC’s general partner Harrington/Turner Enterprises Management, LLC forfeited its corporate privileges on February 10, 2012. The Texas Secretary of State’s records now show that Harrington/Turner Enterprises Management, LLC reinstated its corporate existence and privileges on December 10, 2021. However, it is a fundamental concept of partnership law that a limited partnership must have a general partner and without a general partner, the limited partnership is invalid as a legal entity. Therefore, from the date of the filing of the Application through December 10, 2021, any legal actions, including the filing of the Application at TCEQ as well as any submissions to TCEQ made by the co-applicant Harrington/Turner Enterprises, LP, were invalid, void and without legal effect. Accordingly, the Application as signed by co-applicant Harrington/Turner Enterprises, LP is invalid and void and must be denied by TCEQ.

II. REQUEST FOR CONTESTED CASE HEARING

The City hereby requests a contested case hearing so that the issues identified above can be thoroughly evaluated and the TCEQ can make an informed decision on the Application and draft permit. Pursuant to 30 TAC § 55.201(d), the following facts show that the City is an “affected person” and is entitled to a contested case hearing in this matter:

- (1) Name, address, daytime telephone number fax number of hearing requester:

City of Murphy
c/o Stephen C. Dickman, Attorney at Law

TCEQ Chief Clerk
March 11, 2022
Page 7

6005 Upvalley Run
Austin, TX 78731
Tel: 512-922-7137
Fax: 512-454-8495
Email: sdickmanlaw@att.net

(2) Justiciable Interest: The City is an affected person because it owns four tracts of land directly on the proposed discharge route on Maxwell Creek within one-half mile downstream of the discharge point. In the affected landowner map contained in the Application, the City-owned property consists of four tracts labeled as Tract Nos. 9, 11, 12 and 13. The City would be adversely affected by the granting of the requested permit in a manner not common to members of the general public because it is the owner of these four tracts of land and the City's concerns expressed in the above comments relate to the City's interests in those four tracts of land.

(3) Relevant and Material Disputed Issues of Fact Raised by the City in Its Comments: See the above list of issues.

In conclusion, a contested case hearing is needed to evaluate the above issues so that the TCEQ can make a fully informed decision in this case. Thank you for your consideration of this request for contested case hearing. If you have any questions regarding this submittal, please feel free to contact me at any time.

Very truly yours,

A handwritten signature in black ink that reads "Stephen C. Dickman". The signature is written in a cursive style with a long horizontal flourish at the end.

Stephen C. Dickman
Attorney for the City of Murphy

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 16, 2021 8:50 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Permit No. WQ00016003-001; Restore the Grasslands LLC - Comments and RFH of City of Murphy
Attachments: City of Murphy Public Comments & Request for Contested Case Hearing.pdf; Attach. 1 - Landowner Map.pdf; Attachment 2 - Sec. of State Records.pdf

H

From: Mehgan Taack <Mehgan.Taack@tceq.texas.gov>
Sent: Tuesday, November 16, 2021 8:46 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Permit No. WQ00016003-001; Restore the Grasslands LLC - Comments and RFH of City of Murphy

From: sdickmanlaw@att.net <sdickmanlaw@att.net>
Sent: Monday, November 15, 2021 6:53 PM
To: Mehgan Taack <Mehgan.Taack@tceq.texas.gov>
Subject: Permit No. WQ00016003-001; Restore the Grasslands LLC - Comments and RFH of City of Murphy

Mehgan: FYI -- The attached is what I mailed to the Chief Clerk's office on November 10. Please accept and upload this to TCEQ's public comments webpage. Thanks!

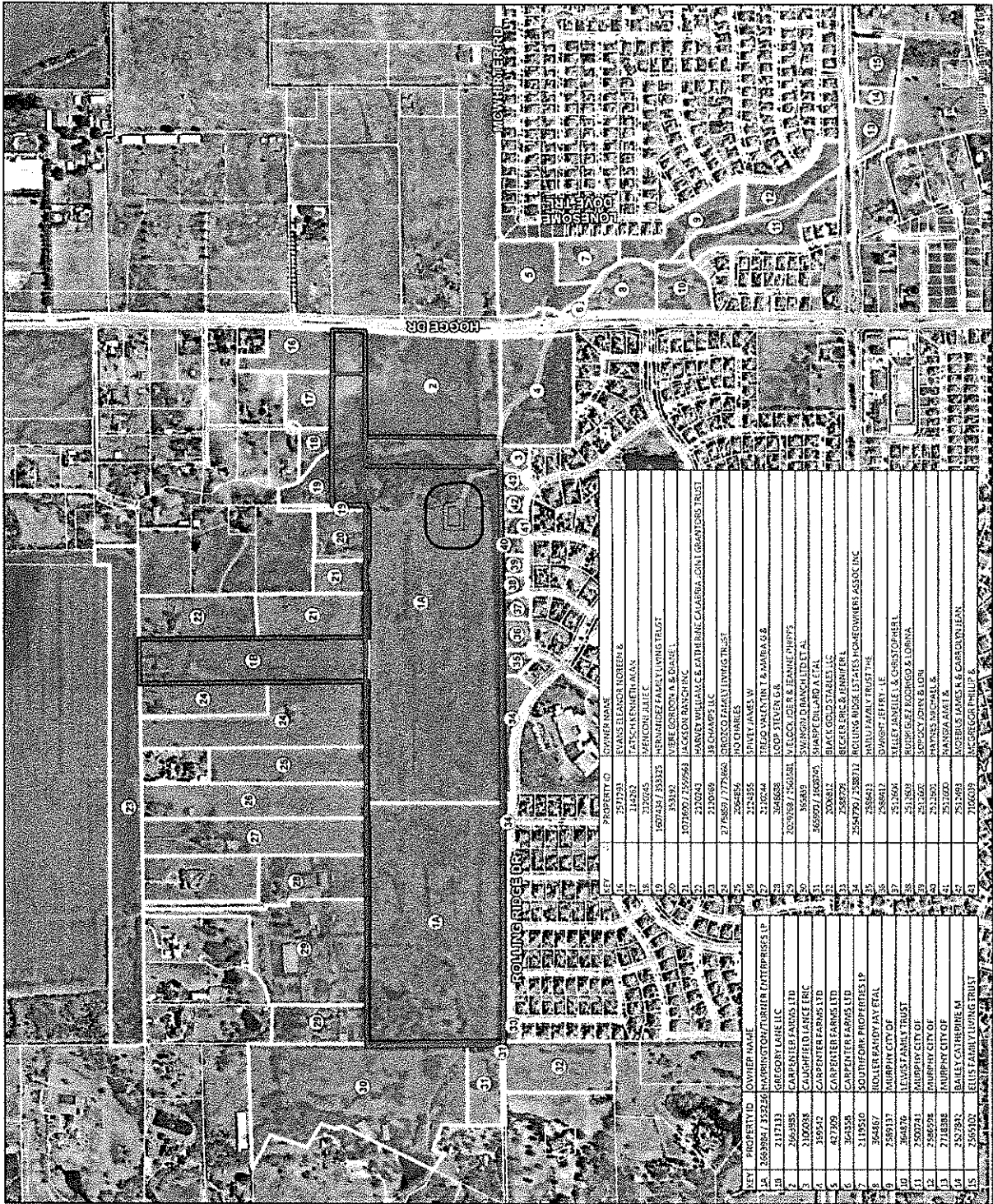
Stephen C. Dickman
Law Office of Stephen C. Dickman
6005 Upvalley Run
Austin, Texas 78731
Tel: 512-922-7137
Fax: 512-454-8495
Email: sdickmanlaw@att.net
Website: <https://www.sdickmanlaw.com>



CONFIDENTIALITY NOTICE -

This transmission may be: (1) subject to the Attorney-Client Privilege, (2) attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete the message. Unauthorized interception of this e-mail is a violation of federal criminal law.

Attachment I



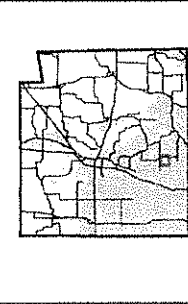
HARRINGTON / TURNER ENTERPRISES, LP
RESTORE THE GRASSLANDS, LLC
WWTP DISCHARGE PERMIT

ATTACHMENT 3 AFFECTED LANDOWNER EXHIBIT FOR APPLICANT BOUNDARY

JULY 2021

LEGEND

- SERVICE AREA
- WWTP SITE BOUNDARY
- APPLICANT'S PROPERTY BOUNDARY
- 150' BUFFER ZONE
- DISCHARGE ROUTE
- PARCELS
- AFFECTED LANDOWNERS
- POINT OF DISCHARGE



COLLIN COUNTY

ALL INFORMATION IS DATA AS OF 06/24/2021
THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, SURVEYING, PLANNING, OR OTHER PROFESSIONAL USES. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY AND APPROPRIATE RELATIVE LOCATION OF PROPERTY BOUNDARIES.

LJA ENGINEERING
6000 North Central Expressway, Suite 410
Dallas, Texas 75248
Phone: 469.621.0710 Fax: 469.621.0710
LJA.com

KEY	PROPERTY ID	OWNER NAME
1A	266398A / 132246	HARRINGTON/TURNER ENTERPRISES LP
1B	2112111	GREGORY LAKE LLC
2	266398S	CARRISLER FARMS LTD
3	210020X	COUCHEN LANCE LLC
4	139252	CARRISLER FARMS LTD
5	427293	CARRISLER FARMS LTD
6	342538	CARRISLER FARMS LTD
7	211951D	SOUTHDRY PROPERTIES LP
8	344867	SOUTHDRY PROPERTIES LP
9	2591137	MURPHY CITY OF
10	364976	LEWIS FAMILY TRUST
11	7500241	MURPHY CITY OF
12	2586978	MURPHY CITY OF
13	2118388	MURPHY CITY OF
14	2522942	BAILEY CALTHREPE M
15	2564102	LEWIS FAMILY TRUST
16	2501293	EVANS ELIZABETH KUREN &
17	142623	FATCEN MURPHY MANS
18	2327645	WENLOW JALIC
19	1670481 / 333235	HERNANDEZ FAMILIA LIVING TRUST
20	253492	VERE GORDON A & DANIEL
21	4011600 / 2565663	JACKSON RANCH INC
22	232043	HARVEY WILLIAMS & LATH BRAC CALABRIA CIVIL GRANITIST TRUST
23	2120639	38 CHAROPS LLC
24	2779850 / 727966A	SHROCK FAMILY TRUST TN-57
25	2064556	HQ CHARLES
26	2124355	STEVY JAMES W
27	2120244	FREGO VALENTIN T & MARIA G &
28	3046658	LOOP STEVEN G R
29	2020258 / 2504358	VLECKO JER & JEANNE PHIPPS
30	263489	SWINGWORTH MARGALITE ET AL
31	466920 / 1602545	SHANE ENLARD A ET AL
32	200812	BLACK GOLD STABLES LLC
33	258279A	BUCKER BRIC & HENRIER L
34	2581290 / 2583174	ROLLING RIDGE LESTATES HOMESWHERES ASSOC INC
35	258611	MAULI FAMILY TRUST THE
36	258612	DWIGHT JEFFRY -IE
37	251264	MELLET JANELLE L & CHRISTOPHER L
38	251263	ROBERT GUY RODRIGO & LORINA
39	251262	SPICKEY JOHN BAIDON
40	251260	MATYAS MICHAEL S
41	251259	HANDEGAART K
42	251268	MOEBUS JAMES K & CAROLYNE JEAN
43	2102039	MCCREGOR PHILLIP &

TEXAS SECRETARY of STATE
JOHN B. SCOTT

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801038766 Entity Type: Domestic Limited Partnership (LP)
Original Date of Filing: October 9, 2008 Entity Status: In existence
Formation Date: N/A
Tax ID: 32038116466 FEIN:
Duration: Perpetual
Name: Harrington / Turner Enterprises, LP
Address: P O Box 732, 1091 Hackleman Rd
Sadler, TX 76264 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>
Last Update	Name	Title	Address		
October 9, 2008	Harrington / Turner Enterprises Management, LLC	General Partner	P O Box 732, 1091 Hackelman Rd. Sadler, TX 76264 USA		

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

TEXAS SECRETARY of STATE
JOHN B. SCOTT

FIND ENTITY NAME SEARCH

This search was performed with the following search parameter:
ENTITY NAME : Harrington / Turner Enterprises LP

<u>Mark</u>	<u>Filing Number</u>	<u>Name</u>	<u>Entity Type</u>	<u>Entity Status</u>	<u>Name Type</u>	<u>Name Status</u>
<input type="radio"/>	801038766	Harrington / Turner Enterprises, LP	Domestic Limited Partnership (LP)	In existence	Legal	In use
<input type="radio"/>	800991011	Harrington/Turner Enterprises Management, LLC	Domestic Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive
<input type="radio"/>	705037922	HARRINGTON/TURNER LIFE ASSETS, L.L.C.	Domestic Limited Liability Company (LLC)	Voluntarily dissolved	Legal	Inactive
<input type="radio"/>	804014671	Harrington Transport & Services LLC	Domestic Limited Liability Company (LLC)	In existence	Legal	In use
<input type="radio"/>	801350483	Harrington International Real Estate, LLC	Foreign Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive
<input type="radio"/>	9697900	HARRINGTON TRANSPORTATION COMPANY	Domestic For-Profit Corporation	Voluntarily dissolved	Legal	Inactive
<input type="radio"/>	16807900	HARRINGTON TRANSPORTATION, INC.	Domestic For-Profit Corporation	Forfeited existence	Legal	Prior
<input type="radio"/>	45686000	HARRINGTON TRANSPORT CO., INC.	Domestic For-Profit Corporation	Voluntarily dissolved	Legal	Inactive
<input type="radio"/>	802252002	Harrington Transport LLC	Domestic Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive
<input type="radio"/>	801785121	Harrington Bosley International Property Services & Management, LLC	Domestic Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive

Records 1 to 10 of 327 scroll OR proceed to page of 33 pages

Instructions:

- To view additional information pertaining to a particular filing select the number associated with the name.
- To place an order for additional information about a filing select the radial button listed under 'Mark' that is associated with the entity and press the 'Order' button.



**Forfeiture pursuant to Section 171.309 of the Texas Tax Code
of
Harrington/Turner Enterprises Management, LLC**

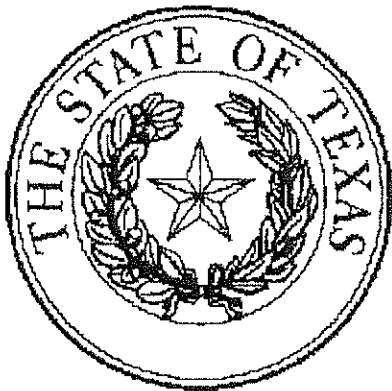
File Number : 800991011

Certificate / Charter forfeited : February 10, 2012

The Secretary of State finds that:

1. The Secretary has received certification from the Comptroller of Public Accounts under Section 171.302 of the Texas Tax Code indicating that there are grounds for the forfeiture of the taxable entity's charter, certificate or registration; and
2. The Comptroller of Public Accounts has determined that the taxable entity has not revived its forfeited privileges within 120 days after the date that the privileges were forfeited.

Therefore, pursuant to Section 171.309 of the Texas Tax Code, the Secretary of State hereby forfeits the charter, certificate or registration of the taxable entity as of the date noted above and records this notice of forfeiture in the permanent files and records of the entity.



A handwritten signature in cursive script, appearing to read "Hope Andrade".

Hope Andrade
Secretary of State

LAW OFFICE OF STEPHEN C. DICKMAN

6005 Upvalley Run
Austin, Texas 78731
Tel: 512-922-7137
Fax: 512-454-8495
Email: sdickmanlaw@att.net
Website: <https://www.sdickmanlaw.com>

November 10, 2021

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Restore the Grasslands LLC and Harrington/Turner Enterprises, LP for Proposed TPDES Permit No. WQ0016003-001; Public Comments; Request for Contested Case Hearing

Dear TCEQ Chief Clerk:

I represent the City of Murphy (the "City") regarding the above-referenced TPDES permit application (the "Application"). The City opposes the issuance of the permit and hereby submits formal public comments on the Application and draft permit as set forth below. By this letter, the City is also submitting a request for contested case hearing on the Application and draft permit. As identified in the Application, the City owns land directly on the proposed discharge route on Maxwell Creek within one-half mile downstream of the discharge point. In the affected landowner map contained in the Application, the City-owned property consists of four tracts labeled as Tract Nos. 9, 11, 12 and 13. For reference, a copy of the affected landowner map is provided as Attachment 1.

As a preliminary observation, the City is puzzled by the speed with which TCEQ staff has made its decision to issue a draft permit and recommend approval of the Application which recommendation was made well before the public comments period has concluded. Since the purpose of the public comments is to provide TCEQ staff with information needed to make an informed technical review of the Application and to draft an appropriate permit, how can the TCEQ Executive Director make a recommendation for approval before all the public comments have been received and evaluated? The fact that the Executive Director did so in this case, appears to show a disdain for the public comment process and mere adherence to a bureaucratic "check-the-box" process for wastewater permits.

I. PUBLIC COMMENTS

1. The proposed design of the wastewater treatment plant is inadequate to ensure that the required effluent water quality will be achieved. The City has concerns that the engineering design of the proposed package wastewater plant will create operational problems and result in inadequate treatment of sewage influent. The proposed plant is at the very lower end of

modern design for wastewater treatment plants and can be expected to malfunction or overflow in the event of unexpected influent contaminants, heavy rainfall and other unexpected events. For example, the City is concerned about whether in the Phase 2 design the single Phase 1 clarifier, chlorine contact chamber and digestion basin will be adequate to properly treat Phase 2 permitted flows and 2-hour peak flows. The City also questions the validity of several of the process design calculations shown in the Application such as the BOD₅ loading rate and the organic loading rate for the density of the proposed development. Also, the unit dimensions shown on the Application's Attachment 8 do not appear to match up with the unit sizes shown on the two process flow diagrams. For example, the aeration basin sized as 40 ft. x 12 ft. x 13.2 ft. would equal a volume of 6,336 cu. ft. for each aeration basin (= 12,672 cu. ft. for two aeration basins), but the process flow diagram states that this volume is 10,794 cu. ft. This same error is contained in the Phase 2 process flow diagram. Similarly, the chlorine contact basin sized at 15 ft. x 12 ft. x 12 ft. would equal a volume of 2,160 cu. ft., but the process flow diagram states that this volume is 1,980 cu. ft. Also, the two process flow diagrams fail to depict the aerobic digesters referenced in Attachment 8. Furthermore, the process design calculations fail to address the proposed sizing of the sludge holding basins. Finally, the Application does not discuss or even identify what, if any, emergency notification features and alarms will be used to ensure that treatment mishaps will be immediately addressed.

2. The water quality parameters in the draft permit are inadequate to ensure that the existing water quality uses will not be impaired. The City-owned property on Maxwell Creek downstream of the discharge point is used and enjoyed by numerous City residents every year for walking, jogging, biking, fishing, swimming and aesthetic enjoyment. Under the effluent parameters set forth in the draft permit, the effluent discharge from the proposed plant will result in the creation of algae blooms which in summer months will decay, create offensive smells and impair the existing uses of the land. The draft permit needs to have a phosphorus limit or other nutrient limitations that will prevent the creation of algae within Maxwell Creek as it flows through this City-owned land.

Moreover, in performing its Tier I anti-degradation review, TCEQ has not adequately considered the existing public contact and recreational uses of Maxwell Creek within this City-owned land. For example, page 31 of the Application lists livestock watering as uses of the receiving waters, but fails to identify contact and non-contact recreation, fishing and park activities as receiving water uses. Also, the applicant failed to identify septic tanks as an upstream influence on Maxwell Creek and failed to disclose that Maxwell Creek does have perennial ponds downstream. The City is also concerned that the descriptions of Maxwell Creek in the Application are based only on a single day's observation which is wholly inadequate to properly characterize Maxwell Creek. For example, concerning the receiving water aesthetics on Page 32 of the Application, Maxwell Creek is erroneously characterized as a "Common Setting" when it is more appropriately classified as a "Natural Area". But most significantly, the Application erroneously states that Maxwell Creek is an intermittent stream (i.e., dry for at least one week during the year), but actually Maxwell Creek is a perennial stream with constant streamflow normally occurring and a resulting thriving and diverse aquatic life community. These inaccurate characterizations of Maxwell Creek

contained in the Application result in a draft permit that is not protective of the precious natural resource that Maxwell Creek is to the City and its residents.

3. The proposed wastewater discharge will adversely affect the health of persons on the City-owned land and nearby properties. The City-owned land immediately downstream of the discharge point is used and occupied by numerous city residents and city employees throughout the year. These residents and city employees may come into contact with the waters in Maxwell Creek either intentionally or inadvertently. The inadequately treated wastewater effluent discharged from the proposed plant may contain significant and harmful concentrations of bacteria, viruses, pathogens and chemical contaminants that are harmful to human health. Moreover, the inability of the plant to properly treat influent wastewater flows will result in release of harmful and noxious concentrations of hydrogen sulfide gasses.
4. The proposed wastewater discharge will harm fish, wildlife and other environmental receptors immediately downstream of the discharge point. Inadequately treated wastewater from the proposed wastewater package plant will result in a quality of effluent that harms the fish and aquatic life in Maxwell Creek, the wildlife and wildlife habitat in and around Maxwell Creek, and the trees and other native vegetation in and around Maxwell Creek. The introduction of 200,000 gals/day of inadequately treated wastewater could adversely impact the entire ecosystem in and around Maxwell Creek in other unforeseen ways. The City further believes that there are endangered species and habitat within and along Maxwell Creek that would be impacted by inadequately treated wastewater from the proposed plant.
5. There is inadequate information in the Application on the experience and qualifications of the plant operator. The key to successful operation of any wastewater plant is having qualified, experienced and diligent plant operating personnel. However, the Application fails to identify who the plant operator will be. Therefore the City and public have no way of evaluating the quality of plant operations and whether the proposed operator has a successful track record of plant operations and compliance with TCEQ rules.
6. There are potential impacts on area groundwater that have not been evaluated. There are near-surface groundwater formations along and near Rolling Ridge Drive as noted by various Rolling Ridge Drive homeowners in their comments filed in this case (*see e.g.*, the comments of Carrolyn Jean Moebius). There may be adverse impacts of the wastewater discharge on these groundwater resources, but the applicant failed to evaluate or even identify these potential groundwater impacts in the Application.
7. The establishment of a new package plant violates the TCEQ's regionalization policy. TCEQ's regionalization policy is intended to prevent the proliferation of new unneeded package plants when a regional wastewater service provider is available. In this case, there is a regional provider with nearby wastewater lines that would be the most logical and viable wastewater provider for the proposed development. The September 22, 2021 public comments and request for hearing submitted by the City of Parker in this case states that Parker has a contract with the North Texas Municipal Water District ("NTMWD") under which NTMWD has agreed to accept and treat wastewater generated within the City of

Parker. According to Parker's hearing request, that contract would allow flows from the proposed development to be collected by Parker and treated by NTMWD and thus avoid the creation of a new wastewater point source discharge in this area. Because Parker has already-constructed wastewater collection lines near the development "which can easily, economically and reasonably be connected to a centralized system already in existence", the proposed construction of the Restore the Grasslands wastewater package plant violates TCEQ's regionalization policy.

8. Nuisance odor conditions will be created. Because the current draft permit does not have sufficient effluent limits on nutrients, algae blooms will be created which will decay in summer months and produce persistent nuisance odors. Moreover, noxious odors (e.g., hydrogen sulfide gasses) will result from any plant malfunction or operational error. City residents and employees using the City-owned land just downstream of the discharge point, as well as numerous adjacent homeowners, will be forced to endure noxious odors that will prevent or impair current use and enjoyment of their property.
9. The wastewater plant is subject to potential flood dangers and will exacerbate downstream flooding and erosion. Although the proposed wastewater plant itself does not appear to be located in a designated flood zone, it is located immediately adjacent to FEMA Zone "AE" which is the 100-year floodplain. In fact, the 150-ft. buffer zone for the facility lies within the 100-year floodplain. Any existing error in how the Zone AE boundaries were drawn, or a future modification by FEMA of the AE Zone boundary line of only a few feet to the west, would place the proposed plant within the 100-year flood zone. Accordingly, the plant should be designed with special flood protection features. Moreover, the City-owned land just downstream of the discharge point is within the regulatory floodway designated by FEMA and so the addition of up to 200,000 gals/day of effluent discharge with peak flows of 556 gals/minute will significantly add to and exacerbate potential flood dangers and uncontrolled erosion of the City-owned land.

The City is especially concerned about flooding impacts of the proposed wastewater plant because the City has recently committed substantial amounts of capital funding to improve drainage on Maxwell Creek and to enhance recreational offerings along the banks of Maxwell Creek. In 2019, the city completed \$1.10 million of drainage easement rehabilitation and culvert construction at the City's Lonesome Dove Park which is within one-half mile of the proposed wastewater plant. In 2020, the City completed \$850,000 in park improvements at the Waters Edge Park which is located approximately one mile downstream from Lonesome Dove Park. These improvements included construction of the City's first purpose-built playground for children with disabilities. As adopted in 2017, the City's Parks and Trails Master Plan codifies the City's intention to build out and extend the existing Maxwell Creek trail system so as to connect all recreational facilities located along Maxwell Creek including Tracts 9, 11, 12 and 13 as referenced above. Any contribution of the proposed wastewater plant to greater flood flows in Maxwell Creek threaten to diminish the value of the costly capital drainage improvements the City has made and will be making in the future.

10. Other aspects of the Application indicate a careless approach by the applicant. The Application exhibits a careless and sloppy approach by the applicant which does not instill confidence that the applicant will be able to properly construct, operate and maintain the proposed plant. For example, there are errors in the process flow diagrams and the purported sizing of the various plant units as described in Comment No. 1 which errors were apparently not caught by TCEQ staff. Moreover, numerous commenters have noted the failure of the applicant to provide required notifications to all existing wastewater facilities within three miles of the proposed plant. The self-serving manner in which the applicant improperly characterized Maxwell Creek as described in Comment No. 2 also shows the applicant's failure to accurately inform TCEQ of relevant facts.

11. The co-applicant Harrington / Turner Enterprises, LP does not legally exist as its general partner Harrington / Turner Enterprises Management LLC forfeited its corporate existence on February 10, 2012. Nothing more clearly exhibits the slipshod manner in which the Application was prepared by the applicant and reviewed by TCEQ staff than the fact that the co-applicant Harrington / Turner Enterprises, LP does not even legally exist. Although its existence is shown as "active" on the Secretary of State's records, its general partner Harrington / Turner Enterprises Management, LLC forfeited its corporate existence on February 10, 2012. See the copies of the Secretary of State's records attached hereto as Attachment 2 showing that Harrington / Turner Enterprises Management, LLC is the general partner of the co-applicant Harrington / Turner Enterprises, LP and that this general partner forfeited its existence on February 10, 2012. It is a fundamental concept of partnership law that a limited partnership must have a general partner and without a general partner, the limited partnership is invalid. Although it may be possible for Harrington / Turner Enterprises Management, LLC to revive its corporate privileges and existence, any legal actions and any submissions to TCEQ to date made by the co-applicant Harrington / Turner Enterprises, LP are invalid and without legal effect. Accordingly, TCEQ should immediately cease all proceedings in this case and any further processing of the Application unless and until Harrington / Turner Enterprises, LP is shown to be a valid legal entity with a valid general partner.

II. REQUEST FOR CONTESTED CASE HEARING

The City hereby requests a contested case hearing so that the issues identified in the above public comments can be thoroughly evaluated and the TCEQ can make an informed decision on the Application and draft permit. Pursuant to 30 TAC § 55.201(d), the following facts show that the City is an "affected person" and is entitled to a contested case hearing in this matter:

(1) Name, address, daytime telephone number fax number of hearing requester:

City of Murphy
c/o Stephen C. Dickman, Attorney at Law
6005 Upvalley Run

Austin, TX 78731
Tel: 512-922-7137
Fax: 512-454-8495
Email: sdickmanlaw@att.net

(2) Justiciable Interest: The City is an affected person because it owns four tracts of land directly on the proposed discharge route on Maxwell Creek within one-half mile downstream of the discharge point. In the affected landowner map contained in the Application, the City-owned property consists of four tracts labeled as Tract Nos. 9, 11, 12 and 13. See Attachment 1 for a copy of the affected landowners map contained in the Application. The City would be adversely affected by the granting of the requested permit in a manner not common to members of the general public because it is the owner of these four tracts of land and the City's concerns expressed in the above comments relate to the City's interests in those four tracts of land.

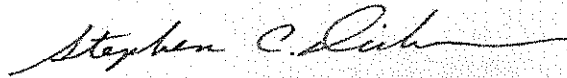
(3) Relevant and Material Disputed Issues of Fact:

1. Whether the proposed design of the wastewater treatment plant is adequate to ensure that the required effluent water quality will be achieved as described in Comment No. 1.
2. Whether the water quality parameters in the draft permit are adequate to ensure that the existing water quality uses will not be impaired as described in Comment No. 2.
3. Whether the proposed wastewater discharge will adversely affect the health of persons on the City-owned land and nearby properties as described in Comment No. 3.
4. Whether the proposed wastewater discharge will harm fish, wildlife and other environmental receptors immediately downstream of the discharge point as described in Comment No. 4.
5. Whether the Application contains adequate information on the experience and qualifications of the plant operator as described in Comment No. 5.
6. Whether potential impacts on area groundwater have been adequately evaluated as described in Comment No. 6.
7. Whether the establishment of a new package plant violates the TCEQ's regionalization policy as described in Comment No. 7.
8. Whether nuisance odor conditions will be created as described in Comment No. 8.
9. Whether the proposed wastewater plant is subject to potential flood dangers or will exacerbate downstream flooding and erosion as described in Comment No. 9.
10. Whether other aspects of the Application indicate a careless approach by the applicant as described in Comment No. 10.

11. Whether TCEQ should cease all processing of the Application since the co-applicant Harrington / Turner Enterprises, LP does not have a general partner and thus no legal existence as described in Comment No. 11.

In conclusion, a contested case hearing is needed to evaluate the above issues so that the TCEQ can make a fully informed decision in this case. Thank you for your consideration of the above public comments and request for contested case hearing. If you have any questions regarding this submittal, please feel free to contact me at any time.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Stephen C. Dickman", written in black ink on a light-colored background.

Stephen C. Dickman
Attorney for the City of Murphy

LAW OFFICE OF STEPHEN C. DICKMAN

6005 Upvalley Run
Austin, Texas 78731
Tel: 512-922-7137
Fax: 512-454-8495

Email: sdickmanlaw@att.net
Website: <https://www.sdickmanlaw.com>

MWD
124967

November 10, 2021

REVIEWED

NOV 12 2021
By GCW H

CHIEF CLERK'S OFFICE

2021 NOV 12 AM 9:34

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Restore the Grasslands LLC and Harrington/Turner Enterprises, LP for Proposed TPDES Permit No. WQ0016003-001; Public Comments; Request for Contested Case Hearing

Dear TCEQ Chief Clerk:

I represent the City of Murphy (the "City") regarding the above-referenced TPDES permit application (the "Application"). The City opposes the issuance of the permit and hereby submits formal public comments on the Application and draft permit as set forth below. By this letter, the City is also submitting a request for contested case hearing on the Application and draft permit. As identified in the Application, the City owns land directly on the proposed discharge route on Maxwell Creek within one-half mile downstream of the discharge point. In the affected landowner map contained in the Application, the City-owned property consists of four tracts labeled as Tract Nos. 9, 11, 12 and 13. For reference, a copy of the affected landowner map is provided as Attachment 1.

As a preliminary observation, the City is puzzled by the speed with which TCEQ staff has made its decision to issue a draft permit and recommend approval of the Application which recommendation was made well before the public comments period has concluded. Since the purpose of the public comments is to provide TCEQ staff with information needed to make an informed technical review of the Application and to draft an appropriate permit, how can the TCEQ Executive Director make a recommendation for approval before all the public comments have been received and evaluated? The fact that the Executive Director did so in this case, appears to show a disdain for the public comment process and mere adherence to a bureaucratic "check-the-box" process for wastewater permits.

I. PUBLIC COMMENTS

1. The proposed design of the wastewater treatment plant is inadequate to ensure that the required effluent water quality will be achieved. The City has concerns that the engineering design of the proposed package wastewater plant will create operational problems and result in inadequate treatment of sewage influent. The proposed plant is at the very lower end of

modern design for wastewater treatment plants and can be expected to malfunction or overflow in the event of unexpected influent contaminants, heavy rainfall and other unexpected events. For example, the City is concerned about whether in the Phase 2 design the single Phase 1 clarifier, chlorine contact chamber and digestion basin will be adequate to properly treat Phase 2 permitted flows and 2-hour peak flows. The City also questions the validity of several of the process design calculations shown in the Application such as the BOD₅ loading rate and the organic loading rate for the density of the proposed development. Also, the unit dimensions shown on the Application's Attachment 8 do not appear to match up with the unit sizes shown on the two process flow diagrams. For example, the aeration basin sized as 40 ft. x 12 ft. x 13.2 ft. would equal a volume of 6,336 cu. ft. for each aeration basin (= 12,672 cu. ft. for two aeration basins), but the process flow diagram states that this volume is 10,794 cu. ft. This same error is contained in the Phase 2 process flow diagram. Similarly, the chlorine contact basin sized at 15 ft. x 12 ft. x 12 ft. would equal a volume of 2,160 cu. ft., but the process flow diagram states that this volume is 1,980 cu. ft. Also, the two process flow diagrams fail to depict the aerobic digesters referenced in Attachment 8. Furthermore, the process design calculations fail to address the proposed sizing of the sludge holding basins. Finally, the Application does not discuss or even identify what, if any, emergency notification features and alarms will be used to ensure that treatment mishaps will be immediately addressed.

2. The water quality parameters in the draft permit are inadequate to ensure that the existing water quality uses will not be impaired. The City-owned property on Maxwell Creek downstream of the discharge point is used and enjoyed by numerous City residents every year for walking, jogging, biking, fishing, swimming and aesthetic enjoyment. Under the effluent parameters set forth in the draft permit, the effluent discharge from the proposed plant will result in the creation of algae blooms which in summer months will decay, create offensive smells and impair the existing uses of the land. The draft permit needs to have a phosphorus limit or other nutrient limitations that will prevent the creation of algae within Maxwell Creek as it flows through this City-owned land.

Moreover, in performing its Tier 1 anti-degradation review, TCEQ has not adequately considered the existing public contact and recreational uses of Maxwell Creek within this City-owned land. For example, page 31 of the Application lists livestock watering as uses of the receiving waters, but fails to identify contact and non-contact recreation, fishing and park activities as receiving water uses. Also, the applicant failed to identify septic tanks as an upstream influence on Maxwell Creek and failed to disclose that Maxwell Creek does have perennial ponds downstream. The City is also concerned that the descriptions of Maxwell Creek in the Application are based only on a single day's observation which is wholly inadequate to properly characterize Maxwell Creek. For example, concerning the receiving water aesthetics on Page 32 of the Application, Maxwell Creek is erroneously characterized as a "Common Setting" when it is more appropriately classified as a "Natural Area". But most significantly, the Application erroneously states that Maxwell Creek is an intermittent stream (i.e., dry for at least one week during the year), but actually Maxwell Creek is a perennial stream with constant streamflow normally occurring and a resulting thriving and diverse aquatic life community. These inaccurate characterizations of Maxwell Creek

contained in the Application result in a draft permit that is not protective of the precious natural resource that Maxwell Creek is to the City and its residents.

3. The proposed wastewater discharge will adversely affect the health of persons on the City-owned land and nearby properties. The City-owned land immediately downstream of the discharge point is used and occupied by numerous city residents and city employees throughout the year. These residents and city employees may come into contact with the waters in Maxwell Creek either intentionally or inadvertently. The inadequately treated wastewater effluent discharged from the proposed plant may contain significant and harmful concentrations of bacteria, viruses, pathogens and chemical contaminants that are harmful to human health. Moreover, the inability of the plant to properly treat influent wastewater flows will result in release of harmful and noxious concentrations of hydrogen sulfide gasses.
4. The proposed wastewater discharge will harm fish, wildlife and other environmental receptors immediately downstream of the discharge point. Inadequately treated wastewater from the proposed wastewater package plant will result in a quality of effluent that harms the fish and aquatic life in Maxwell Creek, the wildlife and wildlife habitat in and around Maxwell Creek, and the trees and other native vegetation in and around Maxwell Creek. The introduction of 200,000 gals/day of inadequately treated wastewater could adversely impact the entire ecosystem in and around Maxwell Creek in other unforeseen ways. The City further believes that there are endangered species and habitat within and along Maxwell Creek that would be impacted by inadequately treated wastewater from the proposed plant.
5. There is inadequate information in the Application on the experience and qualifications of the plant operator. The key to successful operation of any wastewater plant is having qualified, experienced and diligent plant operating personnel. However, the Application fails to identify who the plant operator will be. Therefore the City and public have no way of evaluating the quality of plant operations and whether the proposed operator has a successful track record of plant operations and compliance with TCEQ rules.
6. There are potential impacts on area groundwater that have not been evaluated. There are near-surface groundwater formations along and near Rolling Ridge Drive as noted by various Rolling Ridge Drive homeowners in their comments filed in this case (*see e.g.*, the comments of Carrolyn Jean Moebius). There may be adverse impacts of the wastewater discharge on these groundwater resources, but the applicant failed to evaluate or even identify these potential groundwater impacts in the Application.
7. The establishment of a new package plant violates the TCEQ's regionalization policy. TCEQ's regionalization policy is intended to prevent the proliferation of new unneeded package plants when a regional wastewater service provider is available. In this case, there is a regional provider with nearby wastewater lines that would be the most logical and viable wastewater provider for the proposed development. The September 22, 2021 public comments and request for hearing submitted by the City of Parker in this case states that Parker has a contract with the North Texas Municipal Water District ("NTMWD") under which NTMWD has agreed to accept and treat wastewater generated within the City of

Parker. According to Parker's hearing request, that contract would allow flows from the proposed development to be collected by Parker and treated by NTMWD and thus avoid the creation of a new wastewater point source discharge in this area. Because Parker has already-constructed wastewater collection lines near the development "which can easily, economically and reasonably be connected to a centralized system already in existence", the proposed construction of the Restore the Grasslands wastewater package plant violates TCEQ's regionalization policy.

8. Nuisance odor conditions will be created. Because the current draft permit does not have sufficient effluent limits on nutrients, algae blooms will be created which will decay in summer months and produce persistent nuisance odors. Moreover, noxious odors (e.g., hydrogen sulfide gasses) will result from any plant malfunction or operational error. City residents and employees using the City-owned land just downstream of the discharge point, as well as numerous adjacent homeowners, will be forced to endure noxious odors that will prevent or impair current use and enjoyment of their property.
9. The wastewater plant is subject to potential flood dangers and will exacerbate downstream flooding and erosion. Although the proposed wastewater plant itself does not appear to be located in a designated flood zone, it is located immediately adjacent to FEMA Zone "AE" which is the 100-year floodplain. In fact, the 150-ft. buffer zone for the facility lies within the 100-year floodplain. Any existing error in how the Zone AE boundaries were drawn, or a future modification by FEMA of the AE Zone boundary line of only a few feet to the west, would place the proposed plant within the 100-year flood zone. Accordingly, the plant should be designed with special flood protection features. Moreover, the City-owned land just downstream of the discharge point is within the regulatory floodway designated by FEMA and so the addition of up to 200,000 gals/day of effluent discharge with peak flows of 556 gals/minute will significantly add to and exacerbate potential flood dangers and uncontrolled erosion of the City-owned land.

The City is especially concerned about flooding impacts of the proposed wastewater plant because the City has recently committed substantial amounts of capital funding to improve drainage on Maxwell Creek and to enhance recreational offerings along the banks of Maxwell Creek. In 2019, the city completed \$1.10 million of drainage easement rehabilitation and culvert construction at the City's Lonesome Dove Park which is within one-half mile of the proposed wastewater plant. In 2020, the City completed \$850,000 in park improvements at the Waters Edge Park which is located approximately one mile downstream from Lonesome Dove Park. These improvements included construction of the City's first purpose-built playground for children with disabilities. As adopted in 2017, the City's Parks and Trails Master Plan codifies the City's intention to build out and extend the existing Maxwell Creek trail system so as to connect all recreational facilities located along Maxwell Creek including Tracts 9, 11, 12 and 13 as referenced above. Any contribution of the proposed wastewater plant to greater flood flows in Maxwell Creek threaten to diminish the value of the costly capital drainage improvements the City has made and will be making in the future.

10. Other aspects of the Application indicate a careless approach by the applicant. The Application exhibits a careless and sloppy approach by the applicant which does not instill confidence that the applicant will be able to properly construct, operate and maintain the proposed plant. For example, there are errors in the process flow diagrams and the purported sizing of the various plant units as described in Comment No. 1 which errors were apparently not caught by TCEQ staff. Moreover, numerous commenters have noted the failure of the applicant to provide required notifications to all existing wastewater facilities within three miles of the proposed plant. The self-serving manner in which the applicant improperly characterized Maxwell Creek as described in Comment No. 2 also shows the applicant's failure to accurately inform TCEQ of relevant facts.

11. The co-applicant Harrington / Turner Enterprises, LP does not legally exist as its general partner Harrington / Turner Enterprises Management LLC forfeited its corporate existence on February 10, 2012. Nothing more clearly exhibits the slipshod manner in which the Application was prepared by the applicant and reviewed by TCEQ staff than the fact that the co-applicant Harrington / Turner Enterprises, LP does not even legally exist. Although its existence is shown as "active" on the Secretary of State's records, its general partner Harrington / Turner Enterprises Management, LLC forfeited its corporate existence on February 10, 2012. See the copies of the Secretary of State's records attached hereto as Attachment 2 showing that Harrington / Turner Enterprises Management, LLC is the general partner of the co-applicant Harrington / Turner Enterprises, LP and that this general partner forfeited its existence on February 10, 2012. It is a fundamental concept of partnership law that a limited partnership must have a general partner and without a general partner, the limited partnership is invalid. Although it may be possible for Harrington / Turner Enterprises Management, LLC to revive its corporate privileges and existence, any legal actions and any submissions to TCEQ to date made by the co-applicant Harrington / Turner Enterprises, LP are invalid and without legal effect. Accordingly, TCEQ should immediately cease all proceedings in this case and any further processing of the Application unless and until Harrington / Turner Enterprises, LP is shown to be a valid legal entity with a valid general partner.

II. REQUEST FOR CONTESTED CASE HEARING

The City hereby requests a contested case hearing so that the issues identified in the above public comments can be thoroughly evaluated and the TCEQ can make an informed decision on the Application and draft permit. Pursuant to 30 TAC § 55.201(d), the following facts show that the City is an "affected person" and is entitled to a contested case hearing in this matter:

(1) Name, address, daytime telephone number fax number of hearing requester:

City of Murphy
c/o Stephen C. Dickman, Attorney at Law
6005 Upvalley Run

TCEQ Chief Clerk
November 10, 2021
Page 6

Austin, TX 78731
Tel: 512-922-7137
Fax: 512-454-8495
Email: sdickmanlaw@att.net

(2) Justiciable Interest: The City is an affected person because it owns four tracts of land directly on the proposed discharge route on Maxwell Creek within one-half mile downstream of the discharge point. In the affected landowner map contained in the Application, the City-owned property consists of four tracts labeled as Tract Nos. 9, 11, 12 and 13. See Attachment 1 for a copy of the affected landowners map contained in the Application. The City would be adversely affected by the granting of the requested permit in a manner not common to members of the general public because it is the owner of these four tracts of land and the City's concerns expressed in the above comments relate to the City's interests in those four tracts of land.

(3) Relevant and Material Disputed Issues of Fact:

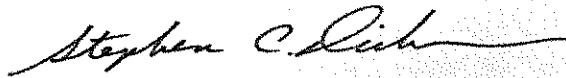
1. Whether the proposed design of the wastewater treatment plant is adequate to ensure that the required effluent water quality will be achieved as described in Comment No. 1.
2. Whether the water quality parameters in the draft permit are adequate to ensure that the existing water quality uses will not be impaired as described in Comment No. 2.
3. Whether the proposed wastewater discharge will adversely affect the health of persons on the City-owned land and nearby properties as described in Comment No. 3.
4. Whether the proposed wastewater discharge will harm fish, wildlife and other environmental receptors immediately downstream of the discharge point as described in Comment No. 4.
5. Whether the Application contains adequate information on the experience and qualifications of the plant operator as described in Comment No. 5.
6. Whether potential impacts on area groundwater have been adequately evaluated as described in Comment No. 6.
7. Whether the establishment of a new package plant violates the TCEQ's regionalization policy as described in Comment No. 7.
8. Whether nuisance odor conditions will be created as described in Comment No. 8.
9. Whether the proposed wastewater plant is subject to potential flood dangers or will exacerbate downstream flooding and erosion as described in Comment No. 9.
10. Whether other aspects of the Application indicate a careless approach by the applicant as described in Comment No. 10.

TCEQ Chief Clerk
November 10, 2021
Page 7

11. Whether TCEQ should cease all processing of the Application since the co-applicant Harrington / Turner Enterprises, LP does not have a general partner and thus no legal existence as described in Comment No. 11.

In conclusion, a contested case hearing is needed to evaluate the above issues so that the TCEQ can make a fully informed decision in this case. Thank you for your consideration of the above public comments and request for contested case hearing. If you have any questions regarding this submittal, please feel free to contact me at any time.

Very truly yours,

A handwritten signature in black ink that reads "Stephen C. Dickman". The signature is written in a cursive style and is positioned above a rectangular area of grey stippling or noise.

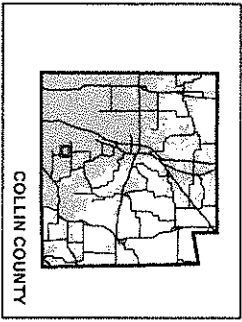
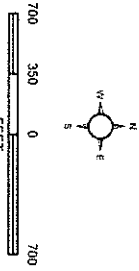
Stephen C. Dickman
Attorney for the City of Murphy

HARRINGTON / TURNER ENTERPRISES, LP
 RESTORE THE GRASSLANDS, LLC
 WWTP DISCHARGE PERMIT

ATTACHMENT 3
 AFFECTED LANDOWNER EXHIBIT FOR
 APPLICANT BOUNDARY

JULY 2021

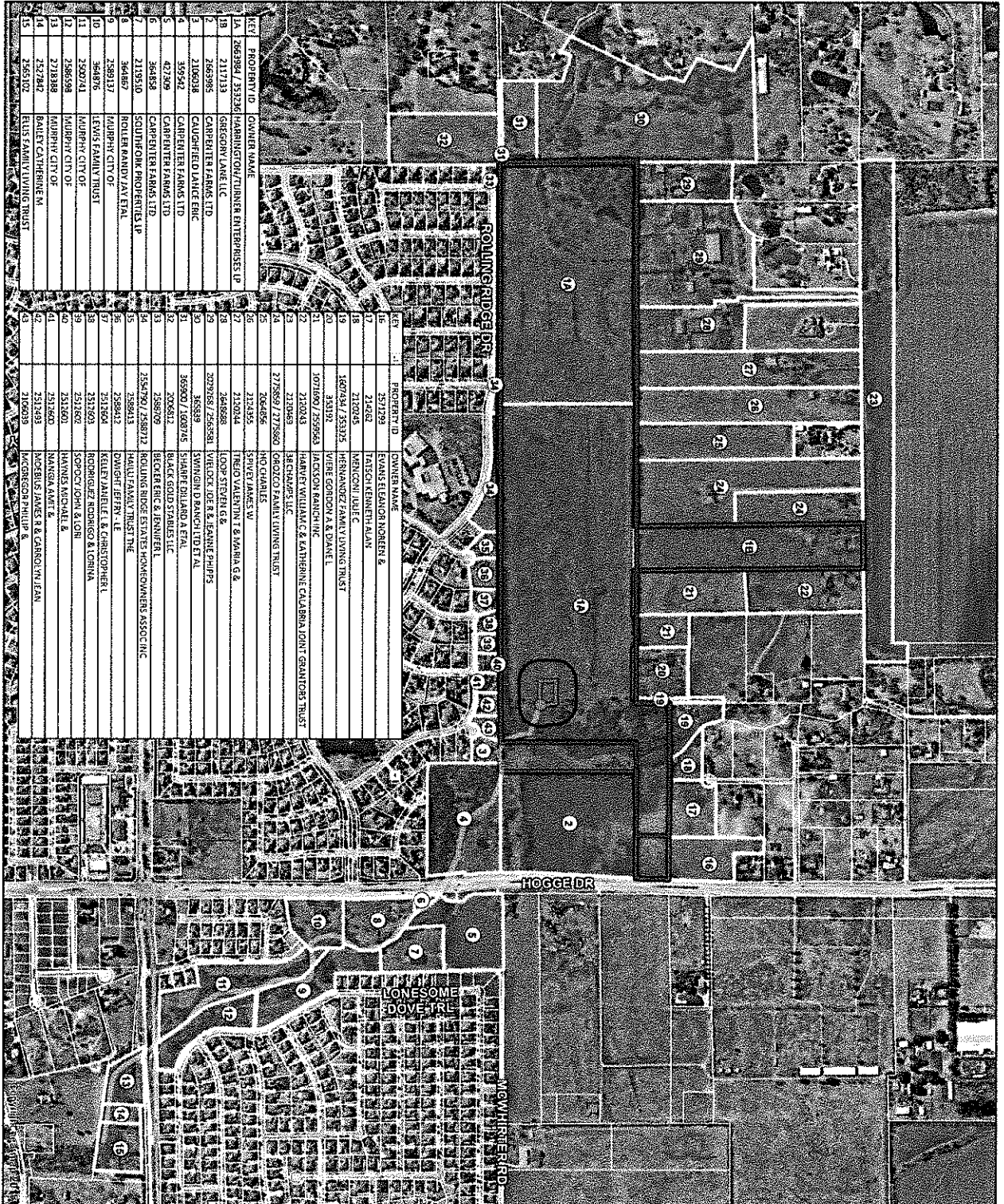
- LEGEND**
- SERVICE AREA
 - WWTP SITE BOUNDARY
 - APPLICANT'S PROPERTY BOUNDARY
 - 150' BUFFER ZONE
 - DISCHARGE ROUTE
 - PARCELS
 - AFFECTED LANDOWNERS
 - POINT OF DISCHARGE



Aerial, photograph, DATE: 08-24-2014, 2:55
 THIS PROJECT IS FOR INFORMATIONAL PURPOSES AND MAY NOT BE USED FOR ANY OTHER PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS BOUNDARIES

L/A ENGINEERING
 6860 North Central Expressway, Suite 440
 Dallas, Texas 75206
 Phone: 469.821.0710 T/F/E: F-1386
 L/A.com

Attachment 1



EPA'S
COMMISSION
ON ENVIRONMENTAL
QUALITY

201 NOV 12 AM 9:34

CHIEF CLERK'S OFFICE

TEXAS SECRETARY of STATE
JOHN B. SCOTT

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801038766 **Entity Type:** Domestic Limited Partnership (LP)
Original Date of Filing: October 9, 2008 **Entity Status:** In existence
Formation Date: N/A
Tax ID: 32038116466 **FEIN:**
Duration: Perpetual

Name: Harrington / Turner Enterprises, LP
Address: P O Box 732, 1091 Hackleman Rd
Sadler, TX 76264 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>
Last Update October 9, 2008	Name Harrington / Turner Enterprises Management, LLC	Title General Partner			Address P O Box 732, 1091 Hackelman Rd. Sadler, TX 76264 USA

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2011 NOV 12 AM 9: 34
CHIEF CLERKS OFFICE

Attachment 2

TEXAS SECRETARY of STATE
JOHN B. SCOTT

FIND ENTITY NAME SEARCH

This search was performed with the following search parameter:
ENTITY NAME : Harrington / Turner Enterprises LP

<u>Mark</u>	<u>Filing Number</u>	<u>Name</u>	<u>Entity Type</u>	<u>Entity Status</u>	<u>Name Type</u>	<u>Name Status</u>
<input type="radio"/>	<u>801038766</u>	Harrington / Turner Enterprises, LP	Domestic Limited Partnership (LP)	In existence	Legal	In use
<input type="radio"/>	<u>800991011</u>	Harrington/Turner Enterprises Management, LLC	Domestic Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive
<input type="radio"/>	<u>705037922</u>	HARRINGTON/TURNER LIFE ASSETS, L.L.C.	Domestic Limited Liability Company (LLC)	Voluntarily dissolved	Legal	Inactive
<input type="radio"/>	<u>804014671</u>	Harrington Transport & Services LLC	Domestic Limited Liability Company (LLC)	In existence	Legal	In use
<input type="radio"/>	<u>801350483</u>	Harrington International Real Estate, LLC	Foreign Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive
<input type="radio"/>	<u>9697900</u>	HARRINGTON TRANSPORTATION COMPANY	Domestic For-Profit Corporation	Voluntarily dissolved	Legal	Inactive
<input type="radio"/>	<u>16807900</u>	HARRINGTON TRANSPORTATION, INC.	Domestic For-Profit Corporation	Forfeited existence	Legal	Prior
<input type="radio"/>	<u>45686000</u>	HARRINGTON TRANSPORT CO., INC.	Domestic For-Profit Corporation	Voluntarily dissolved	Legal	Inactive
<input type="radio"/>	<u>802252002</u>	Harrington Transport LLC	Domestic Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive
<input type="radio"/>	<u>801785121</u>	Harrington Bosley International Property Services & Management, LLC	Domestic Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive

Records 1 to 10 of 327 scroll **OR** proceed to page of 33 pages

Instructions:

- To view additional information pertaining to a particular filing select the number associated with the name.
- To place an order for additional information about a filing select the radial button listed under 'Mark' that is associated with the entity and press the 'Order' button.



**Forfeiture pursuant to Section 171.309 of the Texas Tax Code
of
Harrington/Turner Enterprises Management, LLC**

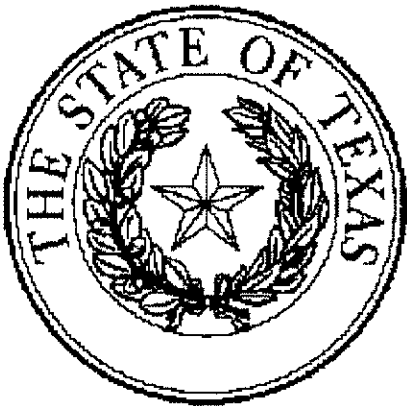
File Number : 800991011

Certificate / Charter forfeited : February 10, 2012

The Secretary of State finds that:

1. The Secretary has received certification from the Comptroller of Public Accounts under Section 171.302 of the Texas Tax Code indicating that there are grounds for the forfeiture of the taxable entity's charter, certificate or registration; and
2. The Comptroller of Public Accounts has determined that the taxable entity has not revived its forfeited privileges within 120 days after the date that the privileges were forfeited.

Therefore, pursuant to Section 171.309 of the Texas Tax Code, the Secretary of State hereby forfeits the charter, certificate or registration of the taxable entity as of the date noted above and records this notice of forfeiture in the permanent files and records of the entity.



A handwritten signature in cursive script, appearing to read "Hope Andrade".

Hope Andrade
Secretary of State

Stephen C. Oldeman
Law Office of Stephen C. Oldeman
6005 Upvalley Run
Austin, Texas 78731

Office of Chief Clerk, MC-105
Tx. Comm. on Env't. Quality
P.O. Box 13087
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

EE-6-INT 21 JAN 1992

ENVIRONMENTAL
QUALITY
COMMISSION
SECTION
S-1303

F

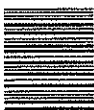


U.S. POSTAGE
\$1.56
FCM LG ENV
TX 11
Date of Sale
11/10/21 K
95
1,480,728

USPS FIRST-CLASS MAIL®

2.00 02

SHIP TO:
Austin TX 78711

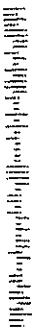


(420) 78711

RECEIVED

NOV 12 2021

TGEO MAIL CENTER
JH



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 10, 2021 2:08 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Attach. 1 - Landowner Map.pdf

H

From: sdickmanlaw@att.net <sdickmanlaw@att.net>
Sent: Wednesday, November 10, 2021 10:18 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Stephen C Dickman

E-MAIL: sdickmanlaw@att.net

COMPANY: Law Office of Stephen C Dickman

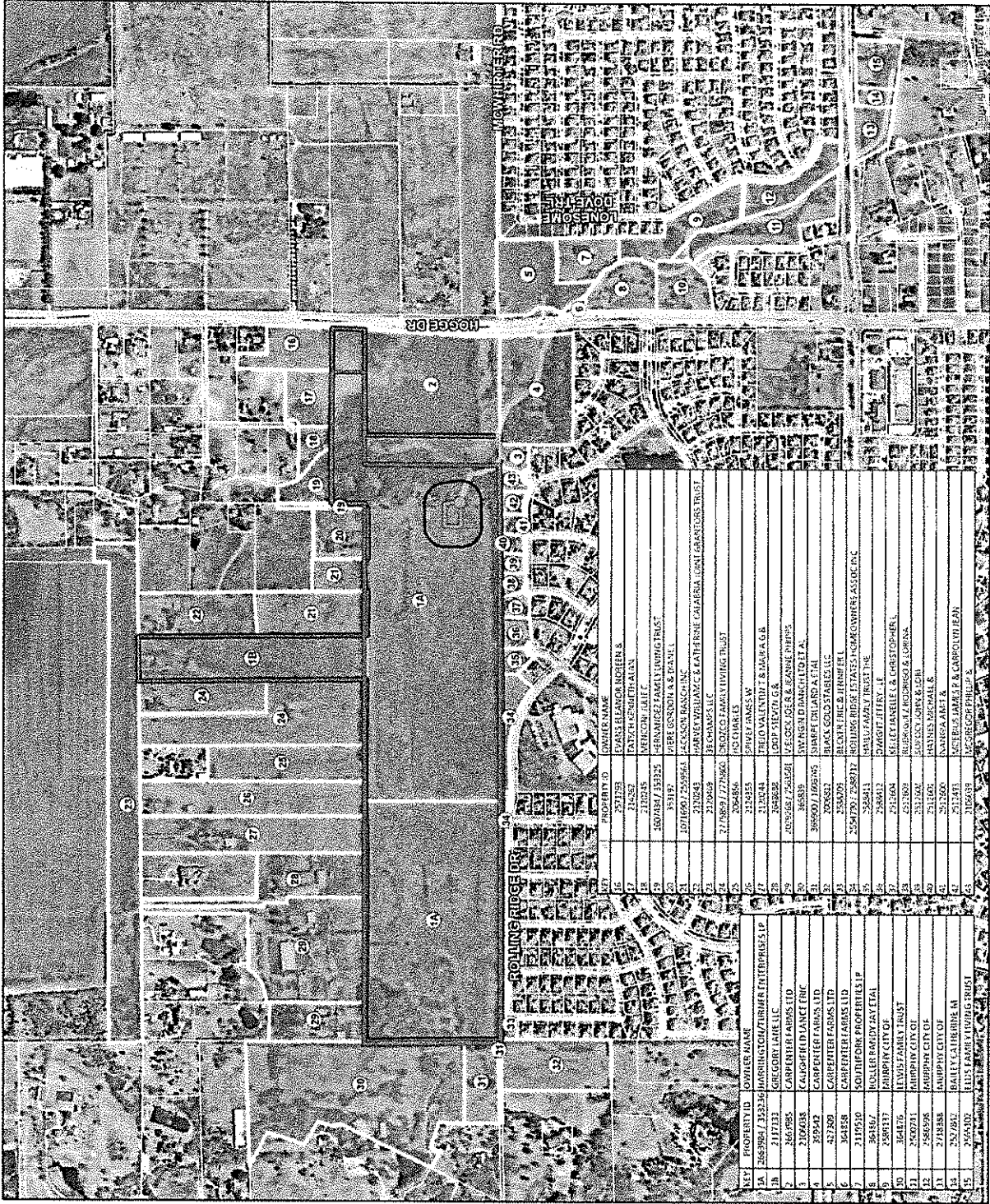
ADDRESS: 6005 UPVALLEY RUN
AUSTIN TX 78731-3671

PHONE: 5129227137

FAX:

COMMENTS: Public comments and request for contested case hearing submitted electronically and via U.S. Postal Service.

Attachment 1



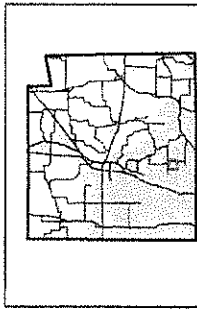
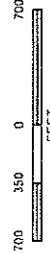
HARRINGTON / TURNER ENTERPRISES, LP
RESTORE THE GRASSLANDS, LLC
WWTP DISCHARGE PERMIT

ATTACHMENT 3
AFFECTED LANDOWNER EXHIBIT FOR
APPLICANT BOUNDARY

JULY 2021

LEGEND

- SERVICE AREA
- WWTP SITE BOUNDARY
- APPLICANT'S PROPERTY BOUNDARY
- 150' BUFFER ZONE
- DISCHARGE ROUTE
- PARCELS
- AFFECTED LANDOWNERS
- POINT OF DISCHARGE



COLLIN COUNTY

THIS PROJECT IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A FINAL ENGINEERING DESIGN. IT DOES NOT REPRESENT AN ON THE GROUND SURVEY AND REPRESENTS APPLICANT DATA IN THE LOCAL COG OF PROPERTY BOUNDARIES.

LJA ENGINEERING
6000 North Central Expressway, Suite 410
Dallas, Texas 75205
Phone: 469 621 0710 FAX: 4-1296
LJA.com

PROPERTY ID	OWNER NAME
1A	2683984 / 735336 HARRINGTON/TURNER ENTERPRISES LP
1B	2117333 GREGORY LABE LLC
2	2666985 CARPENTER FABRAS LTD
3	2109408 CALGHERF LANCIE ERIC
4	859243 CARPENTER FABRAS LTD
5	827829 CARPENTER FABRAS LTD
6	364858 CARPENTER FABRAS LTD
7	2110510 SOUTHERN PROPERTIES LP
8	384367 HOLLER RABODY JAY ETAL
9	2381337 FAURBY CITY OF
10	364376 LUYAS FABRAS TRUST
11	2502111 FAURBY CITY OF
12	2562925 FAURBY CITY OF
13	2121888 FAURBY CITY OF
14	2921887 BAILEY CALHOUN BA
15	2164405 LUYAS FABRAS TRUST
16	2571258 OWENS ELANOR ROBERT &
17	214250 TAYCH KRISTINE ALAN
18	2182245 MENDON GALE C
19	507481 / 53325 KENNEDY FAMILY INVESTMENTS
20	353197 WERE GONDO & PAVEL
21	1071697 / 2589961 JACKSON RANCH INC
22	2120243 HARVEY WELDMAC & KATHERINE CALABRIA LUNA GRATUITORS TRUST
23	21792645 3E WAMP LLC
24	2179869 / 7775662 SHOGG FAMILY TRUST
25	2064866 AG CHARLES
26	2124245 SPIVEY JAMES W
27	2120244 THE DO VALENTIN T & JAMIA G A
28	2048882 GDDP STEVEN GR
29	2027624 / 2042621 VECSES JOE & DEANNE PHIPPS
30	365839 SWINSON D BANCHELO ET AL
31	389900 / 1095195 BLACK GOLD STABLES LLC
32	2085207 SWINSON D BANCHELO ET AL
33	2582029 BLOCH FRIC & HENRIE HL
34	2541783 / 7580712 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
35	2582043 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
36	2582041 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
37	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
38	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
39	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
40	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
41	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
42	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
43	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
44	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC
45	2515604 801186 RIDGE ESTATES HOMEOWNERS ASSOC INC

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:35 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: hbdonaghy@yahoo.com <hbdonaghy@yahoo.com>
Sent: Wednesday, November 17, 2021 3:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Harry Donaghy

E-MAIL: hbdonaghy@yahoo.com

COMPANY:

ADDRESS: 4613 HACKBERRY LN
PARKER TX 75002-5633

PHONE: 9727403767

FAX:

COMMENTS: I sincerely oppose the proposed waste water treatment plant being planned. Due to regular flooding of Maxwell Creek and the existing wildlife, the treatment plant would not only harm the current ecosystem, but increase the flooding potential. Please reconsider the location.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 11:11 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: abba1102@gmail.com <abba1102@gmail.com>
Sent: Sunday, October 10, 2021 5:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Barbara Dube

E-MAIL: abba1102@gmail.com

COMPANY:

ADDRESS: 1102 CACTUS PATH DR
MURPHY TX 75094-3632

PHONE: 2148831588

FAX:

COMMENTS: I am STRONGLY opposed to this waste treatment plant. My property is directly affected by this as my property has the creek directly behind it. Murphy/Parker is not a good choice for this facility!! You need To hold a public hearing before the residents. It is too close to school and Creek!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:34 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: dominiqueduncan65@gmail.com <dominiqueduncan65@gmail.com>
Sent: Monday, December 6, 2021 8:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Dominique Dantje Duncan

E-MAIL: dominiqueduncan65@gmail.com

COMPANY:

ADDRESS: 7004 OVERBROOK DR
PARKER TX 75002-6922

PHONE: 2144917663

FAX:

COMMENTS: I feel that the critical questions concerning the health and safety regarding the air pollution and other health concerns brought up during the meeting were not adequately addressed. The only answers I have seen regarding air pollution is that it might be addressed once it is already constructed, which would be too late. I am concerned for the health and safety of my family and request a contested hearing for Permit#WQ0016003001

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:42 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: dominiqueduncan65@gmail.com <dominiqueduncan65@gmail.com>
Sent: Monday, December 6, 2021 7:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Dominique Dantje Duncan

E-MAIL: dominiqueduncan65@gmail.com

COMPANY:

ADDRESS: 7004 OVERBROOK DR
PARKER TX 75002-6922

PHONE: 2144917663

FAX:

COMMENTS: I request a contested hearing for Permit #WQ0016003001!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:30 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jeffry.dwight@greyware.com <jeffry.dwight@greyware.com>
Sent: Monday, December 6, 2021 8:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: TX

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jeffry Dwight

E-MAIL: jeffry.dwight@greyware.com

COMPANY:

ADDRESS: 308 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 9724246591

FAX:

COMMENTS: My name is Jeffry Dwight, I live at 308 Oriole Ct in Murphy. My property is within 1000ft from the proposed plant. I formally request a Contested Case Hearing. I'm concerned how this will affect my health as I am allergic to most antibiotics. My treatment options are limited if I pick up a bacterial infection from improperly treated water making its way through flooding, leaks, or wildlife to me. I'm concerned about my family's quality of life in such close proximity to a wastewater plant due to odors that may be emitted from the plant. I don't want to be inundated by

excess water and runoff. I'm concerned about the water quality of our wonderful creek and how it will affect the ways in which we can enjoy the beautiful areas around us. I'm concerned that we'll see a decrease in the wildlife we love in the area. You've received documentation regarding our diverse wildlife in the area that could be negatively impacted by this development. Having a wastewater treatment plant so close by can also affect our property values and the ability for us to sell when the time comes. I'm also concerned about the impact of such a large development right behind my house: 10+ lots are proposed on my fence-line. There are many contested facts in the application as submitted, including the classification of the creek as intermittent (it's not, it's Perennial), the wildlife it supports (documentation has been submitted by other parties). I'm also concerned about the method the applicant used to notify affected parties—I know of at least one neighbor next door to me who didn't receive the notice in the mail, and the "publication" of the application was not in the most widely distributed paper in Collin county. The Parkland adjacent to Maxwell Creek falls under the FEMA classification of Special Flood Hazard Area where adding to the amount of water could cause flooding issues. The coordinates listed on the application for the discharge routes are not correct.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jeffry.dwight@greyware.com <jeffry.dwight@greyware.com>
Sent: Friday, December 3, 2021 4:42 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jeffry Dwight

E-MAIL: jeffry.dwight@greyware.com

COMPANY:

ADDRESS: 308 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 2146327869

FAX:

COMMENTS: My name is Jeffry Dwight, I live at 308 Oriole Ct in Murphy. My property is within 1000ft from the proposed plant. I formally request a Contested Case Hearing. I'm concerned how this will affect my health as I am allergic to most antibiotics. My treatment options are limited if I pick up a bacterial infection from improperly treated water making its way through flooding, leaks, or wildlife to me. I'm concerned about my family's quality of life in such close proximity to a wastewater plant due to odors that may be emitted from the plant. I don't want to be inundated by

excess water and runoff. I'm concerned about the water quality of our wonderful creek and how it will affect the ways in which we can enjoy the beautiful areas around us. I'm concerned that we'll see a decrease in the wildlife we love in the area. You've received documentation regarding our diverse wildlife in the area that could be negatively impacted by this development. Having a wastewater treatment plant so close by can also affect our property values and the ability for us to sell when the time comes. I'm also concerned about the impact of such a large development right behind my house: 10+ lots are proposed on my fence-line. There are many contested facts in the application as submitted, including the classification of the creek as intermittent (it's not, it's Perennial), the wildlife it supports (documentation has been submitted by other parties). I'm also concerned about the method the applicant used to notify affected parties—I know of at least one neighbor next door to me who didn't receive the notice in the mail, and the "publication" of the application was not in the most widely distributed paper in Collin county. The Parkland adjacent to Maxwell Creek falls under the FEMA classification of Special Flood Hazard Area where adding to the amount of water could cause flooding issues. The coordinates listed on the application for the discharge routes are not correct.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 7:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jeffry.dwight@greyware.com <jeffry.dwight@greyware.com>
Sent: Sunday, November 21, 2021 5:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jeffry Dwight

E-MAIL: jeffry.dwight@greyware.com

COMPANY:

ADDRESS: 308 ORIOLE DR
MURPHY TX 75094-3889

PHONE: 9724246591

FAX:

COMMENTS: We request a contested hearing. Concerned about property value with a high density development on our northern property line, 10 units on our back fence, and proximity to a waste treatment plant. Also concerned about environmental impact to wildlife, air quality, and our health. I'm allergic to most antibiotics, and therefore any bacterial infections that might arise due to the waste treatment plant could be serious as treatment options are limited.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 11, 2022 10:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: zeddy3473@yahoo.com <zeddy3473@yahoo.com>
Sent: Friday, February 11, 2022 9:01 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Zachary Eddy

E-MAIL: zeddy3473@yahoo.com

COMPANY:

ADDRESS: 417 POST OAK TRL
MURPHY TX 75094-4342

PHONE: 8174806484

FAX:

COMMENTS: I am against this permit and construction of this facility. I request a contested case hearing

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 11, 2022 10:46 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: zeddy3473@yahoo.com <zeddy3473@yahoo.com>
Sent: Friday, February 11, 2022 8:49 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Zachary Eddy

E-MAIL: zeddy3473@yahoo.com

COMPANY:

ADDRESS: 417 POST OAK TRL
MURPHY TX 75094-4342

PHONE: 8174806484

FAX:

COMMENTS: We are a young family of four with a three year old and a 10 month old who recently moved to Murphy. This is a beautiful family focused city where our kids can play safely outside and we do not want a water treatment facility so close to where we just moved. We do not want to raise our babies next to a facility that will bring in airborne chemicals and bad odor to our wonderful community. I strongly oppose this facility from being constructed in the city of Murphy Texas and ask that you plan to move it to another city.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 9:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: zeddy3473@yahoo.com <zeddy3473@yahoo.com>
Sent: Monday, September 20, 2021 11:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Zachary Eddy

E-MAIL: zeddy3473@yahoo.com

COMPANY:

ADDRESS: 417 POST OAK TRL
MURPHY TX 75094-4342

PHONE: 8174806484

FAX:

COMMENTS: We are a young family of four with a three year old and a 10 month old who recently moved to Murphy. This is a beautiful family focused city where our kids can play safely outside and we do not want a water treatment facility so close to where we just moved. We do not want to raise our babies next to a facility that will bring in airborne chemicals and bad odor to our wonderful community. I strongly oppose this facility from being constructed in the city of Murphy Texas and ask that you plan to move it to another city.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 10:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: aliciasueevans@gmail.com <aliciasueevans@gmail.com>
Sent: Saturday, November 20, 2021 11:50 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MS Alicia Sue Evans

E-MAIL: aliciasueevans@gmail.com

COMPANY:

ADDRESS: 3507 HOGGE DR
PARKER TX 75002-6731

PHONE: 2147325609

FAX:

COMMENTS: My land and home are located in South Ranchview Estates on Murphy Rd immediately to the north of and adjoining the proposed MUD and approximately 500 meters from the proposed wastewater treatment facility on Maxwell Creek. My family and I and our property will be directly negatively affected by the proposed development. My family has lived at this property for more than 40 years and our land is horse property. We keep horses and other stock from time to time. We have relied on the zoning in the City of Parker and its ETJ to protect our home, our interests, our

rights and our freedoms. Commercial interests are now proposing to exploit Maxwell Creek to develop a MUD that will burden the creek's ability to drain water from my property and will harm wildlife that shares the community with us and that we all treasure. In heavy rains, my back pasture floods significantly and this situation will be exacerbated by the increased water flow in the creek from the wastewater facility and the hardscaping for the MUD of what is now pasture. I will be a direct recipient of the bad odors from the wastewater treatment facility located 500 meters from my property and the limited liability company that is developing the MUD will be long gone. I AM REQUESTING A CONTESTED HEARING. I will also have to look every day at an awful wastewater tank bordering my back property line - that is certainly a kind of environmental pollution along with the other problems that will accrue to me and my neighbors as a result of the MUD and wastewater treatment facility. I understand that my neighbors have special needs children whose health and wellbeing will be jeopardized by the development.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:41 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: judi.evans00@gmail.com <judi.evans00@gmail.com>
Sent: Monday, December 6, 2021 8:40 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Judi Evans

E-MAIL: judi.evans00@gmail.com

COMPANY:

ADDRESS: 503 SAUSALITO DR
ROCKWALL TX 75087-6651

PHONE: 9722073168

FAX:

COMMENTS: RE: TCEQ (Texas Commission on Environmental Quality) permit approval | TCEQ Permit # WQ0016003001 | RN # RN111267324 | Regulated Entity: COLLIN COUNTY MUD NO 7 WWTP | Principal(s) HARRINGTON TURNER ENTERPRISES LP , CN605893650 and RESTORE THE GRASSLANDS LLC , CN605893643 *AMENDED COMMENTS SUBMISSION* I am THE property owner of 402 S. Maxwell Creek Road, Murphy, TX, through which Maxwell Creek traverses. I request a contested case hearing. I strongly DO NOT support - and WILL NOT support - the construction of a

water treatment plant which discharges water into Maxwell Creek (Texas Pollutant Discharge Elimination System Permit No. WQ0016003001 (EPA I.D. No. TX 0141381) Not only do I have concerns for water quality impacts to my property, Maxwell Creek wildlife, residents, our community and those communities downstream, but also the overall drainage impacts by burdening Maxwell Creek with an additional 200,000 gallons of water per day. • Bobcats, birds, fish and bees have made my property and Maxwell Creek their home as I have observed multiple times while walking through the property. Additionally, I support a rescue organization for release of wildlife – including opossum, squirrels, cottontails and raccoons - on my property. Changes to water quality, discharge rates and subsequent flooding will impact the health and welfare of wildlife on my property. • Today, Maxwell creek experiences flood conditions with the existing perennial flow - which I have witnessed first-hand. The proposed discharge into Maxwell Creek will permanently flood portions of my property and impact the ability to utilize my property for development. • The maximum discharge rates on an hourly or daily rate have not – and were not provided – at the public meeting on 12/6; therefore, the impacts downstream to my property “cannot be provided as it is based on averages”. Averages are not an accurate determination of impacts to my property and the wildlife which inhabits it. As such, I refuse to support the construction of a wastewater treatment facility with unknown impact to my property use and the wildlife which resides there. • The applicants have not provided how the discharge provide zero impact within current FEMA flood plain mapping surrounding Maxwell Creek (Zone AE). Additional discharge into Maxwell Creek will increase the percentage of annual flood potential significantly above 1%, thereby impacting my ability to construct my home on my property. - FEMA defines Zone AE as “...the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.” • My property straddles Maxwell Creek and I have received no written notification of the proposed permit. Should TCEQ choose further consideration to approve this permit, at the minimum, a comprehensive set of water drainage, pollutant and wildlife impact studies for ALL downstream communities and property owners must be completed at the applicant's cost and by licensed experts and/or scientists in these areas. The results of these studies should then be provided to all municipalities and property owners downstream from the contemplated location for their review. The list below provides a minimum set of study and approval criteria I would expect completed prior to TCEQ's approval of the requested permit. a) Current and future drainage impacts to municipal water management systems resulting from the construct or operation of the proposed facility, b) Current and future impacts to flood plain and property access or utilization resulting from the resulting from the construct or operations of the proposed facility, c) Current and future formal, documented, scientific studies which prove beyond any reasonable doubt a 0% potential of water contamination from the construction or operations of this facility, d) Current and future formal studies completed by scientists and wildlife experts which prove beyond any reasonable doubt a 0% potential for wildlife impact resulting from the construct or operations of this facility, e) Formal, written approval from ALL property owners and municipalities downstream from the proposed location prior to permit approval. Should TCEQ choose to approve the permit requested without meeting the above criteria, action will be taken through all available channels. Thank you for your time. Judi Evans

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 7:40 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: judi.evans00@gmail.com <judi.evans00@gmail.com>
Sent: Sunday, November 21, 2021 1:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Judi Evans

E-MAIL: judi.evans00@gmail.com

COMPANY:

ADDRESS: 503 SAUSALITO DR
ROCKWALL TX 75087-6651

PHONE: 9722073168

FAX:

COMMENTS: REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP RN NUMBER: RN111267324 PERMIT NUMBER: WQ0016003001 DOCKET NUMBER: COUNTY: COLLIN PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC CN NUMBER: CN605893650,CN605893643 **Amended Comments to Comments submitted on 11.3.2021** RE: TCEQ (Texas Commission on Environmental Quality) permit approval | TCEQ Permit # WQ0016003001 | RN # RN111267324 | Regulated Entity: COLLIN COUNTY MUD NO 7 WWTP | Principal(s) HARRINGTON

TURNER ENTERPRISES LP , CN605893650 and RESTORE THE GRASSLANDS LLC , CN605893643 I am the owner of the property located at 402 S. Maxwell Creek Road, Murphy, TX, through which Maxwell Creek traverses. I strongly DO NOT support - and WILL NOT support - the construction of a water treatment plant which discharges water into Maxwell Creek (Texas Pollutant Discharge Elimination System Permit No. WQ0016003001 (EPA I.D. No. TX 0141381) Not only do I have concerns for water quality impacts to Maxwell Creek wildlife, residents, our community and those communities downstream, but also the overall drainage impacts by burdening Maxwell Creek with an additional 200,000 gallons of water per day. Should TCEQ choose further consideration to approve this permit, at the minimum, a comprehensive set of water drainage, pollutant and wildlife impact studies for ALL downstream communities and property owners must be completed at the applicant's cost and by licensed experts and/or scientists in these areas. The results of these studies should then be provided to all municipalities and property owners downstream from the contemplated location for their review. The list below provides a minimum set of study and approval criteria I would expect completed prior to TCEQ's approval of the requested permit. a) Current and future drainage impacts to municipal water management systems resulting from the construct or operation of the proposed facility, b) Current and future impacts to flood plain and property access or utilization resulting from the resulting from the construct or operations of the proposed facility, c) Current and future formal, documented, scientific studies which prove beyond any reasonable doubt a 0% potential of water contamination from the construction or operations of this facility, d) Current and future formal studies completed by scientists and wildlife experts which prove beyond any reasonable doubt a 0% potential for wildlife impact resulting from the construct or operations of this facility, e) Formal, written approval from ALL property owners and municipalities downstream from the proposed location prior to permit approval. Should TCEQ choose to approve the permit requested without meeting the above criteria, action will be taken through all available channels. I hereby request a contested case hearing. Thank you for your time. Judi Evans

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 1, 2021 4:00 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: judi.evans00@gmail.com <judi.evans00@gmail.com>
Sent: Monday, November 1, 2021 1:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Judi Evans

E-MAIL: judi.evans00@gmail.com

COMPANY:

ADDRESS: 503 SAUSALITO DR
ROCKWALL TX 75087-6651

PHONE: 9722073168

FAX:

COMMENTS: RE: TCEQ (Texas Commission on Environmental Quality) permit approval | TCEQ Permit # WQ0016003001 | RN # RN111267324 | Regulated Entity: COLLIN COUNTY MUD NO 7 WWTP | Principal(s) HARRINGTON TURNER ENTERPRISES LP , CN605893650 and RESTORE THE GRASSLANDS LLC , CN605893643 I am the owner of the property located at 402 S. Maxwell Creek Road, Murphy, TX, through which Maxwell Creek traverses. I strongly DO NOT support - and WILL NOT support - the construction of a water treatment plant which discharges water into Maxwell Creek (Texas

Pollutant Discharge Elimination System Permit No. WQ0016003001 (EPA I.D. No. TX 0141381) Not only do I have concerns for water quality impacts to Maxwell Creek wildlife, residents, our community and those communities downstream, but also the overall drainage impacts by burdening Maxwell Creek with an additional 200,000 gallons of water per day. Should TCEQ choose further consideration to approve this permit, at the minimum, a comprehensive set of water drainage, pollutant and wildlife impact studies for ALL downstream communities and property owners must be completed at the applicant's cost and by licensed experts and/or scientists in these areas. The results of these studies should then be provided to all municipalities and property owners downstream from the contemplated location for their review. The list below provides a minimum set of study and approval criteria I would expect completed prior to TCEQ's approval of the requested permit. a) Current and future drainage impacts to municipal water management systems resulting from the construct or operation of the proposed facility, b) Current and future impacts to flood plain and property access or utilization resulting from the resulting from the construct or operations of the proposed facility, c) Current and future formal, documented, scientific studies which prove beyond any reasonable doubt a 0% potential of water contamination from the construction or operations of this facility, d) Current and future formal studies completed by scientists and wildlife experts which prove beyond any reasonable doubt a 0% potential for wildlife impact resulting from the construct or operations of this facility, e) Formal, written approval from ALL property owners and municipalities downstream from the proposed location prior to permit approval. Should TCEQ choose to approve the permit requested without meeting the above criteria, action will be taken through all available channels. Thank you for your time. Judi Evans

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, March 2, 2022 8:57 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: shawnafastnaught@yahoo.com <shawnafastnaught@yahoo.com>
Sent: Tuesday, March 1, 2022 10:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Shawna Fastnaught

E-MAIL: shawnafastnaught@yahoo.com

COMPANY:

ADDRESS: 513 WINDWARD DR
MURPHY TX 75094-5327

PHONE: 4696672441

FAX:

COMMENTS: 1-Shawna Fastnaught - 513 Windward Dr, Murphy - 4696672441 2-I represent people who hike/bike and use the trails along Maxwell Creek daily 3-permit # - WQ0016003001 4-I request a contested case hearing due to my health and safety. I hike along Maxwell Creek daily for exercise and health. Breathing in fresh air within 1 foot of the creek. My family hikes and bikes along the trails every week. My family plays at the park next to Maxwell creek multiple times a week. If Maxwell Creek is filled with gray water, not only will many of the trails and nature be destroyed but my

health will suffer due to breathing in harmful air. My family will suffer from losing nature to play in and their health will suffer due to breathing in harmful air outside of our home and trails. My property value - my home will lose value as the creek it is next to is flowing with nasty water. Murphy has made it a point to have a high value homes and environments for its citizens. One of the main reasons I moved to this neighborhood was because of the trail I could use daily. I will be collecting names of people I see daily on the trails and bring them in to the contested hearing. I will take pictures so you can see how close we are to the water and the impact the many gallons of water will have on the creek. I request a contested case hearing!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:03 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: shawnafastnaught@yahoo.com <shawnafastnaught@yahoo.com>
Sent: Monday, December 6, 2021 9:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Shawna Fastnaught

E-MAIL: shawnafastnaught@yahoo.com

COMPANY:

ADDRESS: 513 WINDWARD DR
MURPHY TX 75094-5327

PHONE: 4696672441

FAX:

COMMENTS: I highly contest this proposal. I request a contested hearing due to the health and safety of my family. As well as the destruction of the sensitive eco-sytem in this beautiful nature preserve. We walk daily on the trails next to the water and mountain bike. Our daily lives will be impacted.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:31 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: shawnafastnaught@yahoo.com <shawnafastnaught@yahoo.com>
Sent: Monday, December 6, 2021 8:25 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Shawna Fastnaught

E-MAIL: shawnafastnaught@yahoo.com

COMPANY:

ADDRESS: 513 WINDWARD DR
MURPHY TX 75094-5327

PHONE: 4696672441

FAX:

COMMENTS: We just moved to Murphy and one of the biggest draws for us were the walking trails and Maxwell Creek. We are always hiking on the trails next to the water and my husband mountain bikes through the trails. We cannot imagine the damage to the environment that this will cause. Nature is one of the most healing things for us. Having sewage water next to us as we exercise will create illness and destroy this beautiful natural creek. I can only imagine that

this will destroy the eco-system, destroy animal life, and the surrounding forest. I am positive this will destroy our property values and will leave destructive smells and illness in its wake!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 18, 2022 8:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: Rebeccaf0120@gmail.com <Rebeccaf0120@gmail.com>
Sent: Friday, February 18, 2022 7:47 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Rebecca Fernandez

E-MAIL: Rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: Good evening, my name is Rebecca Fernandez, I live at 320 Creekside Dr. in Murphy Texas. My phone number is 203-710-5510. My email is Rebeccaf0120@gmail.com. I AM REQUESTING A CONTESTED CASE HEARING. I live

directly across from the creek that runs through Maxwell Creek. Less than 500 ft. I am also extremely close to the proposed sewage plant. 1.89 miles. I am extremely worried about the sewage proposal on Murphy Road. I am raising my three children in a beautiful neighborhood, and this proposal is extremely upsetting. I have spoken to my primary care doctor, and my children's pediatrician about this in regards to our health. And they both stated that there are health risks to living this close to a sewage plant, and treated water source. Putting families, and children at risk is unspeakable. It has been proven that it could affect children's fertility to live this close to a treated water source. I also spoke to our pest control about The risks of having this water in our creek. Because we live across from the creek, the animals that drink out of the creek as well as the bugs could transmit diseases to people. As if dealing with Covid isn't enough. This would also bring our property value down. I am emailing you as a very concerned parent, and resident. As neighbors we are working so hard to stop this proposed sewage plan. The Texas wildlife has stated that it would not be safe for our health to live across from the creek if it is used in this plan. Our health would be at risk, our children's health would be at risk. This is unacceptable. Please help our community. Me and my family Live right across from the creek. I would no longer be able to stay in this beautiful neighborhood, and in our wonderful home. Please help us. Please read the following, living near a sewage plant, or water source has been proven to affect our health, as well as our children's. This is just one of the many documented resources. I live across from the creek with my three young children. I am not alone when I say I would not feel comfortable living in my house anymore if this plan were to go through. Thank you for your time, Rebecca <https://www.epa.gov/mobile-source-pollution/how-mobile-source-pollution-affects-your-health>

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, February 16, 2022 9:21 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: Rebeccaf0120@gmail.com <Rebeccaf0120@gmail.com>
Sent: Wednesday, February 16, 2022 8:07 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Rebecca Fernandez

E-MAIL: Rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: Good evening, my name is Rebecca Fernandez, I live at 320 Creekside Dr. in Murphy Texas. My phone number is 203-710-5510. My email is Rebeccaf0120@gmail.com. I AM REQUESTING A CONTESTED CASE HEARING. I live directly across from the creek that runs through Maxwell Creek. Less than 500 ft. I am also extremely close to the proposed sewage plant. 1.89 miles. I am extremely worried about the sewage proposal on Murphy Road. I am raising my three children in a beautiful neighborhood, and this proposal is extremely upsetting. I have spoken to my primary care doctor, and my children's pediatrician about this in regards to our health. And they both stated that there are health risks to living this close to a sewage plant, and treated water source. Putting families, and children at risk is unspeakable. It has been proven that it could affect children's fertility to live this close to a treated water source. I also spoke to our pest control about The risks of having this water in our creek. Because we live across from the creek, the animals that drink out of the creek as well as the bugs could transmit diseases to people. As if dealing with Covid isn't enough. This would also bring our property value down. I am emailing you as a very concerned parent, and resident. As neighbors we are working so hard to stop this proposed sewage plan. The Texas wildlife has stated that it would not be safe for our health to live across from the creek if it is used in this plan. Our health would be at risk, our children's health would be at risk. This is unacceptable. Please help our community. Me and my family Live right across from the creek. I would no longer be able to stay in this beautiful neighborhood, and in our wonderful home. Please help us. Please read the following, living near a sewage plant, or water source has been proven to affect our health, as well as our children's. This is just one of the many documented resources. I live across from the creek with my three young children. I am not alone when I say I would not feel comfortable living in my house anymore if this plan were to go through. Thank you for your time, Rebecca <https://www.epa.gov/mobile-source-pollution/how-mobile-source-pollution-affects-your-health>

REVIEWED

FEB 15 2022 H
By GCW

124967



Rebecca Fernandez <rebeccaf0120@gmail.com>

TCEQ request for contested case hearing

Rebecca Fernandez <rebeccaf0120@gmail.com>

Thu, Feb 10, 3:33 PM

To: <justin.taack@tceq.texas.gov>

Good evening, my name is Rebecca Fernandez, I live at 320 Creekside Dr. in Murphy Texas. My phone number is 203-710-5510. My email is Rebeccaf0120@gmail.com.

I AM REQUESTING A CONTESTED CASE HEARING.

I live directly across from the creek that runs through Maxwell Creek. Less than 500 ft. I am also extremely close to the proposed sewage plant. 1.89 miles.

I am extremely worried about the sewage proposal on Murphy Road. I am raising my three children in a beautiful neighborhood, and this proposal is extremely upsetting.

I have spoken to my primary care doctor, and my children's pediatrician about this in regards to our health. And they both stated that there are health risks to living this close to a sewage plant, and treated water source. Putting families, and children at risk is unspeakable. It has been proven that it could affect children's fertility to live this close to a treated water source. I also spoke to our pest control about The risks of having this water in our creek. Because we live across from the creek, the animals that drink out of the creek as well as the bugs could transmit diseases to people. As if dealing with Covid isn't enough. This would also bring our property value down. I am emailing you as a very concerned parent, and resident.

As neighbors we are working so hard to stop this proposed sewage plan. The Texas wildlife has stated that it would not be safe for our health to live across from the creek if it is used in this plan. Our health would be at risk, our children's health would be at risk. This is unacceptable. Please help our community. Me and my family Live right across from the creek. I would no longer be able to stay in this beautiful neighborhood, and in our wonderful home. Please help us.

Please read the following, living near a sewage plant, or water source has been proven to affect our health, as well as our children's. This is just one of the many documented resources. I live across from the creek with my three young children. I am not alone when I say I would not feel comfortable living in my house anymore if this plan were to go through.

Thank you for your time,

Rebecca

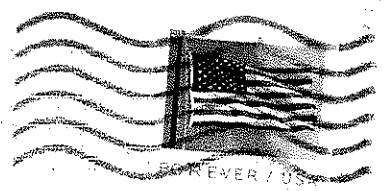
<https://www.epa.gov/mobile-source-pollution/how-mobile-source-pollution-affects-your-health>

[Quoted text hidden]



Rebecca Fernandez
320 Creekside Dr
Murphy, TX 75094-4141

NORTH TEXAS TX PSDC
DALLAS TX 750
141 FEB 2022 PM 9 L



MAIL
TO
OFFICE

Office of the Chief Clerk
Texas Commission on Environmental Quality (TCEQ)
P.O. Box 13087 MC 105
Austin, TX 78711-3087

RECEIVED

FEB 14 2022

TCEQ MAIL CENTER

711-308787



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 7:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: rebeccaf0120@gmail.com <rebeccaf0120@gmail.com>
Sent: Sunday, November 21, 2021 4:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Rebecca Fernandez

E-MAIL: rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: I'm REQUESTING A CONTESTED HEARING We live across from the creek, and the air quality is proven to be directly harmful to our health. The Texas wildlife has stated that the water treatment exceeds what would be permitted in our creek. Hundreds if not thousands of people use our neighborhood daily. My children play in the soccer fields, we play on the playground, we take a bike rides and hikes along the trail. We walk the trail on a daily faces. We walk our dogs on the trail. Are dogs come in direct contact with the water. We all come in direct contact with the water. Other

children playing in the fields playing at the new playground, people hiking the trails, people biking the trails, people going on nature walks, soccer practices, Boy Scouts and Girl Scouts help with the trail, people drive here to walk the trail for their health. The pool up the street that our neighborhood uses. This cannot be allowed. It is proven harmful to our health. Find somewhere else to put the sewage treatment. Do not put it in our neighborhood, you are affecting the lives of so many famous. Our house values go down the neighborhood will never be the same. I am requesting a contested hearing. Because you will be destroying our lives.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:23 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: rebeccaf0120@gmail.com <rebeccaf0120@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Fernandez Rebecca

E-MAIL: rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: CONTESTED HEARING I can't believe I'm even writing this. How old are you to put a sewage plant where a neighborhood is detrimental to our communities health as well as our community. I've spoken to our pediatrician, my primary care doctor, as well an environmentalist conservationist. Unfortunately, the consensus is all the same. That it would be putting so many people in harms way. Our community would suffer and would never be the same again. To further my research I even spoke to pest control, they stated that the animals that live off the creek could get the people

very sick. It's a cycle the bugs, the mice, we could have a very bad outbreak. On top of the coronavirus I think we have enough to deal with. Keep axing unity safe. Keep market clean. And do not put a sewage plant in a community where there is so many growing families.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:50 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rebeccaf0120@gmail.com <rebeccaf0120@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Fernandez Rebecca

E-MAIL: rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 9723427512

FAX:

COMMENTS: I can't believe that I am even writing this. My heart is hurting. This is our home. I'm raising my children in a beautiful neighborhood, with a beautiful creek. I'm worried about their health, as if Covid wasn't enough. By doing this sewage plan, you are putting everyone's health at risk. You're putting our environment in danger. You're hurting wildlife. The list goes on and on. I am not alone, as you know. If this is done to our neighborhood, it will never mend, I don't wanna be the same

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:01 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rebeccaf0120@gmail.com <rebeccaf0120@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Fernandez Rebecca

E-MAIL: rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: I can't believe I'm even writing this. How old are you to put a sewage plant where a neighborhood is detrimental to our communities health as well as our community. I've spoken to our pediatrician, my primary care doctor, as well an environmentalist conservationist. Unfortunately, the consensus is all the same. That it would be putting so many people in harms way. Our community would suffer and would never be the same again. To further my research I even spoke to pest control, they stated that the animals that live off the creek could get the people very sick.

It's a cycle the bugs, the mice, we could have a very bad outbreak. On top of the coronavirus I think we have enough to deal with. Keep axing unity safe. Keep market clean. And do not put a sewage plant in a community where there is so many growing families.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:07 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rebeccaf0120@gmail.com <rebeccaf0120@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Fernandez Rebecca

E-MAIL: rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 9723427512

FAX:

COMMENTS: I can't believe that I am even writing this. My heart is hurting. This is our home. I'm raising my children in a beautiful neighborhood, with a beautiful creek. I'm worried about their health, as if Covid wasn't enough. By doing this sewage plan, you are putting everyone's health at risk. You're putting our environment in danger. You're hurting wildlife. The list goes on and on. I am not alone, as you know. If this is done to our neighborhood, it will never mend, I don't wanna be the same

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Rebeccaf0120@gmail.com <Rebeccaf0120@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Rebecca Fernandez

E-MAIL: Rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: The sewage plant would be detrimental to the community ,and environment and our health. I've spoke with our pediatrician, my docotor, as well as an environmental conservationist. I've also spoken to pest control who stated the mice and bugs in our area would spread the disease to people. This is absolutely heartbreaking and evil. Please stop this.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rebeccaf0120@gmail.com <rebeccaf0120@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Fernandez Rebecca

E-MAIL: rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 9723427512

FAX:

COMMENTS: I can't believe that I am even writing this. My heart is hurting. This is our home. I'm raising my children in a beautiful neighborhood, with a beautiful creek. I'm worried about their health, as if Covid wasn't enough. By doing this sewage plan, you are putting everyone's health at risk. You're putting our environment in danger. You're hurting wildlife. The list goes on and on. I am not alone, as you know. If this is done to our neighborhood, it will never mend, I don't wanna be the same

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:21 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rebeccaf0120@gmail.com <rebeccaf0120@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Fernandez Rebecca

E-MAIL: rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: I can't believe I'm even writing this. How old are you to put a sewage plant where a neighborhood is detrimental to our communities health as well as our community. I've spoken to our pediatrician, my primary care doctor, as well an environmentalist conservationist. Unfortunately, the consensus is all the same. That it would be putting so many people in harms way. Our community would suffer and would never be the same again. To further my research I even spoke to pest control, they stated that the animals that live off the creek could get the people very sick.

It's a cycle the bugs, the mice, we could have a very bad outbreak. On top of the coronavirus I think we have enough to deal with. Keep axing unity safe. Keep market clean. And do not put a sewage plant in a community where there is so many growing families.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rebeccaf0120@gmail.com <rebeccaf0120@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Fernandez Rebecca

E-MAIL: rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: I can't believe I'm even writing this. How old are you to put a sewage plant where a neighborhood is detrimental to our communities health as well as our community. I've spoken to our pediatrician, my primary care doctor, as well an environmentalist conservationist. Unfortunately, the consensus is all the same. That it would be putting so many people in harms way. Our community would suffer and would never be the same again. To further my research I even spoke to pest control, they stated that the animals that live off the creek could get the people very sick.

It's a cycle the bugs, the mice, we could have a very bad outbreak. On top of the coronavirus I think we have enough to deal with. Keep axing unity safe. Keep market clean. And do not put a sewage plant in a community where there is so many growing families.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 4:33 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Rebeccaf0120@gmail.com <Rebeccaf0120@gmail.com>
Sent: Thursday, November 18, 2021 3:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: MRS Rebecca Fernandez

E-MAIL: Rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 330 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: I am requesting a contested hearing. My family lives right across from the creek on Creekside Drive. I have spoken to my PCP as well as my children's pediatrician. They are both extremely worried about our health if we were to live across from the creek if the sewage plan went through. As I already knew, they told me there were some health risks at living so close to a water treatment such as this. I have done my research, and have found countless evidence. Our respiratory system should be affected, our brain could be affected, my children's fertility would be affected later in life.

The list goes on, and it is not acceptable. We would be in harms way living this close to the creek. Not to mention the flooding that we say whenever there's a big rain storm. I can't believe that our beautiful Creek that serves as so much life and beauty to our neighborhood would be treated as a part of a sewage plant. It's unfathomable to me. Environmentalist, and doctors warn about living close to a water treatment plan. We would be breathing in this water every day. We live right across from the creek. I am requesting a contested hearing!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:03 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Fernandez.Robert.j@gmail.com <Fernandez.Robert.j@gmail.com>
Sent: Thursday, November 18, 2021 10:23 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Robert Fernandez

E-MAIL: Fernandez.Robert.j@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 9723427512

FAX:

COMMENTS: I am requesting a contested hearing as resident in the Maxwell Creek community and live adjacent to Maxwell Creek. I am strongly opposed of the proposed development of a wastewater treatment plant on the city's northern boundary with the city of Parker. The proposal outlines a plan to dump up to 200,000 to 800,000 gallons of treated water into Maxwell Creek daily. As a resident downstream from this location I am very concerned of the proven

increase of Asthmatic, respiratory, fertility, and other health issues for people within close proximity to a discharged water source. If this proposal moves forward I would not feel comfortable living here and would have to move.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 2, 2021 9:00 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Fernandez.Robert.j@gmail.com <Fernandez.Robert.j@gmail.com>
Sent: Monday, November 1, 2021 9:30 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Robert James Fernandez

E-MAIL: Fernandez.Robert.j@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 9723427512

FAX:

COMMENTS: I am a resident in the Maxwell Creek community and am in very close proximity to Maxwell Creek. I am strongly opposed of the proposed development of a wastewater treatment plant on the city's northern boundary with the city of Parker. The proposal outlines a plan to dump up to 200,000 gallons of treated water into Maxwell Creek. As a resident downstream from this location I am very concerned of the proven increase health issues for people within close

proximity to a discharged water source. If this proposal moves forward I would not feel comfortable living here and would move.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:40 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: amanda_ferrara@hotmail.com <amanda_ferrara@hotmail.com>
Sent: Monday, December 6, 2021 9:33 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amanda R Ferrara

E-MAIL: amanda_ferrara@hotmail.com

COMPANY:

ADDRESS: 231 HIGH POINT DR High Point Drive
MURPHY TX 75094-4101

PHONE: 9727126385

FAX:

COMMENTS: I'm contesting the hearing of adding the wastewater plant. My husband and I have been chemical free for our home and yard ever since we moved here. We have a garden and it to is chemical free. My 8 year old has a gene mutation that causes him seizures. The toxic chemicals on food and air effects his seizures. We keep our home free of any chemicals including toxic smells. This water treatment facility will hurt our air quality and destroy our land. Please consider our contest.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 1:22 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Karenfey02@yahoo.com <Karenfey02@yahoo.com>
Sent: Thursday, September 23, 2021 9:55 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Karen Fey

E-MAIL: Karenfey02@yahoo.com

COMPANY:

ADDRESS: 134 WENTWOOD DR
MURPHY TX 75094-4417

PHONE: 9728147270

FAX:

COMMENTS: I just learned about the intent to install a water treatment plant in Murphy. I request a public hearing to learn more about this plan and provide Murphy citizens an opportunity to ask questions & provide input. I'm familiar with the "stench" associated with a water treatment facility & don't believe in belongs in our community. There's a lot of land available in Parker, Lucas, etc. where the treatment plant can be built away from people's homes & the citizens won't be impacted by the stench.,

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, February 24, 2022 8:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: linfletcher@hotmail.com <linfletcher@hotmail.com>
Sent: Wednesday, February 23, 2022 10:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Linda Fletcher

E-MAIL: linfletcher@hotmail.com

COMPANY:

ADDRESS: 601 EMBERCREST DR
MURPHY TX 75094-4118

PHONE: 2145496685

FAX:

COMMENTS: Linda Fletcher 601 Embercrest Dr Murphy, Texas 214-549-6685 linfletcher@hotmail.com I am requesting a contested hearing. My home is about .25 miles from the district boundaries and approximately .5 miles from the

discharge point. I am concerned that this MUD development does not have an adequate retention pond for stormwaters, one hundred and one acres of cement should have a good size retention pond to filter and slow the rush of stormwater into Maxwell creek. When the MUD discharges 500,000 gallons of effluent during a heavy rain event it will compound the flooding that has been known to happen in the area. According to FEMA flood maps, some of our neighborhood streets are already in the flood plain, additional discharge into the creek will push the floodwaters closer to our homes.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 9, 2021 9:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: linfletcher@hotmail.com <linfletcher@hotmail.com>
Sent: Monday, November 8, 2021 7:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Linda Fletcher

E-MAIL: linfletcher@hotmail.com

COMPANY:

ADDRESS: 601 EMBERCREST DR
MURPHY TX 75094-4118

PHONE: 2145496685

FAX:

COMMENTS: I am requesting a contested hearing for permit WQ0016003001. I am concerned that this MUD development does not have a retention pond for storm waters. One hundred and one acres of cement should have a good size retention pond to filter and slow the rush of storm water into Maxwell creek. Then when the MUD discharges 500,000 gallons of effluent is discharged during a heavy rain event it will not compound the flooding that has been known to happen in the area.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, October 27, 2021 9:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: m1lagrito@yahoo.com <m1lagrito@yahoo.com>
Sent: Tuesday, October 26, 2021 8:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Judith Friedline

E-MAIL: m1lagrito@yahoo.com

COMPANY:

ADDRESS: 1108 AVONDALE DR
MURPHY TX 75094-4192

PHONE: 6262909753

FAX:

COMMENTS: Due to environmental concerns, I request a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 29, 2021 2:00 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: m1lagrito@yahoo.com <m1lagrito@yahoo.com>
Sent: Wednesday, September 29, 2021 1:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Judith Friedline

E-MAIL: m1lagrito@yahoo.com

COMPANY:

ADDRESS: 1108 AVONDALE DR
MURPHY TX 75094-4192

PHONE: 6262909753

FAX:

COMMENTS: I do not agree with nor support a wastewater treatment facility as proposed in permit number WQ0016003001 (EPA I.D. No. TX0141381). Murphy's Vision Statement says, "Murphy values being a safe, vibrant, family-oriented, distinctive City that fosters a strong sense of community" (retrieved from <https://www.murphytx.org/388/Vision-Mission-Statements>). A water treatment facility jeopardizes the quality of life overall and invalidates the guiding principals that are meant to reflect this community. Our community is coming

together to voice our disapproval of a wastewater treatment facility. Let our voices be heard as we reflect the values of Murphy's vision statement.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, October 27, 2021 9:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: rfriedline78@yahoo.com <rfriedline78@yahoo.com>
Sent: Tuesday, October 26, 2021 8:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ron Friedline

E-MAIL: rfriedline78@yahoo.com

COMPANY:

ADDRESS: 1108 AVONDALE DR
MURPHY TX 75094-4192

PHONE: 6268938479

FAX:

COMMENTS: Due to public health concerns, I request a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rfriedline78@yahoo.com <rfriedline78@yahoo.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Ronald Friedline

E-MAIL: rfriedline78@yahoo.com

COMPANY:

ADDRESS: 1108 AVONDALE DR
MURPHY TX 75094-4192

PHONE: 6268938479

FAX:

COMMENTS: I object to the approval of this permit due to the negative impact it will have on the quality of life for my family and the negative impact to my property value.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:12 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rfriedline78@yahoo.com <rfriedline78@yahoo.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ronald Friedline

E-MAIL: rfriedline78@yahoo.com

COMPANY:

ADDRESS: 1108 AVONDALE DR
MURPHY TX 75094-4192

PHONE: 6268938479

FAX:

COMMENTS: I object to the approval of this permit due to the negative impact it will have on the quality of life for my family and the negative impact to my property value.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 11:01 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rfriedline78@yahoo.com <rfriedline78@yahoo.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Ronald Friedline

E-MAIL: rfriedline78@yahoo.com

COMPANY:

ADDRESS: 1108 AVONDALE DR
MURPHY TX 75094-4192

PHONE: 6268938479

FAX:

COMMENTS: I object to the approval of this permit due to the negative impact it will have on the quality of life for my family and the negative impact to my property value.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:38 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rfriedline78@yahoo.com <rfriedline78@yahoo.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Ronald Friedline

E-MAIL: rfriedline78@yahoo.com

COMPANY:

ADDRESS: 1108 AVONDALE DR
MURPHY TX 75094-4192

PHONE: 6268938479

FAX:

COMMENTS: I object to the approval of this permit due to the negative impact it will have on the quality of life for my family and the negative impact to my property value.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 1:34 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: smbreen1@hotmail.com <smbreen1@hotmail.com>
Sent: Friday, November 19, 2021 1:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Shannon M Frost

E-MAIL: smbreen1@hotmail.com

COMPANY:

ADDRESS: 6202 SOUTHRIDGE PKWY
PARKER TX 75002-5530

PHONE: 8478332108

FAX:

COMMENTS: I am writing to request a contested hearing for this proposed development. I have been a Parker resident for 7 years. While my property does not directly connect to Maxwell Creek, the creek has played a role in our lives on many occasions and vice versa. My children have attended Hunt Elementary, just feet from the creek for the entire time we've lived here. They are outside on the playground daily, breathing the fresh air that would be filled with pollutants if there was a wastewater plant steps away. My entire family is also actively involved in scouting, with two boys in Boy

Scouts and our daughter in Girl Scouts, and my husband and myself maintaining leadership roles in the scouting organizations. We have utilized the creek and the walking trails along it on many occasions for meetings and nature walks. The creek has provided countless opportunities for education and entertainment. Our scouting units have been involved in tree planting events and cleanup events in order to maintain the beauty that is Maxwell Creek. It would be devastating to have years of maintenance and beautification efforts wasted because of a developer's selfish acts to pump wastewater into it as if it was a sewer line. Thank you, Shannon Frost

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: wendy.galarneau@gmail.com <wendy.galarneau@gmail.com>
Sent: Saturday, December 4, 2021 5:41 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Wendy Galarneau

E-MAIL: wendy.galarneau@gmail.com

COMPANY:

ADDRESS: 312 HUNTINGTON DR
MURPHY TX 75094-4451

PHONE: 9095601752

FAX:

COMMENTS: I am requesting a contested hearing. My name is Wendy Galarneau and I am a resident and Girl Scout Troop Leader for Troop #207. Our troop regularly meets at our near Maxwell Creek. This Creek is an ideal meeting place as it's a center for our community and a great place for learning. Most recently I thought trail safety to the girls as we walked the Maxwell Creek unpaved trail system. If the Wastewater Treatment Plant is approved, and the water levels rise, this will no longer be a safe place for my troop to earn their outdoor badges as the foot bridges we rely on would be

fully submerged and unusable. Additionally, with higher Chlorine levels in the water, this would destroy the wildlife ecosystem that I rely on for many outdoor badges the girls earn. I am requesting a contested hearing because I am advocating for my troop, ages 6-8 years old. The raise in water levels within this creek would create a safety risk to the girls as they hike along this trail system. We need to persevere this waterway and maintain the natural space we rely on and use on a regular basis for our meetings.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, October 28, 2021 9:12 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Maxwell Creek Date Comparisons.pdf

H

From: wendy.galarneau@gmail.com <wendy.galarneau@gmail.com>
Sent: Thursday, October 28, 2021 12:15 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Wendy Galarneau

E-MAIL: wendy.galarneau@gmail.com

COMPANY:

ADDRESS: 312 HUNTINGTON DR
MURPHY TX 75094-4451


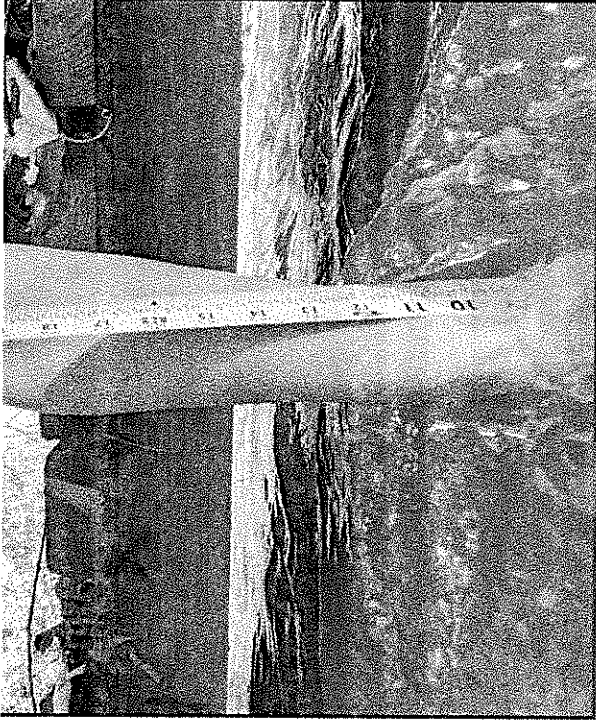
PHONE: 9095601752

FAX:

COMMENTS: I am requesting a Contested Hearing. I oppose the construction of the Collin County MUD No. 7 Wastewater treatment plant. I reside within a 1.5 mile radius of the proposed treatment plant. Sending discharge flowing to Maxwell Creek will not only destroy/disrupt the delicate ecosystem in Maxwell Creek it will also have negative health and safety impacts on all residents. On page 30 of the Wastewater Treatment Application, section B. Flow

Characteristics, the applicant selected, based on personal observation, that the creek is "Intermittent - dry for at least one week during most years". I am contesting the inaccuracy of this statement. Attached you will see visual proof (date stamped) that the creek continuously has water flowing throughout the entire year. Also note, the comparison photos taken on 10/26/2021 (before rain) and 10/27/2021 (after rain). We experienced a few hours of rain on 10/27/2021 which caused a dramatic rise in water levels. If this Wastewater Treatment plant is approved, and dumps 200,000 gallons of water into the creek each day, I believe it would cause flooding that would endanger human life for those hiking the trail system, due to the rise in water levels. Additionally, it would potentially cause flood damage to the homes and historic cemetery sites lining the creek. Please reference attached photos AND NOTE I am requesting a Contested Hearing on the grounds of inaccurate statements made on the application and the endangerment to human life this would cause.

Maxwell Creek Date Comparisons

<p>Date: Tuesday, October 26, 2021 (Prior to rainfall)</p>	<p>Date: Wednesday, October 27, 2021 (After rainfall)</p>
<p>Water Level: 4 Inches at footbridge</p>  <p>This is the only measurement I look because the foot bridge is the easiest access point for me to measure. There are deeper areas of the creek.</p>	<p>Water Level: 10 inches at footbridge</p> 

Water Level Visual Comparison at Foot Bridge 10/26/2021.
Circle as reference point to show same rock formation. Photo taken within same area at foot bridge.



Water Level Visual Comparison at Foot Bridge 10/27/2021.
Circle as reference point to show same rock formation. Photo taken within same area at foot bridge.



Creek Level Visual Comparison 10/26/2021.
Arrow pointing at same tree for comparison purposes.



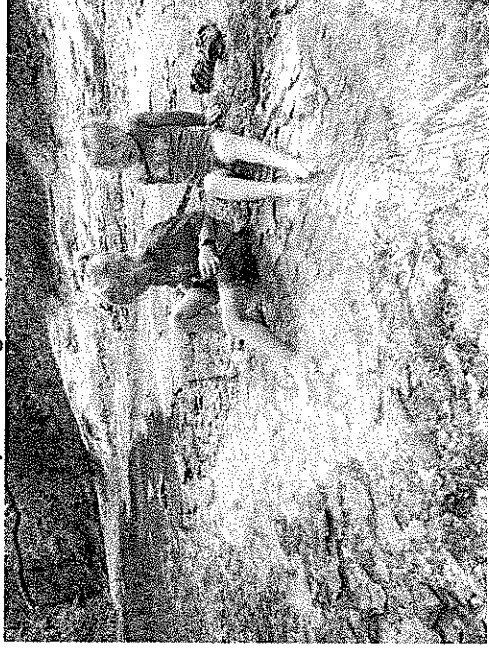
Creek Level Visual Comparison 10/27/2021.
Arrow pointing at same tree for comparison purposes.



Maxwell Creek photo August 4, 2020.



Maxwell Creek photo August 4, 2020.



Maxwell Creek photo August 5, 2020.



Maxwell Creek
photo Jul 12, 2021.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:30 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: wendy.galarneau@gmail.com <wendy.galarneau@gmail.com>
Sent: Wednesday, September 22, 2021 6:58 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Wendy Galarneau

E-MAIL: wendy.galarneau@gmail.com

COMPANY:

ADDRESS: 312 HUNTINGTON DR
MURPHY TX 75094-4451

PHONE: 9095601752

FAX:

COMMENTS: I am not in support of this project and do not feel it is in the best interest of Murphy and it's residents. The city prides itself on its parks and has an active Keep Murphy Beautiful campaign. this wastewater treatment facility could post risk of airborne germs / smells / pollutants. I am concerned about how this will impact Maxwell creek and surrounding water streams.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:33 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: BHGEIGER2011@gmail.com <BHGEIGER2011@gmail.com>
Sent: Wednesday, November 17, 2021 5:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Boyd Geiger

E-MAIL: BHGEIGER2011@GMAIL.COM

COMPANY:

ADDRESS: 517 TEAGARDEN CT
MURPHY TX 75094-4399

PHONE: 2144775963

FAX:

COMMENTS: With regards to this proposal, I believe its a mistake and needs significant review regarding the environmental impact of the increase in water flow, increase risk of flooding which could cause damage to the residence living adjacent to Maxwell Creek and a significant detrimental effect on the length of Maxwell Creek and its surrounding environment in the case of malfunction. I request a Contested Hearing on this matter.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, January 28, 2022 9:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

MWD
124967

H

From: kiruj21@gmail.com <kiruj21@gmail.com>
Sent: Friday, January 28, 2022 6:50 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Elizabeth Geiger

E-MAIL: kiruj21@gmail.com

COMPANY:

ADDRESS: 517 TEAGARDEN CT
MURPHY TX 75094-4399

PHONE: 9728329793

FAX:

COMMENTS: I am writing to request a contested hearing for the Parker Extraterritorial Jurisdiction (EJT) Wastewater plant. As a homeowner in Murphy, I am very concerned about the changes to flora and fauna that may occur to Maxwell Creek as a result of the proposed wastewater plant, and the odors that emanate from a process plant like this. I moved here for the small-town feel with walking paths along the creek. I hope that you will consider denying this proposed EJT wastewater plant permit to preserve the flora and fauna of Maxwell Creek, and maintain our property values.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 15, 2022 8:30 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Moncyg@gmail.com <Moncyg@gmail.com>
Sent: Monday, February 14, 2022 6:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Moncy George

E-MAIL: Moncyg@gmail.com

COMPANY:

ADDRESS: 1115 AVONDALE DR
MURPHY TX 75094-4163

PHONE: 2146836076

FAX:

COMMENTS: I request a contested case hearing. It will affect the health of myself and my family.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 10:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Moncytami@gmail.com <Moncytami@gmail.com>
Sent: Wednesday, September 22, 2021 10:21 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Moncy George

E-MAIL: Moncytami@gmail.com

COMPANY:

ADDRESS: 1115 AVONDALE DR
MURPHY TX 75094-4163

PHONE: 2146836076

FAX:

COMMENTS: A company wants to construct a water treatment plant in the City of Murphy Texas 1/4 mile from the intersection of N. Murphy Road and Rolling Ridge Dr. This will bring airborne chemicals and sewage odor to our air quality throughout Murphy and surrounding cities.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 1:36 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: dbgould4909@verizon.net <dbgould4909@verizon.net>
Sent: Friday, November 19, 2021 1:35 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Dan Gould

E-MAIL: dbgould4909@verizon.net

COMPANY:

ADDRESS: 4909 DUBLIN CREEK LN
ALLEN TX 75002-6551

PHONE: 9728811650

FAX:

COMMENTS: I am requesting a contested hearing regarding this matter. I live less than a quarter mile from the proposed development and MUD. If the actions proposed are approved the quality of my life will be negatively impacted by the: - Smell from the proposed treatment facility - Decreased property value for my home - Loss of the rural setting I moved to in 1999. - Increased traffic on the road next to our home and the surrounding area. - Increased property taxes in order to provide services to this large concentrated residential area. - Potential for increased crime due to the concentrated

residential area. - Potential of slower police and fire response time Please reject the proposed wastewater treatment facility and MUD.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 25, 2021 4:50 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

From: dbgould4909@verizon.net <dbgould4909@verizon.net>
Sent: Monday, October 25, 2021 3:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Dan Gould

E-MAIL: dbgould4909@verizon.net

COMPANY:

ADDRESS: 4909 DUBLIN CREEK LN
PARKER TX 75002-6551

PHONE: 9728811650

FAX:

COMMENTS: I am writing to voice my opposition to placing a waste water treatment plant near Murphy Road in Parker, Texas. We moved to Parker because of its rural setting. The placement of a treatment plant in our neighborhood will destroy the the unspoiled setting we have come to enjoy. A new development should want to be welcomed into a community. The addition of a water treatment plan will only lead to dissention and unhappiness if it is allowed to be built.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 2:20 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Dbgould4909@verizon.net <Dbgould4909@verizon.net>
Sent: Tuesday, October 26, 2021 12:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Gould

E-MAIL: Dbgould4909@verizon.net

COMPANY:

ADDRESS: 4909 DUBLIN CREEK LN
ALLEN TX 75002-6551

PHONE: 9728811650

FAX:

COMMENTS: Please DO NOT give a permit for a waste water treatment plant. All homes in Parker are on septic system. We do not want to contaminate the creeks or water system in our city. We are a large lot open country setting that needs to be preserved. I would like to contest this hearing. Thank you Mary Gould

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 11:01 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: suzan.grabow@gmail.com <suzan.grabow@gmail.com>
Sent: Friday, November 19, 2021 4:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Suzan Grabow

E-MAIL: suzan.grabow@gmail.com

COMPANY: Select Title

ADDRESS: 1506 AMBLESIDE LN
RICHARDSON TX 75082-3041

PHONE: 2547227967

FAX:

COMMENTS: I am requesting a "Contested Hearing" regarding the plan to build a water treatment plant that feeds upstream of Maxwell Creek. We regularly visit the playground at Waters Edge Park. Water from a treatment plant could bring chemical contaminants that could harm both wildlife and humans. Damage could easily cause flooding downstream from the extra volume of water from a treatment plant, and any future development would exacerbate such flooding, especially during a heavy rain.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 1:38 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: angel.greely@yahoo.com <angel.greely@yahoo.com>
Sent: Wednesday, September 22, 2021 12:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Angel Patrice Greely

E-MAIL: angel.greely@yahoo.com

COMPANY:

ADDRESS: 1218 CRESTWICK DR
MURPHY TX 75094-4143

PHONE: 9724000561

FAX:

COMMENTS: A company wants to construct a water treatment plant in the City of Murphy Texas 1/4 mile from the intersection of N. Murphy Road and Rolling Ridge Dr. This will bring airborne chemicals and sewage odor to our air quality throughout Murphy and surrounding cities - please reconsider

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 4:01 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: colleen_halbert@hotmail.com <colleen_halbert@hotmail.com>
Sent: Monday, December 6, 2021 3:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Colleen Halbert

E-MAIL: colleen_halbert@hotmail.com

COMPANY:

ADDRESS: 3100 DUBLIN RD
PARKER TX 75002-6571

PHONE: 2148506896

FAX:

COMMENTS: I would like to request a contested hearing on the proposed application. I live 1 mile, as the crow flies, from this proposed wastewater treatment facility. I am deeply concerned about the health and safety of the wildlife that make Maxwell Creek their home. In addition, I have seen kids exploring the creek and am concerned about the potential hazards to them. Living with a creek in my backyard, I am very aware of the delicate balance of nature and the hazards

that can damage the natural infrastructure. I am also concerned about the potential for flooding that will impact the creek behind my home.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:32 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: adhji@yahoo.com <adhji@yahoo.com>
Sent: Monday, December 6, 2021 12:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrea D Hanson

E-MAIL: adhji@yahoo.com

COMPANY:

ADDRESS: 345 GENE AUTRY LN
MURPHY TX 75094-2610

PHONE: 9723423535

FAX:

COMMENTS: I have recently become aware of a proposal to construct a Wastewater Treatment Facility in close proximity to Murphy's northern boundary with the city of Parker. Prior to construction of the proposed facility, the applicants must secure permission to discharge domestic wastewater. In this case, the wastewater will be discharged into Maxwell Creek. Maxwell Creek runs through my neighborhood, The Ranch, and I am completely opposed to having the facility built here. Maxwell Creek nurtures a natural world of butterflies, tadpoles, fish and dragonflies. The idyllic

habitat would be in peril should this facility be allowed to be built. The proposed wastewater-treatment plant nearby would release 200,000 gallons per day of treated, chlorinated effluent into the creek, which sustains a plethora of wildlife year round, with two-hour peak flow rates of up to 800,000 gallons per day. Please reconsider the location of this wastewater-treatment plant.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:41 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Harvey Opposed 92.docx

H

From: kathycalabria@me.com <kathycalabria@me.com>
Sent: Monday, December 6, 2021 8:14 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Katherine Harvey

E-MAIL: kathycalabria@me.com

COMPANY: William C Harvey MD & Katherine C Harvey JGT

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: Request for Contested Case Hearing

My name:
Affected Party #22
Katherine C Harvey
Oakwood Ranch LLC
My address :5804 Gregory Lane
Parker, Texas 75002
Phone # 214-384-5974

**Applicants name: Restore the Grasslands LLC and Harrington/ Turner
Enterprises, L P
Permit # WQ0016003001**

My name is Katherine C Harvey of the William C Harvey MD & Katherine Calabria Harvey JGT. We own the property at 5804 Gregory Lane, also known as Oakwood Ranch LLC. We are affected party #22.

Location and Distance of my property/ activities relative to proposed facility: approximately 748 feet to Maxwell Creek and 1,785 feet to the proposed WWTP. With the road leading to proposed development abuts our property line.

I hereby request a CONTESTED CASE HEARING For the following reasons –

This project will result in an imminent threat to the health, safety of life, and property in Parker, Texas. 5804 Gregory Lane survey specifically notes the property is in a 100-year flood plane per FEMA PANEL No. 48085C0415 J. Gregory Lane is a dead in street with homes built on Agriculture lots. A bridge crosses Maxwell Creek on Gregory Lane and though it was recently restructured The bridge closes leaving residents stranded. In May of 2021, my children and young grandchildren were stranded with no formula for my baby grandchild, Audrey A Calabria. In addition, water moves west to east on Gregory Lane causing rapid ponding on our property. And we are unable to tend our horses and cows. Any more water would be catastrophic and will require a FEMA assessment. This proposed project would cause imminent danger and with rapid moving waters, could cause death.

Family stranded on Gregory lane after bridge closing due to flooding May 2021



These photos are of Maxwell Creek running through our neighborhood at the Gregory & Gray Lane intersection in Parker. Across the street from Southfork Ranch.

These photos show the impact of a 4 inch rain. 150 feet across and 30 feet from our homes within hours. This was NOT a rare occurrence in Parker, and was an imminent threat to Life and Property, as the bridge would become impassible and was the only entrance and exit for our families.

The City of Parker, with the support of our Mayor Lee Pettle, spent hundreds of thousands of dollars in order to upgrade the bridge on Gregory Lane and bring it up to Collin County standards

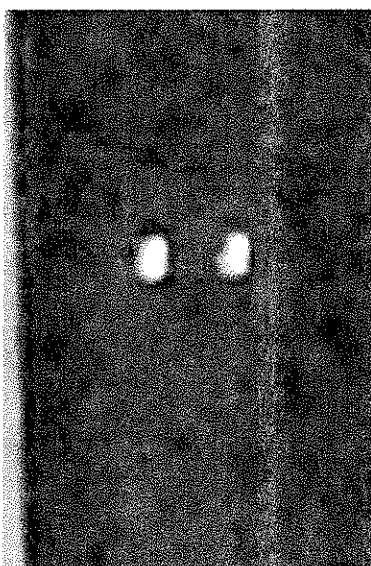
(Maintain a foot of freeboard/ clearance during a 100 year flood event.)

The hydrodynamic effect of the increase of water released into the creek by the water treatment facility can be explained by a simple bathtub analogy, where the drain is the creek itself, and it has a limited flow rate... if the bathtub is having difficulty draining due to heavy rain/ water flow and you stick a garden hose in the tub on full blast, it is going to backup and overflow. This is the Upstream effect of the water treatment facility. It will negate the money and effort our community has spent to improve the flooding and storm water drainage in Parker.

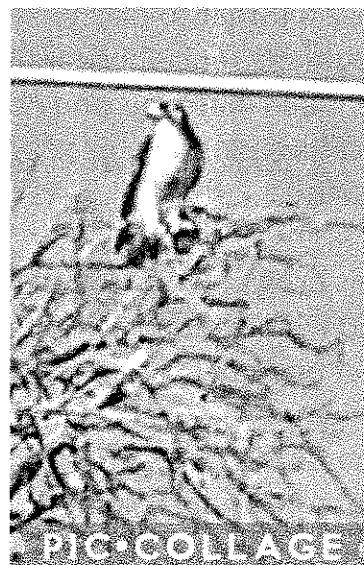
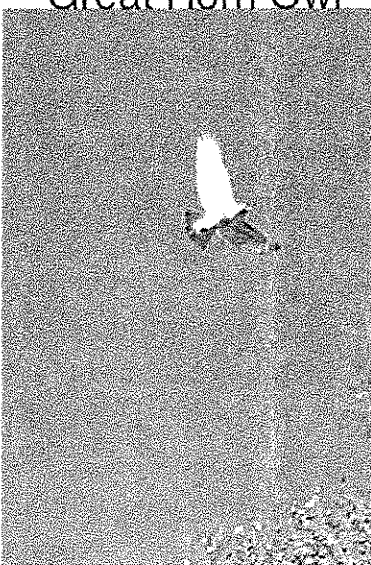
This project will result in imminent threat to our family. The Willam C Harvey MD and Katherine Calabria Harvey JGT. The health, safety & well being of family is paramount. And our livestock, that include: The American Quarter Horse DMR POCO SILVER BADGE AQHA #5367849, The National Pinto Registry, APRIL STAR OF TEXAS # 135236 and The Dexter Breed of Cattle, our hay crop, milk weed, organic pecans. Flooding creates silt on forage and is a big issue because it's unpalatable and could carry microbes affecting the Dexter Cattle 's health. Flood waters affect the amount of oxygen to the hay crop, which determines survival. Standing water causes the plants to experience oxygen depletion and the crop will be less likely to survive. Flooding could also carry away one of our calves as we raise the small and unique breed of Dexter cattle. During flood events high water can transport unwanted materials into the horse pasture such as nails, metal fence materials that may puncture the horses. Horses that consume moldy hay are prone to colic. As water recedes and stagnant water remains diseases such as West Nile virus pose a threat to our horses . Hardware disease is of grave concern (bovine traumatic reticulopericarditis). Because cattle do not use their lips to discriminate between materials and do not chew completely before swallowing they can swallow a metal object which penetrates thus causing this life threatening disease .

This project will result in imminent danger to Our Certified Wildlife Habit No 160,655 (National Wildlife Federation) and the endangered and protected species that find quality habitat, food, water, cover and places to raise their young, Including The Great Horned Owls, Red Tail Hawks, Red Shouldered Hawks, Coopers Hawks, American Kestrels, Scissor-Tailed Flycatchers, Turkey Vultures, Tufted Titmouse, Kildeer, Cardinals, Blue jays, Bluebirds, Ruby Throated Hummingbirds, Black chinned Hummingbirds, Purple Martins, Black Throated Green Warblers, Northern Flickers, Red-bellied Woodpecker, Yellow-bellied

Sapsuckers, Carolina Wrens, American Goldfinch, American Robins Cedar Waxwings, Canada Geese and other migratory birds. All which nest and find food and shelter in the trees, pasture and creek. Our property line abut (s) the applicants' property which would be a road leading to the development causing a major disruption to the wildlife at Oakwood Ranch. Kildeer build their nest and lay eggs along our rocked area that abuts the proposed property. Moving the nest/eggs requires permission from The Federal Government. Perhaps the most majestic bird flying over Oakwood Ranch is the American Bald Eagle.



Great Horn Owl

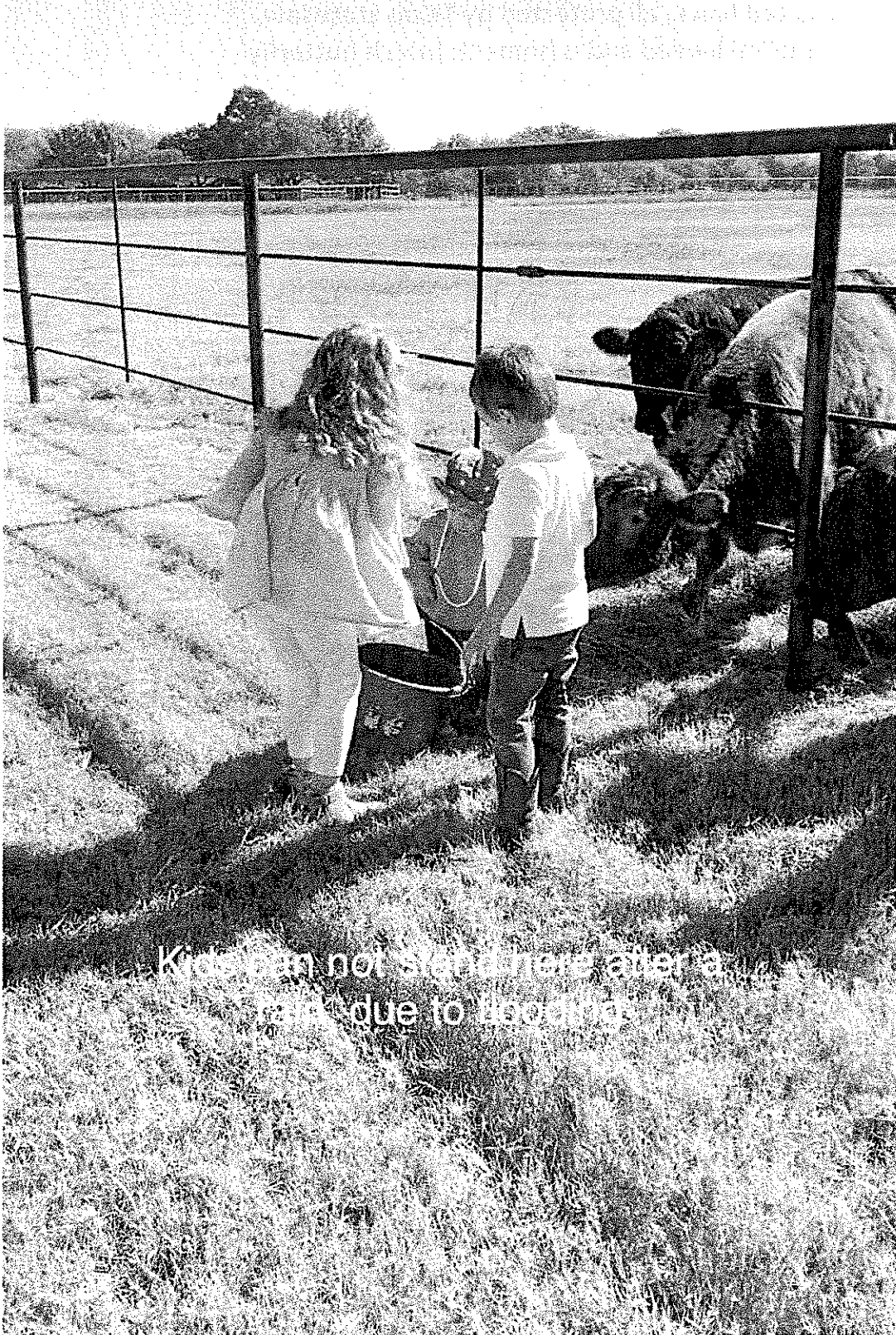


The great horned owl looking into our home, habitats with red shouldered hawk and the red tail hawk, all protected by Texas state law.

Our pastures milkweed and is home to march butterfly

Back yard flooding 5804 Gregory Lane May 2021 unable to tend to animals

Children of Oakwood Ranch learning life lessons on Oakwood Ranch.



Kids can not sign here after a
while due to flooding.

We hike and bike Maxwell Creek with our family and the Park on Gregory Lane.



We hike and bike Maxwell Creek often to enjoy the wildlife, educate our grandchildren and get healthy outdoor exercise .The creek is environmentally friendly and it's biodiversity gives us ample opportunity to educate our grandchildren. We often take field trips to hike the creek and take photos, never missing an opportunity for outdoor activities that are healthy . We also participate in the events at The Parker Preserve with our family where the biodiverse Maxwell Creek, a riparian zone, is an intricate part of the park.

Please see the Texas Parks & Wildlife Department Letter to TCEQ Chief Clerk Laurie Gharis dated 11/10/2021 uploaded to TCEQ site on 11/10/2021. Please see The TetraTech (Report dated 11/30/2021) submitted by Carrolyn Moebius

The proposed facility will significantly increase pollution with affecting young children and those most vulnerable as well as our wildlife. I have battled one environmentally induced cancer and I do not want to fight another one and would not want any human to.

Please note the Fema Flood Panel and the Spring Seep Well that is marked on our survey.

While we received a mailing, most neighbors did not, and to my knowledge it was not published in the newspaper in Collin County with the largest circulation.

Sincerely,

Katherine C Harvey

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:07 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: kathycalabria@me.com <kathycalabria@me.com>
Sent: Sunday, December 5, 2021 10:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Katherine Harvey

E-MAIL: kathycalabria@me.com

COMPANY: Oakwood Ranch

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: Request Contested Case Hearing

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:15 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Brad comments attached I did submit them to TCEQ
Attachments: Harvey Opposed 12.3.2021 copy.docx - Recovered.docx

H

-----Original Message-----

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Monday, December 6, 2021 7:51 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Brad comments attached I did submit them to TCEQ

For WQ0016003001

-----Original Message-----

From: Kathy Harvey <kathycalabria@me.com>
Sent: Sunday, December 5, 2021 7:24 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: Brad comments attached I did submit them to TCEQ

Sent from my iPhone

My name:
Affected Party #22
Katherine C Harvey
Oakwood Ranch LLC
My address :5804 Gregory Lane
Parker, Texas 75002
Phone # 214-384-5974

Applicants name: Restore the Grasslands LLC and Harrington/ Turner Enterprises, L P
Permit # WQ0016003001

My name is Katherine C Harvey of the William C Harvey MD & Katherine Calabria Harvey JGT. We own the property at 5804 Gregory Lane, also known as Oakwood Ranch LLC. We are affected party #22.

Location and Distance of my property/ activities relative to proposed facility: approximately 748 feet to Maxwell Creek and 1,785 feet to the proposed WWTP. With the road leading to proposed development abuts our property line.

I hereby request a CONTESTED CASE HEARING For the following reasons –

This project will result in an imminent threat to the health, safety of life, and property in Parker, Texas. 5804 Gregory Lane survey specifically notes the property is in a 100-year flood plane per FEMA Panel No. 48085C0415 J. Gregory Lane is a dead in street with homes built on Agriculture lots. A bridge crosses Maxwell Creek on Gregory Lane and though it was recently restructured the creek floods when we receive 2 inches of rain causing flooding to multiple properties, including ours. The bridge closes leaving residents stranded. We are often stranded, with no way in or out several times during the year. In May of 2021, my children and young grandchildren were stranded with no formula for my baby grandchild, Audrey A Calabria. In addition, water moves west to east on Gregory Lane causing rapid ponding on our property, so much so that we are unable to go outside for safety reasons. And we are unable to tend our horses and cows. Any more water would be catastrophic and will require a FEMA assessment. This proposed project would cause imminent danger and with rapid moving waters, could cause death. It will also endanger the ecosystem of Maxwell Creek and its biodiversity.

Family stranded on Gregory lane after bridge closing due to flooding May 2021



These photos are of Maxwell Creek running through our neighborhood at the Gregory & Gray Lane intersection in Parker. Across the street from Southfork Ranch.

These photos show the impact of a 4 inch rain. 150 feet across and 30 feet from our homes within hours. This was NOT a rare occurrence in Parker, and was an imminent threat to Life and Property, as the bridge would become impassible and was the only entrance and exit for our families.

The City of Parker, with the support of our Mayor Lee Pettle, spent hundreds of thousands of dollars in order to upgrade the bridge on Gregory Lane and bring it up to Collin County standards
(Maintain a foot of freeboard/ clearance during a 100 year flood event.)

The hydrodynamic effect of the increase of water released into the creek by the water treatment facility can be explained by a simple bathtub analogy, where the drain is the creek itself, and it has a limited flow rate... if the bathtub is having difficulty draining due to heavy rain/ water flow and you stick a garden hose in the tub on full blast, it is going to backup and overflow. This is the Upstream effect of the water treatment facility. It will negate the money and effort our community has spent to improve the flooding and storm water drainage in Parker.

These photos are of Maxwell Creek running through our neighborhood at the Gregory & Gray Lane intersection in Parker. Across the street from Southfork Ranch.

These photos show the impact of a 4 inch rain. 150 feet across and 30 feet from our homes within hours. This was NOT a rare occurrence in Parker, and was an imminent threat to Life and Property, as the bridge would become impassible and was the only entrance and exit for our families.

The City of Parker, with the support of our Mayor Lee Pettle, spent hundreds of thousands of dollars in order to upgrade the bridge on Gregory Lane and bring it up to Collin County standards

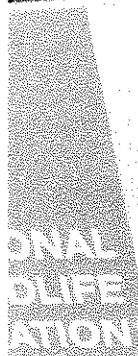
(Maintain a foot of freeboard/ clearance during a 100 year flood event.)

The hydrodynamic effect of the increase of water released into the creek by the water treatment facility can be explained by a simple bathtub analogy, where the drain is the creek itself, and it has a limited flow rate... if the bathtub is having difficulty draining due to heavy rain/ water flow and you stick a garden hose in the tub on full blast, it is going to backup and overflow. This is the Upstream effect of the water treatment facility. It will negate the money and effort our community has spent to improve the flooding and storm water drainage in Parker.

This project will result in imminent threat to our family. The Willam C Harvey MD and Katherine Calabria Harvey JGT. Julian Calabria, Kathleen Calabria, their children; Gina Calabria, Ava Calabria, Jacob Calabria, Audrey Calabria. Patrick

Calabria, Amanda Calabria; their children; Ryan Calabria, Katie Calabria. To my partner Mortimer F Meadors. Anything man made can be replaced. The health, safety & well being of family is paramount. And our livestock, that include: The American Quarter Horse DMR POCO SILVER BADGE AQHA #5367849, The National Pinto Registry, APRIL STAR OF TEXAS # 135236 and The Dexter Breed of Cattle, our hay crop, milk weed, organic pecans.

This project will result in imminent danger to Our Certified Wildlife Habit No 160,655 (National Wildlife Federation) and the endangered and protected species that find quality habitat, food, water, cover and places to raise their young. WE are determined to protect Oakwood Ranch and environment that provides natural habitat for animals and plants, some already threatened or endangered by this unnecessary urban development.



CERTIFIED
WILDLIFE
Habitat™


This habitat is certified in the National Wildlife Federation's worldwide network of mini-refuges. Because of the owner's conscientious planning, landscaping and sustainable gardening, wildlife may find quality habitat—food, water, cover, and places to raise their young.

This certificate recognizes the establishment and maintenance of an official wildlife habitat.

Oakwood Ranch

No. 160,655

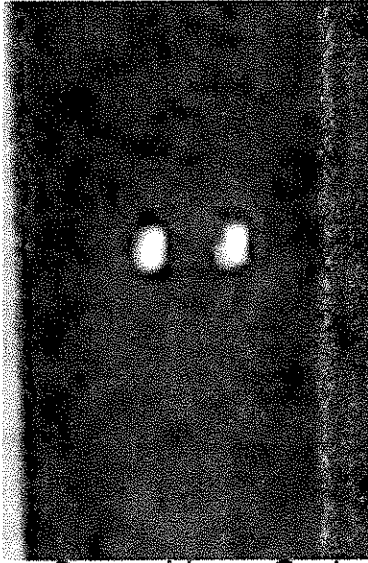
David Mizejewski
David Mizejewski
Naturalist, National Wildlife Federation
Best BACKYARD HABITAT on Animal Planet™



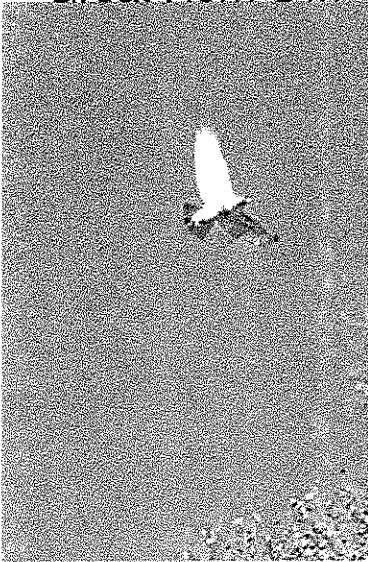
NATIONAL WILDLIFE FEDERATION

Oakwood Ranch Certificate Wildlife Habitat ,no 160,655 is home to The Great Horned Owls, Red Tail Hawks, Red Shouldered Hawks, Coopers Hawks, American Kestrels, Scissor-Tailed Flycatchers, Turkey Vultures, Tufted Titmouse, Kildeer, Cardinals, Blue jays, Bluebirds, Ruby Throated Hummingbirds, Black chinned Hummingbirds, Purple Martins, Black Throated Green Warblers, Northern Flickers, Red-bellied Woodpecker, Yellow-bellied Sapsuckers, Carolina Wrens, American Goldfinch, American Robins, Cedar Waxwings, Canada Geese and other migratory birds. All which nest and find food and shelter in the trees, pasture and creek. Our property line abut (s) the applicants' property which would be a road leading to the development causing a major disruption to the wildlife at Oakwood Ranch. Kildeer build their nest and lay eggs along our rocked area that abuts the proposed property. Moving the nest/eggs requires permission from The Federal Government. Perhaps the most majestic bird flying over

Oakwood Ranch is the American Bald Eagle.



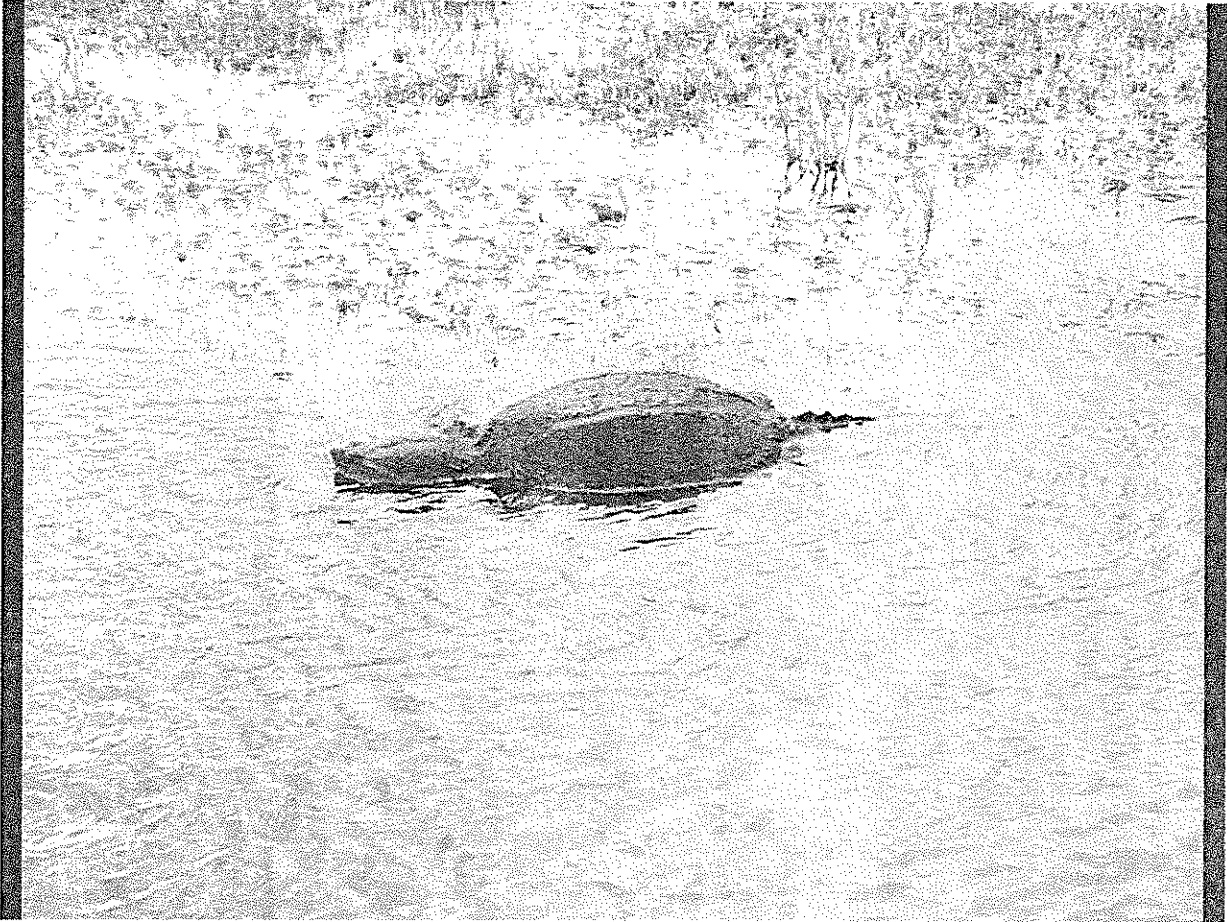
Great Horn Owl



The great horned owl looking into our home, habitats with red shouldered hawk and the red tail hawk, all protected by Texas state law. Our pastures milkweed and is home to march butterfly

Resident Great Horned Owl on Roof of tack room, Oakwood Ranch

Back yard flood at 5804 Gregory Lane, dangerous rapid water movement





Killdeer eggs along driveway, federally protected



Back yard flooding 5804 Gregory Lane May 2021 unable to tend to animals

Children of Oakwood Ranch learning life lessons on Oakwood Ranch.



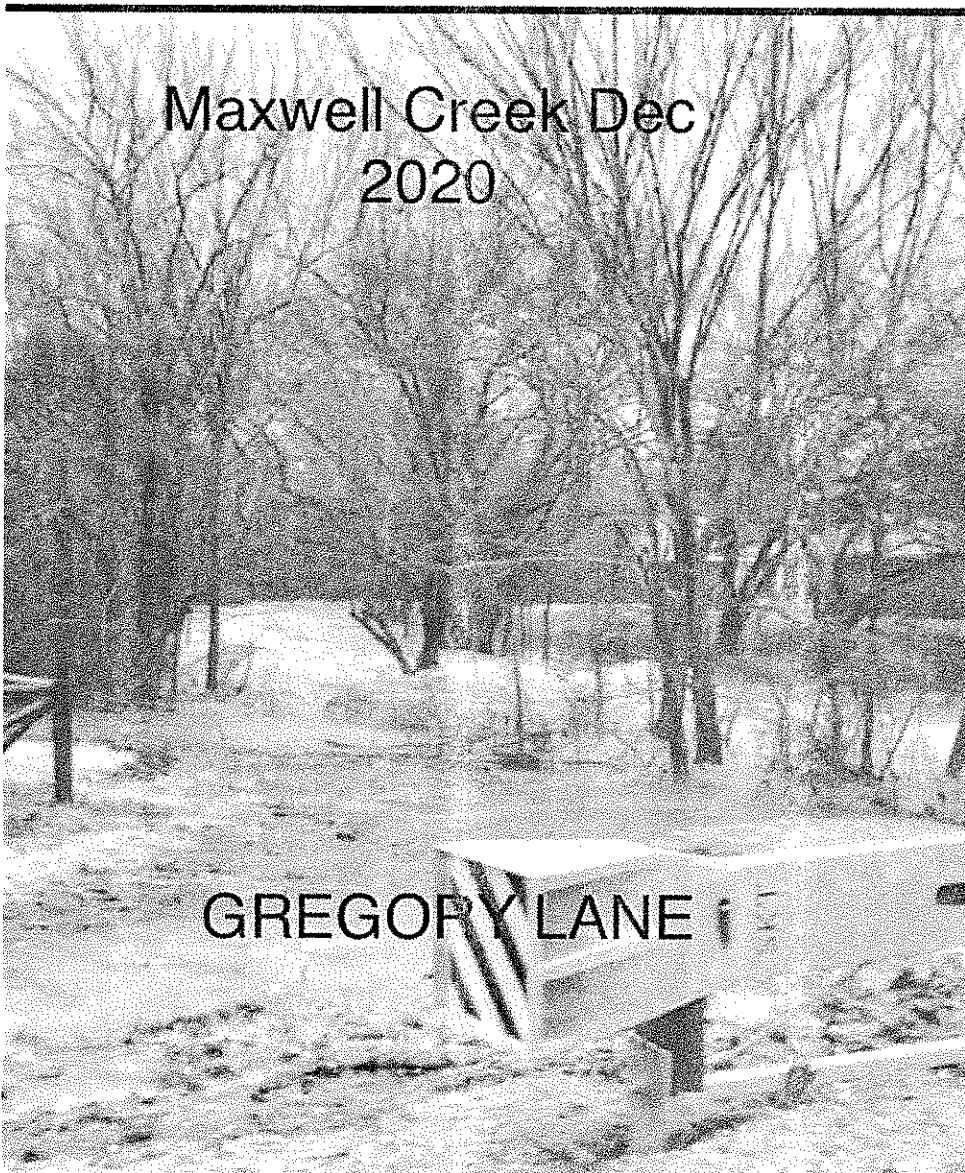
Kids can not stand here after a rain due to flooding.

We hike and bike Maxwell Creek with our family and the Park on Gregory Lane.



often to enjoy the wildlife, educate our grandchildren and get healthy outdoor exercise. The creek is environmentally friendly, and we love taking our grandchildren there to experience the fish, ducks, plants, turtles, birds and the biodiversity of the creek. We often take field trips to hike the creek and take photos, never missing an opportunity for outdoor activities that are healthy . We also participate in the events at The Parker Preserve with our family where the biodiverse Maxwell Creek, a riparian zone, is an intricate part of the park.

Again, The proposed facility will cause a slowdown in areas of Maxwell Creek, just north of the proposed project which have experienced significant flooding in this flood plane. The potential for flooding is dangerous and could threaten, me, my family, and those that live on Gregory Lane, a one-way street, that floods and closes! I want this fact duly noted.



The proposed facility will significantly increase pollution with affecting young children and those most vulnerable as well as our wildlife. I have battled one environmentally induced cancer and I do not want to fight another one and would not want any human to.

Please note the Fema Flood Panel and the Spring Seep Well that is marked on our survey.

While we received a mailing, most neighbors did not, and to my knowledge it was not published in the newspaper in Collin County with the largest circulation.

The proposed facility/project , so obviously inappropriate, will benefit only it's developers at the expense of the small uniquely country community of Parker and Gregory Lane. For the sake of humanity, the health and safety of our family, the already dwindling natural resources, and because of our Texas Legacy and commitment to a greener tomorrow we request a CONTESTED CASE HEARING. Please understand we our determined to take this as far as necessary with the help of our legal counsel, The National Wildlife Federation, Texas Wildlife Association, Texas Farm Bureau, and The Sierra Club, Journey North Monarch Conservation Association, Texas Wildlife Society, Lights Out Texas/Texan by Nature The American Dexter Cattle Association, The American Quarter Horse Association.

Sincerely,

Katherine C Harvey

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:01 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Harvey Opposed 12.4.2021.docx

H

From: kathycalabria@me.com <kathycalabria@me.com>
Sent: Sunday, December 5, 2021 4:12 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Katherine Harvey

E-MAIL: kathycalabria@me.com

COMPANY: Oakwood Ranch LLC

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: Request Contested Hearing, file attached

Katherine C Harvey
Oakwood Ranch LLC
Affected Party #22
5804 Gregory Lane
Parker, Texas 75002
Phone # 214-384-5974

Applicants' name: Restore the Grasslands LLC and Harrington/ Turner Enterprises, L P
Permit # WQ0016003001

Location and Distance of my property/ activities relative to proposed facility:
0.34 miles (544.17 meters) to proposed wastewater treatment plant.
0.14 miles (228 meters) from our property.

I hereby request a CONTESTED CASE HEARING For the following reasons –

This project will result in an imminent threat to the health, safety of life, and property in Parker, Texas. 5804 Gregory Lane survey specifically notes the property is in a 100-year flood plain per FEMA Panel No. 48085C0415 J. Gregory Lane is a one-way street the floods often, closing the bridge and stranding the residents. This proposed project would cause imminent danger and with rapidly moving waters, could cause death.

This project will result in imminent threat to our family. The Willam C Harvey MD and Katherine Calabria Harvey JGT. Julian Calabria, Kathleen Calabria, their children; Gina Calabria, Ava Calabria, Jacob Calabria, Audrey Calabria. Patrick Calabria, Amanda Calabria; their children; Ryan Calabria, Katie Calabria. To my partner Mortimer F Meadors. Anything man made can be replaced. The health, safety & well being of family is paramount. And our livestock, that include: The American Quarter Horse DMR POCO SILVER BADGE AQHA #5367849, The National Pinto Registry, APRIL STAR OF TEXAS # 135236 and The Dexter Breed of Cattle, our hay crop, milk weed, organic pecans.

This project will result in imminent danger to Our Certified Wildlife Habit No 160,655 (National Wildlife Federation) and the endangered and protected species that find quality habitat, food, water, cover and places to raise their young. Oakwood Ranch property line abut (s) the applicants' property which would be a road leading to the development causing a major disruption to the wildlife at Oakwood Ranch. Again, increasing traffic and impacting human life as well as protected and endangered species of animals and plants that thrive in the Maxwell Creek, a perennial creek, and on our land.

<https://piccollage.com/fquxKtzC>

We hike and bike to Maxwell Creek with our family and use the Park on Gregory Lane often.

The proposed facility will cause a slowdown in areas of Maxwell Creek, just north of the proposed project which have experienced significant flooding in this flood plane. The potential for flooding is dangerous and could threaten, me, my family, and those that live on Gregory Lane, a one-way street, that floods and closes! I want this fact duly noted.

The proposed facility will significantly increase pollution. Affecting young children and those most vulnerable as well as our wildlife.

While we received a mailing, most neighbors did not, and to my knowledge it was not published in the newspaper in Collin County with the largest circulation.

For the health and safety of our family, the already dwindling natural resources, and because of our Texas Legacy and commitment to a greener tomorrow we request a **CONTESTED CASE HEARING**. Please understand we determined to take this as far as necessary with the help of our legal counsel, The National Wildlife Federation, Texas Wildlife Association, Texas Farm Bureau, and The Sierra Club.

CC: FEMA REGION 6, Richard E Mortimer's

We are strongly opposing the proposed MUD for the health and safety of our children and grandchildren and those who live in Parker and surrounding communities. Our property floods during rains

We are determined to protect Oakwood Ranch and environment here that provides natural habitat for animals and plants, some already threatened or endangered by unnecessary urban development. And our neighbors who also agree that this is not the right place for a 300 plus unit housing development with a waste treatment plant and roadway infrastructure. Oakwood Ranch is a Certified Wildlife Habitat, no 160,655. It is home to The Great Horned Owls, Red Tail Hawks, The American Kestrel, Woodpeckers, Turkey Vulture, Scissor-tailed Flycatchers, Tufted Titmouse, Cardinals, Bluejays, Bluebirds, Ruby throated hummingbirds, Purple Martins, Black-throated Green Warblers and other protected migratory birds. All of which nest and find food in the trees and pasture. Killdeer build their nest along our rock area and in the pasture. Milkweed grows in our pasture and is home to the monarch butterflies. The Canada Geese also migrate to Oakwood Ranch and adjoining areas. Perhaps the most majestic bird reported flying over Oakwood Ranch was the bald eagle. Oakwood Ranch is also home to several horses and the small and unique breed of Dexter cattle.

Gregory Lane is a dead end street with homes built on Agriculture lots. A bridge crosses over Maxwell Creek on Gregory Lane and though it has been rebuilt the creek still floods causing flooding to multiple properties, including ours. The bridge is often closed and residents can not leave until the water recedes. Any additional water could be catastrophic and will require a FEMA assessment. It will also endanger the ecosystem of the creek and its biodiversity.

This proposed development, so obviously inappropriate, will benefit only its developer at the expense of the small and uniquely county community of Parker and its beautifully persevered environment. For the sake of humanity, our already dwindling natural resources and because of our Texas legacy and commitment to a greener tomorrow I request a contested hearing.

Sincerely

Katherine C Harvey
CC: The National Wildlife Federation
The Sierra Club
Texas Wildlife Association
Texas Farm Bureau
Journey North Monarch & Milkweed Conservation Association
Texas Chapter of The Wildlife Society
Lights Out Texas/ Texan by Nature
American Quarter Horse Association
American Dexter Cattle Association
The EPA Office of Administrator
FEMA Region 6

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:55 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Harvey Opposed 12.4.2021.docx

H

From: kathycalabria@me.com <kathycalabria@me.com>
Sent: Sunday, December 5, 2021 3:36 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Katherine C Harvey

E-MAIL: kathycalabria@me.com

COMPANY: Oakwood Ranch LLC

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: Opposed request a CONTESTED CASE HEARING

Katherine C Harvey
Oakwood Ranch LLC
Affected Party #22
5804 Gregory Lane
Parker, Texas 75002
Phone # 214-384-5974

Applicants' name: Restore the Grasslands LLC and Harrington/ Turner Enterprises, L P
Permit # WQ0016003001

Location and Distance of my property/ activities relative to proposed facility:
0.34 miles (544.17 meters) to proposed wastewater treatment plant.
0.14 miles (228 meters) from our property.

I hereby request a CONTESTED CASE HEARING For the following reasons –

This project will result in an imminent threat to the health, safety of life, and property in Parker, Texas. 5804 Gregory Lane survey specifically notes the property is in a 100-year flood plain per FEMA Panel No. 48085C0415 J. Gregory Lane is a one-way street the floods often, closing the bridge and stranding the residents. This proposed project would cause imminent danger and with rapidly moving waters, could cause death.

This project will result in imminent threat to our family. The Willam C Harvey MD and Katherine Calabria Harvey JGT. Julian Calabria, Kathleen Calabria, their children; Gina Calabria, Ava Calabria, Jacob Calabria, Audrey Calabria. Patrick Calabria, Amanda Calabria; their children; Ryan Calabria, Katie Calabria. To my partner Mortimer F Meadors. Anything man made can be replaced. The health, safety & well being of family is paramount. And our livestock, that include: The American Quarter Horse DMR POCO SILVER BADGE AQHA #5367849, The National Pinto Registry, APRIL STAR OF TEXAS # 135236 and The Dexter Breed of Cattle, our hay crop, milk weed, organic pecans.

This project will result in imminent danger to Our Certified Wildlife Habit No 160,655 (National Wildlife Federation) and the endangered and protected species that find quality habitat, food, water, cover and places to raise their young. Oakwood Ranch property line abut (s) the applicants' property which would be a road leading to the development causing a major disruption to the wildlife at Oakwood Ranch. Again, increasing traffic and impacting human life as well as protected and endangered species of animals and plants that thrive in the Maxwell Creek, a perennial creek, and on our land.

We hike and bike to Maxwell Creek with our family and use the Park on Gregory Lane often.

The proposed facility will cause a slowdown in areas of Maxwell Creek, just north of the proposed project which have experienced significant flooding in this flood plane. The

potential for flooding is dangerous and could threaten, me, my family, and those that live on Gregory Lane, a one-way street, that floods and closes! I want this fact duly noted.

The proposed facility will significantly increase pollution. Affecting young children and those most vulnerable as well as our wildlife.

While we received a mailing, most neighbors did not, and to my knowledge it was not published in the newspaper in Collin County with the largest circulation.

For the health and safety of our family, the already dwindling natural resources, and because of our Texas Legacy and commitment to a greener tomorrow we request a **CONTESTED CASE HEARING**. Please understand we determined to take this as far as necessary with the help of our legal counsel, The National Wildlife Federation, Texas Wildlife Association, Texas Farm Bureau, and The Sierra Club.

CC: FEMA REGION 6, Richard E Mortimer's

We are strongly opposing the proposed MUD for the health and safety of our children and grandchildren and those who live in Parker and surrounding communities. Our property floods during rains

We are determined to protect Oakwood Ranch and environment here that provides natural habitat for animals and plants, some already threatened or endangered by unnecessary urban development. And our neighbors who also agree that this is not the right place for a 300 plus unit housing development with a waste treatment plant and roadway infrastructure. Oakwood Ranch is a Certified Wildlife Habitat, no 160,655. It is home to The Great Horned Owls, Red Tail Hawks, The American Kestrel, Woodpeckers, Turkey Vulture, Scissor-tailed Flycatchers, Tufted Titmouse, Cardinals, Bluejays, Bluebirds, Ruby throated hummingbirds, Purple Martins, Black-throated Green Warblers and other protected migratory birds. All of which nest and find food in the trees and pasture. Killdeer build their nest along our rock area and in the pasture. Milkweed grows in our pasture and is home to the monarch butterflies. The Canada Geese also migrate to Oakwood Ranch and adjoining areas. Perhaps the most majestic bird reported flying over Oakwood Ranch was the bald eagle. Oakwood Ranch is also home to several horses and the small and unique breed of Dexter cattle.

Gregory Lane is a dead end street with homes built on Agriculture lots. A bridge crosses over Maxwell Creek on Gregory Lane and though it has been rebuilt the creek still floods causing flooding to multiple properties., including ours. The bridge is often closed and residents can not leave until the water recedes. Any additional water could be catastrophic and will require a FEMA assessment. It will also endanger the ecosystem of the creek and its biodiversity.

This proposed development, so obviously inappropriate, will benefit only it's developer at the expense of the small and uniquely county community of Parker and it's beautifully persevered environment. For the sake of humanity, our already dwindling natural resources and because of our Texas legacy and commitment to a greener tomorrow I request a contested hearing.

Sincerely

Katherine C Harvey
CC: The National Wildlife Federation
The Sierra Club
Texas Wildlife Association
Texas Farm Bureau
Journey North Monarch & Milkweed Conservation Association
Texas Chapter of The Wildlife Society
Lights Out Texas/ Texan by Nature
American Quarter Horse Association
American Dexter Cattle Association
The EPA Office of Administrator
FEMA Region 6

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:07 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: kathycalabria@me.com <kathycalabria@me.com>
Sent: Saturday, November 27, 2021 8:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kathy Harvey

E-MAIL: kathycalabria@me.com

COMPANY:

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: I request a contested hearing. My cancer was most likely environmental. We moved to Parker to be able to raise our family in a greener environment and to spend most of our days outdoors. I walk almost daily this time of year to Maxwell Creek and to the park in Parker . I often take grandchildren there as well. I do not want me or my family exposed to anything toxic. Our walks are healthy and we enjoy the quiet country life Parker provides. This proposed

project could endanger our health. I request a contested hearing for the health and safety of our family especially the children. .

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 17, 2021 9:51 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: kathycalabria@me.com <kathycalabria@me.com>
Sent: Tuesday, November 16, 2021 8:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kathy Harvey

E-MAIL: kathycalabria@me.com

COMPANY: Oakwood Ranch LLC

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: Oakwood Ranch LLC/ Kathy Harvey filing a CONTESTED HEARING LOCATION OF PROPERTY: 5804 Gregory Lane, approximately 1/4 mile from proposed waste treatment plant, approximately 200 yards from Maxwell creek, which floods and brings flooding to property. This proposed project would pose a threat to life and property and impact the environment of our certified wildlife habitat. We oppose this and want a Contested Hearing. Thank you,

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 11:03 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW:
Attachments: Harvey Opposed.docx

MWD
124967

H

From: Georgia Carroll-Warren <Georgia.Carroll-Warren@tceq.texas.gov>
Sent: Monday, November 22, 2021 7:55 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW:

From: Firoj Vahora <firoj.vahora@tceq.texas.gov>
Sent: Monday, November 22, 2021 7:38 AM
To: Georgia Carroll-Warren <Georgia.Carroll-Warren@tceq.texas.gov>
Cc: Kathy Harvey <kathycalabria@me.com>
Subject: FW:

Good Morning Georgia:

I am not sure you are the right person but would you please send it to the record, if it didn't make it to WQ0016003-001.

Thanks,

Firoj Vahora, Team Leader
Municipal Permits Team (MC 148)



Wastewater Permitting Section
Water Quality Division, TCEQ
email: firoj.vahora@tceq.texas.gov
phone: 512-239-4540

Please consider whether it is necessary to print this e-mail

How is our Customer Service? Fill out our online customer satisfactory survey at www.tceq.texas.gov/customersurvey

From: Kathy Harvey <kathycalabria@me.com>
Sent: Friday, November 19, 2021 7:31 PM
To: Firoj Vahora <firoj.vahora@tceq.texas.gov>

Cc: Greg Valentine <valentine.greg@epa.gov>

Subject:

Firoj,

I did submit this. Thanks for you help.

Have a good weekend.

Sent from my iPad

My name:

Katherine C Harvey

Oakwood Ranch LLC

My address :5804 Gregory Lane

Parker, Texas 75002

Phone # 214-384-5974

Applicants name: Restore the Grasslands LLC and Harrington/ Turner Enterprises, L P

Permit # WQ0016003001

Location and Distance of my property/ activities relative to proposed facility : approximately ¼ of a mile to treatment plant.

With the distance to Maxwell Creek being approximately 200 yds from our property.

With the road leading to proposed development abuts our property line.

I hereby request a CONTESTED HEARING

For the following reasons

This project will result in an imminent threat to the health, safety of life, and property in Parker, Texas.

5804 Gregory Lane survey specifically notes the property is in a 100 year flood plane per FEMA Panel No . 48085C0415 J

This project will result in imminent threat to our family. The Willam C Harvey MD and Katherine Calabria Harvey JGT. Julian Calabria , Kathleen Calabria, their children; Gina Calabria, Ava Calabria, Jacob Calabria, Audrey Calabria. Patrick Calabria, Amanda Calabria; their children; Ryan Calabria, Katie Calabria. To my partner Mortimer F Meadors. Anything man made can be replaced. The health, safety & well being of family is paramount.

And our livestock, that include: The American Quarter Horse DMR POCO SILVER BADGE AQHA #5367849, The National Pinto Registry, APRIL STAR OF TEXAS # 135236 and The Dexter Breed of Cattle, our hay crop, milk weed, organic pecans.

This project will result in imminent danger to Our Certified Wildlife Habit No 160,655 (National Wildlife Federation) and the endangered and protected species that find quality habitat ,food, water, cover and places to raise their young. Oakwood Ranch property line abut (s) the applicants property which would be a road leading to the development causing a major disruption to the wildlife at Oakwood Ranch. Again increasing traffic and impacting human life as well as protected and endangered species of animals and plants.

The proposed facility will cause a slowdown in areas of Maxwell Creek, just north of the proposed project which have experienced significant flooding in this flood plane. The potential for flooding is dangerous and could threaten, me, my family, and those that live on Gregory Lane, a one way street, that floods. I want this fact duly noted.

The proposed facility will significantly increase road traffic, noise and pollution. Affecting the lungs and hearing of young children and those most vulnerable.

Again we ask for a CONTESTED HEARING.

We are strongly opposing the proposed MUD for the health and safety of our children and grandchildren and those who live in Parker and surrounding communities. Our property floods during rains

We are determined to protect Oakwood Ranch and environment here that provides natural habitat for animals and plants, some already threatened or endangered by unnecessary urban development. And our neighbors who also agree that this is not the right place for a 300 plus unit housing development with a waste treatment plant and roadway infrastructure. Oakwood Ranch is a Certified Wildlife Habitat, no 160,655. It is home to The Great Horned Owls, Red Tail Hawks, The American Kestrel, Woodpeckers, Turkey Vulture, Scissor-tailed Flycatchers, Tufted Titmouse, Cardinals, Bluejays, Bluebirds, Ruby throated hummingbirds, Purple Martins, Black-throated Green Warblers and other protected migratory birds. All of which nest and find food in the trees and pasture. Killdeer build their nest along our rock area and in the pasture. Milkweed grows in our pasture and is home to the monarch butterflies. The Canada Geese also migrate to Oakwood Ranch and adjoining areas. Perhaps the most majestic bird reported flying over Oakwood Ranch was the bald eagle. Oakwood Ranch is also home to several horses and the small and unique breed of Dexter cattle.

Gregory Lane is a dead end street with homes built on Agriculture lots. A bridge crosses over Maxwell Creek on Gregory Lane and though it has been rebuilt the creek still floods causing flooding to multiple properties., including ours. The bridge is often closed and residents can not leave until the water recedes. Any additional water could be catastrophic and will require a FEMA assessment. It will also endanger the ecosystem of the creek and its biodiversity.

This proposed development, so obviously inappropriate, will benefit only it's developer at the expense of the small and uniquely county community of Parker and it's beautifully persevered environment. For the sake of humanity, our already dwindling natural resources and because of our Texas legacy and commitment to a greener tomorrow I request a contested hearing.

Sincerely

Katherine C Harvey

CC: The National Wildlife Federation

The Sierra Club

Texas Wildlife Association

Texas Farm Bureau

Journey North Monarch & Milkweed Conservation Association

Texas Chapter of The Wildlife Society

Lights Out Texas/ Texan by Nature

American Quarter Horse Association

American Dexter Cattle Association

The EPA Office of Administrator

FEMA Region 6

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 2, 2021 7:12 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Harvey Opposed.docx

H

From: kathycalabria@me.com <kathycalabria@me.com>
Sent: Tuesday, November 2, 2021 6:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Katherine Calabria Harvey

E-MAIL: kathycalabria@me.com

COMPANY: William C Harvey & Katherine C Harvey JGT/ Oakwood Ranch LLC

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: REQUEST : CONTESTED HEARING File attached

My name:

Katherine C Harvey

Oakwood Ranch LLC

My address :5804 Gregory Lane

Parker, Texas 75002

Phone # 214-384-5974

Applicants name: Restore the Grasslands LLC and Harrington/ Turner Enterprises, L P

Permit # WQ0016003001

Location and Distance of my property/ activities relative to proposed facility : approximately ¼ of a mile to treatment plant.

With the distance to Maxwell Creek being approximately 200 yds from our property.

With the road leading to proposed development abuts our property line.

I hereby request a CONTESTED HEARING

For the following reasons

This project will result in an imminent threat to the health, safety of life, and property in Parker, Texas.

5804 Gregory Lane survey specifically notes the property is in a 100 year flood plane per FEMA Panel No . 48085C0415 J

This project will result in imminent threat to our family. The Willam C Harvey MD and Katherine Calabria Harvey JGT. Julian Calabria , Kathleen Calabria, their children; Gina Calabria, Ava Calabria, Jacob Calabria, Audrey Calabria. Patrick Calabria, Amanda Calabria; their children; Ryan Calabria, Katie Calabria. To my partner Mortimer F Meadors. Anything man made can be replaced. The health, safety & well being of family is paramount.

And our livestock, that include: The American Quarter Horse DMR POCO SILVER BADGE AQHA #5367849, The National Pinto Registry, APRIL STAR OF TEXAS # 135236 and The Dexter Breed of Cattle, our hay crop, milk weed, organic pecans.

This project will result in imminent danger to Our Certified Wildlife Habit No 160,655 (National Wildlife Federation) and the endangered and protected species that find quality habitat ,food, water, cover and places to raise their young. Oakwood Ranch property line abut (s) the applicants property which would be a road leading to the development causing a major disruption to the wildlife at Oakwood Ranch. Again increasing traffic and impacting human life as well as protected and endangered species of animals and plants.

The proposed facility will cause a slowdown in areas of Maxwell Creek, just north of the proposed project which have experienced significant flooding in this flood plane. The potential for flooding is dangerous and could threaten, me, my family, and those that live on Gregory Lane, a one way street, that floods. I want this fact duly noted.

The proposed facility will significantly increase road traffic, noise and pollution. Affecting the lungs and hearing of young children and those most vulnerable.

Again we ask for a CONTESTED HEARING.

We are strongly opposing the proposed MUD for the health and safety of our children and grandchildren and those who live in Parker and surrounding communities. Our property floods during rains

We are determined to protect Oakwood Ranch and environment here that provides natural habitat for animals and plants, some already threatened or endangered by unnecessary urban development. And our neighbors who also agree that this is not the right place for a 300 plus unit housing development with a waste treatment plant and roadway infrastructure. Oakwood Ranch is a Certified Wildlife Habitat, no 160,655. It is home to The Great Horned Owls, Red Tail Hawks, The American Kestrel, Woodpeckers, Turkey Vulture, Scissor-tailed Flycatchers, Tufted Titmouse, Cardinals, Bluejays, Bluebirds, Ruby throated hummingbirds, Purple Martins, Black-throated Green Warblers and other protected migratory birds. All of which nest and find food in the trees and pasture. Killdeer build their nest along our rock area and in the pasture. Milkweed grows in our pasture and is home to the monarch butterflies. The Canada Geese also migrate to Oakwood Ranch and adjoining areas. Perhaps the most majestic bird reported flying over Oakwood Ranch was the bald eagle. Oakwood Ranch is also home to several horses and the small and unique breed of Dexter cattle.

Gregory Lane is a dead end street with homes built on Agriculture lots. A bridge crosses over Maxwell Creek on Gregory Lane and though it has been rebuilt the creek still floods causing flooding to multiple properties., including ours. The bridge is often closed and residents can not leave until the water recedes. Any additional water could be catastrophic and will require a FEMA assessment. It will also endanger the ecosystem of the creek and its biodiversity.

This proposed development, so obviously inappropriate, will benefit only its developer at the expense of the small and uniquely county community of Parker and its beautifully persevered environment. For the sake of humanity, our already dwindling natural resources and because of our Texas legacy and commitment to a greener tomorrow I request a contested hearing.

Sincerely

**Katherine C Harvey
CC: The National Wildlife Federation
The Sierra Club
Texas Wildlife Association
Texas Farm Bureau
Journey North Monarch & Milkweed Conservation Association
Texas Chapter of The Wildlife Society
Lights Out Texas/ Texan by Nature
American Quarter Horse Association
American Dexter Cattle Association
The EPA Office of Administrator
FEMA Region 6**

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 15, 2021 8:46 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: oakwood1.docx

H

From: kathycalabria@me.com <kathycalabria@me.com>
Sent: Thursday, October 14, 2021 6:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Katherine Harvey

E-MAIL: kathycalabria@me.com

COMPANY: Oakwood Ranch LLC

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: Oppose request hearing please see file. Thank you

From the office of : Katherine C Harvey
CEO Oakwood Ranch LLC
5804 Gregory Lane
Parker, Texas 75002
10/14/2021

To: TCEQ
Permit # WQ0016003001

We are strongly opposing the proposed MUD for the health and safety of our children and grandchildren and those who live in Parker and surrounding communities.

We are determined to protect Oakwood Ranch and environment here that provides natural habitat for animals and plants, some already threatened or endangered by unnecessary urban development. And our neighbors who also agree that this is not the right place for a 200 plus unit housing development with a waste treatment plant and roadway infrastructure.

Oakwood Ranch is a Certified Wildlife Habitat, no 160,655. Oakwood Ranch is home to The Great Horned Owls, Red Tail Hawks, The American Kestrel, Woodpeckers, Turkey Vulture, Scissor-tailed Flycatchers, Tufted Titmouse, Cardinals, Bluejays, Bluebirds, Ruby throated hummingbirds, Purple Martins, Black-throated Green Warblers and other protected migratory birds. All of which nest and find food in the trees and pasture . Kildeer build their nest along our rocked area and in the pasture. Milkweed grows in our pasture and is home to the monarch butterflies. The Canada Geese also migrate to Oakwood Ranch and adjoining areas. Perhaps the most majestic bird reported flying over Oakwood Ranch was the bald eagle. Oakwood Ranch is also home to several horses and the small and unique breed of Dexter cattle.

Gregory Lane is a dead end street with home built on Agriculture lots. A bridge crosses over Maxwell Creek on Gregory Lane and though it has been rebuilt the creek still floods causing flooding to multiple properties. Any additional water could be catastrophic and will require a FEMA assessment. It will also endanger the ecosystem of the creek and its biodiversity.

This proposed development, so obviously inappropriate, will benefit only it's developer at the expense of the small and uniquely county community of Parker and it's beautifully persevered environment. For the sake of humanity, our already dwindling natural resources and because of our Texas legacy and commitment to a greener tomorrow I request a hearing.

Sincerely

Katherine C Harvey
CC: The National Wildlife Federation
The Sierra Club
Texas Wildlife Association
Texas Farm Bureau
Journey North Monarch & Milkweed Conservation Association
Texas Chapter of The Wildlife Society
Lights Out Texas/ Texan by Nature
American Quarter Horse Association
American Dexter Cattle Association

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 13, 2021 9:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

MWD
124967

From: kathycalabria@msn.com <kathycalabria@msn.com>
Sent: Saturday, December 11, 2021 1:20 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Kathy Harvey

E-MAIL: kathycalabria@msn.com

COMPANY: William C Harvey & Katherine C Harvey JGT

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: "Stop the process. TCEQ should be following Regionalization." "According to NTMWD the proposed wastewater treatment plant permit WQ0016003001 would interfere with NTMWD's **statutory right, privilege, and economic interest** as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. ** Specifically**, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family

residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, ****granting the TPDES permit to the Applicants violates applicable statutory requirements**** pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C. I support the State's Regionalization policy and EXPECT TCEQ to follow their own policy. The permit should not be granted and never should have reached this phase. We are aware that NTMWD's treatment process is state of the art compared to a WWTP. It is now time to show that TCEQ's mission is to Protect Texas by Reducing and Preventing Pollution." I

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:21 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: kathycalabria@msn.com <kathycalabria@msn.com>
Sent: Wednesday, September 22, 2021 8:32 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kathy Harvey

E-MAIL: kathycalabria@msn.com

COMPANY: Oakwood Ranch

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: We are against the proposed MUD and high density homes it is allowing for the grasslands dividing Gregory Lane and Rolling Ridge. Our land is used for agriculture we raise cattle and grow hay and this we be most distributive to out livelihood not to mention we are a Wild Life Habitat.. the impact this would have on the environment would be devastating.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:10 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: kathycalabria@msn.com <kathycalabria@msn.com>
Sent: Tuesday, September 21, 2021 7:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kathy Harvey

E-MAIL: kathycalabria@msn.com

COMPANY: Oakwood Ranch

ADDRESS: 5804 GREGORY LN
PARKER TX 75002-6708

PHONE: 2143845974

FAX:

COMMENTS: We are against the proposed MUD and high density homes it is allowing for the grasslands dividing Gregory Lane and Rolling Ridge. Our land is used for agriculture we raise cattle and grow hay and this we be most distributive to out livelihood not to mention we are a Wild Life Habitat.. the impact this would have on the environment would be devastating.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:42 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: 1420 Parkview WWTP Comment_ARH.pdf

H

From: arhaynes21@verizon.net <arhaynes21@verizon.net>
Sent: Saturday, December 4, 2021 9:22 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Alesha R Haynes

E-MAIL: arhaynes21@verizon.net

COMPANY:

ADDRESS: 1420 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 2146950700

FAX:

COMMENTS: See attachment

**IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM,
PERMIT NO. WQ0016003001**

OBJECTION BY ALESHA R. HAYNES, AFFECTED PARTY

Affected Party Status

My name is Alesha R. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #40. According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 421 feet from my property line and 490 feet from my home:

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-96.616388%2C33.041666&level=12>

A CBS news story regarding the Application, and the overwhelming community opposition to it, can be viewed here: <https://dfw.cbslocal.com/video/6167919-murphy-residents-protest-planned-wastewater-treatment-plant/>

Request for Contested Case Hearing

I request a contested case hearing.

Use of Maxwell Creek

I am, and have been, a resident of Murphy, Texas for twelve years. During the majority of those twelve years, I have been an adult volunteer with Cub Scout Pack 1789 (comprised of elementary students that attend Hunt Elementary in Murphy, Texas) and Girl Scout Troop 252 (also comprised of elementary students that attend Hunt Elementary in Murphy, Texas).

During my time as a resident of Murphy, I have regularly hiked and performed conservation projections along Maxwell Creek. Below are pictures of my children and dog during a hike through Maxwell Creek in Spring of 2020. The picture on the left is on the trails along Maxwell Creek, the picture on the right is the same hike as they are entering into a shallow portion of the waters of Maxwell Creek:



Additionally, as Troop Leader of Girl Scout Troop 252, I personally have taken Girl Scouts on hikes along the shores of Maxwell Creek, where we have observed all manner of wildlife. Below is a picture of my Girl Scouts after hiking through Maxwell Creek in the spring of 2021 (the line of trees in the background are the banks of Maxwell Creek):



Each year, my Girl Scout Troop participates in environmental conservation activities along Maxwell Creek, including “Abor Day.”

The waters of Maxwell Creek, the shoreline of Maxwell Creek, and the hiking trails and vegetation surrounding Maxwell Creek are pristine. When heavy rains bring trash downstream, the residents of Murphy, act quickly and regularly to restore the quality of the creek and nearby areas. The residents of Murphy, and in particular my Girl Scouts, take great pride in maintaining the quality of Maxwell Creek.

In my twelve years of exploring Maxwell Creek, I have never seen the creek dry or empty of water. To the contrary, I have observed live fish and turtles in Maxwell Creek and have observed significant wildlife. I have personally fished and taken my scouts fishing in the ponds near Maxwell Creek.

Odor Concerns

I am very concerned about the likely emanation and trespass of foul odors from the proposed facility onto my property. The Applicant proposes to construct the facility approximately 400 feet from my house, which is the location on Applicant’s property that is also the greatest possible distance away from the Applicant’s house.¹



Applicant’s House My House Proposed Facility Location
Yellow area is Applicant’s land within Applicant’s proposed development.
Blue area is Applicant’s land outside Applicant’s proposed development.

I believe that the Application should be denied. However, if the Commission is inclined to approve the Application, a more equitable location of the proposed facility would be a location near the Applicant’s residence with an underground pipeline connecting the facility to the proposed discharge point, rather than 421 feet from my backyard.

¹ An individual is the owner of the Applicant, which owns the land in yellow. That same individual is the owner of the entities that own the land in blue—i.e., the same individual is the ultimate owner of the land in blue and yellow.

For the reasons set forth herein, and for the reasons asserted in the comments filed by neighbors, I oppose the Application.

Objections to Application

I would be adversely affected by the Application in ways not unique to the general public because, as noted above:

1. My property is approximately 421 feet from the proposed facility. It is foreseeable and probable that any flooding, spills, or other intrusions of water, chemicals, or odors emanating from the proposed facility will enter upon my property and directly and adversely affect my property and the health of my family.
2. I personally and regularly rely on this creek to educate and inform my children and my scouts.

The below considerations related to the Application would specifically impact me and my property:

1. Maxwell Creek is not an intermittent creek, it is a perennial creek with exceptional water quality sustaining high aquatic life and vegetative life. Aquatic recreation of my children and scouts in Maxwell Creek falls under the classification of “Primary Contact Recreation 1.”
2. Maxwell Creek has exceptional aesthetic qualities.
3. The TCEQ’s preliminary decision states: “This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 antidegradation review is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.” The TCEQ’s preliminary determination is incorrect.
4. Maxwell Creek is used regularly by residents of Murphy, Texas, including cub scouts, boy scouts, and girl scouts of all ages. Such use includes hiking along and through the waters of the creek.
5. There are suitable alternatives to discharging treated wastewater into Maxwell Creek, including (a) connecting to other nearby pre-existing facilities that do not discharge into Maxwell Creek, (b) installation of individual Septic Systems (specifically, the City of Parker, Texas — wherein the facility will be constructed — “consists mainly of private septic systems on each residential lot maintained by the property owner.” See parkertexas.us/132/Wastewater), and (c) beneficial reuse or irrigation use of treated wastewater.

6. Chemical contents of treated wastewater released into Maxwell Creek will irreparably damage aquatic life, vegetative life, and wildlife that is regularly found in and around Maxwell Creek.
7. Discharge of treated wastewater into Maxwell Creek will negatively impact all, and certainly eliminate some, of the current uses of the creek and surrounding areas by myself, my children, and my scouts. Even if the wastewater is treated exactly as mandated by the TCEQ, neither I, my children nor my scouts will ever again enter into the waters of Maxwell Creek if it contains treated wastewater.
8. The draft permit does not include adequate provisions to protect the health of my family or the nearby aquatic or terrestrial wildlife.
9. Notwithstanding presumed commercially reasonable efforts of the operator of the wastewater treatment facility, it is reasonably foreseeable that unpleasant odors will emanate from the facility. Emanation of odors from the facility constitute an actionable nuisance if it results in an unreasonable interference with the use and enjoyment of my home. *See City of Tyler v. Likes*, 962 S.W.2d 489 (Tex. 1997); *City of Temple vs. Mitchell*, 180 S.W.2d 959 (Tex.App.—Austin 1994, no writ). Given the existence of commercially reasonable alternatives to the proposed facility, the proposed facility would constitute a foreseeable tort committed upon private homeowners. Such a tort would not only result in interference with the use and enjoyment of property, but also a diminution in value of the property itself. Additionally, given the probability of foul odors emanating from the facility, a more equitable location of the facility would be one near the Applicant's residence, rather than near my residence.
10. Construction of such a facility so close to our schools poses an unnecessary risk. First, such facilities can constitute an attractive nuisance to my children, and other attendees, of the nearby schools. Second, even best efforts in design and operation cannot eliminate the possibility of disaster (big or small) and contamination. Such a risk, regardless of how it is mitigated, is unnecessary if there are commercially reasonable alternatives.

Incorporation of Additional Objections

My husband and I, along with other members of my community, retained an engineering consultant with expertise in the matters presented in the Application. Attached hereto is a report prepared by the consultant at our request. I incorporate the objections and issues contained in that report.

I incorporate the objections of all other Affected Parties into this objection as if fully set forth herein. I reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, I respectfully request that the Application be denied.

Respectfully,

Alesha R. Haynes

REPORT OF ENGINEERING CONSULTANT RETAINED BY ALESHA R. HAYNES



Date: November 30th, 2021

Subject: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP TPDES Permit No. WQ0016003001 Contestation Support Summary of Findings

1.0 INTRODUCTION

Tetra Tech, Inc. (Tetra Tech) was engaged to assist with contesting a newly issued draft Texas Pollution Discharge Elimination System (TPDES) permit (TPDES Permit No. WQ0016003001) to Restore the Grasslands LLC and Harrington/Turner Enterprises, LP.

1.1 PERMIT APPLICATION REVIEW

Tetra Tech notes the following observations in the permit application. The implication of these observations will be explored in the following sections of this report.

- On page 9 of the Administrative Report, Section 10.C, the applicants indicated the discharge is NOT routed to a city, county, or state highway right-of-way, or a flood control district drainage ditch. If the discharge is routed to one of these features, the applicant must demonstrate authorization has been received from the responsible entity.
- On page 22 of the Technical Report, Section 1.B.3, the applicants indicated that there are domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facilities. One of the corresponding requirements is to provide copies of certified letters to these facilities and their response letters, which the applicants indicate are provided in Attachment 12. However, Attachment 12 does not include response letters.
- On page 30 of the Technical Report, Section 4.B, the applicants indicate that the receiving stream, Maxwell Creek, is intermittent (dry for at least one week during most years). Because of this response, the applicants did not include Worksheet 2.1 with the application. Worksheet 2.1 identifies stream physical characteristics that must be provided by the applicant for all new permits but is not required for discharges to intermittent streams.
- On page 31 of the Technical Report, Section 5.B, the applicants indicate that the waterbody is used for livestock watering. "Contact recreation", "non-contact recreation", "fishing" and "park activities" are unchecked.
- On page 32 of the Technical Report, Section 5.C, the applicants characterize the waterbody as "Common Setting: not offensive, developed but uncluttered; water may be colored or turbid".

1.2 TPWD LETTER REVIEW

All new and major amendment TPDES permit applications must be reviewed by the TPWD and the Texas Commission on Environmental Quality (TCEQ) must consider their comments in processing the application. There are three major issues raised by the TPWD:

- The TPWD challenges the representation of the receiving stream by the applicants as an intermittent stream and believes it is correctly identified as perennial. The TPWD requests that the applicants provide information supporting their assertion regarding stream type and recommends that a Receiving Water Assessment be conducted.

- The TPWD advocates minimizing new point source discharges when there are feasible alternatives, in effect questioning the need for issuing this permit, particularly given that Maxwell Creek does not already receive treated effluent. The letter correctly states that the application did not include responses from candidate facilities to receive the new wastewater stream. In addition to alternative treatment facilities, the TPWD recommends that the applicants consider beneficial reuse or land irrigation as a means to manage the new wastewater discharge stream.
- The TPWD expresses concern over the introduction of nutrients to Maxwell Creek from the new discharge causing increases in algal biomass and recommends a total phosphorus effluent limit of 0.5 mg/L.

1.3 CITY OF MURPHY LETTER REVIEW

The City of Murphy comment letter raises a number of issues. Several of the issues raised presume that the facility will discharge improperly treated wastewater; however, Tetra Tech believes that the TCEQ will not act on such presumptions if the treatment system is properly designed and complies with the design requirements set forth in 30 TAC 217. The City of Murphy challenges the proposed design of the treatment system; some of these concerns may be addressed by the Tetra Tech analysis described in Section 2.4 of this report. Also, the letter raises concern over whether the treatment system will be operated by a qualified operator; however, the draft permit requires that the facility be operated by licensed individuals in compliance with 30 TAC 30 (see Item #9 in the Operational Requirements section of the draft permit on page 15). The below synopsis highlights the most technically significant issues.

- In asserting that water quality parameters in the draft permit are inadequate to protect existing water quality uses, the City of Murphy indicates that the City-owned property on Maxwell Creek downstream of the discharge point is used for "walking, jogging, biking, fishing, swimming, and aesthetic enjoyment." These waterbody uses represent a significant difference from representations in the permit application and could impact the parameters within the permit as well as possibly the decision to issue the permit.
- The City challenges the characterization of the stream as intermittent and the aesthetics as "common setting", stating that these responses should instead be perennial and "natural area", respectively.
- The City suggests that there are endangered species and habitat within and along Maxwell Creek.
- The City suggests that other treatment facilities may be able to accept the new wastewater flow.
- The City believes that nutrients in the wastewater stream will create nuisance conditions.
- The City describes funding commitments for drainage improvements and public access trails along Maxwell Creek. This information suggests that the creek may represent a right of way under the control of the City. The City is concerned that the new discharge will compromise the drainage capacity of the creek.
- The City provides evidence that Harrington/Turner Enterprises, LP, one of the co-applicants, is not a valid partnership because its general partner forfeited its corporate existence. Tetra Tech believes this legal issue could delay permit issuance but has no further comment as this issue is not technical in nature.

1.4 TREATMENT SYSTEM SIZING

Tetra Tech conducted a high-level review of sizing requirements for the aeration basins, clarifier, and chlorine contact basin in the proposed wastewater treatment facility for Phase 2 conditions. Based on preliminary calculations, Tetra Tech believes that the proposed treatment system complies with sizing requirements in 30 TAC 217. The discrepancies noted in the City of Murphy letter between the treatment equipment volumes reported in the application and the volumes calculated by the City of Murphy are likely due to freeboard allowances.

- Aeration basin sizing is based on an organic loading rate of 35 lbs BOD₅/day/1,000 ft³, which is the organic loading rate specified by 30 TAC 217.154(b)(2) for conventional activated sludge processes with nitrification when reactor temperatures exceed 15°C, with applicable permit limits for BOD₅, TSS, and ammonia nitrogen matching the limits in the draft permit.

TETRA TECH

1500 City Place Blvd, Ste 1500, Houston, TX 77041
Tel 281.251.5100 Fax 281.251.1170 tetratech.com

- Tetra Tech calculates minimum clarifier sizing of 29-foot diameter, 12-foot clarifier depth, and 10-foot water depth, compared with the proposed clarifier size of 32-foot diameter, 14.2-foot clarifier depth, and 10-foot water depth
- Tetra Tech calculates a minimum chlorine contact basin volume of 1485 cubic feet, compared with the proposed 1980 cubic feet basin.

1.5 SITE WALK OBSERVATIONS

Tetra Tech conducted a site walk on November 23, 2021. Measurements and/or field data were collected at four locations within Maxwell Creek and one location within Muddy Creek, and photographs were taken. The field report for this visit is included as an attachment to this report. Key observations include the following:

- Estimated stream flows range from 0.41 to 2.5 cubic feet per second (cfs).
- The flow rates and flow patterns, presence of fish, and lack of contributing wastewater discharges suggest the stream is perennial.
- The water is colorless with exceptional clarity and no observable contamination.
- Dissolved oxygen values ranged from 5.5 to 11.2 mg/L, indicating exceptional water quality.
- The measured pH ranged from 7.8 to 8.1.
- The waterbody aesthetics as defined in the TPDES permit application form could best be described as either "Wilderness" or "Natural Area". While there appears to be limited development in the area, photographs document wooded areas along the creek and exceptional water clarity.

2.0 KEY ISSUES

Based on the described work performed, Tetra Tech believes that there are many strong technical issues with the permit application. Tetra Tech has characterized these issues based on how they impact the permit process.

2.1 POTENTIAL PERMIT DENIAL ISSUES

2.1.1 Possible Authorization Required by the City of Murphy

Maxwell Creek may meet the definition of a right of way under the jurisdiction of the City of Murphy as described in Section 2.3. If this is confirmed, then the applicants would be required to obtain authorization from the City in order to discharge.

2.1.2 Alternatives to Discharge

The TPWD and the City of Murphy both indicated alternatives to discharge. These alternatives should be given greater consideration than for typical new permit requests given that Maxwell Creek does not currently receive any treated wastewater effluent and given the outstanding water quality and aesthetic value of the creek. In particular, the TPWD provides several alternatives to discharge and recommends that they be considered.

2.2 PERMIT ISSUES

2.2.1 Stream Classification

There is ample evidence that the applicants have mischaracterized Maxwell Creek as intermittent instead of perennial. The change in classification will require that additional information related to waterbody properties be provided by the applicants in order to process the application.

2.2.2 Waterbody Quality, Uses, and Aesthetics

As with stream characterization, there is ample evidence that the applicants have misrepresented the quality, uses, and aesthetics associated with Maxwell Creek. The stream uses noted by the City of Murphy and the water quality and aesthetic conditions documented in the field report in attachment 1 of this memo report should provide justification for a Tier 2 antidegradation review of the application by the TCEQ in addition to the Tier 1 review that was conducted.

2.2.3 Nutrient Concerns

Both the TPWD and the City of Murphy recommend that a permit limit be added for phosphorus due to concerns over the introduction of nutrients to Maxwell Creek from the new discharge that could cause increases in algal biomass.

2.2.4 Presence of Endangered or Threatened Species

The City of Murphy suggests the possible presence of endangered species and habitats within and along Maxwell Creek. Tetra Tech did not observe endangered or threatened species during the site walk but did not conduct a threatened and endangered species survey.

3.0 CONCLUSIONS

Tetra Tech, Inc. (Tetra Tech) review of draft Permit No. WQ0016003001 has identified a number of key issues that have not been adequately addressed by the permit applicant. Further evaluation of the City of Murphy right of way approvals, alternatives to discharge, characterization and uses of the receiving waters, nutrient limits, and potential presence of endangered species are all factors that should be reconsidered before a permit is issued to the applicants and may need to be evaluated with respect to whether a permit should be issued if viable alternatives exist.

TETRA TECH

1000 City West Blvd, Suite 1000, Houston, TX 77041
Tel: (281) 818-1140 Fax: (281) 818-1172 tetratech.com

ATTACHMENT 4 FIELD REPORT



TETRA TECH

Field Report

Author: Dipendra Wagle, PhD, Tetra Tech, Inc.

Date: 11/23/21

Location: Maxwell Creek and Muddy Creek, Dallas-Fort Worth Metroplex, TX

Objective: Survey the creeks for water quality, perennial flow, and wildlife in baseline survey

Water Quality Report

1. Methodology:
 - a. Temperature was measured by using EPA-150.1
 - b. Dissolved Oxygen (DO) was measured by using SM-4500-0
 - c. Specific Conductance was measured by using EPA-120.1
 - d. Oxidation-Reduction Potential (ORP) was measured by using ASTM-D1498-08
2. Below are the key observations:
 - a. Water quality was measured at 4 different locations in Maxwell Creek and 1 location in Muddy Creek.
 - b. Flow characteristic was measured at 3 different locations in Maxwell Creek.
 - c. The stream, vegetation, aquatic, and wildlife were also observed and photographed.
3. Field conclusions:
 - a. The flow in Maxwell Creek was perennial from several contributory springs and ranged between 0.41-2.5 cubic feet per second (CFS).
 - i. The water was clear with no indication of wastewater effluent or any contamination based on water quality data. It was a pristine environment.
 - ii. The temperature ranged from 11.7°C to 12°C.
 - iii. The pH was in a neutral range of 7.8 to 8.2 pH units.
 - iv. The DO ranged from 5.5 to 11.2 mg/L.
 - v. ORP was in the positive range.
 - b. Access to Muddy Creek was limited but a single sampling point showed that water quality was similar to Maxwell Creek.
 - c. Photographs taken by the citizens and the support group are also included in the report. The photographs show that Maxwell Creek contained aquatic life and wildlife.

The water quality, flow characteristics, and photographs captured from the site visit are presented below.



Location: Maxwell Creek
 Latitude: 33.022983

Time: 10:16 AM
 Longitude: -96.604602

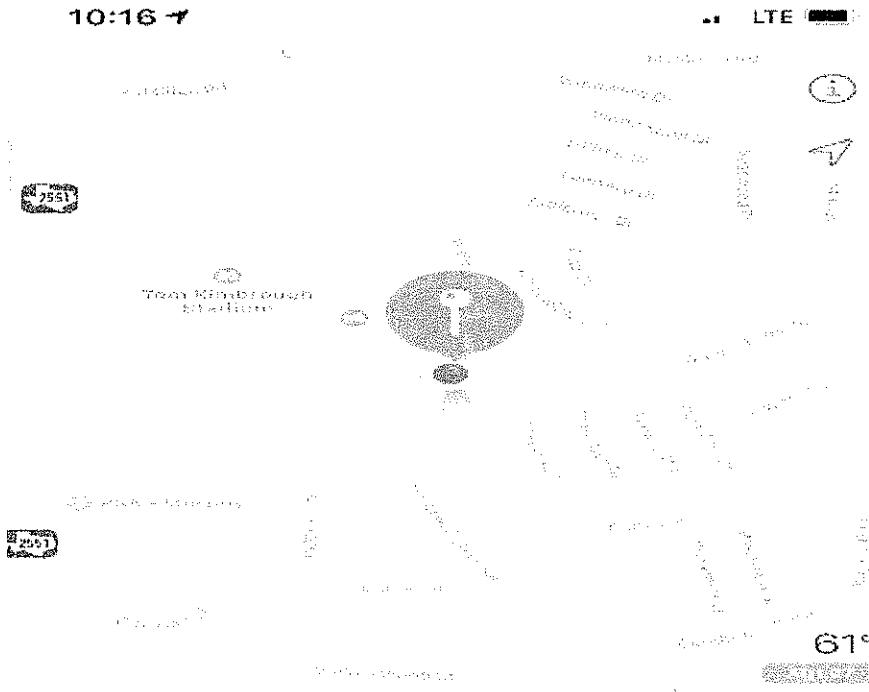


Figure 1: GPS map for the sampling location at 10:16 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.6
DO (% L)	104.7
DO (mg/L)	11.2
Specific Conductance (mS/cm)	0.641
Conductance (mS/cm)	0.476
pH	8.1
ORP (mV)	113.6

Flow Measurement

Flow type: Perennial
 Stream bends: well
 No. of riffles: 2
 Stream width: 8.17 ft
 Stream mid-point: 4.085 ft



Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
1.20	0.42	0.75

Average depth: 0.79

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
183	121	191

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.0546	0.0826	0.0524

Average stream velocity: 0.0632 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.41 ft³/s

Location: Maxwell Creek

Time: 10:51 AM

Latitude: 33.031037

Longitude: -96.606088

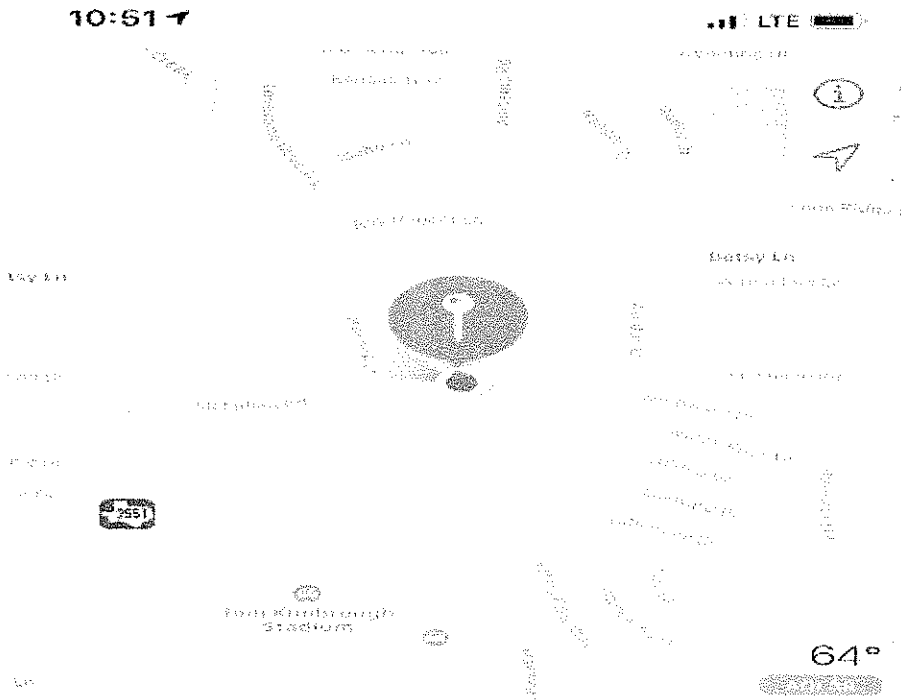


Figure 2: GPS map for the sampling location at 10:51 AM in Maxwell Creek



TETRA TECH

Water quality parameters

Parameters	Value
Temperature (°C)	12.3
DO (% L)	78.3
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.608
Conductance (mS/cm)	0.461
pH	8.0
ORP (mV)	109.2

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 1

Stream width: 7.2 ft

Stream mid-point: 3.6 ft

Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
0.58	1.08	0.875

Average depth: 0.845

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
87	42	102

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.115	0.238	0.098

Average stream velocity: 0.150 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.913 ft³/s



Location: Maxwell Creek
 Latitude: 33.051165

Time: 11:33 AM
 Longitude: -96.617021

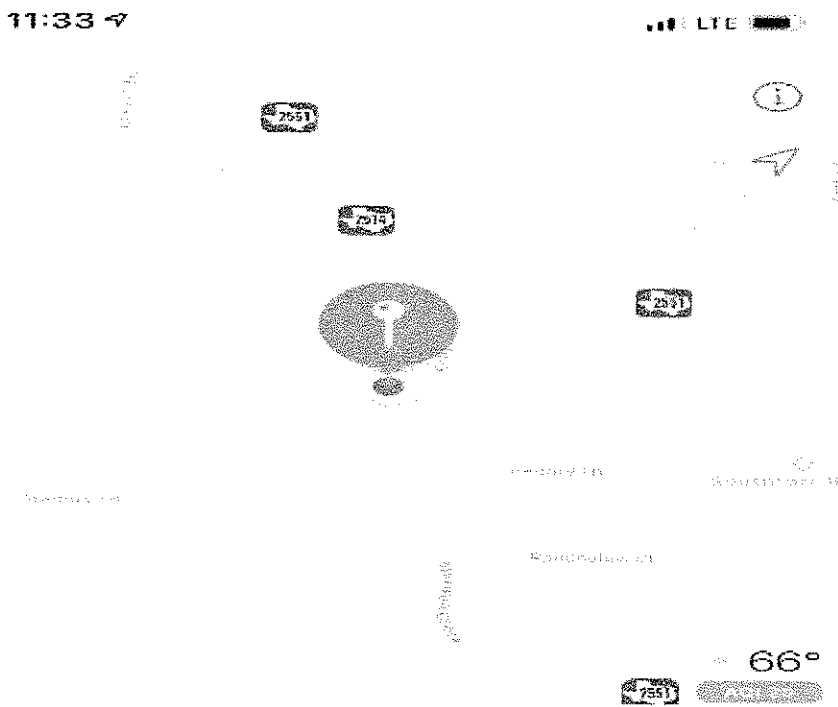


Figure 3: GPS map for the sampling location at 11:33 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.7
DO (% L)	50.3
DO (mg/L)	5.5
Specific Conductance (mS/cm)	0.495
Conductance (mS/cm)	0.369
pH	7.8
ORP (mV)	97.3

Flow Measurement: Flow measurement was not conducted in this location due to safety reasons.



TETRA TECH

Location: Maxwell Creek
Latitude: 33.014690

Time: 12:11 PM
Longitude: -96.602370

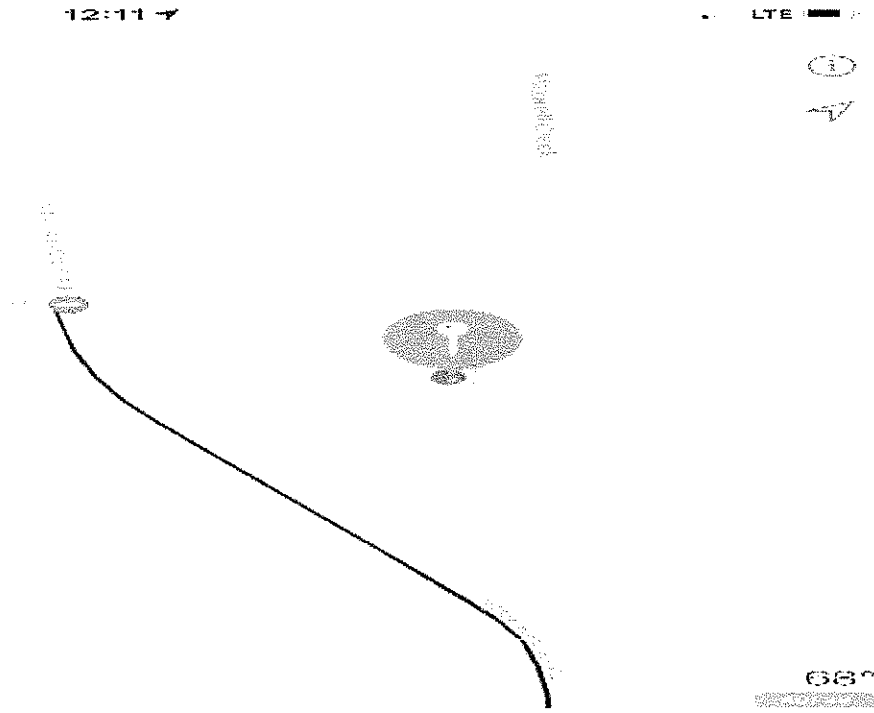


Figure 4: GPS map for the sampling location at 12:11 PM in Maxwell Creek

Water Quality Parameters:

Parameters	Value
Temperature (°C)	12.7
DO (% L)	77
DO (mg/L)	8.3
Specific Conductance (mS/cm)	0.66
Conductance (mS/cm)	0.5
pH	7.9
ORP (mV)	100.8

Flow Measurement

Flow type: Perennial
Stream bends: well
No. of riffles: 2
Stream width: 15.73 ft
Stream mid-point: 7.86 ft
Stream depth: 0.625 ft
Covered length: 10 ft



TETRA TECH

Time taken to cover the distance: 39 s

Maximum stream velocity: 0.256 ft/s

Maximum Discharge: (stream width) * (average depth) * (average velocity)

Maximum Discharge: 2.517 ft³/s

Pictures



Figure 5: Picture of Maxwell Creek Downstream



TETRA TECH



Figure 6: Picture of natural life on the bank of Maxwell Creek

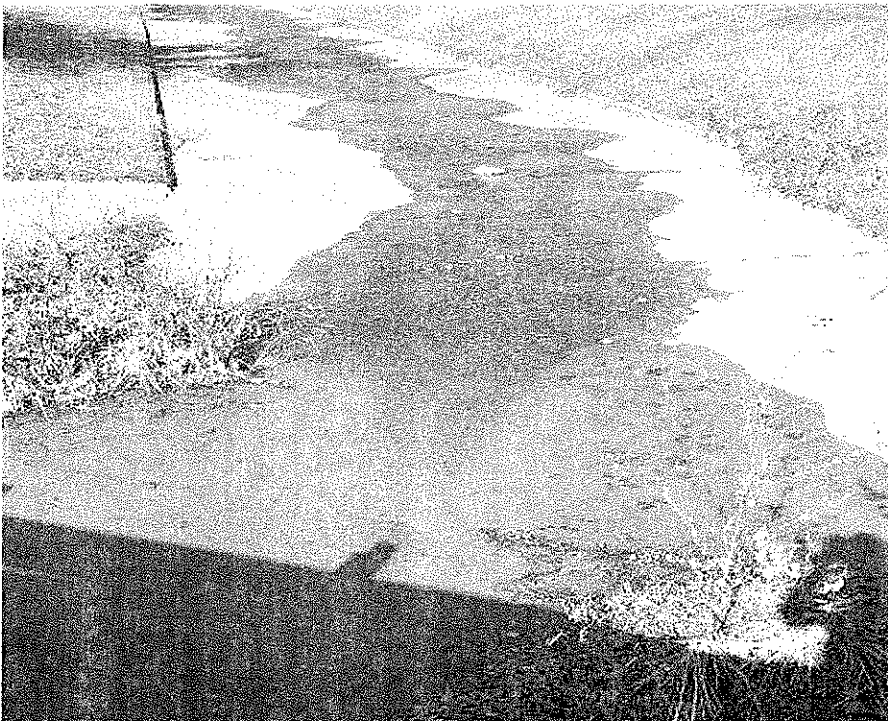


Figure 7: Picture of runoff flow upstream of Maxwell Creek

1500 City West Blvd, Suite 1000, Houston, TX 77042
832.251.5160 832.251.5170
www.tetrattech.com/oilandgas



TETRA TECH



Figure 8: Picture showing the stream bed in Maxwell Creek

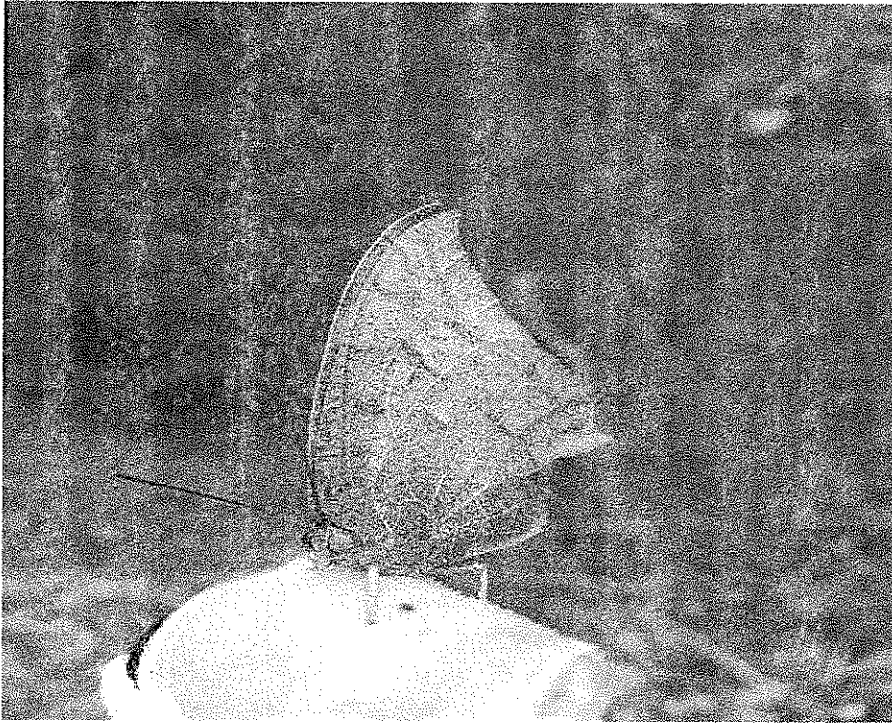


Figure 9: Picture showing a butterfly along Maxwell Creek



TETRA TECH

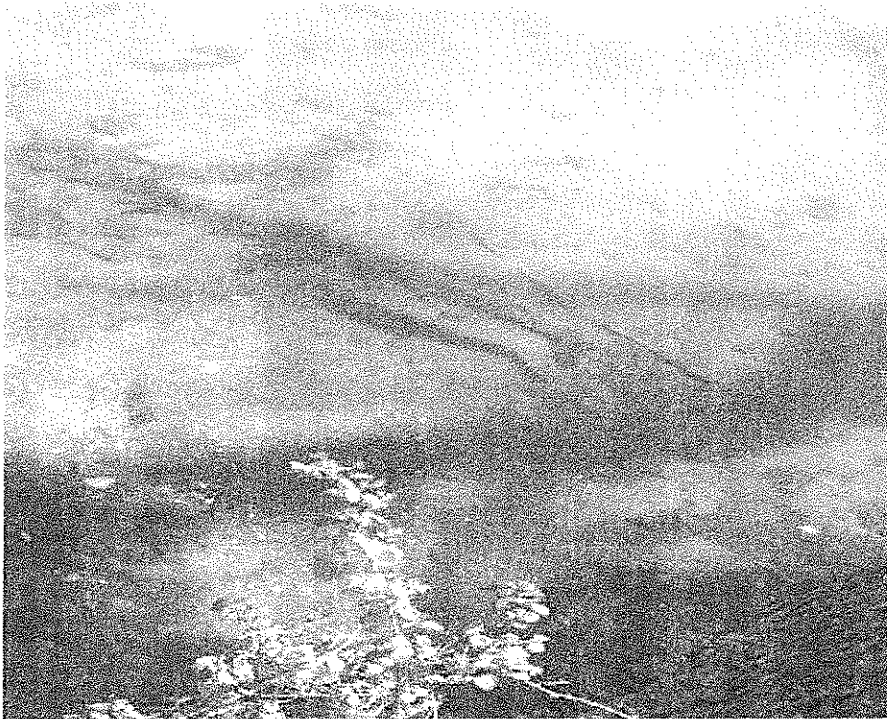


Figure 10: Picture showing the aquatic life in Maxwell Creek



Figure 11: Picture taken by Andrew on November 6, 2021; M-1 - clarity of water



TETRA TECH

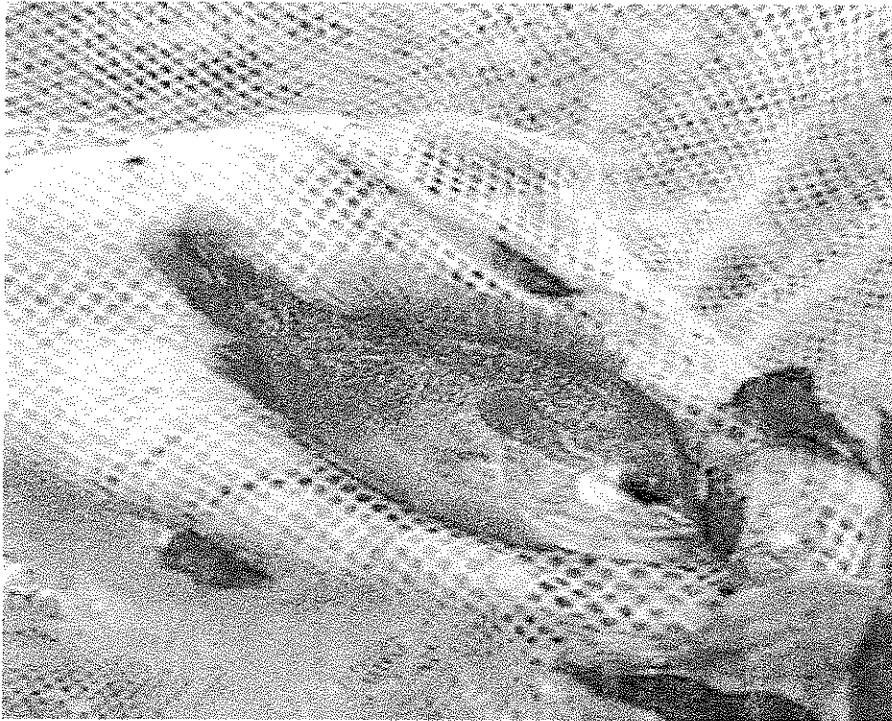


Figure 12: Picture taken by Andrew on November 6, 2021; M-1 - Fish



Figure 13: Picture taken by Kathy on November 22, 2021 - Harvey-1



TETRA TECH



Figure 14: Picture taken by Mary Nell Jackson on November 22, 2021 - Bluebird Nest



Figure 15: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker - Northern Flicker



TETRA TECH



Figure 16: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker – Downy Woodpecker



Figure 17: Water sample taken from Maxwell Creek (same sample)



TETRA TECH

Location: Muddy Creek
Latitude: 32.977560

Time: 2:06 PM
Longitude: -96.556854

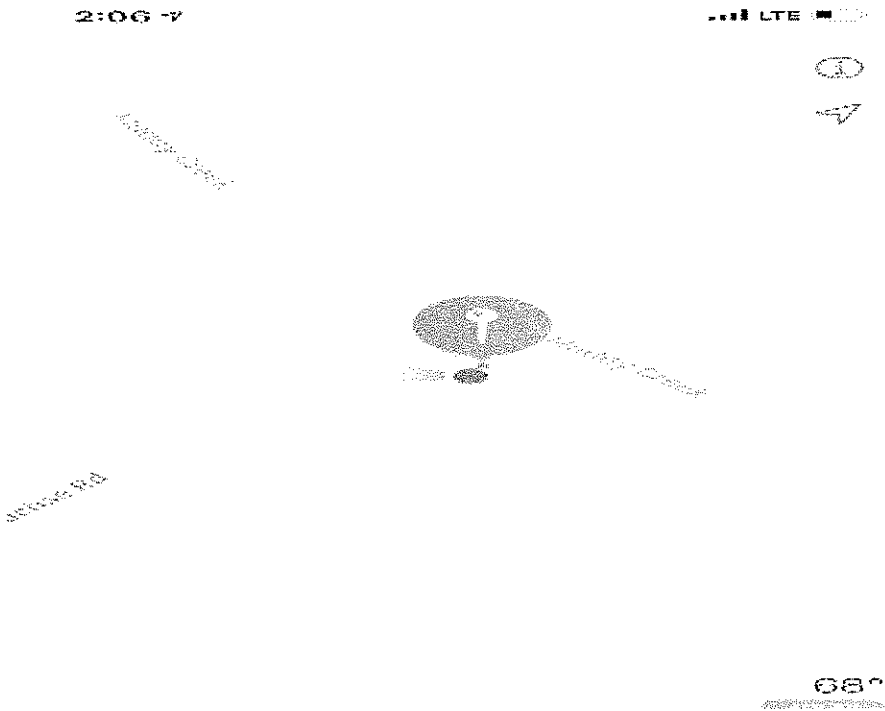


Figure 18: GPS map for the sampling location at 2:06 PM in Muddy Creek

Water quality parameters

Parameters	Value
Temperature (°C)	12.5
DO (% L)	79.7
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.494
Conductance (mS/cm)	0.376
pH	8.2
ORP (mV)	106.9



TETRA TECH



Figure 19: Picture showing water flow at Muddy Creek

Lori Ro ve

From: PUBCOMMENT-OCC
Sent: Monday, March 14, 2022 11:23 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: (3.11)Parker request for reconsiderationBoth1.docx

H
RFR

From: mshaynes1@verizon.net <mshaynes1@verizon.net>
Sent: Friday, March 11, 2022 5:42 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Michael Haynes

E-MAIL: mshaynes1@verizon.net

COMPANY:

ADDRESS: 1420 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 2149910817

FAX:

COMMENTS: Please see Request for Reconsideration / Request for Contested Case Hearing.

**IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM,
PERMIT NO. WQ0016003001**

REQUEST FOR RECONSIDERATION BY MICHAEL S. HAYNES, AFFECTED PARTY #40

REQUEST FOR RECONSIDERATION BY CARROLYN J. MOEBIUS, AFFECTED PARTY #42

Affected Party Status – Michael S. Haynes

My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #40. I respectfully submit to the TCEQ this request for reconsideration of the executive director's February 11, 2022 decision, described more fully below.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 421 feet from my property line and 490 feet from my home:

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-96.616388%2C33.041666&level=12>

My status as an affected party is also more fully set forth in my comments submitted on September 27, 2021 and December 4, 2021, and during the December 6, 2021 public meeting. In addition to this request for reconsideration, I continue to request a contested case hearing.

Affected Party Status – Carrolyn J. Moebius

My name is Carrolyn J. Moebius. I live at 1412 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #42. I respectfully submit to the TCEQ this request for reconsideration of the executive director's February 11, 2022 decision, described more fully below.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 200 feet from my property line and Maxwell Creek is 195 feet from my property line.

My status as an affected party is also more fully set forth in my comments, videos, pictures, and reports submitted on February 25 and 15 of 2022, December 1, 5, 6, 8, of 2021, November 1, 2, 4, 26, 30 of 2021, October 8, 9, 12, 22, 24, 29, 31 of 2021, and September 20, 2021.

Executive Director's Decision

On February 11, 2022, the executive director of the Texas Commission on Environmental Quality ("Executive Director") "made a decision that the above-referenced application meets the

requirements of applicable law.” Contemporaneous with the Executive Director’s decision, the Executive Director provided the *Executive Director’s Response to Comments* (the “ED RTC”).

Request for Reconsideration

On behalf of myself and all affected party signatories identified on Exhibit A, for the reasons set forth herein, we request that the Executive Director reconsider its decision.

1. The Executive Director’s reclassification of Maxwell Creek as a perennial creek (*see* Response 16) should result in the application being re-noticed to affected parties with a new opportunity to review and respond to the application. Such re-noticing should comply with 30 TAC 39.405(f)(1), as the applicants’ previous notices did not comply with this applicable regulation (*see* item 6 below). Additionally, components of the draft permit have changed significantly compared to the version of the permit application that was made available during the public notice period. We request that the Executive Director reconsider granting the permit until the revised draft permit is re-noticed and affected parties are afforded an opportunity to provide comments.
2. While TCEQ may not have authority to “regulate flooding” in the traditional sense of the word (*see* Response 18), the TCEQ should reconsider whether Maxwell Creek can accept the permitted volume of effluent discharge without overflowing the banks of the creek.
3. The TCEQ did not consider, or at least did not respond to, any of the comments submitted by the North Texas Municipal Water District on November 22, 2021 at 10:43am, on March 3, 2022 at 2:01pm, and on March 7, 2022 at 2:37 pm (stamped). These comments warrant reconsideration of the regionalization related components of the permit application.
4. TCEQ did not consider the impact of the permit on the presence of the underground stream described by Charlie Flanigen of Canterra Landscape and in videos submitted by Carolyn Moebius on October 12, 2021 at 11:44 am via email to Brad Patterson, TCEQ, and also submitted on February 25, 2022 at 4:31 pm.
5. The TCEQ relies on applicants’ representations made in the application (*see* Response 34). Unfortunately, the representations contained in the application are not correct and warrant reconsideration. For example, the applicants represented in the application that Maxwell Creek was an intermittent creek based on personal observation (*see* Application, p. 30). Contrary to the representations in the application, the TCEQ correctly determined that Maxwell Creek is a perennial Creek (*see* Response 35). We urge the Executive Director to reconsider the permit application in light of these false representations. Additional, but by no means exhaustive, incorrect or incomplete representations or submissions made in connection with the application are noted below:
 - a. In the Domestic Technical Report, Section 9(A), the Sludge Disposal Method and Disposal, the written statement or contractual agreement from the wastewater treatment plant or permitting sludge processing facility accepting the sludge was not included with the application.

- b. The Supplemental Permit Information Form (SPIF) was not sent to the relevant agencies, including the Texas Parks and Wildlife Department and the Texas Historical Society as noted in the TCEQ box titled “TCEQ use only”. According to The Murphy Historical Society’s Member Roxanne Bogdan’s comment on October 28, 2021 at 11:23 am and request for contested case hearing on December 5, 2021 at 6:15 pm, Section 5 of the SPIF should have the item “Visual effects that could damage or detract from a historic property’s integrity” selected.
- c. In the Domestic Technical Report 1.1, Section (B)(3), copies of certified letters from nearby WWTP or collection systems and their response letters concerning connection with their system were required. No documentation was provided that the City of Murphy and the North Texas Municipal Water District (“NTMWD”) received such certified letters.
- d. In the Domestic Technical Report Worksheet 2.0, Section 4(D), the applicant noted that the receiving water characteristics do not change within three miles downstream of the discharge. This is incorrect. As noted on the City of Murphy’s website regarding the City’s parks and as included in the City of Murphy’s attorney Stephen Dickman’s request for contested case hearing submitted on November 12, 2021 at 9:33 am, there are retaining ponds and ponds located within three miles downstream.
- e. In the Domestic Technical Report Worksheet 2.0, Section 5(A), “Septic tanks” should have been checked off, as the immediate receiving water upstream is influenced by existing septic tanks. See comment submitted by Carolyn Moebius on November 1, 2021 at 5:31 pm and on December 6, 2021 at 12:06 pm. *See also* Scheri and Wade Cloud’s request for contested case hearing submitted on December 6, 2021 at 8:58 pm.
- f. In the Domestic Technical Report Worksheet 2.0, Section 5(B), “Waterbody Uses” should have included fishing, contact recreation, non-contact recreation, park activities, and irrigation for crops. See comment from the City of Murphy’s attorney, Stephen Dickman, requesting a contested case hearing on November 12, 2021 at 9:33 am. See also the City of Parker’s attorney Arturo Rodriguez’s request for contested case hearing request submitted on December 6, 2021 at 3:13 pm.
- g. In the Domestic Technical Report Worksheet 2.0, Section 5(C), “Waterbody Aesthetics” should have been designated as “Wilderness.” On December 6, 2021 at 12:06 pm, Carolyn Moebius attached Tetra Tech, Inc.’s review of the draft permit WQ0016003001 dated November 30, 2021. Section 1.5 Site Walk Observations noted “The waterbody aesthetics as defined in the TPDES permit application form could best be described as either “Wilderness” or “Natural Area”. While there appears to be limited development in the area photographs document wooded areas along the creek and exceptional water clarity.”
- h. On the TCEQ Core Data Form, Harrington/Turner Enterprises, LP was not in good standing when the application was filed. This was noted in comments submitted by City of Murphy’s attorney Stephen Dickman in his request for a contested case hearing on November 12 at 9:33 am.

6. Because TCEQ relies on the representations in the application (*see* Response 37), reconsideration is required given the numerous disputed issues of fact. *See, e.g.*, applicant's assertion that Maxwell Creek is intermittent, and application's incorrect coordinates of proposed facility (*see* Response 38).
7. Notice of the application was inadequate. "[T]he application process for the proposed WWTF provides several opportunities for public participation." Response 48. That statement by the Executive Director presumes that proper notice of the application and proposed WWTF was provided to the public. TCEQ relies on affidavits of applicant that notices were published in a newspaper of largest circulation in Collin County (*see* Response 52). The Collin County Commercial Record is not the newspaper of largest circulation in Collin County. The Dallas Morning News is the newspaper of largest circulation. This is contested issue of fact (*see* Responses 49, 50, 52) and we request that the Executive Director reconsider its decision in light of the failure to satisfy public notice requirements.

Incorporation of Additional Objections

We incorporate the objections of all other Affected Parties into this request for reconsideration as if fully set forth herein. We reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, and on behalf of ourselves, we respectfully request that the Executive Director's decision be reconsidered.

Respectfully,

Michael S. Haynes

Carrolyn J. Moebius

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 22, 2022 9:01 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D04122021017
Attachments: 1420 Parview_Objection to MUD.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: mshaynes1@verizon.net <mshaynes1@verizon.net>
Sent: Monday, February 21, 2022 9:40 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D04122021017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D04122021017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: MICHAEL SHAUN HAYNES

E-MAIL: mshaynes1@verizon.net

COMPANY:

ADDRESS: 1420 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 2149910817

FAX:

COMMENTS: See attached objection.

**IN RE: PETITION FOR CREATION OF COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 7,
PERMIT NO. D-04122021-017**

OBJECTION & REQUEST FOR CONTESTED CASE HEARING

BY MICHAEL S. HAYNES, AFFECTED PARTY

Affected Party Status

My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. My property shares a boundary with the proposed municipal utility district ("MUD"), and is approximately 420 feet from the location of the proposed wastewater treatment plant that will be managed by the MUD. Therefore, I am an affected party.

Request for Contested Case Hearing

I request a contested case hearing.

Wastewater Treatment Plant

The applicant ("Applicant") petitioning for creation of the MUD is also an applicant for a permit to construct an operate a wastewater treatment facility ("WWTF") within the boundaries of the proposed MUD. The proposed TCEQ permit for the WWTF is WQ0016003-001 (the "WWTF Proceeding"). Many affected parties, including myself, filed comments and/or requests for contested case hearing in the WWTF Proceeding.

Objections to Application

For the reasons set forth herein, I object to the creation of the MUD.

1. Comparable service is available from other sources. In the WWTF Proceeding, the City of Murphy, the City of Parker, and the North Texas Municipal Water District ("NTMWD") each filed a comment asserting that they had capacity to service the WWTF, thereby rendering the proposed MUD unnecessary.
2. The proposed development to be served by the MUD is of a density that will result in flooding. Specifically, during periods of high rain, waters flowing through Maxwell Creek frequently overrun the banks of the creek. A development containing housing density as proposed by the Applicant will exacerbate such flooding in at least two ways: (a) discharge from the WWTF, and (b) increased concrete and asphalt within the development will drastically reduce the amount of water that can be absorbed in the soil, thereby creating additional runoff water.
3. Discharged effluent from the WWTF, even if treated according to the specifications proposed by the Applicant, will have an unreasonable negative impact on Maxwell Creek, that I and my family use regularly.
4. Discharged effluent from the WWTF, even if treated according to the specifications proposed by the Applicant, will have an unreasonable negative impact on groundwater resources near my home.

5. Notice of the proposed MUD and notice of the proposed WWTF was inadequate to provide actual notice to all affected parties.
6. Notwithstanding presumed commercially reasonable efforts of the operator of the proposed WWTF, it is reasonably foreseeable that unpleasant odors will emanate from the facility. Emanation of odors from the facility constitute an actionable nuisance if it results in an unreasonable interference with the use and enjoyment of my home. *See City of Tyler v. Likes*, 962 S.W.2d 489 (Tex. 1997); *City of Temple vs. Mitchell*, 180 S.W.2d 959 (Tex.App.—Austin 1994, no writ). The proposed facility would constitute a foreseeable tort committed upon private homeowners. Such a tort would not only result in interference with the use and enjoyment of property, but also a diminution in value of the property itself.

Incorporation of Additional Objections

I filed an objection to the application for permit to construct and operate the WWTF in the WWTF Proceeding, a true and correct copy of which is attached hereto as Exhibit A, and a motion for reconsideration of the draft permit issued by the TCEQ, attached hereto as Exhibit B. I incorporate herein my objection attached as Exhibit A and my motion for reconsideration attached as Exhibit B as if fully set forth herein.

I incorporate the objections of all other Affected Parties into this objection as if fully set forth herein. I reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, I respectfully request that the Applicant's petition for creation of the MUD be denied.

Respectfully,



Michael S. Haynes

**IN RE: PETITION FOR CREATION OF COLLIN COUNTY MUNICIPAL UTILITY DISTRICT No. 7,
PERMIT No. D-04122021-017**

**OBJECTION & REQUEST FOR CONTESTED CASE HEARING
BY MICHAEL S. HAYNES, AFFECTED PARTY**

**EXHIBIT A
(OBJECTION TO WWTF, IN PROCEEDING WQ0016003-001)**

**IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM,
PERMIT NO. WQ0016003001**

OBJECTION BY MICHAEL S. HAYNES, AFFECTED PARTY

Affected Party Status

My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #40.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 421 feet from my property line and 490 feet from my home:

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-96.616388%2C33.041666&level=12>

A CBS news story regarding the Application, and the overwhelming community opposition to it, can be viewed here: <https://dfw.cbslocal.com/video/6167919-murphy-residents-protest-planned-wastewater-treatment-plant/>

Request for Contested Case Hearing

I request a contested case hearing.

Use of Maxwell Creek

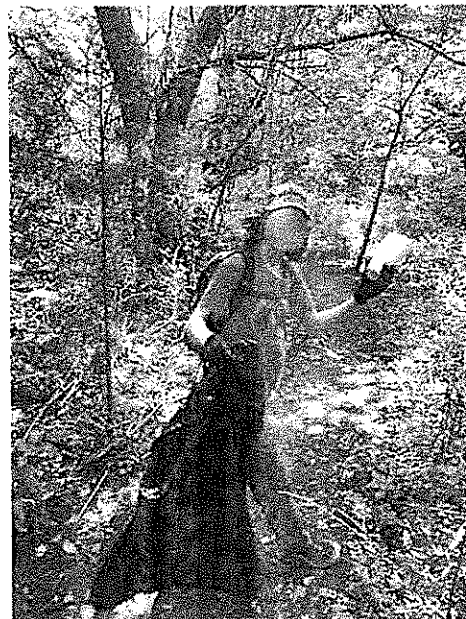
I am, and have been, a resident of Murphy, Texas for twelve years. During the majority of those twelve years, I have been an adult volunteer with Cub Scout Pack 1789 (comprised of elementary students that attend Hunt Elementary in Murphy, Texas) and Boy Scout Troop 285 (containing numerous members that are students at the middle school and high school in Murphy, Texas).

During my time as a resident of Murphy, I have regularly hiked and performed conservation projections along Maxwell Creek. Specifically, as an adult volunteer leader with Cub Scout Pack 1789, I personally have taken cub scouts on hikes along the shores and through the waters of Maxwell Creek, where we have observed all manner of wildlife. I have observed scouts playing in the creek. Below is a picture of my cub scouts during a hike through Maxwell Creek in April 2017:



Each year, Cub Scout Pack 1789 participates in several environmental conservation activities along Maxwell Creek, including “Abor Day” and “Murphy Clean Up Day.”

Additionally, as an adult volunteer with Boy Scout Troop 285, I personally have participated with boy scouts in hikes and conservation projects along the shores and through the waters of Maxwell Creek. Below is a picture of one of my boy scouts performing a conservation project at Maxwell Creek in May 2020:

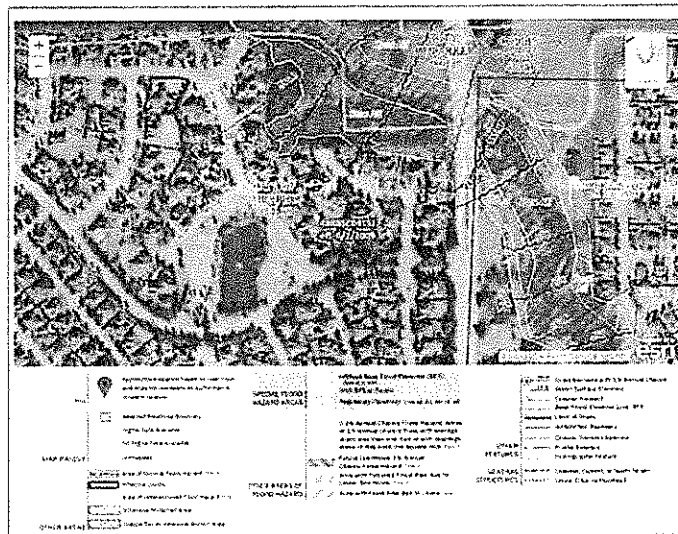


The waters of Maxwell Creek, the shoreline of Maxwell Creek, and the hiking trails and vegetation surrounding Maxwell Creek are pristine. When heavy rains bring trash downstream, the residents

of Murphy, act quickly and regularly to restore the quality of the creek and nearby areas. The residents of Murphy, and in particular the cub scouts, boy scouts, and girl scouts of Murphy, take great pride in maintaining the quality of Maxwell Creek.

In my twelve years of exploring Maxwell Creek, I have never seen the creek dry or empty of water. To the contrary, I have observed live fish and turtles in Maxwell Creek and have observed significant wildlife. I have personally fished and taken my scouts fishing in the ponds near Maxwell Creek.

Parts of Maxwell Creek are prone to flooding. Some of those floodwaters are captured by storm sewers in my neighborhood, which feed into Liberty Ridge Pond located 1/5th of a mile from my home. Below is an image I downloaded on December 1, 2021, from <https://www.fema.gov/flood-maps>, indicating the flood plain and showing its proximity to Liberty Ridge Pond, which is only one of the many ponds in close proximity to Maxwell Creek:



Myself, my children, and my scouts, regularly fish in that pond where we have caught numerous fish and turtles. We also have observed ducks and other wildlife at the pond.

Odor Concerns

I am very concerned about the likely emanation and trespass of foul odors from the proposed facility onto my property. The Applicant proposes to construct the facility approximately 400 feet from my house, which is the location on Applicant's property that is also the greatest possible distance away from the Applicant's house.



Applicant's House My House Proposed Facility Location
Yellow area is Applicant's land within Applicant's proposed development.
Blue area is Applicant's land outside Applicant's proposed development.

I believe that the Application should be denied. However, if the Commission is inclined to approve the Application, a more equitable location of the proposed facility would be a location near the Applicant's¹ residence with an underground pipeline connecting the facility to the proposed discharge point, rather than 421 feet from my backyard.

For the reasons set forth herein, and for the reasons asserted in the comments filed by neighbors, I oppose the Application.

Objections to Application

I would be adversely affected by the Application in ways not unique to the general public because, as noted above:

1. My property is approximately 421 feet from the proposed facility. It is foreseeable and probable that any flooding, spills, or other intrusions of water, chemicals, or odors emanating from the proposed facility will enter upon my property and directly and adversely affect my property and the health of my family.
2. I personally and regularly rely on this creek to educate and inform my children and my scouts.

The below considerations related to the Application would specifically impact me and my property:

1. Maxwell Creek is not an intermittent creek, it is a perennial creek with exceptional water quality sustaining high aquatic life and vegetative life. Aquatic recreation of

¹ An individual is the owner of the Applicant, which owns the land in yellow. That same individual is the owner of the entities that own the land in blue—i.e., the same individual is the ultimate owner of the land in blue and yellow.

my children and scouts in Maxwell Creek falls under the classification of “Primary Contact Recreation 1.”

2. Maxwell Creek has exceptional aesthetic qualities.
3. The TCEQ’s preliminary decision states: “This review has preliminary determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 antidegradation review is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.” The TCEQ’s preliminary determination is incorrect.
4. Maxwell Creek is used regularly by residents of Murphy, Texas, including cub scouts, boy scouts, and girl scouts of all ages. Such use includes hiking along and through the waters of the creek.
5. There are suitable alternatives to discharging treated wastewater into Maxwell Creek, including (a) connecting to other nearby pre-existing facilities that do not discharge into Maxwell Creek, (b) installation of individual Septic Systems (specifically, the City of Parker, Texas — wherein the facility will be constructed — “consists mainly of private septic systems on each residential lot maintained by the property owner.” *See* parkertexas.us/132/Wastewater), and (c) beneficial reuse or irrigation use of treated wastewater.
6. Chemical contents of treated wastewater released into Maxwell Creek will irreparably damage aquatic life, vegetative life, and wildlife that is regularly found in and around Maxwell Creek.
7. Discharge of treated wastewater into Maxwell Creek will negatively impact all, and certainly eliminate some, of the current uses of the creek and surrounding areas by myself, my children, and my scouts. Even if the wastewater is treated exactly as mandated by the TCEQ, neither I, my children nor my scouts will ever again enter into the waters of Maxwell Creek if it contains treated wastewater.
8. The draft permit does not include adequate provisions to protect the health of my family or the nearby aquatic or terrestrial wildlife.
9. Notwithstanding presumed commercially reasonable efforts of the operator of the wastewater treatment facility, it is reasonably foreseeable that unpleasant odors will emanate from the facility. Emanation of odors from the facility constitute an actionable nuisance if it results in an unreasonable interference with the use and enjoyment of my home. *See City of Tyler v. Likes*, 962 S.W.2d 489 (Tex. 1997); *City of Temple vs. Mitchell*, 180 S.W.2d 959 (Tex.App.—Austin 1994, no writ). Given the existence of commercially reasonable alternatives to the proposed facility, the proposed facility would constitute a foreseeable tort committed upon

private homeowners. Such a tort would not only result in interference with the use and enjoyment of property, but also a diminution in value of the property itself. Additionally, given the probability of foul odors emanating from the facility, a more equitable location of the facility would be one near the Applicant's residence, rather than near my residence.

10. Construction of such a facility so close to our schools poses an unnecessary risk. First, such facilities can constitute an attractive nuisance to my children, and other attendees, of the nearby schools. Second, even best efforts in design and operation cannot eliminate the possibility of disaster (big or small) and contamination. Such a risk, regardless of how it is mitigated, is unnecessary if there are commercially reasonable alternatives.

Incorporation of Additional Objections

My wife and I, along with other members of my community, retained an engineering consultant with expertise in the matters presented in the Application. Attached hereto is a report prepared by the consultant at our request. I incorporate the objections and issues contained in that report.

I incorporate the objections of all other Affected Parties into this objection as if fully set forth herein. I reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, I respectfully request that the Application be denied.

Respectfully,

Michael S. Haynes

REPORT OF ENGINEERING CONSULTANT RETAINED BY MICHAEL S. HAYNES



MEMO

Date: November 30th, 2021

Subject: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP TPDES Permit No. WQ0016003001 Contestation Support Summary of Findings

1.0 INTRODUCTION

Tetra Tech, Inc. (Tetra Tech) was engaged to assist with contesting a newly issued draft Texas Pollution Discharge Elimination System (TPDES) permit (TPDES Permit No. WQ0016003001) to Restore the Grasslands LLC and Harrington/Turner Enterprises, LP.

1.1 PERMIT APPLICATION REVIEW

Tetra Tech notes the following observations in the permit application. The implication of these observations will be explored in the following sections of this report.

- On page 9 of the Administrative Report, Section 10.C, the applicants indicated the discharge is NOT routed to a city, county, or state highway right-of-way, or a flood control district drainage ditch. If the discharge is routed to one of these features, the applicant must demonstrate authorization has been received from the responsible entity.
- On page 22 of the Technical Report, Section 1.B.3, the applicants indicated that there are domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facilities. One of the corresponding requirements is to provide copies of certified letters to these facilities and their response letters, which the applicants indicate are provided in Attachment 12. However, Attachment 12 does not include response letters.
- On page 30 of the Technical Report, Section 4.B, the applicants indicate that the receiving stream, Maxwell Creek, is intermittent (dry for at least one week during most years). Because of this response, the applicants did not include Worksheet 2.1 with the application. Worksheet 2.1 identifies stream physical characteristics that must be provided by the applicant for all new permits but is not required for discharges to intermittent streams.
- On page 31 of the Technical Report, Section 5.B, the applicants indicate that the waterbody is used for livestock watering. "Contact recreation", "non-contact recreation", "fishing" and "park activities" are unchecked.
- On page 32 of the Technical Report, Section 5.C, the applicants characterize the waterbody as "Common Setting: not offensive, developed but uncluttered; water may be colored or turbid".

1.2 TPWD LETTER REVIEW

All new and major amendment TPDES permit applications must be reviewed by the TPWD and the Texas Commission on Environmental Quality (TCEQ) must consider their comments in processing the application. There are three major issues raised by the TPWD:

- The TPWD challenges the representation of the receiving stream by the applicants as an intermittent stream and believes it is correctly identified as perennial. The TPWD requests that the applicants provide information supporting their assertion regarding stream type and recommends that a Receiving Water Assessment be conducted.

- The TPWD advocates minimizing new point source discharges when there are feasible alternatives, in effect questioning the need for issuing this permit, particularly given that Maxwell Creek does not already receive treated effluent. The letter correctly states that the application did not include responses from candidate facilities to receive the new wastewater stream. In addition to alternative treatment facilities, the TPWD recommends that the applicants consider beneficial reuse or land irrigation as a means to manage the new wastewater discharge stream.
- The TPWD expresses concern over the introduction of nutrients to Maxwell Creek from the new discharge causing increases in algal biomass and recommends a total phosphorus effluent limit of 0.5 mg/L.

1.3 CITY OF MURPHY LETTER REVIEW

The City of Murphy comment letter raises a number of issues. Several of the issues raised presume that the facility will discharge improperly treated wastewater; however, Tetra Tech believes that the TCEQ will not act on such presumptions if the treatment system is properly designed and complies with the design requirements set forth in 30 TAC 217. The City of Murphy challenges the proposed design of the treatment system; some of these concerns may be addressed by the Tetra Tech analysis described in Section 2.4 of this report. Also, the letter raises concern over whether the treatment system will be operated by a qualified operator; however, the draft permit requires that the facility be operated by licensed individuals in compliance with 30 TAC 30 (see Item #9 in the Operational Requirements section of the draft permit on page 15). The below synopsis highlights the most technically significant issues.

- In asserting that water quality parameters in the draft permit are inadequate to protect existing water quality uses, the City of Murphy indicates that the City-owned property on Maxwell Creek downstream of the discharge point is used for "walking, jogging, biking, fishing, swimming, and aesthetic enjoyment." These waterbody uses represent a significant difference from representations in the permit application and could impact the parameters within the permit as well as possibly the decision to issue the permit.
- The City challenges the characterization of the stream as intermittent and the aesthetics as "common setting", stating that these responses should instead be perennial and "natural area", respectively.
- The City suggests that there are endangered species and habitat within and along Maxwell Creek.
- The City suggests that other treatment facilities may be able to accept the new wastewater flow.
- The City believes that nutrients in the wastewater stream will create nuisance conditions.
- The City describes funding commitments for drainage improvements and public access trails along Maxwell Creek. This information suggests that the creek may represent a right of way under the control of the City. The City is concerned that the new discharge will compromise the drainage capacity of the creek.
- The City provides evidence that Harrington/Turner Enterprises, LP, one of the co-applicants, is not a valid partnership because its general partner forfeited its corporate existence. Tetra Tech believes this legal issue could delay permit issuance but has no further comment as this issue is not technical in nature.

1.4 TREATMENT SYSTEM SIZING

Tetra Tech conducted a high-level review of sizing requirements for the aeration basins, clarifier, and chlorine contact basin in the proposed wastewater treatment facility for Phase 2 conditions. Based on preliminary calculations, Tetra Tech believes that the proposed treatment system complies with sizing requirements in 30 TAC 217. The discrepancies noted in the City of Murphy letter between the treatment equipment volumes reported in the application and the volumes calculated by the City of Murphy are likely due to freeboard allowances.

- Aeration basin sizing is based on an organic loading rate of 35 lbs BOD₅/day/1,000 ft³, which is the organic loading rate specified by 30 TAC 217.154(b)(2) for conventional activated sludge processes with nitrification when reactor temperatures exceed 15°C, with applicable permit limits for BOD₅, TSS, and ammonia nitrogen matching the limits in the draft permit.

TETRA TECH

- Tetra Tech calculates minimum clarifier sizing of 29-foot diameter, 12-foot clarifier depth, and 10-foot water depth, compared with the proposed clarifier size of 32-foot diameter, 14.2-foot clarifier depth, and 10-foot water depth
- Tetra Tech calculates a minimum chlorine contact basin volume of 1485 cubic feet, compared with the proposed 1980 cubic feet basin.

1.5 SITE WALK OBSERVATIONS

Tetra Tech conducted a site walk on November 23, 2021. Measurements and/or field data were collected at four locations within Maxwell Creek and one location within Muddy Creek, and photographs were taken. The field report for this visit is included as an attachment to this report. Key observations include the following:

- Estimated stream flows range from 0.41 to 2.5 cubic feet per second (cfs).
- The flow rates and flow patterns, presence of fish, and lack of contributing wastewater discharges suggest the stream is perennial.
- The water is colorless with exceptional clarity and no observable contamination.
- Dissolved oxygen values ranged from 5.5 to 11.2 mg/L, indicating exceptional water quality.
- The measured pH ranged from 7.8 to 8.1.
- The waterbody aesthetics as defined in the TPDES permit application form could best be described as either "Wilderness" or "Natural Area". While there appears to be limited development in the area, photographs document wooded areas along the creek and exceptional water clarity.

2.0 KEY ISSUES

Based on the described work performed, Tetra Tech believes that there are many strong technical issues with the permit application. Tetra Tech has characterized these issues based on how they impact the permit process.

2.1 POTENTIAL PERMIT DENIAL ISSUES

2.1.1 Possible Authorization Required by the City of Murphy

Maxwell Creek may meet the definition of a right of way under the jurisdiction of the City of Murphy as described in Section 2.3. If this is confirmed, then the applicants would be required to obtain authorization from the City in order to discharge.

2.1.2 Alternatives to Discharge

The TPWD and the City of Murphy both indicated alternatives to discharge. These alternatives should be given greater consideration than for typical new permit requests given that Maxwell Creek does not currently receive any treated wastewater effluent and given the outstanding water quality and aesthetic value of the creek. In particular, the TPWD provides several alternatives to discharge and recommends that they be considered.

2.2 PERMIT ISSUES

2.2.1 Stream Classification

There is ample evidence that the applicants have mischaracterized Maxwell Creek as intermittent instead of perennial. The change in classification will require that additional information related to waterbody properties be provided by the applicants in order to process the application.

2.2.2 Waterbody Quality, Uses, and Aesthetics

As with stream characterization, there is ample evidence that the applicants have misrepresented the quality, uses, and aesthetics associated with Maxwell Creek. The stream uses noted by the City of Murphy and the water quality and aesthetic conditions documented in the field report in attachment 1 of this memo report should provide justification for a Tier 2 antidegradation review of the application by the TCEQ in addition to the Tier 1 review that was conducted.

2.2.3 Nutrient Concerns

Both the TPWD and the City of Murphy recommend that a permit limit be added for phosphorus due to concerns over the introduction of nutrients to Maxwell Creek from the new discharge that could cause increases in algal biomass.

2.2.4 Presence of Endangered or Threatened Species

The City of Murphy suggests the possible presence of endangered species and habitats within and along Maxwell Creek. Tetra Tech did not observe endangered or threatened species during the site walk but did not conduct a threatened and endangered species survey.

3.0 CONCLUSIONS

Tetra Tech, Inc. (Tetra Tech) review of draft Permit No. WQ0016003001 has identified a number of key issues that have not been adequately addressed by the permit applicant. Further evaluation of the City of Murphy right of way approvals, alternatives to discharge, characterization and uses of the receiving waters, nutrient limits, and potential presence of endangered species are all factors that should be reconsidered before a permit is issued to the applicants and may need to be evaluated with respect to whether a permit should be issued if viable alternatives exist.

ATTACHMENT 1: FIELD REPORT



TETRA TECH

Field Report

Author: Dipendra Wagle, PhD, Tetra Tech, Inc.

Date: 11/23/21

Location: Maxwell Creek and Muddy Creek, Dallas-Fort Worth Metroplex, TX

Objective: Survey the creeks for water quality, perennial flow, and wildlife in baseline survey

Water Quality Report

1. Methodology:
 - a. Temperature was measured by using EPA-150.1
 - b. Dissolved Oxygen (DO) was measured by using SM-4500-0
 - c. Specific Conductance was measured by using EPA-120.1
 - d. Oxidation-Reduction Potential (ORP) was measured by using ASTM-D1498-08
2. Below are the key observations:
 - a. Water quality was measured at 4 different locations in Maxwell Creek and 1 location in Muddy Creek.
 - b. Flow characteristic was measured at 3 different locations in Maxwell Creek.
 - c. The stream, vegetation, aquatic, and wildlife were also observed and photographed.
3. Field conclusions:
 - a. The flow in Maxwell Creek was perennial from several contributory springs and ranged between 0.41-2.5 cubic feet per second (CFS).
 - i. The water was clear with no indication of wastewater effluent or any contamination based on water quality data. It was a pristine environment.
 - ii. The temperature ranged from 11.7°C to 12°C.
 - iii. The pH was in a neutral range of 7.8 to 8.2 pH units.
 - iv. The DO ranged from 5.5 to 11.2 mg/L.
 - v. ORP was in the positive range.
 - b. Access to Muddy Creek was limited but a single sampling point showed that water quality was similar to Maxwell Creek.
 - c. Photographs taken by the citizens and the support group are also included in the report. The photographs show that Maxwell Creek contained aquatic life and wildlife.

The water quality, flow characteristics, and photographs captured from the site visit are presented below.



TETRA TECH

Location: Maxwell Creek
Latitude: 33.022983

Time: 10:16 AM
Longitude: -96.604602

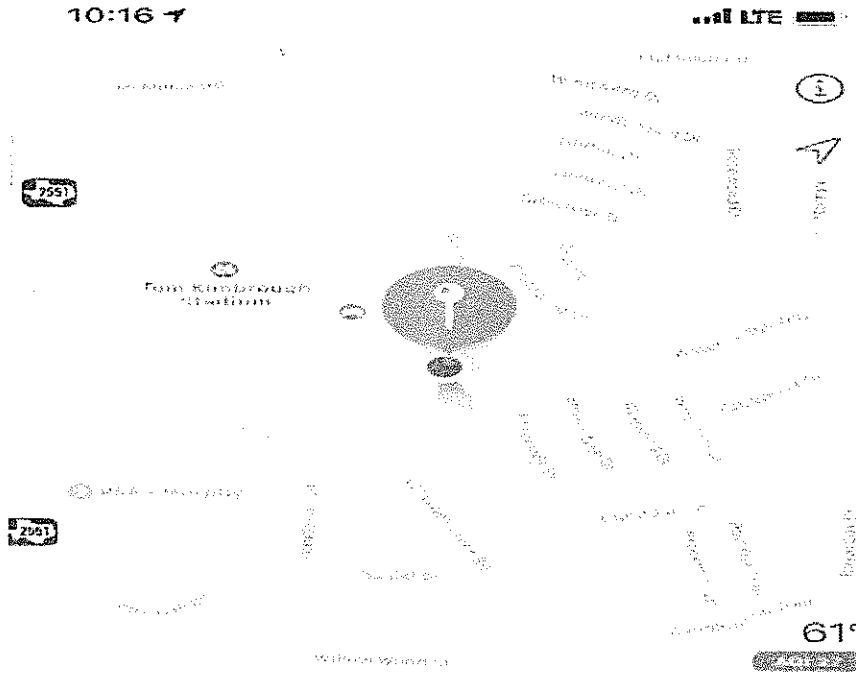


Figure 1: GPS map for the sampling location at 10:16 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.6
DO (% L)	104.7
DO (mg/L)	11.2
Specific Conductance (mS/cm)	0.641
Conductance (mS/cm)	0.476
pH	8.1
ORP (mV)	113.6

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 2

Stream width: 8.17 ft

Stream mid-point: 4.085 ft



TETRA TECH

Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
1.20	0.42	0.75

Average depth: 0.79

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
183	121	191

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.0546	0.0826	0.0524

Average stream velocity: 0.0632 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.41 ft³/s

Location: Maxwell Creek

Latitude: 33.031037

Time: 10:51 AM

Longitude: -96.606088

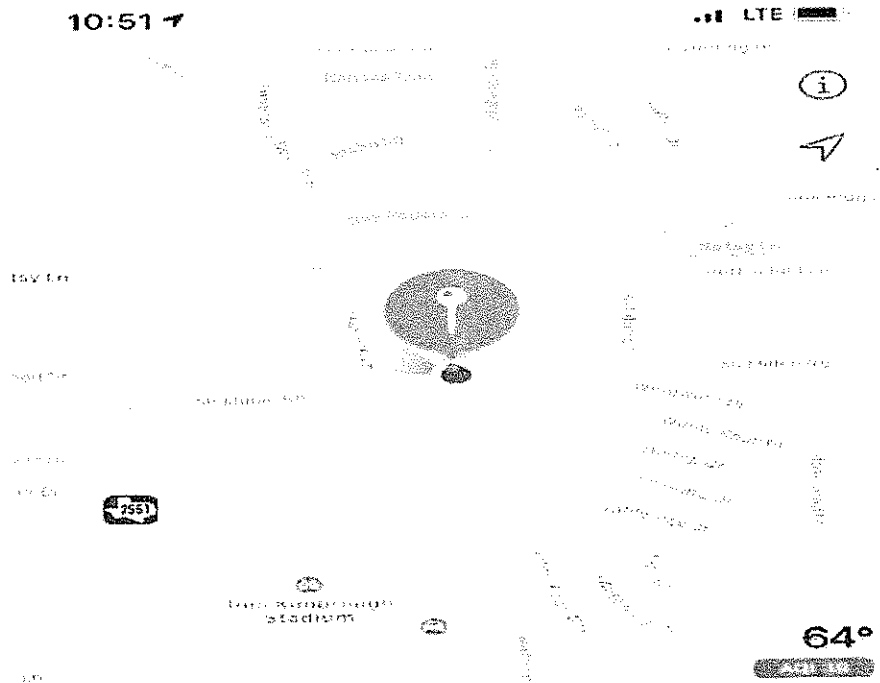


Figure 2: GPS map for the sampling location at 10:51 AM in Maxwell Creek



TETRA TECH

Water quality parameters

Parameters	Value
Temperature (°C)	12.3
DO (% L)	78.3
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.608
Conductance (mS/cm)	0.461
pH	8.0
ORP (mV)	109.2

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 1

Stream width: 7.2 ft

Stream mid-point: 3.6 ft

Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
0.58	1.08	0.875

Average depth: 0.845

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
87	42	102

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.115	0.238	0.098

Average stream velocity: 0.150 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.913 ft³/s



TETRA TECH

Location: Maxwell Creek
Latitude: 33.051165

Time: 11:33 AM
Longitude: -96.617021

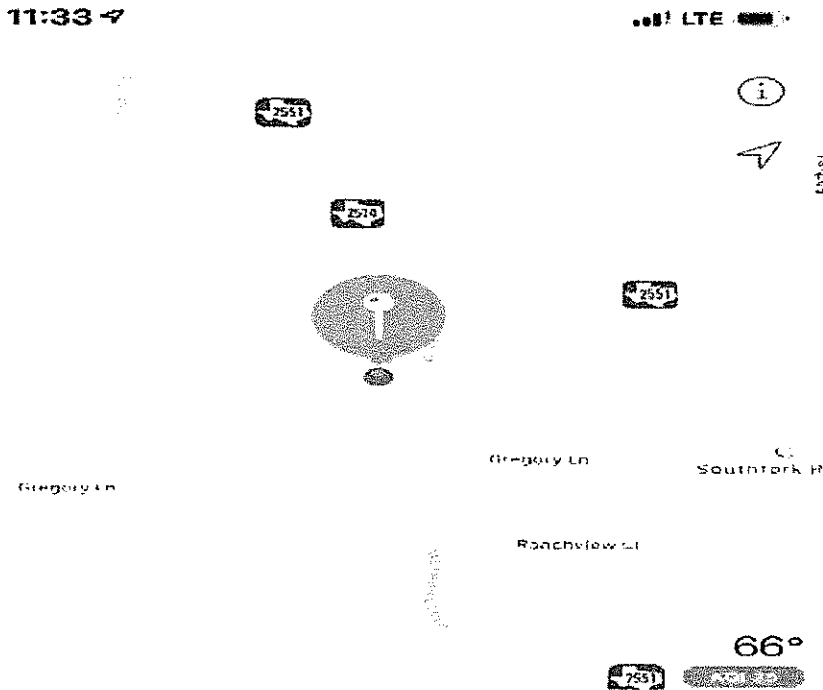


Figure 3: GPS map for the sampling location at 11:33 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.7
DO (% L)	50.3
DO (mg/L)	5.5
Specific Conductance (mS/cm)	0.495
Conductance (mS/cm)	0.369
pH	7.8
ORP (mV)	97.3

Flow Measurement: Flow measurement was not conducted in this location due to safety reasons.



TETRA TECH

Location: Maxwell Creek
Latitude: 33.014690

Time: 12:11 PM
Longitude: -96.602370

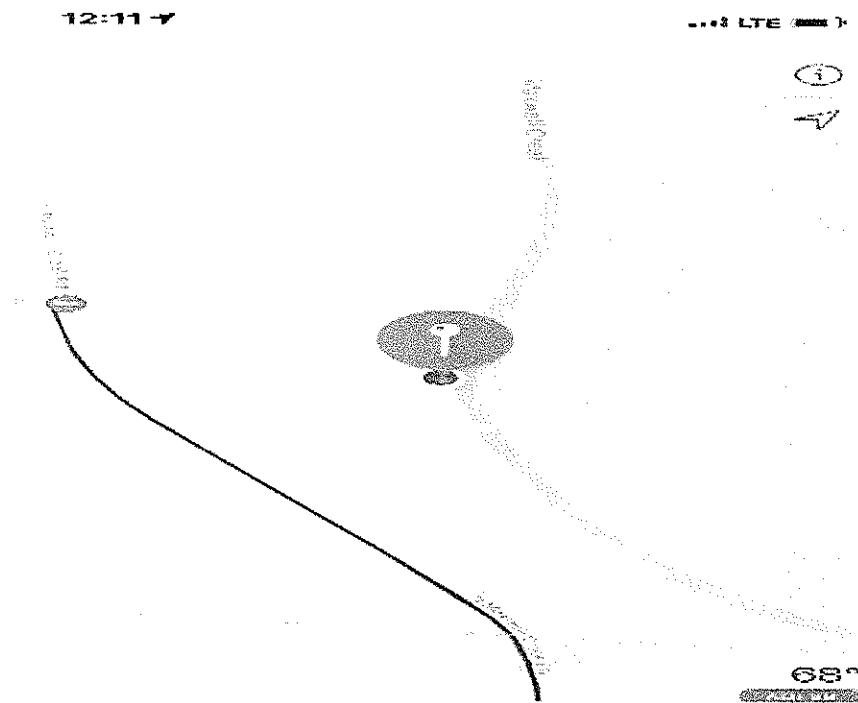


Figure 4: GPS map for the sampling location at 12:11 PM in Maxwell Creek

Water Quality Parameters:

Parameters	Value
Temperature (°C)	12.7
DO (% L)	77
DO (mg/L)	8.3
Specific Conductance (mS/cm)	0.66
Conductance (mS/cm)	0.5
pH	7.9
ORP (mV)	100.8

Flow Measurement

Flow type: Perennial
Stream bends: well
No. of riffles: 2
Stream width: 15.73 ft
Stream mid-point: 7.86 ft
Stream depth: 0.625 ft
Covered length: 10 ft



TETRA TECH

Time taken to cover the distance: 39 s

Maximum stream velocity: 0.256 ft/s

Maximum Discharge: (stream width) * (average depth) * (average velocity)

Maximum Discharge: 2.517 ft³/s

Pictures



Figure 5: Picture of Maxwell Creek Downstream



TETRA TECH



Figure 6: Picture of natural life on the bank of Maxwell Creek

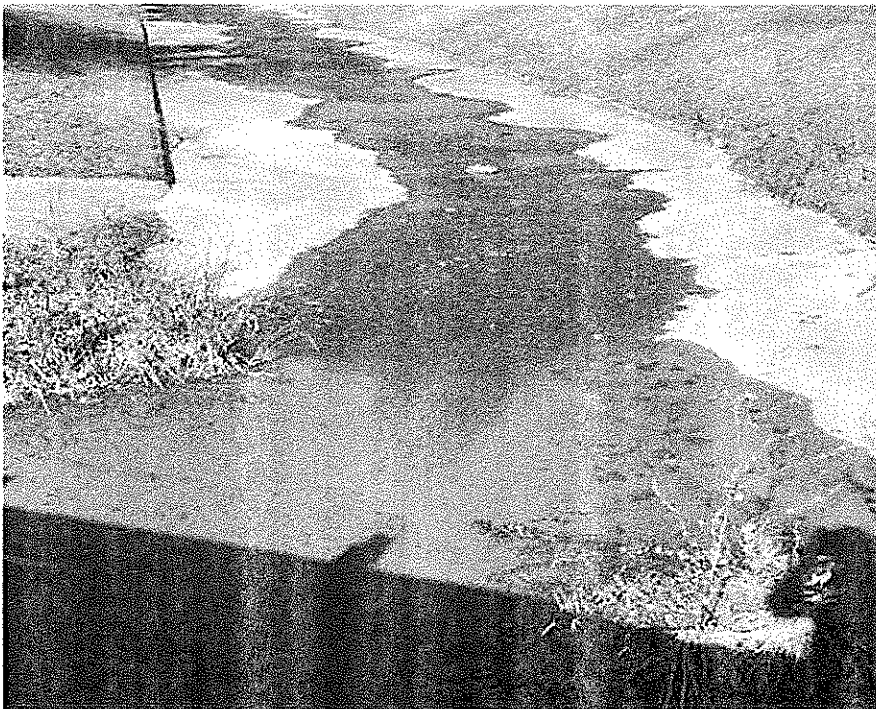


Figure 7: Picture of runoff flow upstream of Maxwell Creek



TETRA TECH



Figure 8: Picture showing the stream bed in Maxwell Creek

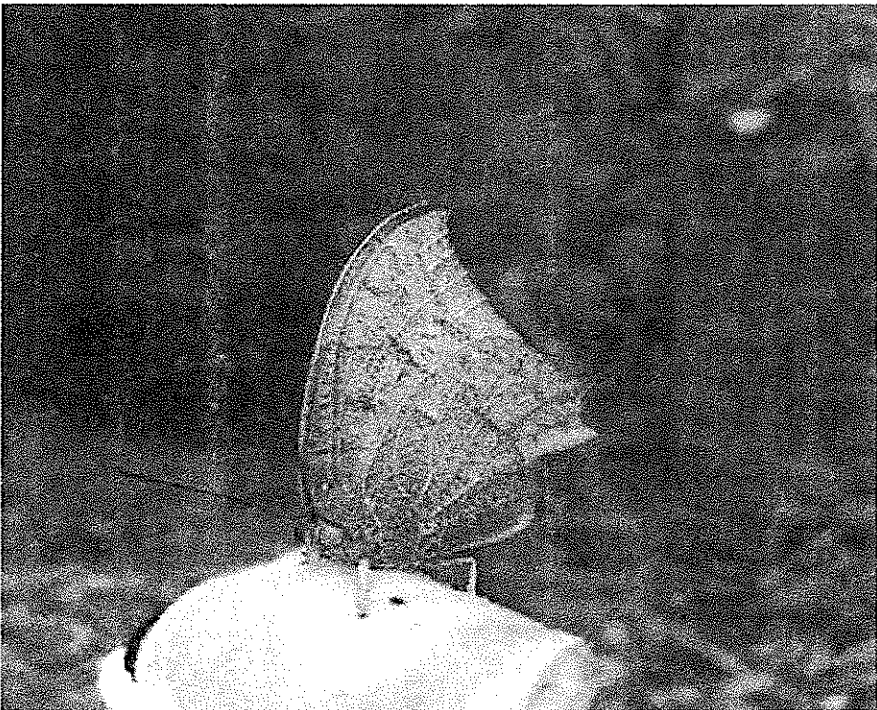


Figure 9: Picture showing a butterfly along Maxwell Creek

1500 City West Blvd, Suite 1000, Houston, TX 77042
832.251.5160 832.251.5170
www.tetrattech.com/oilandgas



TETRA TECH



Figure 10: Picture showing the aquatic life in Maxwell Creek



Figure 11: Picture taken by Andrew on November 6, 2021; M-1 - clarity of water

1500 City West Blvd, Suite 1000, Houston, TX 77042
832.251.5160 832.251.5170
www.tetrattech.com/oilandgas



TETRA TECH

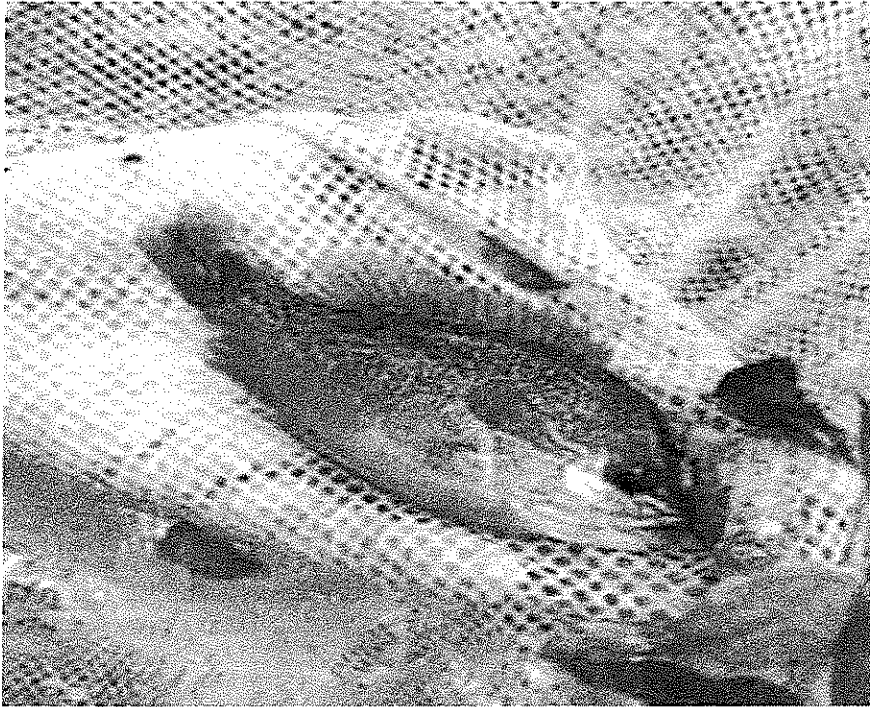


Figure 12: Picture taken by Andrew on November 6, 2021; M-1 - Fish



Figure 13: Picture taken by Kathy on November 22, 2021 - Harvey-1

1500 City West Blvd, Suite 1000, Houston, TX 77042
832.251.5160 · 832.251.5170
www.tetrattech.com/oilandgas



TETRA TECH



Figure 14: Picture taken by Mary Nell Jackson on November 22, 2021 - Bluebird Nest

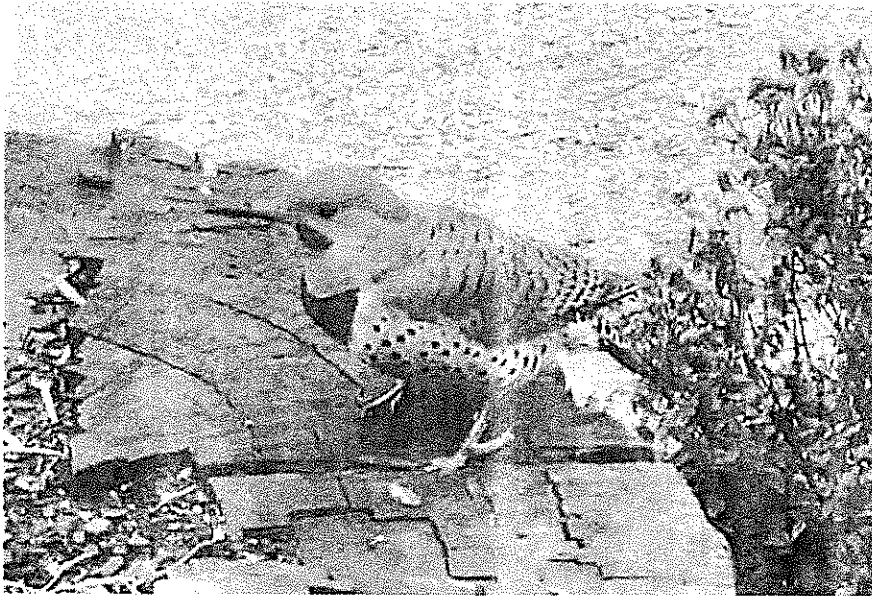


Figure 15: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker - Northern Flicker



TETRA TECH



Figure 16: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker – Downy Woodpecker



Figure 17: Water sample taken from Maxwell Creek (same sample)



Location: Muddy Creek
 Latitude: 32.977560

Time: 2:06 PM
 Longitude: -96.556854



Figure 18: GPS map for the sampling location at 2:06 PM in Muddy Creek

Water quality parameters

Parameters	Value
Temperature (°C)	12.5
DO (% L)	79.7
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.494
Conductance (mS/cm)	0.376
pH	8.2
ORP (mV)	106.9



TETRA TECH



Figure 19: Picture showing water flow at Muddy Creek

**IN RE: PETITION FOR CREATION OF COLLIN COUNTY MUNICIPAL UTILITY DISTRICT No. 7,
PERMIT NO. D-04122021-017**

**OBJECTION & REQUEST FOR CONTESTED CASE HEARING
BY MICHAEL S. HAYNES, AFFECTED PARTY**

**EXHIBIT B
(MOTION FOR RECONSIDERATION TO WWTF PERMIT, IN PROCEEDING WQ0016003-001)**

**IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM,
PERMIT NO. WQ0016003001**

MOTION FOR RECONSIDERATION BY MICHAEL S. HAYNES, AFFECTED PARTY

Affected Party Status

My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #40.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 421 feet from my property line and 490 feet from my home:

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-96.616388%2C33.041666&level=12>

Executive Director's Decision

On February 11, 2022, the executive director of the Texas Commission on Environmental Quality ("Executive Director") "made a decision that the above-referenced application meets the requirements of applicable law." Contemporaneous with the Executive Director's decision, the Executive Director provided the *Executive Director's Response to Comments* (the "ED RTC").

Motion for Reconsideration

For the reasons set forth herein, I request that the Executive Director reconsider his decision.

1. The Executive Director's reclassification of Maxwell Creek to a perennial creek (*see* Response 16) should result in the application being re-noticed to affected parties with a new opportunity to review and respond to the application. Such re-noticing should comply with 30 TAC 39.405(f)(1), as the applicants' previous notices did not comply with this applicable regulation (*see* item 6 below).
2. While TCEQ may not have authority to "regulate flooding" in the traditional sense of the word (*see* Response 18), the TCEQ should reconsider whether Maxwell Creek can accept the permitted volume of effluent discharge without overflowing the banks of the creek.
3. The TCEQ did not consider, or at least did not respond to, any of the comments submitted by the North Texas Municipal Water District.
4. The TCEQ relies on applicants' representations made in the application (*see* Response 34). Unfortunately, the representations contained in the application are not reliable. For example, the applicants represented in the application that Maxwell Creek was an intermittent creek based on personal observation (*see* Application, p. 30, a copy of which is attached hereto as Exhibit A). Contrary to the representations in the application, the TCEQ correctly determined that Maxwell Creek is a perennial Creek (*see* Response 35).
5. Because TCEQ relies on the representations in the application (*see* Response 37), a contested case hearing is required given the numerous disputed issues of fact. *See, e.g.,*

applicant's assertion that Maxwell Creek is intermittent, and application's incorrect coordinates of proposed facility (*see* Response 38).

6. Notice of the application was inadequate. "[T]he application process for the proposed WWTF provides several opportunities for public participation." Response 48. That statement by the Executive Director presumes that proper notice of the application and proposed WWTF was provided to the public. TCEQ relies on affidavits of applicant that notices were published in a newspaper of largest circulation in Collin County (*see* Response 52). The Collin County Commercial Record is not the newspaper of largest circulation in Collin County. Applicant's assertion to the contrary is laughable. The Dallas Morning News is the newspaper of largest circulation. This is contested issue of fact (*see* Responses 49, 50, 52) requiring a contested case hearing.

Incorporation of Additional Objections

I incorporate the objections of all other Affected Parties into this motion for reconsideration as if fully set forth herein. I reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, I respectfully request that the Executive Director's decision be reconsidered.

Respectfully,

A handwritten signature in cursive script that reads "Michael S. Haynes". The signature is written in black ink and is positioned above the printed name.

Michael S. Haynes

EXHIBIT A

(True and Correct Copy of Application p. 30)

Motion for Reconsideration
Exhibit A

- Open Bay
- Tidal Stream, Bayou, or Marsh
- Other, specify:

B. Flow characteristics

If a stream, man-made channel or ditch was checked above, provide the following. For existing discharges, check one of the following that best characterizes the area *upstream* of the discharge. For new discharges, characterize the area *downstream* of the discharge (check one).

- Intermittent - dry for at least one week during most years
- Intermittent with Perennial Pools - enduring pools with sufficient habitat to maintain significant aquatic life uses
- Perennial - normally flowing

Check the method used to characterize the area upstream (or downstream for new dischargers).

- USGS flow records
- Historical observation by adjacent landowners
- Personal observation
- Other, specify:

C. Downstream perennial confluences

List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point.

No perennial streams join Maxwell Creek within three miles downstream of the discharge point.

D. Downstream characteristics

Do the receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.)?

Yes No

If yes, discuss how.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 22, 2022 9:02 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: 1420 Parkview WWTPP Motion for Reconsideration.pdf

RFR

From: mshaynes1@verizon.net <mshaynes1@verizon.net>
Sent: Monday, February 21, 2022 9:36 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MICHAEL SHAUN HAYNES

E-MAIL: mshaynes1@verizon.net

COMPANY:

ADDRESS: 1420 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 2149910817

FAX:

COMMENTS: See attached motion for reconsideration.

IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM,
PERMIT NO. WQ0016003001

MOTION FOR RECONSIDERATION BY MICHAEL S. HAYNES, AFFECTED PARTY

Affected Party Status

My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #40.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 421 feet from my property line and 490 feet from my home:

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-96.616388%2C33.041666&level=12>

Executive Director's Decision

On February 11, 2022, the executive director of the Texas Commission on Environmental Quality ("Executive Director") "made a decision that the above-referenced application meets the requirements of applicable law." Contemporaneous with the Executive Director's decision, the Executive Director provided the *Executive Director's Response to Comments* (the "ED RTC").

Motion for Reconsideration

For the reasons set forth herein, I request that the Executive Director reconsider his decision.

1. The Executive Director's reclassification of Maxwell Creek to a perennial creek (*see* Response 16) should result in the application being re-noticed to affected parties with a new opportunity to review and respond to the application. Such re-noticing should comply with 30 TAC 39.405(f)(1), as the applicants' previous notices did not comply with this applicable regulation (*see* item 6 below).
2. While TCEQ may not have authority to "regulate flooding" in the traditional sense of the word (*see* Response 18), the TCEQ should reconsider whether Maxwell Creek can accept the permitted volume of effluent discharge without overflowing the banks of the creek.
3. The TCEQ did not consider, or at least did not respond to, any of the comments submitted by the North Texas Municipal Water District.
4. The TCEQ relies on applicants' representations made in the application (*see* Response 34). Unfortunately, the representations contained in the application are not reliable. For example, the applicants represented in the application that Maxwell Creek was an intermittent creek based on personal observation (*see* Application, p. 30, a copy of which is attached hereto as Exhibit A). Contrary to the representations in the application, the TCEQ correctly determined that Maxwell Creek is a perennial Creek (*see* Response 35).
5. Because TCEQ relies on the representations in the application (*see* Response 37), a contested case hearing is required given the numerous disputed issues of fact. *See, e.g.,*

applicant's assertion that Maxwell Creek is intermittent, and application's incorrect coordinates of proposed facility (*see* Response 38).

6. Notice of the application was inadequate. "[T]he application process for the proposed WWTF provides several opportunities for public participation." Response 48. That statement by the Executive Director presumes that proper notice of the application and proposed WWTF was provided to the public. TCEQ relies on affidavits of applicant that notices were published in a newspaper of largest circulation in Collin County (*see* Response 52). The Collin County Commercial Record is not the newspaper of largest circulation in Collin County. Applicant's assertion to the contrary is laughable. The Dallas Morning News is the newspaper of largest circulation. This is contested issue of fact (*see* Responses 49, 50, 52) requiring a contested case hearing.

Incorporation of Additional Objections

I incorporate the objections of all other Affected Parties into this motion for reconsideration as if fully set forth herein. I reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, I respectfully request that the Executive Director's decision be reconsidered.

Respectfully,

A handwritten signature in black ink that reads "Michael S. Haynes". The signature is written in a cursive style with a large initial "M".

Michael S. Haynes

EXHIBIT A

(True and Correct Copy of Application p. 30)

Motion for Reconsideration
Exhibit A

- Open Bay
- Tidal Stream, Bayou, or Marsh
- Other, specify:

B. Flow characteristics

If a stream, man-made channel or ditch was checked above, provide the following. For existing discharges, check one of the following that best characterizes the area *upstream* of the discharge. For new discharges, characterize the area *downstream* of the discharge (check one).

- Intermittent - dry for at least one week during most years
- Intermittent with Perennial Pools - enduring pools with sufficient habitat to maintain significant aquatic life uses
- Perennial - normally flowing

Check the method used to characterize the area upstream (or downstream for new dischargers).

- USGS flow records
- Historical observation by adjacent landowners
- Personal observation
- Other, specify:

C. Downstream perennial confluences

List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point.

No perennial streams join Maxwell Creek within three miles downstream of the discharge point.

D. Downstream characteristics

Do the receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.)?

Yes No

If yes, discuss how.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:39 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: 1420 Parkview WWTP Comment_MSH.pdf

H

From: mshaynes1@verizon.net <mshaynes1@verizon.net>
Sent: Saturday, December 4, 2021 9:20 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Michael S Haynes

E-MAIL: mshaynes1@verizon.net

COMPANY:

ADDRESS: 1420 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 2149910817

FAX:

COMMENTS: See attachment

**IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM,
PERMIT NO. WQ0016003001**

OBJECTION BY MICHAEL S. HAYNES, AFFECTED PARTY

Affected Party Status

My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #40.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 421 feet from my property line and 490 feet from my home:

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-96.616388%2C33.041666&level=12>

A CBS news story regarding the Application, and the overwhelming community opposition to it, can be viewed here: <https://dfw.cbslocal.com/video/6167919-murphy-residents-protest-planned-wastewater-treatment-plant/>

Request for Contested Case Hearing

I request a contested case hearing.

Use of Maxwell Creek

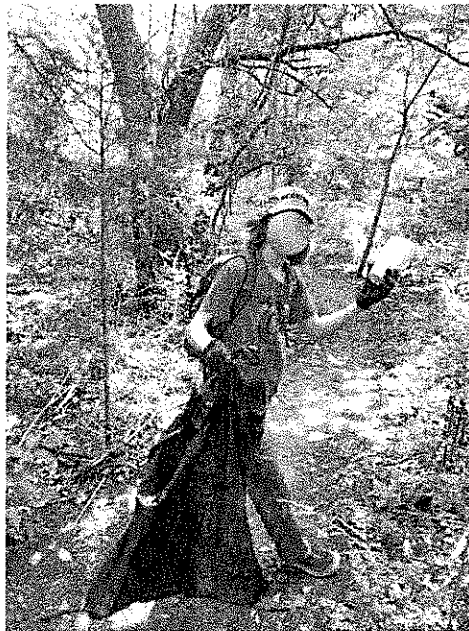
I am, and have been, a resident of Murphy, Texas for twelve years. During the majority of those twelve years, I have been an adult volunteer with Cub Scout Pack 1789 (comprised of elementary students that attend Hunt Elementary in Murphy, Texas) and Boy Scout Troop 285 (containing numerous members that are students at the middle school and high school in Murphy, Texas).

During my time as a resident of Murphy, I have regularly hiked and performed conservation projections along Maxwell Creek. Specifically, as an adult volunteer leader with Cub Scout Pack 1789, I personally have taken cub scouts on hikes along the shores and through the waters of Maxwell Creek, where we have observed all manner of wildlife. I have observed scouts playing in the creek. Below is a picture of my cub scouts during a hike through Maxwell Creek in April 2017:



Each year, Cub Scout Pack 1789 participates in several environmental conservation activities along Maxwell Creek, including “Abor Day” and “Murphy Clean Up Day.”

Additionally, as an adult volunteer with Boy Scout Troop 285, I personally have participated with boy scouts in hikes and conservation projects along the shores and through the waters of Maxwell Creek. Below is a picture of one of my boy scouts performing a conservation project at Maxwell Creek in May 2020:

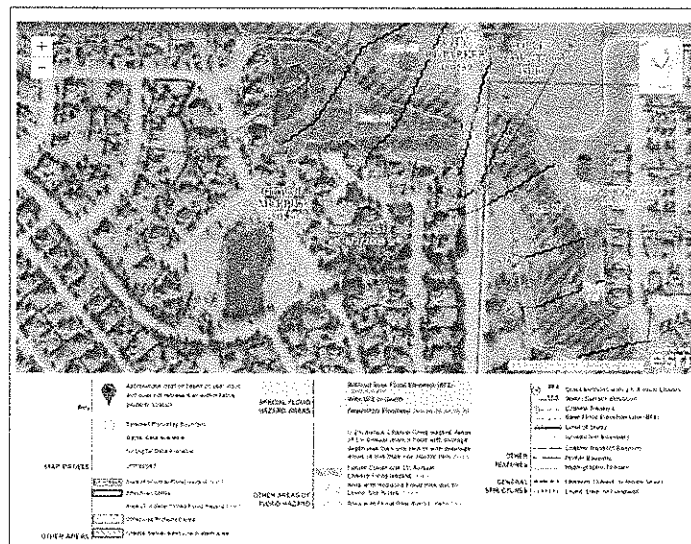


The waters of Maxwell Creek, the shoreline of Maxwell Creek, and the hiking trails and vegetation surrounding Maxwell Creek are pristine. When heavy rains bring trash downstream, the residents

of Murphy, act quickly and regularly to restore the quality of the creek and nearby areas. The residents of Murphy, and in particular the cub scouts, boy scouts, and girl scouts of Murphy, take great pride in maintaining the quality of Maxwell Creek.

In my twelve years of exploring Maxwell Creek, I have never seen the creek dry or empty of water. To the contrary, I have observed live fish and turtles in Maxwell Creek and have observed significant wildlife. I have personally fished and taken my scouts fishing in the ponds near Maxwell Creek.

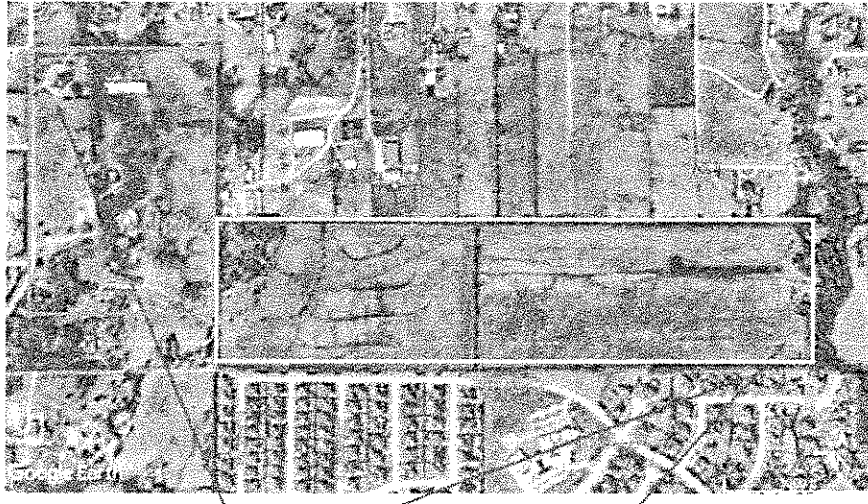
Parts of Maxwell Creek are prone to flooding. Some of those floodwaters are captured by storm sewers in my neighborhood, which feed into Liberty Ridge Pond located 1/5th of a mile from my home. Below is an image I downloaded on December 1, 2021, from <https://www.fema.gov/flood-maps>, indicating the flood plain and showing its proximity to Liberty Ridge Pond, which is only one of the many ponds in close proximity to Maxwell Creek:



Myself, my children, and my scouts, regularly fish in that pond where we have caught numerous fish and turtles. We also have observed ducks and other wildlife at the pond.

Odor Concerns

I am very concerned about the likely emanation and trespass of foul odors from the proposed facility onto my property. The Applicant proposes to construct the facility approximately 400 feet from my house, which is the location on Applicant's property that is also the greatest possible distance away from the Applicant's house.



Applicant's House My House Proposed Facility Location
Yellow area is Applicant's land within Applicant's proposed development.
Blue area is Applicant's land outside Applicant's proposed development.

I believe that the Application should be denied. However, if the Commission is inclined to approve the Application, a more equitable location of the proposed facility would be a location near the Applicant's¹ residence with an underground pipeline connecting the facility to the proposed discharge point, rather than 421 feet from my backyard.

For the reasons set forth herein, and for the reasons asserted in the comments filed by neighbors, I oppose the Application.

Objections to Application

I would be adversely affected by the Application in ways not unique to the general public because, as noted above:

1. My property is approximately 421 feet from the proposed facility. It is foreseeable and probable that any flooding, spills, or other intrusions of water, chemicals, or odors emanating from the proposed facility will enter upon my property and directly and adversely affect my property and the health of my family.
2. I personally and regularly rely on this creek to educate and inform my children and my scouts.

The below considerations related to the Application would specifically impact me and my property:

1. Maxwell Creek is not an intermittent creek, it is a perennial creek with exceptional water quality sustaining high aquatic life and vegetative life. Aquatic recreation of

¹ An individual is the owner of the Applicant, which owns the land in yellow. That same individual is the owner of the entities that own the land in blue—i.e., the same individual is the ultimate owner of the land in blue and yellow.

my children and scouts in Maxwell Creek falls under the classification of “Primary Contact Recreation I.”

2. Maxwell Creek has exceptional aesthetic qualities.
3. The TCEQ’s preliminary decision states: “This review has preliminary determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 antidegradation review is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.” The TCEQ’s preliminary determination is incorrect.
4. Maxwell Creek is used regularly by residents of Murphy, Texas, including cub scouts, boy scouts, and girl scouts of all ages. Such use includes hiking along and through the waters of the creek.
5. There are suitable alternatives to discharging treated wastewater into Maxwell Creek, including (a) connecting to other nearby pre-existing facilities that do not discharge into Maxwell Creek, (b) installation of individual Septic Systems (specifically, the City of Parker, Texas — wherein the facility will be constructed — “consists mainly of private septic systems on each residential lot maintained by the property owner.” See parkertexas.us/132/Wastewater), and (c) beneficial reuse or irrigation use of treated wastewater.
6. Chemical contents of treated wastewater released into Maxwell Creek will irreparably damage aquatic life, vegetative life, and wildlife that is regularly found in and around Maxwell Creek.
7. Discharge of treated wastewater into Maxwell Creek will negatively impact all, and certainly eliminate some, of the current uses of the creek and surrounding areas by myself, my children, and my scouts. Even if the wastewater is treated exactly as mandated by the TCEQ, neither I, my children nor my scouts will ever again enter into the waters of Maxwell Creek if it contains treated wastewater.
8. The draft permit does not include adequate provisions to protect the health of my family or the nearby aquatic or terrestrial wildlife.
9. Notwithstanding presumed commercially reasonable efforts of the operator of the wastewater treatment facility, it is reasonably foreseeable that unpleasant odors will emanate from the facility. Emanation of odors from the facility constitute an actionable nuisance if it results in an unreasonable interference with the use and enjoyment of my home. See *City of Tyler v. Likes*, 962 S.W.2d 489 (Tex. 1997); *City of Temple vs. Mitchell*, 180 S.W.2d 959 (Tex.App.—Austin 1994, no writ). Given the existence of commercially reasonable alternatives to the proposed facility, the proposed facility would constitute a foreseeable tort committed upon

private homeowners. Such a tort would not only result in interference with the use and enjoyment of property, but also a diminution in value of the property itself. Additionally, given the probability of foul odors emanating from the facility, a more equitable location of the facility would be one near the Applicant's residence, rather than near my residence.

10. Construction of such a facility so close to our schools poses an unnecessary risk. First, such facilities can constitute an attractive nuisance to my children, and other attendees, of the nearby schools. Second, even best efforts in design and operation cannot eliminate the possibility of disaster (big or small) and contamination. Such a risk, regardless of how it is mitigated, is unnecessary if there are commercially reasonable alternatives.

Incorporation of Additional Objections

My wife and I, along with other members of my community, retained an engineering consultant with expertise in the matters presented in the Application. Attached hereto is a report prepared by the consultant at our request. I incorporate the objections and issues contained in that report.

I incorporate the objections of all other Affected Parties into this objection as if fully set forth herein. I reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, I respectfully request that the Application be denied.

Respectfully,

Michael S. Haynes

REPORT OF ENGINEERING CONSULTANT RETAINED BY MICHAEL S. HAYNES



Date: November 30th, 2021

Subject: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP TPDES Permit No. WQ0016003001 Contestation Support Summary of Findings

1.0 INTRODUCTION

Tetra Tech, Inc. (Tetra Tech) was engaged to assist with contesting a newly issued draft Texas Pollution Discharge Elimination System (TPDES) permit (TPDES Permit No. WQ0016003001) to Restore the Grasslands LLC and Harrington/Turner Enterprises, LP.

1.1 PERMIT APPLICATION REVIEW

Tetra Tech notes the following observations in the permit application. The implication of these observations will be explored in the following sections of this report.

- On page 9 of the Administrative Report, Section 10.C, the applicants indicated the discharge is NOT routed to a city, county, or state highway right-of-way, or a flood control district drainage ditch. If the discharge is routed to one of these features, the applicant must demonstrate authorization has been received from the responsible entity.
- On page 22 of the Technical Report, Section 1.B.3, the applicants indicated that there are domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facilities. One of the corresponding requirements is to provide copies of certified letters to these facilities and their response letters, which the applicants indicate are provided in Attachment 12. However, Attachment 12 does not include response letters.
- On page 30 of the Technical Report, Section 4.B, the applicants indicate that the receiving stream, Maxwell Creek, is intermittent (dry for at least one week during most years). Because of this response, the applicants did not include Worksheet 2.1 with the application. Worksheet 2.1 identifies stream physical characteristics that must be provided by the applicant for all new permits but is not required for discharges to intermittent streams.
- On page 31 of the Technical Report, Section 5.B, the applicants indicate that the waterbody is used for livestock watering. "Contact recreation", "non-contact recreation", "fishing" and "park activities" are unchecked.
- On page 32 of the Technical Report, Section 5.C, the applicants characterize the waterbody as "Common Setting: not offensive, developed but uncluttered; water may be colored or turbid".

1.2 TPWD LETTER REVIEW

All new and major amendment TPDES permit applications must be reviewed by the TPWD and the Texas Commission on Environmental Quality (TCEQ) must consider their comments in processing the application. There are three major issues raised by the TPWD:

- The TPWD challenges the representation of the receiving stream by the applicants as an intermittent stream and believes it is correctly identified as perennial. The TPWD requests that the applicants provide information supporting their assertion regarding stream type and recommends that a Receiving Water Assessment be conducted.

- The TPWD advocates minimizing new point source discharges when there are feasible alternatives, in effect questioning the need for issuing this permit, particularly given that Maxwell Creek does not already receive treated effluent. The letter correctly states that the application did not include responses from candidate facilities to receive the new wastewater stream. In addition to alternative treatment facilities, the TPWD recommends that the applicants consider beneficial reuse or land irrigation as a means to manage the new wastewater discharge stream.
- The TPWD expresses concern over the introduction of nutrients to Maxwell Creek from the new discharge causing increases in algal biomass and recommends a total phosphorus effluent limit of 0.5 mg/L.

1.3 CITY OF MURPHY LETTER REVIEW

The City of Murphy comment letter raises a number of issues. Several of the issues raised presume that the facility will discharge improperly treated wastewater; however, Tetra Tech believes that the TCEQ will not act on such presumptions if the treatment system is properly designed and complies with the design requirements set forth in 30 TAC 217. The City of Murphy challenges the proposed design of the treatment system; some of these concerns may be addressed by the Tetra Tech analysis described in Section 2.4 of this report. Also, the letter raises concern over whether the treatment system will be operated by a qualified operator; however, the draft permit requires that the facility be operated by licensed individuals in compliance with 30 TAC 30 (see Item #9 in the Operational Requirements section of the draft permit on page 15). The below synopsis highlights the most technically significant issues.

- In asserting that water quality parameters in the draft permit are inadequate to protect existing water quality uses, the City of Murphy indicates that the City-owned property on Maxwell Creek downstream of the discharge point is used for "walking, jogging, biking, fishing, swimming, and aesthetic enjoyment." These waterbody uses represent a significant difference from representations in the permit application and could impact the parameters within the permit as well as possibly the decision to issue the permit.
- The City challenges the characterization of the stream as intermittent and the aesthetics as "common setting", stating that these responses should instead be perennial and "natural area", respectively.
- The City suggests that there are endangered species and habitat within and along Maxwell Creek.
- The City suggests that other treatment facilities may be able to accept the new wastewater flow.
- The City believes that nutrients in the wastewater stream will create nuisance conditions.
- The City describes funding commitments for drainage improvements and public access trails along Maxwell Creek. This information suggests that the creek may represent a right of way under the control of the City. The City is concerned that the new discharge will compromise the drainage capacity of the creek.
- The City provides evidence that Harrington/Turner Enterprises, LP, one of the co-applicants, is not a valid partnership because its general partner forfeited its corporate existence. Tetra Tech believes this legal issue could delay permit issuance but has no further comment as this issue is not technical in nature.

1.4 TREATMENT SYSTEM SIZING

Tetra Tech conducted a high-level review of sizing requirements for the aeration basins, clarifier, and chlorine contact basin in the proposed wastewater treatment facility for Phase 2 conditions. Based on preliminary calculations, Tetra Tech believes that the proposed treatment system complies with sizing requirements in 30 TAC 217. The discrepancies noted in the City of Murphy letter between the treatment equipment volumes reported in the application and the volumes calculated by the City of Murphy are likely due to freeboard allowances.

- Aeration basin sizing is based on an organic loading rate of 35 lbs BOD₅/day/1,000 ft³, which is the organic loading rate specified by 30 TAC 217.154(b)(2) for conventional activated sludge processes with nitrification when reactor temperatures exceed 15°C, with applicable permit limits for BOD₅, TSS, and ammonia nitrogen matching the limits in the draft permit.

TETRA TECH

1300 City West Blvd, Ste 1000, Houston, TX 77042
Tel 281.291.1112 Fax 281.291.5179 tetratech.com

- Tetra Tech calculates minimum clarifier sizing of 29-foot diameter, 12-foot clarifier depth, and 10-foot water depth, compared with the proposed clarifier size of 32-foot diameter, 14.2-foot clarifier depth, and 10-foot water depth
- Tetra Tech calculates a minimum chlorine contact basin volume of 1485 cubic feet, compared with the proposed 1980 cubic feet basin.

1.5 SITE WALK OBSERVATIONS

Tetra Tech conducted a site walk on November 23, 2021. Measurements and/or field data were collected at four locations within Maxwell Creek and one location within Muddy Creek, and photographs were taken. The field report for this visit is included as an attachment to this report. Key observations include the following:

- Estimated stream flows range from 0.41 to 2.5 cubic feet per second (cfs).
- The flow rates and flow patterns, presence of fish, and lack of contributing wastewater discharges suggest the stream is perennial.
- The water is colorless with exceptional clarity and no observable contamination.
- Dissolved oxygen values ranged from 5.5 to 11.2 mg/L, indicating exceptional water quality.
- The measured pH ranged from 7.8 to 8.1.
- The waterbody aesthetics as defined in the TPDES permit application form could best be described as either "Wilderness" or "Natural Area". While there appears to be limited development in the area, photographs document wooded areas along the creek and exceptional water clarity.

2.0 KEY ISSUES

Based on the described work performed, Tetra Tech believes that there are many strong technical issues with the permit application. Tetra Tech has characterized these issues based on how they impact the permit process.

2.1 POTENTIAL PERMIT DENIAL ISSUES

2.1.1 Possible Authorization Required by the City of Murphy

Maxwell Creek may meet the definition of a right of way under the jurisdiction of the City of Murphy as described in Section 2.3. If this is confirmed, then the applicants would be required to obtain authorization from the City in order to discharge.

2.1.2 Alternatives to Discharge

The TPWD and the City of Murphy both indicated alternatives to discharge. These alternatives should be given greater consideration than for typical new permit requests given that Maxwell Creek does not currently receive any treated wastewater effluent and given the outstanding water quality and aesthetic value of the creek. In particular, the TPWD provides several alternatives to discharge and recommends that they be considered.

2.2 PERMIT ISSUES

2.2.1 Stream Classification

There is ample evidence that the applicants have mischaracterized Maxwell Creek as intermittent instead of perennial. The change in classification will require that additional information related to waterbody properties be provided by the applicants in order to process the application.

TETRA TECH

10991 Lytle Creek Blvd, Ste 1000, Houston, TX 77066
Tel 832.351.5150 Fax 832.351.5170 tetratech.com

2.2.2 Waterbody Quality, Uses, and Aesthetics

As with stream characterization, there is ample evidence that the applicants have misrepresented the quality, uses, and aesthetics associated with Maxwell Creek. The stream uses noted by the City of Murphy and the water quality and aesthetic conditions documented in the field report in attachment 1 of this memo report should provide justification for a Tier 2 antidegradation review of the application by the TCEQ in addition to the Tier 1 review that was conducted.

2.2.3 Nutrient Concerns

Both the TPWD and the City of Murphy recommend that a permit limit be added for phosphorus due to concerns over the introduction of nutrients to Maxwell Creek from the new discharge that could cause increases in algal biomass.

2.2.4 Presence of Endangered or Threatened Species

The City of Murphy suggests the possible presence of endangered species and habitats within and along Maxwell Creek. Tetra Tech did not observe endangered or threatened species during the site walk but did not conduct a threatened and endangered species survey.

10 CONCLUSIONS

Tetra Tech, Inc. (Tetra Tech) review of draft Permit No. WQ0016003001 has identified a number of key issues that have not been adequately addressed by the permit applicant. Further evaluation of the City of Murphy right of way approvals, alternatives to discharge, characterization and uses of the receiving waters, nutrient limits, and potential presence of endangered species are all factors that should be reconsidered before a permit is issued to the applicants and may need to be evaluated with respect to whether a permit should be issued if viable alternatives exist.

TETRA TECH

1500 City West Blvd, Ste 1000, Marietta, GA 30067
Tel 770.434.3150 Fax 770.257.9174 tetratech.com

ATTACHMENT 1: FIELD REPORT



TETRA TECH

Field Report

Author: Dipendra Wagle, PhD, Tetra Tech, Inc.

Date: 11/23/21

Location: Maxwell Creek and Muddy Creek, Dallas-Fort Worth Metroplex, TX

Objective: Survey the creeks for water quality, perennial flow, and wildlife in baseline survey

Water Quality Report

1. Methodology:
 - a. Temperature was measured by using EPA-150.1
 - b. Dissolved Oxygen (DO) was measured by using SM-4500-0
 - c. Specific Conductance was measured by using EPA-120.1
 - d. Oxidation-Reduction Potential (ORP) was measured by using ASTM-D1498-08
2. Below are the key observations:
 - a. Water quality was measured at 4 different locations in Maxwell Creek and 1 location in Muddy Creek.
 - b. Flow characteristic was measured at 3 different locations in Maxwell Creek.
 - c. The stream, vegetation, aquatic, and wildlife were also observed and photographed.
3. Field conclusions:
 - a. The flow in Maxwell Creek was perennial from several contributory springs and ranged between 0.41-2.5 cubic feet per second (CFS).
 - i. The water was clear with no indication of wastewater effluent or any contamination based on water quality data. It was a pristine environment.
 - ii. The temperature ranged from 11.7°C to 12°C.
 - iii. The pH was in a neutral range of 7.8 to 8.2 pH units.
 - iv. The DO ranged from 5.5 to 11.2 mg/L.
 - v. ORP was in the positive range.
 - b. Access to Muddy Creek was limited but a single sampling point showed that water quality was similar to Maxwell Creek.
 - c. Photographs taken by the citizens and the support group are also included in the report. The photographs show that Maxwell Creek contained aquatic life and wildlife.

The water quality, flow characteristics, and photographs captured from the site visit are presented below.



TETRA TECH

Location: Maxwell Creek
Latitude: 33.022983

Time: 10:16 AM
Longitude: -96.604602

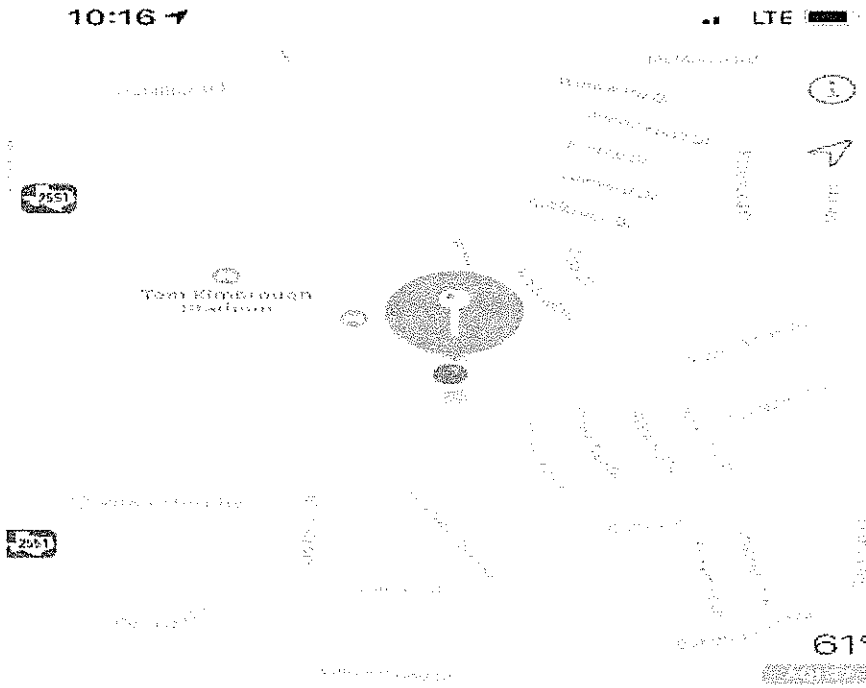


Figure 1: GPS map for the sampling location at 10:16 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.6
DO (% L)	104.7
DO (mg/L)	11.2
Specific Conductance (mS/cm)	0.641
Conductance (mS/cm)	0.476
pH	8.1
ORP (mV)	113.6

Flow Measurement

Flow type: Perennial
Stream bends: well
No. of riffles: 2
Stream width: 8.17 ft
Stream mid-point: 4.085 ft



Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
1.20	0.42	0.75

Average depth: 0.79

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
183	121	191

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.0546	0.0826	0.0524

Average stream velocity: 0.0632 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.41 ft³/s

Location: Maxwell Creek

Time: 10:51 AM

Latitude: 33.031037

Longitude: -96.606088

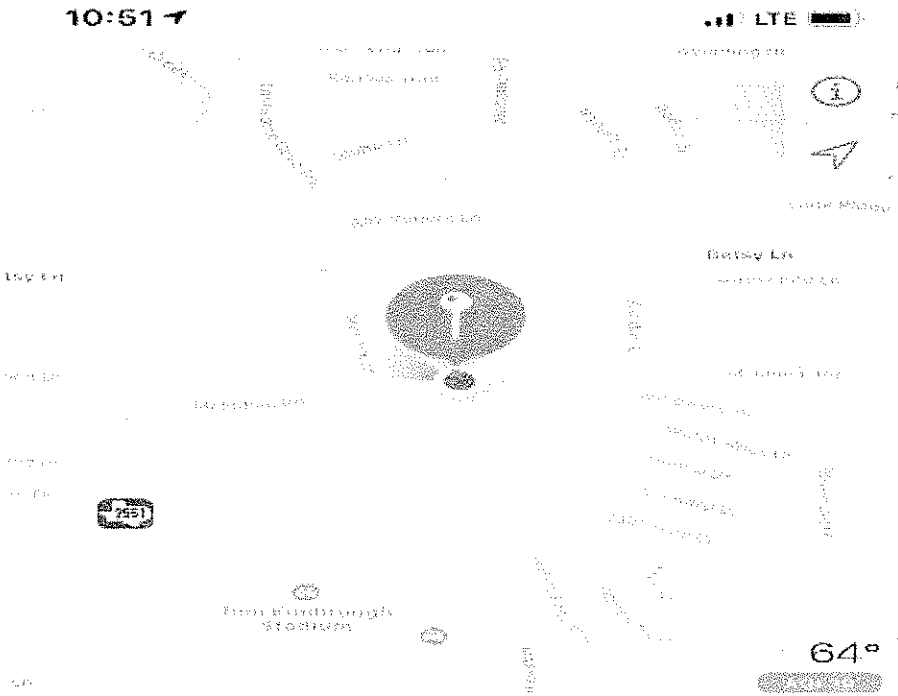


Figure 2: GPS map for the sampling location at 10:51 AM in Maxwell Creek



TETRA TECH

Water quality parameters

Parameters	Value
Temperature (°C)	12.3
DO (% L)	78.3
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.608
Conductance (mS/cm)	0.461
pH	8.0
ORP (mV)	109.2

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 1

Stream width: 7.2 ft

Stream mid-point: 3.6 ft

Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
0.58	1.08	0.875

Average depth: 0.845

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
87	42	102

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.115	0.238	0.098

Average stream velocity: 0.150 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.913 ft³/s



TETRA TECH

Location: Maxwell Creek
Latitude: 33.051165

Time: 11:33 AM
Longitude: -96.617021

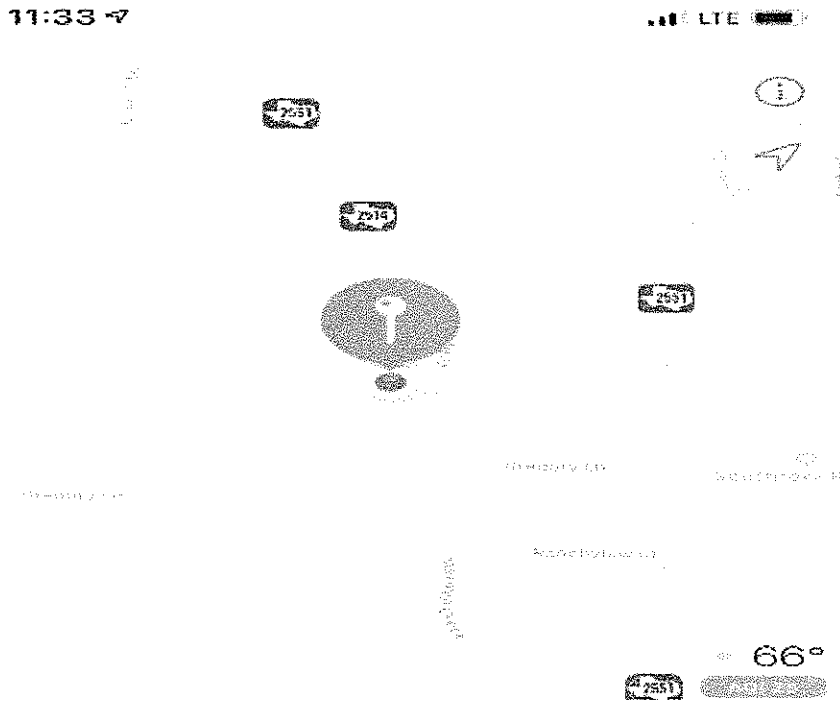


Figure 3: GPS map for the sampling location at 11:33 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.7
DO (% L)	50.3
DO (mg/L)	5.5
Specific Conductance (mS/cm)	0.495
Conductance (mS/cm)	0.369
pH	7.8
ORP (mV)	97.3

Flow Measurement: Flow measurement was not conducted in this location due to safety reasons.



TETRA TECH

Location: Maxwell Creek
Latitude: 33.014690

Time: 12:11 PM
Longitude: -96.602370

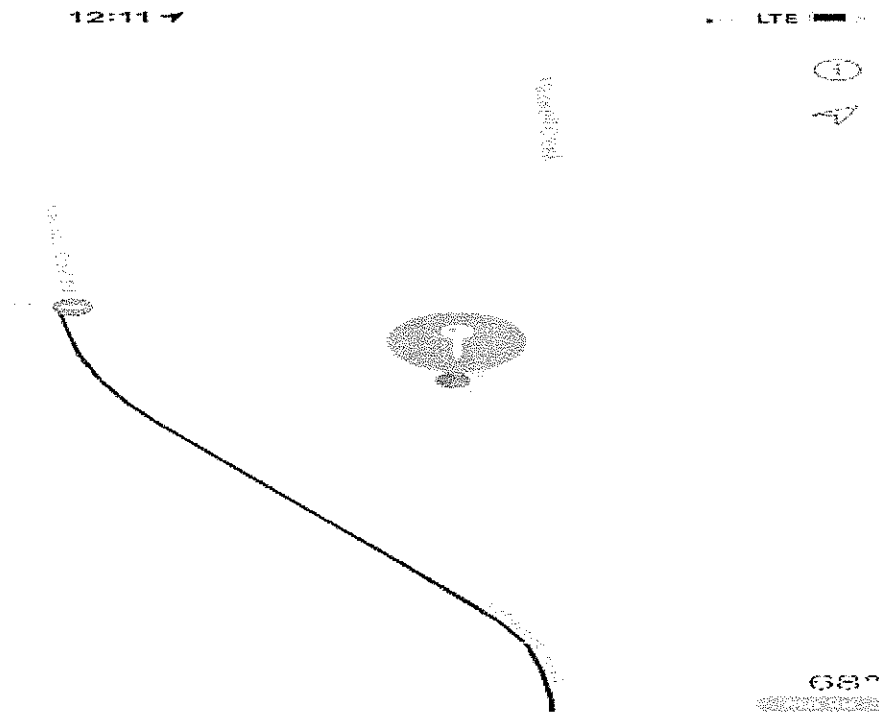


Figure 4: GPS map for the sampling location at 12:11 PM in Maxwell Creek

Water Quality Parameters:

Parameters	Value
Temperature (°C)	12.7
DO (% L)	77
DO (mg/L)	8.3
Specific Conductance (mS/cm)	0.66
Conductance (mS/cm)	0.5
pH	7.9
ORP (mV)	100.8

Flow Measurement

Flow type: Perennial
Stream bends: well
No. of riffles: 2
Stream width: 15.73 ft
Stream mid-point: 7.86 ft
Stream depth: 0.625 ft
Covered length: 10 ft



TETRA TECH

Time taken to cover the distance: 39 s

Maximum stream velocity: 0.256 ft/s

Maximum Discharge: (stream width) * (average depth) * (average velocity)

Maximum Discharge: 2.517 ft³/s

Pictures



Figure 5: Picture of Maxwell Creek Downstream



TETRA TECH



Figure 6: Picture of natural life on the bank of Maxwell Creek

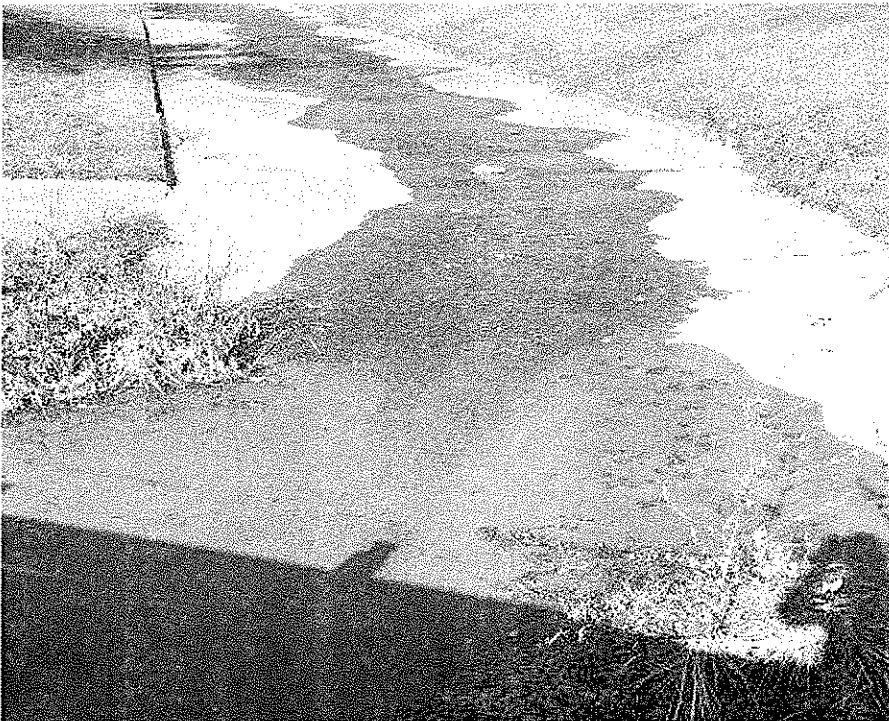


Figure 7: Picture of runoff flow upstream of Maxwell Creek



TETRA TECH



Figure 8: Picture showing the stream bed in Maxwell Creek

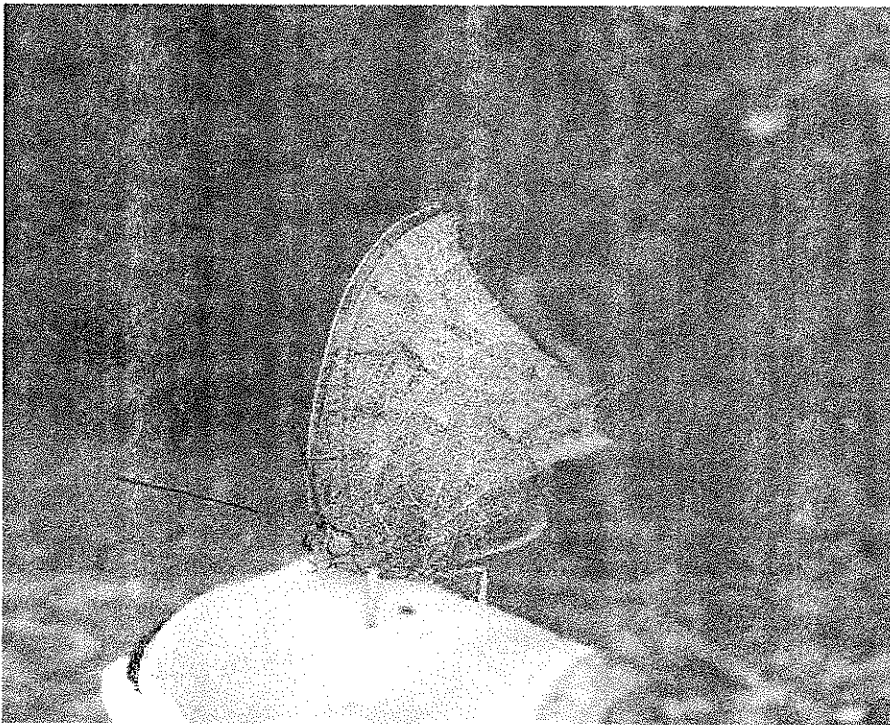


Figure 9: Picture showing a butterfly along Maxwell Creek



TETRA TECH



Figure 10: Picture showing the aquatic life in Maxwell Creek



Figure 11: Picture taken by Andrew on November 6, 2021; M-1 - clarity of water

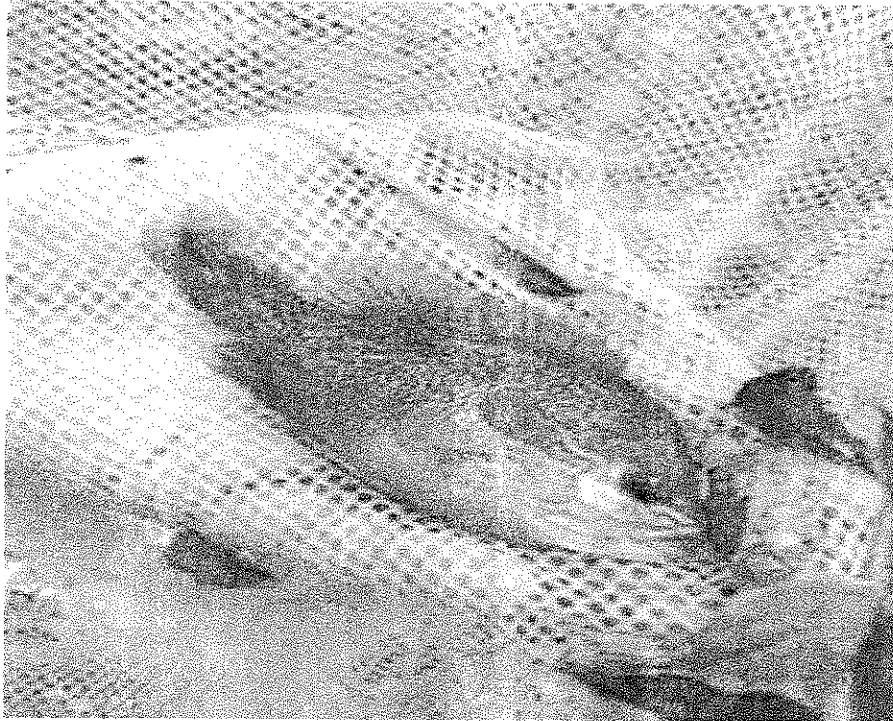


Figure 12: Picture taken by Andrew on November 6, 2021; M-1 - Fish



Figure 13: Picture taken by Kathy on November 22, 2021 - Harvey-1



TETRA TECH



Figure 14: Picture taken by Mary Nell Jackson on November 22, 2021 - Bluebird Nest

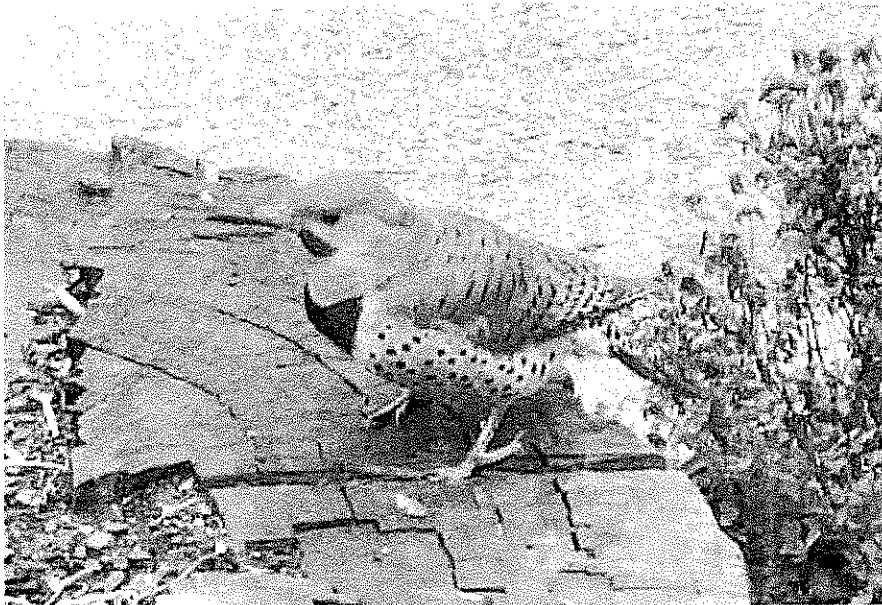


Figure 15: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker - Northern Flicker



TETRA TECH



Figure 16: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker – Downy Woodpecker



Figure 17: Water sample taken from Maxwell Creek (same sample)



TETRA TECH

Location: Muddy Creek
Latitude: 32.977560

Time: 2:06 PM
Longitude: -96.556854

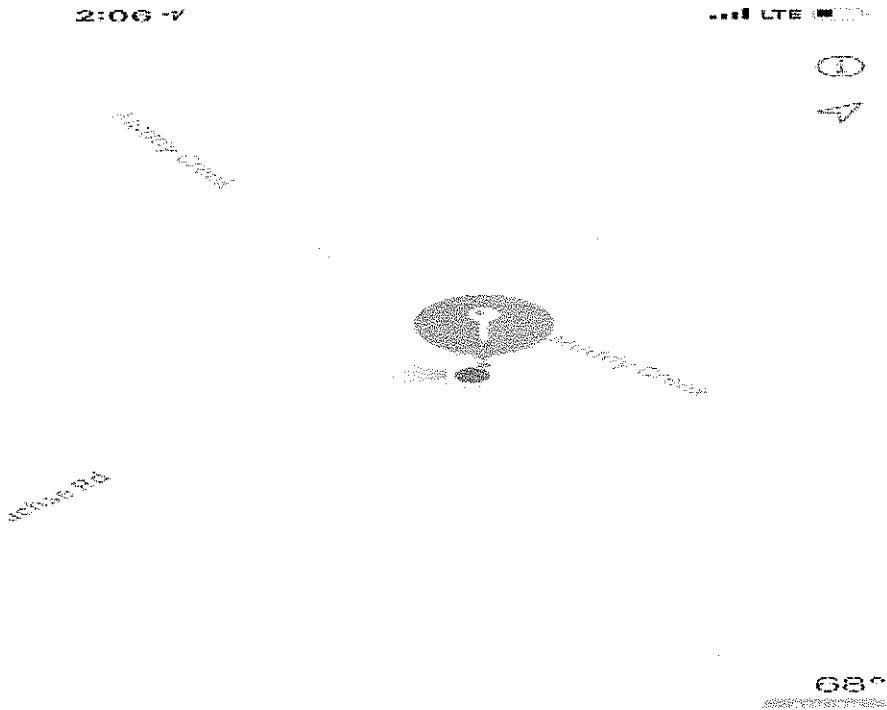


Figure 18: GPS map for the sampling location at 2:06 PM in Muddy Creek

Water quality parameters

Parameters	Value
Temperature (°C)	12.5
DO (% L)	79.7
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.494
Conductance (mS/cm)	0.376
pH	8.2
ORP (mV)	106.9



TETRA TECH



Figure 19: Picture showing water flow at Muddy Creek

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 3:04 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: mshaynes1@verizon.net <mshaynes1@verizon.net>
Sent: Monday, September 27, 2021 3:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR MICHAEL SHAUN HAYNES

E-MAIL: mshaynes1@verizon.net

COMPANY:

ADDRESS: 1420 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 2149910817

FAX:

COMMENTS: My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. For the reasons set forth below, among others, I oppose the application for proposed permit no. WQ0016003001 (the "Application"). I request a contested case hearing. The approximate location of the proposed facility disclosed in the Application is five hundred (500) feet from my home. It is my understanding that the applicant desires to install the facility for purposes of serving a to-be-built subdivision immediately to the north of my home. I do not oppose residential development near my home.

However, I oppose the Application for several reasons. First, a less intrusive alternative is available. Specifically, the City of Parker, Texas — wherein the facility will be constructed — “consists mainly of private septic systems on each residential lot maintained by the property owner.” See parkertexas.us/132/Wastewater. Therefore, there is a reasonable alternative to the facility proposed in the Application. Second, notwithstanding presumed commercially reasonable efforts of the operator, it is reasonably foreseeable that unpleasant odors will emanate from the facility. Emanation of odors from the facility constitute an actionable nuisance if it results in an unreasonable interference with the use and enjoyment of my home. See *City of Tyler v. Likes*, 962 S.W.2d 489 (Tex. 1997); *City of Temple vs. Mitchell*, 180 S.W.2d 959 (Tex.App.—Austin 1994, no writ). Given the existence of commercially reasonable alternatives to the proposed facility—e.g., installation of individual septic tanks—the proposed facility would constitute a foreseeable tort committed upon private homeowners. Such a tort would not only result in interference with the use and enjoyment of property, but also a diminution in value of the property itself. Finally, construction of such a facility so close to our schools poses an unnecessary risk. First, such facilities can constitute an attractive nuisance to my children, and other attendees, of the nearby schools. Second, even best efforts in design and operation cannot eliminate the possibility of disaster (big or small) and contamination. Such a risk, regardless of how it is mitigated, is unnecessary if there are commercially reasonable alternatives—e.g., individual septic systems, alternate locations, etc. For the reasons set forth above, and for the reasons asserted in the objections filed by my neighbors, the application should be denied.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 10:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ray@rrgc.us <ray@rrgc.us>
Sent: Saturday, November 20, 2021 2:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Ray Hemmig

E-MAIL: ray@rrgc.us

COMPANY: RRG

ADDRESS: 3405 BLUFFS LN
PARKER TX 75002-6546

PHONE: 2147668173

FAX:

COMMENTS: RE: Permit # WQ 0016003001 I own a home ~1.0 mile from the proposed permit site. I oppose the permit on a basis of negative impact on my property value, health concerns due to the negative impact on air quality (smell), and the future direct discharge pollutants into Maxwell Creek. I request a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 10:52 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ruth@rrgc.us <ruth@rrgc.us>
Sent: Saturday, November 20, 2021 2:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Ruth Hemmig

E-MAIL: ruth@rrgc.us

COMPANY:

ADDRESS: 3405 BLUFFS LN
PARKER TX 75002-6546

PHONE: 2149085831

FAX:

COMMENTS: RE: Permit # WQ 0016003001 I own a home ~1.0 mile from the proposed permit site. I oppose the permit on a basis of negative impact on my property value, health concerns due to the negative impact on air quality (smell), and the future direct discharge pollutants into Maxwell Creek. I request a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:50 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: stichamodoodle@aol.com <stichamodoodle@aol.com>
Sent: Saturday, December 4, 2021 6:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Margaret Henry

E-MAIL: stichamodoodle@aol.com

COMPANY: Ranch O Henry

ADDRESS: 5408 GREGORY LN
PARKER TX 75002-6700

PHONE: 2145871037

FAX:

COMMENTS: I WANT A CONTESTED CASE HEARING, see attached . Thank you Margaret Henry

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, February 23, 2022 9:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ;
Pubcomment-Dis
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: Mjhen922@gmail.com <Mjhen922@gmail.com>
Sent: Tuesday, February 22, 2022 8:12 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Mary J Henshaw

E-MAIL: Mjhen922@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2033141575

FAX:

COMMENTS: I am requesting a contested case hearing. Please register this as a requested case hearing, not a comment. I live directly across from Maxwell Creek, where the proposed sewage water well run through our creek and in doing so

harm our health, and environment. I have spoken to my GP in regards to living across from treated water. My GP strongly believes that there are health risks involved in living close to a treated water source as well as sewage plant. This is a beautiful community. Our neighborhood has a beautiful walking path, playground, fields, and bike path. This neighborhood would never be the same if this proposed sewage plant went through. As a community we cannot let this happen. Our house value would go down, it would harm our health, as well as all the animals that inhabit this area. I request a contested case hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:13 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Mjhen922@gmail.com <Mjhen922@gmail.com>
Sent: Thursday, November 18, 2021 4:43 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Henshaw

E-MAIL: Mjhen922@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2033141574

FAX:

COMMENTS: Request a contested hearing! I live across from the creek. I Live across from the creek. My health would be in significant risk if you used our creek as part of your sewage plant. By treating the water the air quality would be significantly detrimental to our health. This has been proven and supported. I have spoken to my doctor as well as an infectious disease doctor. Both have stated that this would pose as a risk to our health. We live too close to the creek

and our creek can not be used I. This way. The flooding also poses a severe Rick noir area gets a TON of flooding ! This would hurt our health, and our environment. I am REQUESTING A CONTESTED HEARING.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Mjhen922@gmail.com <Mjhen922@gmail.com>
Sent: Wednesday, November 17, 2021 8:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Mary Henshaw

E-MAIL: Mjhen922@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2033141575

FAX:

COMMENTS: Hello,I live in Murphy and I am extremely worried about the sewage proposal on Murphy Road. I am raising my three children in a beautiful neighborhood, and this idea is extremely upsetting. I have spoken to my primary care doctor, and my children's pediatrician about this in regards to our health. And they both stated that there are health risks to living this close to a sewage plant. Would you want your family living in a neighborhood that is in close proximity to a sewage plant? I also spoke to our pest control about The risks of having this water in our creek.

Because we live across from the creek, the animals that drink out of the creek as well as the bugs could transmit diseases to people. As if dealing with Covid isn't enough. This would also bring our property value down. I am emailing you as a very concerned parent, and resident. Please keep our health in mind. Thank you for your time,

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:08 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Wrhenshaw1@gmail.com <Wrhenshaw1@gmail.com>
Sent: Thursday, November 18, 2021 9:43 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: William Henshaw

E-MAIL: Wrhenshaw1@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2033141575

FAX:

COMMENTS: I am requesting a contested hearing. I live directly across from the creek. If I were walking I would be there in one minute or less. We are close to the creek, if you use our creek as part of the sewage treatment plan are healthy significantly at risk. I have spoken to my infectious disease doctor as well as my Doctor Who have both stated that this would be very dangerous for the health of any person living in our neighborhood especially those on our street. I am requesting a contested hearing. We get the aftermath of flooding living close to this creek. That is something that we

can deal with. Having a sewage treatment flow into our creek is not. It is detrimental to our health and should not be placed in our residential neighborhood. The air quality would significantly harm us and this is proven. When doctors and experts advise against it, you listen. Please, listen to our worries. And put yourself in our shoes.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:13 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Wrhenshaw1@gmail.com <Wrhenshaw1@gmail.com>
Sent: Thursday, November 18, 2021 4:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: William Henshaw

E-MAIL: Wrhenshaw1@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2033141575

FAX:

COMMENTS: I am requesting a contested hearing. I live directly across from the creek. If I were walking I would be there in one minute or less. We are close to the creek, if you use our creek as part of the sewage treatment plan are healthy significantly at risk. I have spoken to my infectious disease doctor as well as my Doctor Who have both stated that this would be very dangerous for the health of any person living in our neighborhood especially those on our street. I am requesting a contested hearing. We get the aftermath of flooding living close to this creek. That is something that we

can deal with. Having a sewage treatment flow into our creek is not. It is detrimental to our health and should not be placed in our residential neighborhood. The air quality would significantly harm us and this is proven. When doctors and experts advise against it, you listen. Please, listen to our worries. And put yourself in our shoes.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:25 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Wrhenshaw1@gmail.com <Wrhenshaw1@gmail.com>
Sent: Wednesday, November 17, 2021 8:36 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: William Henshaw

E-MAIL: Wrhenshaw1@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 9724294528

FAX:

COMMENTS: <https://www.hindawi.com/journals/jeph/2016/8467023/> Several articles and sources on the health risks of living near a sewage plant and sewage plant water way. These are proven, evidence based and doctor supported. Please read the following, living near a sewage plant, or water source it has been proven to affect our health, as well as our children's. This is just one of the many documented resources. I live across from the creek with my three young children. I am not alone when I say I would not feel comfortable living in my house anymore if this plan were to go

through. Thank you for your time, <https://www.epa.gov/mobile-source-pollution/how-mobile-source-pollution-affects-your-health>

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 29, 2021 9:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: dustinahenson@yahoo.com <dustinahenson@yahoo.com>
Sent: Tuesday, September 28, 2021 10:37 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Dustin Henson

E-MAIL: dustinahenson@yahoo.com

COMPANY:

ADDRESS: 312 MONTANA TRL
MURPHY TX 75094-3685

PHONE: 2812366998

FAX:

COMMENTS: Please reconsider building the wastewater plant so close to our home. I have 4 children and plan to live here for a long time. Please do not expose us to this.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:59 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: playing in creek.pdf

H

From: lauraghernandez@gmail.com <lauraghernandez@gmail.com>
Sent: Sunday, December 5, 2021 5:53 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Laura R Hernandez

E-MAIL: lauraghernandez@gmail.com

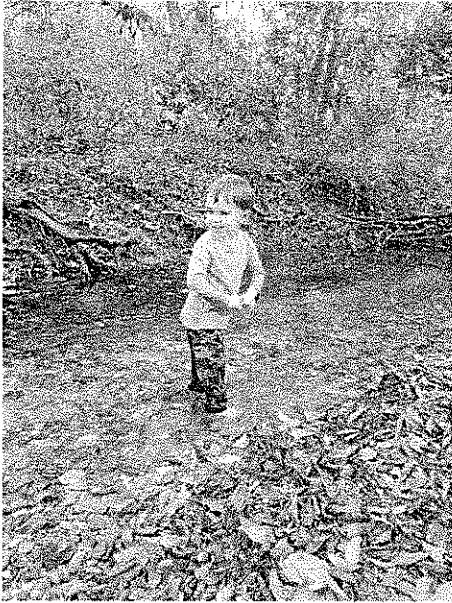
COMPANY: Mama Systems

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2146072434

FAX:

COMMENTS: I am requesting a contested case hearing. One of the reasons we bought our home, which is 1000 feet north from this proposed plant, is for the creek. We spend so much time playing in the spring-fed, perineal creek (see TX Wildlife report submitted by). We also spend hours every day outside in our pool every summer. It is the only way to survive the summer with 10 kids. The smell blowing north to our property will ruin that as well.



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:34 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: pdf for hearing.pdf

H

From: lauraghernandez@gmail.com <lauraghernandez@gmail.com>
Sent: Friday, December 3, 2021 7:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Laura R Hernandez

E-MAIL: lauraghernandez@gmail.com

COMPANY: Mama Systems

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2146072434

FAX:

COMMENTS: I am affected Landowner 19. The proposed wastewater treatment plant will be placed one property south of me. The road that will be installed to get to the wastewater treatment plant backs up to my property on both sides of the creek. (Our property encompasses land on the other side of the creek as well.) WE live 1000 feet north of the proposed plant. I would like to request a contested case hearing for the following reasons: As a certified wildlife habitat,

I am concerned about the wildlife that we've been allowed to protect on our property. I'm concerned about all the little holes and cubbies that animals live in along the creek and those that use the creek to survive. Once sewage or chlorine is dumped in they will no longer be able to use that water or it will be grave to their health. Our large family loves to be outside in our backyard. We love playing in the creek and exploring the creek terrain, especially in the summertime. If a wastewater treatment plant is put in next door we will no longer be able to have that way of life. The chemicals, pollutants in the water and the pollutants and smells blowing North right into our backyard where we spend hours every summer will make it impossible for us to spend our days outside, which is why we moved to Parker. All of that will be robbed from us. I am concerned about our habitat and I'm concerned about the environment and the health concerns for our children but my number one concern is the flooding. Not only will this wastewater treatment plant be adding 200 to 800,000 extra gallons to the creek the proposed road to get to the wastewater treatment plant will also cause extensive backup to those who live north of the plant and if the proposed property is also allowed to move forward if there is one inch of rain that will add an extra 3 million gallons of water to the creek. Not only does the flooding pose a great risk to our land but also to our home. There are nine of us just north of the treatment plant right on the banks of Maxwell Creek. We are all in a 50-year flood zone which I am sure you know does not mean we only see flooding every 50 years, it happens much more regularly than that. I'm also concerned about the flooding in the creek as it affects all of my neighbors on Gregory Lane and how we are able to access outside help. When the Creek get several inches of rain it floods the small bridge that leads back to our homes and no one is able to get in or out. This has happened at least four times in this past year. They're at least six special needs children on Gregory Lane who at any moment could need great intervention not to mention all the elderly people who live on Gregory lane. Can I tell you what scares me the most about the added water to our Creek? Every time there's heavy rain I stand at the window and watch the creek rage less than 10 feet from my window. Panic rolls over me making sure everyone is accounted for. I know if they take one step in that water they will be swept away and they will be taken from me forever. Please do not let this family put our animals, our Creek, our land, our home, our health and safety and our children at risk. Our lives are more important than a sewage plant.

. These two pictures are of the creek after heavy rainfall. In some areas of the creek, it is 7 feet away from where our children sleep. Yes, I am concerned about them dumping more water into it but am more concerned about those acres being covered in concrete and the runoff also filling up the creek.



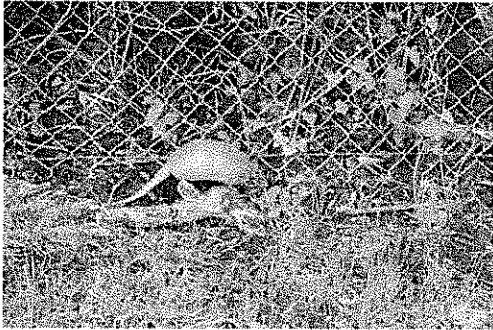
This bridge covers trapping us in the neighborhood several times a year.



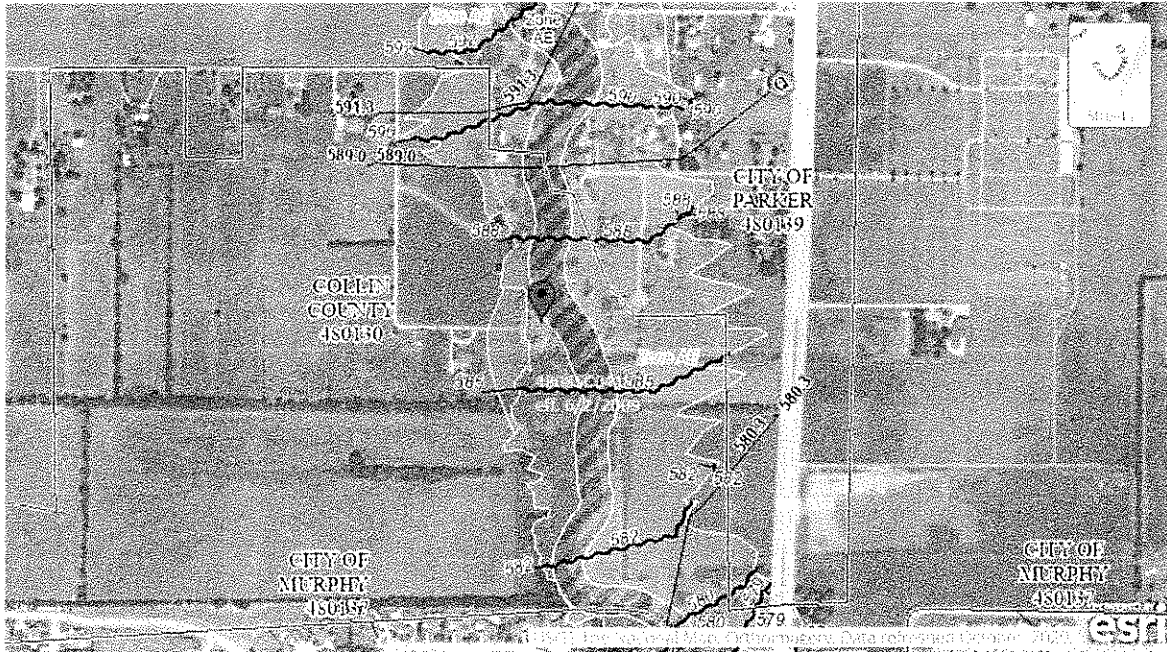
The water was so high and strong that it brought all of the things in our yard over to the property line, in this same flood the creek rose 18in above our pool.



Adding more water to this volatile creek has me fear for our house and even our children and their lives.



Some of the animals in our protected habitat



PIN	Approximate location based on user input and does not represent an authoritative property location.	SPECIAL FLOOD HAZARD AREAS	<ul style="list-style-type: none"> Without Base Flood Elevation (BFE) <small>See A.9.4.09</small> With BFE or Depth Regulatory Floodway <small>200, 60, 60, 60, 60</small> 	<ul style="list-style-type: none"> 20.9 Cross Sections with 1% Annual Chance 17.8 Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
MEAS	<ul style="list-style-type: none"> Selected FloodMap Boundary Digital Data Available No Digital Data Available Untapped 	OTHER AREAS OF FLOOD HAZARD	<ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. <small>See A.9.4.09</small> Future Conditions 1% Annual Chance Flood Hazard. <small>See A.9.4.09</small> Area with Reduced Flood Risk due to Levee. <small>See Notes, 3.1.1</small> Area with Flood Risk due to Levee. <small>See Notes, 3.1.1</small> 	OTHER FEATURES
AREAS	<ul style="list-style-type: none"> Area of Minimal Flood Hazard Area with Effective LGMRs Area of Undetermined Flood Hazard Area Otherwise Protected Area Coastal Barrier Resource System Area 	GENERAL STRUCTURES	<ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall 	

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 4, 2021 9:19 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Untitled document2.pdf

H

From: lauraghernandez@gmail.com <lauraghernandez@gmail.com>
Sent: Wednesday, November 3, 2021 9:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Laura Gertz Hernandez

E-MAIL: lauraghernandez@gmail.com

COMPANY: Mama Systems

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

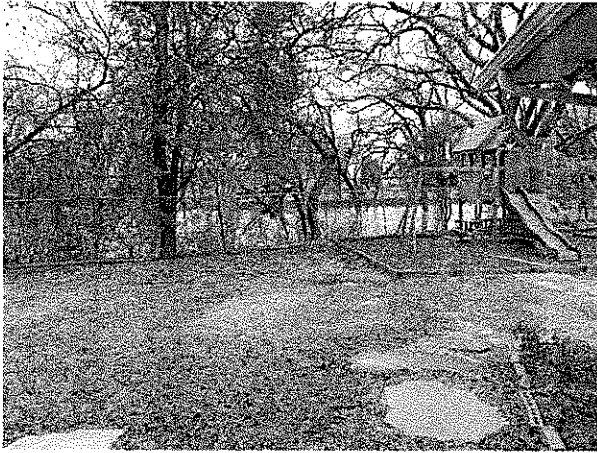
PHONE: 2146072434

FAX:

COMMENTS: Hi! My name is Laura Hernandez and we live in Parker. We live one property north (400 yards) of where there is a proposed wastewater plant and high-density housing proposed. This is also where we raise our ten children, three of whom have special needs. I am extremely concerned about this plant and neighborhood going in for three reasons: 1. I am extremely concerned for my children's health growing up next to a treatment plant and a high-capacity

neighborhood that will create a flow of traffic right next to us. Hydrogen sulfide will not be good for our three that have traumatic brain injury already, along with our neighbor's child that also has a traumatic brain injury, not to mention all of the elderly that occupy homes around this proposed area. 2. I am very concerned, also, about the flooding in Maxwell creek. These two pictures are of the creek after heavy rainfall. In some areas of the creek, it is 7 feet away from where our children sleep. Yes, I am concerned about them dumping more water into it but am more concerned about those acres being covered in concrete and the runoff also filling up the creek. When we get this heavy rain it is also impossible for us to get in or out of our neighborhood because of the bridge that floods. Several nights I have had to call a friend to sleep at their house because the flooding would not allow me to get home. I would also like to address that when the applicator filled out the application she marked that they were not in the 100-year floodplain. Their property line bumps up to mine and a few years ago in 2015 when we had the "hundred-year flood", which as we know does not mean that it won't happen for another 95 years. The water was so high and strong that it brought all of the things in our yard over to the property line, in this same flood the creek rose 18in above our pool. Adding more water to this volatile creek has me fear for our house and even our children and their lives. 3. My final concern is that of the environment. Our property, as well as two neighboring properties, are registered wildlife habitats. We have many whooping cranes(endangered) Monarch butterflies, alligator snapping turtles (endangered), Texas hornshelled mussels (endangered) Redheaded wood peckers (bird's of conservation concern), a texas tortoise(endangered), We have also seen fox, red-tail hawks, and great white owls. These, along with all of the animals on the developer's property would be misplaced and be affected by the environmental changes this plant and housing will bring. We have seen armadillos, packs of coyotes, a monarch habitat, bobcats, raccoons, and dozens of other animals on their property. This developer must be stopped. He is putting so many things on the line which included our children's lives, our home, and our habitat. I would like to request a contested hearing regarding Restore the Grasslands LC and Harrington/Turner Enterprises, LP and their permit no WQ0016003001 for a new Texas Pollutant Discharge Elimination System (TPDES) Please help in any way you can! Laura

. These two pictures are of the creek after heavy rainfall. In some areas of the creek, it is 7 feet away from where our children sleep. Yes, I am concerned about them dumping more water into it but am more concerned about those acres being covered in concrete and the runoff also filling up the creek.



This bridge covers trapping us in the neighborhood several times a year.



The water was so high and strong that it brought all of the things in our yard over to the property line, in this same flood the creek rose 18in above our pool.



Adding more water to this volatile creek has me fear for our house and even our children and their lives.



Some of the animals in our protected habitat

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, October 13, 2021 11:03 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: lauraghernandez@gmail.com <lauraghernandez@gmail.com>
Sent: Tuesday, October 12, 2021 7:30 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Laura Gertz Hernandez

E-MAIL: lauraghernandez@gmail.com

COMPANY:

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2146072434

FAX:

COMMENTS: I request a contested hearing. I am #19 on the Affected Landowner exhibit. I am very concerned about this plant going in as we already have so many flooding issues in the flood plan this will only increase the damage to our land and the animals that live off of the creek. The man who is proposing is the ONLY one who is for this all neighbors in both cities are AGAINST this.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:15 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: lauraghernandez@gmail.com <lauraghernandez@gmail.com>
Sent: Tuesday, September 21, 2021 8:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Laura Hernandez

E-MAIL: lauraghernandez@gmail.com

COMPANY:

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2146072434

FAX:

COMMENTS: I am against this proposed MUD (waste water treatment) and 200 homes/ townhouses planned (going against parker's 1 acre for septic rules.). We purchased our land which ajoin to the proposed road and neighborhood. This cannot happen!! We do not want a neighborhood or high density population next to our land!!!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:58 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H
RFR

From: ttony.hernandez@gmail.com <ttony.hernandez@gmail.com>
Sent: Sunday, December 5, 2021 5:56 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tony Hernandez

E-MAIL: ttony.hernandez@gmail.com

COMPANY: Tony Hernandez

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2069620243

FAX:

COMMENTS: I am requesting a contested case hearing. We live 1000 ft north, or one property north of the proposed plant. our property is also right on the creek. Our land, homes, and neighbors in at great risk of flooding. Please reconsider. See Scott Clark's Army Corp of Engineers report.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 4, 2021 9:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: map pdf.pdf

H

From: ttony.hernandez@gmail.com <ttony.hernandez@gmail.com>
Sent: Wednesday, November 3, 2021 9:27 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Tony Hernandez

E-MAIL: ttony.hernandez@gmail.com

COMPANY: Tony Hernandez

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2069620243

FAX:

COMMENTS: I would like to request a contested hearing regarding Restore the Grasslands LC and Harrington/Turner Enterprises, LP and their permit no WQ0016003001 for a new Texas Pollutant Discharge Elimination System (TPDES) FLOODING IS AN ISSUE

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 4, 2021 9:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ttony.hernandez@gmail.com <ttony.hernandez@gmail.com>
Sent: Wednesday, November 3, 2021 9:27 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tony Hernandez

E-MAIL: ttony.hernandez@gmail.com

COMPANY: Tony Hernandez

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2146072434

FAX:

COMMENTS: We live one property north, 400 yards, of where there is a proposed wastewater plant and high-density housing proposed. Being in the flood zone we often worry about flooding for our house, property, and family. With the extra water emptied into the creek along with a large amount of runoff, we feel this must be stopped. If they concrete 50 acres and it rains one inch that will be over 1,300,000 extra gallons of water into our creek. The creek cannot handle that without spillover. Our roads can not handle that. They are at times too flooded for people to get to and from their

homes. Adding more water means more flooding. I would like to request a contested hearing regarding Restore the Grasslands LC and Harrington/Turner Enterprises, LP and their permit no WQ0016003001 for a new Texas Pollutant Discharge Elimination System (TPDES)

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, October 13, 2021 11:03 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: loooross@gmail.com <loooross@gmail.com>
Sent: Tuesday, October 12, 2021 7:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Tony Hernandez

E-MAIL: loooross@gmail.com

COMPANY:

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2069620243

FAX:

COMMENTS: I request a contested hearing. I am #19 on the Affected Landowner exhibit. I am very concerned about this plant going in as we already have so many flooding issues in the flood plan this will only increase the damage to our land and the animals that live off of the creek. The man who is proposing is the ONLY one who is for this all neighbors in both cities are AGAINST this.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: loooross@gmail.com <loooross@gmail.com>
Sent: Wednesday, September 22, 2021 10:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tony Hernandez

E-MAIL: loooross@gmail.com

COMPANY: Year

ADDRESS: 5906 GREGORY LN
PARKER TX 75002-6710

PHONE: 2069620243

FAX:

COMMENTS: I am very concerned about the added water to the creek. It will only add to the water levels in our flood plain. As it is when there is heavy rainfall we are continually watching and praying that the water stays far from our home, Please do not allow this!!

CHARLES HO

November 23, 2021

Office of the Chief Clerk, MC105
TCEQ
PO Box 13087
Austin, TX 78711-3087

REVIEWED

NOV 23 2021 H
By GCWMWD
124967

Re: Request For A Contested Hearing For TCEQ Permit# WQ0016003001

To Whom It May Concern:

Our family lives and farms on 10 acres at 5610 Gregory Lane in Parker, Texas, and the proposed projects will NEGATIVELY impact our lives. Therefore, I am requesting a contested hearing.

I was unaware of the proposed wastewater facility until our next-door neighbor asked for my opinion. Unfortunately, to this date, I have not received anything related to these projects directly from TCEQ or the project applicant. Therefore, I still do not have comprehensive information on the extent of the projects.

My understanding is that the proposed wastewater facility is approximately 1,200 meters from us. In addition, the proposed high-density single-family housing development is adjacent to our property line on the south.

The proposed project is a narrow (30 meters) strip of unannexed land between the city limits of the City of Parker and Murphy. The proposed high-density housing will come with:

- increased vehicular & pedestrian traffic,
- increased noise pollution,
- increased lighting pollution,
- increased rainwater run-off,
- decreased refuge and food for wildlife and migratory birds,
- and various unintended issues and challenges to the surrounding neighbors.

The city of Parker has committed and been known for its limited residential development to maintain a country setting. The existing ordinances in the City of Parker require new homes on a minimum of 2-acres of 1-acre for master-planned communities due to our need for septic systems. The proposed high-density housing between the city limits is a blatant attempt to ignore and bypass this requirement and destroy the neighborhood's country feel many came to appreciate.

Gregory Lane is a small unmarked rural street. Cars pass each other with the outer tires on the edges of asphalt paving. It is not uncommon for vehicles to drive onto the

Charles Ho
November 23, 2021
Request For A Contested Hearing
TCEQ Permit# WQ0016003001
Page 2

unpaved surface to pass an 18-wheeler parked on one side of the street. It was designed and built for lesser traffic than what it carries today. The small creek crossing at the intersection of Gray & Gregory also floods and crosses the roadway several times a year, even after a recent rebuilt to improve the flow. It flooded three times last year after the rebuilt.

I am sure TCEQ is aware of and understands the impact of dirty rainwater run-off caused by dense single-family housing and streets. The massive footprint from the single-family development reduces the ground absorption in rains and increases run-off and oil, grease, fertilizers, etc., into Maxwell Creek. It will likely cause the creek with pollutants to spill onto roadways and neighboring yards. I doubt the applicant had adequately considered this impact.

Our family has kept bees since 2011 to produce honey and assist in the pollination of crops for human consumption. When our bees ingest unhealthy micro-substances bees either die from consumption or deposit into the honey. The wastewater facility will negatively affect the health of the beehive and most likely and contaminate our honey production. Our vegetable and fruit trees rely on the bees to pollinate for maximum production. Therefore, when the bees die off, our production is drastically decreased.

For the sake of self-respect of the applicant, "RESTORE THE GRASSLANDS LLC", and humanity, please do the right thing and reject the establishment of a wastewater treatment plant that releases into Maxwell Creek on these parcels of land. The high-density housing at this site would severely affect our land and farming operation. Please allow it to stay as grasslands or be responsibly developed with septic systems similar to adjacent parcels of land.

Respectfully,

Charles Ho
Neighboring Land/Homeowner

Paul Worrall

From: eFax Corporate <message@inbound.efax.com>
Sent: Tuesday, November 23, 2021 4:31 PM
To: Fax3311
Subject: Corporate eFax message from "9725463918" - 2 page(s)
Attachments: FAX_20211123_1637706679_716.prod.afc_did6-1637706596-15122335236-716.pdf

Login

Service Notification

You have received a 2 page fax at 2021-11-23 16:31:19 CST.

* The reference number for this fax is
usw2b.prod.afc_did6-1637706596-15122335236-716.
Please [click here](#) if you have any questions regarding this message or your service. You may also contact Corporate Support:

US

Email: corporatesupport@mail.efax.com
Phone: 1 (323) 817-3202 or 1 (800) 810-2641

EU

Email: corporatesupporteu@mail.efax.com
Phones:
+44 2030055252
+33 171025330
+49 800 0003164
+35 314380713

Thank you for using the eFax Corporate service!

Customer Service

Need help with your account?

Email:

corporatesupport@mail.efax.com

Phone:

1(323) 817-3202
1(800) 810-2641 (toll-free)

© 2021 j2 Global, Inc. and affiliates.

All right reserved. eFax® and eFax Corporate® are registered trademarks of j2 Cloud Services, Inc.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:54 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Corporate eFax message from "9725463918" - 2 page(s)
Attachments: FAX_20211123_1637706679_716.prod.afc_did6-1637706596-15122335236-716.pdf

H

MWD
124967

Assocaite to WQ0016003001

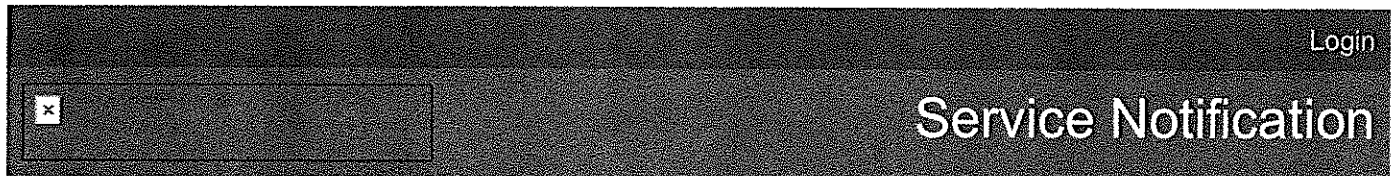
From: Fax3311 <fax3311@tceq.texas.gov>
Sent: Tuesday, November 23, 2021 4:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Corporate eFax message from "9725463918" - 2 page(s)

Good afternoon,

I am forwarding this from the OCC FAX Box it has already been printed and entered into CID!

Thank you!
Paul Worrall

From: eFax Corporate <inmessage@inbound.efax.com>
Sent: Tuesday, November 23, 2021 4:31 PM
To: Fax3311 <fax3311@tceq.texas.gov>
Subject: Corporate eFax message from "9725463918" - 2 page(s)



Service Notification

Login

You have received a 2 page fax at 2021-11-23 16:31:19 CST.

* The reference number for this fax is
usw2b.prod.afc_did6-1637706596-15122335236-716.
Please [click here](#) if you have any questions regarding this message or your service. You may also contact Corporate Support:

US
Email: usw2b.prod.afc_did6-1637706596-15122335236-716

Phone: 1 (323) 817-3202 or 1 (800) 810-2641

EU

Email: corporate@efax.com

Phones:

+44 2030055252

+33 171025330

+49 800 0003164

+35 314380713

Thank you for using the eFax Corporate service!

Customer Service

Need help with your account?

Email:

corporate@efax.com

Phone:

1(323) 817-3202

1(800) 810-2641 (toll-free)

© 2021 j2 Global, Inc. and affiliates.

All right reserved. eFax® and eFax Corporate® are registered trademarks of j2 Cloud Services, Inc.

CHARLES HO

November 23, 2021

Office of the Chief Clerk, MC105
TCEQ
PO Box 13087
Austin, TX 78711-3087

Re: Request For A Contested Hearing For TCEQ Permit# WQ0016003001

To Whom It May Concern:

Our family lives and farms on 10 acres at 5610 Gregory Lane in Parker, Texas, and the proposed projects will NEGATIVELY impact our lives. Therefore, I am requesting a contested hearing.

I was unaware of the proposed wastewater facility until our next-door neighbor asked for my opinion. Unfortunately, to this date, I have not received anything related to these projects directly from TCEQ or the project applicant. Therefore, I still do not have comprehensive information on the extent of the projects.

My understanding is that the proposed wastewater facility is approximately 1,200 meters from us. In addition, the proposed high-density single-family housing development is adjacent to our property line on the south.

The proposed project is a narrow (30 meters) strip of unannexed land between the city limits of the City of Parker and Murphy. The proposed high-density housing will come with:

- increased vehicular & pedestrian traffic,
- increased noise pollution,
- increased lighting pollution,
- increased rainwater run-off,
- decreased refuge and food for wildlife and migratory birds,
- and various unintended issues and challenges to the surrounding neighbors.

The city of Parker has committed and been known for its limited residential development to maintain a country setting. The existing ordinances in the City of Parker require new homes on a minimum of 2-acres of 1-acre for master-planned communities due to our need for septic systems. The proposed high-density housing between the city limits is a blatant attempt to ignore and bypass this requirement and destroy the neighborhood's country feel many came to appreciate.

Gregory Lane is a small unmarked rural street. Cars pass each other with the outer tires on the edges of asphalt paving. It is not uncommon for vehicles to drive onto the

Charles Ho
November 23, 2021
Request For A Contested Hearing
TCEQ Permit# WQ0016003001
Page 2

unpaved surface to pass an 18-wheeler parked on one side of the street. It was designed and built for lesser traffic than what it carries today. The small creek crossing at the intersection of Gray & Gregory also floods and crosses the roadway several times a year, even after a recent rebuilt to improve the flow. It flooded three times last year after the rebuilt.

I am sure TCEQ is aware of and understands the impact of dirty rainwater run-off caused by dense single-family housing and streets. The massive footprint from the single-family development reduces the ground absorption in rains and increases run-off and oil, grease, fertilizers, etc., into Maxwell Creek. It will likely cause the creek with pollutants to spill onto roadways and neighboring yards. I doubt the applicant had adequately considered this impact.

Our family has kept bees since 2011 to produce honey and assist in the pollination of crops for human consumption. When our bees ingest unhealthy micro-substances bees either die from consumption or deposit into the honey. The wastewater facility will negatively affect the health of the beehive and most likely and contaminate our honey production. Our vegetable and fruit trees rely on the bees to pollinate for maximum production. Therefore, when the bees die off, our production is drastically decreased.

For the sake of self-respect of the applicant, "RESTORE THE GRASSLANDS LLC", and humanity, please do the right thing and reject the establishment of a wastewater treatment plant that releases into Maxwell Creek on these parcels of land. The high-density housing at this site would severely affect our land and farming operation. Please allow it to stay as grasslands or be responsibly developed with septic systems similar to adjacent parcels of land.

Respectfully,

Charles Ho
Neighboring Land/Homeowner

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:55 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: charles75093@gmail.com <charles75093@gmail.com>
Sent: Tuesday, November 23, 2021 4:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Charles Ho

E-MAIL: charles75093@gmail.com

COMPANY:

ADDRESS: 5610 GREGORY LN
PARKER TX 75002-6704

PHONE: 2145436498

FAX: 9725463918

COMMENTS: November 23, 2021 Re: Request for A Contested Hearing for TCEQ Permit# WQ0016003001 To Whom It May Concern: Our family lives and farms on 10 acres at 5610 Gregory Lane in Parker, Texas, and the proposed projects will NEGATIVELY impact our lives. Therefore, I am requesting a contested hearing. I was unaware of the proposed wastewater facility until our next-door neighbor asked for my opinion. Unfortunately, to this date, I have not received anything related to these projects directly from TCEQ or the project applicant. Therefore, I still do not have

comprehensive information on the extent of the projects. My understanding is that the proposed wastewater facility is approximately 1,200 meters from us. In addition, the proposed high-density single-family housing development is adjacent to our property line on the south. The proposed project is a narrow (30 meters) strip of unannexed land between the city limits of the City of Parker and Murphy. The proposed high-density housing will come with • increased vehicular & pedestrian traffic, • increased noise pollution, • increased lighting pollution, • increased rainwater run-off, • decreased refuge and food for wildlife and migratory birds, • and various unintended issues and challenges to the surrounding neighbors. The city of Parker has committed and been known for its limited residential development to maintain a country setting. The existing ordinances in the City of Parker require new homes on a minimum of 2-acres of 1-acre for master-planned communities due to our need for septic systems. The proposed high-density housing between the city limits is a blatant attempt to ignore and bypass this requirement and destroy the neighborhood's country feel many came to appreciate. Gregory Lane is a small unmarked rural street. Cars pass each other with the outer tires on the edges of asphalt paving. It is not uncommon for vehicles to drive onto the unpaved surface to pass an 18-wheeler parked on one side of the street. It was designed and built for lesser traffic than what it carries today. The small creek crossing at the intersection of Gray & Gregory also floods and crosses the roadway several times a year, even after a recent rebuilt to improve the flow. It flooded three times last year after the rebuilt. I am sure TCEQ is aware of and understands the impact of dirty rainwater run-off caused by dense single-family housing and streets. The massive footprint from the single-family development reduces the ground absorption in rains and increases run-off and oil, grease, fertilizers, etc., into Maxwell Creek. It will likely cause the creek with pollutants to spill onto roadways and neighboring yards. I doubt the applicant had adequately considered this impact. Our family has kept bees since 2011 to produce honey and assist in the pollination of crops for human consumption. When our bees ingest unhealthy micro-substances, bees either die from consumption or deposit into the honey. The wastewater facility will negatively affect the health of the beehive and most likely and contaminate our honey production. In addition, our vegetable and fruit trees rely on bees to pollinate for maximum production. Therefore, when the bees die off, our production is drastically decreased. For the sake of the self-respect of the applicant, "RESTORE THE GRASSLANDS LLC," and humanity, please do the right thing and reject the establishment of a wastewater treatment plant that releases into Maxwell Creek on these parcels of land. The high-density housing at this site would severely affect our land and farming operation. Please allow it to stay as grasslands or be responsibly developed with septic systems similar to adjacent parcels of land. Respectfully,
Charles Ho Neighboring Land/Homeowner

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:14 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: phoare5@gmail.com <phoare5@gmail.com>
Sent: Friday, November 26, 2021 2:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Patrick Hoare

E-MAIL: phoare5@gmail.com

COMPANY:

ADDRESS: 513 HILLTOP DR
MURPHY TX 75094-5345

PHONE: 2149077508

FAX:

COMMENTS: 1. I live less than a half mile from the affected land, Maxwell Creek. 2. My family and I often use the land that will be affected by making use of the park and enjoying the clean water and wildlife that accompanies it. 3. I want a contested hearing regarding this issue.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:35 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Tyeholmes@yahoo.com <Tyeholmes@yahoo.com>
Sent: Monday, December 6, 2021 7:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tye Holmes

E-MAIL: Tyeholmes@yahoo.com

COMPANY:

ADDRESS: 342 N MAXWELL CREEK RD
MURPHY TX 75094-3505

PHONE: 2146428484

FAX:

COMMENTS: I am a directly affected homeowner. (342 N. Maxwell Creek Rd.) My property is "on" the creek. I have to ask - how clean is clean, regarding waste water. The property is in a dedignated flood plane and the creek crests the banks ~4 to 5 times a year already. An increase flow from this devopment will push the risk / occurrence of flooding. When the water exceeds the banks it does so by 50 to 60 feet. IF the flooding waters now contain elements of waste water how will this affect my garden, chickens, and dogs. I would ask for a contested case hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 14, 2022 2:08 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ;
Pubcomment-Dis
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = Comment

From: jenaholton@gmail.com <jenaholton@gmail.com>
Sent: Monday, February 14, 2022 2:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: MRS Jena C Holton

E-MAIL: jenaholton@gmail.com

COMPANY:

ADDRESS: 1311 OVERLAND DR
MURPHY TX 75094-4197

PHONE: 5712423419

FAX: 5712423419

COMMENTS: My name is Jena Holton and I live at 1311 Overland Drive, Murphy TX 75094, phone: 571-242-3419. My home is located within 400 feet of the proposed DISTRICT boundaries as presented, .7 miles from Maxwell Creek and .7 miles from the discharge point. I respectfully submit to the TCEQ this supplement to my prior comments. I respectfully again request a contested case hearing on the application by Harrington/Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-07, customer number CN605878966, regulated entity number RN1124855 (the "District Application"). This high-density development and accompanying sewage plant, with no buffers or parkland will greatly reduce the value of my investment in my home. It will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. This nuisance includes foreseeable physical damage to my property based upon improper planning for potential flooding of my property; foreseeable economic harm to my property's economic value; foreseeable harm to my health and family members' health; psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for a decade. This is an unnecessary and unreasonable interference with the enjoyment of my home - conditions created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor and lights. If the developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity and regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable and knowingly will interfere with the homeowners of Parker and Murphy. The Parties' conduct and proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege to use and enjoy my land. The Parties have NOT taken reasonable precautions to minimize their harmful effect of they proposed MUD, WTPP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our lives. The sewage plant will create unpleasant odors, pump buildings will create a high noise level, discharge will contaminate area wells and underground springs, the facility cannot guarantee there will not be malfunctions and spills, the sewage plant will be in a 100-year flood plain and increased flooding will result; without any buffer or drainage areas, the high-density housing will increase the likelihood of flooding into my land. The high-density housing will destroy the privacy of my house and neighborhood, cause storm run-off drainage issues and produce air, water and light pollution that is intolerable. To the Water Division of TCEQ I suggest the remedy as follows: 1) the sewage plant be denied and the developer use the sewage system of all other Parker residences - septic systems. 2) the developer be required to limit development to 2-acre lots in order to comply with septic systems. 3). The developer be denied any application for high-density housing in this ETJ area because it is surrounded by 1/4 acre lots (Murphy) and 2 or more acre lots (Parker). I view the Parties' application as an attempt to make a great deal of money at the expense of our neighborhood - and if completed - the Parties' will not be accountable for long-term harm and destruction of our neighborhood.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 1:19 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jenaholton@gmail.com <jenaholton@gmail.com>
Sent: Thursday, September 23, 2021 9:57 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Jena C Holton

E-MAIL: jenaholton@gmail.com

COMPANY:

ADDRESS: 1311 OVERLAND DR
MURPHY TX 75094-4197

PHONE: 5712423419

FAX:

COMMENTS: I request that a public hearing be held before Harrington Turner or Restore the Grasslands be allowed to proceed with their plans to develop condos and a waste treatment plant. I object to such plans. We bought our homes in Rolling Ridge with the understanding that this property was part of Parker and that new development could not exceed one acre homes. This is outrageous. This property also faces a Collin County school - Hunt Elementary. Waste treatment plants always exude an unacceptable odor, which would be detrimental to property value, and harmful to residents.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, February 16, 2022 9:19 AM
To: PUBCOMMENT-OCC2
Subject: CORRECTION: Public comment on Permit Number D-04122021-017

Apply the H to both items

From: PUBCOMMENT-OCC
Sent: Tuesday, February 15, 2022 8:55 AM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; Pubcomment-Dis <Pubcomment-Dis@tceq.texas.gov>; PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = Comment

From: jjholton@gmail.com <jjholton@gmail.com>
Sent: Monday, February 14, 2022 2:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: John W Holton

E-MAIL: jjholton@gmail.com

COMPANY:

ADDRESS: 1311 OVERLAND DR jjholton@gmail.com
MURPHY TX 75094-4197

PHONE: 7034623867

FAX: 7034623867

COMMENTS: My name is John Holton and I live at 1311 Overland Drive, Murphy TX 75094, phone: 703-462-3867. My home is located within 400 feet of the proposed DISTRICT boundaries as presented, .7 miles from Maxwell Creek and .7 miles from the discharge point. I respectfully submit to the TCEQ this supplement to my prior comments. I respectfully again request a contested case hearing on the application by Harrington/Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-07, customer number CN605878966, regulated entity number RN11124855 (the "District Application"). This high-density development and accompanying sewage plant, with no buffers or parkland will greatly reduce the value of my investment in my home. It will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. This nuisance includes foreseeable physical damage to my property based upon improper planning for potential flooding of my property; foreseeable economic harm to my property's economic value; foreseeable harm to my health and family members' health; psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for a decade. This is an unnecessary and unreasonable interference with the enjoyment of my home - conditions created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor and lights. If the developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity and regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable and knowingly will interfere with the homeowners of Parker and Murphy. The Parties' conduct and proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege to use and enjoy my land. The Parties have NOT taken reasonable precautions to minimize their harmful effect of they proposed MUD, WTPP & Development. The Petitioner and Landowner lives adjacent to the ETJ. He is fully aware of the effects as designed this MUD, WWTP & Development would have on our lives. The sewage plant will create unpleasant odors, pump buildings will create a high noise level, discharge will contaminate area wells and underground springs, the facility cannot guarantee there will not be malfunctions and spills, the sewage plant will be in a 100-year flood plain and increased flooding will result; without any buffer or drainage areas, the high-density housing will increase the likelihood of flooding into my land. The high-density housing will destroy the privacy of my house and neighborhood, cause storm run-off drainage issues and produce air, water and light pollution that is intolerable. To the Water Division of TCEQ I suggest the remedy as follows: 1) the sewage plant be denied and the developer use the sewage system of all other Parker residences - septic systems. 2) the developer be required to limit development to 2-acre lots in order to comply with septic systems. 3). The developer be denied any application for high-density housing in an area that is surrounded by 1/4 acre lots (Murphy) and 2 or more acre lots (Parker). I view the Parties' application as an attempt to make a great deal of money at the expense of our neighborhood - and if completed - the Parties' will not be accountable for long-term harm and destruction of our neighborhood.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 15, 2022 8:55 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = Comment

From: jjholton@gmail.com <jjholton@gmail.com>
Sent: Monday, February 14, 2022 2:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: John W Holton

E-MAIL: jjholton@gmail.com

COMPANY:

ADDRESS: 1311 OVERLAND DR jjholton@gmail.com
MURPHY TX 75094-4197

PHONE: 7034623867

FAX: 7034623867

COMMENTS: My name is John Holton and I live at 1311 Overland Drive, Murphy TX 75094, phone: 703-462-3867. My home is located within 400 feet of the proposed DISTRICT boundaries as presented, .7 miles from Maxwell Creek and .7 miles from the discharge point. I respectfully submit to the TCEQ this supplement to my prior comments. I respectfully again request a contested case hearing on the application by Harrington/Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-07, customer number CN605878966, regulated entity number RN11124855 (the "District Application"). This high-density development and accompanying sewage plant, with no buffers or parkland will greatly reduce the value of my investment in my home. It will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. This nuisance includes foreseeable physical damage to my property based upon improper planning for potential flooding of my property; foreseeable economic harm to my property's economic value; foreseeable harm to my health and family members' health; psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for a decade. This is an unnecessary and unreasonable interference with the enjoyment of my home - conditions created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor and lights. If the developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity and regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable and knowingly will interfere with the homeowners of Parker and Murphy. The Parties' conduct and proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege to use and enjoy my land. The Parties have NOT taken reasonable precautions to minimize their harmful effect of they proposed MUD, WTTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. He is fully aware of the effects as designed this MUD, WWTP & Development would have on our lives. The sewage plant will create unpleasant odors, pump buildings will create a high noise level, discharge will contaminate area wells and underground springs, the facility cannot guarantee there will not be malfunctions and spills, the sewage plant will be in a 100-year flood plain and increased flooding will result; without any buffer or drainage areas, the high-density housing will increase the likelihood of flooding into my land. The high-density housing will destroy the privacy of my house and neighborhood, cause storm run-off drainage issues and produce air, water and light pollution that is intolerable. To the Water Division of TCEQ I suggest the remedy as follows: 1) the sewage plant be denied and the developer use the sewage system of all other Parker residences - septic systems. 2) the developer be required to limit development to 2-acre lots in order to comply with septic systems. 3). The developer be denied any application for high-density housing in an area that is surrounded by 1/4 acre lots (Murphy) and 2 or more acre lots (Parker). I view the Parties' application as an attempt to make a great deal of money at the expense of our neighborhood - and if completed - the Parties' will not be accountable for long-term harm and destruction of our neighborhood.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:09 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jjholton@gmail.com <jjholton@gmail.com>
Sent: Thursday, September 23, 2021 4:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR John W Holton

E-MAIL: jjholton@gmail.com

COMPANY:

ADDRESS: 1311 OVERLAND DR
MURPHY TX 75094-4197

PHONE: 7034623867

FAX:

COMMENTS: I am requesting a public hearing and filing a complaint to contest the application to put a wastewater treatment plant near Murphy to accommodate a new housing development being proposed within Parker. The application proposes to create a wastewater treatment facility just .4 miles north of North Murphy Road and the Rolling Ridge Road intersection. The discharge from this facility would flow into Maxwell Creek which goes through Murphy. We

do not want this facility, which will negatively affect air quality, have potential pollutants, diminish our property value, damage Murphy's ecosystem and negatively impact the quality of life.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 10:07 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: debhyatt200@gmail.com <debhyatt200@gmail.com>
Sent: Friday, September 24, 2021 8:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Deborah Hyatt

E-MAIL: debhyatt200@gmail.com

COMPANY:

ADDRESS: 3116 STONEHENGE DR
RICHARDSON TX 75082-4064

PHONE: 2146864177

FAX:

COMMENTS: We and other neighbors are against a water treatment facility being built in Murphy. We are against all negative impacts that will result in this area. This includes property values impact. We expect to be notified of any public hearings will be scheduled. Please notify us of such.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 25, 2022 9:03 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: dison2@hotmail.com <dison2@hotmail.com>
Sent: Thursday, February 24, 2022 9:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Deborah Ison

E-MAIL: dison2@hotmail.com

COMPANY:

ADDRESS: 918 MUSTANG RIDGE DR
MURPHY TX 75094-4474

PHONE: 9726331653

FAX:

COMMENTS: My home is located within 1 mile radius of the proposed DISTRICT Boundaries as presented and 1 mile from Maxwell Creek. I respectfully submit to the TCEQ this supplement to our prior comments. I respectfully request a

contested case hearing on the application by Harrington/Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No.7 with permit number D-04122021-017. I have serious concerns related to the additional flow and flooding of Maxwell Creek. My son has asthma and has flare ups due to strong odors.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 3:22 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: dison2@hotmail.com <dison2@hotmail.com>
Sent: Monday, December 6, 2021 3:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Deborah L Ison

E-MAIL: dison2@hotmail.com

COMPANY:

ADDRESS: 918 MUSTANG RIDGE DR
MURPHY TX 75094-4474

PHONE: 9726331653

FAX:

COMMENTS: I am requesting a contested hearing regarding permit #WQ0016003001 HARRINGTON TURNER ENTERPRISES LP, CN605893650 & RESTORE THE GRASSLANDS LLC, CN605893643 I am located one mile from the proposed facility. I visit Maxwell Creek regularly and am very concerned about the environmental impacts and potential flooding related to the proposed site.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Dison2@hotmail.com <Dison2@hotmail.com>
Sent: Saturday, October 9, 2021 10:56 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Deborah Ison

E-MAIL: Dison2@hotmail.com

COMPANY:

ADDRESS: 918 MUSTANG RIDGE DR
MURPHY TX 75094-4474

PHONE: 9726331653

FAX:

COMMENTS: Very concerned about my property values and the environmental impact on Maxwell Creek. The smell will also impact an elementary school.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, December 7, 2021 8:24 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: marynellj@yahoo.com <marynellj@yahoo.com>
Sent: Tuesday, December 7, 2021 7:00 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Nell Jackson

E-MAIL: marynellj@yahoo.com

COMPANY:

ADDRESS: 5904 GREGORY LN
PARKER TX 75002-6710

PHONE: 2147971536

FAX:

COMMENTS: I believe my home and land are affected by this proposal. I request a contested hearing. My family has lived in Parker for 45 years. We are about 100 yards from Maxwell Creek. During these years I have encouraged wildlife and natural plants like milkweed that feeds monarch butterflies. I am a Collin Country Master Gardener & care for my gardens with native plants. Being so close to this often flooding creek is a concern for my family. If any mishaps should happen the chemicals etc. would be a threat to me as well as my neighbors. With added risk of discharge from this

facility the residue could be a threat to the wildlife as well as residence all along the creek. In the years that my family has resided along this creek we have seen it go out of its bounds 100's + times. The water rushes so rapid it can quickly go out of the bounds of the creek and over the bank for hours. The bridge isn't passable sometimes for several hours. This is with normal rainfall and no treatment plant run off. I believe I am an affected party because of where my house is along the creek bank. My property is close to the proposed facility as well.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 10:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: marynellj@yahoo.com <marynellj@yahoo.com>
Sent: Monday, December 6, 2021 10:27 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Nell Jackson

E-MAIL: marynellj@yahoo.com

COMPANY:

ADDRESS: 5904 GREGORY LN
PARKER TX 75002-6710

PHONE: 2147971536

FAX:

COMMENTS: I believe my home and land are affected by this proposal. I request a contested hearing. My family has lived in Parker for 45 years. We are about 100 yards from Maxwell Creek. During these years I have encouraged wildlife and natural plants like milkweed that feeds monarch butterflies. I am a Collin Country Master Gardener & care for my gardens with native plants. Being so close to this often flooding creek is a concern for my family. If any mishaps should happen the chemicals etc. would be a threat to me as well as my neighbors. With added risk of discharge from this

facility the residue could be a threat to the wildlife as well as residence all along the creek. In the years that my family has resided along this creek we have seen it go out of its bounds 100's + times. The water rushes so rapid it can quickly go out of the bounds of the creek and over the bank for hours. The bridge isn't passable sometimes for several hours. This is with normal rainfall and no treatment plant run off. I believe I am an affected party because of where my house is along the creek bank. My property is close to the proposed facility as well.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: marynellj@yahoo.com <marynellj@yahoo.com>
Sent: Monday, December 6, 2021 9:09 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Nell Jackson

E-MAIL: marynellj@yahoo.com

COMPANY:

ADDRESS: 5904 GREGORY LN
PARKER TX 75002-6710

PHONE: 2147971536

FAX:

COMMENTS: I believe my home and land are affected by this proposal. I request a contested hearing. My family has lived in Parker for 45 years. We are about 100 yards from Maxwell Creek. During these years I have encouraged wildlife and natural plants like milkweed that feeds monarch butterflies. I am a Collin Country Master Gardener & care for my gardens with native plants. Being so close to this often flooding creek is a concern for my family. If any mishaps should happen the chemicals etc. would be a threat to me as well as my neighbors. With added risk of discharge from this

facility the residue could be a threat to the wildlife as well as residence all along the creek. In the years that my family has resided along this creek we have seen it go out of its bounds 100's + times. The water rushes so rapid it can quickly go out of the bounds of the creek and over the bank for hours. The bridge isn't passable sometimes for several hours. This is with normal rainfall and no treatment plant run off. I believe I am an affected party because of where my house is along the creek bank. My property is close to the proposed facility as well.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:43 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: marynellj@yahoo.com <marynellj@yahoo.com>
Sent: Saturday, December 4, 2021 2:28 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Nell Jackson

E-MAIL: marynellj@yahoo.com

COMPANY:

ADDRESS: 5904 GREGORY LN
PARKER TX 75002-6710

PHONE: 2147971536

FAX:

COMMENTS: I believe my home and land are affected by this proposal. I request a contested hearing. My family has lived in Parker for 45 years. We are about 100 yards from Maxwell Creek. During these years I have encouraged wildlife and natural plants like milkweed that feeds monarch butterflies. I am a Collin Country Master Gardener & care for my gardens with native plants. Being so close to this often flooding creek is a concern for my family. If any mishaps should happen the chemicals etc. would be a threat to me as well as my neighbors. With added risk of discharge from this

facility the residue could be a threat to the wildlife as well as residence all along the creek. In the years that my family has resided along this creek we have seen it go out of its bounds 100's + times. The water rushes so rapid it can quickly go out of the bounds of the creek and over the bank for hours. The bridge isn't passable sometimes for several hours. This is with normal rainfall and no treatment plant run off. I believe I am an affected party because of where my house is along the creek bank. My property is close to the proposed facility as well.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 7:33 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: marynellj@yahoo.com <marynellj@yahoo.com>
Sent: Sunday, November 21, 2021 9:00 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Nell Jackson

E-MAIL: marynellj@yahoo.com

COMPANY:

ADDRESS: 5904 GREGORY LN
PARKER TX 75002-6710

PHONE: 2147971536

FAX:

COMMENTS: I would like to request a contested hearing regarding Restore the Grasslands LC. I live approximately 5 miles from the proposed facility. My family moved to Parker 45 years ago. Our home is about 100 yards from Maxwell Creek. We strongly oppose MUD for our personal safety as well as our neighbors. The wildlife that thrives along the creek is an asset to country living. The trees along the creek bank are 100 + years old and house numerous birds and wildlife. Some are protected by the EPA. Our open pastures are full of native milkweed that feed the monarch

butterflies. Bluebirds and woodpeckers as well as owls nest in these trees. The creek meanders through Murphy into Parker and we often experience heavy spring rains which cause it to overflow and the small bridge to flood ! More water added to this already slow drawing creek would cause great risks if chemicals are in the mix , the homeowners would most certainly be at risks. and the ecosystem threatened. Our small country road would not be able to support traffic from the proposed development , it is important to note that Gregory Lane is a dead end street as well. I am requesting a contested hearing for permit WQ0016003001 . It is clear to my family that the only parties to benefit from this proposal is the developer.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 7:40 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: marynellj@yahoo.com <marynellj@yahoo.com>
Sent: Sunday, November 21, 2021 1:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Nell Jackson

E-MAIL: marynellj@yahoo.com

COMPANY:

ADDRESS: 5904 GREGORY LN
PARKER TX 75002-6710

PHONE: 2147971536

FAX:

COMMENTS: I would like to request a contested hearing regarding Restore the Grasslands LC. I live approximately 5 miles from the proposed facility. My family moved to Parker 45 years ago. Our home is about 100 yards from Maxwell Creek. We strongly oppose MUD for our personal safety as well as our neighbors. The wildlife that thrives along the creek is an asset to country living. The trees along the creek bank are 100 + years old and house numerous birds and wildlife. Some are protected by the EPA. Our open pastures are full of native milkweed that feed the monarch

butterflies. Bluebirds and woodpeckers as well as owls nest in these trees. The creek meanders through Murphy into Parker and we often experience heavy spring rains which cause it to overflow and the small bridge to flood ! More water added to this already slow drawing creek would cause great risks if chemicals are in the mix , the homeowners would most certainly be at risks. and the ecosystem threatened. Our small country road would not be able to support traffic from the proposed development , it is important to note that Gregory Lane is a dead end street as well. I am requesting a contested hearing for permit WQ0016003001 . It is clear to my family that the only parties to benefit from this proposal is the developer.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, December 3, 2021 9:21 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: trudyj70@gmail.com <trudyj70@gmail.com>
Sent: Thursday, December 2, 2021 9:58 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary (Trudy) Jackson

E-MAIL: trudyj70@gmail.com

COMPANY:

ADDRESS: 3607 HOGGE DR
PARKER TX 75002-6733

PHONE: 4696685393

FAX:

COMMENTS: I live at 716m NE, close to the proposed site for the proposed MUD and its treatment system. I am concerned about people taking estrogen, antibiotics, and other medications that are not able to be cleaned from the water going into our creek, and also the emissions into the air and soil from this facility. I worked in a soil research lab when I was in college running the samples for studies on the watersheds in Missouri. The location of this proposed waste dump is in a beautiful watershed and it is not healthy for the people living here, the environment, or the wildlife.

Those of us with auto-immune diseases are sensitive to many emissions. We have a Historical Cemetery (McMillen, owned by the Presbyterian Church that predates the Civil War) a very short distance beyond the proposed site. The bank of the creek is already eroded along the edge of the cemetery and the dumping of 200,000 gallons a day from this facility could create a lot of damage. Thirty years ago, neighborhood children were picking up arrowheads around here; there is much left to learn. I have had a red-headed woodpecker at my bird feeders and many other not-so-common visitors as they migrate. Within the last few months, we have twice seen a beautiful bobcat cutting across our yard on its way back toward the creek. Trucks removing the solid waste would cause more problems with the odor, destruction to the creek and habitat, and noise levels that are already too high due to 6 lanes of traffic next to it. I am requesting a contested hearing regarding the Restore the Grasslands LC (a deceptive name for a MUD if I ever heard one) and Harrington/Turner Enterprises, LP and their permit #WQ0016003001 for a new Texas Discharge Elimination System.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ajaczak@outlook.com <ajaczak@outlook.com>
Sent: Monday, December 6, 2021 4:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Alex Robert Jaczak

E-MAIL: ajaczak@outlook.com

COMPANY:

ADDRESS: 513 HILLTOP DR
MURPHY TX 75094-5345

PHONE: 6303409491

FAX:

COMMENTS: I live less than a mile from affected land, Maxwell Creek. It has recently come to my attention in the past month of the intention to build a "Wastewater Treatment Plant" in unincorporated Murphy, TX/Parker, TX. It is deeply concerning that this "Wastewater Treatment Plant" would be dumping 200,000 + gallons a day of waste water treated with chemicals, so close to residential homes/ botanical and animal habitats. The dumped 200,000 + gallons of chemically treated wastewater would essentially exterminate the botanical and animal habitats surrounding Maxwell

Creek. It is alarming to think of the compounded impact of dumping 200,000 + gallons a day of wastewater treated with chemicals. The long term impact of exposure to the chemicals used to treat the water is unknown. This chemically treated wastewater will seep into the ground soil of the Murphy community, and work its way into the water we use to bathe, drink, cook and use to water our lawns. (Local/native animal species will also be forced to subsist off the contaminated chemically treated water) The sheer space and smell of this "Wastewater Treatment Plant" will also impact Murphy and Parker economically, and would influence new businesses and families to "steer clear" of locating in Murphy and Parker. The "Wastewater Treatment Plant" will acutely impact local property values. Also, precedent is not being followed in this instance of the build of the "Wastewater Treatment Plant", standard procedure dictates that a two mile buffer is maintained between "Wastewater Treatment Plants" and communities. It is also concerning that subterfuge was employed in order to build this "Wastewater Treatment Plant". Unincorporated land was bought and loopholes and non-standard procedure was employed to carry the construction of the "Wastewater Treatment Plant" this far. The permit was filed in May, 2021 and the Murphy and Parker Communities were not informed/intentionally "kept in the dark", as to force this "Wastewater Treatment Plant" through without impacted communities consent/ and minimal resistance from communities that would be deeply impacted. For the all the reasons stated above, I want a contested hearing regarding this issue, (WQ0016003001).

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 3:25 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ajaczak@outlook.com <ajaczak@outlook.com>
Sent: Monday, December 6, 2021 2:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Alex Robert Jaczak

E-MAIL: ajaczak@outlook.com

COMPANY:

ADDRESS: 513 HILLTOP DR
MURPHY TX 75094-5345

PHONE: 6303409491

FAX:

COMMENTS: I live less than a mile from affected land, Maxwell Creek. It has recently come to my attention in the past month of the intention to build a "Wastewater Treatment Plant" in unincorporated Murphy, TX/Parker, TX. It is deeply concerning that this "Wastewater Treatment Plant" would be dumping 200,000 + gallons a day of waste water treated with chemicals, so close to residential homes/ botanical and animal habitats. The dumped 200,000 + gallons of chemically treated wastewater would essentially exterminate the botanical and animal habitats surrounding Maxwell

Creek. It is alarming to think of the compounded impact of dumping 200,000 + gallons a day of wastewater treated with chemicals. The long term impact of exposure to the chemicals used to treat the water is unknown. This chemically treated wastewater will seep into the ground soil of the Murphy community, and work its way into the water we use to bathe, drink, cook and use to water our lawns. (Local/native animal species will also be forced to subsist off the contaminated chemically treated water) The sheer space and smell of this "Wastewater Treatment Plant" will also impact Murphy and Parker economically, and would influence new businesses and families to "steer clear" of locating in Murphy and Parker. The "Wastewater Treatment Plant" will acutely impact local property values. Also, precedent is not being followed in this instance of the build of the "Wastewater Treatment Plant", standard procedure dictates that a two mile buffer is maintained between "Wastewater Treatment Plants" and communities. It is also concerning that subterfuge was employed in order to build this "Wastewater Treatment Plant". Unincorporated land was bought and loopholes and non-standard procedure was employed to carry the construction of the "Wastewater Treatment Plant" this far. The permit was filed in May, 2021 and the Murphy and Parker Communities were not informed/intentionally "kept in the dark", as to force this "Wastewater Treatment Plant" through without impacted communities consent/ and minimal resistance from communities that would be deeply impacted. For the all the reasons stated above, I want a contested hearing regarding this issue, (WQ0016003001).

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 12, 2021 8:46 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: ajaczak@outlook.com <ajaczak@outlook.com>
Sent: Thursday, November 11, 2021 7:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Alex R Jaczak

E-MAIL: ajaczak@outlook.com

COMPANY:

ADDRESS: 513 HILLTOP DR
MURPHY TX 75094-5345

PHONE: 6303409491

FAX:

COMMENTS: To Whom it May Concern, Building a "Wastewater Treatment Plant" in a family community, which contains numerous restaurants and small business, is deeply troubling. The Citizens of Murphy are tax paying/voting American Citizens, and are entitled to a say in what is developed in our community. As Americans and Texans, we do not appreciate the appropriation of Murphy Land to build a "Wastewater Treatment Plant": which poses health risks to the citizenry, decreases in property values, destroys animal and botanical habitats, and undermines/destroys the

community, which each citizen of Murphy contributes to, by parties whom are not impacted by these poor decisions. If this "Wastewater Treatment Plant" is indeed "safe", it should behoove the builders the of the Parker subdivisions/neighborhoods, which this "Wastewater Treatment Plant" is supposedly being built for, to build the "Wastewater Treatment Plant" in the subdivisions/neighborhoods they building/plan to build. The potential buyers will be "thrilled" at the opportunity to purchase a home with a "Wastewater Treatment Plant" so close! Building the "Wastewater Treatment Plant" in an area that is under development, the Parker subdivisions/neighborhoods being built, has the added benefit of not disrupting/hurting, (and protecting), existing/established animal and botanical habitats in Murphy, specifically around Maxwell Creek and all other derivative water habitats. I would encourage the Texas Commission on Environmental Quality to watch Erin Brockovich with their families next family movie night!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:09 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ljaczak@gmail.com <ljaczak@gmail.com>
Sent: Friday, November 26, 2021 3:36 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Lauren Jaczak

E-MAIL: ljaczak@gmail.com

COMPANY:

ADDRESS: 513 HILLTOP DR
MURPHY TX 75094-5345

PHONE: 6304074238

FAX:

COMMENTS: I live less than a half mile from the affected land, Maxwell Creek. My family and I often use the land that will be affected. We frequently use the park and enjoy the clean water and wildlife that accompanies it. Residents' daily lives will be impacted severely by this sewage plant, including but not limited to significant negative impact on our health, our environment, and property values. As a taxpayer directly affected by this decision, I want a contested hearing regarding this issue.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:53 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: bjaczak@gmail.com <bjaczak@gmail.com>
Sent: Monday, December 6, 2021 1:53 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Robert Jaczak

E-MAIL: bjaczak@gmail.com

COMPANY:

ADDRESS: 513 HILLTOP DR
MURPHY TX 75094-5345

PHONE: 4086160004

FAX:

COMMENTS: 1. I live less than a half mile from the affected land, Maxwell Creek. 2. My family and I often use the land that will be affected by making use of the park and enjoying the clean water and wildlife that accompanies it. Note the following are items of extreme concern with the sewage plant proposal: a) There is typically a 2-mile buffer area from where the plant/dumpage of material is to where the residential area is located. In this case there is not, and this poses extreme danger to the Murphy community, its people, housing, playground, and school. In all fairness to the Murphy

Community, this Project should be canceled because this does not meet the 2 mile buffer. b) The owners who proposed the permit did not try to receive stakeholder consent for this project from the close neighboring community (Maxwell Creek) at the beginning. It was not communicated well enough in order for the Neighborhood to feed their concerns to the Owner of this proposed Sewage Plant. There was no communication back and forth driven by the Owner, no dialogue. I am a Project Manager, and if I did not get appropriate Stakeholder consent fo a Project, or not try to receive Stakeholder feedback and address their concerns at the beginning of the Project, the Project would be canceled. c) 200,000 gallons a day put into the small width of Maxwell creek is alarming. There needs to be an engineering study of the amount of liquid, flow of liquid, viscosity, chemical composition, etc. to see the impacts of 200,000 gallons a day over several years. 3. I want a contested hearing regarding this issue.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 12, 2021 8:47 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: bjaczak@gmail.com <bjaczak@gmail.com>
Sent: Thursday, November 11, 2021 6:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Robert Jaczak

E-MAIL: bjaczak@gmail.com

COMPANY:

ADDRESS: 513 HILLTOP DR
MURPHY TX 75094-5345

PHONE: 4086160004

FAX:

COMMENTS: Building a sewage plant and disposing of the waste inside of the Murphy residential area is despicable, and shows a lack of respect for human life and families in the community. The smell will be horrible for miles around, the water in Murphy will not be safe, and the home values will plummet. Please watch the Erin Brockovich film, where the local government, commissions, and company felt it was safe. I hope this gets read, but I fear that action may not be

taken unless lawyers get involved. As a Project Manager, I feel this is a very urgent risk that needs to be mitigated ASAP, with multiple mitigation plans in parallel (this being one of them),

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 25, 2022 12:02 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: MUD_D-04122021-017_ReqForContestedHearing_Jasadiredja1.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: jdjasa@aim.com <jdjasa@aim.com>
Sent: Friday, February 25, 2022 10:38 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Jani Jasadiredja

E-MAIL: jdjasa@aim.com

COMPANY:

ADDRESS: 118 ECHO RIDGE LN
MURPHY TX 75094-4113

PHONE: 9726906092

FAX:

COMMENTS: Re: Request of Contested Case Hearing for TCEQ Permit # D-04122021-017 Distance from Location is less than 0.4 miles My home is located within: - 0.3 miles of the proposed DISTRICT Boundaries as presented, - 0.3 miles from Maxwell Creek and - 0.3 miles from the discharge point. I respectfully request a contested case hearing per our opposition of the approval of the waste treatment plant due to the fact that under the Texas Administrative Code, TITLE 30 Environmental Quality, Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language “ (3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected. (4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. “ Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek. The city of Murphy states this on their official website: “ Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision). “The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above “designated areas of exceptional recreational or ecological significance.” Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy (including me and my family). This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. Foreseeable economic harm to the property's economic value. Foreseeable harm to my health and family members' health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable. Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interfere with the homeowners of Parker and Murphy. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effect of this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods. TCEQ's mission of “Protecting Texas by Reducing and Preventing Pollution” should always be the focus. Regionalization is the proper choice when determining which method of treating water should be pursued. The North Texas's investment in our regional water district should be the logical choice. Thank your for your consideration and attention. Respectfully, Jani & Miriam Jasadiredja 118 Echo Ridge Ln Murphy, TX 75094 jdjasa@aim.com 972-690-6092

Jani & Miriam Jasadiredja
118 Echo Ridge Ln, Murphy, TX 75094
jdjasa@aim.com
972-690-6092

Re: Request of Contested Case Hearing for TCEQ Permit # D-04122021-017

Distance from Location is less than 0.4 miles

My home is located within
0.3 miles of the proposed DISTRICT Boundaries as presented,
0.3 miles from Maxwell Creek and
0.3 miles from the discharge point.

I respectfully request a contested case hearing per our opposition of the approval of the waste treatment plant due to the fact that under the Texas Administrative Code, TITLE 30 Environmental Quality,

Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language “

(3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected.

(4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. “ Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek.

The city of Murphy states this on their official website: “ Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space.

Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision).

"The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above "designated areas of exceptional recreational or ecological significance." Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy (including me and my family). This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023.

Foreseeable economic harm to the property's economic value.

Foreseeable harm to my health and family members' health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades.

Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable.

Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interfere with the homeowners of Parker and Murphy. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development.

The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effect of this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods.

TCEQ's mission of "Protecting Texas by Reducing and Preventing Pollution" should always be the focus. Regionalization is the proper choice when determining which method of treating water should be pursued. The North Texas's investment in our regional water district should be the logical choice.

Thank you for your consideration and attention to this matter.

Best regards,

Jani & Miriam Jasadiredja

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:09 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: jdjasa@aim.com <jdjasa@aim.com>
Sent: Tuesday, September 21, 2021 4:27 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jani Jasadiredja

E-MAIL: jdjasa@aim.com

COMPANY:

ADDRESS: 118 ECHO RIDGE LN
MURPHY TX 75094-4113

PHONE: 9726906092

FAX:

COMMENTS: I oppose this proposal, it is too close to our property.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 1:34 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: fortysixhundred@frontier.com <fortysixhundred@frontier.com>
Sent: Friday, November 19, 2021 11:45 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: TX

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Scott L Jeffries

E-MAIL: fortysixhundred@frontier.com

COMPANY:

ADDRESS: 4600 SYCAMORE LN
PARKER TX 75002-5702

PHONE: 2143957478

FAX:

COMMENTS: I live on approximately 28 acres about a mile and a half from the proposed development. I have restored most of my property from farmland to native prairie. It is now part of the habitat of a considerable amount of diverse wildlife. My property is managed in compliance with State guidelines and Collin County Appraisal District regulations concerning wildlife management. Because several species of wildlife, including hawks (which are Federally protected) and bobcats have ranges far larger than my property, it is likely that some that I have worked to support will be

negatively effected by the relatively dense proposed development,especially the sewage treatment facility. I ask that the permit be denied. I am requesting a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 10:38 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Nikki_jennings@verizon.net <Nikki_jennings@verizon.net>
Sent: Sunday, September 26, 2021 6:50 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Nicole Jennings

E-MAIL: Nikki_jennings@verizon.net

COMPANY:

ADDRESS: 5929 LINDSEY LN
PARKER TX 75002-6401

PHONE: 2149142740

FAX:

COMMENTS: As a nearby home and business owner, I am very opposed to a water treatment plant being constructed at this proposed site and request a hearing to understand more about the proposal. My experience with such plants is that they put off a strong and unpleasant smell that will diminish home values in our community.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 10:25 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: bjones@jonescapitaladvisors.com <bjones@jonescapitaladvisors.com>
Sent: Monday, December 6, 2021 10:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Brian Jones

E-MAIL: bjones@jonescapitaladvisors.com

COMPANY:

ADDRESS: 806 SHADYBROOK DR
MURPHY TX 75094-4453

PHONE: 2145879774

FAX:

COMMENTS: I am a Murphy resident for over 16 years. My home is within the potential impact area. Twelve years ago, through a volunteer program within Murphy, I adopted an area along a stretch of the Maxwell Creek. Since that beginning I have personally given over 1,000 volunteer hours designing trails and improving the area. During these twelve years, I have received volunteer help from countless individuals in the community and groups such as Boy Scouts, Girl Scouts and National Honor Society students. All of these efforts focused on improving Maxwell Creek and its

surroundings. I request a Contested Case Hearing on the proposed permit. In making this request, I draw specific attention to the discrepancies between the portrayal of Maxwell Creek as presented in the application for permit and what actually exists at Maxwell Creek. The creek is a thriving ecosystem. Maxwell Creek is a critical asset to our community. In a world where we need to unplug, Maxwell Creek provides that opportunity. On any day, you can find residents, as well as non-residents, taking in the beauty of the creek and enjoying the recreational opportunities offered by the creek and its banks. We cannot sacrifice this critical piece of our community.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 3:27 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: brianjones_@hotmail.com <brianjones_@hotmail.com>
Sent: Wednesday, September 22, 2021 2:30 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Brian Jones

E-MAIL: brianjones_@hotmail.com

COMPANY:

ADDRESS: 806 SHADYBROOK DR
MURPHY TX 75094-4453

PHONE: 2145879774

FAX:

COMMENTS: No to this proposal of a wastewater treatment plant.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:18 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: RICOJONES21@gmail.com <RICOJONES21@gmail.com>
Sent: Monday, December 6, 2021 9:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: RICO JONES

E-MAIL: RICOJONES21@GMAIL.COM

COMPANY:

ADDRESS: 5510 GREGORY LN
PARKER TX 75002-6702

PHONE: 3104151219

FAX:

COMMENTS: We request a contested case hearing, due to the extreme danger that the increase of 200,000 gallons/per day will pose. This substantial increase could possibly lead to increased flooding on Gregory lane.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:36 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Wastewater Treatment Response 5 Dec 2021(0).pdf

H

From: ricojones21@gmail.com <ricojones21@gmail.com>
Sent: Monday, December 6, 2021 12:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Rico Jones

E-MAIL: ricojones21@gmail.com

COMPANY:

ADDRESS: 5510 GREGORY LN
PARKER TX 75002-6702

PHONE: 3104151219

FAX:

COMMENTS: I am officially submitting our family's request for a contested hearing regarding this permit.

5 December 2021

Re: Contested Hearing Request

Name: Rico Jones & Ariel Tonnu

Phone number: 310-415-1219

Address: 5510 Gregory Lane, Parker, TX 75002

Key Issues:

1. We live approximately 1600 meters Northwest of the proposed Wastewater Treatment facility under permit number WQ0016003001 (EPA ID NO TX 0141381). We request a contested case hearing against this permit. The proposed Texas Pollutant Discharge Elimination System (TPDES) would have a detrimental effect upon our family. Our family's three concerns are:
 - a. The first concern is our children's health. Our two children, since birth, have endured chronic respiratory issues to include pneumonia multiple times, bronchitis, chronic sinusitis, and moderate allergies. One of our children is also a Special Needs child with concomitant impairments. He has also had repeated bouts of Respiratory Distress syndrome, which could be triggered by malodorous and toxic emissions. We fear that the potential emissions from the wastewater treatment facility will have a negative impact on the air quality and Maxwell Creek water table contamination. Thus, the facility will be detrimental to their health, well-being, and physical safety. Our proximity of only 1600 meters away from the wastewater treatment facility causes us **grave** concerns for the future of our children's health with an associated risk of financial impact to our family, due to potential increase healthcare costs. Our children's **ability to roam and explore their** quaint environment along Maxwell Creek and adjacent areas will permanently be **inhibited due to the proposed Wastewater treatment facility's emissions**.
 - b. Secondly, the environmental impact on our area will also pose a serious issue for our family. The Hydrogen Sulfide gas in concert with chlorine, bacterial, and fungal emissions will certainly have a life-threatening impact to the wildlife in our quaint community and prevent our kids from exploring the area safely.
 - c. Thirdly, the potential flooding impact to Gregory Lane. The estimated 200,000 additional gallons waste the water per day will possibly have a profound effect on our already inadequate Maxwell Creek bridge at Gray & Gregory Lane intersection. Since our move to our new home at 5510 Gregory Lane in late January 2021, we have experienced 2-3 extreme flooding events that have blocked ingress & egress to our home on Gregory Lane for portions of the day/night. The addition of the Waste Treatment Facility will only add to the resident's safety and cause serious

disruption to our ability to get in and out of our homes. This wastewater treatment facility will have disastrous effects on all the residents and could possibly contribute to the endangerment of lives, if emergency medical services are not able to traverse the flooded bridge/culvert area, due to the increased Wastewater treatment facility additional input into Maxwell Creek. This is TOTALLY an unacceptable scenario that we as property owners and tax paying Parker residents must accept. Given our kids health issues, the blockage of the road due to flooding could pose severe harm to our kids due to not be able to get emergency vehicle into our house.

2. These three areas of concerns should be shared by all the residents living along Gregory Lane and Gray Lane. Our family would have made different property ownership decisions if there was an existing Wastewater treatment facility in place prior to our taking ownership. This proposed Wastewater Treatment facility, if built, will definitely open itself to possible Gregory Lane resident sponsored litigation to seek judicial relief to mitigate the physical and mental health impacts to our family members.
3. Therefore, we re-iterate our request that a contested hearing be held regarding Restore the Grasslands LC and Harrington/Turner Enterprises, LP and their permit #WQ0016003001 for a new Texas Pollutant Discharge Elimination System (TPDES).

v/r

//signed//

Rico Jones & Ariel Tonnu
5510 Gregory Lane Homeowners



Ms. Kalisek's Direct Line: (512) 322-5847
Email: lkalisek@lglawfirm.com

816 Congress Avenue, Suite 1900
Austin, Texas 78701
512.322.5800 p
512.472.0532 f
lglawfirm.com

March 3, 2022

REVIEWED
MAR 03 2022
By GCW H

Ms. Laurie Gharis
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

VIA FIRST CLASS MAIL
AND ELECTRONIC FILING

MWD
124967

Re: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP;
Texas Pollutant Discharge Elimination System Permit No.
WQ0016003001 Renewed Request for Contested Case Hearing (446-
13/69)

Dear Ms. Gharis:

On behalf of the North Texas Municipal Water District ("NTMWD"), please consider this letter as a renewed formal request for a contested case hearing on the above-referenced Texas Pollutant Discharge Elimination System ("TPDES") permit application ("Application") filed with the Texas Commission on Environmental Quality ("TCEQ") by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP ("Applicant") and the associated draft permit for the proposed TPDES Permit No. WQ0016003001 ("Draft Permit").

NTMWD filed its comments (including an initial request for a contested case hearing) before the comment deadline, but the comments were not included in TCEQ's Executive Director's Response to Public Comment ("RTC"). TCEQ published the Notice of Application and Preliminary Decision on October 22, 2021. NTMWD filed its comments with the TCEQ on November 22, 2021 as confirmed in Attachment A. The deadline to submit comments was December 6, 2021. TCEQ posted the RTC on February 11, 2022, and NTMWD's comments were not addressed in the RTC. Due to this oversight in the RTC and to clearly confirm NTMWD's right to request a hearing, NTMWD files this letter re-urging its request.

I. REQUEST FOR A CONTESTED CASE HEARING

NTMWD is a conservation and reclamation district under Article XVI, Section 59 of the Texas Constitution that was created by the Texas Legislature in 1951 to serve regional water and wastewater needs in the area north and east of Dallas. Today, NTMWD provides wastewater service to this area from fifteen (15) NTMWD-owned or operated wastewater treatment plants ("WWTPs"). Many of these WWTPs operate in and discharge to tributaries of the Trinity River, including the East Fork Trinity River.¹ NTMWD's provision of regional service on this scale is

¹ Sister Grove Regional Waste Resource Recovery Facility Phase I Facilities, TPDES Permit No. 15693001; Wilson Creek WWTP, TPDES Permit No. WQ0012446001; Rowlett Creek WWTP, TPDES Permit No. WQ0010363001; Floyd Branch WWTP, TPDES Permit No. WQ0010257001; South Mesquite Creek RWWT, TPDES Permit No. WQ0010221001; Seis Lagos WWTP, TPDES Permit No. WQ0011451001; Squabble Creek

due to its historic recognition and legal designation by the TCEQ's predecessor agency as the regional service provider for the service area at issue in the Application. In 1972, the Texas Water Quality Board issued an order ("1972 Order"), pursuant to a 1969 amendment to the 1967 Texas Water Quality Control Act, designating NTMWD as the regional wastewater service provider for the watershed area of the East Fork Trinity River.² **Attachment B** is a copy of the 1972 Order. This designation is memorialized in current TCEQ regulations.³ Further, as discussed in detail below, NTMWD's application for Phase 1 of the Sister Grove Regional Waste Resource Recovery Facility ("Sister Grove") was approved by TCEQ in 2020 that encompasses the same service area proposed in this Application.

The Applicant has applied for a new TPDES permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. The proposed WWTP will be located in Collin County, Texas, and the wastewater will be discharged from the proposed WWTP site to Maxwell Creek, thence to Lake Ray Hubbard in Segment No. 0820 of the Trinity River Basin. The Applicant asserts that the proposed WWTP will provide wastewater service to a proposed 101-acre tract that will be developed into single-family residential subdivision, in a primarily undeveloped rural area, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, Texas.

NTMWD requests a contested case hearing on the Draft Permit, as NTMWD is an "affected person" within the meaning of 30 Texas Administrative Code ("TAC") §§ 55.103 and 55.203. An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by issuance of the Draft Permit.⁴ All relevant factors must be considered by the TCEQ in determining affected person status, including: (1) whether the interest claimed is one protected by the law under which the Application will be considered; (2) distance restrictions or other limitations imposed by law on the affected interest; (3) whether a reasonable relationship exists between the interest claimed and the activity regulated; (4) the likely impact of the regulated activity on the health, safety, and use of property of the person; (5) the likely impact of the regulated activity on use of the impacted natural resource by the person; (6) whether the requestor submitted comments on the Application that were not withdrawn; and, (7) *for governmental entities, their statutory authority over or interest in the issues relevant to the Application.*⁵ Additionally, the TCEQ may consider: (1) the merits of the Application, including

WWTP, TPDES Permit No. WQ0010262001; Buffalo Creek WWTP, TPDES Permit No. WQ00102047001; Frisco Cottonwood Creek WWTP, TPDES Permit No. WQ0010172002; Stewart Creek West WWTP, TPDES Permit No. WQ0014008001; Farmersville No. 1 WWTP, TPDES Permit No. WQ0010442001; Farmersville No. 2 WWTP, TPDES Permit No. WQ0010442002; Bear Creek WWTP, TPDES Permit No. WQ0014577001; Panther Creek WWTP, TPDES Permit No. WQ0014245001; Sabine Creek WWTP, TPDES Permit No. WQ0014469001.

² Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972); *see* Texas Water Quality Act of 1967, 60th Leg., R.S., ch. 313 (amended 1969, 1971, and 1985) (current version at Tex. Water Code §§ 26.081-.087); Act of May 13, 1969, 61st Leg., ch. 760, §§ 1.02, 3.29 (amended 1971 and 1985) (current version at Tex. Water Code §§ 26.081-.087).

³ 30 Tex. Admin. Code §§ 351.31—35.

⁴ 30 Tex. Admin. Code § 55.103.

⁵ *Id.* § 55.203(c) (emphasis added).

whether the Application meets the requirements for permit issuance; (2) the Executive Director's ("ED's") analysis and opinions; and (3) other expert reports, affidavits, opinions, and data.⁶

II. NTMWD HAS A PERSONAL JUSTICIABLE INTEREST AFFECTED BY THE APPLICATION AND DRAFT PERMIT

For the reasons set forth herein, NTMWD is an affected person, as defined by 30 TAC §§ 55.103 and 55.203. NTMWD has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest that is not common to the general public and that would be adversely affected should the Draft Permit be issued.

A. The Applicants' proposed WWTP seeks to collect, transport, treat, and discharge wastewater within the area designated by TCEQ as the Regional Area over which NTMWD is the designated regional entity.

NTMWD is an affected person, because the proposed action would interfere with its statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area.⁷ Specifically, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into a single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD.⁸ In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C.⁹

TWC Chapter 26 provides the TCEQ the authority to—whenever it deems necessary in the interest of serving the waste disposal needs of the state, and to prevent pollution and maintain and enhance the quality of state water—designate a regional entity to provide wastewater service.¹⁰ Moreover, the specified duties of the regional entity indicate that NTMWD "shall provide regional wastewater collection and treatment service to *all* legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the [TCEQ] if agreement cannot be reached."¹¹ NTMWD has expended significant time, effort, and resources over the intervening four decades in planning, financing,

⁶ *Id.* § 55.203(d).

⁷ *Id.* §§ 351.31—35; Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

⁸ *Id.*

⁹ Tex. Water Code §§ 26.003, .081. See specifically TWC Section 26.084, authorizing the TCEQ to refuse to grant a permit for a system in a designated regional area unless the permit complies and is consistent with the TCEQ's regionalization order.

¹⁰ *Id.* §§ 26.081-.087.

¹¹ *Id.* § 351.35 (emphasis added); *see also* Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

and constructing the infrastructure needed to serve the Regional Area, and such efforts would be undermined by approval of the Application.

B. NTMWD's existing Wilson Creek WWTP and Muddy Creek WWTP, and Sister Grove RWWRF currently under construction are available to serve the Applicant's proposed service area.

Two of NTMWD's facilities, Wilson Creek Regional Wastewater Treatment Plant ("Wilson Creek") and Muddy Creek Wastewater Treatment Plant ("Muddy Creek"), provide wastewater service to an area inclusive of the Applicant's proposed development. On May 31, 2018, and pursuant to NTMWD's regionalization plan, NTMWD filed a new TPDES permit application for Sister Grove that is designed to provide wastewater service to an area inclusive of the proposed development, which the TCEQ approved and the project is currently under construction.¹² Wilson Creek, Muddy Creek and Sister Grove and the proposed Restore the Grasslands WWTP are located in the watershed area of the East Fork of the Trinity River within Collin County and therefore fall within the Regional Area designated to NTMWD.¹³ Moreover, Restore the Grasslands WWTP would be located in close proximity to existing sewer facilities transporting wastewater for treatment to Wilson Creek, Muddy Creek, and Sister Grove (once construction is completed), as illustrated by the map provided as **Attachment C** to this letter.

Sister Grove is planned to include four phases, the first of which will be online in 2023 and discharge 16 million gallons per day ("MGD") of treated wastewater. Once all four phases are complete, Sister Grove will discharge 64 MGD.

Sister Grove is the product of significant NTMWD planning and expenditures in studying regionalization over the past decade, as was directed and encouraged by the designation of NTMWD as the wastewater service provider for the Regional Area. Population growth, existing facilities in the NTMWD Upper East Fork Interceptor System, proposed NTMWD facilities, and the possible location of proposed NTMWD facilities were considered during NTMWD's planning of the regional system. Based upon NTMWD's construction of Sister Grove and concrete plan to provide service to the area covered by the Application, as well as service provided by Wilson Creek and Muddy Creek in the Applicant's proposed service area—an area that falls entirely within the watershed area designated as the NTMWD Regional Area—NTMWD is an affected person entitled to a contested case hearing.

TCEQ has established NTMWD as the regional entity over the Regional Area within which the Applicant's proposed development is located; NTMWD has acted consistent with this authority, has invested in long-term planning inclusive of the Applicant's proposed service area, and has operated continuously Wilson Creek and Muddy Creek, and is now constructing Sister Grove to carry out that plan. Thus, NTMWD's status as an affected person is based on a specific

¹² TCEQ Domestic Wastewater Permit Application for a New Texas Pollutant Discharge Elimination System (TPDES) Permit for the North Texas Municipal Water District Sister Grove Regional Water Resource Recovery Facility (May 31, 2018).

¹³ See Tex. Admin. Code §§ 351.31—.35.

interest in providing wastewater service to the area covered by the Application in addition to NTMWD's overarching interest in providing wastewater service within its designated Regional Area. Further, if TCEQ were to issue the permit as sought by the Application, such action would undercut the incentive for others in the service area to work with NTMWD as the regional service provider and would thereby undermine the state's policy of regionalization.

III. DISPUTED FACTS AND LAW TO BE REFERRED FOR A CONTESTED CASE HEARING.

In addition to the foregoing bases to grant NTMWD's hearing request, NTMWD reasserts that it is an affected person and thus entitled to a hearing, because the Application for the proposed Draft Permit was deficient, resulting in a Draft Permit that threatens NTMWD's interest as the designated regional entity. In accordance with 30 TAC § 55.201(d)(4)(B), NTMWD asserts the following facts and law, and requests that these issues be referred to a contested case hearing:

A. Whether issuance of the Draft Permit is contrary to the state's regionalization policy.

1. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on NTMWD designation as the regional entity to provide service in the Applicant's proposed service area in accordance with the 1972 Order. TWC Chapter 26, and 30 TAC §§ 351.31–35.
2. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on the proximity of existing sewer facilities already served by NTMWD's Wilson Creek, Muddy Creek, and Sister Grove treatment plants.
3. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on consideration of the state's general policy to promote regional or area-wide systems under TWC § 26.003.
4. Whether the Applicant has sufficiently demonstrated a need for the Permit in light of NTMWD's designation as the regional entity to provide service within the Regional Area and the availability of service from NTMWD facilities that are either existing or under construction.

In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when regionalized wastewater services are available and TCEQ rules designate NTMWD as the regional wastewater service provider.

Ms. Laurie Gharis
March 3, 2022
Page 6

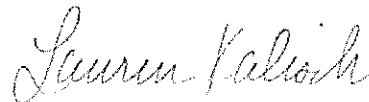
IV. CONCLUSION

For the foregoing reasons and because this request substantially complies with the requirements of a contested case hearing request per 30 TAC § 55.201, NTMWD requests a contested case hearing in this matter regarding the above-listed issues. NTMWD reserves the right to raise and pursue any and all issues that may be relevant to its interest in the event of a contested case hearing. Again, all official communication should be directed to my attention at:

Ms. Lauren J. Kalisek
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5847
Email: lkalisek@lglawfirm.com

I appreciate your attention to this request. Please do not hesitate to contact me if you have questions.

Sincerely,



Lauren Kalisek

Attachment A

Archived: Wednesday, March 2, 2022 12:53:25 PM

From: donotreply@tceq.texas.gov

Mail received time: Mon, 22 Nov 2021 10:43:40

Sent: Mon, 22 Nov 2021 10:43:31

To: [Kyle Schoenemann](#)

Subject: TCEQ Confirmation: Your public comment on Permit Number WQ0016003001 was received.

Importance: Normal

Sensitivity: None

Attachments:

2021.11.22. LJK to Chief Clerk NTMWD Protest CCH Request Restore the Grasslands LLC, Collin County MUD No. 7 WQ00160030012.docx

REGULATED ENTITY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kyle Schoenemann

E-MAIL: kschoenemann@lglawfirm.com

COMPANY: Lloyd Gosselink Rochelle & Townsend

ADDRESS: 816 CONGRESS AVE Suite 1900
AUSTIN TX 78701-2442

PHONE: 5123225800

FAX:

COMMENTS: See attached.

Based on TCEQ rule Section 1.10(h), the TCEQ General Counsel has waived the filing requirements of Section 1.10(c) to allow the filing of comments, requests, or withdrawals using this online system. The General Counsel also has waived the requirements of Section 1.10(e) so that the time of filing your electronic comments or requests is the time this online system receives your comments or requests. Comments or requests are considered timely if received by 5:00 p.m. CST on the due date.

Attachment B

TEXAS WATER QUALITY BOARD
P. O. Box 13246, Capitol Station
Austin, Texas 78711

ORDER NO. 72-0426-17

AN ORDER of the Texas Water Quality Board defining that area of the East Fork of the Trinity River in which the implementation of a regional or area-wide sewerage system is necessary to protect the quality of the waters in the State; designating the North Texas Municipal Water District as the governmental entity to design, construct and provide operation for the system; and directing the Executive Director to send copies of the Order to parties who might reasonably be affected by this Order.

PREAMBLE

It is the policy of the State of Texas to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the State and to prevent pollution and maintain and enhance the quality of waters in the State (Sec. 21.201, Texas Water Code). In accordance with this policy, a public hearing was held in Garland, Texas on December 10, 1971 to receive evidence concerning the creation of an area-wide sewerage system for the watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties, Texas. Notice of the public hearing was given to all local governments which, in the opinion of the Board, would be reasonably affected by its actions.

The Board finds: (a) that the described territory is within a standard metropolitan statistical area as defined by Section 21.201 (d), Texas Water Code; (b) that an area-wide system is necessary and desirable to prevent pollution and maintain and enhance the quality of water in the State; (c) that there is a system which the North Texas Municipal Water District proposes to construct, which in the reasonably foreseeable future, will be capable of serving the waste collection, treatment and disposal needs of all or part of the area defined below; (d) that the North Texas Municipal Water District is agreeable to sponsoring the area-wide system and providing the services; and (e) the Board intends to

consider, after appropriate notice and hearings, taking the actions made available under Section 21.204, Texas Water Code.

BE IT ORDERED BY THE TEXAS WATER QUALITY BOARD:

- I. The watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties is hereby designated as an area in which the implementation of a regional or area-wide system is necessary or desirable to effectuate the policy stated in Sec. 21.201, Texas Water Code.
2. The North Texas Municipal Water District is designated as the governmental entity to design, construct and be the operating agency for a regional sewerage system in the defined area and to provide the services therefor.
3. The Duck Creek site described in the North Central Texas Council of Government's Upper Trinity River Basin Comprehensive Sewerage Plan will not be designated as a regional sewage treatment center.
4. After development of the area-wide system, the North Texas Municipal Water District shall provide regional wastewater collection and treatment service to all legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the Board if agreement cannot be reached.
5. The Executive Director is directed to send a copy of this Order to the North Texas Municipal Water District, the City of Garland, and other parties who might reasonably be affected by this Order.

Passed and approved this 26th day of April, 1972.

(SEAL)

s/ Gordan Fulcher

CHAIRMAN

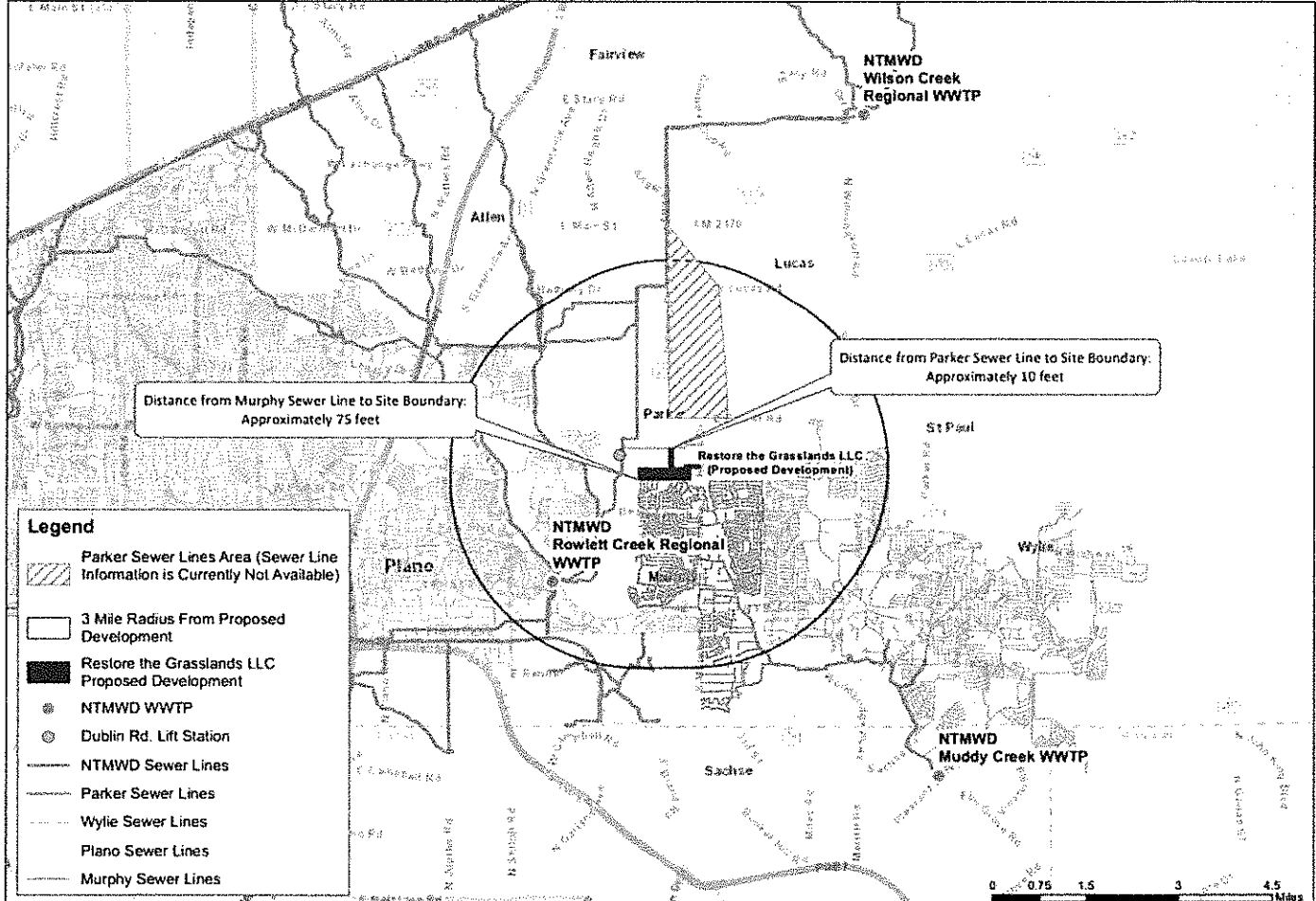
ATTEST:

s/Hugh C. Yantis, Jr.,
EXECUTIVE DIRECTOR

Attachment C

Restore the Grasslands LLC & Harrington/Turner Enterprises, LP

Nearby Wastewater Treatment Plants and Collection Systems



FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

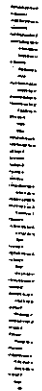
NEOPOST
03/03/2022
FIRST CLASS MAIL
US POSTAGE \$001.36
ZIP 78701
041311283316

First Class Mail

MRS 44613

RECEIVED
MAR 07 2022
TCEQ MAIL CENTER
CJ

<p>Lloyd Gosselink ATTORNEYS AT LAW Lloyd Gosselink Rochelle & Townsend, P.C. 816 Congress Avenue Suite 1900 Austin, Texas 78701</p>	<p>TO: Ms. Laurie Charis Chief Clerk (MC 105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087</p>
---	---



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, March 4, 2022 8:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: 2021.03.03. LJK to Chief Clerk Second NTMWD Protest CCH Request Restore the Grasslands LLC Collin County MUD No. 7 WQ0016003001 with Exhibits.pdf

H

From: kschoenemann@lglawfirm.com <kschoenemann@lglawfirm.com>
Sent: Thursday, March 3, 2022 2:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kyle Schoenemann

E-MAIL: kschoenemann@lglawfirm.com

COMPANY: Lloyd Gosselink Rochelle & Townsend

ADDRESS: 816 CONGRESS AVE Suite 1900
AUSTIN TX 78701-2442

PHONE: 5123225800

FAX:

COMMENTS: Please see attached.

March 3, 2022

Ms. Laurie Gharis
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**VIA FIRST CLASS MAIL
AND ELECTRONIC FILING**

Re: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP;
Texas Pollutant Discharge Elimination System Permit No.
WQ0016003001 Renewed Request for Contested Case Hearing (446-
13/69)

Dear Ms. Gharis:

On behalf of the North Texas Municipal Water District ("NTMWD"), please consider this letter as a renewed formal request for a contested case hearing on the above-referenced Texas Pollutant Discharge Elimination System ("TPDES") permit application ("Application") filed with the Texas Commission on Environmental Quality ("TCEQ") by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP ("Applicant") and the associated draft permit for the proposed TPDES Permit No. WQ0016003001 ("Draft Permit").

NTMWD filed its comments (including an initial request for a contested case hearing) before the comment deadline, but the comments were not included in TCEQ's Executive Director's Response to Public Comment ("RTC"). TCEQ published the Notice of Application and Preliminary Decision on October 22, 2021. NTMWD filed its comments with the TCEQ on November 22, 2021 as confirmed in Attachment A. The deadline to submit comments was December 6, 2021. TCEQ posted the RTC on February 11, 2022, and NTMWD's comments were not addressed in the RTC. Due to this oversight in the RTC and to clearly confirm NTMWD's right to request a hearing, NTMWD files this letter re-urging its request.

I. REQUEST FOR A CONTESTED CASE HEARING

NTMWD is a conservation and reclamation district under Article XVI, Section 59 of the Texas Constitution that was created by the Texas Legislature in 1951 to serve regional water and wastewater needs in the area north and east of Dallas. Today, NTMWD provides wastewater service to this area from fifteen (15) NTMWD-owned or operated wastewater treatment plants ("WWTPs"). Many of these WWTPs operate in and discharge to tributaries of the Trinity River, including the East Fork Trinity River.¹ NTMWD's provision of regional service on this scale is

¹ Sister Grove Regional Waste Resource Recovery Facility Phase I Facilities, TPDES Permit No. 15693001; Wilson Creek WWTP, TPDES Permit No. WQ0012446001; Rowlett Creek WWTP, TPDES Permit No. WQ0010363001; Floyd Branch WWTP, TPDES Permit No. WQ0010257001; South Mesquite Creek RWWT, TPDES Permit No. WQ0010221001; Seis Lagos WWTP, TPDES Permit No. WQ0011451001; Squabble Creek

due to its historic recognition and legal designation by the TCEQ's predecessor agency as the regional service provider for the service area at issue in the Application. In 1972, the Texas Water Quality Board issued an order ("1972 Order"), pursuant to a 1969 amendment to the 1967 Texas Water Quality Control Act, designating NTMWD as the regional wastewater service provider for the watershed area of the East Fork Trinity River.² **Attachment B** is a copy of the 1972 Order. This designation is memorialized in current TCEQ regulations.³ Further, as discussed in detail below, NTMWD's application for Phase I of the Sister Grove Regional Waste Resource Recovery Facility ("Sister Grove") was approved by TCEQ in 2020 that encompasses the same service area proposed in this Application.

The Applicant has applied for a new TPDES permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. The proposed WWTP will be located in Collin County, Texas, and the wastewater will be discharged from the proposed WWTP site to Maxwell Creek, thence to Lake Ray Hubbard in Segment No. 0820 of the Trinity River Basin. The Applicant asserts that the proposed WWTP will provide wastewater service to a proposed 101-acre tract that will be developed into single-family residential subdivision, in a primarily undeveloped rural area, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, Texas.

NTMWD requests a contested case hearing on the Draft Permit, as NTMWD is an "affected person" within the meaning of 30 Texas Administrative Code ("TAC") §§ 55.103 and 55.203. An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by issuance of the Draft Permit.⁴ All relevant factors must be considered by the TCEQ in determining affected person status, including: (1) whether the interest claimed is one protected by the law under which the Application will be considered; (2) distance restrictions or other limitations imposed by law on the affected interest; (3) whether a reasonable relationship exists between the interest claimed and the activity regulated; (4) the likely impact of the regulated activity on the health, safety, and use of property of the person; (5) the likely impact of the regulated activity on use of the impacted natural resource by the person; (6) whether the requestor submitted comments on the Application that were not withdrawn; and, (7) *for governmental entities, their statutory authority over or interest in the issues relevant to the Application.*⁵ Additionally, the TCEQ may consider: (1) the merits of the Application, including

WWTP, TPDES Permit No. WQ0010262001; Buffalo Creek WWTP, TPDES Permit No. WQ00102047001; Frisco Cottonwood Creek WWTP, TPDES Permit No. WQ0010172002; Stewart Creek West WWTP, TPDES Permit No. WQ0014008001; Farmersville No. 1 WWTP, TPDES Permit No. WQ0010442001; Farmersville No. 2 WWTP, TPDES Permit No. WQ0010442002; Bear Creek WWTP, TPDES Permit No. WQ0014577001; Panther Creek WWTP, TPDES Permit No. WQ0014245001; Sabine Creek WWTP, TPDES Permit No. WQ0014469001.

² Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972); *see* Texas Water Quality Act of 1967, 60th Leg., R.S., ch. 313 (amended 1969, 1971, and 1985) (current version at Tex. Water Code §§ 26.081-.087); Act of May 13, 1969, 61st Leg., ch. 760, §§ 1.02, 3.29 (amended 1971 and 1985) (current version at Tex. Water Code §§ 26.081-.087).

³ 30 Tex. Admin. Code §§ 351.31—35.

⁴ 30 Tex. Admin. Code § 55.103.

⁵ *Id.* § 55.203(c) (emphasis added).

whether the Application meets the requirements for permit issuance; (2) the Executive Director's ("ED's") analysis and opinions; and (3) other expert reports, affidavits, opinions, and data.⁶

II. NTMWD HAS A PERSONAL JUSTICIABLE INTEREST AFFECTED BY THE APPLICATION AND DRAFT PERMIT

For the reasons set forth herein, NTMWD is an affected person, as defined by 30 TAC §§ 55.103 and 55.203. NTMWD has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest that is not common to the general public and that would be adversely affected should the Draft Permit be issued.

A. The Applicants' proposed WWTP seeks to collect, transport, treat, and discharge wastewater within the area designated by TCEQ as the Regional Area over which NTMWD is the designated regional entity.

NTMWD is an affected person, because the proposed action would interfere with its statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area.⁷ Specifically, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into a single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD.⁸ In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C.⁹

TWC Chapter 26 provides the TCEQ the authority to—whenever it deems necessary in the interest of serving the waste disposal needs of the state, and to prevent pollution and maintain and enhance the quality of state water—designate a regional entity to provide wastewater service.¹⁰ Moreover, the specified duties of the regional entity indicate that NTMWD "shall provide regional wastewater collection and treatment service to *all* legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the [TCEQ] if agreement cannot be reached."¹¹ NTMWD has expended significant time, effort, and resources over the intervening four decades in planning, financing,

⁶ *Id.* § 55.203(d).

⁷ *Id.* §§ 351.31—35; Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

⁸ *Id.*

⁹ Tex. Water Code §§ 26.003, .081. See specifically TWC Section 26.084, authorizing the TCEQ to refuse to grant a permit for a system in a designated regional area unless the permit complies and is consistent with the TCEQ's regionalization order.

¹⁰ *Id.* §§ 26.081-087.

¹¹ *Id.* § 351.35 (emphasis added); *see also* Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

and constructing the infrastructure needed to serve the Regional Area, and such efforts would be undermined by approval of the Application.

B. NTMWD's existing Wilson Creek WWTP and Muddy Creek WWTP, and Sister Grove RWWRF currently under construction are available to serve the Applicant's proposed service area.

Two of NTMWD's facilities, Wilson Creek Regional Wastewater Treatment Plant ("Wilson Creek") and Muddy Creek Wastewater Treatment Plant ("Muddy Creek"), provide wastewater service to an area inclusive of the Applicant's proposed development. On May 31, 2018, and pursuant to NTMWD's regionalization plan, NTMWD filed a new TPDES permit application for Sister Grove that is designed to provide wastewater service to an area inclusive of the proposed development, which the TCEQ approved and the project is currently under construction.¹² Wilson Creek, Muddy Creek and Sister Grove and the proposed Restore the Grasslands WWTP are located in the watershed area of the East Fork of the Trinity River within Collin County and therefore fall within the Regional Area designated to NTMWD.¹³ Moreover, Restore the Grasslands WWTP would be located in close proximity to existing sewer facilities transporting wastewater for treatment to Wilson Creek, Muddy Creek, and Sister Grove (once construction is completed), as illustrated by the map provided as **Attachment C** to this letter.

Sister Grove is planned to include four phases, the first of which will be online in 2023 and discharge 16 million gallons per day ("MGD") of treated wastewater. Once all four phases are complete, Sister Grove will discharge 64 MGD.

Sister Grove is the product of significant NTMWD planning and expenditures in studying regionalization over the past decade, as was directed and encouraged by the designation of NTMWD as the wastewater service provider for the Regional Area. Population growth, existing facilities in the NTMWD Upper East Fork Interceptor System, proposed NTMWD facilities, and the possible location of proposed NTMWD facilities were considered during NTMWD's planning of the regional system. Based upon NTMWD's construction of Sister Grove and concrete plan to provide service to the area covered by the Application, as well as service provided by Wilson Creek and Muddy Creek in the Applicant's proposed service area—an area that falls entirely within the watershed area designated as the NTMWD Regional Area—NTMWD is an affected person entitled to a contested case hearing.

TCEQ has established NTMWD as the regional entity over the Regional Area within which the Applicant's proposed development is located; NTMWD has acted consistent with this authority, has invested in long-term planning inclusive of the Applicant's proposed service area, and has operated continuously Wilson Creek and Muddy Creek, and is now constructing Sister Grove to carry out that plan. Thus, NTMWD's status as an affected person is based on a specific

¹² TCEQ Domestic Wastewater Permit Application for a New Texas Pollutant Discharge Elimination System (TPDES) Permit for the North Texas Municipal Water District Sister Grove Regional Water Resource Recovery Facility (May 31, 2018).

¹³ See Tex. Admin. Code §§ 351.31—35.

interest in providing wastewater service to the area covered by the Application in addition to NTMWD's overarching interest in providing wastewater service within its designated Regional Area. Further, if TCEQ were to issue the permit as sought by the Application, such action would undercut the incentive for others in the service area to work with NTMWD as the regional service provider and would thereby undermine the state's policy of regionalization.

III. DISPUTED FACTS AND LAW TO BE REFERRED FOR A CONTESTED CASE HEARING.

In addition to the foregoing bases to grant NTMWD's hearing request, NTMWD reasserts that it is an affected person and thus entitled to a hearing, because the Application for the proposed Draft Permit was deficient, resulting in a Draft Permit that threatens NTMWD's interest as the designated regional entity. In accordance with 30 TAC § 55.201(d)(4)(B), NTMWD asserts the following facts and law, and requests that these issues be referred to a contested case hearing:

A. Whether issuance of the Draft Permit is contrary to the state's regionalization policy.

1. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on NTMWD designation as the regional entity to provide service in the Applicant's proposed service area in accordance with the 1972 Order. TWC Chapter 26, and 30 TAC §§ 351.31–.35.
2. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on the proximity of existing sewer facilities already served by NTMWD's Wilson Creek, Muddy Creek, and Sister Grove treatment plants.
3. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on consideration of the state's general policy to promote regional or area-wide systems under TWC § 26.003.
4. Whether the Applicant has sufficiently demonstrated a need for the Permit in light of NTMWD's designation as the regional entity to provide service within the Regional Area and the availability of service from NTMWD facilities that are either existing or under construction.

In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when regionalized wastewater services are available and TCEQ rules designate NTMWD as the regional wastewater service provider.

Ms. Laurie Gharis
March 3, 2022
Page 6

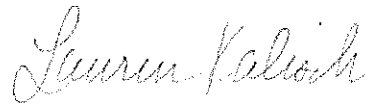
IV. CONCLUSION

For the foregoing reasons and because this request substantially complies with the requirements of a contested case hearing request per 30 TAC § 55.201, NTMWD requests a contested case hearing in this matter regarding the above-listed issues. NTMWD reserves the right to raise and pursue any and all issues that may be relevant to its interest in the event of a contested case hearing. Again, all official communication should be directed to my attention at:

Ms. Lauren J. Kalisek
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5847
Email: lkalisek@lglawfirm.com

I appreciate your attention to this request. Please do not hesitate to contact me if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Lauren Kalisek".

Lauren Kalisek

Attachment A

Archived: Wednesday, March 2, 2022 12:53:25 PM

From: donotreply@tceq.texas.gov

Mail received time: Mon, 22 Nov 2021 10:43:40

Sent: Mon, 22 Nov 2021 10:43:31

To: [Kyle Schoenemann](#)

Subject: TCEQ Confirmation: Your public comment on Permit Number WQ0016003001 was received.

Importance: Normal

Sensitivity: None

Attachments:

2021.11.22. LJK to Chief Clerk NTMWD Protest CCH Request Restore the Grasslands LLC, Collin County MUD No. 7 WQ00160030012.docx;

REGULATED ENTITY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kyle Schoenemann

E-MAIL: kschoenemann@lglawfirm.com

COMPANY: Lloyd Gosselink Rochelle & Townsend

ADDRESS: 816 CONGRESS AVE Suite 1900
AUSTIN TX 78701-2442

PHONE: 5123225800

FAX:

COMMENTS: See attached.

Based on TCEQ rule Section 1.10(h), the TCEQ General Counsel has waived the filing requirements of Section 1.10(c) to allow the filing of comments, requests, or withdrawals using this online system. The General Counsel also has waived the requirements of Section 1.10(e) so that the time of filing your electronic comments or requests is the time this online system receives your comments or requests. Comments or requests are considered timely if received by 5:00 p.m. CST on the due date.

Attachment B

TEXAS WATER QUALITY BOARD
P. O. Box 13246, Capitol Station
Austin, Texas 78711

ORDER NO. 72-0426-17

AN ORDER of the Texas Water Quality Board defining that area of the East Fork of the Trinity River in which the implementation of a regional or area-wide sewerage system is necessary to protect the quality of the waters in the State; designating the North Texas Municipal Water District as the governmental entity to design, construct and provide operation for the system; and directing the Executive Director to send copies of the Order to parties who might reasonably be affected by this Order.

PREAMBLE

It is the policy of the State of Texas to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the State and to prevent pollution and maintain and enhance the quality of waters in the State (Sec. 21.201, Texas Water Code). In accordance with this policy, a public hearing was held in Garland, Texas on December 10, 1971 to receive evidence concerning the creation of an area-wide sewerage system for the watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties, Texas. Notice of the public hearing was given to all local governments which, in the opinion of the Board, would be reasonably affected by its actions.

The Board finds: (a) that the described territory is within a standard metropolitan statistical area as defined by Section 21.201 (d), Texas Water Code; (b) that an area-wide system is necessary and desirable to prevent pollution and maintain and enhance the quality of water in the State; (c) that there is a system which the North Texas Municipal Water District proposes to construct, which in the reasonably foreseeable future, will be capable of serving the waste collection, treatment and disposal needs of all or part of the area defined below; (d) that the North Texas Municipal Water District is agreeable to sponsoring the area-wide system and providing the services; and (e) the Board intends to

consider, after appropriate notice and hearings, taking the actions made available under Section 21.204, Texas Water Code.

BE IT ORDERED BY THE TEXAS WATER QUALITY BOARD:

- I. The watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties is hereby designated as an area in which the implementation of a regional or area-wide system is necessary or desirable to effectuate the policy stated in Sec. 21.201, Texas Water Code.
2. The North Texas Municipal Water District is designated as the governmental entity to design, construct and be the operating agency for a regional sewerage system in the defined area and to provide the services therefor.
3. The Duck Creek site described in the North Central Texas Council of Government's Upper Trinity River Basin Comprehensive Sewerage Plan will not be designated as a regional sewage treatment center.
4. After development of the area-wide system, the North Texas Municipal Water District shall provide regional wastewater collection and treatment service to all legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the Board if agreement cannot be reached.
5. The Executive Director is directed to send a copy of this Order to the North Texas Municipal Water District, the City of Garland, and other parties who might reasonably be affected by this Order.

Passed and approved this 26th day of April, 1972.

(SEAL)

s/ Gordon Fulcher

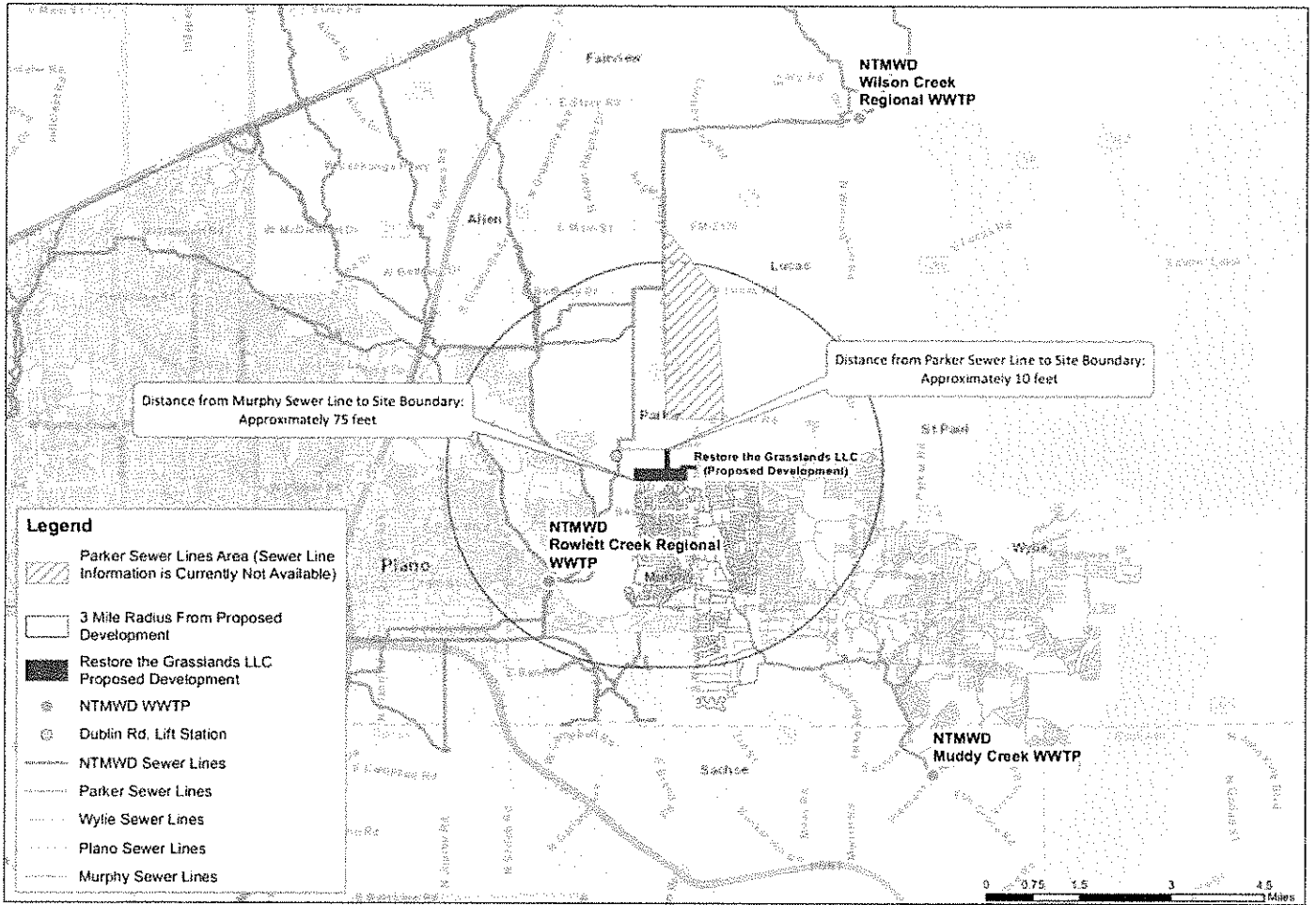
CHAIRMAN

ATTEST:

s/Hugh C. Yantis, Jr.,
EXECUTIVE DIRECTOR

Attachment C

Restore the Grasslands LLC & Harrington/Turner Enterprises, LP Nearby Wastewater Treatment Plants and Collection Systems



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 11:02 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: 2021.11.22. LJK to Chief Clerk NTMWD Protest CCH Request Restore the Grasslands LLC, Collin County MUD No. 7 WQ00160030012.docx

H

From: kschoenemann@lglawfirm.com <kschoenemann@lglawfirm.com>
Sent: Monday, November 22, 2021 10:44 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kyle Schoenemann

E-MAIL: kschoenemann@lglawfirm.com

COMPANY: Lloyd Gosselink Rochelle & Townsend

ADDRESS: 816 CONGRESS AVE Suite 1900
AUSTIN TX 78701-2442

PHONE: 5123225800

FAX:

COMMENTS: See attached.

November 22, 2021

Ms. Laurie Gharis
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**VIA FIRST CLASS MAIL
AND ELECTRONIC FILING**

Re: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP;
Texas Pollutant Discharge Elimination System Permit No.
WQ0016003001 Request for Contested Case Hearing (446-13/69)

Dear Ms. Gharis:

On behalf of the North Texas Municipal Water District ("NTMWD"), please consider this letter as a formal request for a contested case hearing on the above-referenced Texas Pollutant Discharge Elimination System ("TPDES") permit application ("Application") filed with the Texas Commission on Environmental Quality ("TCEQ") by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP ("Applicant") and the associated draft permit for the proposed TPDES Permit No. WQ0016003001 ("Draft Permit").

I. REQUEST FOR A CONTESTED CASE HEARING

NTMWD is a conservation and reclamation district under Article XVI, Section 59 of the Texas Constitution that was created by the Texas Legislature in 1951 to serve regional water and wastewater needs in the area north and east of Dallas. Today, NTMWD provides wastewater service to this area from fifteen (15) NTMWD-owned or operated wastewater treatment plants ("WWTPs"). Many of these WWTPs operate in and discharge to tributaries of the Trinity River, including the East Fork Trinity River.¹ NTMWD's provision of regional service on this scale is due to its historic recognition and legal designation by the TCEQ's predecessor agency as the regional service provider for the service area at issue in the Application. In 1972, the Texas Water Quality Board issued an order ("1972 Order"), pursuant to a 1969 amendment to the 1967 Texas Water Quality Control Act, designating NTMWD as the regional wastewater service

¹ Sister Grove Regional Waste Resource Recovery Facility Phase I Facilities, TPDES Permit No. 15693001; Wilson Creek WWTP, TPDES Permit No. WQ0012446001; Rowlett Creek WWTP, TPDES Permit No. WQ0010363001; Floyd Branch WWTP, TPDES Permit No. WQ0010257001; South Mesquite Creek WWTP, TPDES Permit No. WQ0010221001; Wylie WWTP, TPDES Permit No. WQ0010384001; Seis Lagos WWTP, TPDES Permit No. WQ0011451001; Squabble Creek WWTP, TPDES Permit No. WQ0010262001; Buffalo Creek WWTP, TPDES Permit No. WQ00102047001; Frisco Cottonwood Creek WWTP, TPDES Permit No. WQ0010172002; Stewart Creek West WWTP, TPDES Permit No. WQ0014008001; Farmersville No. 1 WWTP, TPDES Permit No. WQ0010442001; Farmersville No. 2 WWTP, TPDES Permit No. WQ0010442002; Bear Creek WWTP, TPDES Permit No. WQ0014577001; Panther Creek WWTP, TPDES Permit No. WQ0014245001; Sabine Creek WWTP, TPDES Permit No. WQ0014469001.

provider for the watershed area of the East Fork Trinity River.² Attachment A is a copy of the 1972 Order. This designation is memorialized in current TCEQ regulations.³ Further, as discussed in detail below, NTMWD's application for Phase 1 of the Sister Grove Regional Waste Resource Recovery Facility ("Sister Grove") was approved by TCEQ in 2020 that encompasses the same service area proposed in this Application.

The Applicant has applied for a new TPDES permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. The proposed WWTP will be located in Collin County, Texas, and the wastewater will be discharged from the proposed WWTP site to Maxwell Creek, thence to Lake Ray Hubbard in Segment No. 0820 of the Trinity River Basin. The Applicant asserts that the proposed WWTP will provide wastewater service to a proposed 101-acre tract that will be developed into single-family residential subdivision, in a primarily undeveloped rural area, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, Texas.

NTMWD requests a contested case hearing on the Draft Permit, as NTMWD is an "affected person" within the meaning of 30 Texas Administrative Code ("TAC") §§ 55.103 and 55.203. An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by issuance of the Draft Permit.⁴ All relevant factors must be considered by the TCEQ in determining affected person status, including: (1) whether the interest claimed is one protected by the law under which the Application will be considered; (2) distance restrictions or other limitations imposed by law on the affected interest; (3) whether a reasonable relationship exists between the interest claimed and the activity regulated; (4) the likely impact of the regulated activity on the health, safety, and use of property of the person; (5) the likely impact of the regulated activity on use of the impacted natural resource by the person; (6) whether the requestor submitted comments on the Application that were not withdrawn; and, (7) *for governmental entities, their statutory authority over or interest in the issues relevant to the Application.*⁵ Additionally, the TCEQ may consider: (1) the merits of the Application, including whether the Application meets the requirements for permit issuance; (2) the Executive Director's ("ED's") analysis and opinions; and (3) other expert reports, affidavits, opinions, and data.⁶

II. NTMWD HAS A PERSONAL JUSTICIABLE INTEREST AFFECTED BY THE APPLICATION AND DRAFT PERMIT

For the reasons set forth herein, NTMWD is an affected person, as defined by 30 TAC §§ 55.103 and 55.203. NTMWD has a personal justiciable interest related to a legal right, duty,

² Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972); *see* Texas Water Quality Act of 1967, 60th Leg., R.S., ch. 313 (amended 1969, 1971, and 1985) (current version at Tex. Water Code §§ 26.081-.087); Act of May 13, 1969, 61st Leg., ch. 760, §§ 1.02, 3.29 (amended 1971 and 1985) (current version at Tex. Water Code §§ 26.081-.087).

³ 30 Tex. Admin. Code §§ 351.31—.35.

⁴ 30 Tex. Admin. Code § 55.103.

⁵ *Id.* § 55.203(c) (emphasis added).

⁶ *Id.* § 55.203(d).

privilege, power, or economic interest that is not common to the general public and that would be adversely affected should the Draft Permit be issued.

A. The Applicants' proposed WWTF seeks to collect, transport, treat, and discharge wastewater within the area designated by TCEQ as the Regional Area over which NTMWD is the designated regional entity.

NTMWD is an affected person, because the proposed action would interfere with its statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area.⁷ Specifically, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD.⁸ In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C.⁹

TWC Chapter 26 provides the TCEQ the authority to—whenever it deems necessary in the interest of serving the waste disposal needs of the state, and to prevent pollution and maintain and enhance the quality of state water—designate a regional entity to provide wastewater service.¹⁰ Moreover, the specified duties of the regional entity indicate that NTMWD "shall provide regional wastewater collection and treatment service to *all* legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the [TCEQ] if agreement cannot be reached."¹¹ NTMWD has expended significant time, effort, and resources over the intervening four decades in planning, financing, and constructing the infrastructure needed to serve the Regional Area, and such efforts would be undermined by approval of the Application.

B. NTMWD's existing Wilson Creek WWTP and Muddy Creek WWTP, and Sister Grove currently under construction are available to serve the Applicant's proposed service area.

Two of NTWMD's facilities, Wilson Creek Regional Wastewater Treatment Plant ("Wilson Creek") and Muddy Creek Wastewater Treatment Plant ("Muddy Creek"), provide wastewater service to an area inclusive of the Applicant's proposed development. On May 31,

⁷ *Id.* §§ 351.31—35; Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

⁸ *Id.*

⁹ Tex. Water Code §§ 26.003, .081. See specifically TWC Section 26.084, authorizing the TCEQ to refuse to grant a permit for a system in a designated regional area unless the permit complies and is consistent with the TCEQ's regionalization order.

¹⁰ *Id.* §§ 26.081-.087.

¹¹ *Id.* § 351.35 (emphasis added); see also Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

2018, and pursuant to NTMWD's regionalization plan, NTMWD filed a new TPDES permit application for Sister Grove that is designed to provide wastewater service to an area inclusive of the proposed development, which the TCEQ approved and the project is currently under construction.¹² Wilson Creek, Muddy Creek and Sister Grove and the proposed Restore the Grasslands WWTP are located in the watershed area of the East Fork of the Trinity River within Collin County and therefore fall within the Regional Area designated to NTMWD.¹³ Moreover, Restore the Grasslands WWTP would be located in close proximity to existing sewer facilities transporting wastewater for treatment to Wilson Creek, Muddy Creek, and Sister Grove (once construction is completed), as illustrated by the map provided as Attachment B to this letter.

Sister Grove is planned to include four phases, the first of which will be online in 2023 and discharge 16 million gallons per day ("MGD") of treated wastewater. Once all four phases are complete, Sister Grove will discharge 64 MGD.

Sister Grove is the product of significant NTMWD planning and expenditures in studying regionalization over the past decade, as was directed and encouraged by the designation of NTMWD as the wastewater service provider for the Regional Area. Population growth, existing facilities in the NTMWD Upper East Fork Interceptor System, proposed NTMWD facilities, and the possible location of proposed NTMWD facilities were considered during NTMWD's planning of the regional system. Based upon NTMWD's construction of Sister Grove and concrete plan to provide service to the area covered by the Application, as well as service provided by Wilson Creek and Muddy Creek in the Applicant's proposed service area—an area that falls entirely within the watershed area designated as the NTMWD Regional Area—NTMWD is an affected person entitled to a contested case hearing.

TCEQ has established NTMWD as the regional entity over the Regional Area within which the Applicant's proposed development is located; NTMWD has acted consistent with this authority, has invested in long-term planning inclusive of the Applicant's proposed service area, and has operated continuously Wilson Creek and Muddy Creek, and is now constructing Sister Grove to carry out that plan. Thus, NTMWD's status as an affected person is based on a specific interest in providing wastewater service to the area covered by the Application in addition to NTMWD's overarching interest in providing wastewater service within its designated Regional Area. Further, if TCEQ were to issue the permit as sought by the Application, such action would undercut the incentive for others in the service area to work with NTMWD as the regional service provider and would thereby undermine the state's policy of regionalization.

III. DISPUTED FACTS AND LAW TO BE REFERRED FOR A CONTESTED CASE HEARING.

¹² TCEQ Domestic Wastewater Permit Application for a New Texas Pollutant Discharge Elimination System (TPDES) Permit for the North Texas Municipal Water District Sister Grove Regional Water Resource Recovery Facility (May 31, 2018).

¹³ See Tex. Admin. Code §§ 351.31—35.

In addition to the foregoing bases to grant NTMWD's hearing request, NTMWD reasserts that it is an affected person and thus entitled to a hearing, because the Application for the proposed Draft Permit was deficient, resulting in a Draft Permit that threatens NTMWD's interest as the designated regional entity. In accordance with 30 TAC § 55.201(d)(4)(B), NTMWD asserts the following facts and law, and requests that these issues be referred to a contested case hearing:

A. Whether issuance of the Draft Permit is contrary to the state's regionalization policy.

1. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on NTMWD designation as the regional entity to provide service in the Applicant's proposed service area in accordance with the 1972 Order. TWC Chapter 26, and 30 TAC §§ 351.31–.35.
2. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on the proximity of existing sewer facilities already served by NTMWD's Wilson Creek, Muddy Creek, and Sister Grove treatment plants.
3. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on consideration of the state's general policy to promote regional or area-wide systems under TWC § 26.003.
4. Whether the Applicant has sufficiently demonstrated a need for the Permit in light of NTMWD's designation as the regional entity to provide service within the Regional Area and NTMWD's pending application for the Sister Grove regional facility.

In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when regionalized wastewater services are available and TCEQ rules designate NTMWD as the regional wastewater service provider.

IV. CONCLUSION

For the foregoing reasons and because this request substantially complies with the requirements of a contested case hearing request per 30 TAC § 55.201, NTMWD requests a contested case hearing in this matter regarding the above-listed issues. NTMWD reserves the right to raise and pursue any and all issues that may be relevant to its interest in the event of a contested case hearing. Again, all official communication should be directed to my attention at:

Ms. Lauren J. Kalisek
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900

Ms. Laurie Gharis
November 22, 2021
Page 6

Austin, Texas 78701
Telephone: (512) 322-5847
Email: ikalisek@lglawfirm.com

I appreciate your attention to this request. Please do not hesitate to contact me if you have questions.

Sincerely,
Lauren Kalisek

Attachment A

TEXAS WATER QUALITY BOARD
P. O. Box 13246, Capitol Station
Austin, Texas 78711

ORDER NO. 72-0426-17

AN ORDER of the Texas Water Quality Board defining that area of the East Fork of the Trinity River in which the implementation of a regional or area-wide sewerage system is necessary to protect the quality of the waters in the State; designating the North Texas Municipal Water District as the governmental entity to design, construct and provide operation for the system; and directing the Executive Director to send copies of the Order to parties who might reasonably be affected by this Order.

PREAMBLE

It is the policy of the State of Texas to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the State and to prevent pollution and maintain and enhance the quality of waters in the State (Sec. 21.201, Texas Water Code). In accordance with this policy, a public hearing was held in Garland, Texas on December 10, 1971 to receive evidence concerning the creation of an area-wide sewerage system for the watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties, Texas. Notice of the public hearing was given to all local governments which, in the opinion of the Board, would be reasonably affected by its actions.

The Board finds: (a) that the described territory is within a standard metropolitan statistical area as defined by Section 21.201 (d), Texas Water Code; (b) that an area-wide system is necessary and desirable to prevent pollution and maintain and enhance the quality of water in the State; (c) that there is a system which the North Texas Municipal Water District proposes to construct, which in the reasonably foreseeable future, will be capable of serving the waste collection, treatment and disposal needs of all or part of the area defined below; (d) that the North Texas Municipal Water District is agreeable to sponsoring the area-wide system and providing the services; and (e) the Board intends to

consider, after appropriate notice and hearings, taking the actions made available under Section 21.204, Texas Water Code.

BE IT ORDERED BY THE TEXAS WATER QUALITY BOARD:

1. The watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties is hereby designated as an area in which the implementation of a regional or area-wide system is necessary or desirable to effectuate the policy stated in Sec. 21.201, Texas Water Code.
2. The North Texas Municipal water District is designated as the governmental entity to design, construct and be the operating agency for a regional sewerage system in the defined area and to provide the services therefor.
3. The Duck Creek site described in the North Central Texas Council of Government's Upper Trinity River Basin Comprehensive Sewerage Plan will not be designated as a regional sewage treatment center.
4. After development of the area-wide system, the North Texas Municipal water District shall provide regional wastewater collection and treatment service to all legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the Board if agreement cannot be reached.
5. The Executive Director is directed to send a copy of this Order to the North Texas Municipal water District, the City of Garland, and other parties who might reasonably be affected by this Order.

Passed and approved this 26th day of April, 1972.

(SEAL)

s/ Gordan Fulcher

CHAIRMAN

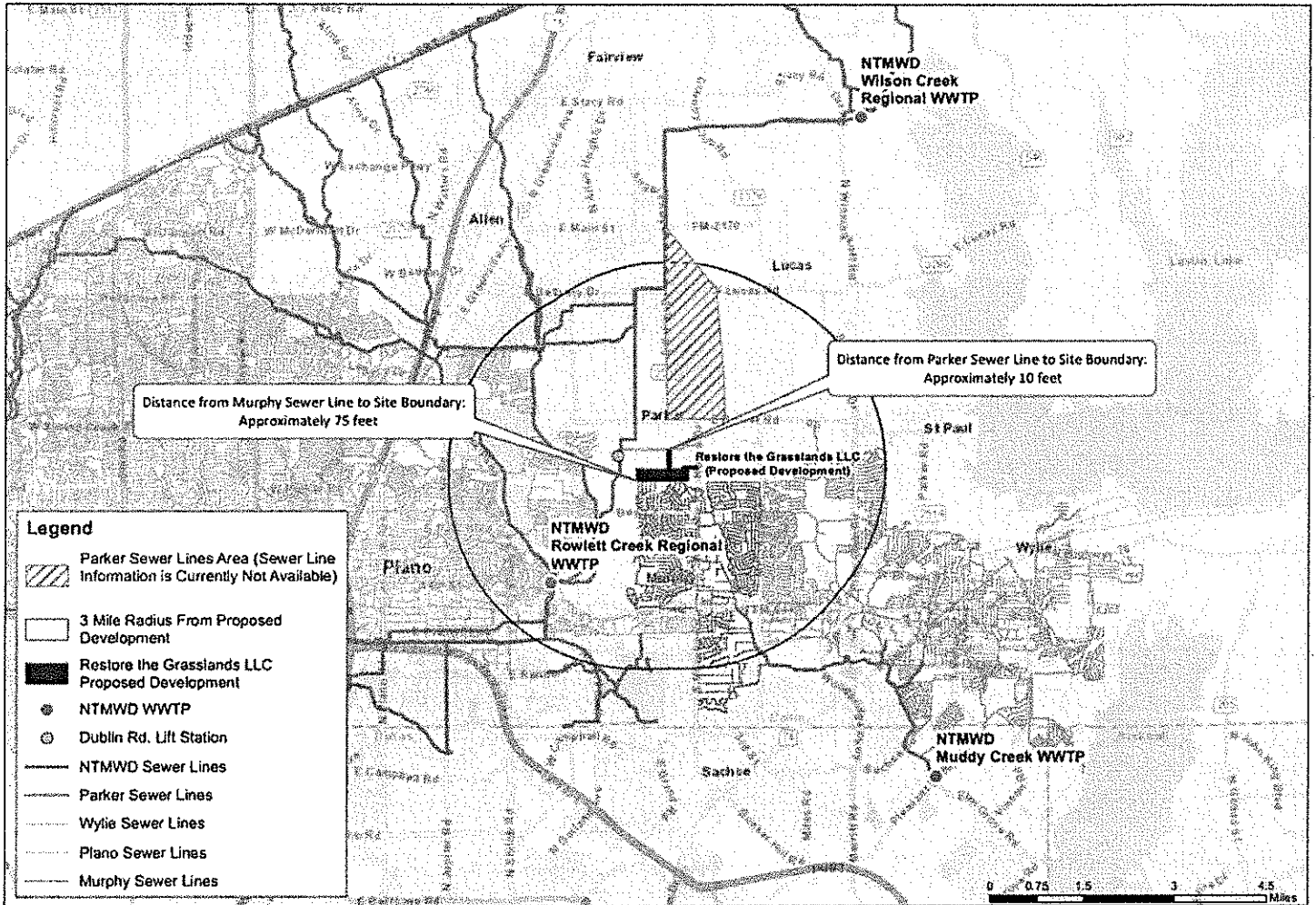
ATTEST:

s/Hugh C. Yantis, Jr.,
EXECUTIVE DIRECTOR

Attachment B



Restore the Grasslands LLC & Harrington/Turner Enterprises, LP Nearby Wastewater Treatment Plants and Collection Systems



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 17, 2021 9:55 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: melinda.kellerman@gmail.com <melinda.kellerman@gmail.com>
Sent: Tuesday, November 16, 2021 6:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Melinda D Kellerman

E-MAIL: melinda.kellerman@gmail.com

COMPANY:

ADDRESS: 305 CREPE MYRTLE LN
MURPHY TX 75094-4348

PHONE: 2813524682

FAX:

COMMENTS: I am very concerned about the environmental impact that this development's proposed sewage treatment facility dump path is going to cause on our area's wildlife and quality of life. My husband, 3 children (all under the age of 6), 2 dogs and I frequently traverse the trails along Maxwell Creek on our outdoor family adventures. We search for wildlife and unique treasures that I fear will no longer be possible or present if this project continues. On multiple occasions we have sighted endangered species of various animals as well as local fauna that would be destroyed if the

proposed volume of treated water is pumped into our creek. In addition to the environmental impact, I am highly concerned about the negative effect that this sewage treatment facility will have on my health, my husband's health, my children's health, my pets' health and my surrounding neighbors health. Please deny this permit. My husband and I would like to request a contested hearing for permit WQ0016003001.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 14, 2022 10:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ;
Pubcomment-Dis
Subject: FW: Public comment on Permit Number D-04122021-017

MWD
124967

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: txpacwinegirl@aol.com <txpacwinegirl@aol.com>
Sent: Friday, February 11, 2022 2:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Lisa Michele Kester

E-MAIL: txpacwinegirl@aol.com

COMPANY:

ADDRESS: 2709 MARY CT
PARKER TX 75094-3815

PHONE: 2146627247

FAX:

COMMENTS: My home is located within 1 mile of the proposed DISTRICT Boundaries as presented, 1 mile from Maxwell Creek and 1 mile from the discharge point. I request a contested case hearing. I oppose the approval of the waste

treatment plant due to the fact that under the Texas Administrative Code, TITLE 30 Environmental Quality, Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language “ (3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected. (4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. “ Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek. The city of Murphy states this on their official website: “ Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision).” The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above “designated areas of exceptional recreational or ecological significance. “. Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy. This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. Foreseeable economic harm to the property's economic value. Foreseeable harm to my health and family members' health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable. Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interferes with the homeowners of Parker and Murphy. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, October 28, 2021 9:11 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Txpacwinegirl@aol.com <Txpacwinegirl@aol.com>
Sent: Thursday, October 28, 2021 8:29 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Lisa Michele Kester

E-MAIL: Txpacwinegirl@aol.com

COMPANY:

ADDRESS: 2709 MARY CT
PARKER TX 75094-3815

PHONE: 2146627247

FAX:

COMMENTS: I do NOT want this. It will damage the Maxwell Creek ecosystem, allow pollutants into our community, add noise, our property value will decrease, increased traffic congestion. Ruin our ecosystem. The creek runs to Lake La on which supplies our drinking water.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 7:39 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: adam.lalami@yahoo.com <adam.lalami@yahoo.com>
Sent: Sunday, November 21, 2021 1:35 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Adam Lalami

E-MAIL: adam.lalami@yahoo.com

COMPANY: Collin College Spring Creek

ADDRESS: 3114 CANDLEBROOK DR
WYLIE TX 75098-7388

PHONE: 9723655941

FAX:

COMMENTS: Residents of the Wylie/Murphy area use this park for recreational purposes. Creating a sewage plant in this area would render it unfavorable to current and future residents. Please reconsider.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:04 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jasonlampier@hotmail.com <jasonlampier@hotmail.com>
Sent: Thursday, September 23, 2021 2:39 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jason Lampier

E-MAIL: jasonlampier@hotmail.com

COMPANY:

ADDRESS: 1223 RODEO DR 1223 Rodeo Dr
MURPHY TX 75094-3650

PHONE: 9724227808

FAX:

COMMENTS: I request the proposal for this water treatment plant be denied. As a local resident and Realtor, I can say that the development of this water treatment plant will negatively affect the surrounding property values as well as the quality of life of those living close by. Please provide a public hearing to allow impacted residents an opportunity to voice their opinion in the matter.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, October 27, 2021 9:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Lanetrl@gmail.com <Lanetrl@gmail.com>
Sent: Tuesday, October 26, 2021 8:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Theodore Lane

E-MAIL: Lanetrl@gmail.com

COMPANY:

ADDRESS: 5004 DUBLIN CREEK LN
PARKER TX 75002-6544

PHONE: 6024023336

FAX:

COMMENTS: This is a contested hearing. I am opposed to the sewer plant and townhome development in this MUD. It's inconsistent with the character of our neighborhoods, damages the value of our homes, and does not adequately protect existing Ins homeowners from smells that would trespass onto our properties. Moreover, it taxes our City government without paying any taxes for the services we enjoy. This is unfair and unamerican. Please stop this project

and ask the developer to work with existing landowners to build a project consistent with the character of our neighborhoods.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 8, 2021 9:06 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: kay.learned@outlook.com <kay.learned@outlook.com>
Sent: Saturday, November 6, 2021 5:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Kay Ann Learned

E-MAIL: kay.learned@outlook.com

COMPANY:

ADDRESS: 5704 GREGORY LN
PARKER TX 75002-6706

PHONE: 7166280829

FAX:

COMMENTS: I, Kay A. Learned of 5704 Gregory Lane Parker TX 75002 (716-628-0829) live approximately 640 meters Northwest of the proposed Waste Water Treatment Facility under permit Number WQ0016003001 (EPA ID NO TX 0141381). In addition, our property directly borders the Turner/Harrington proposed development on its entire southern and eastern borders. I request a contested case hearing against this permit Number WQ0016003001 (EPA ID NO TX 0141381) posted by Restore the Grassland LLC and Harrington/Turner Enterprises LP. This proposed Texas

Pollutant Discharge Elimination System (TPDES) would adversely affect me for the following reasons: 1) A (TPDES) /wastewater treatment facility whose runoff is allowed to enter our Maxwell Creek with its bacterial and fungal emissions as well as Hydrogen Sulfide gas, and Chlorine will harm my grand children who explore the pond and creek in search of their familiar box turtles, frogs and minnows. 2) Multiple families on Gregory Lane have special needs children whose properties are adjacent to Maxwell Creek. The increase water level caused by the extra 200,000 gallons of wastewater per day will prove a physical safety risk just for these dear children to enter their own back yards. 3) Such a TPDES and the resulting high density housing development would greatly increase use of our small lane, being a rather meagerly maintained dead end with a limited bridge/culvert entrance, which floods multiple times per year. Gregory Lane can physically support such an influx. 4) There is no denying that fumes emanating from Wastewater treatment facilities are toxic olfactory gas pollutants. Most creatures on earth, especially humans, do not want to live near such aromas. The Proposed Texas Pollutant Discharge facility permit no. WQ0016003001 is obviously inappropriate. It will monetarily benefit only Harrington/ Turner Enterprises, while harming the health and agricultural way of life of all the families bordering this proposal. For this, and the sake of our already so dwindled biodiversity, ecosystems and natural resources, I request a contested case Hearing against this TPDES.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:37 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: greg@ligongroup.com <greg@ligongroup.com>
Sent: Monday, December 6, 2021 7:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTITY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Gregory K Ligon

E-MAIL: greg@ligongroup.com

COMPANY:

ADDRESS: 110 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 2149120497

FAX:

COMMENTS: My home is within 1/2 mile of the proposed sewage treatment plant. We are concerned about the impact of the average of 200,000 of water into Maxwell Creek. We also have flooding issues already in periods of heavy rain. I request a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 8:57 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: greg@ligongroup.com <greg@ligongroup.com>
Sent: Thursday, September 23, 2021 8:37 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Greg Ligon

E-MAIL: greg@ligongroup.com

COMPANY: Ligon Group

ADDRESS: 110 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 2149120497

FAX:

COMMENTS: My family and those on our street are concerned about a proposed water treatment plant that will be constructed only about a half a mile from our home. Based on conversations with others that have had a similar situation, we believe that this will neegatively effect our home value. We also understand (from Murphy mayor) that it is unnecessary as any proposed building near the site can be handled by services already in place. In addition, we, nor none of the neighbors or friendsthat reside in the county have been notified about this major development either by

mail or in public announcements, which is required. Our community does not want this facility to be constructed and we are requesting a public hearing to bring comment and questions.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 10:47 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Susan@ligongroup.com <Susan@ligongroup.com>
Sent: Wednesday, September 22, 2021 10:28 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Susan Russell Ligon

E-MAIL: Susan@ligongroup.com

COMPANY: Ligon Group

ADDRESS: 110 SALSBURY CIR
MURPHY TX 75094-4122

PHONE: 2142442476

FAX:

COMMENTS: I am very concerned about a proposed water treatment plant that will be constructed very close to my home. I believe this will negatively effect my home value and is unnecessary as any proposed building near the site can be handled by services already in place. We have also not been informed about this major development either by mail or in public announcements, which is required. Our community does not want this facility to be constructed and I am requesting a public hearing to bring comment and questions.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, December 7, 2021 10:15 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: res17c3k@verizon.net <res17c3k@verizon.net>
Sent: Tuesday, December 7, 2021 9:56 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Scott Livesay

E-MAIL: res17c3k@verizon.net

COMPANY:

ADDRESS: 7305 MOSS RIDGE RD
PARKER TX 75002-7043

PHONE: 9728809796

FAX:

COMMENTS: I oppose the permit for a waste water facility that will dump into Maxwell Creek. Maxwell Creek is used by multiple citizens within the cities of Parker and Murphy. There is a trail for walking/jogging and bicycling. Many varieties of wildlife live along Maxwell Creek, for the enjoyment of the public. To allow the discharge of waster water into such a pristine environment would be completely damaging. The developer needs to work within the constraints of the cities of Parker and Murphy, and should not be allowed to build a waste treatment facility simply for their desire to profit from

high density housing, while destroying Maxwell Creek and impacting the lives of those whose properties contain or are adjacent to the creek. I will file for a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 22, 2022 9:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: MUD request for contested hearing..docx

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: angeliqueloncar@tx.rr.com <angeliqueloncar@tx.rr.com>
Sent: Monday, February 21, 2022 8:46 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Angelique S Loncar

E-MAIL: angeliqueloncar@tx.rr.com

COMPANY:

ADDRESS: 222 LAKESIDE CIR
MURPHY TX 75094-4107

PHONE: 2148029003

FAX: 9723843545

COMMENTS: Angelique S Loncar 222 Lakeside Circle Murphy, Texas 75094 angeliqueloncar@tx.rr.com 214-802-9003 / fax: 972-384-3545 February 20, 2022 RE: TCEQ Permit #D-04122021-017 Request for Contested Case Hearing To whom this may concern: My name is Angelique Loncar, resident of Murphy, Texas. I respectfully request a contested case hearing on the application by Harrington/Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 the "District Application. My family lives 1300 feet (397 yards) south from the proposed sewage treatment facility. We have lived here since September of 2004. We built our DREAM HOME and this is our primary investment. Building this facility directly next to our neighborhood has the potential for significant repercussions. My husband and I have numerous concerns. The concerns include the negative effects on our family's respiratory health, air pollution, disgusting odors, and pollution into Maxwell Creek. This creek has the potential for documented flooding upstream, downstream, and also for back up into the pond that is next to our home and Liberty Park. Families fish in the pond. Children play at the playground and many young children on soccer and football teams hold their practices next to the pond at the park. In addition, we have concerns about the harmful effects on existing wildlife including fish in the creek and pond, toads, lizards, ducks, turtles, and geese. We also have financial concerns as this will significantly decrease the value of our home. We enjoy working in our yard and being out in the backyard for grilling and pool time fun. It would be terrible to have obnoxious sewage smell as we try to enjoy our outdoor space. My understanding is that this land is part of the City of Parker. The developer does not want to follow the existing requirements which are 1 to 2 acre lots and a septic tank. The plans are to compress a large number of homes into a small area next our beautiful neighborhood. We are valued citizens who pay large property taxes each year. My husband John and I are against this sort of development which will negatively impact the quality of our home. We ask you to thoughtfully consider our needs as existing taxpaying citizens. Sincerely, Angelique Loncar John Loncar

Angelique S Loncar

222 Lakeside Circle
Murphy, Texas 75094

angeliqueloncar@tx.rr.com

214-802-9003 / fax: 972-384-3545

February 20, 2022

RE: TCEQ Permit #D-04122021-017 Request for Contested Case Hearing

To whom this may concern:

My name is Angelique Loncar, resident of Murphy, Texas. I respectfully request a contested case hearing on the application by Harrington/Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 the "District Application.

My family lives 1300 feet (397 yards) south from the proposed sewage treatment facility. We have lived here since September of 2004. We built our DREAM HOME and this is our primary investment. Building this facility directly next to our neighborhood has the potential for significant repercussions. My husband and I have numerous concerns. The concerns include the negative effects on our family's respiratory health, air pollution, disgusting odors, and pollution into Maxwell Creek. This creek has the potential for documented flooding upstream, downstream, and also for back up into the pond that is next to our home and Liberty Park. Families fish in the pond. Children play at the playground and many young children on soccer and football teams hold their practices next to the pond at the park. In addition, we have concerns about the harmful effects on existing wildlife including fish in the creek and pond, toads, lizards, ducks, turtles, and geese.

We also have financial concerns as this will significantly decrease the value of our home.

We enjoy working in our yard and being out in the backyard for grilling and pool time fun. It would be terrible to have obnoxious sewage smell as we try to enjoy our outdoor space.

My understanding is that this land is part of the City of Parker. The developer does not want to follow the existing requirements which are 1 to 2 acre lots and a septic tank. The plans are to compress a large number of homes into a small area next our beautiful neighborhood. We are valued citizens who pay large property taxes each year.

My husband John and I are against this sort of development which will negatively impact the quality of our home. We ask you to thoughtfully consider our needs as existing taxpaying citizens.

Sincerely,

Angelique Loncar

John Loncar

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 22, 2022 8:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: angeliqueloncar@tx.rr.com <angeliqueloncar@tx.rr.com>
Sent: Sunday, February 20, 2022 11:50 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Angelique S Loncar

E-MAIL: angeliqueloncar@tx.rr.com

COMPANY:

ADDRESS: 222 LAKESIDE CIR
MURPHY TX 75094-4107

PHONE: 2148029003

FAX: 9723843545

COMMENTS: To whom this may concern regarding Executive Director's response: My family lives 1300 feet (397 yards) from the proposed sewage treatment facility. We have lived here since September of 2004. We built our dream and this is our primary investment. Building this facility directly next to our neighborhood has the potential for significant repercussions. My husband and I have numerous concerns. The concerns include the negative effects on family's health, air pollution, disgusting odors, pollution into Maxwell Creek. This creek has the potential for documented flooding and

also back up into the pond that is next to our home and Liberty Park. We also have financial concerns as this can decrease the value of our home. We enjoy working in our yard and being out in the backyard for grilling and pool time fun. It would be terrible to have sewage smell as we try to enjoy our outdoor space. My name is Angelique Loncar of 222 Lakeside Circle, Murphy, Texas and I request a reconsideration of the Executive Director's Decision. Phone: 214-802-9003 FAX: 972-384-3545

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: angeliqueloncar@tx.rr.com <angeliqueloncar@tx.rr.com>
Sent: Friday, October 8, 2021 5:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Angelique Loncar

E-MAIL: angeliqueloncar@tx.rr.com

COMPANY:

ADDRESS: 222 LAKESIDE CIR
MURPHY TX 75094-4107

PHONE: 9723843545

FAX:

COMMENTS: My family lives in the neighborhood next to the proposed waste water treatment plant. The distance to our home is very close. We have lived here since 2004 and we oppose the building of this type of facility so close to our home. This will diminish the value of our home and property. We do not want the smell that this sort of thing brings to an area. We do not want water to be drained into our local creek. We do not want potential pollutants contaminating

our neighborhood and surrounding area. We did not purchase land and build our home to live and raise a family near such a plant. We are completely opposed to the building of this plant.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 23, 2021 9:21 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: sloop5@verizon.net <sloop5@verizon.net>
Sent: Tuesday, November 23, 2021 8:59 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Linda G Loop

E-MAIL: sloop5@verizon.net

COMPANY:

ADDRESS: 5508 GREGORY LN
PARKER TX 75002-6702

PHONE: 2109120506

FAX:

COMMENTS: Dear TCEQ, We request a contested hearing! We do not support the proposed MUD district. We strongly believe such a development would greatly decrease our home's value. We purchased our land with acreage and agricultural properties for the joy of country living in an area of increasing home and land values. We do anticipate that homes will be built in the Parker area, but we never anticipated a MUD with such High Density Housing. The location is not ideal for this extreme type of set up with nearly 200 homes! We have great concern with the proposed access

through Gregory Lane. First, quality wise, this road is not in shape to handle a larger volume of vehicles. Two way traffic is already tight. Second, with the only way out being over the (newly rebuilt and higher!) bridge that is STILL impassible for up to several hours in heavy rains, we only see problems ahead in this regard. If the creek downstream is getting MUD discharge, it will back up even quicker and possibly be impassible even longer. We seek to protect the safety, financial, and agricultural interests of all those living on Gregory Lane in Parker by opposing this pollutant facility and high density housing. Many of us on this street that backs up to the proposed development raise livestock and grow agriculture. Our property values are based on this large area for rearing horses etc. We live here for open ranch land, not waste water treatment plant and high density housing This would immediately change our way of life. We enjoy and highly value the zoning requirements of minimum one acre lots for residential homes. We oppose developers bypassing this requirement. Sincerely, Steve and Linda Loop We request a contested hearing!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 29, 2021 3:20 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: sloop5@verizon.net <sloop5@verizon.net>
Sent: Wednesday, September 29, 2021 2:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Steve G Loop

E-MAIL: sloop5@verizon.net

COMPANY:

ADDRESS: 5508 GREGORY LN
PARKER TX 75002-6702

PHONE: 2102875667

FAX:

COMMENTS: Dear TCEQ, We do not support the proposed MUD district. We strongly believe such a development would greatly decrease our home's value. We purchased our land with acreage and agricultural properties for the joy of country living in an area of increasing home and land values. We do anticipate that homes will be built in the Parker area, but we never anticipated a MUD with such High Density Housing. The location is not ideal for this extreme type of set up with nearly 200 homes! We have great concern with the proposed access through Gregory Lane. First, quality

wise, this road is not in shape to handle a larger volume of vehicles. Two way traffic is already tight. Second, with the only way out being over the bridge that is impassible for up to several hours in heavy rains, we only see problems ahead in this regard. If the creek downstream is getting MUD discharge, it will back up even quicker and possibly be impassible even longer. We seek to protect the safety, financial, and agricultural interests of all those living on Gregory Lane in Parker by opposing this pollutant facility and high density housing. Many of us on this street that backs up to the proposed development raise livestock and grow agriculture. Our property values are based on this large area for rearing horses etc. We live here for open ranch land, not waste water treatment plant and high density housing. This would immediately change our way of life. We enjoy and highly value the zoning requirements of minimum one acre lots for residential homes. We oppose developers bypassing this requirement. Sincerely, Steve and Linda Loop

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 13, 2021 9:07 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR
H

From: amylopezmarie@gmail.com <amylopezmarie@gmail.com>
Sent: Monday, December 13, 2021 7:08 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Amy Lopez

E-MAIL: amylopezmarie@gmail.com

COMPANY:

ADDRESS: 913 BRENTWOOD DR
MURPHY TX 75094-4440

PHONE: 2142364897

FAX:

COMMENTS: UPDATE: I am requesting reconsideration and as well as a contested hearing. Stop the process. TCEQ should be following Regionalization.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:00 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: amylopezmarie@gmail.com <amylopezmarie@gmail.com>
Sent: Friday, November 19, 2021 6:36 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Amy M Lopez

E-MAIL: amylopezmarie@gmail.com

COMPANY:

ADDRESS: 913 BRENTWOOD DR
MURPHY TX 75094-4440

PHONE: 2142364897

FAX:

COMMENTS: I, Amy M. Lopez, am requesting a contested hearing in regards to the development of the wastewater plant in Parker, TX. My home is one mile from this location. I chose Murphy 16 years ago to raise my family. My home is directly next to Brentwood Park which is one mile from Maxwell Creek. The City of Murphy (and my tax dollars) have spent millions of dollars to preserve the wildlife and to build paved pathways and bridges so my community can enjoy the wooded areas in and around the Maxwell Creek area. My husband and I walk and ride bikes daily in the Maxwell

Creek area. I see rabbits, owls, cardinals, hummingbirds, butterflies, bobcats, coyotes and hawks in my yard and the park next door. I can't imagine what this will do to the quality of life for me, my family, my community and for the wildlife in this area if waste water is being dumped into Maxwell Creek one mile from my home.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 4, 2021 10:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: amylopezmarie@gmail.com <amylopezmarie@gmail.com>
Sent: Monday, October 4, 2021 6:22 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Amy Lopez

E-MAIL: amylopezmarie@gmail.com

COMPANY:

ADDRESS: 913 BRENTWOOD DR
MURPHY TX 75094-4440

PHONE: 2142364897

FAX:

COMMENTS: I oppose the construction of the wastewater treatment plant from being built.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 10:39 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: amylopezmarie@gmail.com <amylopezmarie@gmail.com>
Sent: Sunday, September 26, 2021 9:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Amy Lopez

E-MAIL: amylopezmarie@gmail.com

COMPANY:

ADDRESS: 913 BRENTWOOD DR
MURPHY TX 75094-4440

PHONE: 2142364897

FAX:

COMMENTS: I oppose the construction of the wastewater treatment plant from being built.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:00 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: rlopez02@yahoo.com <rlopez02@yahoo.com>
Sent: Friday, November 19, 2021 7:37 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Rudy Lopez

E-MAIL: rlopez02@yahoo.com

COMPANY:

ADDRESS: 913 BRENTWOOD DR
MURPHY TX 75094-4440

PHONE: 2142361197

FAX:

COMMENTS: I am requesting a hearing regarding the proposed wastewater treatment facility in Parker Texas. I live about 1 mile from the proposed site and it will impact me. I enjoy hikes along Maxwell Creek in Murphy and this treatment plant will destroy the wildlife that depends on that creek.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 1:21 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rlopez02@yahoo.com <rlopez02@yahoo.com>
Sent: Thursday, September 23, 2021 9:55 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Rudy Lopez

E-MAIL: rlopez02@yahoo.com

COMPANY:

ADDRESS: 913 BRENTWOOD DR
MURPHY TX 75094-4440

PHONE: 2142361197

FAX:

COMMENTS: I oppose this proposal. I DON'T WANT our city's ecosystem damaged I DON'T WANT potential pollutants from the plant entering our community I DON'T WANT our air quality to suffer I DON'T WANT our quality of life negatively impacted I DON'T WANT our property value diminished

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 4:01 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: TPWD_comments_WQ0016003001.pdf

eComment = H
Attachment = Comment

From: josulozano@gmail.com <josulozano@gmail.com>
Sent: Monday, December 6, 2021 3:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Joseph Lozano

E-MAIL: josulozano@gmail.com

COMPANY:

ADDRESS: 4112 PECAN ORCHARD DR
PARKER TX 75002-5726

PHONE: 9724239125

FAX:

COMMENTS: Joseph D. and Susan G. Lozano 4112 Pecan Orchard Dr. Parker, Texas 75002 (972) 423-9125 email: josulozano@aol.com Applicants' information: Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001. We are requesting a contested case hearing. We live 2.6 miles from the proposed

wastewater treatment Plant ("WWTP"). We visit the City of Parker Nature Preserve at Maxwell Creek (the "Preserve") and the affected parks and trails in Murphy, Texas frequently. The Applicant states that Maxwell Creek is intermittent. The USGS topographic map for Maxwell Creek shows it to be a solid blue line indicating perennial flow. We believe that additional evidence of that is the location of an existing spring feed well located at the Preserve (lat and long 33.052551, -96.616326) and the report made by Texas Parks and Wildlife, dated November 10, 2021. (See attached document) We are concerned that the effluent from the Applicants' WWTP will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. The discharge from the WWTP would cause a dam effect, which would cause Maxwell Creek to backup and effect our area upstream. There has been no mention of how the Applicants' will handle the Storm Water Runoff, which is under TCEQ's purview. We believe that a landowner cannot cause additional runoff from their property after improvements are made. Our community has sponsored several Eagle Scout Projects at the Preserve: the restoration of the spring fed well, park benches, blue bird houses, bat houses, picnic tables and signage. We also have a Living Legacy Tree Program. Our area is part of the Blackland Prairie, the Applicants' Restore the Grasslands, LLC is in direct conflict to the conservation efforts already in place by organizations that are restoring the grasslands in the Blackland Prairie, they are Clymer Meadow Preserve and Parkhill Prairie. I have provided their URLs below. <https://www.nature.org/en-us/get-involved/how-to-help/places-we-protect/clymer-meadow-preserve/> https://www.collincountytx.gov/parks/Pages/parkhill_prairie.aspx



November 10, 2021

Life's better outside.

Commissioners

Arch "Beaver" Aplin, III
Chairman
Lake Jackson

Dick Scott
Vice-Chairman
Wimberley

James E. Abell
Kilgore

Oliver J. Bell
Cleveland

Paul L. Foster
El Paso

Anna B. Galt
Laredo

Jeffery D. Hildebrand
Houston

Robert L. "Bobby" Patton, Jr.
Fort Worth

Travis B. "Blake" Rowling
Dallas

Lee M. Bass
Chairman-Emeritus
Fort Worth

T. Dan Friedkin
Chairman-Emeritus
Houston

Carter P. Smith
Executive Director

Ms. Laurie Gharis, Chief Clerk
Office of the Chief Clerk (MC 105)
Texas Commission on Environmental Quality
PO Box 13087
Austin, Texas 78711-3087

Re: CEQ Municipal Wastewater Discharge Draft Permit Number WQ0016003001

Dear Ms. Gharis:

The Texas Parks and Wildlife Department (TPWD) appreciates the opportunity to provide comment on the proposed municipal wastewater discharge permit for the Restore the Grasslands LLC and Harrington/Turner Enterprises, LP wastewater treatment plant (TPDES Permit No. WQ0016003001). TPWD is the agency with primary responsibility for protecting the state's fish and wildlife resources (Texas Parks and Wildlife Code §12.0011(a)). Furthermore, we are charged with providing information on fish and wildlife resources to any local, state, or federal agency or private organization that make decisions affecting those resources (Texas Parks and Wildlife Code §12.0011(b)(3)). Please be aware that a written response to this comment letter is required by Texas Parks and Wildlife Code Section 12.0011(c)-(d).

TPWD has reviewed the permit application as well as the draft Texas Pollutant Discharge Elimination System (TPDES) wastewater discharge permit for the Restore the Grasslands LLC and Harrington/Turner Enterprises, LP to discharge treated wastewater at a volume not to exceed a daily average flow of 0.2 million gallons per day to Maxwell Creek, thence to Muddy Creek, thence to Lake Ray Hubbard (Segment 0820) in Collin County. The proposed final effluent limits for this facility are 10 mg/L carbonaceous biological oxygen demand (CBOD), 15 mg/L total suspended solids (TSS), and 3 mg/L ammonia-nitrogen.

Upon review of this permit application, it was noted in Section 4.B Flow Characteristics (Figure 1, attached) that Maxwell Creek was characterized as intermittent (dry for at least one week during most years) with no perennial pools based on personal observation of the applicant. The USGS topographic map for Maxwell Creek shows it to be a solid blue line indicating perennial flow. According to USGS, solid blue lines indicate perennial streams and are defined as, "A body of flowing water that contains water throughout the year, except for infrequent periods of severe drought." Additionally, a review of several years of orthoimagery and information from local residents indicate that Maxwell Creek maintains perennial flow throughout the year that would support aquatic life downstream of the

discharge. TPWD requests additional information from TCEQ and the applicant, such as photographs of a dry channel or other evidence used by the applicant in making that intermittent determination. There is an existing known spring in Rowlett Creek (Heitmuller and Reece 2003) in an adjacent watershed and it is possible that similar spring flow occurs in Maxwell Creek. In light of conflicting information as to the nature of flow in Maxwell Creek, TPWD recommends that a Receiving Water Assessment or similar effort be made on Maxwell Creek to generate physical, chemical, and biological data to be used in identifying the appropriate aquatic life use and the associated dissolved oxygen criteria. TPWD would be willing to assist in such an effort.

TPWD supports minimizing the need for new point source discharges when alternatives are feasible, especially in streams such as Maxwell Creek that do not already receive treated effluent. The proposed municipal wastewater treatment plant and residential development (Turner Tract) is immediately adjacent to a City of Murphy residential area (Rolling Ridge), which is part of the city's sewage collection system that is routed to the North Texas Municipal Water District (NTMWD) Muddy Creek Wastewater Treatment Facility (WQ0014216001). With an existing sewage collection system immediately adjacent to the proposed Turner Tract development, TPWD recommends the applicant work with the City of Murphy to develop a plan for the new residential development to connect to the City's sewage collection system. Connecting to the existing collection system would be the most protective option for the aquatic life in Maxwell Creek. The application indicates that letters requesting connection to existing WWTPs within three miles of this proposed facility were sent to several municipalities including the cities of Murphy and Parker, but responses from these municipalities were not included in the copy of the application that TPWD reviewed. The permit application requires that responses from these requests be included in the application and TPWD requests that these responses be made available as per application requirements.

If connecting to an existing wastewater treatment plant is not feasible, additional alternatives to direct discharge include Beneficial Reuse Authorization under Chapter 210 of Title 30 of the Texas Administrative Code and utilizing land irrigation as an option under a Texas Land Application Permit. TPWD recommends these options be considered as a way minimize the direct discharge of treated effluent to Maxwell Creek.

TPWD recommends a total phosphorus effluent limit be applied to the permit. Increased nutrients, such as nitrogen and phosphorous, can lead to increased algal biomass, which can decrease dissolved oxygen levels, thereby negatively affecting aquatic life. This increase in algae also contributes to the eutrophication process and deteriorates aesthetics in aquatic systems. Maxwell Creek has no existing point source discharges. Many streams in Texas are phosphorus-limited and research has

Ms. Laurie Gharis, Chief Clerk
Page 3 of 4
November 10, 2021

shown that such streams are especially sensitive to even small amounts of phosphorus inputs. Instream phosphorus levels above 0.02 mg/L have been shown to hasten the eutrophication process (King et al 2009). For this reason, TPWD recommends adding a total phosphorus limit of at least 0.5 mg/L as has been applied to similar permits in Collin County, such as WQ0014935001 (Wylie Northeast Special Utility District).

We appreciate the opportunity to offer comment and look forward to working with TCEQ, the applicant, and other stakeholders on this matter. If you have questions or need more information, please contact me at anne.rogers@tpwd.texas.gov or (512) 389-8687.

Sincerely,



Anne Rogers Harrison
Water Quality Program Leader

AR:lc

References

Heitmuller, F.T., and Reece, B.D., 2003. Data base of historically documented springs and spring flow measurements in Texas: U.S. Geological Survey Open-File Report 03-315.

King, R. S., B. W. Brooks, J. A. Back, J. M Taylor, and B.A Fulton. 2009. Linking Observational and Experimental Approaches for the Development of Regional Nutrient Criteria for Wadeable Streams. Section 104(b)(3) Water Quality Cooperative Agreement #CP-966137-01 U. S. EPA Region 6, Dallas, TX.

Attachment

B. Flow characteristics

If a stream, man-made channel or ditch was checked above, provide the following. For existing discharges, check one of the following that best characterizes the area *upstream* of the discharge. For new discharges, characterize the area *downstream* of the discharge (check one).

- Intermittent - dry for at least one week during most years
- Intermittent with Perennial Pools - enduring pools with sufficient habitat to maintain significant aquatic life uses
- Perennial - normally flowing

Check the method used to characterize the area upstream (or downstream for new dischargers).

- USGS flow records
- Historical observation by adjacent landowners
- Personal observation
- Other, specify: _____

Figure 1. Excerpt of Section 4.B Flow Characteristics from permit application for WQ0016003001.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, December 9, 2021 8:22 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: josulozano@gmail.com <josulozano@gmail.com>
Sent: Wednesday, December 8, 2021 11:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Joseph Lozano

E-MAIL: josulozano@gmail.com

COMPANY:

ADDRESS: 4112 PECAN ORCHARD DR
PARKER TX 75002-5726

PHONE: 4697449667

FAX:

COMMENTS: "According to NTMWD the proposed wastewater treatment plant permit WQ0016003001 would interfere with NTMWD's statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. ** Specifically**, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and

Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C. I support the State's Regionalization policy and EXPECT TCEQ to follow their own policy. The permit should not be granted and never should have reached this phase. We are aware that NTMWD's treatment process is state of the art compared to a WWTP. It is now time to show that TCEQ's mission is to Protect Texas by Reducing and Preventing Pollution." Stop the process. TCEQ should be following Regionalization.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: josulozano@gmail.com <josulozano@gmail.com>
Sent: Wednesday, September 22, 2021 10:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Joseph Daniel Lozano

E-MAIL: josulozano@gmail.com

COMPANY:

ADDRESS: 4112 PECAN ORCHARD DR
PARKER TX 75002-5726

PHONE: 4697449667

FAX:

COMMENTS: I am opposed to this discharge of treated water. Maxwell Creek would be negatively impacted by the discharges from the proposed facility.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, February 24, 2022 9:23 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: dlundberg54@msn.com <dlundberg54@msn.com>
Sent: Thursday, February 24, 2022 9:17 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: MRS Dianne Elizabeth Lundberg

E-MAIL: dlundberg54@msn.com

COMPANY: Dianne Lundberg

ADDRESS: 1307 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 4253375454

FAX:

COMMENTS: February 24, 2022 To Whom It May Concern: My Name is Dianne E. Lundberg and I live at 1307 Featherwood Dr, Murphy, Tx 75094. My phone number is (425) 501-7754 and my email address is

edlundberg@comcast.net. My home is located less than 1 mile of the proposed DISTRICT Boundaries as presented and is approximately 800 feet from Maxwell Creek. Please note the location of my home below: 1307 Featherwood Dr, Murphy, Tx 75094 Since I have submitted previous comments, I respectfully would like to submit to the TCEQ this letter as a supplement to my previous comments/concerns. In light of my previous concerns, I would like to reiterate the following concerns. I strongly believe that there will be an adverse effect on the property where I live. My husband and I (and my 92-year-old father-in-law) moved here two and a half years ago to live out our retirement. This proposed MUD, WWTP, and Development is definitely not something I had planned to deal with during these years. The primary reason we moved to Murphy was for the weather and the opportunity to enjoy not only our home but the pool outside. Our grandchildren enjoy swimming and as a family, we do cook outside quite a bit. Can you imagine the adverse effect on our family having to deal with this intentional nuisance of the smell (and knowing where it comes from) as well as the noise and lighting associated with such a project? No doubt our family activities will stop and we will not be able to use our pool which is also a considerable year-round investment. Certainly you can appreciate if this MUD, WWTP and Development goes through my only option would be to move. However, who would want to move here and deal with these issues. Therefore the impact this will have on my property value will be significant. As I have done my research it is also obvious that there will be a tremendous impact on the watershed and wildlife in this immediate area. On my walks I have seen the Texas Horned Lizard and understand that it is a threatened species. Being active seniors, my husband and I have come to appreciate the beautiful setting of the surrounding area and the walks we are able to take to stay healthy. I am certain that if we continue to live in this area our ability to get outside for exercise will be limited. This is also not to minimize the permanent damage to catastrophic results on the existing wildlife and the natural waterflow of Maxwell Creek as well as considerations for the 100-year flood plain. From what I have heard at the public meetings there is no contingency plan for flooding in this area due to heavy rains and all the excrements that would be flowing into our properties. Can't you appreciate the health concerns this will have on our family and pets? For the life of me I just do not understand why this is necessary. There certainly seems that there are other options for the developer, landowner, petitioner to consider instead of impacting so many people who have vested interest in our existing properties. Again, from what I have heard from the community discussions that this is not necessarily due to NTMWD and/or availability of at least 3 sewer lines by 2023. So as a property owner who lives approximately 800 feet from this proposed water treatment plant, please consider the long-range impact this will have on our community. Not only do I strongly oppose this proposed plant for the reason I have mentioned above, but I also do not believe the builders have prepared for: the foreseeable physical damage to property based upon improper planning for potential flooding, foreseeable economic harm to the property's economic value, foreseeable harm to my health and family members' health, and the psychological harm for peace of mind in the use and enjoyment of my property. In light of all these community meetings and the arguments from both the builders and the community, why are my rights being minimized for the personal gain of the builders? I do not believe that the petitioner and landowner have taken reasonable precautions to minimize the harmful effects on this proposed MUD, WWTP, and Developments. I know for certain that the petitioner and landowner who lives next to the TEJ is fully aware of the effects this designed MUD, WWTP and Development will have on our community and our daily lives. What gives this person more rights than we have? In addition, from what I have heard from these public meetings that if the Developer, Petitioner, and Applicant had notified the regional water district, they would have known that this proposed MUD (WWTP) is not a necessity and that regionalization is a more appropriate route to take for any development approved in this ETJ. It certainly appears to me this proposed plan is a power play from the Developer and Landowner to get what they want at the expense of the common property owners. Thus these plans in my mind are unreasonable and knowingly interfere with the community of Murphy and Parker. And the list goes on...

- If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interfere with the homeowners of Parker and Murphy.
- The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy.
- I have the right and privilege as the use and enjoyment of my land
- The parties have not taken reasonable precautions to minimize the harmful effects of their proposed MUD, WWTP & Development.
- The Petitioner and Landowner live adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives.

o Unpleasant Odors
o Worried about high noise levels
♣ pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs
o Facility malfunction & spills
o 100-year flood plain and increase flooding that will result. Consideration of drainage. This point applies to any

area around Maxwell Creek that floods. Health concerns. Specific points for certain areas around the proposed MUD • GREGORY LANE RESIDENTS – Emergency Services, Roads, Flooding, Storm run-off; Privacy for some, Nuisance • SOUTHMAXWELL CREEK RESIDENTS – I believe you may still qualify as an affected party due to the proximity of your home to Maxwell Creek & flooding issues. • BEE FARMS; STABLES – Economic affect • LIVESTOCK; HORSES; WELLS; NATURAL SPRINGS – effects on Water quality (potentially economic impact) and unreasonable effect on water quality • ROLLING RIDGE – Privacy for those of us that back up to the development; Flooding; Storm run-off (drainage issues); Pollution – Air, Water & light. NOTES: INTERESTS PROTECTED BY LAW: These interests range from interests in physical security and autonomy in the enjoyment of one's physical property or person, to interests “in emotional security and other intangible interests such as privacy,” to interests “in economic security and opportunity.” There is an elementary school in our neighborhood and consideration should be taken regarding the impact of smell and air pollutants on student health and learning. The long-term impact on children is of utmost importance, wouldn't you agree? With respect to a solution to this dilemma, I believe it would be in the best interest of everyone that the City of Murphy be allowed to annex this ETJ area, work with the developer to establish a plan to connect to the existing sewer system (if necessary) or to utilize one of the future three sewer lines. I also believe that another reason the City of Murphy should be allowed to annex this area is because of the impact these new homes will have on our community. It is only fair that these new residents who will also enjoy our local amenities should pay their share of local taxes to allow us to keep our quality of life and not to overburden our City. Therefore, I respectfully (again) request a contested case hearing on the application by Harrington / Turner Enterprises, LP and Gregory Lane, LLC (the “Petitioner”) for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 (the “District Application”). Sincerely, Dianne E. Lundberg 1307 Featherwood Dr Murphy, Tx 75094

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 9:52 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: dlundberg54@msn.com <dlundberg54@msn.com>
Sent: Saturday, September 25, 2021 7:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Dianne E Lundberg

E-MAIL: dlundberg54@msn.com

COMPANY:

ADDRESS: 1307 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 4253375454

FAX:

COMMENTS: To whom it may concern: I would like to file a formal complaint regarding the water treatment plant that is proposed to be built in close proximity to Rolling Ridge Estates in Murphy, Texas. The reason for my complaint is not only the impact it will have on my family with regard to air pollutants, but also the impact it will have on the watershed. Being in such close proximity, can you guarantee me the health of my family and community will not be impacted in a negative way? Does the EPA even approve of this location? With flash flood warnings frequently popping up as indicated

on my Weather Channel App, can the watershed handle the treated water without flooding our homes during these times? How will wildlife be impacted? What about mosquito draw and West Nile Virus? I did a little research, which brings about food for thought: Impact on the Quality of Life When Living Close to a Municipal Wastewater Treatment Plant (hindawi.com) Plant location Sewage Treatment Plants for Rural Homes | MU Extension (missouri.edu) Package treatment plants contain and process a material that is a potential health hazard. Care should be exercised in locating the plant so there is little danger of contaminating any public or private water supply. Plants should not be located within 10 feet of any building foundation, property line or pressurized water line. They should not be located within 50 feet of a well, water supply or stream. If possible, the treatment system should be located so that sewage can flow into it by gravity. 309b.pdf (texas.gov) (6) Nuisance odor prevention--The reduction, treatment, and dispersal of potential odor conditions that interfere with another's use and enjoyment of property that are caused by or generated from a wastewater treatment plant unit, which conditions cannot be prevented by normal operation and maintenance procedures of the wastewater treatment unit. The Dangers of Living Next to a Water Treatment Facility What Are the Dangers of Living Near a Wastewater Treatment Facility? (healthfully.com) My question is, why? Who came up with this idea in the first place, and what is the motivation behind it? Would a builder want to do this, and if so, who would want to buy a home next to a water treatment plant that contributes to air pollution, impacts the watershed, and brings with it a potential onslaught of disease carrying insects? I will continue to research, but from what I am reading, a water treatment plant should be located in a more isolated area that does not affect an established community. It should be located in a lowland area next to a body of water that can handle the treated water output. I ask the decision makers, "Would you want to raise your children next to a water treatment plant and expose them to potential health hazards?" Thank you for your consideration in regard to this manner. Sincerely, Dianne E. Lundberg Conventional wastewater treatment plants (WWTPs) clean wastewater and minimize water pollution; but, while doing so, they also contribute to air pollution and need energy/material input with associated emissions

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, February 23, 2022 4:29 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: Request for Contested Hearing.docx

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: edlundberg@comcast.net <edlundberg@comcast.net>
Sent: Wednesday, February 23, 2022 4:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Edwin D Lundberg

E-MAIL: edlundberg@comcast.net

COMPANY:

ADDRESS: 1307 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 4255017754

FAX:

COMMENTS: Please see attached request for Contested Hearing

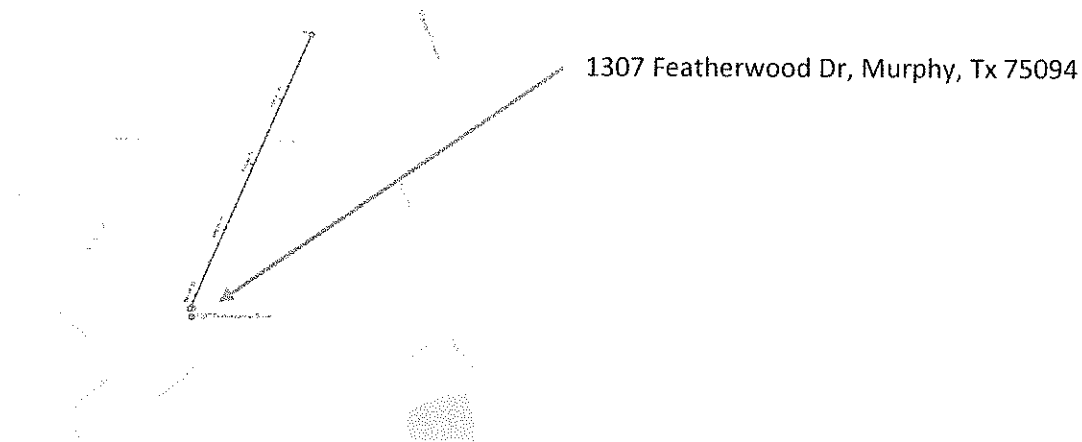
February 23, 2022

To Whom It May Concern:

My Name is Edwin D Lundberg and I live at 1307 Featherwood Dr, Murphy, Tx 75094. My phone number is (425) 501-7754 and my email address is edlundberg@comcast.net.

My home is located less than 1 mile of the proposed DISTRICT Boundaries as presented and approximately 800 feet from Maxwell Creek.

Please note the location of my home below:



Since I have submitted previous comments, I respectfully would like to submit to the TCEQ this letter as a supplement to my previous comments/concerns. In light of my previous concerns I would like to reiterate the following concerns. I strongly believe that there will be an adverse effect on the property where I live. My wife and I (and my 92-year-old father) moved here two and a half years ago to live out our retirement. This proposed MUD, WWTP and Development is definitely not something I had planned to deal with during these years. The primary reason we moved to Murphy was for the weather and the opportunity to enjoy not only our home but the pool outside. Our grandchildren enjoy swimming and as a family we do cook outside quite a bit. Can you image the adverse effect on our family having to deal with this intentional nuisance of the smell (and knowing where it comes from) as well as the noise and lighting associated with such a project? No doubt our family activities will stop and we will not be able to use our pool which is also a considerable year-round investment. Certainly you can appreciate if this MUD, WWTP and Development goes through my only option would be to move. However, who would want to move here and deal with these issues. Therefore the impact this will have on my property value will be significant.

As I have done my research it is also obvious that there will be a tremendous impact on the watershed and wildlife in this immediate area. As being active seniors, my wife and I have come to appreciate the beautiful setting of the surrounding area and the walks we are able to take to stay healthy. I am certain that if we continue to live in this area our ability to get outside for exercise will be limited. This is also not to minimize the permanent damage to catastrophic results on the existing wildlife and the natural waterflow of Maxwell Creek as well as considerations for the 100-year flood plain. From what I have heard at the public meetings there is no contingency plan for flooding in this area due to heavy rains and all the excrements that would be flowing into our properties. Can't you appreciate the health concerns this will have on our family and pets?

For the life of me I just do not understand why this is necessary. There certainly seems that there are other options for the Developer, Landowner, Petitioner to consider instead of impacting so many people who have vested interest in our existing properties. Again, from what I have heard from the community discussions that this is not necessarily due to NTMWD and/or availability of at least 3 sewer lines by 2023.

So as a property owner who lives approximately 800 feet from this proposed water treatment plant, please consider the long-range impact this will have on our community. Not only do I strongly oppose this proposed plant for the reason I have mentioned above, but I also do not believe the builders have prepared for; the foreseeable physical damage to property based upon improper planning for potentially flooding, foreseeable economic harm to the property's economic value, foreseeable harm to my health and family members' health, and the psychological harm for peace of mind in the use and enjoyment of my property.

In light of all these community meetings and the arguments from both the builders and the community, why are my rights being minimized for the personal gain of the builders? I do not believe that the Petitioner and Landowner have taken reasonable precautions to minimize the harmful effects on this proposed MUD, WWTP and Developments. I know for certain that the Petitioner and Landowner who lives next to the TEJ is fully aware of the effects this designed MUD, WWTP and Development will have on our community and our daily lives.

In addition, from what I have heard from these public meetings that if the Developer, Petitioner and Applicant had notified the regional water district, they would have known that this proposed MUD (WWTP) is not a necessity and that a regionalization is a more appropriate route to take for any development approved in this ETJ. It certainly appears to me this proposed plan is a power play from the Developer and Landowner to get what they want at the expense of the common property owners. Thus these plans in my mind are unreasonable and knowingly interfere with the community of Murphy and Parker.

With respect to a solution to this dilemma, I believe it would be in the best interest of everyone that the City of Murphy be allowed to annex this ETJ area, work with the developer to establish a plan to connect to the existing sewer system (if necessary) or to utilize one of the future three sewer lines. I also believe that another reason the City of Murphy should be allowed to annex this area is because of the impact these new home will have on our community. It is only fair that these new residents who will also enjoy our local amenities should pay their share of local taxes to allow us to keep our quality of life and not to overburden our City.

Therefore, I respectfully (again) request a contested case hearing on the application by Harrington / Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No. 7 with permit number D-04122021-017, customer number CN605878966, regulated entity number RN111242855 (the "District Application").

Sincerely,
Edwin D Lundberg
1307 Featherwood Dr
Murphy, Tx 75094

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 3:39 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: edlundberg@comcast.net <edlundberg@comcast.net>
Sent: Wednesday, September 22, 2021 3:37 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Edwin D Lundberg

E-MAIL: edlundberg@comcast.net

COMPANY:

ADDRESS: 1307 FEATHERWOOD DR
MURPHY TX 75094-4173

PHONE: 4255017754

FAX:

COMMENTS: To Whom It May Concern: It is with much despair that I have come to find out that a proposed water treatment plant is in the planning stages to be placed just down the street from my home. I would like to lodge my complaint with this project for a variety of reasons. My wife and I recently moved to Texas to be closer to family. We spent a great deal of time and resources to find a home that would meet our needs in our retirement years. In addition to that we also provide care for my 91 YO father who has been diagnosed with Vascular Parkinson's amongst other age-

related health concerns. The installation of such a water treatment plant obviously raises several concerns. I am concerned about the health effects this would have on us as elderly citizens. Not only from airborne contaminants to possible backup problems when the ground becomes oversaturated. This is certainly not what we expected when we moved into our home. In addition, I can't help but believe there are serious environmental issues that will greatly impact the local creek, the watershed it provides as well as all the animal life that depends on a clean natural environment. I have seen no evidence where this has been taken into consideration. While I am cognizant to realize that there is perhaps a larger political motive behind such a project, it appears to me that the citizens of this particular neighborhood have been left out of the formula. I have not seen any environmental impact studies, I have not seen any potential property valuation impact studies, I have not seen any potential health hazard studies for people living close to this project. What I have seen are disputes between city municipalities over responsibility for providing sewer services, I have seen ambiguous acceptance between city, county and state officials and I can appreciate there is business behind all of these concerns waiting to cash in and make a lot of money at the expense of the local citizens. Sincerely, Ed Lundberg 1307 Featherwood Dr Murphy, Tx 75094

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, December 10, 2021 8:31 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Thursday, December 9, 2021 4:24 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: TCEQ, based on new findings and ethics violations as noted in the open public meeting, TCEQ needs to stop the TEPDES process and deny the permit immediately. TCEQ should also be following Regionalization for those areas that are within jurisdiction of regional water and sewer districts per TX laws and agreements. It's time for TCEQ to admit to their bias, incompetence and collusion with unethical permit disclosures by the engineering firm and applicants in this particular permit application. According to NTMWD the proposed wastewater treatment plant permit

WQ0016003001 would interfere with NTMWD's statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. **** Specifically****, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C. I support the State's Regionalization policy and EXPECT TCEQ to follow their own policy. The permit should not be granted and never should have reached this phase. We are aware that NTMWD's treatment process is state of the art compared to a WWTP. It is now time to show that TCEQ's mission is to Protect Texas by Reducing and Preventing Pollution." Cease this application process now! I ask contested case hearing based on these new findings that were not publicly released and available on TCEQ website until after the meeting concluded. andrew

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 4:25 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: PublicMeeting_QandA_12062021.docx

H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Monday, December 6, 2021 4:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: See attached comments. Requesting Contested Hearing.

Andrew Malczewski
1328 Thornwood Dr
Murphy TX 75094
214-797-5093

I request contested case hearing.

Hi my name is Andrew Malczewski and we moved to Murphy in 2008 as it voted top 10 best small towns in America with low crime, excellent air and water quality and high regard for green spaces and parks. I live along Rolling Ridge directly facing the property where developers Margaret Turner from Harrington/Turner Enterprises and James Cox from Restore the Grassland LLC have quietly applied for MUD and WWTP discharge permit, which intends to dump treated sewage waste water into Maxwell Creek. The permit process and application has gross and possibly intentional errors to the advantage of the developers, has not been properly advertised as required by law, and contains misrepresentation of our spring fed perennial and exceptionally clean Maxwell creek that flows thru cities of Murphy, Parker and Sachse. Simple application errors demonstrate negligence and incompetence and leave no trust that the proposed plant would adhere to pollution limits, with only self-reporting required or that its operator and developer would be able to build or run such a plant in safe manner. TCEQ's own reports show frequent pollution violations for similar small polluters, with minimal financial penalties, illustrating that these kind of plants are at times unsafe and may operate in violation for long periods of time before issues are identified and/or reported.

Maxwell Creek within 2 miles proposed discharge point, includes mostly heavily wooded nature preserves and serves over 750 documented species of wildlife and plant life that depend on this unpolluted, clear and highly oxygenated creek, as documented by TX Wildlife and Park report. Our cities have spent millions of dollars to improve access for residents around the creek in the last 5 years. This includes miles of paved jogging and biking trails with connecting bridges across the creek, unpaved running and nature trails deep inside the heavily wooded area, newly updated flood controls and updated storm drainage systems. The creek area also includes large school complex with middle and high schools and football stadium and athletic fields that are used by thousands of kids every day. Athletics kids run on the trails and occasionally may make contact with water as there are many creek crossing points. As a youth soccer coach, I can attest that kids that practice or play at the soccer fields on the creek banks on many occasions have to retrieve soccer balls that end up in the creek and the thought that any of the kids would be making contact with water containing residual human solid waste, bacteria or any number of other toxic elements in the discharged effluent scare me and leaves me baffled as to how TCEQ can possibly think this project should be approved. What baffles me even more, is how TCEQ seemingly so far has completely ignored these practical real life impacts stated here and many more. I question TCEQs decision making ability in balancing development and progress and environmental quality standards to protect health over financial gain by developers. And this is all in the face of a fact that this permit is completely unnecessary and unreasonable, as the surrounding areas have access to regional NTX Muddy Creek WWT Plant under NTX municipal water district that can be negotiated only if the developers chose to do so. TCEQ, stop proliferation of unneeded micro polluters! Moreover, if Mr Cox and Ms Turner think it's a good idea to flush their toilets into our waterways, then I suggest they use the intermittent creek on Ms Turner's large personal property just to the west of the 100 acre ETJ property being discussed.

I can't think of one reason why the proposed MUD and treatment plant is a good for anyone in our community. Maybe the developers present here can shed light on that.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 4:27 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: PublicMeeting_Comments_12062021_short.docx

H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Monday, December 6, 2021 4:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: Please see attachments for Dec 6 public meeting. I request contested hearing. Thanks andrew

Andrew Malczewski
1328 Thornwood Dr
Murphy TX 75094
214-797-5093

Hi my name is Andrew Malczewski at 1328 Thornwood drive at corner of Rolling Ridge Dr.

I REQUEST CONTESTED HEARING based on these issues and ones previously submitted. I also point to TWPD and other submitted reports as evidence.

Permitting Issues

1. **Lack of legally sufficient or timely public notice in the communities that are affected by the proposed MUD development. Grossly inadequate affected parties list.**
2. **Preliminary permit application that was granted contains lots of false, incorrect or inaccurate and very outdated statements and attachments. Using documents from 1961 about this area is absolutely irrelevant and insufficient. This is now a major and almost built out area of developed communities with Plano Independent Schools, one of the nation's biggest school districts.**

Environmental, Social and Governance Points of Contest

1. **Flooding and bank erosion in the Maxwell Creek basin will be much worse due to impact from proposed development.** It will be greatly exaggerated by the property development as it stands, given no effort is being taken to even address this by the TCEQ and/or developers. Current 101 acre area is open land that can absorb a lot of rain water. The remaining runoff is mostly captured by huge ditch and drain system on Murphy side in green/HOA zone and water that breaches that, by street sewer systems all along Rolling Ridge Dr in Rolling Ridge subdivision 5, and also 3 and 4, that were put in by Shaddock/other developers who were very aware of the flooding problems from the North. These drains will not collect any runoff if the proposed developer concretes over majority of the land as proposed in the permit application. **All the runoff will drain directly to Maxwell Creek thru streets. In a typical fast 2 inch rain event, 101 acre property will generate roughly 5.5 million gallons of water runoff. That's enough water to fill the small Maxwell Creek up to 7 feet high for a mile and a half (roughly distance between discharge point and Murphy city complex along with School and Parks complex.** Minor flooding is also already occurring regularly north of the proposed site as well. Flooding will occur at much higher rate and level than ever before. There are no mitigation plans that are included in permit application.
2. **Creek characterization as disclosed in application seems intentionally inaccurate. This is a spring fed creek at multiple points, it flows all year as noted in TWPD reports and as attested to by residents that call it home for 20 years or longer, and it has 5-6 feet deep persistent pools at some spots, mostly runs thru heavily wooded natural area, with trails and crossing hiker/jogger bridges in multiple places in Murphy proper. It is clean and flowing, with clear water even in middle of hot summers. It supports diverse ecosystem, and the area is on Canadian geese and Monarch butterfly migration route. There are many tributaries and fishing ponds connecting to it. Our kids have caught large catfish in ponds like Liberty Park (0.4 miles south of the proposed discharge point) and have cooked and eaten their fish. Annual trout roundup is attended by hundreds of kids and they catch and keep their fish. **We will not stand****

by and watch TCEQ help pollute another TX creek, just like so many other EPA designated impaired waterways. Be part of the solution not the problem!

3. **Two Historical Society designated cemeteries, McMillen and Decatur/Maxwell/Murphy, are along the Maxwell Creek banks and will be in danger of flooding and erosion without any mitigation if the proposed developments happens as proposed. These burial sites of the early founding settlers in this area and go back to 1850's.**
4. **Air pollution concerns. The stench of moving solid waste does not need to be explained. We have schools and residential areas all around and this is totally unnecessary, if developers would chose to work with the Parker and Murphy cities and north Texas water and waste districts that have huge capacity and have planned growth for the entire Collin County. Residual bacteria, fungi or any number of other harmful pollutants in air and in water will be release around the plant and downstream and may cause health issues for sensitive residents and children, especially those at Hunt elementary that are outdoor for recess every day for up to an hour or for fun days after school in the north parking lot areas and open green spaces.**
5. **Treated waste water discharge/pollution into Maxwell creek will severely and negatively impact wild life. A 100-800,000 gallon daily discharge (this number seems to change in TCEQ documents) will overwhelm the natural creek and as much as 50-70% of total creek volume may consist of treated chlorinated water within few miles downstream of discharge point. At proposed chemical levels, life that depends on the creek will be destroyed or heavily damaged. Review of TCEQ list of pollution violations from other permitted project show these kind of self-reporting projects seem to have problems sticking to their pollution limits. Residual effluents may find their way to our fishing ponds and even water wells that are still downstream. The proposed micro treatment plant is not like a major reginal facility that may do a really good job at filtering out all these toxins, or use latest technology like ozone disinfection, and is likely to do a poor job of upgrading technology many years from now.**
6. **Parks and preserves around Maxwell Creek have been critical to refresh during the Covid pandemic and offer respite for many people. Pollution in creeks will create just another unhealthy point of contact for our kids and animals. We don't want to have to think about our kids getting bacteria, or contacting toxic unhealthy water. It's not fair for users of the creek and wildlife that live there. What makes developers more important than thousands that live around the creek already and call it home. Unjustifiable, unreasonable and unneeded.**
7. **Governance. While the state of Texas has unfortunately taken much power from local municipalities and allows MUDs to run over cities, it does not give a TCEQ blind mandate to approve unnecessary, unreasonable, and inefficient MUDs w WWTPs. This small 101 acre property is tucked right along the border of Murphy and Parker, with large city of Plano a mile away. Our area is very developed with self-sufficient cities, and the proposed TCEQ permit is certainly overreaching proposed water/sewer access that is already there thru NTX reginal municipal district. There is fully developed infrastructure here, and the developer can easily negotiate to use it, instead of poisoning our waterways and air. There are water and sewer connections close by, which would eliminate the need for the unneeded waste water plant and the harmful waterway and air pollution, but the developers for financial gain reasons are pursuing this avenue to maximize profit over ESG issues. If the permit is denied they will simply develop this land in accordance with surrounding cities, county and north TX water districts. They need to go and work this out with local communities, not state government in Austin.**

8. Current permit application shows one entry and one exit to a neighborhood with 500-700 residential units. That's maybe 3000 people overcrowded in a place. In any major emergency, one way in and out is not supportive of that many people in 100 acre area. This is unsafe and unreasonable amount of single family type units without secondary emergency exit, especially given flooding will be a concern and entry will have to cross over the creek. Police will also have difficult time with high density area, especially that row town homes are proposed closest to main road entrance, with dense residential area shielded from line of sight from main roads. This will have potential of becoming high crime area. Speaking of police, Parker police does not have capacity or incentive to police this. Since this is a MUD who will respond to EMS calls, who will be responsible for keeping this MUD clean and properly functioning.
9. Schools impact. The proposed high density residential development will overwhelm nearby Hunt Elementary and may overwhelm Middle School as well. There is no mention of school solution in any of the proposed documents. Marth Hunt elementary is already at full capacity and was expanded 2 years ago.
10. The Location Mapper version 4.1 as used on TCEQ links and website is woefully out of date for Collin County and should not be used by TCEQ for anything with legal ramifications.

TCEQ has a mission to provide water and sewage disposal solutions, but in this case that permit request is unnecessary and intends to supersede systems already in place to maximize developer profits. We ask that the permit is denied and that developers work out sensible solution without destroying

Sincerely,

Andrew Malczewski

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 3:26 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Monday, December 6, 2021 2:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: Dear TCEQ and others. I am requesting Contested Hearing. I (and our entire town) strongly oppose the proposed development of water treatment facility right next to our beautiful neighborhoods and very close to Martha Hunt Elementary school in Rolling Ridge area. The proposed is sure to produce unwanted and unsightly attention to our area, the facility will surely produce undesirable smells blowing polluting stink into many surrounding residential areas (facility few miles away at Los Rios and 15th Street in East Plano stinks all the time) and will with out any doubt lower

property values and desirability to live in the highly sought after neighborhoods that along the border of cities of Murphy and Parker. We want quiet, and clean water and air! Maxwell Creek which is proposed as receiving plant waste water, also runs thru our large Murphy Middle and McMillen High School and stadium complex about a mile south from the proposed site. We don't want dirty water running thru our school grounds and the premier hiking/biking/strolling area along the trails by Maxwell Creek between Betsy and FM 544 roads. We do not want the noise or increased lights and commercial traffic or high density residential area that would feed to Hunt Elem and MMS schools that already take kids from surrounding areas and already have high student to teachers ratios. Please do not ruin the neighborhoods we have and destroy what has been a top 10 town to live in America for the last 10 years! Find a more appropriate commercial area away from where people live and children play ! We intend to fight this to bitter end. Thank you for listening. Andrew Malczewski and family and community friends. This submittal is to change previous comment to contesetd hearing request.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, December 2, 2021 8:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: SAVE MAXWELL CREEK iNaturalist_w_well.pdf

H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Wednesday, December 1, 2021 4:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: Dear TCEQ, this serves as request for contested hearing on new information, then before. This is to submit documented wildlife and plant life as related to the proposed permit on and around the proposed discharge point. 1 mile up and 2 miles down mostly and Muddy Creek receiving stream. This is documented by many naturalists that live in vicinity of the Maxwell creek and has been documented with geo tagging, and including picture date and persons who

will attest to the authenticity of each documented and photographed species. This is more rebuttal to the notion that this creek is intermittent and generic "ditch" as suggested in the permit application. Moreover, these species use the creek for clean, documented spring fed, natural resource it is, and proposed effluent due to the toxic brew of phosphates, nitrates, chlorine, unnatural organisms like bacteria or fungi, or solid residuals, etc, will make this stream unusable by flora and fauna and will be less usable by humans, for contact and sport recreational use. Also please note that there are water wells down stream, especially one at 147 South Maxwell Creek Road, Murphy TX, which is about 60 feet west from the creek. Please see attachment. I would like to also raise an issue with both the water treatment plant and its proximity to our residences and negative impact the effluent discharge, and overall water flow impact and worse erosion down stream will have on my life and that of my family and others. The possibility of accidents, or possibility and likely accidental poisoning of the creek, noise and odors released during the plant operation or constant solids removal, all due to this plant will cause mental stress, will decrease our home values which will no doubt cause stress, will constitute a private and public nuisance, especially due to the fact that this plant is totally unnecessary if the developers only were to work with the cities of Parker and Murphy to come up with a development solution that is reasonable for this specific property in this specific small ETJ that is nestled between these cities. The waste water treatment facility is unreasonable given the circumstance, and we call for other options to be considered and evaluated in earnest. The property owners do not have the right to cause others unnecessary and unreasonable stress, and cause other property owners to loose property value due to overhang from what will become a community eyesore. andrew

Andrew Malczewski, and many other contributors!

a.malczewski2010@gmail.com

<https://www.facebook.com/groups/548487766233949>

<https://www14.tceq.texas.gov/epic/eComment/> Permit # WQ0016003001 (Opposition to this permit proposing to pollute our nature preserves and creeks)

SAVE MAXWELL CREEK - <https://www.inaturalist.org/projects/save-maxwell-creek>

As compiled by nature enthusiasts and people in community at large looking for respite from the busy lives, iNaturalist documentation of wildlife and relevant plant life in Parker/Murphy cities in Collin County TX centered around our nature preserves that span spring fed Maxwell Creek and Muddy Creek downstream; in response to those who want to destroy, pollute and minimize our natural resource and amazing communities built around these gems, responsibly and in harmony with nature. These entries are in most cases location tagged and dated, and certified by people who took these pictures.

The screenshot shows the iNaturalist project page for "Save Maxwell Creek". At the top, the iNaturalist logo is on the left, and navigation links for "Explore", "Your Observations", "Community", "About", and "More" are in the center. On the right, there are icons for "Log Out", "Sign In", and "Join". Below the navigation is a search bar with the text "What do you want to view? (search name or ID in the United States)". The main content area features a large background image of a creek flowing through a wooded area. Overlaid on the bottom left of this image is a dark box with the text "Save Maxwell Creek". On the right side of the image, there is a white box with the text "12/11/2019" and "Project: Save Maxwell Creek (Collin County, TX)". Below the image, there is a navigation bar with the following items: "Overview", "7,625 Observations", "754 Species", "1,460 Photos", "10 Videos", and "9 Stats".

Most Observations

Contributor	Count
sylvia-ray	30
kathy_harvey	20
laura3329	14
carrelyn	14
dan1014	11

[View Years](#)

Most Species

Contributor	Count
sylvia-ray	27
kathy_harvey	13
laura3329	11
dan1014	10
shaannonswilderness	5

[View Years](#)

Most Observed Species

Species	Count
Fox Squirrel	287
Northern Cardinal	224
Common Skink	209
Mallard	183
American White Pelican	168
Blue Jay	147

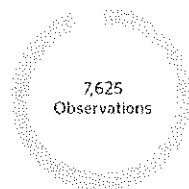
[View Years](#)

Project Requirements

Observations in this project must meet the following criteria.

- Taxa
 - Animals
 - Birds
 - Freshwater Sunfishes
 - Monarch
 - Plants
 - Turtles and Tortoises
 - Vertebrates

Stats



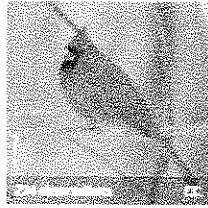
- Research Grade
- Needs ID
- Casual

Journal

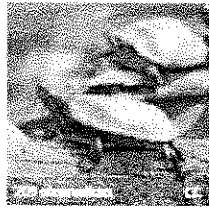
There are currently 0 entries.



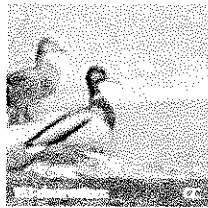
Fox Squirrel



Northern Cardinal
Cardinalis cardinalis



Common Noddy
Noddy dominicensis



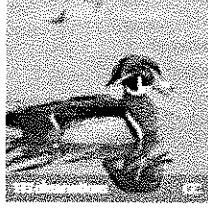
Mallard
Anas platyrhynchos



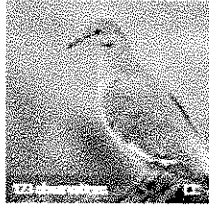
American White Pelican
Pelecanus erythrorhynchos



Blue Jay
Cyanocitta cristata



Wood Duck
Careacus americana



White-winged Dove
Columba leucopectus



River Cooter
Pseudemys floridana



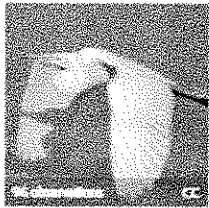
House Sparrow
Passer domesticus



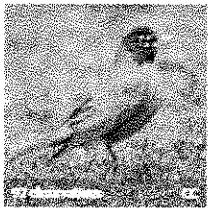
Ring-billed Gull
Larus delawarensis



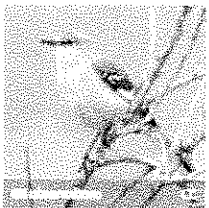
Snowy Egret
Egretta thula



Great Egret
Egretta alba



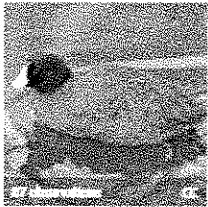
American Robin
Turdus migratorius



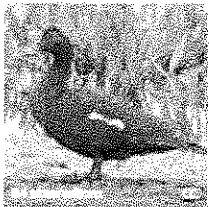
Northern Mockingbird
Mimus polyglottos



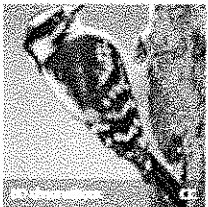
Red-bellied Woodpecker
Caprimulgus vociferans



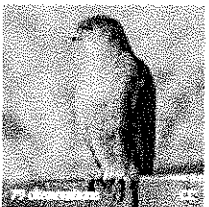
American Coot
Fulica americana



Muscovy Duck
Cairina moschata



Downy Woodpecker
Picopus pubescens



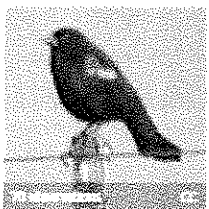
Cooper's Hawk
Accipiter cooperii



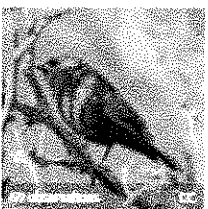
Great Blue Heron
Ardea herodias



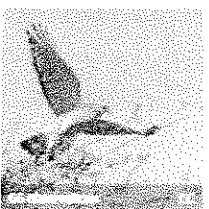
Monarch
Danaus plexippus



Red-winged Blackbird
Agelaius phoeniceus



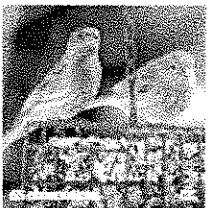
Brown-headed Cowbird
Molothrus ater



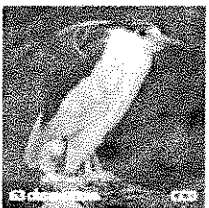
Red-shouldered Hawk
Buteo lineatus



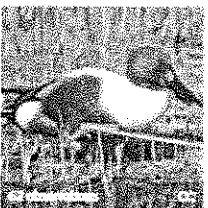
Least Sandpiper
Actinophaga drostris



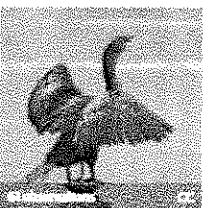
House Finch
Carpodacus mexicanus



Black-crowned Night Heron
Nycticorax nycticorax



Northern Shoveler
Platyrhynchos major



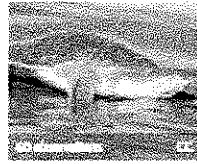
Double-crested Cormorant
Phalacrocorax auritus



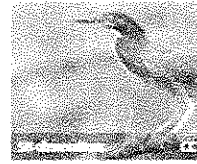
Killdeer



Great-tailed Grackle



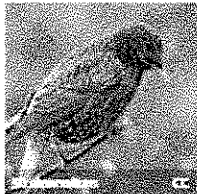
Scaup



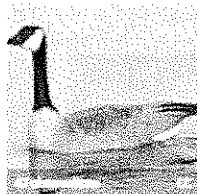
Green Heron



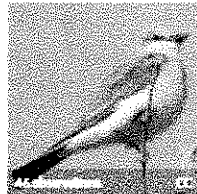
Dark-eyed Junco



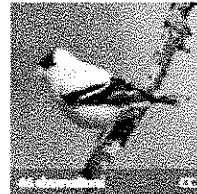
European Starling



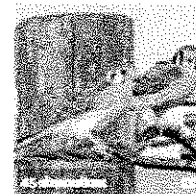
Canada Goose



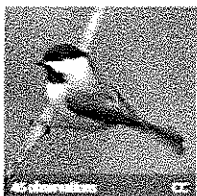
Western Kingbird



American Goldfinch



American Kestrel



Carolina Chickadee



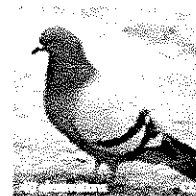
Barn Swallow



Monk Parakeet



Franklin's Gull



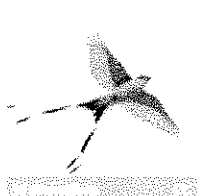
Rock Pigeon



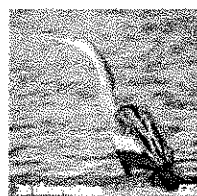
Western Honey Bee



American Crow



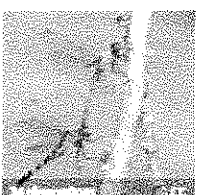
Scissor-tailed Flycatcher



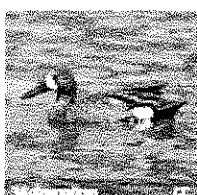
Antbird



Cedar Waxwing



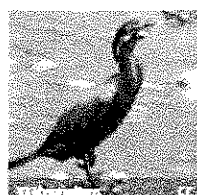
Eastern Phoebe



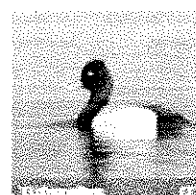
Blue-winged Teal



Mourning Dove



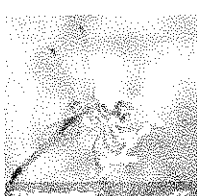
Neotropical Cormorant



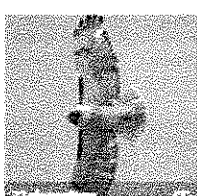
Lesser Scaup



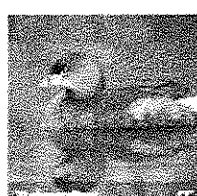
Screech Owl



Blue Jay



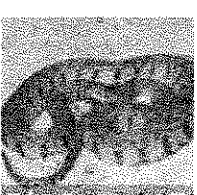
Red-tailed Hawk



Peep-billed Grebe



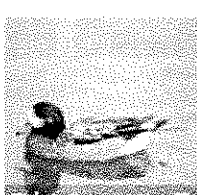
Carolina Wren



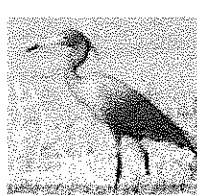
Wood Duck



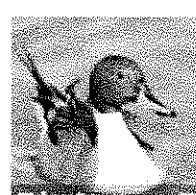
Canada Goose



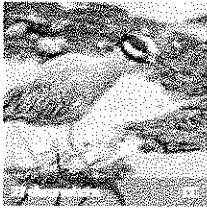
Mallard Duck



Ring-billed Gull



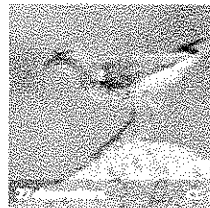
Mallard Duck



Yellow-crowned Night Heron



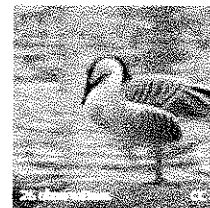
Mute Swan



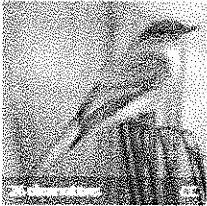
Spotted Sandpiper



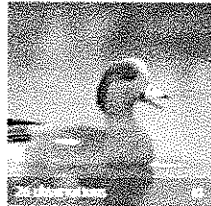
Black-bellied Whistling Swan



Swan Goose



Eastern Phoebe



American Wigeon



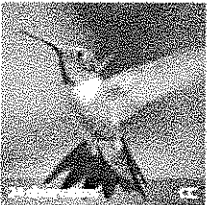
Gull



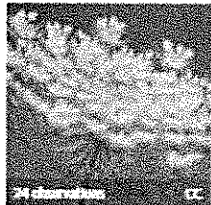
False Map Turtle



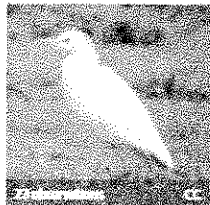
Coyote



Ruby-throated Hummingbird



Wild Carrot



Carrion Crow



Purple Martin



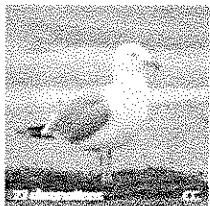
American Bumblebee



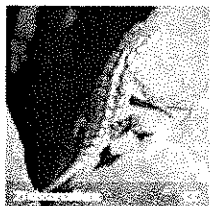
Orange-crowned Warbler



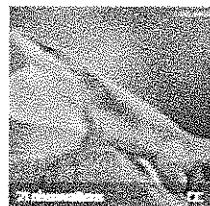
White Ibis



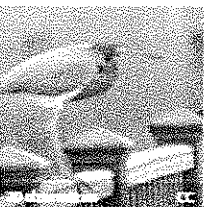
Herring Gull



Texas Spiny Lizard



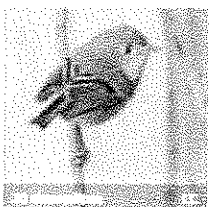
Green Anole



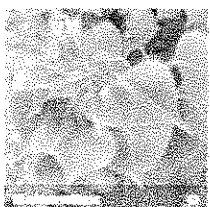
Tricolored Heron



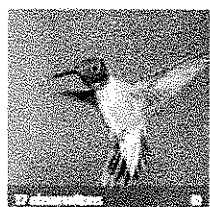
Chipping Sparrow



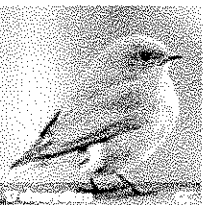
Ruby-crowned Kinglet



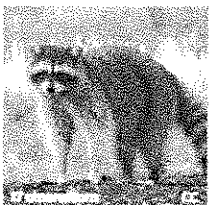
Chinese Tallow Tree



Black-chinned Hummingbird



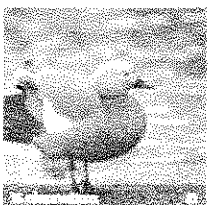
Eastern Bluebird



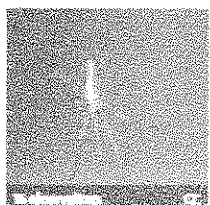
Common Nighthawk



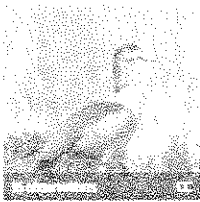
Least-tailed Skipper



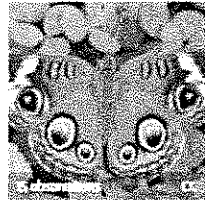
Ruddy Shrikelet



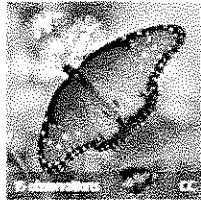
Great Horned Owl



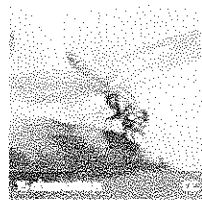
Egyptian Goose



Common Buckeye



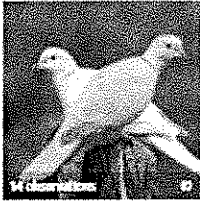
Queen



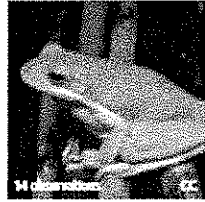
Eastern Amberwing



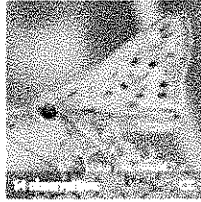
Yellow-rumped Warbler



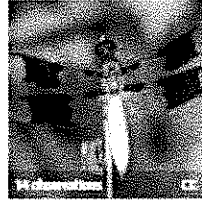
Eurasian Collared Dove



Green Treefrog



Hairy Scudder



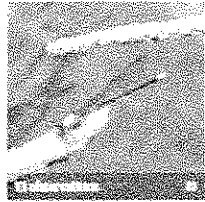
Common White-tail



Clouded Skipper



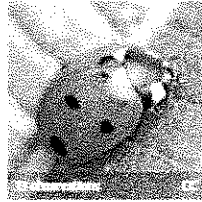
Virginia Opossum



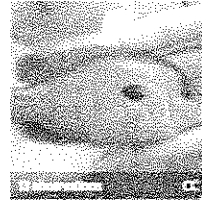
Blue-tipped Dancer



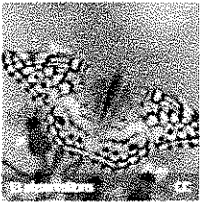
Gray Horstmaek



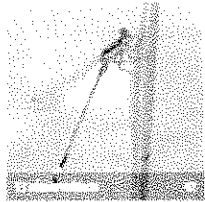
Seven-spotted Lady Beetle



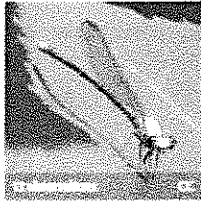
Longear Sunfish



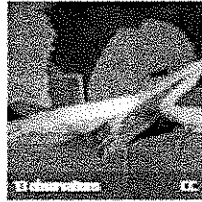
Variegated Fritillary



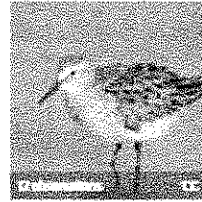
Rambur's Forktail



Powdered Dancer



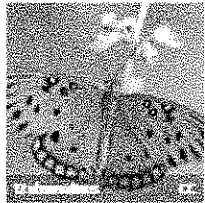
Carolina Mantid



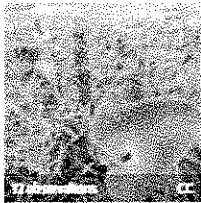
White-rumped Sandpiper



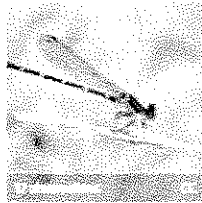
Totted Titmouse



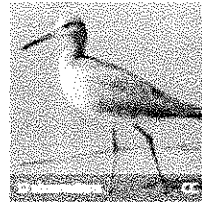
Gull Fritillary



Polar-wind



Blue-tipped Dancer



White-tail



Ruddy Duck



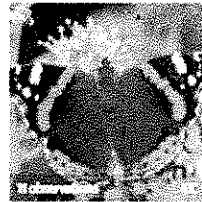
Song Sparrow



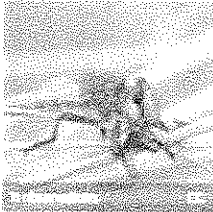
White-throated Sparrow



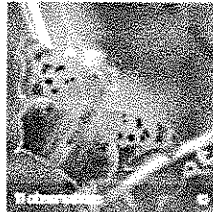
Vermilion Flycatcher



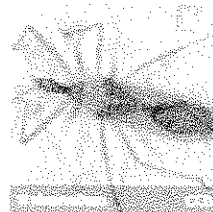
Red Admiral



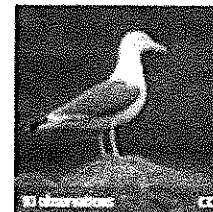
Primitivus Anter



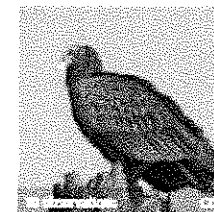
Queenian Mark



Guahupat Anasatin B.



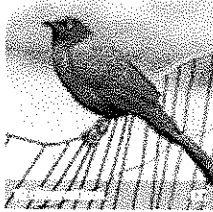
Texas Black-backed G.



Turkey Vulture



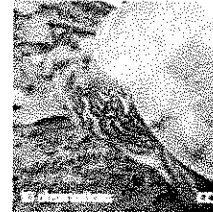
Bird Lyle



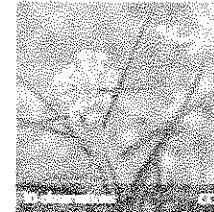
Common Grackle



Plain-billed Waterthr.



Texas Cooper



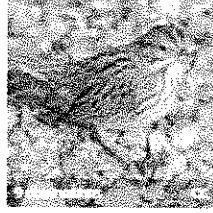
Antelopehorn Milkweed



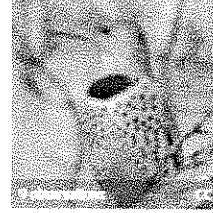
Great Blue Skimmer



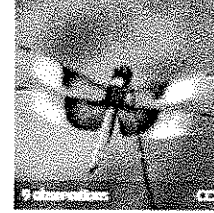
Belted Kingfisher



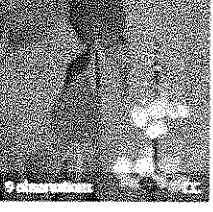
Lincoln's Sparrow



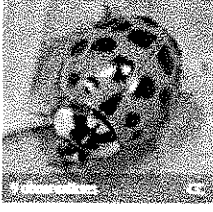
Northern Flicker



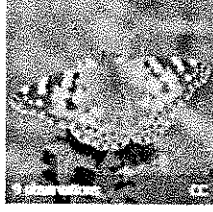
Widow Skimmer



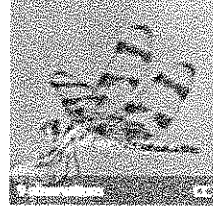
Broadbel Arrowhead



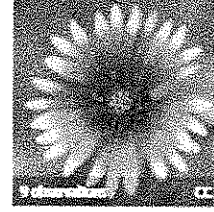
Asian Lady Beetle



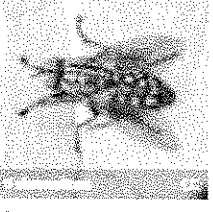
Painted Lady



Halloween Fernant



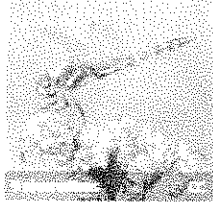
Indian Blotw



Herb Hite



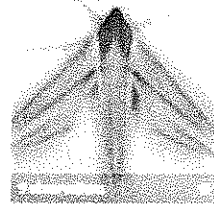
Pearl Crescent



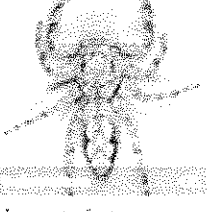
Variegated Meadowha.



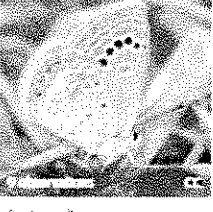
Hackberry Corpore



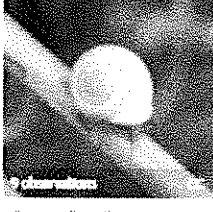
Texas Sphinx



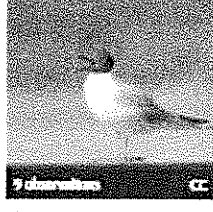
Tan Armywing Soldier



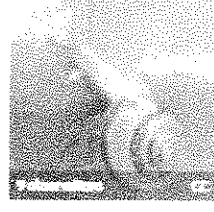
Redker's Blue



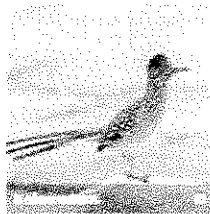
Globular Drop Seed



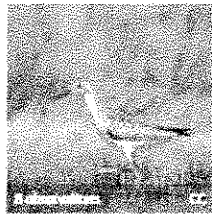
Bonaparte's Gull



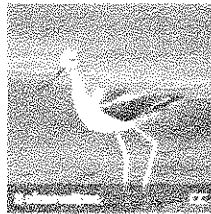
Asian Termite Swarm



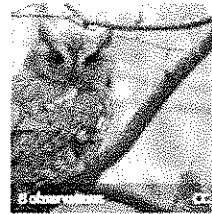
Greater Roadrunner



Lesser Yellowlegs



American Avocet



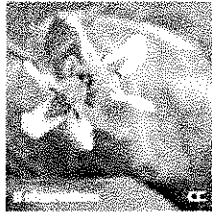
Eastern Screech Owl



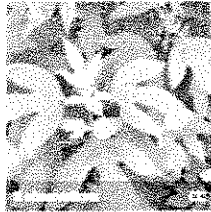
Pteridaceae



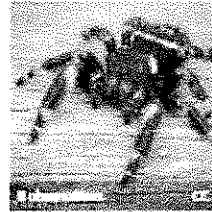
Texas Bluebonnet



American Water Willow



Giant Redwood



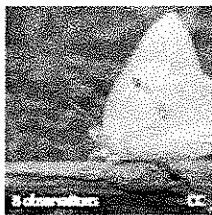
Boid Jumping Spider



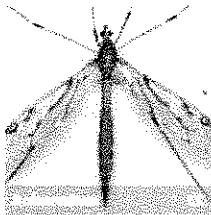
Northern Flicker



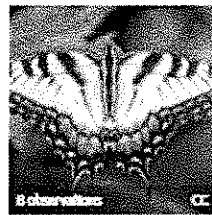
Large Milkweed Bug



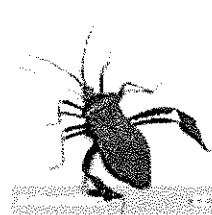
Orange Sulphur



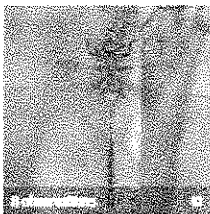
Genus Tipula



Eastern Tiger Swallowtail



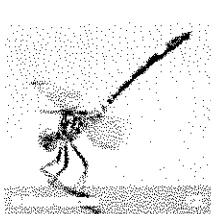
Acanthocephala form...



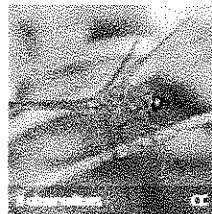
Common Green Darner



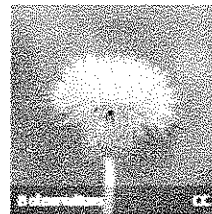
Blanchard's Cricket Frog



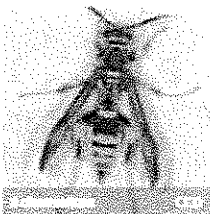
Swift Swallow



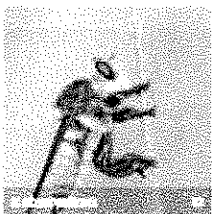
Slate Swimmer



Texas Thistle



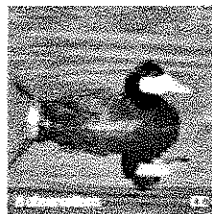
Guinea Paper Wasp



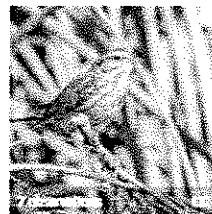
Mullusca Austri



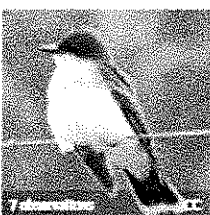
Retic's Grebe



Ruddy Duck



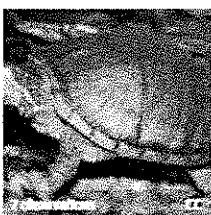
Savannah Sparrow



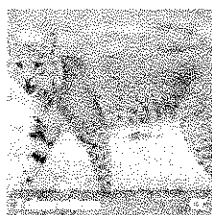
Eastern Kingbird



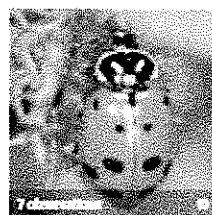
Common Snapping Turtle



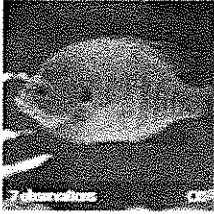
Eastern Masked Turtle



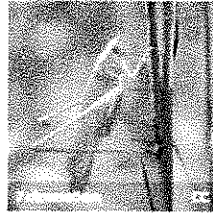
Bobcat



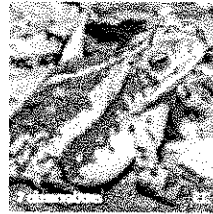
Conversen Lady Beetle



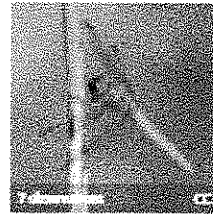
Bluespirt



Fork-tailed Bush Katydid



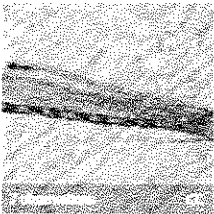
Gulf Coast Toad



Roseate Skimmer



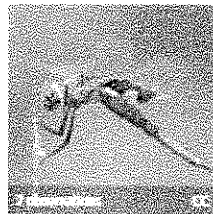
Western Robuske



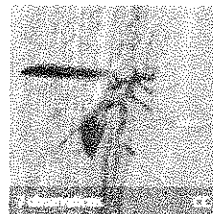
Newly Dancer



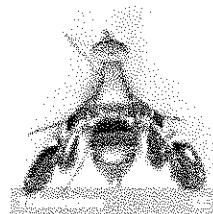
Noon Skimmer



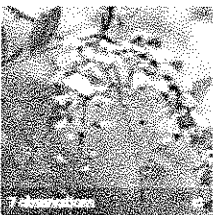
Red Saddletop



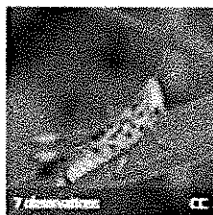
Matrix Paper Wasp



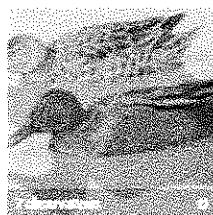
Common Picture-wing



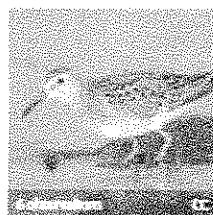
Ivo's Necklace



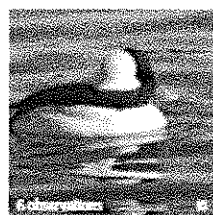
Admiral Grasshopper



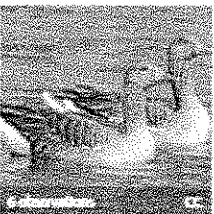
Cinnamon Teal



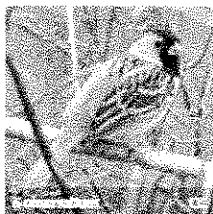
Pectoral Sandpiper



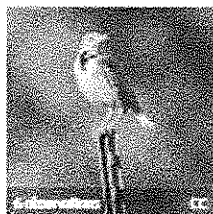
Bufflehead



Grayed Goose



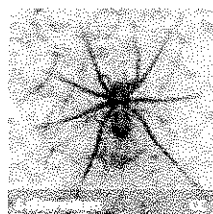
Horn's Sparrow



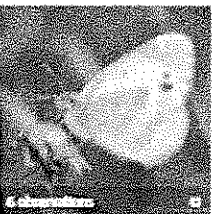
Eastern and Western...



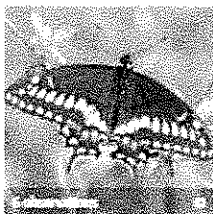
Yellow-bellied Sapsucker



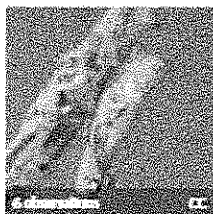
This winged Worf Spid...



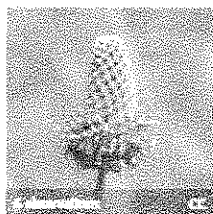
Daisy Sulphur



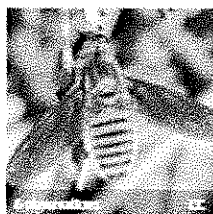
Black Swallowtail



Differenz Grasshopp...



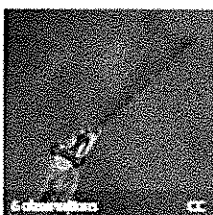
Purple Prairie Flower



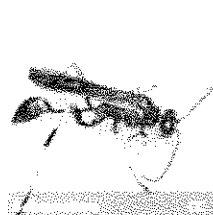
Bright Beetle



Great Golden Digger



Fronto Forktail



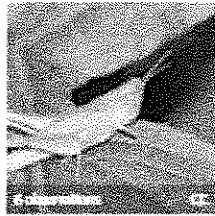
Yellow-legged Mustid



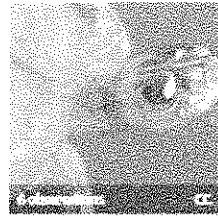
Herd's Leaf-horned Bug



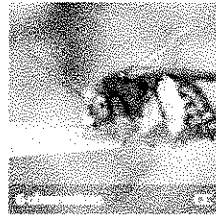
Red-legged Grasshopper



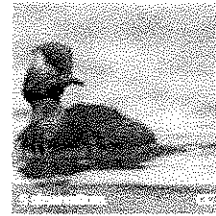
Short-winged Green Gull



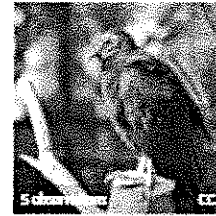
Queen's Map Turtle



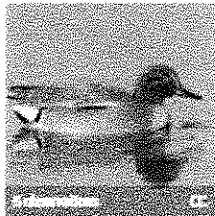
Two-spotted Longhorn Beetle



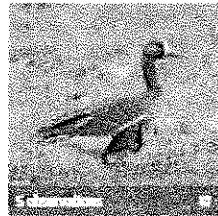
Lared Goose



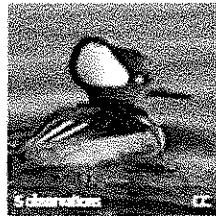
Black Vulture



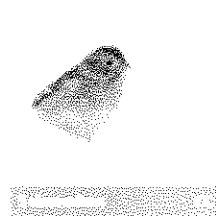
Green-winged Teal



Greater White Ibis



Hooded Merganser



Field Sparrow



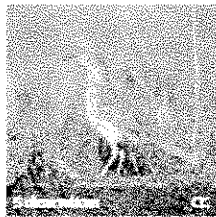
White-crowned Sparrow



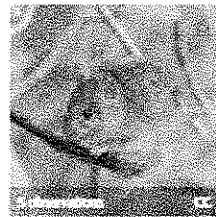
Baltimore Oriole



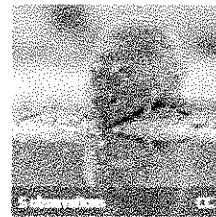
Loggerhead Shrike



Brown Thrasher



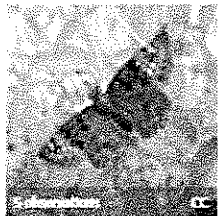
Black Rat



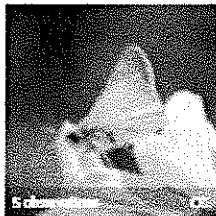
Hispid Cotton Rat



American Sycamore



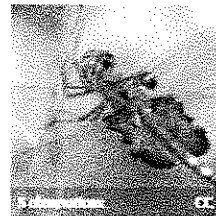
Horace's Duskywing



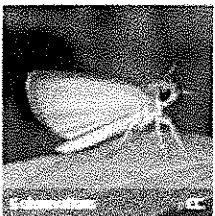
Sachem



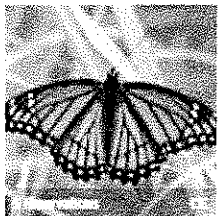
Buttermilk



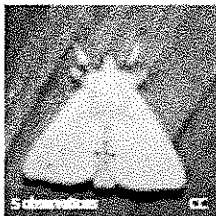
Black Saddlebags



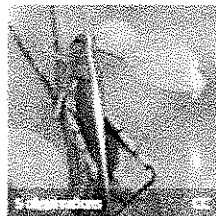
Least Skipper



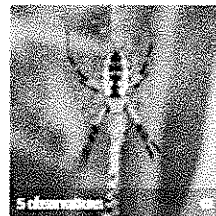
Viceroy



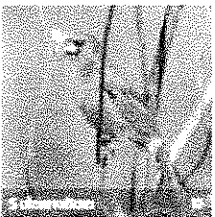
Vigintine Tree Moth



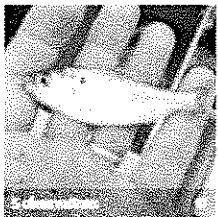
Obscure Red Grasshopper



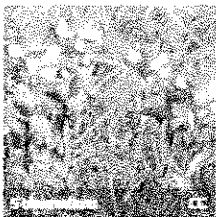
Yellow Garden Spider



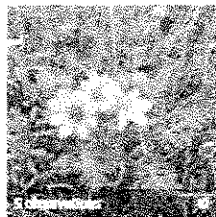
Blue Grasshopper



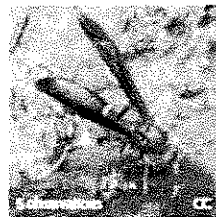
Threadfin Shad



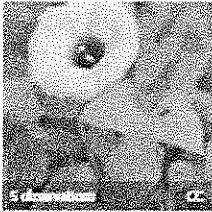
Texas Paintbrush



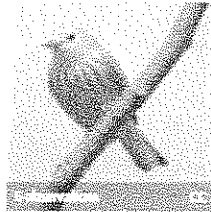
Engelmann Daisy



Blued Fiber Wasp



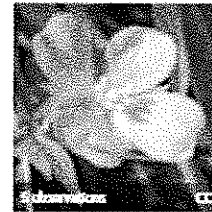
Toadstool
Boletus edulis



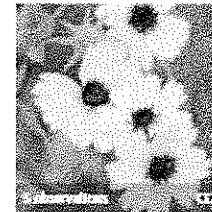
Yellow Warbler
Geothlypis trichas



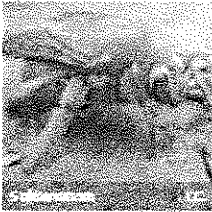
Four-banded Shore Lark
Amphispiza bilineata



Mexican Petrel
Pterodroma externa



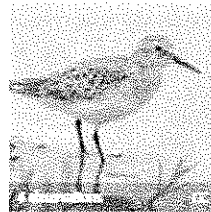
Salt Grewinghead
Chloroceryle alpestris



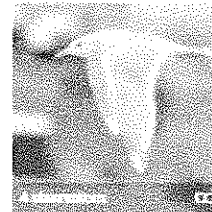
Valley Carpenter Bee
Cryptorhiza cellaris



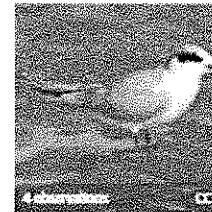
Acridothera tristis



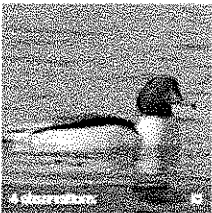
Baird's Sandpiper
Bartramia bairdii



Iceland Gull
Larus glaucus



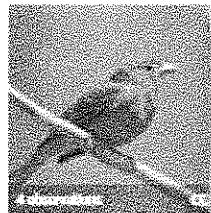
Forster's Tern
Sterna forsteri



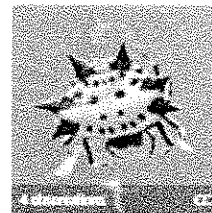
Common Merganser
Lophyrus maximiliani



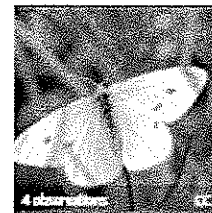
Ring-necked Duck
Aythya americana



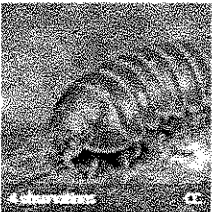
Summer Tanager
Tangara chilensis



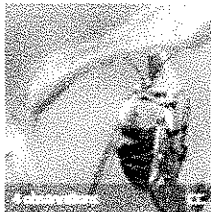
Spinybacked Orbweaver
Theridion australe



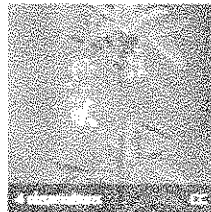
Cabbage White
Pieris rapae



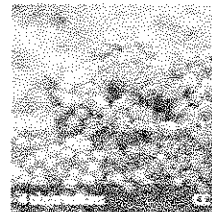
Common Pill Woodhouse
Stenocryptus pilosus



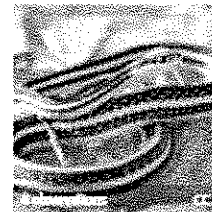
Horse Fly Carpenter
Phoradendron



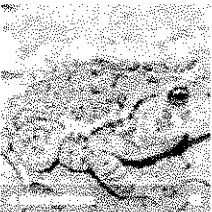
White Swallowtail
Papilio glaucus



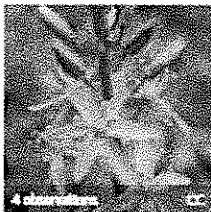
Marsh Itabano
Phragmites australis



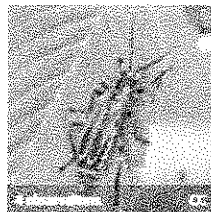
Western Ribbon Snake
Thamnophis elegans elegans



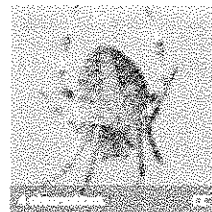
Woodhouse's Toad
Anaxyrus woodhousei



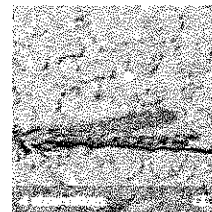
Atlantic Camas
Ipomoea pes-caprae



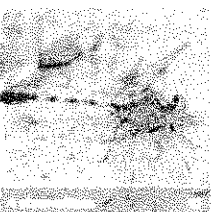
Margined Leatherwing
Chorizanthe marginata



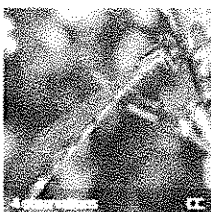
Spotted Orbweaver
Theridion punctatum



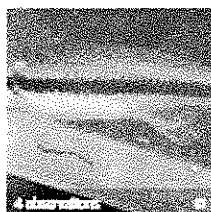
Springwater Dancer
Chorebus alpestris



Jade Chubcut
Chrysomelidae



Familiar Skout
Chrysomelidae



Blacktree Popemrew
Chrysomelidae



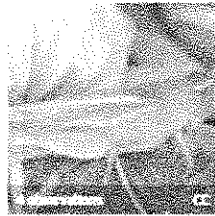
Blue-faced Meadowh
Chrysomelidae



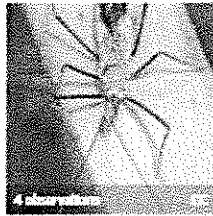
Common Green June B
Chrysomelidae



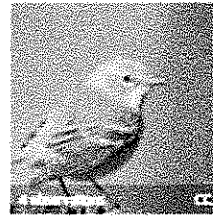
Little Yellow



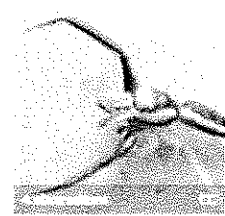
Green-striped Grasshopper



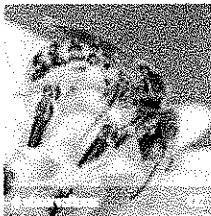
Milkweed Assassin Bug



Pine Warbler



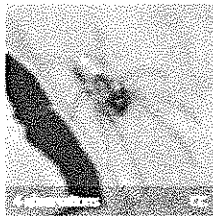
Common Hairy Jumper



Hairy-towered Bee



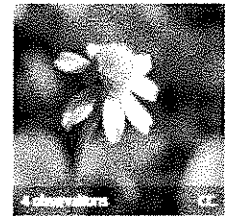
Yard Aster



Genus Embryo



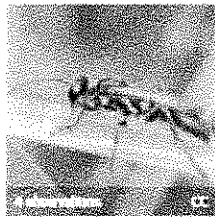
Glassy-winged Sharpshooter



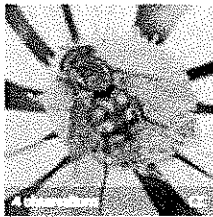
Oppositiflorous Sparrow



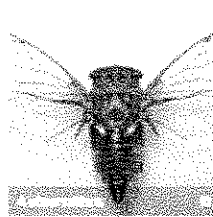
Garden Webworm Moth



Golden-stained Dagger



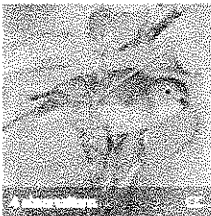
Archetypal marmoratus



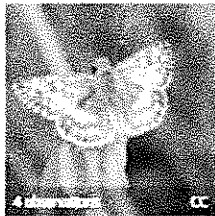
Scissor Grinder



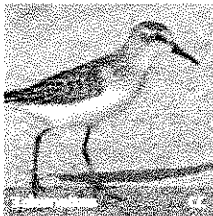
Greylag or Swan Goose



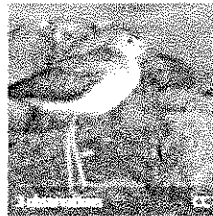
Nashville Warbler



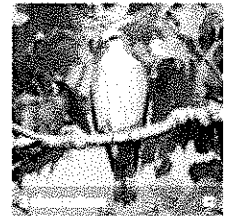
Common Checkered Skipper



Non-palmated Sandpiper



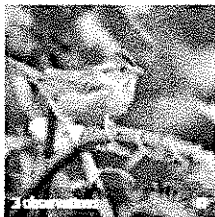
Greater Yellowlegs



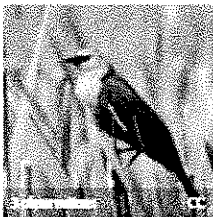
Mississippi Kite



American Black Duck



Swamp Sparrow



Yellow-headed Blackbird



Great-crowned Flycatcher



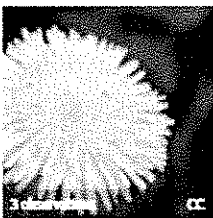
Common Box Turtle



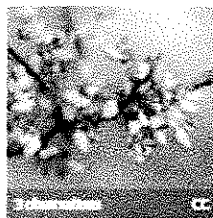
Coyote



Parrot Tree



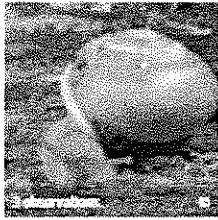
Common Dandelion



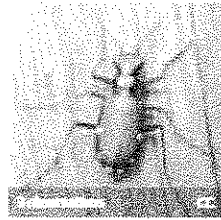
Eastern Redbud



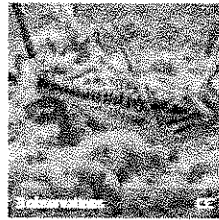
Cloudless Sulphur



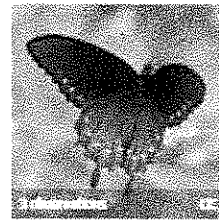
Polyblastus



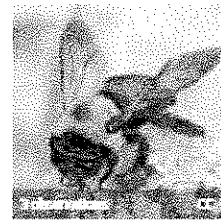
Six-spotted Tiger Beetle



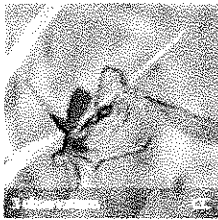
Largemouth Bass



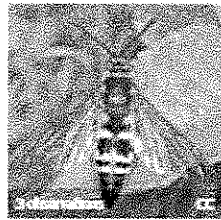
Pileolated Swallowtail



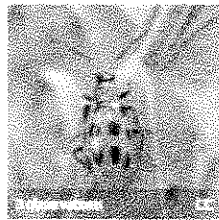
Eastern Carpenter Bee



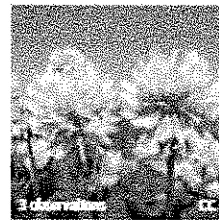
American Ruby-spot



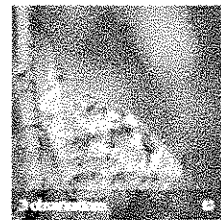
Eastern Canada kite



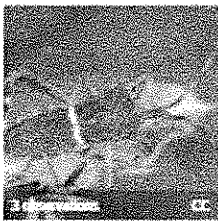
Spotted Cucumber Be...



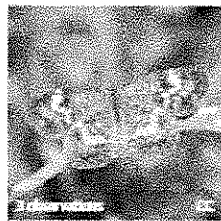
White Clover



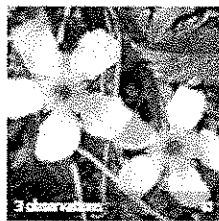
American Shrew



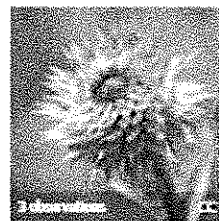
Eastern Leaf-footed Bug



Phoebe Crescent



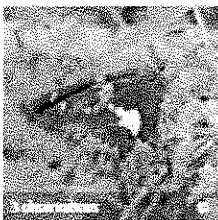
Southern Dewberry



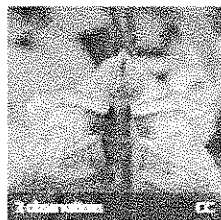
Black Trestle



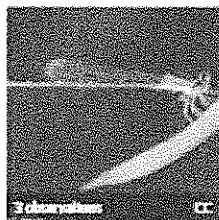
Common Catfish



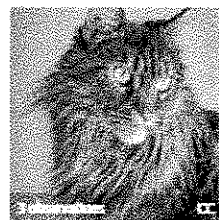
Silver-spotted Skipper



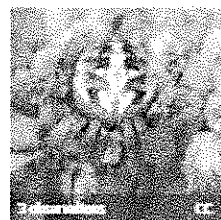
Walnut Sphinx



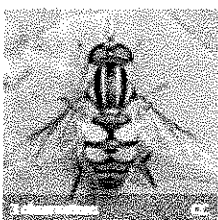
Cyathus Blue



Domestic Cat



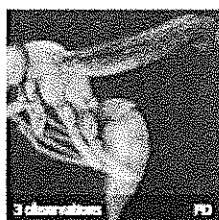
Arctostaphylos Oribeweaver



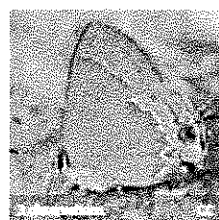
Narrow-headed Marsh...



Wrinkled Grasshopper



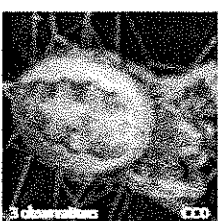
Fine-banded Red Paper...



Red-handed Hairstreak



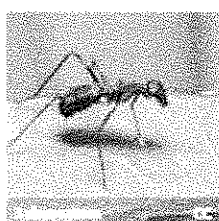
Spotted Pine Linyphiid



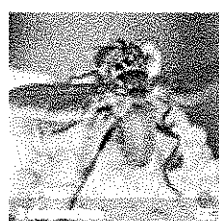
Furrow Greenbeetle



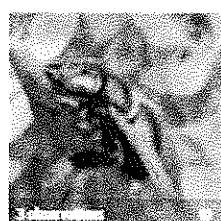
Greater Meadow Katy



Laccophilus thurstoni



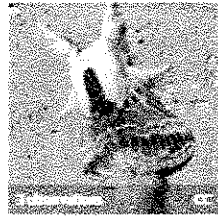
Swift Feather-winged Fly



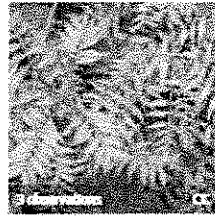
Southern Carpenter Bee



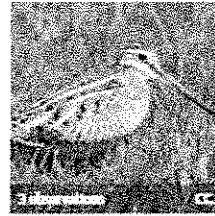
Abruzzi Digger Bee



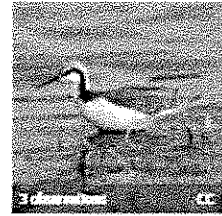
Large Tortoise Moth



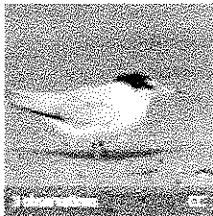
Chinese Pistache



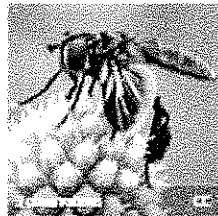
Wilson's Snipe



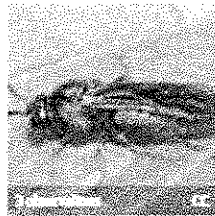
Wilson's Phalarope



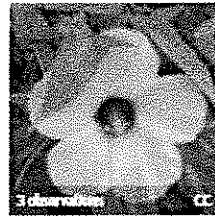
Least Tern



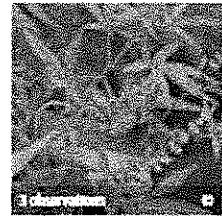
Box Horned Wasp



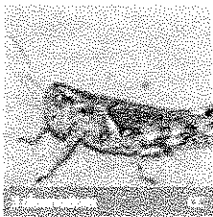
Poison Ivy Sowfly



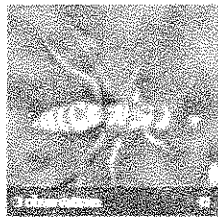
Harbor Seal Rosemary



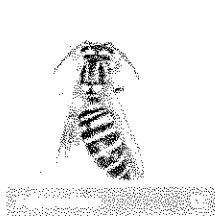
Utah Crested Tree



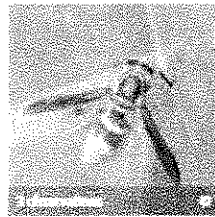
Ponderous Spar-throat



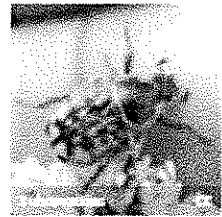
Apache Paper Wasp



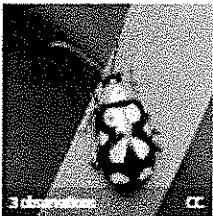
Southern Yellowjacket



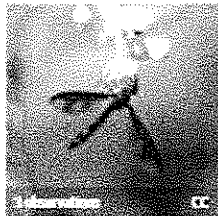
Euclypterus proterense



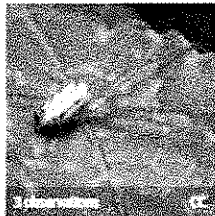
Kerr's Flower Scarab



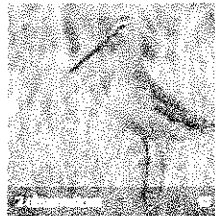
Eight-spotted Pea Bee



Dusky-winged Hover Fly



Orchard Oriwazer



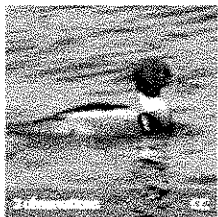
Long-billed Dowitcher



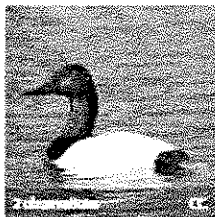
Horned Grebe



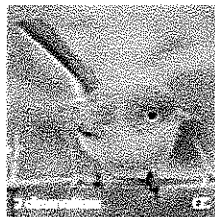
Sharp-shinned Hawk



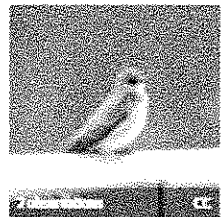
Red-breasted Merganser



Canvasback



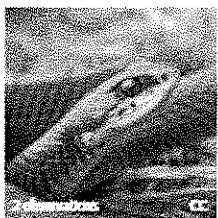
Blue-gray Gnatcatcher



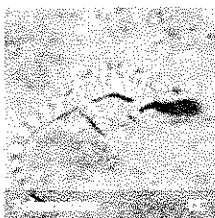
Northern Rough-winged Swallow



Least Flycatcher



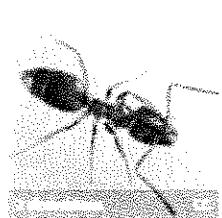
North American Osprey



Mediterranean House Wasp



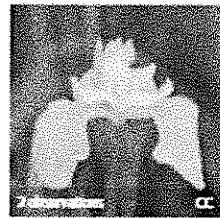
Nine-banded Armadillo



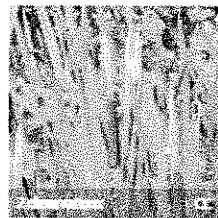
Occocon House Ant



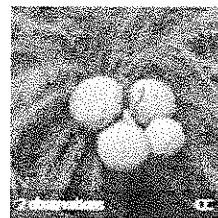
Redstart Spoke's Bit



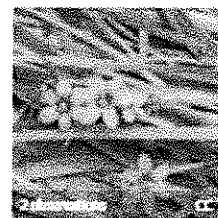
Yellow Iris



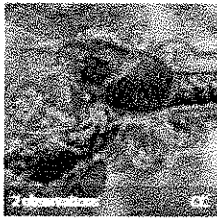
Broadleaf Cattail



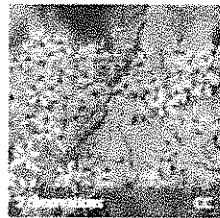
Bardicrypta



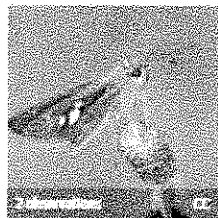
Narrow-leaved Blue-eye...



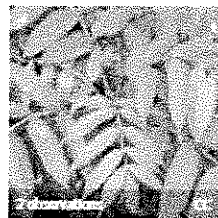
Red Swamp Crayfish



Chimberry



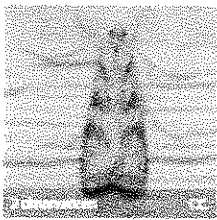
Brazilian Skipper



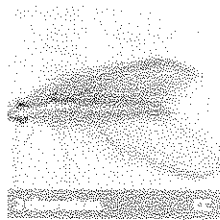
Ashes



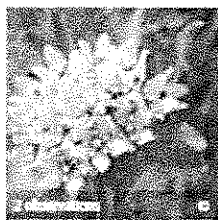
White Towardia



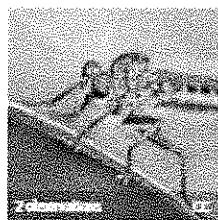
Lucerna Moth



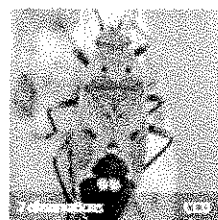
Red-tipped Grass Laca...



Green Antelopehorn



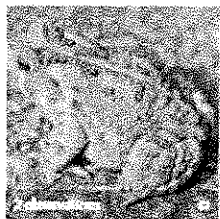
Elytra americana



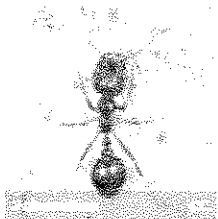
Small Milkweed Bug



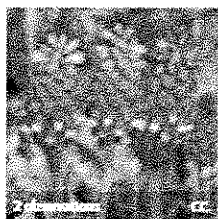
Genus: Gerris



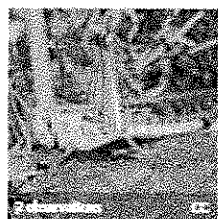
American Toad



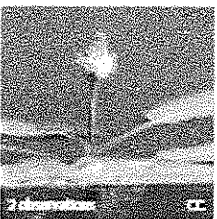
Red Imported Fire Ant



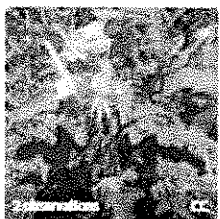
Grape Hyacinth



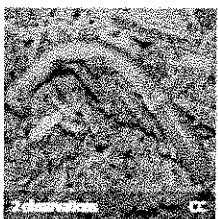
American Bird Grass...



Water Smartweed



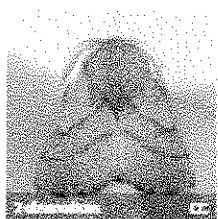
Western Hornsuckle



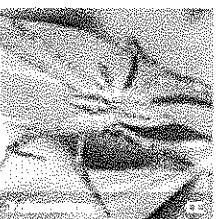
Common Lambworm



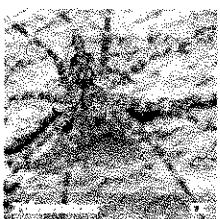
Heteropoda Curculion



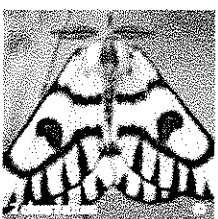
Forest Tent Caterpillar...



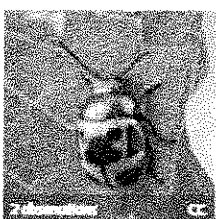
Grass Spiders



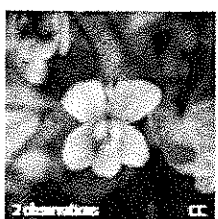
Dark Fishbone Spider



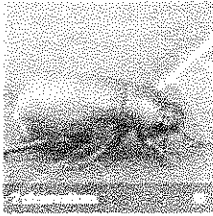
Sheepcress



Swamp Milkweed Leaf



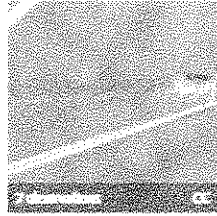
Common Blue Violet



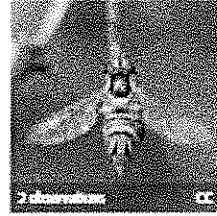
May Beetle



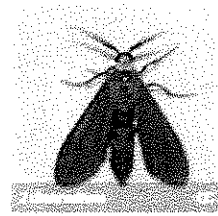
Smoothmouth Buffalo



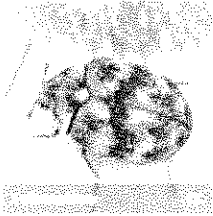
Desert Hexas



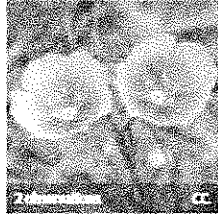
Oblique Streaked



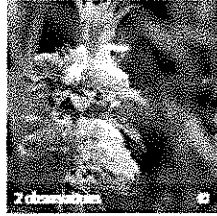
Yellow-collared Scaps



Varied Carpet Beetle



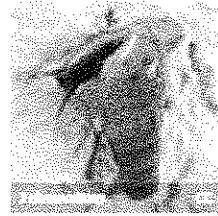
Yellow Tax



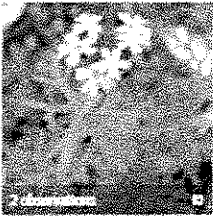
Lemon Becham



Secretless Lady Beetle



Buccellate Spas



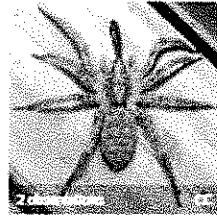
Dakota Mock Varsen



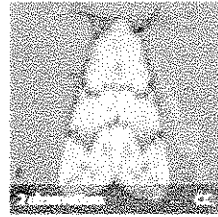
Zopherus rotundus



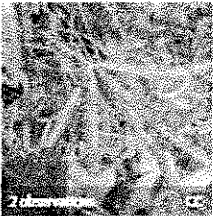
Metallic Sweet Eels



Hogna umaticana



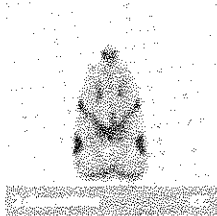
Fall Webworm Moth



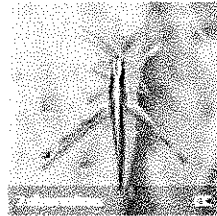
Carclaw Bins



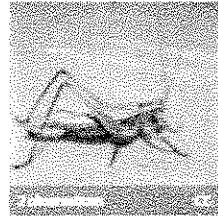
Genus Chrysis



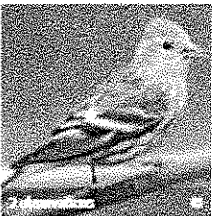
Garden Tortix



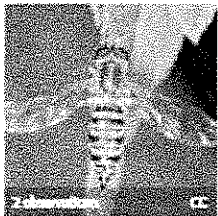
Two striped Marmaris



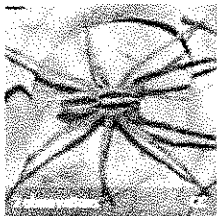
Black-legged Meadow



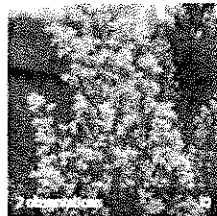
Pine Siskin



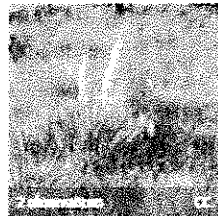
Matae Catterpiner



Rosed Wirt Sparer



Rovarty Weed



Arkansas Yucca



Genus Gyrtaxo



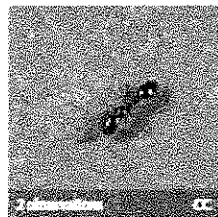
Sad Underwing



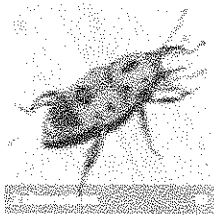
Texas Flower Scarab



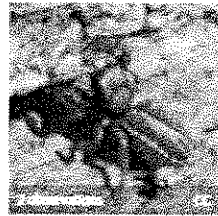
Camponotus discipulus



Little Black Ant



Cockstar Weevil



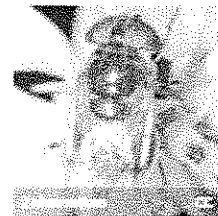
Ribbon Jumping Spider



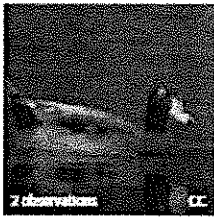
Black-eyed Euclypt Wasp



Scaly Bee Fly



Induscent Brown-tailed Fly



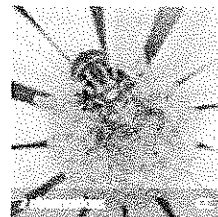
Mallard's Muscovy Duck



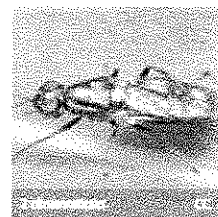
Double-banded Phoebe



Coarse-backed Red Phoebe



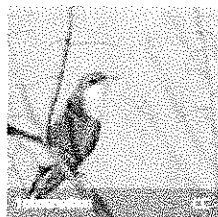
Tropical Pushback



Myrmecurus nigrocornis



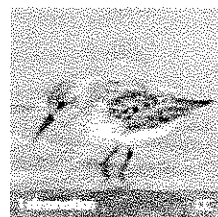
Vigors Rail



Yellow-billed Cuckoo



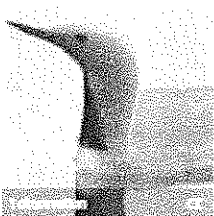
White-faced Ibis



Western Sandpiper



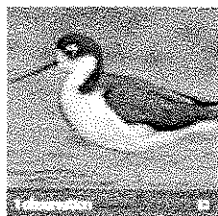
Solitary Sandpiper



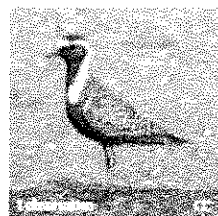
Red-throated Loon



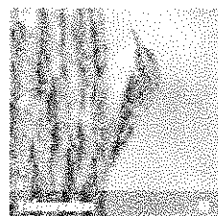
Crested Ibis



Black-necked Stilt



American Golden Plover



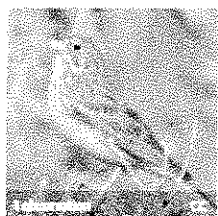
Brown Crayfish



Orchard Oriole



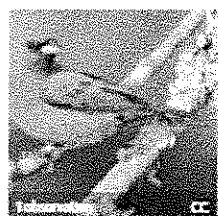
Spotted Towhee



Vesper Sparrow



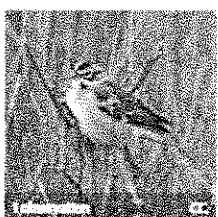
Painted Bunting



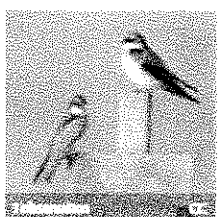
Indigo Bunting



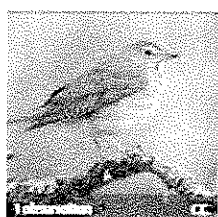
American Redstart



Lark Sparrow



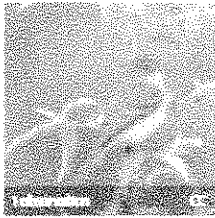
Tree Swallow



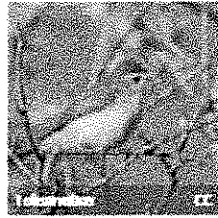
Swainson's Thrush



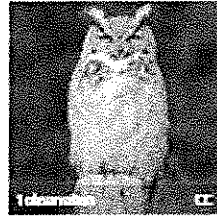
Scale-breasted Munia



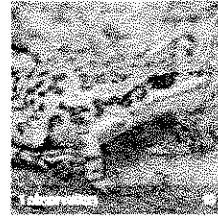
Willow Flycatcher



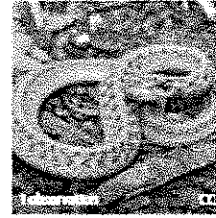
Warbling Vireo



Great Horned Owl



Spotted Chorus Frog



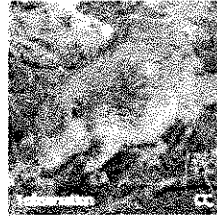
Dickey's Brownsnake



Rough Greensnake



Striped Skunk



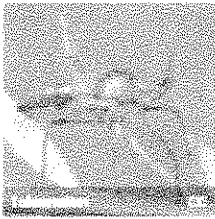
American Beaver



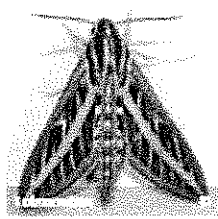
Big-headed Ant



American Lady



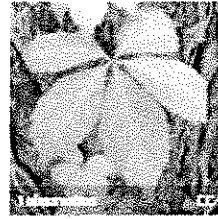
Wheel Bug



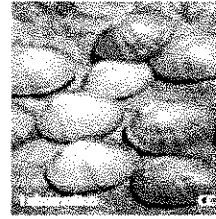
White-lined Sphinx



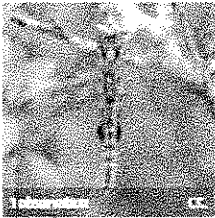
Eastern Giant Swallowtail



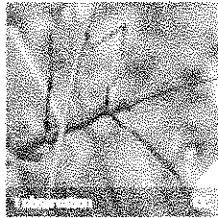
Virginia Creeper



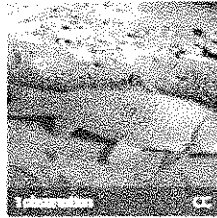
River Muscaddie



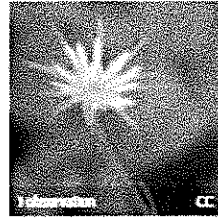
Spine-winged Glider



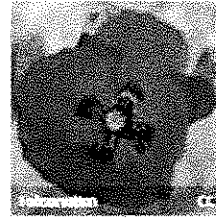
Genus Mazaphysma



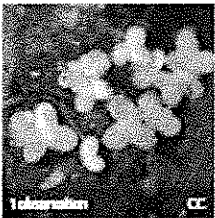
European Carp



Yellow Salsify



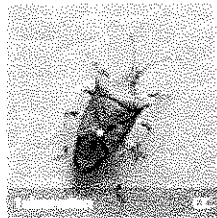
Common Peppy



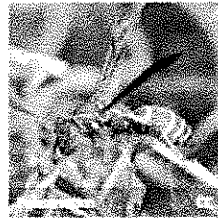
Common Duckweed



Common Pea



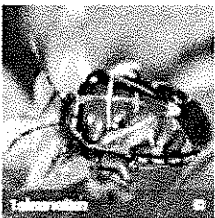
Black Stink Bug



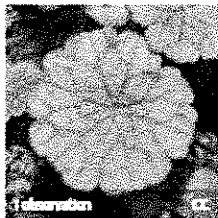
Hutter's Little Paper Wasp



Genus Phaedonoxys



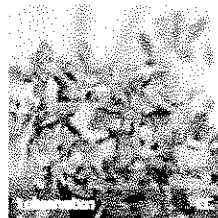
Harlequin Bug



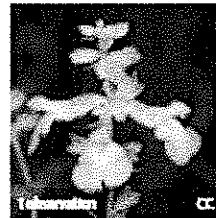
Water Pennywort



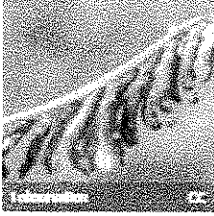
Genus Graphocphata



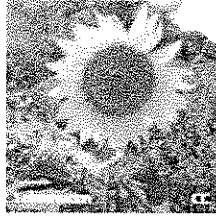
Black Medick



Giant Blue Sedge



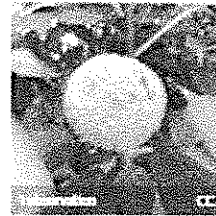
Hairy Vetch
Vicia villosa



Cottontail Sunflower
Helianthus scaberrimus



Honey Mesquite
Prosopis juliflora



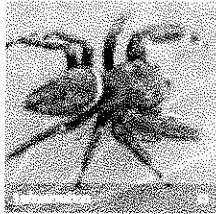
Orange
Citrus sinensis



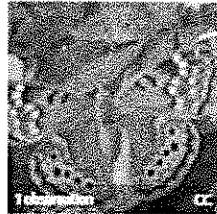
Johnsongrass
Sorghum intrans



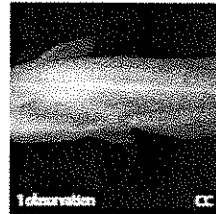
Southern Bulrush
Scirpus americanus



Brighton Jumping Spider
Phidippus opifex



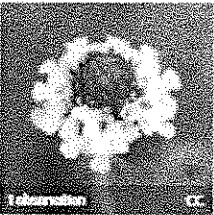
Giant Swallowtail
Papilio deion



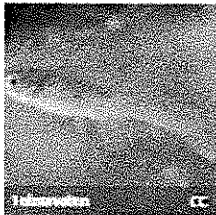
Yellow Butterfly
Heliconia cydno



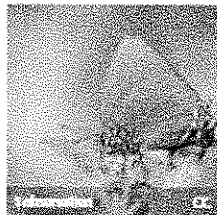
Pond Skimmer
Psephenus hyalinus



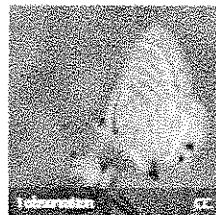
Turkey Vulture
Cathartes aura



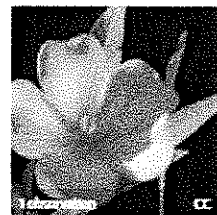
Western Mosquitofish
Gambusia affinis



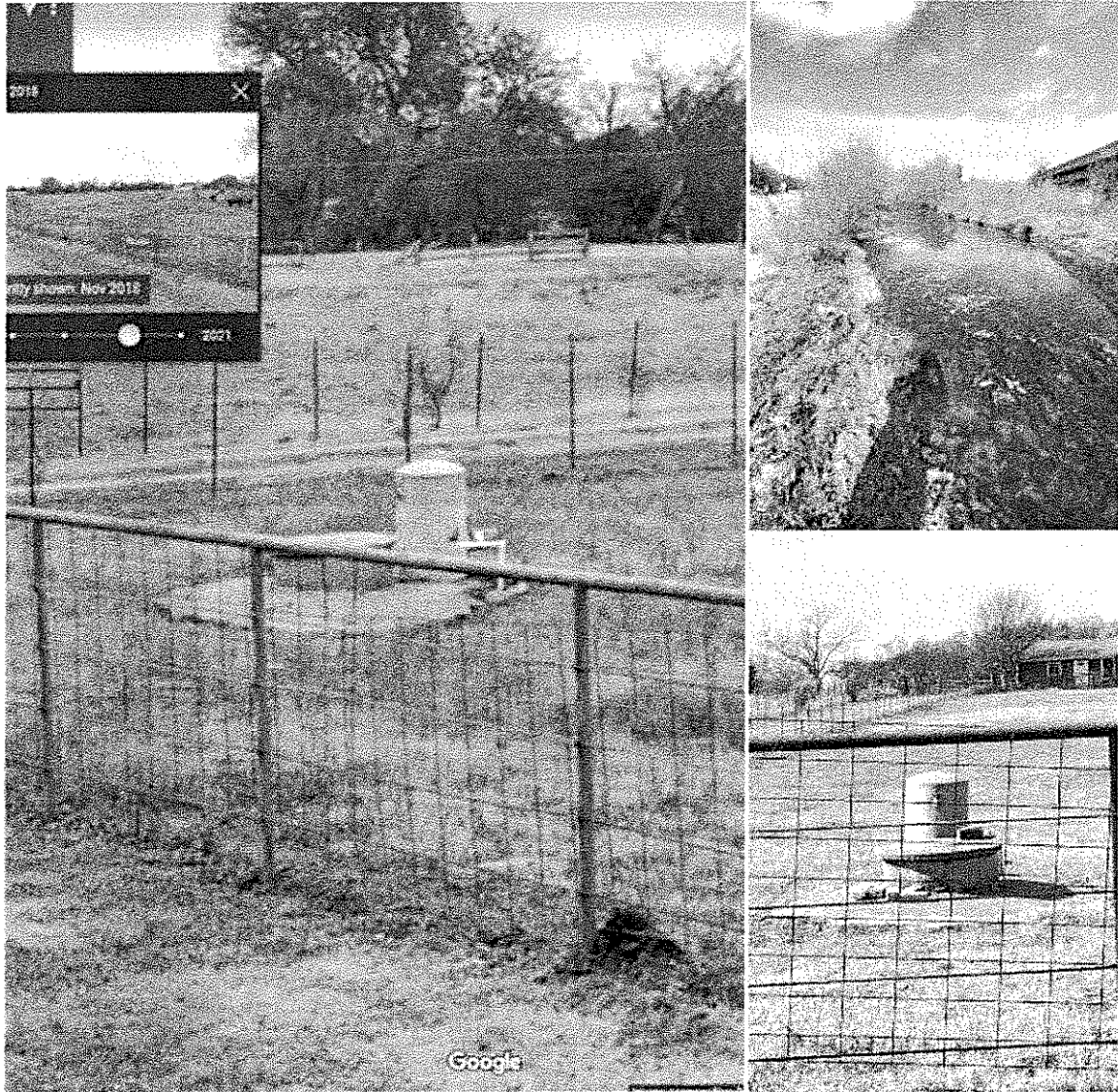
Great Purple Heron
Ardea herodias



Marine Blue
Glaucopsyche cyzicus



Florida Princess-Worm
Amynthas albertus



Water well at 147 S Maxwell Creek Rd, within 60 feet or so from the creek, down stream from the proposed discharge point.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:50 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: hernandezmayela@hotmail.com <hernandezmayela@hotmail.com>
Sent: Wednesday, November 24, 2021 10:17 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: hernandezmayela@hotmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147979754

FAX:

COMMENTS: TCEQ ED and staff, I, Mayela Malczewski am requesting Contested hearing based on my direct view of the property under permit consideration and due to facts as follows. The proposed high density and poorly proposed development wedges between almost fully developed cities of Murphy and Parker does not conform to standards in our communities, does not consider health impact, human quality of life impact, does not include their own parks for the high density development they propose which will burden and overcrowd our few surrounding nearby parks, like Aviary

or Liberty, or Rose Garden and community gathering areas like Murphy Central park sports complexes and open air summer concert area close to Maxwell Creek. Moreover as a result of this proposed development my house value and that of our community will be negatively impacted, which while TCEQ may not care about, our rights and property are just as important as those of the Turner tract owner. Except we already invested everything in our properties for the long run, maybe even retirement. Our properties will be affected because of the plant's operation, use, and unsightly construction. Chemicals, bacteria, and other organisms from wastewater treatment facilities have been shown in many studies to be airborne during the treatment process (think weekly sludge removal by trucks), especially in windy and humid conditions. Those living near the plant and those who use the creek and surrounding ponds for recreation may also be exposed to eye and skin irritation, and other health issues especially given the fact that the plant is self regulated by the most part, with almost no oversight after its in operation. And please don't try to state that self monitoring is effective and proven as TCEQ endless violations and penalties to permit holders would argue otherwise. Wastewater treatment plants may also attract flies and other pests. These insects pose a risk of spreading bacteria and chemicals from the wastewater treatment facility into the community. Why would anyone knowingly buy a house with this thing within a half mile? The wastewater treatment process often emits foul odors and be a nuisance to those living nearby or north for much farther due to typical south winds here. Also, these facilities failures, especially smaller ones with ill trained operators. These failures can result in the flooding of the facility and surrounding areas with untreated effluent and/or high concentration of chemicals. Poorly designed and smaller wastewater treatment plant tanks can develop cracks and can leak and contaminate underlying soils and groundwater. Thanks

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 25, 2021 4:46 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: MUD_Brief_Oct1920211.docx

eComment = H
attachment = H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Monday, October 25, 2021 4:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: I am requesting CONTESTED HEARING for this permit application. This is on grounds of numerous errors, omissions, and insufficiently addressed ESG problems the proposed development will create. Please see attached. Thank you.

Andrew Malczewski
1328 Thornwood Dr
Murphy TX 75094
Collin County
214-797-5093

Hi my name is Andrew Malczewski and I live in Rolling Ridge 5 subdivision on Rolling Ridge drive facing the 101 acre property where Margaret Hunt and Restore the Grassland LLC developers have quietly applied for permit to develop that land thru Special political entity under state of Texas laws called Municipal Utility District (in short MUD). MUD is permitted thru Tx Commission on Env Quality (aka TCEQ) agency in Austin which allows it to more or less circumvent the bylaws and standards of the communities and cities that surround it. The key aspect of the proposed MUD is to build a water sewer treatment plant right in our backyards. Such waste water treatment plants, can give out pungent stench for miles (think plant at Los Rios/14st in East Plano next to PIT soccer fields) and should not be in within a 100 yards of residences and Hunt Elem school. Flooding related to this development will also be a major problem, that is not at all being addressed by the proposed permit application. We are outraged and we are fighting to have their application for permit for the wastewater treatment plant denied at TCEQ.

Developer's water treatment facility proposal includes daily discharge of 200-400,000+ of gallons of treated wastewater with all the chemicals straight into our beautiful Maxwell Creek just a mile north of Central Park. That amount of water on an average summer day may be up half the creeks water volume. Maxwell creek runs thru Murphy's finest nature preserve trails and jogging areas, behind the MMS and McMillen schools and behind our athletic stadium complex with soccer fields and many residential areas on both sides of the creek. Our kids in athletics run every day along those trails and may walk thru or even wash their faces with the water (my son used to do that with his McMillen friends). The creek is relatively close to our PSA sports complex were kids play soccer and other sports almost daily throughout the year and where we enjoy summer days at the concerts in our city's amphitheater.

While the MUDs were created to provide services such as water in areas where city services are not available, I don't believe the situation here warrants the MUD and water treatment facility permit as the property is in the middle of Parker and Murphy, not in undeveloped area. MUDS have only TCEQ oversight which sits in Austin and hundreds of water quality violations with penalties can be found in public records reported each year by TCEQ. If the application and permit is approved, developer will be able to do whatever they want to maximize their profits. Which means high density development, maybe even low income. That means overcrowding at our schools, more people in our parks that don't pay our taxes, more noise, possibility of worse flooding around Gregory Lane as documented in the past few years, more traffic on southbound Murphy Rd since development will have only one way in and out, but worst of all is the bad smell that will hang in the air and the negative impact the bad water in Maxwell Creek will have on our wildlife and our enjoyment of the clean and beautiful creek.

Points for CONTESTED HEARING

Permitting Issues

1. Lack and disregard for proper public notice in the communities that are affected by the proposed MUD developers or TCEQ (no one has ever heard of Collin County Register). Many residents that have corner houses along Rolling Ridge that face the land being discussed here were not ever notified including myself. There is a small HOA green zone but we are still impacted and affected parties. Sending letter to HOA entity is not sufficient notification. HOA is not affected people.
2. Public and communities did not have proper time for meaningful feedback and as of preliminary permit being granted, a huge number of community member (including surrounding are city officials) are just starting to discuss this topic. We ask that permit process is tabled for 3 months from current time line, to allow communities to have their voice heard. Communities found out of this first in Early October 2021.
3. Preliminary permit application that was granted in late October contains lots of false, incorrect or inaccurate and possibly irrelevant due to time passage statements and attachments. Using documents from 1961 about this area is absolutely irrelevant and insufficient. This is now a major and almost built our area of developed communities with Plano Independent Schools, one of the nation's biggest school districts. No one was given time to review the permits except TCEQ in Austin, who would know absolutely nothing about our communities, or the actual situation wrt the property being discussed.
4. Contested hearing being set for Dec 6 is too early as described above. Our communities (Murphy, Parker, Sachse, Lucas, others) also **STRONGLY** object to this being an online ZOOM/remote call. We strongly suggested that TCEQ come out to our community and hear our concerns live. Covid 19 in the state of TEXAS, in accordance with Gov Abbot's orders, should not be used as an excuse by a government agency to not offer our right to a live hearing.

Environmental, Social and Governance Points of Contest

1. Flooding concerns are not concerns. Flooding in the Maxwell Creek basin in cities of Parker, Murphy and Sachse is real and is happening in some areas already. It will be greatly exaggerated by the property development as it stands, given no effort is being taken to even address this by the TCEQ and/or developers. Current 101 acre area is open land that can absorb a lot of rain water. The remaining runoff is mostly captured by huge ditch and drain system on Murphy side in green/HOA zone and water that breaches that, by street sewer systems all along Rolling Ridge Dr in Rolling Ridge subdivision 5, and also 3 and 4, that were put in by Shaddock/other developers who were very aware of the flooding problems from the North. These drains will not collect any runoff if the proposed developer concretes over majority of the land as proposed in the permit application. All the runoff will drain directly to Maxwell Creek thru streets. In a typical fast 2 inch rain event, 101 acre property will generate roughly 5.5 million gallons of water runoff. That's enough water to fill the small Maxwell Creek up to 7 feet high for a mile and a half (roughly distance between discharge point and Murphy city complex along with School and Parks complex. Minor flooding is also already occurring regularly north of the proposed site as well. Flooding will occur at much higher rate and level than ever before. And TCEQ and developer will be held liable without addressing this issue. A study is needed to come up with

solution. Likely, large runoff retainage ponds are needed and need to be included in the permit application process.

2. Creek flow as disclosed in application is inaccurate. Creek does NOT dry up for any period of time in summers or at any time. Maxwell creek is not some random ditch with somewhat discolored water! We have many residents that have been on this creek for 20 or 30 years that can attest to that! This creek, while small, flows all year and has plenty of deeper points along the way in, at times heavily wooded area, with trails and crossing hiker/jogger bridges in multiple places in Murphy proper. It is at most times clean, with clear water even in middle of summer. It supports frogs, fish, turtles and all sorts of other wildlife that our residents and children love and enjoy. Skunks, bob cats, snakes, foxes, coyotes, hawks and falcons, owls, and many other migrating birds call this area home or fly thru headed south every fall. The area is on Canadian geese migration route and in large numbers feed in this area and fly thru every fall. Maxwell Creek is not a ditch. It's part of large echo system with many tributaries and fishing ponds connecting to it. Our kids have caught large catfish in ponds like Liberty Park (0.4 miles south of the proposed discharge point) and have cooked and eaten their fish. Annual trout roundup is attended by hundreds of kids and they catch and keep their fish. These ponds are part of Maxwell creek basin.
3. Two Historical Society designated cemeteries, McMillen and Decatur/Maxwell/Murphy, are along the Maxwell Creek banks and will be in danger of flooding and erosion without any mitigation if the proposed developments happens as proposed. These burial sites are for many of the early settlers in this area and go back to 1850's.
4. Air pollution concerns. The stench of moving human waste does not need to be explained. We have schools and residential areas all around and this is totally unnecessary, if developers would only chose to work with the Parker and Murphy cities to sensible end.
5. Treated waste water discharge/pollution into Maxwell creek will severely and negatively impact wild life. Most time, 200-400,000 gallon daily discharge will overwhelm the natural creek and as much as 50-70% of total creek volume may consist of treated chlorinated water within few miles downstream of discharge point. At proposed chemical levels, life that depends on the creek will be destroyed or heavily damaged. And we hope that the proposed owners don't dump water at higher level illegally, as per review of TCEQ violations, seems to happen a lot in Texas MUDs, and penalties by TCEQ amount to little more than slap on the hand. Residual effluents may find their way to our fishing ponds and even old water wells that may still be around. The proposed treatment plant is not like a major city facility that may do a really good jobs to filter out all these toxins.
6. Governance. First, while the state of Texas has unfortunately taken much power from local municipalities and allows MUDs to run over cities, it does not mean that the TCEQ has the right to approve MUDs without hearing from the public, cities, counties, and others that actually are impacted by decisions made in Austin. This small 101 acre property is tucked right along the border of Murphy and Parker. Both are very developed and self-sufficient cities, and MUDs is certainly overreaching their need and power to allow it here. There is fully developed infrastructure here, IF the developer would only want to follow the area regulations and ordinances and come work out their differences with local cities. There are water and sewer connections close by, which would eliminate the need for the waste water plant and the harmful waterway and air pollution, but the developers for financial gain reasons are pursuing

this avenue to maximize profit over ESG issues. If the permit is denied they will simply develop this land in accordance with surrounding cities. They need to go and work this out with local communities, not state government in Austin.

7. Current permit application shows one entry and one exit to a neighborhood with 500-700 residential units. In any major emergency, one way in and out is not supportive of that many people in 100 acre area. This is unsafe and unreasonable amount of single family type units without secondary emergency exit, especially given flooding will be a concern and entry will have to cross over the creek. Police will also have difficult time with high density area, especially that row town homes are proposed closest to main road entrance, with dense residential area shielded from line of sight from main roads. This will have potential of becoming high crime area. Speaking of police, Parker police does not have capacity or incentive to police this. Since this is a MUD who will respond to EMS calls, who will be responsible for keeping this MUD clean and properly functioning.
8. Schools impact. The proposed high density residential development will overwhelm nearby Hunt Elementary and may overwhelm Middle School as well. There is no mention of school overcrowding in any of the proposed documents. Marth Hunt elementary is already at full capacity and was expanded 2 years ago. Where will those kids go?

Sincerely

Andrew Malczewski

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 25, 2021 4:46 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: MUD_Brief_Oct1920211.docx

eComment = H
Attachment = H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Monday, October 25, 2021 4:19 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: I am requesting CONTESTED HEARING for this permit application. This is on grounds of numerous errors, omissions, and insufficiently addressed ESG problems the proposed development will create. Please see attached. Thank you.

Andrew Malczewski
1328 Thornwood Dr
Murphy TX 75094
Collin County
214-797-5093

Hi my name is Andrew Malczewski and I live in Rolling Ridge 5 subdivision on Rolling Ridge drive facing the 101 acre property where Margaret Hunt and Restore the Grassland LLC developers have quietly applied for permit to develop that land thru Special political entity under state of Texas laws called Municipal Utility District (in short MUD). MUD is permitted thru Tx Commission on Env Quality (aka TCEQ) agency in Austin which allows it to more or less circumvent the bylaws and standards of the communities and cities that surround it. The key aspect of the proposed MUD is to build a water sewer treatment plant right in our backyards. Such waste water treatment plants, can give out pungent stench for miles (think plant at Los Rios/14st in East Plano next to PIT soccer fields) and should not be in within a 100 yards of residences and Hunt Elem school. Flooding related to this development will also be a major problem, that is not at all being addressed by the proposed permit application. We are outraged and we are fighting to have their application for permit for the wastewater treatment plant denied at TCEQ.

Developer's water treatment facility proposal includes daily discharge of 200-400,000+ of gallons of treated wastewater with all the chemicals straight into our beautiful Maxwell Creek just a mile north of Central Park. That amount of water on an average summer day may be up half the creeks water volume. Maxwell creek runs thru Murphy's finest nature preserve trails and jogging areas, behind the MMS and McMillen schools and behind our athletic stadium complex with soccer fields and many residential areas on both sides of the creek. Our kids in athletics run every day along those trails and may walk thru or even wash their faces with the water (my son used to do that with his McMillen friends). The creek is relatively close to our PSA sports complex were kids play soccer and other sports almost daily throughout the year and where we enjoy summer days at the concerts in our city's amphitheater.

While the MUDs were created to provide services such as water in areas where city services are not available, I don't believe the situation here warrants the MUD and water treatment facility permit as the property is in the middle of Parker and Murphy, not in undeveloped area. MUDS have only TCEQ oversight which sits in Austin and hundreds of water quality violations with penalties can be found in public records reported each year by TCEQ. If the application and permit is approved, developer will be able to do whatever they want to maximize their profits. Which means high density development, maybe even low income. That means overcrowding at our schools, more people in our parks that don't pay our taxes, more noise, possibility of worse flooding around Gregory Lane as documented in the past few years, more traffic on southbound Murphy Rd since development will have only one way in and out, but worst of all is the bad smell that will hang in the air and the negative impact the bad water in Maxwell Creek will have on our wildlife and our enjoyment of the clean and beautiful creek.

Points for CONTESTED HEARING

Permitting Issues

1. Lack and disregard for proper public notice in the communities that are affected by the proposed MUD developers or TCEQ (no one has ever heard of Collin County Register). Many residents that have corner houses along Rolling Ridge that face the land being discussed here were not ever notified including myself. There is a small HOA green zone but we are still impacted and affected parties. Sending letter to HOA entity is not sufficient notification. HOA is not affected people.
2. Public and communities did not have proper time for meaningful feedback and as of preliminary permit being granted, a huge number of community member (including surrounding are city officials) are just starting to discuss this topic. We ask that permit process is tabled for 3 months from current time line, to allow communities to have their voice heard. Communities found out of this first in Early October 2021.
3. Preliminary permit application that was granted in late October contains lots of false, incorrect or inaccurate and possibly irrelevant due to time passage statements and attachments. Using documents from 1961 about this area is absolutely irrelevant and insufficient. This is now a major and almost built our area of developed communities with Plano Independent Schools, one of the nation's biggest school districts. No one was given time to review the permits except TCEQ in Austin, who would know absolutely nothing about our communities, or the actual situation wrt the property being discussed.
4. Contested hearing being set for Dec 6 is too early as described above. Our communities (Murphy, Parker, Sachse, Lucas, others) also **STRONGLY** object to this being an online ZOOM/remote call. We strongly suggested that TCEQ come out to our community and hear our concerns live. Covid 19 in the state of TEXAS, in accordance with Gov Abbot's orders, should not be used as an excuse by a government agency to not offer our right to a live hearing.

Environmental, Social and Governance Points of Contest

1. Flooding concerns are not concerns. Flooding in the Maxwell Creek basin in cities of Parker, Murphy and Sachse is real and is happening in some areas already. It will be greatly exaggerated by the property development as it stands, given no effort is being taken to even address this by the TCEQ and/or developers. Current 101 acre area is open land that can absorb a lot of rain water. The remaining runoff is mostly captured by huge ditch and drain system on Murphy side in green/HOA zone and water that breaches that, by street sewer systems all along Rolling Ridge Dr in Rolling Ridge subdivision 5, and also 3 and 4, that were put in by Shaddock/other developers who were very aware of the flooding problems from the North. These drains will not collect any runoff if the proposed developer concretes over majority of the land as proposed in the permit application. All the runoff will drain directly to Maxwell Creek thru streets. In a typical fast 2 inch rain event, 101 acre property will generate roughly 5.5 million gallons of water runoff. That's enough water to fill the small Maxwell Creek up to 7 feet high for a mile and a half (roughly distance between discharge point and Murphy city complex along with School and Parks complex. Minor flooding is also already occurring regularly north of the proposed site as well. Flooding will occur at much higher rate and level than ever before. And TCEQ and developer will be held liable without addressing this issue. A study is needed to come up with

solution. Likely, large runoff retainage ponds are needed and need to be included in the permit application process.

2. Creek flow as disclosed in application is inaccurate. Creek does NOT dry up for any period of time in summers or at any time. Maxwell creek is not some random ditch with somewhat discolored water! We have many residents that have been on this creek for 20 or 30 years that can attest to that! This creek, while small, flows all year and has plenty of deeper points along the way in, at times heavily wooded area, with trails and crossing hiker/jogger bridges in multiple places in Murphy proper. It is at most times clean, with clear water even in middle of summer. It supports frogs, fish, turtles and all sorts of other wildlife that our residents and children love and enjoy. Skunks, bob cats, snakes, foxes, coyotes, hawks and falcons, owls, and many other migrating birds call this area home or fly thru headed south every fall. The area is on Canadian geese migration route and in large numbers feed in this area and fly thru every fall. Maxwell Creek is not a ditch. It's part of large echo system with many tributaries and fishing ponds connecting to it. Our kids have caught large catfish in ponds like Liberty Park (0.4 miles south of the proposed discharge point) and have cooked and eaten their fish. Annual trout roundup is attended by hundreds of kids and they catch and keep their fish. These ponds are part of Maxwell creek basin.
3. Two Historical Society designated cemeteries, McMillen and Decatur/Maxwell/Murphy, are along the Maxwell Creek banks and will be in danger of flooding and erosion without any mitigation if the proposed developments happens as proposed. These burial sites are for many of the early settlers in this area and go back to 1850's.
4. Air pollution concerns. The stench of moving human waste does not need to be explained. We have schools and residential areas all around and this is totally unnecessary, if developers would only chose to work with the Parker and Murphy cities to sensible end.
5. Treated waste water discharge/pollution into Maxwell creek will severely and negatively impact wild life. Most time, 200-400,000 gallon daily discharge will overwhelm the natural creek and as much as 50-70% of total creek volume may consist of treated chlorinated water within few miles downstream of discharge point. At proposed chemical levels, life that depends on the creek will be destroyed or heavily damaged. And we hope that the proposed owners don't dump water at higher level illegally, as per review of TCEQ violations, seems to happen a lot in Texas MUDs, and penalties by TCEQ amount to little more than slap on the hand. Residual effluents may find their way to our fishing ponds and even old water wells that may still be around. The proposed treatment plant is not like a major city facility that may do a really good jobs to filter out all these toxins.
6. Governance. First, while the state of Texas has unfortunately taken much power from local municipalities and allows MUDs to run over cities, it does not mean that the TCEQ has the right to approve MUDs without hearing from the public, cities, counties, and others that actually are impacted by decisions made in Austin. This small 101 acre property is tucked right along the border of Murphy and Parker. Both are very developed and self-sufficient cities, and MUDs is certainly overreaching their need and power to allow it here. There is fully developed infrastructure here, IF the developer would only want to follow the area regulations and ordinances and come work out their differences with local cities. There are water and sewer connections close by, which would eliminate the need for the waste water plant and the harmful waterway and air pollution, but the developers for financial gain reasons are pursuing

this avenue to maximize profit over ESG issues. If the permit is denied they will simply develop this land in accordance with surrounding cities. They need to go and work this out with local communities, not state government in Austin.

7. Current permit application shows one entry and one exit to a neighborhood with 500-700 residential units. In any major emergency, one way in and out is not supportive of that many people in 100 acre area. This is unsafe and unreasonable amount of single family type units without secondary emergency exit, especially given flooding will be a concern and entry will have to cross over the creek. Police will also have difficult time with high density area, especially that row town homes are proposed closest to main road entrance, with dense residential area shielded from line of sight from main roads. This will have potential of becoming high crime area. Speaking of police, Parker police does not have capacity or incentive to police this. Since this is a MUD who will respond to EMS calls, who will be responsible for keeping this MUD clean and properly functioning.
8. Schools impact. The proposed high density residential development will overwhelm nearby Hunt Elementary and may overwhelm Middle School as well. There is no mention of school overcrowding in any of the proposed documents. Marth Hunt elementary is already at full capacity and was expanded 2 years ago. Where will those kids go?

Sincerely

Andrew Malczewski

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 15, 2021 8:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

PM
H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Thursday, October 14, 2021 6:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: We demand a hearing scheduled on this permit and WE the people demand a face to face meeting, not a zoom call. Per the TX Governor the state is fully open (if Covid concerns are the issue) and we want nothing less then a proper opportunity to express our communities' outrage at the proposed MUD. Also I am a resident facing the proposed property but I am not being considered as IMPACTED party due to 10 yard stretch of HOA landscaping (allegedly). I and

another 10 or so neighbors. We demand that the proposed MUD documents are changed to show that any one along Rolling Ridge drive directly adjacent to the property being discussed is IMPACTED party. Thx andrew

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Wednesday, September 22, 2021 10:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: Dear TCEQ and others. I (and our entire town) strongly oppose the proposed development of water treatment facility right next to our beautiful neighborhoods and very close to Martha Hunt Elementary school in Rolling Ridge area. The proposed is sure to produce unwanted and unsightly attention to our area, the facility will surely produce undesirable smells blowing polluting stink into many surrounding residential areas (facility few miles away at Los Rios and 15th Street in East Plano stinks all the time) and will with out any doubt lower property values and

desirability to live in the highly sought after neighborhoods that along the border of cities of Murphy and Parker. We want quiet, and clean water and air! Maxwell Creek which is proposed as receiving plant waste water, also runs thru our large Murphy Middle and McMillen High School and stadium complex about a mile south from the proposed site. We don't want dirty water running thru our school grounds and the premier hiking/biking/strolling area along the trails by Maxwell Creek between Betsy and FM 544 roads. We do not want the noise or increased lights and commercial traffic or high density residential area that would feed to Hunt Elem and MMS schools that already take kids from surrounding areas and already have high student to teachers ratios. Please do not ruin the neighborhoods we have and destroy what has been a top 10 town to live in America for the last 10 years! Find a more appropriate commercial area away from where people live and children play ! We intend to fight this to bitter end. Thank you for listening. Andrew Malczewski and family and community friends.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 8, 2021 9:03 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Form of Declaration_Lack of Notice-Malczewski.docx

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Sunday, November 7, 2021 4:23 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andrew Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: This is to inform TCEQ of my intent to be added to the Affected Property Owners list as regards this permit application. This is another notice with an attached affidavit, given that I was ignored the first time I asked for being included, and did not receive any reply that I could see. Andrew Malczewski

IN RE: APPLICATION FOR DOMESTIC WASTEWATER PERMIT

PERMIT NO. WQ0016003001

§
§
§

DECLARATION OF

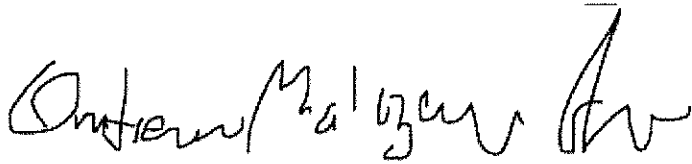
STATE OF T E X A S §
 §
COUNTY OF COLLIN §

1. My name is Andrew Malczewski. I am of sound mind, over the age of twenty-one (21) years, capable of making this declaration, and have personal knowledge of the facts stated herein. I declare under penalty of perjury that the facts stated in this declaration are true and correct to the best of my knowledge.
2. I live at 1328 Thornwood Dr Murphy Tx 75094, Collin County. It is my understanding and expectation that I am entitled to receive the notice of the Notice of Receipt of Application and Intent to Obtain Water Quality Permit, Proposed Permit No. WQ0016003001 (the "NORI"). I am directly affected by the proposed. I did not receive notice of the NORI from the Applicant or Texas Commission on Environmental Quality ("TCEQ").
3. I recently learned of the NORI and the existence of the Application for a Domestic Wastewater Permit (the "Application") by informal, unofficial means, on property that borders my house thru short HOA green zone. My entire side of the house looks into the property here discussed.
4. I have not been provided adequate notice by the Applicant or TCEQ to review the NORI and Application, nor have I been afforded adequate notice to prepare and present an informed response to the Application. Many home owners that are along Rolling Ridge adjacent to this property were also not informed.
5. Consideration of the Application by the TCEQ without proper legal notice being provided to me by the Applicant or TCEQ will materially and irrevocably prejudice my ability to review, analyze, and adequately respond to the Application.

JURAT PURSUANT TO TEXAS CIVIL PRACTICE & REMEDIES CODE § 132.001

My name is Andrew Malczewski, my date of birth is __05/07/1973, and my address is 1328 Thornwood Dr_, Murphy, Texas 75094, U.S.A. I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED in Collin County, State of Texas, on the 11_ day of _November, 2021.

A handwritten signature in black ink, appearing to read "Andrew Malczewski". The signature is written in a cursive style with a large, stylized initial "A" and "M".

[Signature]

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 3:28 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: a.malczewski2010@gmail.com <a.malczewski2010@gmail.com>
Sent: Monday, December 6, 2021 1:56 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mayela Malczewski

E-MAIL: a.malczewski2010@gmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147975093

FAX:

COMMENTS: TCEQ members and Executives: I am REQUESTING CONTESTED HEARING. I would like to express my opposition to the proposed MUD and wastewater treatment plant that will dump effluent into our Maxwell Creek straight thru our Murphy Parks, Nature Preserve areas, and athletic and schools trails and grounds, for 2 miles just past discharge point. You are in full control to issue or deny the permit to allow this, BUT you are also responsible for making sure that this works for thousands of people that will be affected, other than one developer and one property owner,

and that this is safe to our community, environment, and most of all our kids and wildlife. I object to MUD allowed to self monitor the toxins, live bacteria residues, solids and chlorine levels, and by judging from TCEQ violations and penalties levied against similar projects every year, there is no believable path for this to ever not poison our community. Proposed Effluent levels/volume will overwhelm the creek in summer time when flow is slow, and will kill minnows and green sun fish and small bass and will likely drive out other wildlife as well. Minnows are critical for mesquite control in our communities where many parks line the creek and kids and people are out in sports or on the trails. No minnows, more mesquites, more West Nile virus and then spraying to kill indiscriminately all that flies in the creeks. Oh and the neighborhood runoff in heavy storms will absolutely cause pretty widespread flooding and will expand the flood zone. The yneed to plan on 10 acre retaining pool areas to prevent flooding.

Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 9, 2021 2:05 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: hernandezmayela@hotmail.com <hernandezmayela@hotmail.com>
Sent: Tuesday, November 9, 2021 11:13 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mayela Malczewski

E-MAIL: hernandezmayela@hotmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147979754

FAX:

COMMENTS: TCEQ members and Executives: I would like to express my opposition to the proposed MUD and wastewater treatment plant that will dump effluent into our Maxwell Creek straight thru our Murphy Parks, Nature Preserve areas, and athletic and schools trails and grounds, for 2 miles just past discharge point. You are in full control to issue or deny the permit to allow this, BUT you are also responsible for making sure that this works for thousands of people that will be affected, other than one developer and one property owner, and that this is safe to our community,

environment, and most of all our kids and wildlife. I object to MUD allowed to self monitor the toxins, live bacteria residues, solids and chlorine levels, and by judging from TCEQ violations and penalties levied against similar projects every year, there is no believable path for this to ever not poison our community. Proposed Effluent levels/volume will overwhelm the creek in summer time when flow is slow, and will kill minnows and green sun fish and small bass and will likely drive out other wildlife as well. Minnows are critical for mesquite control in our communities where many parks line the creek and kids and people are out in sports or on the trails. No minnows, more mesquites, more West Nile virus and then spraying to kill indiscriminately all that flies in the creeks. Oh and the neighborhood runoff in heavy storms will absolutely cause pretty widespread flooding and will expand the flood zone. The yneed to plan on 10 acre retaining pool areas to prevent flooding.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:54 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Hernandezmayela@hotmail.com <Hernandezmayela@hotmail.com>
Sent: Tuesday, September 21, 2021 9:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mayela Malczewski

E-MAIL: Hernandezmayela@hotmail.com

COMPANY:

ADDRESS: 1328 THORNWOOD DR
MURPHY TX 75094-5101

PHONE: 2147979754

FAX:

COMMENTS: I am extremely concerned about the new plan that will devastate our neighborhood an cause environmental issues, lower the appraised value of my house and increase traffic in my neighborhood.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:38 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ellenmarshall75098@gmail.com <ellenmarshall75098@gmail.com>
Sent: Wednesday, November 24, 2021 11:33 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ellen Marshall

E-MAIL: ellenmarshall75098@gmail.com

COMPANY:

ADDRESS: 3405 HIBISCUS DR
WYLIE TX 75098-8585

PHONE: 9724421691

FAX:

COMMENTS: I am requesting a contested case hearing regarding the above cited proposed wastewater treatment plant to be built in Parker, TX by Harrington Turner Enterprises, the discharge from which will flow into Maxwell Creek. I live about 2 miles from the proposed facility, but less than one half mile from Maxwell Creek. My husband and I are retired and walk almost daily on the trails along Maxwell Creek. It is the main source of our exercise, not to mention the benefit to our mental health. My primary concern is for the wildlife that call this creek home. We observe the very vibrant

wildlife community that thrives there and worry about their continued existence if this project is allowed to be built. Pollution and flooding will certainly threaten their home. My secondary concern is for the people who live adjacent to the creek. Even a minor rainstorm can cause Maxwelll Creek to swell; heavier rains cause considerable flooding.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, December 10, 2021 8:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: ellenmarshall75098@gmail.com <ellenmarshall75098@gmail.com>
Sent: Thursday, December 9, 2021 4:12 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ellen Marshall

E-MAIL: ellenmarshall75098@gmail.com

COMPANY:

ADDRESS: 3405 HIBISCUS DR
WYLIE TX 75098-8585

PHONE: 9724421691

FAX:

COMMENTS: PLEASE STOP THIS PROCESS! TCEQ SHOULD BE FOLLOWING REGIONALIZATION. According to NTMWD the proposed wastewater treatment plant would interfere with NTMWD's statutory right, privilege and economic interest as the TCEQ-designated regional entity to collect, transport, treat and discharge wastewater within the Regional Area. Specifically, the application indicates the proposed WWTP will allow the applicant to collect, transport and treat wastewater from a proposed 101 acre tract that will be developed into a single family residential subdivision in close

proximity to the towns of Parker, Lucas, Murphy, Wylie and Plano in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, granting the TPDES to the applicant violates applicable statutory requirements pertaining to the State's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC, Chapter 351, Subchapter C. I support the State's Regionalization Policy and EXPECT TCEQ to follow their own policy, The permit should never have been granted and should never have reached this phase. NTMWD's treatment is state-of-the-art compared to a WWTP. It is now time to demonstrate that TCEQ's mission is to protect Texas by preventing and reducing pollution.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, December 9, 2021 12:51 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: ellenmarshall75098@gmail.com <ellenmarshall75098@gmail.com>
Sent: Thursday, December 9, 2021 12:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ellen Marshall

E-MAIL: ellenmarshall75098@gmail.com

COMPANY:

ADDRESS: 3405 HIBISCUS DR
WYLIE TX 75098-8585

PHONE: 9724421691

FAX:

COMMENTS: PLEASE STOP THIS PROCESS! TCEQ SHOULD BE FOLLOWING REGIONALIZATION. According to NTMWD the proposed wastewater treatment plant would interfere with NTMWD's statutory right, privilege and economic interest as the TCEQ-designated regional entity to collect, transport, treat and discharge wastewater within the Regional Area. Specifically, the application indicates the proposed WWTP will allow the applicant to collect, transport and treat wastewater from a proposed 101 acre tract that will be developed into a single family residential subdivision in close

proximity to the towns of Parker, Lucas, Murphy, Wylie and Plano in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, granting the TPDES to the applicant violates applicable statutory requirements pertaining to the State's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC, Chapter 351, Subchapter C. I support the State's Regionalization Policy and EXPECT TCEQ to follow their own policy, The permit should never have been granted and should never have reached this phase. NTMWD's treatment is state-of-the-art compared to a WWTP. It is now time to demonstrate that TCEQ's mission is to protect Texas by preventing and reducing pollution.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 8, 2021 7:32 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

From: ellenmarshall75098@gmail.com <ellenmarshall75098@gmail.com>
Sent: Thursday, October 7, 2021 3:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Ellen Marshall

E-MAIL: ellenmarshall75098@gmail.com

COMPANY:

ADDRESS: 3405 HIBISCUS DR
WYLIE TX 75098-8585

PHONE: 9724421691

FAX:

COMMENTS: I am strongly opposed to the creation of this wastewater treatment plant to be built by a private, profit-based company. My primary complaint is regarding the potential pollution damage to our environment. I worry about the harm posed to Maxwell Creek. I worry about the very real possibility of serious air pollution. This proposed project is in very close proximity to thousands of citizens' houses and an elementary school. Lastly, I worry about the definite negative impact this will have on property values. This project would be an enormous mistake for our area.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 23, 2021 3:59 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jrmarshall99@outlook.com <jrmarshall99@outlook.com>
Sent: Tuesday, November 23, 2021 3:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Jessica Marshall

E-MAIL: jrmarshall99@outlook.com

COMPANY: Newk's Franchise Company, LLC

ADDRESS: 1111 WESTMINSTER AVE
MURPHY TX 75094-4158

PHONE: 2488421239

FAX:

COMMENTS: I am requesting a contested case hearing. I live approximately 0.5 miles from the location of the proposed waste water treatment plant. I oppose it for the following reasons: - My family uses Maxwell Creek for recreation, relaxation, and learning about the environment. I do not want to see hundreds of thousands of gallons of chlorinated wastewater dumped into it daily, which will impact everything which lives and thrives in and around the creek. - My son will attend Hunt Elementary, and I do not want him attending a school which is so close to a wastewater treatment

plant. The noxious chemicals they use ruin air quality, and it is incomprehensible that anyone would allow a greedy developer to build this nuisance so close to an elementary school. For this reason alone, if TCEQ approves it, they are being negligent. - The developer must be forced to investigate all avenues to tie into an existing sewer system. In fact, the law requires it as part of regionalization! Why is TCEQ not also requiring this? - Does TCEQ even check the application? The legal entity it was submitted under is defunct, there are lies about Maxwell Creek's characteristics (water quality, flow, etc.), the design submitted is not adequate to ensure water quality of effluent is sufficient, there's no info about the plant operator, groundwater and spring impacts are not addressed, and flooding is not addressed. TCEQ in approving the draft permit has neglected it's duty by not forcing the applicant to address these issues before "rubber stamping" the application as "approved". TCEQ must do better! The community is aligned against this, and we will fight this with everything we have. Either the TCEQ will do the right thing and hold the developer accountable to what the law already has established, or we will see TCEQ and the developer in court.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:15 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Brownjr99@gmail.com <Brownjr99@gmail.com>
Sent: Tuesday, September 21, 2021 7:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jessica Marshall

E-MAIL: Brownjr99@gmail.com

COMPANY:

ADDRESS: 1111 WESTMINSTER AVE
MURPHY TX 75094-4158

PHONE: 9724228222

FAX:

COMMENTS: This will bring airborne chemicals and sewage odor to our air quality throughout Murphy and surrounding cities. It will also impact our property values.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 12, 2021 2:12 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Melinda-marshall@hotmail.com <Melinda-marshall@hotmail.com>
Sent: Friday, November 12, 2021 11:54 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Melinda Marshall

E-MAIL: Melinda-marshall@hotmail.com

COMPANY:

ADDRESS: 4004 SYCAMORE LN
PARKER TX 75002-5902

PHONE: 9132699834

FAX:

COMMENTS: Greatly concerned over the impact to wildlife that live in and along the creek adjacent to the proposed development. Requesting a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:08 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: tomjmarshall@gmail.com <tomjmarshall@gmail.com>
Sent: Saturday, November 27, 2021 10:14 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tom Marshall

E-MAIL: tomjmarshall@gmail.com

COMPANY: Rolling Ridge Estates Homeowner's Association

ADDRESS: 1111 WESTMINSTER AVE
MURPHY TX 75094-4158

PHONE: 7346454664

FAX:

COMMENTS: The Commission may grant a hearing request submitted by a group or association ("group/association"). The requirements are - (i) the hearing request must identify, by name and physical address, one or more members of the group/association who would otherwise have standing to request, and be granted, a contested case hearing in his or her own right, i.e., who is an affected person with respect to the application being challenged, and (ii) the interests the group/association seeks to protect are germane to its purpose. (Tex. Water Code § 5.115(a-1); 30 TAC § 55.205(b)(2)-

(3)) (iii) neither the claim asserted, nor the relief requested requires the participation of the individual members in the case. In response to (i) I am a member of the Rolling Ridge Homeowners Association affected party #34, and I request a contested case hearing. My name is Tom Marshall, and my address is 1111 Westminster Avenue, Murpy, TX 75094, in the Rolling Ridge subdivision. (ii) Homeowners Associations purpose is to protect their members home values and to request a contested hearing is germane to their purpose due to the financial effect on the appraisal values on properties that surround wastewater treatment plants; financial impacts that are brought on by decreased air and water quality, nuisances related to noises and noxious odors, and the visual eyesore of a nearby wastewater treatment plant. (iii) HOA's have a fiduciary responsibility of community in which they have an obligation and are charged with protecting and increasing property values.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 9, 2021 9:04 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: tomjmarshall@gmail.com <tomjmarshall@gmail.com>
Sent: Tuesday, November 9, 2021 8:19 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tom Marshall

E-MAIL: tomjmarshall@gmail.com

COMPANY:

ADDRESS: 1111 WESTMINSTER AVE
MURPHY TX 75094-4158

PHONE: 7346454664

FAX:

COMMENTS: I am requesting a contested hearing on the following basis: - Misleading statements made by applicant regarding Maxwell Creek, namely categorizing it as "intermittent", which is patently false and misleading. - Flooding concerns - the two inches of rain we had last week increased the creek water level by over a foot (based on my observation under the Hogge Rd bridge). The wastewater dumping plus the storm runoff from 600+ homes will exacerbate this, leading to worse flooding. - NTMWD has ample bandwidth to handle the proposed development, so

how can TCEQ approve the MUD knowing this? Does TCEQ even think through these proposals or just rubber stamp them? - Numerous other misstatements in the application - waterbody usage and aesthetics are wrong, nuisance odor problems not addressed, nuisance noise problems not addressed, affected landowners not properly notified (some not notified at all), etc.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, December 9, 2021 10:11 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: tomjmarshall@gmail.com <tomjmarshall@gmail.com>
Sent: Thursday, December 9, 2021 7:16 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tom Marshall

E-MAIL: tomjmarshall@gmail.com

COMPANY:

ADDRESS: 1111 WESTMINSTER AVE
MURPHY TX 75094-4158

PHONE: 7346454664

FAX:

COMMENTS: According to North Texas Municipal Water District ("NTMWD") the proposed wastewater treatment plant permit WQ0016003001 would interfere with NTMWD's statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. Specifically, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the

towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C. I fully support the State's Regionalization policy and expect TCEQ to follow their own policy. In fact, I don't know why TCEQ entertains an application before first forcing the applicant to work within the regionalization policies. This is backwards and wastes a lot of people's time and money. The permit should not be granted and never should have reached this phase. We are aware that NTMWD's treatment process is state of the art compared to a WWTP, which in the case of Restore the Grasslands, appears to be the bare minimum which is acceptable which does not include dechlorinating prior to discharging, any odor or noise remediation, or other environmental protecting features common to plants that aren't built only in the interest of cost cutting. I expect TCEQ to live up to it's mission of preventing pollution rather than serving as a rubber stamp agency which only serves greedy developers through a loose process designed to grant them approval. I'll also add that it's ironic that the Sunset Commission is soon going to examine TCEQ to ensure it's living up to it's stated purpose. No one can honestly say that it is and I hope the Legislature makes some significant changes or scraps the agency altogether.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 15, 2021 8:43 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: tomjmarshall@gmail.com <tomjmarshall@gmail.com>
Sent: Friday, October 15, 2021 7:47 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTITY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tom Marshall

E-MAIL: tomjmarshall@gmail.com

COMPANY:

ADDRESS: 1111 WESTMINSTER AVE
MURPHY TX 75094-4158

PHONE: 7346454664

FAX:

COMMENTS: I am writing to voice my opposition to the proposed MUD and wastewater treatment plant on the basis of what it will do to the environment in our community. First, the proposed location is less than half a mile from Hunt Elementary School. My son will be going there, and I do not want him being exposed to the noxious smells and air pollution that these types of facilities emit. Second, the area is home to multiple protected species of migratory birds, which will be displaced. Third, in the applicant's permit application packet, they claim that Maxwell Creek is dry at least

one week per year. This appears to be a material misstatement, as the creek consistently has water in it. What will flooding the creek do to the wildlife in the area, not to mention the homes that are downstream? When the creek floods after a heavy rain, will the MUD cease discharge so as to not flood nearby homes (the creek is in the 100 year flood plain)? We will not allow this to happen in our pristine neighborhood. TCEQ must stop this developer from polluting our community.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, October 7, 2021 10:01 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

From: tomjmarshall@gmail.com <tomjmarshall@gmail.com>
Sent: Thursday, October 7, 2021 8:39 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Tom Marshall

E-MAIL: tomjmarshall@gmail.com

COMPANY:

ADDRESS: 1111 WESTMINSTER AVE
MURPHY TX 75094-4158

PHONE: 7346454664

FAX:

COMMENTS: I am writing in opposition to this proposed wastewater treatment facility for the following reasons: - This will create an environmental issue. There are multiple protected species that live on the property, including red tailed hawks, horned owl, and the scissor tail fly catcher to name a few. - The proposal will create noxious fumes and an eyesore, impacting residents in the adjacent Rolling Ridge Estates development, which is Murphy's most affluent

community. - Maxwell Creek, which is the proposed dumping ground for this facility, will not be able to handle the volume without flooding.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 25, 2022 9:03 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: teralmc@verizon.net <teralmc@verizon.net>
Sent: Thursday, February 24, 2022 7:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: MRS Teral McDowell

E-MAIL: teralmc@verizon.net

COMPANY:

ADDRESS: 356 MONTANA TRL
MURPHY TX 75094-3685

PHONE: 9724427781

FAX:

COMMENTS: Mr. & Mrs. Larry McDowell 356 Montana Trail Murphy, TX 75094 972-442-7781 home 972-795-2571 cell teralmc@verizon.net Location Information: My/our home is located within one mile of the proposed District Boundaries

as presented, 1 mile from Maxwell Creek and within 1 mile from the discharge point. I/we respectfully request a contested case hearing on the application by Harrington/Turner Enterprises, LP and Gregory Lane, LLC (the "Petitioner") for the creation of Collin County Municipal Utility District No 7 with permit number listed above, customer number CN605878966, regulated entity number RN111242855 (the "District Application"). I/we have serious reservations and grievances with the proposed in addition to the previously proposed TCEQ proposed permit (TDPDES Permit# (WQ0016003001) to allow unnecessary and polluting waster water treatment plant with effluent discharge into pristine Maxwell Creek that runs thru the city of Parker, Murphy, and others downstream.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:31 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: teralmc@verizon.net <teralmc@verizon.net>
Sent: Friday, December 3, 2021 3:45 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Teral McDowell

E-MAIL: teralmc@verizon.net

COMPANY:

ADDRESS: 356 MONTANA TRL
MURPHY TX 75094-3685

PHONE: 9724427781

FAX:

COMMENTS: I would like to request a contested public hearing regarding the building of the COLLIN COUNTY MUD NO 7 WWTP which is directly across from my residence West, which the wind blows mostly, of Murphy Rd and South of McWhirter Rd in the Ranch housing subdivision of Murphy, TX. My street is the second one indicated on the proposed map; two blocks south of McWhirter. I can visibly see the proposed location from the front of my house. My greatest concern relates to my personal health as I have an autoimmune disease that according to the PubMed.gov article

"Emission of bacteria and fungi in the air from wastewater treatment plants - a review" states that just breathing these particules can be harmful to my health. A PubMed.gov article, November 2020 study titled "A state-of-the-art review on WWTP associated bioaerosols: Microbial diversity, potential emission stages, dispersion factors, and control strategies" takes the seriousness of these bioaerosols more into perspective of the harm they can cause. These bioaerosols can be determinial to any person; now add the complication of a person with compromised immunity due to an autoimmunity disease such as myself or others. Further, research studies on recent episodes of COVID-19 (SARS-CoV-2 virus) pandemic also revealed that continuous and effective surveillance on WWTPs associated bioaerosols may led to early sign for future pandemics. Not something that I would want for any citizen to deal with in such a close proximity as this one will be to many. I am a resident of my current address for 16 years, retired and so not understanding why I can be forced from my residence, highly probable, to build a wastewater project when there are other alternatives. The health condition that concerns myself has been an issue since 2006. Please take this and others health into consideration when reviewing the option to build. Thank you for your consideration.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:37 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

From: teralmc@verizon.net <teralmc@verizon.net>
Sent: Wednesday, November 24, 2021 12:48 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Teral McDowell

E-MAIL: teralmc@verizon.net

COMPANY:

ADDRESS: 356 MONTANA TRL
MURPHY TX 75094-3685

PHONE: 9724427781

FAX:

COMMENTS: I would like to contest the building of the COLLIN COUNTY MUD NO 7 WWTP which is directly across from my home (West)of Murphy Rd and McWhirter Rd in the Ranch housing division of Murphy,TX. I can visibly see the (vacant)location from my front yard. My greatest concern relates to my health as I have an autoimmune disorder that according to the PubMed.gov article "Emission of bacteria and fungi in the air from wastewater treatment plants - a review" plus others that just breathing these particiles can be harmful to my health. I am a resident of my home for 17

years, retired and do not understand why I can be forced from my home to build a wastewater project when there are other alternatives. The health condition that concerns me has been an issue for me since 2006. Please take this and others health into consideration when reviewing the option to build. If you would like documentation please email and I will send information.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 10:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: teralmc@verizon.net <teralmc@verizon.net>
Sent: Sunday, September 26, 2021 2:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS TeraI McDowell

E-MAIL: teralmc@verizon.net

COMPANY:

ADDRESS: 356 MONTANA TRL
MURPHY TX 75094-3685

PHONE: 9724427781

FAX:

COMMENTS: Responding to the building of waste facility in the area of my home. I am asking not to build such waste facility so close to the proximity to my home.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 4:32 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: kevinmcgillis@hotmail.com <kevinmcgillis@hotmail.com>
Sent: Thursday, November 18, 2021 4:00 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Kevin Mc Gillis

E-MAIL: kevinmcgillis@hotmail.com

COMPANY: retired

ADDRESS: 913 HUNTERS GLN
MURPHY TX 75094-4378

PHONE: 2142999243

FAX:

COMMENTS: I live approximately 1 mile from Maxwell Creek. I live in the Maxwell Creek neighborhood. Myself and family will be affected by this MUD through changes to Maxwell creek and the associated wildlife and natural environment. We take daily walks though this area, we love walking the trails on the creek, our grandchildren love going on hikes, it is one of their favorite activities, rain or shine nothing like mud caked shoes. Seeing the flora surrounding the

creek and the animals, fish and other critters is a real learning experience for young and old alike. I am requesting a contested hearing be held on this permit.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 10:08 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: kevinmcgillis@hotmail.com <kevinmcgillis@hotmail.com>
Sent: Friday, September 24, 2021 4:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Kevin Michael McGillis

E-MAIL: kevinmcgillis@hotmail.com

COMPANY:

ADDRESS: 913 HUNTERS GLN
MURPHY TX 75094-4378

PHONE: 2142999243

FAX:

COMMENTS: I oppose this application for a permit to discharge into Maxwell Creek. Maxwell Creek flows through our city and a lot of kids play in the creek and it is home to fish and all sorts of critters. I do not want to see this habitat be damaged by discharge into creek. I feel the developer needs to form a MUD or SUD and connect lines to North Texas Municipal Water District lines. Since the system exists in very close proximity to this development there is no reason other than dollars to not connect. Thank you Kevin McGillis

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 2:19 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: kenheidi1@verizon.net <kenheidi1@verizon.net>
Sent: Tuesday, October 26, 2021 1:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Heidi Meixelsperger

E-MAIL: kenheidi1@verizon.net

COMPANY:

ADDRESS: 5001 DUBLIN CREEK LN
PARKER TX 75002-6553

PHONE: 9724238754

FAX:

COMMENTS: I am CONTESTING THIS HEARING. We have lived in Parker, Texas since 1995. We moved to Parker for the country living. Parker is very unique in that we have no businesses and all homes are on 1 acre or more. Homes have their own septic systems. Prior to moving to Parker we lived in Los Rios which has the Rowlett Creek Waste Water Plant located at 1600 Los Rios Blvd, Plano, TX 75074. We had to endure that smell constantly. This project is not wanted in the City of Parker.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 2:19 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: kenheidi1@verizon.net <kenheidi1@verizon.net>
Sent: Tuesday, October 26, 2021 1:45 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Ken Meixelsperger

E-MAIL: kenheidi1@verizon.net

COMPANY:

ADDRESS: 5001 DUBLIN CREEK LN
PARKER TX 75002-6553

PHONE: 9724238754

FAX:

COMMENTS: I am CONTESTING THIS HEARING. I moved to Parker for its country living. Homes are on 1 acre or more with their own septic systems. This project does not belong in the City of Parker. We lived in Los Rios for 12 years. We have experience living near the Rowlett Creek Waste Water Plant located at 1600 Los Rios Blvd, Plano, TX. We had to endure that smell constantly.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, December 10, 2021 8:32 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: anoelleb@hotmail.com <anoelleb@hotmail.com>
Sent: Thursday, December 9, 2021 4:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: DR. April N Miller

E-MAIL: anoelleb@hotmail.com

COMPANY:

ADDRESS: 533 LEEWARD DR
MURPHY TX 75094-5347

PHONE: 9723751770

FAX:

COMMENTS: I'm writing to highly oppose and make a request for reconsideration for the wastewater treatment plant permit WQ0016003001. As a resident of the surrounding area, my children recreate multiple times a week in the area that would be impacted by discharged wastewater (Maxwell Creek). Not only that, but as a child psychologist who promotes the positive impact of nature on childhood wellbeing, I strongly oppose any action that would destroy or negatively impact areas where children recreate in nature. Additionally, According to NTMWD the proposed wastewater

treatment plant permit WQ0016003001 would interfere with NTMWD's statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. Specifically**, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C. I support the State's Regionalization policy and EXPECT TCEQ to follow their own policy. The permit should not be granted and never should have reached this phase.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, March 15, 2022 10:12 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Moebius.3.13.2022ReconsiderationRequestContestedHearing.docx

H
RFR

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, March 14, 2022 4:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see additional comments supporting a request for contested case hearing and reconsideration by TCEQ.

Carrolyn Moebius, Affected Party #42

1412 Parkview Lane
Murphy, Texas 75094
carmoe@gmail.com
972-333-9432

March 13, 2022

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Executive Director's response to TCEQ PERMIT NO. WQ0016003001 Application by Harrington/Turner Enterprises LP & Restore the Grasslands, LLC; Public Comments; Request for Contested Case Hearing

To The Texas Commission on Environmental Quality:

Affected Party Status – Carrolyn J. Moebius

My name is Carrolyn J. Moebius. I live at 1412 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #42.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 200 feet from my property line and Maxwell Creek is 195 feet from my property line.

My status as an affected party is also more fully set forth in my emails to Brad Patterson of TCEQ and comments, videos, pictures, and reports submitted on March 11, February 25 and 15 of 2022, December 1, 5, 6, 7, 8, of 2021, November 1, 2, 4, 26, 30 of 2021, October 8, 9, 12, 22, 24, 29, 31 of 2021, and September 20, 2021.

Executive Director's Decision

On February 11, 2022, the executive director of the Texas Commission on Environmental Quality ("Executive Director") "made a decision that the above-referenced application meets the requirements of applicable law." Contemporaneous with the Executive Director's decision, the Executive Director provided the *Executive Director's Response to Comments* (the "ED RTC").

Request for Reconsideration & Request for Contested Case Hearing

For the reasons mentioned below, I request that the Executive Director reconsider its decision and I resubmit my request for contested case hearing.

Comment/Response 8

The concerns expressed regarding health effects of the wastewater treatment plant were not addressed. I am allergic to chlorine resulting in respiratory issues. Please note the location of my home provided to the discharge point. While TCEQ may not view themselves as responsible for homeowner's health issues, the fact that TCEQ has the power of approving or declining the application does hold TCEQ and other involved parties responsible for any health issues, due to other alternatives are available as noted by Cities of Parker, Murphy and North Texas Municipal Water District.

Due to my comments regarding health issues were not addressed, I resubmit them below.

HEALTH CONCERNS:

Based upon the location of the proposed wastewater treatment plant discharge to my home of only 200 feet, I worry about the asthma I have had under control will flare up. I am very sensitive to aerosols and chlorine. I have breathing issues when I go to facilities with indoor pools or if I'm around a pool that just received chlorine. Also, I suffer from migraine headaches, which can be triggered by odors.

<https://americanheadachesociety.org/news/whats-that-smell/>

Two of my adult children were asthmatic when they were young. I am concerned about their visiting me and if anytime we spend outside will trigger an asthma attack.

I have one daughter who suffers from seizures. I worry that the strong odors from the WWTP would result in her having more seizures. I have read some medical research that prove odors can trigger seizures. Something I didn't know until recently. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3407102/>

Comment / Response 13

According to ED's response to Comment 13 "Furthermore, 30 TAC § 309.13(c) states that a WWTF may not be located closer than 500 feet from a public water well nor 250 feet from a private water well. The proposed facility complies with these requirements." There is no evidence that the Applicant's hired engineering firm pursued the presence of wells within the area. Due to numerous errors in the Application, TCEQ should not assume that the Applicant took the proper steps to ensure that all private wells were identified.

City of Parker's lawyer, Arturo Rodriguez, submitted on March 11, 2022 the following:

"The Qual-TX models used different parameters normally used by the TCEQ than the default parameters to model the receiving waters. There is no justification for the movement from the TCEQ's default modeling parameters. The City is concerned that if the normal default parameters of the Qual-TX model were used, the draft Permit would not meet applicable standards for issuance. This is concerning because of the potential impacts on algae growth and aquatic life in the receiving waters."

City of Murphy's lawyer Stephen Dickman posted a response on March 11, 2022:

"In RTC No. 13, the E.D. merely summarily concluded that because the draft permit will be protective of surface water quality, then groundwater quality in the vicinity will not be impacted by the proposed wastewater discharge. Accordingly, the E.D. did not review or investigate local groundwater resources and groundwater quality, despite the statutory mandate of Texas Water Code §26.401(c)(1). However, there may be local groundwater characteristics that do create impacts on groundwater quality such as existing groundwater contamination or contamination threats that would be exacerbated by the proposed wastewater discharge, either through contribution of new concentrations of wastewater contaminants or increased pressure head on near-surface groundwater. The potential adverse impacts of the proposed discharge on local groundwater resources must be evaluated as part of TCEQ's review of the Application".

The response raises doubt that there truly are sufficient steps being taken that will prevent degradation of Maxwell Creek's water quality. In addition, there is no application attached of the management company that would run the WWTP as required.

Comment / Response 16

Components of the draft permit have changed significantly compared to the version of the permit application that was made available during the public notice period. Maxwell Creek was reclassified as Tier 1 to Tier 2. Numerous errors were noted on the application. We request that the Executive Director reconsider granting the permit until the revised draft permit is re-noticed and affected parties are afforded an opportunity to provide comments. A more inclusive affected parties notification process should be adopted.

The following landowners should have been contacted or their address researched due to returned mail:

- Carpenter Farms, 7352 Independence Pkwy, Plano, Texas
- The City of Murphy Residents that live on Salsbury Court who have property by Maxwell Creek as well as in the 100-year flood plain,

- Murphy Historical Society, which are the caretakers of 2 of the historical cemeteries that are located by Maxwell Creek,
- Grace Presbyterian, caretaker of McMillen Cemetery
- Al-Sabari Hanna, 3 Maxwell Lane, Murphy, Texas
- Thomas & Susan Sauter, 9 Maxwell Lane, Murphy, Texas
- Hilary Sturges & Brendan Taylor, 3503 Woodcreek Circle, Parker, Texas
- Sunil & Sreelaxmi Unnikrishnan, 1408 Keathly Circle, Murphy, Texas
- Forestar Real Estate Group, Murphy, Texas
- Alicia Evans
- Judy Evans
- Tye Holmes
- There are others that should have been notified as affected party that are within the 3 miles downstream easily identifiable on the Collin Central Appraisal District website.

Comment / Response 18 & Modeling

While TCEQ may not have authority to “regulate flooding”, the TCEQ should reconsider whether Maxwell Creek can accept the permitted volume of effluent discharge without overflowing the banks of the creek. IF TCEQ is using FEMA flood plain map of the area, they do not reflect current issues as shared in numerous comments on this proposed Wastewater Treatment plant. TCEQ does have a responsibility to the adjacent landowners as well as the landowners on Maxwell Creek. Flooding will become worse if the application is approved and development goes forward.

Executive Director did not Acknowledge

TCEQ did not consider the impact of the permit on the presence of the underground stream described by Charlie Flanigen of Canterra Landscape and in videos submitted by Carrolyn Moebius on October 12, 2021 at 11:44 am via email to Brad Patterson, TCEQ, and also submitted on February 25, 2022 at 4:31 pm. Texas Parks & Wildlife Department’s comments dated November 10, 2021 noted a stream in nearby Rowlett Creek in an adjacent watershed also. recommended a receiving water assessment be made on Maxwell Creek to generate physical, chemical and biological data to be used in identifying the appropriate aqua life life use and the associated dissolved oxygen criteria. TPWD noted they would be willing to assist in such effort.

Executive Director did not acknowledge any of the flooding videos submitted by Carrolyn Moebius on behalf of the Parker / Murphy Citizens. These were submitted by email to Brad Patterson of TCEQ.

Executive Director did not acknowledge the Army Corps of Engineers study submitted by Carrolyn Moebius on behalf of Parker / Murphy affected landowners. These were submitted by email to Brad Patterson of TCEQ on 12/6/2021 at 12:56pm.

Comments / Response 24, 25, 26, 29, 30

Notification of the entities with 3 miles was not properly pursued. If the Applicant submitted the notification letters correctly to the cities/entities requesting a response to the letter regarding whether or not tie in would be allowed, a return of the green certified letter would have occurred. Either the entity would have signed off and mailed or the Applicant would have received the whole letter back noting undeliverable. City of Sachse should have been notified and was not. It is unknown if the Applicant notified all entities within the 3 miles.

Texas Parks & Wildlife’s response dated November 10, 2021 noted the same absence of letters received from the application “indicates that letters requesting connection to existing WWTPs within three miles of the proposed facility were sent to several municipalities including the cities of Murphy and Parker, but responses from these municipalities were not included in the copy of the application that TPWD reviewed. The permit application requires that responses from these requests be included in the application and TPWD requests that these responses be made available as per application requirements.”

If TCEQ encourages Regionalization, this whole process should stop now. City of Murphy, City of Parker and North Texas Municipal Water District have responded that they have the capacity or will shortly. The legal representative from Restore the Grasslands, Tim Green, has stated verbally and in a letter that a WWTP is not desired by the Developer.

Comment / Response 53

The application was not available to review until 10 days after the publication of the notification. Based upon the instructions established by TCEQ, the application should have been available for public review on the same day as the first publication of the notice.

Municipal EPA Review Checklist. I do not know if proper evaluation of whether or not Storm water discharge to high priority species watershed.

According to email dated 9/30/2021 from Ashley Broughton Project manager to TCEQ's Hanne Nielsen stated that the area's growth has been 32.4% from 2010 to 2009. This is a misleading statement. The growth in Collin County is in the North and northwest. There is no employment hub within the area. The population growth in the area averages 5.74% in Parker. City of Murphy's population growth is stagnant due to being fully developed.

TCEQ Interoffice memo of 9/23/2021 from Jenna Lueg to Municipal Permits team had changed the aquatic life to limited. Based upon the mission of TCEQ to limit pollution, a downgrade of evaluation should not occur. Additional information should have been sought from Applicant.

Comment / Response 48, 49, 50, 52

Notice Instructions were not followed. Due to the Applicant purposefully not following the instructions, notification should be required to be performed properly. The Applicants, Restore the Grasslands as well as Harrington/Turner Enterprises are fully aware of which newspaper has the most subscribers. TCEQ should hold them accountable based upon the information that has been received. If proper notification is not required and enforced, TCEQ should remove that step from the application process. In a letter from TCEQ dated August 25, 2021 to Laura Preston of LJA Engineering, it states "if you do not comply with all the requirements ...your application may be suspended..."

Justiciable Interest

I have been designated as affected party #42 due to my home being located adjacent to the proposed development. I would be adversely affected by the granting of the requested permit in a manner not common to members of the general.

Relevant and Material Disputed Issues of Fact Raised by all of my submissions to TCEQ.

Incorporation of Additional Objections

I incorporate the objections of all other Affected Parties into this request for reconsideration as if fully set forth herein. I reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, and on behalf of ourselves, I respectfully request that the Executive Director's decision be reconsidered. In addition, I request a contested case hearing so that the issues identified can be thoroughly evaluated and the TCEQ can make an informed decision on the Application and draft permit. While this process supposedly does not require a lawyer, it is obvious that one is required.

Respectfully,

Carrolyn J Moebius

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 14, 2022 12:22 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: (3.11)Parker request for reconsiderationBoth.docx

H
RFR

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, March 14, 2022 8:28 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carolyn Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see attached document requesting contested hearing & reconsideration of ED's decision. I am puzzled why my document from Saturday is not uploaded yet so I am reposting.

**IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM,
PERMIT No. WQ0016003001**

REQUEST FOR RECONSIDERATION BY MICHAEL S. HAYNES, AFFECTED PARTY #40

REQUEST FOR RECONSIDERATION BY CARROLYN J. MOEBIUS, AFFECTED PARTY #42

Affected Party Status – Michael S. Haynes

My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #40. I respectfully submit to the TCEQ this request for reconsideration of the executive director's February 11, 2022 decision, described more fully below.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 421 feet from my property line and 490 feet from my home:

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbe468bbddd360f8168250f&marker=-96.616388%2C33.041666&level=12>

My status as an affected party is also more fully set forth in my comments submitted on September 27, 2021 and December 4, 2021, and during the December 6, 2021 public meeting. In addition to this request for reconsideration, I continue to request a contested case hearing.

Affected Party Status – Carrolyn J. Moebius

My name is Carrolyn J. Moebius. I live at 1412 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #42. I respectfully submit to the TCEQ this request for reconsideration of the executive director's February 11, 2022 decision, described more fully below.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 200 feet from my property line and Maxwell Creek is 195 feet from my property line.

My status as an affected party is also more fully set forth in my comments, videos, pictures, and reports submitted on February 25 and 15 of 2022, December 1, 5, 6, 8, of 2021, November 1, 2, 4, 26, 30 of 2021, October 8, 9, 12, 22, 24, 29, 31 of 2021, and September 20, 2021.

Executive Director's Decision

On February 11, 2022, the executive director of the Texas Commission on Environmental Quality ("Executive Director") "made a decision that the above-referenced application meets the

requirements of applicable law.” Contemporaneous with the Executive Director’s decision, the Executive Director provided the *Executive Director’s Response to Comments* (the “ED RTC”).

Request for Reconsideration

On behalf of myself and all affected party signatories identified on Exhibit A, for the reasons set forth herein, we request that the Executive Director reconsider its decision.

1. The Executive Director’s reclassification of Maxwell Creek as a perennial creek (*see* Response 16) should result in the application being re-noticed to affected parties with a new opportunity to review and respond to the application. Such re-noticing should comply with 30 TAC 39.405(f)(1), as the applicants’ previous notices did not comply with this applicable regulation (*see* item 6 below). Additionally, components of the draft permit have changed significantly compared to the version of the permit application that was made available during the public notice period. We request that the Executive Director reconsider granting the permit until the revised draft permit is re-noticed and affected parties are afforded an opportunity to provide comments.
2. While TCEQ may not have authority to “regulate flooding” in the traditional sense of the word (*see* Response 18), the TCEQ should reconsider whether Maxwell Creek can accept the permitted volume of effluent discharge without overflowing the banks of the creek.
3. The TCEQ did not consider, or at least did not respond to, any of the comments submitted by the North Texas Municipal Water District on November 22, 2021 at 10:43am, on March 3, 2022 at 2:01pm, and on March 7, 2022 at 2:37 pm (stamped). These comments warrant reconsideration of the regionalization related components of the permit application.
4. TCEQ did not consider the impact of the permit on the presence of the underground stream described by Charlie Flanigen of Canterra Landscape and in videos submitted by Carolyn Moebius on October 12, 2021 at 11:44 am via email to Brad Patterson, TCEQ, and also submitted on February 25, 2022 at 4:31 pm.
5. The TCEQ relies on applicants’ representations made in the application (*see* Response 34). Unfortunately, the representations contained in the application are not correct and warrant reconsideration. For example, the applicants represented in the application that Maxwell Creek was an intermittent creek based on personal observation (*see* Application, p. 30). Contrary to the representations in the application, the TCEQ correctly determined that Maxwell Creek is a perennial Creek (*see* Response 35). We urge the Executive Director to reconsider the permit application in light of these false representations. Additional, but by no means exhaustive, incorrect or incomplete representations or submissions made in connection with the application are noted below:
 - a. In the Domestic Technical Report, Section 9(A), the Sludge Disposal Method and Disposal, the written statement or contractual agreement from the wastewater treatment plant or permitting sludge processing facility accepting the sludge was not included with the application.

- b. The Supplemental Permit Information Form (SPIF) was not sent to the relevant agencies, including the Texas Parks and Wildlife Department and the Texas Historical Society as noted in the TCEQ box titled “TCEQ use only”. According to The Murphy Historical Society’s Member Roxanne Bogdan’s comment on October 28, 2021 at 11:23 am and request for contested case hearing on December 5, 2021 at 6:15 pm, Section 5 of the SPIF should have the item “Visual effects that could damage or detract from a historic property’s integrity” selected.
- c. In the Domestic Technical Report 1.1, Section (B)(3), copies of certified letters from nearby WWTP or collection systems and their response letters concerning connection with their system were required. No documentation was provided that the City of Murphy and the North Texas Municipal Water District (“NTMWD”) received such certified letters.
- d. In the Domestic Technical Report Worksheet 2.0, Section 4(D), the applicant noted that the receiving water characteristics do not change within three miles downstream of the discharge. This is incorrect. As noted on the City of Murphy’s website regarding the City’s parks and as included in the City of Murphy’s attorney Stephen Dickman’s request for contested case hearing submitted on November 12, 2021 at 9:33 am, there are retaining ponds and ponds located within three miles downstream.
- e. In the Domestic Technical Report Worksheet 2.0, Section 5(A), “Septic tanks” should have been checked off, as the immediate receiving water upstream is influenced by existing septic tanks. See comment submitted by Carolyn Moebius on November 1, 2021 at 5:31 pm and on December 6, 2021 at 12:06 pm. *See also* Scheri and Wade Cloud’s request for contested case hearing submitted on December 6, 2021 at 8:58 pm.
- f. In the Domestic Technical Report Worksheet 2.0, Section 5(B), “Waterbody Uses” should have included fishing, contact recreation, non-contact recreation, park activities, and irrigation for crops. See comment from the City of Murphy’s attorney, Stephen Dickman, requesting a contested case hearing on November 12, 2021 at 9:33 am. See also the City of Parker’s attorney Arturo Rodriguez’s request for contested case hearing request submitted on December 6, 2021 at 3:13 pm.
- g. In the Domestic Technical Report Worksheet 2.0, Section 5(C), “Waterbody Aesthetics” should have been designated as “Wilderness.” On December 6, 2021 at 12:06 pm, Carolyn Moebius attached Tetra Tech, Inc.’s review of the draft permit WQ0016003001 dated November 30, 2021. Section 1.5 Site Walk Observations noted “The waterbody aesthetics as defined in the TPDES permit application form could best be described as either “Wilderness” or “Natural Area”. While there appears to be limited development in the area photographs document wooded areas along the creek and exceptional water clarity.”
- h. On the TCEQ Core Data Form, Harrington/Turner Enterprises, LP was not in good standing when the application was filed. This was noted in comments submitted by City of Murphy’s attorney Stephen Dickman in his request for a contested case hearing on November 12 at 9:33 am.

6. Because TCEQ relies on the representations in the application (*see* Response 37), reconsideration is required given the numerous disputed issues of fact. *See, e.g.*, applicant's assertion that Maxwell Creek is intermittent, and application's incorrect coordinates of proposed facility (*see* Response 38).
7. Notice of the application was inadequate. "[T]he application process for the proposed WWTF provides several opportunities for public participation." Response 48. That statement by the Executive Director presumes that proper notice of the application and proposed WWTF was provided to the public. TCEQ relies on affidavits of applicant that notices were published in a newspaper of largest circulation in Collin County (*see* Response 52). The Collin County Commercial Record is not the newspaper of largest circulation in Collin County. The Dallas Morning News is the newspaper of largest circulation. This is contested issue of fact (*see* Responses 49, 50, 52) and we request that the Executive Director reconsider its decision in light of the failure to satisfy public notice requirements.

Incorporation of Additional Objections

We incorporate the objections of all other Affected Parties into this request for reconsideration as if fully set forth herein. We reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, and on behalf of ourselves, we respectfully request that the Executive Director's decision be reconsidered.

Respectfully,

Michael S. Haynes

Carrolyn J. Moebius

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 14, 2022 11:22 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: (3.11)Parker request for reconsiderationBoth1.docx

H
RFR

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, March 11, 2022 5:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see Request for Reconsideration / Request for Contested Case Hearing.

**IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM,
PERMIT NO. WQ0016003001**

REQUEST FOR RECONSIDERATION BY MICHAEL S. HAYNES, AFFECTED PARTY #40

REQUEST FOR RECONSIDERATION BY CAROLYN J. MOEBIUS, AFFECTED PARTY #42

Affected Party Status – Michael S. Haynes

My name is Michael S. Haynes. I live at 1420 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #40. I respectfully submit to the TCEQ this request for reconsideration of the executive director's February 11, 2022 decision, described more fully below.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 421 feet from my property line and 490 feet from my home:

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-96.616388%2C33.041666&level=12>

My status as an affected party is also more fully set forth in my comments submitted on September 27, 2021 and December 4, 2021, and during the December 6, 2021 public meeting. In addition to this request for reconsideration, I continue to request a contested case hearing.

Affected Party Status – Carolyn J. Moebius

My name is Carolyn J. Moebius. I live at 1412 Parkview Ln, Murphy, TX 75094. I have been designated by Applicant as Affected Party #42. I respectfully submit to the TCEQ this request for reconsideration of the executive director's February 11, 2022 decision, described more fully below.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 200 feet from my property line and Maxwell Creek is 195 feet from my property line.

My status as an affected party is also more fully set forth in my comments, videos, pictures, and reports submitted on February 25 and 15 of 2022, December 1, 5, 6, 8, of 2021, November 1, 2, 4, 26, 30 of 2021, October 8, 9, 12, 22, 24, 29, 31 of 2021, and September 20, 2021.

Executive Director's Decision

On February 11, 2022, the executive director of the Texas Commission on Environmental Quality ("Executive Director") "made a decision that the above-referenced application meets the

requirements of applicable law.” Contemporaneous with the Executive Director’s decision, the Executive Director provided the *Executive Director’s Response to Comments* (the “ED RTC”).

Request for Reconsideration

On behalf of myself and all affected party signatories identified on Exhibit A, for the reasons set forth herein, we request that the Executive Director reconsider its decision.

1. The Executive Director’s reclassification of Maxwell Creek as a perennial creek (*see* Response 16) should result in the application being re-noticed to affected parties with a new opportunity to review and respond to the application. Such re-noticing should comply with 30 TAC 39.405(f)(1), as the applicants’ previous notices did not comply with this applicable regulation (*see* item 6 below). Additionally, components of the draft permit have changed significantly compared to the version of the permit application that was made available during the public notice period. We request that the Executive Director reconsider granting the permit until the revised draft permit is re-noticed and affected parties are afforded an opportunity to provide comments.
2. While TCEQ may not have authority to “regulate flooding” in the traditional sense of the word (*see* Response 18), the TCEQ should reconsider whether Maxwell Creek can accept the permitted volume of effluent discharge without overflowing the banks of the creek.
3. The TCEQ did not consider, or at least did not respond to, any of the comments submitted by the North Texas Municipal Water District on November 22, 2021 at 10:43am, on March 3, 2022 at 2:01pm, and on March 7, 2022 at 2:37 pm (stamped). These comments warrant reconsideration of the regionalization related components of the permit application.
4. TCEQ did not consider the impact of the permit on the presence of the underground stream described by Charlie Flanigen of Canterra Landscape and in videos submitted by Carolyn Moebius on October 12, 2021 at 11:44 am via email to Brad Patterson, TCEQ, and also submitted on February 25, 2022 at 4:31 pm.
5. The TCEQ relies on applicants’ representations made in the application (*see* Response 34). Unfortunately, the representations contained in the application are not correct and warrant reconsideration. For example, the applicants represented in the application that Maxwell Creek was an intermittent creek based on personal observation (*see* Application, p. 30). Contrary to the representations in the application, the TCEQ correctly determined that Maxwell Creek is a perennial Creek (*see* Response 35). We urge the Executive Director to reconsider the permit application in light of these false representations. Additional, but by no means exhaustive, incorrect or incomplete representations or submissions made in connection with the application are noted below:
 - a. In the Domestic Technical Report, Section 9(A), the Sludge Disposal Method and Disposal, the written statement or contractual agreement from the wastewater treatment plant or permitting sludge processing facility accepting the sludge was not included with the application.

- b. The Supplemental Permit Information Form (SPIF) was not sent to the relevant agencies, including the Texas Parks and Wildlife Department and the Texas Historical Society as noted in the TCEQ box titled “TCEQ use only”. According to The Murphy Historical Society’s Member Roxanne Bogdan’s comment on October 28, 2021 at 11:23 am and request for contested case hearing on December 5, 2021 at 6:15 pm, Section 5 of the SPIF should have the item “Visual effects that could damage or detract from a historic property’s integrity” selected.
- c. In the Domestic Technical Report 1.1, Section (B)(3), copies of certified letters from nearby WWTP or collection systems and their response letters concerning connection with their system were required. No documentation was provided that the City of Murphy and the North Texas Municipal Water District (“NTMWD”) received such certified letters.
- d. In the Domestic Technical Report Worksheet 2.0, Section 4(D), the applicant noted that the receiving water characteristics do not change within three miles downstream of the discharge. This is incorrect. As noted on the City of Murphy’s website regarding the City’s parks and as included in the City of Murphy’s attorney Stephen Dickman’s request for contested case hearing submitted on November 12, 2021 at 9:33 am, there are retaining ponds and ponds located within three miles downstream.
- e. In the Domestic Technical Report Worksheet 2.0, Section 5(A), “Septic tanks” should have been checked off, as the immediate receiving water upstream is influenced by existing septic tanks. See comment submitted by Carolyn Moebius on November 1, 2021 at 5:31 pm and on December 6, 2021 at 12:06 pm. *See also* Scheri and Wade Cloud’s request for contested case hearing submitted on December 6, 2021 at 8:58 pm.
- f. In the Domestic Technical Report Worksheet 2.0, Section 5(B), “Waterbody Uses” should have included fishing, contact recreation, non-contact recreation, park activities, and irrigation for crops. See comment from the City of Murphy’s attorney, Stephen Dickman, requesting a contested case hearing on November 12, 2021 at 9:33 am. See also the City of Parker’s attorney Arturo Rodriguez’s request for contested case hearing request submitted on December 6, 2021 at 3:13 pm.
- g. In the Domestic Technical Report Worksheet 2.0, Section 5(C), “Waterbody Aesthetics” should have been designated as “Wilderness.” On December 6, 2021 at 12:06 pm, Carolyn Moebius attached Tetra Tech, Inc.’s review of the draft permit WQ0016003001 dated November 30, 2021. Section 1.5 Site Walk Observations noted “The waterbody aesthetics as defined in the TPDES permit application form could best be described as either “Wilderness” or “Natural Area”. While there appears to be limited development in the area photographs document wooded areas along the creek and exceptional water clarity.”
- h. On the TCEQ Core Data Form, Harrington/Turner Enterprises, LP was not in good standing when the application was filed. This was noted in comments submitted by City of Murphy’s attorney Stephen Dickman in his request for a contested case hearing on November 12 at 9:33 am.

6. Because TCEQ relies on the representations in the application (*see* Response 37), reconsideration is required given the numerous disputed issues of fact. *See, e.g.*, applicant's assertion that Maxwell Creek is intermittent, and application's incorrect coordinates of proposed facility (*see* Response 38).
7. Notice of the application was inadequate. "[T]he application process for the proposed WWTF provides several opportunities for public participation." Response 48. That statement by the Executive Director presumes that proper notice of the application and proposed WWTF was provided to the public. TCEQ relies on affidavits of applicant that notices were published in a newspaper of largest circulation in Collin County (*see* Response 52). The Collin County Commercial Record is not the newspaper of largest circulation in Collin County. The Dallas Morning News is the newspaper of largest circulation. This is contested issue of fact (*see* Responses 49, 50, 52) and we request that the Executive Director reconsider its decision in light of the failure to satisfy public notice requirements.

Incorporation of Additional Objections

We incorporate the objections of all other Affected Parties into this request for reconsideration as if fully set forth herein. We reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, and on behalf of ourselves, we respectfully request that the Executive Director's decision be reconsidered.

Respectfully,

Michael S. Haynes

Carrolyn J. Moebius

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:27 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: ExhibitB4.Moebius.Coordinates.Notification.Publication.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, February 25, 2022 4:43 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see attached. This is to serve as part of my Exhibit B to supplement my request for contested case hearing. This reflects the lack of proper notifications. This was posted to WQ0016003001, which is the related WWTP application.

My name is Carrolyn Moebius, Affected Landowner #42. Application by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP (the Applicant) for a new Texas Pollutant Discharge Elimination System permit with number WQ0016003001 (the "Application")

I request a contested case hearing based upon all the erroneous information provided on the application as well as inadequate notification of affected parties as well as inadequate publication of notice in a newspaper of largest circulation.

Additional errors noted in Application WQ0016003001

I found two more errors in the application.

1. The coordinates specified are incorrect
2. nearest City to the discharge point

Obviously there has been a lack of attention to detail & requirements for adequate review of impacts to the water quality of Maxwell creek regarding this permit Application. I did note that the Executive Director corrected in the Preliminary Decision.

B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

- Yes No

If **no**, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

To Maxwell Creek; thence to Muddy Creek; thence to Lake Ray Hubbard in Segment 0820 of the Trinity River Basin


City nearest the outfall(s): Parker

County in which the outfalls(s) is/are located: Collin

Outfall Latitude: N 30° 2' 30"

Longitude: W 96° 36' 59"

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

-96.616389, 30.041667

Search

Whether you are in a high risk zone or not, you may need [flood insurance](#) because most homeowners insurance doesn't cover it. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the next 30 years. A National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent about what you've own.



Learn more about [flood insurance](#) to reduce flood risk damage

Search Results—Products for **AUSTIN COUNTY UNINCORPORATED AREAS**

SNAPSHOT OF APPLICATION

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

-96.616389, 39.041667

Search



Whether you are in a high risk zone or not, you may need [flood insurance](#) because most homeowners insurance doesn't cover it. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home. Over the many years of the National Flood Insurance Program, a flood insurance policy could cost less than \$400 per year. Call your insurance agent what you've built.

Learn more about [how to reduce flood risk damage](#)

Search Results—Products for COLLIN COUNTY UNINCORPORATED AREAS

CORRECT COORDINATES

Nearest City to the Discharge Point is Murphy and not Parker.

NOTIFICATION FOR AFFECTED LANDOWNERS

Also, noted that return mail occurred for affected landowner 2,4,5 & 6 with property valued over \$2 million. If TCEQ would have searched the owner on the appraisal district site, they would have located the correct mailing address. For the other returned notification, if TCEQ searched the address they would have found the new owner's name. Or perhaps if the Applicant followed the TCEQ instructions for publication, the affected landowners might have seen it.

PUBLICATION Notification – Improper

Per TCEQ Instructions for the Applicant for publication

1. **PUBLISH THE NOTICE IN THE NEWSPAPER**

You must publish the enclosed notice at your expense, at least once in the newspaper of largest circulation within each county where the facility and discharge point are located or will be located. If the facility and discharge point are located or will be located in a municipality, the enclosed notice must be published at least once in a newspaper of general circulation in the municipality. These requirements may be satisfied by one publication if the newspaper meets all of the above requirements

It's interesting that the English version was published in Collin County Commercial Record which DOES NOT have wide circulation in either of City of Parker or City of Murphy while the Spanish language version was published in Al-Dia. Al Día is a general information Spanish language news medium that serves the Dallas/Fort Worth Metroplex. Al Día publishes daily on aldiadallas.com, and once-a-week print edition. It is published by A. H. Belo and is a sister publication of **The Dallas Morning News**.

collincountycommercialrecord.com/notices.html

COLLIN COUNTY NOTICES

CLICK FOR SUBSCRIPTION

SUBMIT NOTICE TO CREDITORS

SUBMIT TABC NOTICE

SUBMIT PUBLIC SALE NOTICE

DOWNLOAD TODAY'S LEGAL NOTICES

Current Week Editions

Tuesday November 30, 2021

Thursday

If the downloaded document does not match the date on the link, please try again later in the day.

Abandon Vehicles Bids (Municipalities) Citation by Publication

Constable Sales Federal Notice Miscellaneous

Notice to Creditors Probate Citations Public Notice & Public Hearings

Public Sales & Storage Auctions Sheriff Sales (delinquent tax) TABC notice

[CLICK HERE FOR DALLAS COUNTY NOTICES](#)

[CLICK HERE FOR TARRANT COUNTY NOTICES](#)

Here we have the newspaper chosen to post the English Language notification.

Here is the Spanish language publication chosen. Note the website address (dallasnews.com/espanol/al-dia)

dallasnews.com/espanol/al-dia

Secciones Busqueda

al diadallas Ingresar

Al Día

IN THIS SECTION: [Comunidad hispana en Arlington opone resistencia a operaciones de fracking](#) [Permitirán renovar TPS en línea a todos los beneficiarios del programa](#) [Niños con estrés posttraumático y depresión, el resultado de la 'tolerancia cero' de Donald Trump](#) [Como vacunar a niños de 5-11 años de México en Estados Unidos](#) [Bazar navideño con artesanos locales en Garland](#) [¿Puede la red eléctrica de Texas sostener la abundancia de automóviles eléctricos?](#)

Comunidad hispana en Arlington opone resistencia a operaciones de fracking

Permitirán renovar TPS en línea a todos los beneficiarios del programa

Niños con estrés posttraumático y depresión, el resultado de la 'tolerancia cero' de Donald Trump

Como vacunar a niños de 5-11 años de México en Estados Unidos

Bazar navideño con artesanos locales en Garland

¿Puede la red eléctrica de Texas sostener la abundancia de automóviles eléctricos?

Frontier Fiber internet GIG SERVICE \$74.99

WITH AUTO PAY 3-YEAR WIRELESS GUARANTEE

LEARN MORE



Stop Parker Extraterritorial Jurisdiction ETJ Wa...

Join

16

33 Comments

Like

Comment

Most recent



Write a comment...



Bruce Wittenberg

Just heard from Toni Thomas at Dallas Morning News. Collin county circulation for print is 20,268. E-delivery is about the same, but she doesn't have exact numbers.

This vs. the CCCR circulation of 1,100.

Angry · Reply · 26m

1



Carrolyn Edmonson Moebius replied · 1 Reply 19m

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:27 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: ExhibitB3Moebius.Supporting Documentation. Links for Respondents against WQ0016003001.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, February 25, 2022 4:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see attached. This is to serve as part of my Exhibit B to supplement my request for contested case hearing. This reflects the creek's characteristics and the integral part the creek plays in the City of Murphy. This was posted to WQ0016003001, which is the related WWTP application.

Carrolyn Moebius
Affected Party #42
1412 Parkview Lane Murphy, Texas 75094
carrmoe@gmail.com

Re: Texas Pollutant Discharge Elimination System permit WQ0016003001
Applicants: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP
Proposed Location: 200 feet from Proposed Wastewater treatment plant; 195 feet from Maxwell Creek

This document as well as my previous comments / requests for contested case hearing will serve as my request for a contested case hearing.

The links below are to serve as support for comments / requests for contested case hearings made by all respondents. Many of the respondents are not familiar or comfortable with technology. For the Save Maxwell Creek group and other Respondents who do not support a proposed wastewater treatment group have asked for a simple way to submit their pictures, reports and supporting documentation for their concerns. To keep from attaching one picture at a time to a post or for the respondents to try and figure out how to insert a picture into their document, we have decided this would be the best path to follow.

Facebook group

https://www.facebook.com/groups/548487766233949?sorting_setting=CHRONOLOGICAL

Supporting documentations; video; pictures

<https://drive.google.com/drive/folders/1SQ10U7FMBFjgKdmyn9xNBiyYnuYe7f8l?usp=sharing>

Local news story

<https://dfw.cbslocal.com/video/6167919-murphy-residents-protest-planned-wastewater-treatment-plant/>

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: ExhibitB2Moebius.StreamCharacteristics.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, February 25, 2022 4:37 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

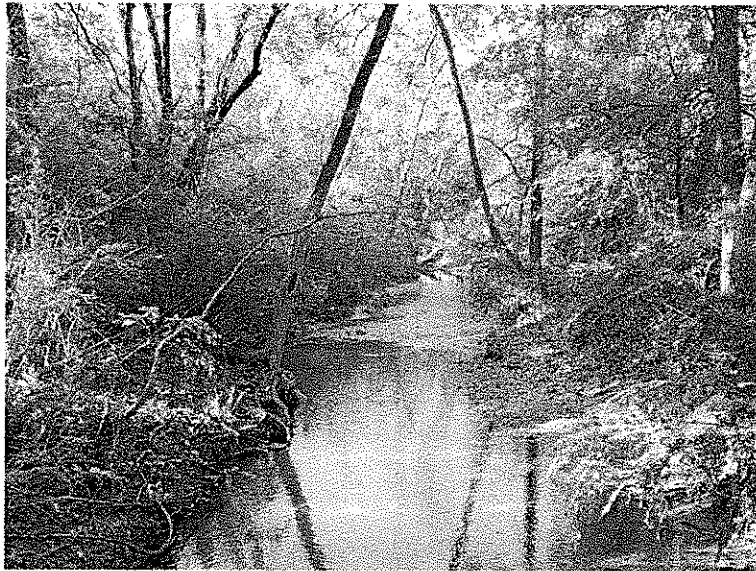
COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see attached. This is to serve as part of my Exhibit B to supplement my request for contested case hearing. This reflects the creek's characteristics and the integral part the creek plays in the City of Murphy. This was posted to WQ0016003001, which is the related WWTP application.





<https://www.murphytx.org/292/Murphy-Central-Park>

<https://www.alltrails.com/trail/us/texas/maxwell-creek/photos>

Maxwell Creek is the jewel of Murphy, Texas. There are many events that are hosted around the creek. The City of Murphy has invested a lot of money in beautifying the area as well as proper maintenance on the creek to help reinforce the side banks. The City has applied for grants as well as include in city bonds. The links below show the view of the creek located within the 1 mile downstream.

PARKS in Murphy (just showing 2 that are located by the creek)

https://www.murphytx.org/295/Preserve-at-Maxwell-Creek?fbclid=IwAR1x8VB4g7C_w69_qW6JwoO5opQ3zhdc18rueLLq0xqm0FvFfWQVeeYGsAc

<https://www.murphytx.org/292/Murphy-Central-Park>

CITY OF PARKER (as a side note)

The City of Parker received two Grants from Collin County Open Space Program for our Maxwell Creek nature preserve

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:25 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: ExhibitC.ReconsiderationMoebiusWQ0016003001.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, February 25, 2022 4:33 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see attached. This is to serve as Exhibit c to supplement my request for contested case hearing. This is my post for Reconsideration / Request for Contested Case hearing that was posted regarding WQ0016003001, related WWTP application.

Carrolyn Moebius
1412 Parkview Lane,
Murphy, Texas 75094
972-333-9432
carrmoe@gmail.com

WQ0016003001 Affected Party #42

I REQUEST RECONSIDERATION OF THE EXECUTIVE DIRECTOR'S DECISION REGARDING WQ0016003001:

The Alternative Dispute Resolution Director should be involved in resolving the miscommunication between the Applicant Restore the Grasslands and the Cities of Parker and Murphy and the regional water district North Texas Municipal Water District (NTMWD).

All parties have made it clear that tapping into the 2 existing sewer facilities Wilson Creek or Muddy Creek or the future Sister Grove Creek line would be preferable. Please note "FACTS" listed below. I understand Restore the Grasslands believes that the Cities & NTMWD were notified. When I was auditing the application, I spoke with all the cities on the list as well as North Texas Municipal Water District (NTMWD). The Cities and NTMWD noted they had not received the certified letter. Only the City of Plano is known to have received the letter which was noted by the inclusion of the copy of the green card in the application. Several City representatives shared they were having issues with mail because of covid. Whether or not the Cities and NTMWD were properly notified at this point is irrelevant.

The Executive Director's response to public comments failed to address NTMWD's timely submitted request for a contested case hearing dated November 10, 2021. As soon as I noted the absence of comments to NTMWD's request, I notified TCEQ, NTMWD, Cities of Murphy's and Parker's mayor. NTMWD's request for contested case hearing and detail provided should place Restore the Grassland's Application on a different path.

On the TCEQ site, TCEQ cites the following concerns related to regionalization that were raised during previous wastewater permit actions and subsequent legal proceedings:

- lack of timely and cost-efficient wastewater services within the surrounding area
 - My response - 2 lines are currently available, and Sister Grove is anticipated to be available in 2023.
- lack of detailed cost analysis and comparison
 - My response - No detailed cost analysis has occurred comparing tapping into any of the 3 lines recommended by NTMWD.
 - In a meeting with some City of Murphy representatives an estimated cost to Restore the Grasslands of \$7.8 million was noted.
- lack of thorough communication with existing facilities within a three-mile radius
 - As noted, Restore the Grasslands, Cities of Murphy & Parker, and NTMWD have all communicated their preference / availability of sewer lines that can be tapped into without creating a new source of pollution.
 - Evidence of "thorough communication"
 - Restore the Grasslands had communicated directly to the City of Parker and City of Murphy Homeowners during the public meeting on December 6th 2021 stating they do not want to build a wastewater treatment plant.
 - Restore the Grassland sent a letter dated December 26th 2021 to some of the homeowners noting they do not want to build a wastewater treatment plant.
 - Cities of Parker and Murphy have noted the availability of sewer lines for the proposed development.
 - NTMWD has shared the locations of the sewer lines available and the 2023 future line.
 - While the certified letters may not have been received by all the parties involved, the additional communication support a path that TCEQ could help resolve without the expense of a contested case hearing.

- Including the comments posted to TCEQ, Restore the Grassland's letter sent to homeowners and the Cities response regarding available sewer lines should be considered as evidence of "thorough communication".

POINTS TO NOTE:

RESTORE THE GRASSLAND

During the December 6th, 2021 public meeting Restore the Grasslands representative clearly stated they did not want to build a wastewater treatment plant.

Attorney for Restore the Grasslands, Timothy Green sent a letter dated December 26, 2021 to me as well as other homeowners in the area that stated "Restore the Grassland does not want to build a wastewater treatment plant and discharge treated wastewater into Maxwell Creek. It would prefer to pump its wastewater a few hundred feet to the existing City of Murphy wastewater trunkline and have the wastewater treated at the NTMWD plant".

Please see Attachment 1.

CITY OF PARKER

City of Parker's attorney Arturo Rodriguez noted in the response dated 12/6/2021 that "the city system can and should be explored for usage before approval of a new source of pollution is placed at Maxwell Creek". Also, the Attorney noted the "concern the application violates the state policy regarding regionalization".

Please see Attachment 2.

CITY OF MURPHY

City of Murphy's attorney Stephen Dickman in a letter dated November 10, 2021 stated "The establishment of a new package plant violates the TCEQ's regionalization policy. TCEQ's regionalization policy is intended to prevent the proliferation of new unneeded package plants when a regional wastewater service provider is available. In this case, there is a regional provider with nearby wastewater lines that would be the most logical and viable wastewater provider for the proposed development. The September 22, 2021 public comments and request for hearing submitted by the City of Parker in this case states that Parker has a contract with the North Texas Municipal Water District ("NTMWD") under which NTMWD has agreed to accept and treat wastewater generated within the City of Parker. According to Parker's hearing request, that contract would allow flows from the proposed development to be collected by Parker and treated by NTMWD and thus avoid the creation of a new wastewater point source discharge in this area. Because Parker has already-constructed wastewater collection lines near the development "which can easily, economically and reasonably be connected to a centralized system already in existence", the proposed construction of the Restore the Grasslands wastewater package plant violates TCEQ's regionalization policy."

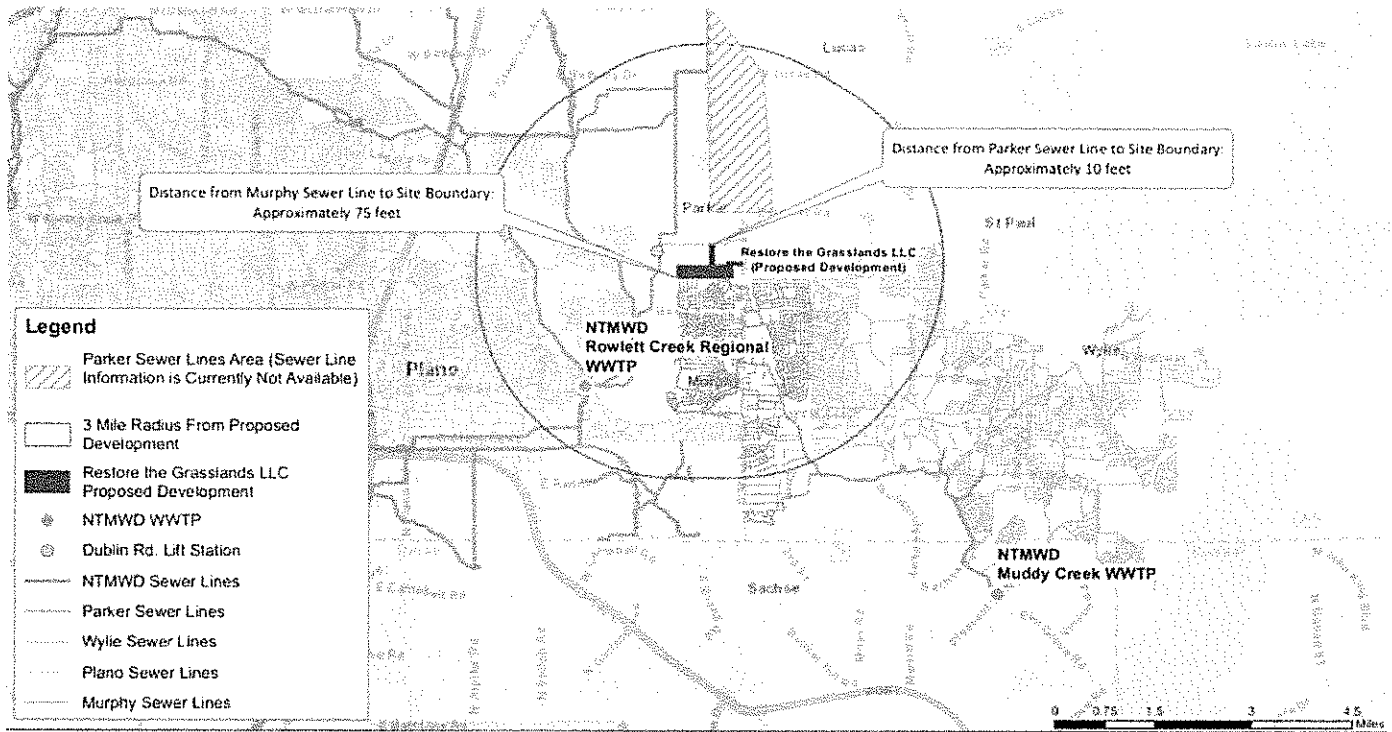
Please see attachment 3.

NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD)– REGIONAL WATER DISTRICT

NTMWD's attorney Lauren Kalisek in a letter dated November 22, 2021 included, "NTMWD's application for Phase 1 of the Sister Grove Regional Waste Resource Recovery Facility ("Sister Grove") was approved by TCEQ in 2020 that encompasses the same service area proposed in this Application." Also, "Two of NTMWD's facilities, Wilson Creek Regional Wastewater Treatment Plant ("Wilson Creek") and Muddy Creek Wastewater Treatment Plant ("Muddy Creek"), provide wastewater service to an area inclusive of the Applicant's proposed development.... Moreover, Restore the Grasslands WWTP would be located in close proximity to existing sewer facilities transporting wastewater for treatment to Wilson Creek, Muddy Creek, and Sister Grove (once construction is completed)".

In closing Lauren Kalisek adds, "In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when regionalized wastewater services are available and TCEQ rules designate NTMWD as the regional wastewater service provider. "

Note in NTMWD's Attorney's response in Attachment B, City of Parker's existing sewer line is 10 feet away from the property and City of Murphy's is 75 feet away.



Please see Attachment 4 for the full copy of the NTMWD's Attorney's response.

CLOSING:

I respectfully ask that Reconsideration is granted based upon the statements made by Restore the Grasslands, Cities of Parker and Murphy, and North Texas Municipal Water District, and the over 1,966 comments, 1,350 comments acknowledged; 28 requests for contested case hearing. Just because a wastewater treatment plant can be built does not mean it should be.

TCEQ's mission of "Protecting Texas by Reducing and Preventing Pollution" should always be the focus. Regionalization is the proper choice when determining which method of treating water should be pursued. The North Texas's investment in our regional water district should be the logical choice.

Regulated Entity Name, Regulated Entity Number: COLLEEN COUNTY MUD NO 7 WWTP, RTR112573514		
TCEQ Docket Num: SOAH Docket Num: County, TCEQ Region: COLLEEN, REGION 64 - DFW METROPOLIS	Program: WWP/PERMIT	Permit Number: W00116605301
Doc. Type: PERMIT		
Protestant Information Note: Allow up to five or more business days after the end of the comment period for comments or hearing requests to be included in this total. Comments Received: 1350 Hearing Requests Received: 28 Public Hearings Received: 11		
Activity Action List: 35 Activity Actions found. Expand All Activity Actions		
Date	Document Type	Action
03/14/2022	RFR/HA PERIOD	END
02/11/2022	FINAL DECISION LETTER	MAILED
02/04/2022	REPRODUCTION DOCUMENTS	RECEIVED
12/08/2021	COMMENT PERIOD	END
12/08/2021	PUBLIC MEETING	HELD
Filings received since July 2009 are viewable in PDF by clicking on the Filing Title.		
Filings:		
Date Received	Filing Title	
12 Filings Issued		
1966 Comments found. Expand All Comments		
Comment letters, etc. received since November 2008 are viewable in PDF by clicking on the Correspondence Type.		
Date Received	Commentor	Correspondence Type
1966 Comments Submitted Electronically		

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:25 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: ExhibitB1.Moebius.PersonalComments..pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, February 25, 2022 4:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

ADDITIONAL COMMENTS: Please see attached. This is to serve as Exhibit B to supplement my request for contested case hearing. These are my Requests for Contested Case hearing that were posted to WQ0016003001, related WWTP application.

Carrolyn Moebius
Affected Party #42
1412 Parkview Lane Murphy, Texas 75094
carrmoe@gmail.com

Re: Texas Pollutant Discharge Elimination System permit WQ0016003001
Applicants: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP
Proposed Location: 200 feet from Proposed Wastewater treatment plant; 195 feet from Maxwell Creek

This document as well as my previous comments / requests for contested case hearings should be considered in whole and will serve as my request for a contested case hearing.

WHY WE LOVE OUR HOME:

My family moved to 1412 Parkview from another home in Murphy about 16 years ago. We fell in love with this lot. We were looking for a home with a country feel but not far from work. We wanted a large yard and were very happy when we found this lot that backed to a pasture. We built our dream home to raise our family and pets. We knew some day there would be homes in that pasture. We did seek out Parker's building guidelines included 2 acre lots and septic tanks so we knew we would always enjoy our backyard. See pictures at end of comments.

UNDERGROUND STREAM:

At our back fence, we have a lovely tree line. I have suspicions that this tree line might be tapped into an underground stream. Our past neighbors on Featherwood and a neighbor on Keathly. Both households had to purchase sump pumps. The Featherwood home discovered the underground stream when doing landscaping in their backyard. I submitted that video to TCEQ (and are also on the comment posted by me that has links to supporting documentation I submitted on 12/5/2021). The landscaping company, Canterra Landscaping, Charlie Flanigen manager. He said "Had it tested its great drinking water like Fiji". The Murphy City water department came out too. The decision was to get the water to the street so they stubbed it into the storm drain.

HEALTH CONCERNS:

Based upon the location of the proposed wastewater treatment plant discharge to my home of only 200 feet, I worry about the asthma I have had under control will flare up. I am very sensitive to aerosols and chlorine. I have breathing issues when I go to facilities with indoor pools or if I'm around a pool that just received chlorine. Also, I suffer from migraine headaches, which can be triggered by odors.
<https://americanheadachesociety.org/news/whats-that-smell/>

Two of my adult children were asthmatic when they were young. I am concerned about their visiting me and if anytime we spend outside will trigger an asthma attack.

I have one daughter who suffers from seizures. I worry that the strong odors from the WWTP would result in her having more seizures. I have read some medical research that prove odors can trigger seizures. Something I didn't know until recently.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3407102/>

WILDLIFE & LIVESTOCK & FIREFLIES:

When we first moved here, we enjoyed the cattle that would graze in the pasture at times. We have seen coyotes and their families. Some as big as wolves that made me wonder if they were. We see Canadian Gees flying over, Red headed woodpeckers, and we have seen a bald eagle a few times. The other day we had a very large bobcat sitting in our yard. We have all kind of birds including hummingbirds, and several cardinal families, possums, roadrunners and occasional owls (unfortunately skunks). The desire for us to move to a place that would allow us to be in touch with nature (and livestock) was proven out. We believe that the noise, bright lights of a wastewater treatment plant and the discharge of the treated wastewater so close will jeopardize those animals, their habitats and will be replaced with more mosquitos and rodents.

I have always enjoyed fireflies, and we have been fortunate to have them every year. I believe a wastewater treatment plant will result in their disappearance in our neighborhood. Lights of wastewater treatment plants are issues for insects. Also, Wastewater treatment plants increase the mosquito population resulting in an increased use of pesticides which may kill fireflies.

PROPERTY RIGHTS:

We moved to this home imagining it as our forever home. With a wastewater treatment plant, the enjoyment of our backyard is taken away from us. The dark nights we sit outside and listen to the insects, birds and coyotes howling will be replaced with buzzing lights, noises from the wastewater plant, bright lights and smells of rotten eggs, garlic, or ammonia. Ammonia smells definitely trigger breathing issues for me.

When I read what causes the odors to be worse, I really am concerned. "Weather conditions can intensify odors. Temperature inversions, wind velocity, and wind direction contribute to how far odor emissions drift. Odors are typically worse at higher temperatures. Factor in increased summer activity, and it is not a surprise that plant management usually receives more odor complaints during the warmer months of the year. Plant maintenance - either planned or unplanned - and/or upgrades to treatment processes are other aspects that can affect the severity of odors". Murphy experiences all these events which will increase my family's discomfort and potential breathing issues.

It is a reasonable conclusion that the proposed site of the wastewater treatment plant 200 feet from my property and the discharge of the treated wastewater 195 feet from my property will affect my enjoyment of my property.

ENJOYMENT OF DAILY WALKS IN MY NEIGHBORHOOD:

I enjoy daily walks in my neighborhood, spending over an hour. My whole family enjoys walking. Walking is our most engaged form of exercise. This activity we enjoy will be ruined.

FLOODING:

Currently I have neighbors that live very close to me that already have issues with flooding, are in the flood plain or have an underground stream. What will this mean to my home if the WWTP is built, and treated wastewater is discharged into the creek? Will flooding become an issue for my home? If the WWTP, has an issue as it seems they all do occasionally, will that result in flooding into my home?

I have a very narrow dry creek bed behind my fence. Will this now have water all the time?

REGIONALIZATION:

It is upsetting that the communities of Murphy and Parker are having to go through all this work to show that the APPLICATION IS INACCURATE. IT IS SO INACCURATE that a travesty would have occurred if we had not caught on to this as quickly as we did.

The NUMBER 1 REASON this application should be denied is REGIONALIZATION.

Jon Niemann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

The NUMBER 2 REASON this application should be denied is FLOODING. It is obvious that flooding is an issue for the community that lives upstream and downstream. The residents of Gregory Lane deal with this fact often. The property that Harrington/Turner Enterprises, LP owns has flooding issues as well as other areas in Parker. See Army Corps of Engineers report and Shawn Engineering.

Per TCEQ 's letterhead, noted below, your mission is "Protecting Texas by Reducing and Preventing Pollution". With all the public comments, obvious public concerns & requests for contested case hearing, Flooding issues upstream and downstream, mischaracterizations of Maxwell Creek, high aquatic life, presence of many wildlife and habitats, migratory birds' visits, concerns expressed by Texas Parks and Wildlife, North Texas Municipal Water District, and Consulting Engineering Firm Tetra Tech, Regionalization should be the path.

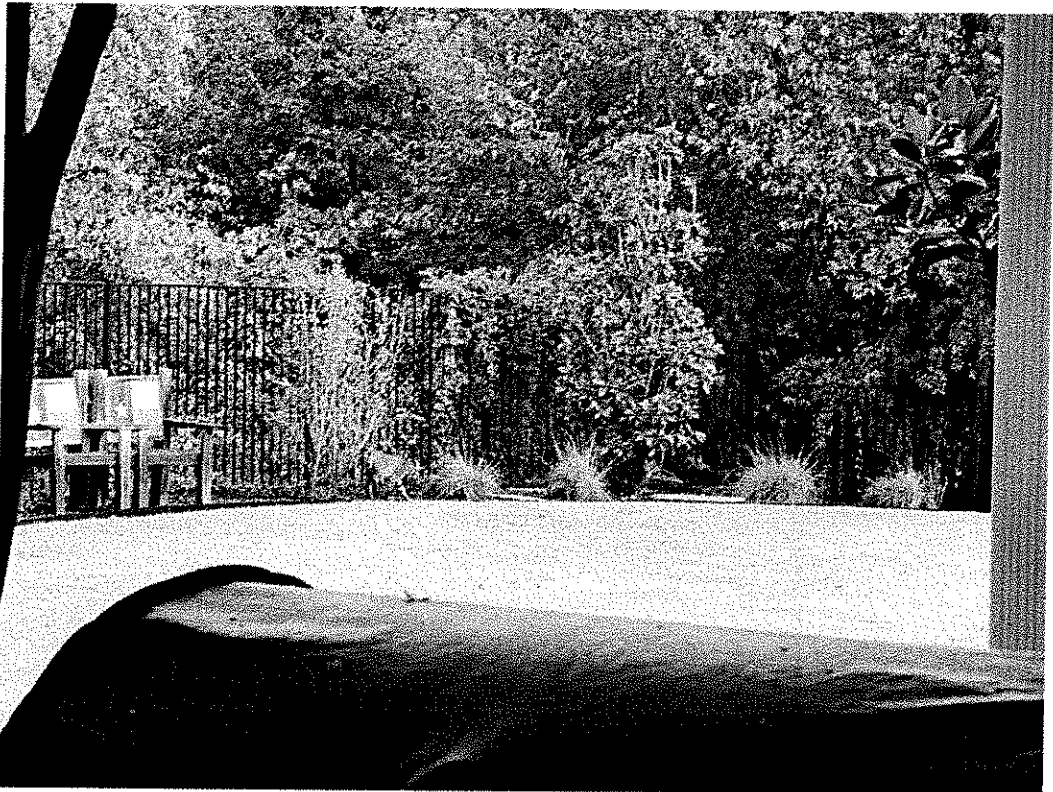
An Engineer's personal observation, in one small section of a creek does not give an accurate picture of the characteristics of a creek. While the pictures the Engineer took reflected the clarity of the water and that it appears perennial, a decision was made to characterize as intermittent. If I interpret the intercommunication correctly, the first classification of Maxwell Creek would have at least required a tier 2 review. Then an intercommunication in September changes the characterization to only require a tier 1 review. If the TCEQ Application required the Applicant to analyze Maxwell Creek at various locations, they would see that Maxwell Creek is pristine, qualifies as perennial, has numerous streams, has high aquatic life as well as a healthy wildlife population, has parks surrounding it, people enjoy fishing as well as wading through the creek, runs through the middle of the City of Murphy, and has visitors all day long. If quick internet search was performed of City of Murphy parks, they would have seen that there are parks adjacent to Maxwell Creek <http://www.murphytx.org/295/Preserve-at-Maxwell-Creek>, and many events that occur around the area of the creek.

We have two sewer lines in the area. According to a discussion I had with North Texas Municipal Water District, our regional water district, their recommendation is tapping into one of the sewer lines. I am not sure why that communication still has not been posted to the TCEQ site since it's been almost 2 weeks since they submitted.

Our City Mayors and City Councils know, Murphy & Parker residents support current practice of septic tanks or the option of the Developer tapping into existing sewer lines. We DO NOT SUPPORT a wastewater treatment plant that will result in more FLOODING issues upstream and downstream, will add pollutants to Maxwell Creek that will kill or deplete our wildlife, will add to the air pollution, will affect our community members' health, will limit our enjoyment of Maxwell Creek and its wildlife and aquatic life. If given the choice, Murphy & Parker residents would choose every alternative BUT a wastewater treatment plant.

Maxwell Creek is the jewel of Murphy. Maxwell Creek is an integral part of Murphy's & Parker's Communities' lives. When there is an alternative that is recommended, prevents all kinds of pollution (water, air, light), and would not affect public health or enjoyment of the outdoors, or affect wildlife, aquatic life, and migratory birds, it should be the path chosen.







Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:25 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: ExhibitA.2021.11.22.NTMWD Protest.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, February 25, 2022 4:28 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see attached. This is to serve as Exhibit A to supplement my request for contested case hearing. This is the North Texas Municipal Water District Request for Contested Case hearing that was posted regarding WQ0016003001, related WWTP application.

November 22, 2021

Ms. Laurie Gharis
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**VIA FIRST CLASS MAIL
AND ELECTRONIC FILING**

Re: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP;
Texas Pollutant Discharge Elimination System Permit No.
WQ0016003001 Request for Contested Case Hearing (446-13/69)

Dear Ms. Gharis:

On behalf of the North Texas Municipal Water District ("NTMWD"), please consider this letter as a formal request for a contested case hearing on the above-referenced Texas Pollutant Discharge Elimination System ("TPDES") permit application ("Application") filed with the Texas Commission on Environmental Quality ("TCEQ") by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP ("Applicant") and the associated draft permit for the proposed TPDES Permit No. WQ0016003001 ("Draft Permit").

I. REQUEST FOR A CONTESTED CASE HEARING

NTMWD is a conservation and reclamation district under Article XVI, Section 59 of the Texas Constitution that was created by the Texas Legislature in 1951 to serve regional water and wastewater needs in the area north and east of Dallas. Today, NTMWD provides wastewater service to this area from fifteen (15) NTMWD-owned or operated wastewater treatment plants ("WWTPs"). Many of these WWTPs operate in and discharge to tributaries of the Trinity River, including the East Fork Trinity River.¹ NTMWD's provision of regional service on this scale is due to its historic recognition and legal designation by the TCEQ's predecessor agency as the regional service provider for the service area at issue in the Application. In 1972, the Texas Water Quality Board issued an order ("1972 Order"), pursuant to a 1969 amendment to the 1967 Texas Water Quality Control Act, designating NTMWD as the regional wastewater service

¹ Sister Grove Regional Waste Resource Recovery Facility Phase I Facilities, TPDES Permit No. 15693001; Wilson Creek WWTP, TPDES Permit No. WQ0012446001; Rowlett Creek WWTP, TPDES Permit No. WQ0010363001; Floyd Branch WWTP, TPDES Permit No. WQ0010257001; South Mesquite Creek RWWT, TPDES Permit No. WQ0010221001; Wylie WWTP, TPDES Permit No. WQ0010384001; Seis Lagos WWTP, TPDES Permit No. WQ0011451001; Squabble Creek WWTP, TPDES Permit No. WQ0010262001; Buffalo Creek WWTP, TPDES Permit No. WQ00102047001; Frisco Cottonwood Creek WWTP, TPDES Permit No. WQ0010172002; Stewart Creek West WWTP, TPDES Permit No. WQ0014008001; Farmersville No. 1 WWTP, TPDES Permit No. WQ0010442001; Farmersville No. 2 WWTP, TPDES Permit No. WQ0010442002; Bear Creek WWTP, TPDES Permit No. WQ0014577001; Panther Creek WWTP, TPDES Permit No. WQ0014245001; Sabine Creek WWTP, TPDES Permit No. WQ0014469001.

provider for the watershed area of the East Fork Trinity River.² Attachment A is a copy of the 1972 Order. This designation is memorialized in current TCEQ regulations.³ Further, as discussed in detail below, NTMWD's application for Phase 1 of the Sister Grove Regional Waste Resource Recovery Facility ("Sister Grove") was approved by TCEQ in 2020 that encompasses the same service area proposed in this Application.

The Applicant has applied for a new TPDES permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. The proposed WWTP will be located in Collin County, Texas, and the wastewater will be discharged from the proposed WWTP site to Maxwell Creek, thence to Lake Ray Hubbard in Segment No. 0820 of the Trinity River Basin. The Applicant asserts that the proposed WWTP will provide wastewater service to a proposed 101-acre tract that will be developed into single-family residential subdivision, in a primarily undeveloped rural area, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, Texas.

NTMWD requests a contested case hearing on the Draft Permit, as NTMWD is an "affected person" within the meaning of 30 Texas Administrative Code ("TAC") §§ 55.103 and 55.203. An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by issuance of the Draft Permit.⁴ All relevant factors must be considered by the TCEQ in determining affected person status, including: (1) whether the interest claimed is one protected by the law under which the Application will be considered; (2) distance restrictions or other limitations imposed by law on the affected interest; (3) whether a reasonable relationship exists between the interest claimed and the activity regulated; (4) the likely impact of the regulated activity on the health, safety, and use of property of the person; (5) the likely impact of the regulated activity on use of the impacted natural resource by the person; (6) whether the requestor submitted comments on the Application that were not withdrawn; and, (7) *for governmental entities, their statutory authority over or interest in the issues relevant to the Application.*⁵ Additionally, the TCEQ may consider: (1) the merits of the Application, including whether the Application meets the requirements for permit issuance; (2) the Executive Director's ("ED's") analysis and opinions; and (3) other expert reports, affidavits, opinions, and data.⁶

II. NTMWD HAS A PERSONAL JUSTICIABLE INTEREST AFFECTED BY THE APPLICATION AND DRAFT PERMIT

For the reasons set forth herein, NTMWD is an affected person, as defined by 30 TAC §§ 55.103 and 55.203. NTMWD has a personal justiciable interest related to a legal right, duty,

² Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972); *see* Texas Water Quality Act of 1967, 60th Leg., R.S., ch. 313 (amended 1969, 1971, and 1985) (current version at Tex. Water Code §§ 26.081-.087); Act of May 13, 1969, 61st Leg., ch. 760, §§ 1.02, 3.29 (amended 1971 and 1985) (current version at Tex. Water Code §§ 26.081-.087).

³ 30 Tex. Admin. Code §§ 351.31—35.

⁴ 30 Tex. Admin. Code § 55.103.

⁵ *Id.* § 55.203(c) (emphasis added).

⁶ *Id.* § 55.203(d).

privilege, power, or economic interest that is not common to the general public and that would be adversely affected should the Draft Permit be issued.

A. The Applicants' proposed WWTF seeks to collect, transport, treat, and discharge wastewater within the area designated by TCEQ as the Regional Area over which NTMWD is the designated regional entity.

NTMWD is an affected person, because the proposed action would interfere with its statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area.⁷ Specifically, the Application indicates that the proposed WWTF will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD.⁸ In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C.⁹

TWC Chapter 26 provides the TCEQ the authority to—whenever it deems necessary in the interest of serving the waste disposal needs of the state, and to prevent pollution and maintain and enhance the quality of state water—designate a regional entity to provide wastewater service.¹⁰ Moreover, the specified duties of the regional entity indicate that NTMWD "shall provide regional wastewater collection and treatment service to *all* legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the [TCEQ] if agreement cannot be reached."¹¹ NTMWD has expended significant time, effort, and resources over the intervening four decades in planning, financing, and constructing the infrastructure needed to serve the Regional Area, and such efforts would be undermined by approval of the Application.

B. NTMWD's existing Wilson Creek WWTP and Muddy Creek WWTP, and Sister Grove currently under construction are available to serve the Applicant's proposed service area.

Two of NTMWD's facilities, Wilson Creek Regional Wastewater Treatment Plant ("Wilson Creek") and Muddy Creek Wastewater Treatment Plant ("Muddy Creek"), provide wastewater service to an area inclusive of the Applicant's proposed development. On May 31,

⁷ *Id.* §§ 351.31—35; Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

⁸ *Id.*

⁹ Tex. Water Code §§ 26.003, .081. See specifically TWC Section 26.084, authorizing the TCEQ to refuse to grant a permit for a system in a designated regional area unless the permit complies and is consistent with the TCEQ's regionalization order.

¹⁰ *Id.* §§ 26.081-.087.

¹¹ *Id.* § 351.35 (emphasis added); *see also* Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

2018, and pursuant to NTMWD's regionalization plan, NTMWD filed a new TPDES permit application for Sister Grove that is designed to provide wastewater service to an area inclusive of the proposed development, which the TCEQ approved and the project is currently under construction.¹² Wilson Creek, Muddy Creek and Sister Grove and the proposed Restore the Grasslands WWTP are located in the watershed area of the East Fork of the Trinity River within Collin County and therefore fall within the Regional Area designated to NTMWD.¹³ Moreover, Restore the Grasslands WWTP would be located in close proximity to existing sewer facilities transporting wastewater for treatment to Wilson Creek, Muddy Creek, and Sister Grove (once construction is completed), as illustrated by the map provided as Attachment B to this letter.

Sister Grove is planned to include four phases, the first of which will be online in 2023 and discharge 16 million gallons per day ("MGD") of treated wastewater. Once all four phases are complete, Sister Grove will discharge 64 MGD.

Sister Grove is the product of significant NTMWD planning and expenditures in studying regionalization over the past decade, as was directed and encouraged by the designation of NTMWD as the wastewater service provider for the Regional Area. Population growth, existing facilities in the NTMWD Upper East Fork Interceptor System, proposed NTMWD facilities, and the possible location of proposed NTMWD facilities were considered during NTMWD's planning of the regional system. Based upon NTMWD's construction of Sister Grove and concrete plan to provide service to the area covered by the Application, as well as service provided by Wilson Creek and Muddy Creek in the Applicant's proposed service area—an area that falls entirely within the watershed area designated as the NTMWD Regional Area—NTMWD is an affected person entitled to a contested case hearing.

TCEQ has established NTMWD as the regional entity over the Regional Area within which the Applicant's proposed development is located; NTMWD has acted consistent with this authority, has invested in long-term planning inclusive of the Applicant's proposed service area, and has operated continuously Wilson Creek and Muddy Creek, and is now constructing Sister Grove to carry out that plan. Thus, NTMWD's status as an affected person is based on a specific interest in providing wastewater service to the area covered by the Application in addition to NTMWD's overarching interest in providing wastewater service within its designated Regional Area. Further, if TCEQ were to issue the permit as sought by the Application, such action would undercut the incentive for others in the service area to work with NTMWD as the regional service provider and would thereby undermine the state's policy of regionalization.

III. DISPUTED FACTS AND LAW TO BE REFERRED FOR A CONTESTED CASE HEARING.

¹² TCEQ Domestic Wastewater Permit Application for a New Texas Pollutant Discharge Elimination System (TPDES) Permit for the North Texas Municipal Water District Sister Grove Regional Water Resource Recovery Facility (May 31, 2018).

¹³ See Tex. Admin. Code §§ 351.31—35.

In addition to the foregoing bases to grant NTMWD's hearing request, NTMWD reasserts that it is an affected person and thus entitled to a hearing, because the Application for the proposed Draft Permit was deficient, resulting in a Draft Permit that threatens NTMWD's interest as the designated regional entity. In accordance with 30 TAC § 55.201(d)(4)(B), NTMWD asserts the following facts and law, and requests that these issues be referred to a contested case hearing:

A. Whether issuance of the Draft Permit is contrary to the state's regionalization policy.

1. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on NTMWD designation as the regional entity to provide service in the Applicant's proposed service area in accordance with the 1972 Order. TWC Chapter 26, and 30 TAC §§ 351.31–.35.
2. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on the proximity of existing sewer facilities already served by NTMWD's Wilson Creek, Muddy Creek, and Sister Grove treatment plants.
3. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on consideration of the state's general policy to promote regional or area-wide systems under TWC § 26.003.
4. Whether the Applicant has sufficiently demonstrated a need for the Permit in light of NTMWD's designation as the regional entity to provide service within the Regional Area and NTMWD's pending application for the Sister Grove regional facility.

In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when regionalized wastewater services are available and TCEQ rules designate NTMWD as the regional wastewater service provider.

IV. CONCLUSION

For the foregoing reasons and because this request substantially complies with the requirements of a contested case hearing request per 30 TAC § 55.201, NTMWD requests a contested case hearing in this matter regarding the above-listed issues. NTMWD reserves the right to raise and pursue any and all issues that may be relevant to its interest in the event of a contested case hearing. Again, all official communication should be directed to my attention at:

Ms. Lauren J. Kalisek
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900

Ms. Laurie Gharis
November 22, 2021
Page 6

Austin, Texas 78701
Telephone: (512) 322-5847
Email: lkalisek@lglawfirm.com

I appreciate your attention to this request. Please do not hesitate to contact me if you have questions.

Sincerely,
Lauren Kalisek

Attachment A

TEXAS WATER QUALITY BOARD
P. O. Box 13246, Capitol Station
Austin, Texas 78711

ORDER NO. 72-0426-17

AN ORDER of the Texas Water Quality Board defining that area of the East Fork of the Trinity River in which the implementation of a regional or area-wide sewerage system is necessary to protect the quality of the waters in the State; designating the North Texas Municipal Water District as the governmental entity to design, construct and provide operation for the system; and directing the Executive Director to send copies of the Order to parties who might reasonably be affected by this Order.

PREAMBLE

It is the policy of the state of Texas to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the State and to prevent pollution and maintain and enhance the quality of waters in the State (Sec. 21.201, Texas Water Code). In accordance with this policy, a public hearing was held in Garland, Texas on December 10, 1971 to receive evidence concerning the creation of an area-wide sewerage system for the watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties, Texas. Notice of the public hearing was given to all local governments which, in the opinion of the Board, would be reasonably affected by its actions.

The Board finds: (a) that the described territory is within a standard metropolitan statistical area as defined by Section 21.201 (d), Texas Water Code; (b) that an area-wide system is necessary and desirable to prevent pollution and maintain and enhance the quality of water in the State; (c) that there is a system which the North Texas Municipal Water District proposes to construct, which in the reasonably foreseeable future, will be capable of serving the waste collection, treatment and disposal needs of all or part of the area defined below; (d) that the North Texas Municipal Water District is agreeable to sponsoring the area-wide system and providing the services; and (e) the Board intends to

consider, after appropriate notice and hearings, taking the actions made available under Section 21.204, Texas Water Code.

BE IT ORDERED BY THE TEXAS WATER QUALITY BOARD:

- I. The watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties is hereby designated as an area in which the implementation of a regional or area-wide system is necessary or desirable to effectuate the policy stated in Sec. 21.201, Texas Water Code.
2. The North Texas Municipal Water District is designated as the governmental entity to design, construct and be the operating agency for a regional sewerage system in the defined area and to provide the services therefor.
3. The Duck Creek site described in the North Central Texas Council of Government's Upper Trinity River Basin Comprehensive Sewerage Plan will not be designated as a regional sewage treatment center.
4. After development of the area-wide system, the North Texas Municipal Water District shall provide regional wastewater collection and treatment service to all legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the Board if agreement cannot be reached.
5. The Executive Director is directed to send a copy of this Order to the North Texas Municipal Water District, the City of Garland, and other parties who might reasonably be affected by this Order.

Passed and approved this 26th day of April, 1972.

(SEAL)

s/ Gordan Fulcher

CHAIRMAN

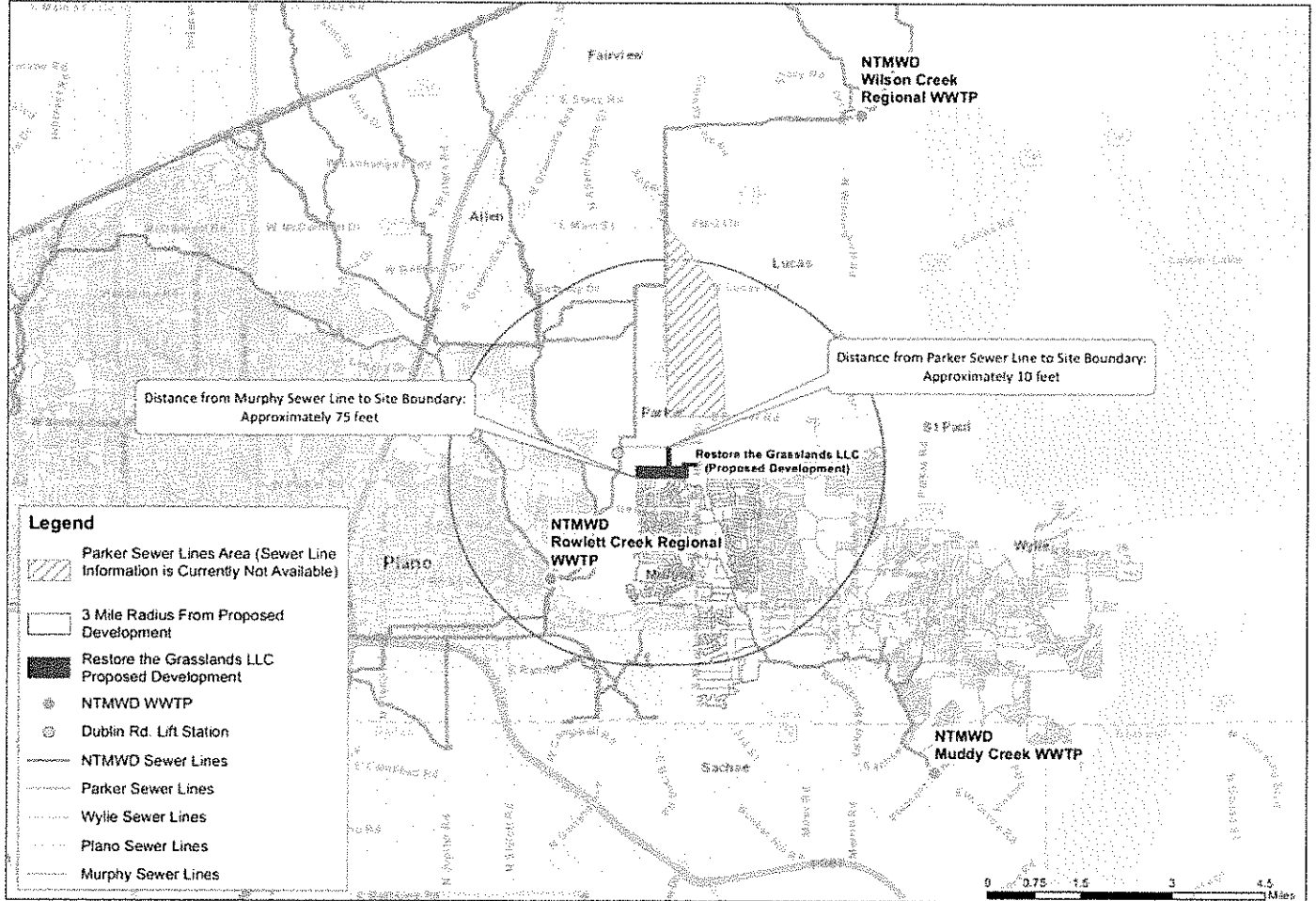
ATTEST:

s/Hugh C. Yantis, Jr.,
EXECUTIVE DIRECTOR

Attachment B

Restore the Grasslands LLC & Harrington/Turner Enterprises, LP

Nearby Wastewater Treatment Plants and Collection Systems



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:25 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017
Attachments: 1MoebiusResponse2MUD.pdf

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, February 25, 2022 4:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see attached request for contested case hearing. I will be submitting supporting documentation in additional posts. This is to supplement earlier request for contested case hearing.

Carrolyn J Moebius
1412 Parkview Lane
Murphy, Texas 75094
carrmoe@gmail.com
972-333-9432
February 25, 2022

Re: TCEQ Permit # D-04122021-017 Request for Contested Case Hearing

Affected Party Status

My name is Carrolyn Moebius. I live at 1412 Parkview Ln, Murphy, TX 75094. My property shares a boundary with the proposed municipal utility district ("MUD") and is approximately 200 feet from the location of the proposed wastewater treatment plant that will be managed by the MUD and 195 feet from Maxwell Creek. Therefore, I am an affected party.

Request for Contested Case Hearing

I request a contested case hearing.

Wastewater Treatment Plant

The applicant ("Applicant") petitioning for creation of the MUD is also an applicant for a permit to construct and operate a wastewater treatment Plant ("WWTP") within the boundaries of the proposed MUD. The proposed TCEQ permit for the WWTP is WQ0016003001 and I am affected party #42. Many affected parties, including myself, filed comments and/or requests for contested case hearing in the WWTF Proceeding. There have been over 1,991 comments found as of 2/25/2022 posted on the TCEQ site regarding WQ0016003001.

Objections to Application

I have previously submitted a request for contested case hearing on 1/27/2022. I am filing these to supplement my previous objections to the creation of the MUD.

1. Comparable service is available from three other entities. In the WWTF Proceeding of December 6, the Cities of Murphy and the City of Parker participated in the WWTP public meeting as well as submitted their request for a contested case hearing (City of Murphy's lawyer Stephen Dickman's request dated 11/10/21 posted to TCEQ site 11/15/21 and City of Parker's lawyer Arturo Rodriguez's request dated 9/22/21 posted to TCEQ 9/27/2021 & 12/6/21), and the North Texas Municipal Water District ("NTMWD")'s lawyer Lauren Kalisek submitted a request for contested case hearing on 11/2/2021. See Exhibit A. Each filed a comment asserting that they had capacity to service the WWTF, resulting in the proposed MUD not being a necessity.
2. The proposed development to be served by the MUD will result in additional flooding in an area that consistently has issues, specifically Gregory Lane. At times some of the Gregory Lane residents are not able to get back to their homes due to Maxwell Creek frequently flooding the road. The Applicant's proposed development's density will exacerbate such flooding due to increase: (a) discharge from the WWTP, and (b) concrete within the development drastically reducing the amount of water that can be absorbed in the soil, drastically creating additional runoff water.

Carrolyn Moebius, Objection to Creation of MUD, D-04122021-017

3. Discharged effluent from the WWTP, even if treated according to the specifications proposed by the Applicant, will have an unreasonable negative impact on groundwater resources near the Murphy & Parker homes.
4. Notice of the proposed MUD and notice of the proposed WWTP was inadequate to provide actual notice to all affected parties. The protocols specified in the TCEQ guidelines were not followed. The Applicant & Petitioner know the North Texas Communities very well and are certainly aware that the Dallas Morning News is the most circulated publication in North Texas.
5. As Michael Haynes's request for contested case hearing/reconsideration stated "Notwithstanding presumed commercially reasonable efforts of the operator of the proposed WWTP, it is reasonably foreseeable that unpleasant odors will emanate from the facility. Emanation of odors from the facility constitute an actionable nuisance if it results in an unreasonable interference with the use and enjoyment of my home. *See City of Tyler v. Likes*, 962 S.W.2d 489 (Tex. 1997); *City of Temple vs. Mitchell*, 180 S.W.2d 959 (Tex.App.-Austin 1994, no writ). The proposed facility would constitute a foreseeable tort committed upon private homeowners. Such a tort would not only result in interference with the use and enjoyment of property, but also a diminution in value of the property itself."

Incorporation of Additional Objections

I filed an objection to the application for permit to construct and operate the WWTP in the WWTP Proceeding, a true and correct copy of which is attached hereto as Exhibit B, and a motion for reconsideration of the draft permit issued by the TCEQ, attached hereto as Exhibit C. I incorporate herein my objection attached as Exhibit B and my motion for reconsideration attached as Exhibit C as if fully set forth herein.

I incorporate the objections of all other Affected Parties into this objection as if fully set forth herein. I reserve the right to raise additional objections.

Conclusion

For the reasons set forth herein, and for the reasons asserted in the objections filed by my neighbors, I respectfully request that the Applicant's petition for creation of the MUD be denied.

Respectfully,

Carrolyn J Moebius

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 15, 2022 1:03 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: ReconsiderationMoebiusWQ0016003001.pdf

RFR

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Tuesday, February 15, 2022 10:34 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please see attach Request for Reconsideration of the Executive Director's Decision - WQ0016003001

Carrolyn Moebius
1412 Parkview Lane,
Murphy, Texas 75094
972-333-9432
carrmoe@gmail.com
WQ0016003001 Affected Party #42

I REQUEST RECONSIDERATION OF THE EXECUTIVE DIRECTOR'S DECISION REGARDING WQ0016003001:

The Alternative Dispute Resolution Director should be involved in resolving the miscommunication between the Applicant Restore the Grasslands and the Cities of Parker and Murphy and the regional water district North Texas Municipal Water District (NTMWD).

All parties have made it clear that tapping into the 2 existing sewer facilities Wilson Creek or Muddy Creek or the future Sister Grove Creek line would be preferable. Please note "FACTS" listed below. I understand Restore the Grasslands believes that the Cities & NTMWD were notified. When I was auditing the application, I spoke with all the cities on the list as well as North Texas Municipal Water District (NTMWD). The Cities and NTMWD noted they had not received the certified letter. Only the City of Plano is known to have received the letter which was noted by the inclusion of the copy of the green card in the application. Several City representatives shared they were having issues with mail because of covid. Whether or not the Cities and NTMWD were properly notified at this point is irrelevant.

The Executive Director's response to public comments failed to address NTMWD's timely submitted request for a contested case hearing dated November 10, 2021. As soon as I noted the absence of comments to NTMWD's request, I notified TCEQ, NTMWD, Cities of Murphy's and Parker's mayor. NTMWD's request for contested case hearing and detail provided should place Restore the Grassland's Application on a different path.

On the TCEQ site, TCEQ cites the following concerns related to regionalization that were raised during previous wastewater permit actions and subsequent legal proceedings:

- lack of timely and cost-efficient wastewater services within the surrounding area
 - My response - 2 lines are currently available, and Sister Grove is anticipated to be available in 2023.
- lack of detailed cost analysis and comparison
 - My response - No detailed cost analysis has occurred comparing tapping into any of the 3 lines recommended by NTMWD.
 - In a meeting with some City of Murphy representatives an estimated cost to Restore the Grasslands of \$7.8 million was noted.
- lack of thorough communication with existing facilities within a three-mile radius
 - As noted, Restore the Grasslands, Cities of Murphy & Parker, and NTMWD have all communicated their preference / availability of sewer lines that can be tapped into without creating a new source of pollution.
 - Evidence of "thorough communication"
 - Restore the Grasslands had communicated directly to the City of Parker and City of Murphy Homeowners during the public meeting on December 6th 2021 stating they do not want to build a wastewater treatment plant.
 - Restore the Grassland sent a letter dated December 26th 2021 to some of the homeowners noting they do not want to build a wastewater treatment plant.
 - Cities of Parker and Murphy have noted the availability of sewer lines for the proposed development.
 - NTMWD has shared the locations of the sewer lines available and the 2023 future line.
 - While the certified letters may not have been received by all the parties involved, the additional communication support a path that TCEQ could help resolve without the expense of a contested case hearing.

- Including the comments posted to TCEQ, Restore the Grassland's letter sent to homeowners and the Cities response regarding available sewer lines should be considered as evidence of "thorough communication".

POINTS TO NOTE:

RESTORE THE GRASSLAND

During the December 6th, 2021 public meeting Restore the Grasslands representative clearly stated they did not want to build a wastewater treatment plant.

Attorney for Restore the Grasslands, Timothy Green sent a letter dated December 26, 2021 to me as well as other homeowners in the area that stated "Restore the Grassland does not want to build a wastewater treatment plant and discharge treated wastewater into Maxwell Creek. It would prefer to pump its wastewater a few hundred feet to the existing City of Murphy wastewater trunkline and have the wastewater treated at the NTMWD plant".

Please see Attachment 1.

CITY OF PARKER

City of Parker's attorney Arturo Rodriguez noted in the response dated 12/6/2021 that "the city system can and should be explored for usage before approval of a new source of pollution is placed at Maxwell Creek". Also, the Attorney noted the "concern the application violates the state policy regarding regionalization".

Please see Attachment 2.

CITY OF MURPHY

City of Murphy's attorney Stephen Dickman in a letter dated November 10, 2021 stated "The establishment of a new package plant violates the TCEQ's regionalization policy. TCEQ's regionalization policy is intended to prevent the proliferation of new unneeded package plants when a regional wastewater service provider is available. In this case, there is a regional provider with nearby wastewater lines that would be the most logical and viable wastewater provider for the proposed development. The September 22, 2021 public comments and request for hearing submitted by the City of Parker in this case states that Parker has a contract with the North Texas Municipal Water District ("NTMWD") under which NTMWD has agreed to accept and treat wastewater generated within the City of Parker. According to Parker's hearing request, that contract would allow flows from the proposed development to be collected by Parker and treated by NTMWD and thus avoid the creation of a new wastewater point source discharge in this area. Because Parker has already-constructed wastewater collection lines near the development "which can easily, economically and reasonably be connected to a centralized system already in existence", the proposed construction of the Restore the Grasslands wastewater package plant violates TCEQ's regionalization policy."

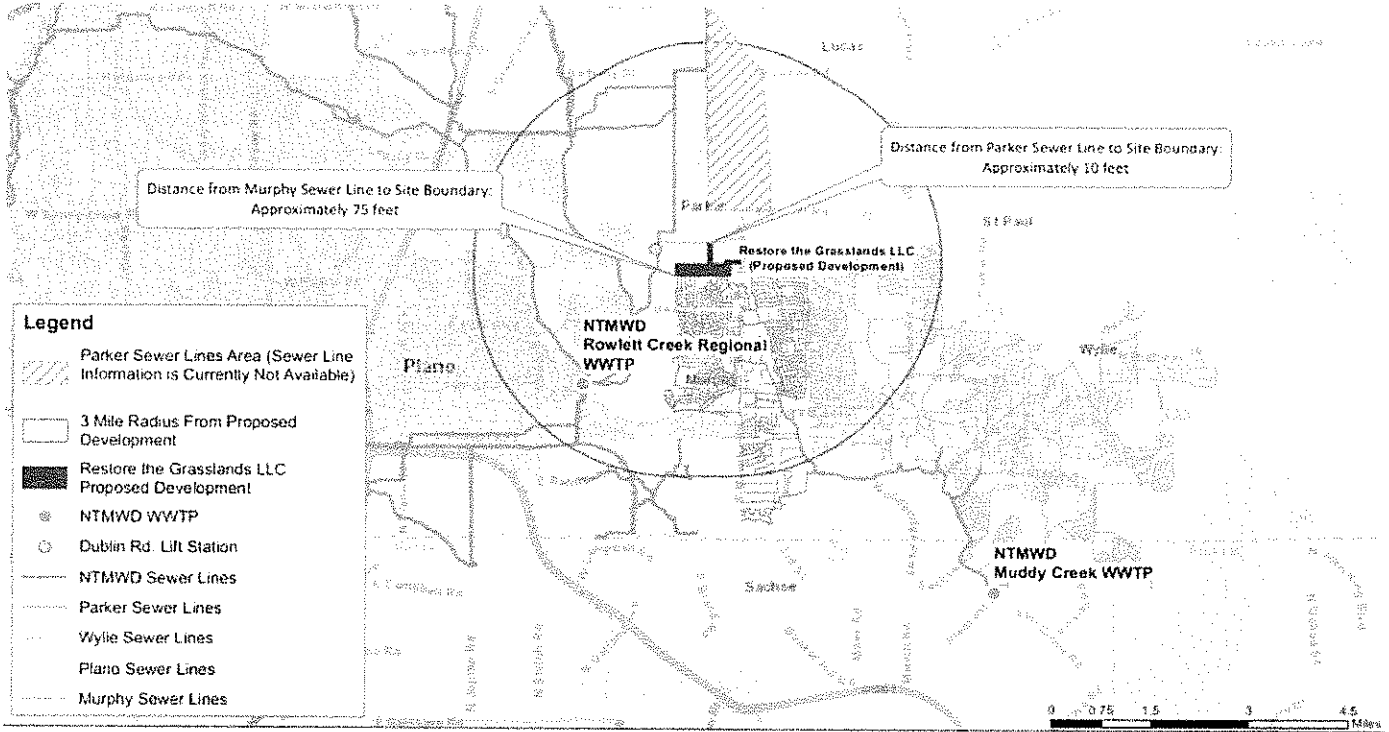
Please see attachment 3.

NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD)-- REGIONAL WATER DISTRICT

NTMWD's attorney Lauren Kalisek in a letter dated November 22, 2021 included, "NTMWD's application for Phase 1 of the Sister Grove Regional Waste Resource Recovery Facility ("Sister Grove") was approved by TCEQ in 2020 that encompasses the same service area proposed in this Application." Also, "Two of NTMWD's facilities, Wilson Creek Regional Wastewater Treatment Plant ("Wilson Creek") and Muddy Creek Wastewater Treatment Plant ("Muddy Creek"), provide wastewater service to an area inclusive of the Applicant's proposed development.... Moreover, Restore the Grasslands WWTP would be located in close proximity to existing sewer facilities transporting wastewater for treatment to Wilson Creek, Muddy Creek, and Sister Grove (once construction is completed)".

In closing Lauren Kalisek adds, "In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when regionalized wastewater services are available and TCEQ rules designate NTMWD as the regional wastewater service provider. "

Note in NTMWD's Attorney's response in Attachment B, City of Parker's existing sewer line is 10 feet away from the property and City of Murphy's is 75 feet away.



Please see Attachment 4 for the full copy of the NTMWD's Attorney's response.

CLOSING:

I respectfully ask that Reconsideration is granted based upon the statements made by Restore the Grasslands, Cities of Parker and Murphy, and North Texas Municipal Water District, and the over 1,966 comments, 1,350 comments acknowledged; 28 requests for contested case hearing. Just because a wastewater treatment plant can be built does not mean it should be.

TCEQ's mission of "Protecting Texas by Reducing and Preventing Pollution" should always be the focus. Regionalization is the proper choice when determining which method of treating water should be pursued. The North Texas's investment in our regional water district should be the logical choice.

Regulated Entity Name, Regulated Entity Number: COLLIN COUNTY RUD 10 7 WWTPS 69111037024																			
TCEQ Docket Num: SOAH Docket Num: County, TCEQ Region: COLLIN REGION 64 - DFW METROPLEX	Program: WQ/PERMIT Permit Number: 17090160923001																		
Doc. Type: PERMIT																			
Protestant Information (Note: Allow up to five or more business days after the end of the comment period for comments or hearing requests to be included in this total) Comments Received: 1350 Hearing Requests Received: 28 Public Hearings Received: 11																			
25 Activity Actions Form: Available at: ActivityActionList.pdf																			
Activity Action List: <table border="1"> <thead> <tr> <th>Date</th> <th>Document Type</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>05-14-2022</td> <td>BPR/WR PERIOD</td> <td>END</td> </tr> <tr> <td>05-11-2022</td> <td>FINAL DISCUSSION LETTER</td> <td>FILED</td> </tr> <tr> <td>02-04-2022</td> <td>UNRECORDED COMMENTS</td> <td>RECEIVED</td> </tr> <tr> <td>12-06-2021</td> <td>COMMENT PERIOD</td> <td>END</td> </tr> <tr> <td>12-09-2021</td> <td>PUBLIC MEETING</td> <td>HELD</td> </tr> </tbody> </table>		Date	Document Type	Action	05-14-2022	BPR/WR PERIOD	END	05-11-2022	FINAL DISCUSSION LETTER	FILED	02-04-2022	UNRECORDED COMMENTS	RECEIVED	12-06-2021	COMMENT PERIOD	END	12-09-2021	PUBLIC MEETING	HELD
Date	Document Type	Action																	
05-14-2022	BPR/WR PERIOD	END																	
05-11-2022	FINAL DISCUSSION LETTER	FILED																	
02-04-2022	UNRECORDED COMMENTS	RECEIVED																	
12-06-2021	COMMENT PERIOD	END																	
12-09-2021	PUBLIC MEETING	HELD																	
Filings received since July 2009 are viewable in PDF by clicking on the Filing Title.																			
Filings: <table border="1"> <thead> <tr> <th>Date Received</th> <th>Filing Title</th> </tr> </thead> <tbody> <tr> <td>No Filings Found</td> <td></td> </tr> </tbody> </table>		Date Received	Filing Title	No Filings Found															
Date Received	Filing Title																		
No Filings Found																			
1350 Comments Found: Listed as Responses Comment letters, etc. received since November 2009 are viewable in PDF by clicking on the Correspondence Type.																			
<table border="1"> <thead> <tr> <th>Date Received</th> <th>Commentor</th> <th>Correspondence Type</th> <th>Comments Submitted Electronically</th> </tr> </thead> <tbody> <tr> <td colspan="4">No Filings Found</td> </tr> </tbody> </table>		Date Received	Commentor	Correspondence Type	Comments Submitted Electronically	No Filings Found													
Date Received	Commentor	Correspondence Type	Comments Submitted Electronically																
No Filings Found																			

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, December 9, 2021 10:12 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: 2021.11.22. LJK to Chief Clerk NTMWD Protest CCH Request Restore the Grasslands LLC^J Collin County MUD No. 7 WQ00160030012.pdf

RFR

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Wednesday, December 8, 2021 10:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: RECONSIDERATION. STOPPING THIS WHOLE PROCESS. REGIONALIZATION. See letter of NTMWD attachment B for location of 2 sewer lines. Less disruption to Parker & Murphy and reducing risk of flooding should be PRIORITY!!! According to NTMWD the proposed wastewater treatment plant permit WQ0016003001 would interfere

with NTMWD's statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area. Specifically, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD. In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C. I support the State's Regionalization policy and EXPECT TCEQ to follow their own policy. The permit should not be granted and never should have reached this phase. We are aware that NTMWD's treatment process is state of the art compared to a WWTP. It is now time to show that TCEQ's mission is to Protect Texas by Reducing and Preventing Pollution."



Ms. Kalisek's Direct Line: (512) 322-5847
Email: lkalisek@lglawfirm.com

816 Congress Avenue, Suite 1900
Austin, Texas 78701
512.322.5800 p
512.472.0532 f
lglawfirm.com

November 22, 2021

Ms. Laurie Gharis
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**VIA FIRST CLASS MAIL
AND ELECTRONIC FILING**

Re: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP;
Texas Pollutant Discharge Elimination System Permit No.
WQ0016003001 Request for Contested Case Hearing (446-13/69)

Dear Ms. Gharis:

On behalf of the North Texas Municipal Water District ("NTMWD"), please consider this letter as a formal request for a contested case hearing on the above-referenced Texas Pollutant Discharge Elimination System ("TPDES") permit application ("Application") filed with the Texas Commission on Environmental Quality ("TCEQ") by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP ("Applicant") and the associated draft permit for the proposed TPDES Permit No. WQ0016003001 ("Draft Permit").

I. REQUEST FOR A CONTESTED CASE HEARING

NTMWD is a conservation and reclamation district under Article XVI, Section 59 of the Texas Constitution that was created by the Texas Legislature in 1951 to serve regional water and wastewater needs in the area north and east of Dallas. Today, NTMWD provides wastewater service to this area from fifteen (15) NTMWD-owned or operated wastewater treatment plants ("WWTPs"). Many of these WWTPs operate in and discharge to tributaries of the Trinity River, including the East Fork Trinity River.¹ NTMWD's provision of regional service on this scale is due to its historic recognition and legal designation by the TCEQ's predecessor agency as the regional service provider for the service area at issue in the Application. In 1972, the Texas Water Quality Board issued an order ("1972 Order"), pursuant to a 1969 amendment to the 1967 Texas Water Quality Control Act, designating NTMWD as the regional wastewater service

¹ Sister Grove Regional Waste Resource Recovery Facility Phase I Facilities, TPDES Permit No. 15693001; Wilson Creek WWTP, TPDES Permit No. WQ0012446001; Rowlett Creek WWTP, TPDES Permit No. WQ0010363001; Floyd Branch WWTP, TPDES Permit No. WQ0010257001; South Mesquite Creek WWTP, TPDES Permit No. WQ0010221001; Wylie WWTP, TPDES Permit No. WQ0010384001; Seis Lagos WWTP, TPDES Permit No. WQ0011451001; Squabble Creek WWTP, TPDES Permit No. WQ0010262001; Buffalo Creek WWTP, TPDES Permit No. WQ00102047001; Frisco Cottonwood Creek WWTP, TPDES Permit No. WQ0010172002; Stewart Creek West WWTP, TPDES Permit No. WQ0014008001; Farmersville No. 1 WWTP, TPDES Permit No. WQ0010442001; Farmersville No. 2 WWTP, TPDES Permit No. WQ0010442002; Bear Creek WWTP, TPDES Permit No. WQ0014577001; Panther Creek WWTP, TPDES Permit No. WQ0014245001; Sabine Creek WWTP, TPDES Permit No. WQ0014469001.

provider for the watershed area of the East Fork Trinity River.² Attachment A is a copy of the 1972 Order. This designation is memorialized in current TCEQ regulations.³ Further, as discussed in detail below, NTMWD's application for Phase I of the Sister Grove Regional Waste Resource Recovery Facility ("Sister Grove") was approved by TCEQ in 2020 that encompasses the same service area proposed in this Application.

The Applicant has applied for a new TPDES permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. The proposed WWTP will be located in Collin County, Texas, and the wastewater will be discharged from the proposed WWTP site to Maxwell Creek, thence to Lake Ray Hubbard in Segment No. 0820 of the Trinity River Basin. The Applicant asserts that the proposed WWTP will provide wastewater service to a proposed 101-acre tract that will be developed into single-family residential subdivision, in a primarily undeveloped rural area, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, Texas.

NTMWD requests a contested case hearing on the Draft Permit, as NTMWD is an "affected person" within the meaning of 30 Texas Administrative Code ("TAC") §§ 55.103 and 55.203. An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by issuance of the Draft Permit.⁴ All relevant factors must be considered by the TCEQ in determining affected person status, including: (1) whether the interest claimed is one protected by the law under which the Application will be considered; (2) distance restrictions or other limitations imposed by law on the affected interest; (3) whether a reasonable relationship exists between the interest claimed and the activity regulated; (4) the likely impact of the regulated activity on the health, safety, and use of property of the person; (5) the likely impact of the regulated activity on use of the impacted natural resource by the person; (6) whether the requestor submitted comments on the Application that were not withdrawn; and, (7) *for governmental entities, their statutory authority over or interest in the issues relevant to the Application.*⁵ Additionally, the TCEQ may consider: (1) the merits of the Application, including whether the Application meets the requirements for permit issuance; (2) the Executive Director's ("ED's") analysis and opinions; and (3) other expert reports, affidavits, opinions, and data.⁶

II. NTMWD HAS A PERSONAL JUSTICIABLE INTEREST AFFECTED BY THE APPLICATION AND DRAFT PERMIT

For the reasons set forth herein, NTMWD is an affected person, as defined by 30 TAC §§ 55.103 and 55.203. NTMWD has a personal justiciable interest related to a legal right, duty,

² Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972); *see* Texas Water Quality Act of 1967, 60th Leg., R.S., ch. 313 (amended 1969, 1971, and 1985) (current version at Tex. Water Code §§ 26.081-.087); Act of May 13, 1969, 61st Leg., ch. 760, §§ 1.02, 3.29 (amended 1971 and 1985) (current version at Tex. Water Code §§ 26.081-.087).

³ 30 Tex. Admin. Code §§ 351.31—35.

⁴ 30 Tex. Admin. Code § 55.103.

⁵ *Id.* § 55.203(c) (emphasis added).

⁶ *Id.* § 55.203(d).

privilege, power, or economic interest that is not common to the general public and that would be adversely affected should the Draft Permit be issued.

A. The Applicants' proposed WWTF seeks to collect, transport, treat, and discharge wastewater within the area designated by TCEQ as the Regional Area over which NTMWD is the designated regional entity.

NTMWD is an affected person, because the proposed action would interfere with its statutory right, privilege, and economic interest as the TCEQ-designated regional entity to collect, transport, treat, and discharge wastewater within the Regional Area.⁷ Specifically, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from a proposed 101-acre tract that will be developed into single-family residential subdivision, in close proximity to the towns of Parker, Lucas, Murphy, and Plano, in Collin County, which is located in the watershed area of the East Fork Trinity River in Collin County, and therefore falls within the Regional Area designated to NTMWD.⁸ In short, granting the TPDES permit to the Applicants violates applicable statutory requirements pertaining to the state's regionalization policy in Texas Water Code ("TWC") Chapter 26 as well as the TCEQ's own regionalization regulations at 30 TAC Chapter 351, Subchapter C.⁹

TWC Chapter 26 provides the TCEQ the authority to—whenever it deems necessary in the interest of serving the waste disposal needs of the state, and to prevent pollution and maintain and enhance the quality of state water—designate a regional entity to provide wastewater service.¹⁰ Moreover, the specified duties of the regional entity indicate that NTMWD "shall provide regional wastewater collection and treatment service to *all* legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the [TCEQ] if agreement cannot be reached."¹¹ NTMWD has expended significant time, effort, and resources over the intervening four decades in planning, financing, and constructing the infrastructure needed to serve the Regional Area, and such efforts would be undermined by approval of the Application.

B. NTMWD's existing Wilson Creek WWTP and Muddy Creek WWTP, and Sister Grove currently under construction are available to serve the Applicant's proposed service area.

Two of NTWMD's facilities, Wilson Creek Regional Wastewater Treatment Plant ("Wilson Creek") and Muddy Creek Wastewater Treatment Plant ("Muddy Creek"), provide wastewater service to an area inclusive of the Applicant's proposed development. On May 31,

⁷ *Id.* §§ 351.31—35; Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

⁸ *Id.*

⁹ Tex. Water Code §§ 26.003, .081. See specifically TWC Section 26.084, authorizing the TCEQ to refuse to grant a permit for a system in a designated regional area unless the permit complies and is consistent with the TCEQ's regionalization order.

¹⁰ *Id.* §§ 26.081-.087.

¹¹ *Id.* § 351.35 (emphasis added); see also Texas Water Quality Board, Order No. 72-0426-17 (Apr. 26, 1972).

2018, and pursuant to NTMWD's regionalization plan, NTMWD filed a new TPDES permit application for Sister Grove that is designed to provide wastewater service to an area inclusive of the proposed development, which the TCEQ approved and the project is currently under construction.¹² Wilson Creek, Muddy Creek and Sister Grove and the proposed Restore the Grasslands WWTP are located in the watershed area of the East Fork of the Trinity River within Collin County and therefore fall within the Regional Area designated to NTMWD.¹³ Moreover, Restore the Grasslands WWTP would be located in close proximity to existing sewer facilities transporting wastewater for treatment to Wilson Creek, Muddy Creek, and Sister Grove (once construction is completed), as illustrated by the map provided as Attachment B to this letter.

Sister Grove is planned to include four phases, the first of which will be online in 2023 and discharge 16 million gallons per day ("MGD") of treated wastewater. Once all four phases are complete, Sister Grove will discharge 64 MGD.

Sister Grove is the product of significant NTMWD planning and expenditures in studying regionalization over the past decade, as was directed and encouraged by the designation of NTMWD as the wastewater service provider for the Regional Area. Population growth, existing facilities in the NTMWD Upper East Fork Interceptor System, proposed NTMWD facilities, and the possible location of proposed NTMWD facilities were considered during NTMWD's planning of the regional system. Based upon NTMWD's construction of Sister Grove and concrete plan to provide service to the area covered by the Application, as well as service provided by Wilson Creek and Muddy Creek in the Applicant's proposed service area—an area that falls entirely within the watershed area designated as the NTMWD Regional Area—NTMWD is an affected person entitled to a contested case hearing.

TCEQ has established NTMWD as the regional entity over the Regional Area within which the Applicant's proposed development is located; NTMWD has acted consistent with this authority, has invested in long-term planning inclusive of the Applicant's proposed service area, and has operated continuously Wilson Creek and Muddy Creek, and is now constructing Sister Grove to carry out that plan. Thus, NTMWD's status as an affected person is based on a specific interest in providing wastewater service to the area covered by the Application in addition to NTMWD's overarching interest in providing wastewater service within its designated Regional Area. Further, if TCEQ were to issue the permit as sought by the Application, such action would undercut the incentive for others in the service area to work with NTMWD as the regional service provider and would thereby undermine the state's policy of regionalization.

III. DISPUTED FACTS AND LAW TO BE REFERRED FOR A CONTESTED CASE HEARING.

¹² TCEQ Domestic Wastewater Permit Application for a New Texas Pollutant Discharge Elimination System (TPDES) Permit for the North Texas Municipal Water District Sister Grove Regional Water Resource Recovery Facility (May 31, 2018).

¹³ See Tex. Admin. Code §§ 351.31—35.

In addition to the foregoing bases to grant NTMWD's hearing request, NTMWD reasserts that it is an affected person and thus entitled to a hearing, because the Application for the proposed Draft Permit was deficient, resulting in a Draft Permit that threatens NTMWD's interest as the designated regional entity. In accordance with 30 TAC § 55.201(d)(4)(B), NTMWD asserts the following facts and law, and requests that these issues be referred to a contested case hearing:

A. Whether issuance of the Draft Permit is contrary to the state's regionalization policy.

1. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on NTMWD designation as the regional entity to provide service in the Applicant's proposed service area in accordance with the 1972 Order. TWC Chapter 26, and 30 TAC §§ 351.31–.35.
2. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on the proximity of existing sewer facilities already served by NTMWD's Wilson Creek, Muddy Creek, and Sister Grove treatment plants.
3. Whether the TCEQ should deny or alter the terms and conditions of the Draft Permit based on consideration of the state's general policy to promote regional or area-wide systems under TWC § 26.003.
4. Whether the Applicant has sufficiently demonstrated a need for the Permit in light of NTMWD's designation as the regional entity to provide service within the Regional Area and NTMWD's pending application for the Sister Grove regional facility.

In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when regionalized wastewater services are available and TCEQ rules designate NTMWD as the regional wastewater service provider.

IV. CONCLUSION

For the foregoing reasons and because this request substantially complies with the requirements of a contested case hearing request per 30 TAC § 55.201, NTMWD requests a contested case hearing in this matter regarding the above-listed issues. NTMWD reserves the right to raise and pursue any and all issues that may be relevant to its interest in the event of a contested case hearing. Again, all official communication should be directed to my attention at:

Ms. Lauren J. Kalisek
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900

Ms. Laurie Gharis
November 22, 2021
Page 6

Austin, Texas 78701
Telephone: (512) 322-5847
Email: lkalisek@Iglawfirm.com

I appreciate your attention to this request. Please do not hesitate to contact me if you have questions.

Sincerely,
Lauren Kalisek

Attachment A

TEXAS WATER QUALITY BOARD
P. O. Box 13246, Capitol Station
Austin, Texas 78711

ORDER NO. 72-0426-17

AN ORDER of the Texas Water Quality Board defining that area of the East Fork of the Trinity River in which the implementation of a regional or area-wide sewerage system is necessary to protect the quality of the waters in the State; designating the North Texas Municipal Water District as the governmental entity to design, construct and provide operation for the system; and directing the Executive Director to send copies of the Order to parties who might reasonably be affected by this order.

PREAMBLE

It is the policy of the State of Texas to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the State and to prevent pollution and maintain and enhance the quality of waters in the State (Sec. 21.201, Texas Water Code). In accordance with this policy, a public hearing was held in Garland, Texas on December 10, 1971 to receive evidence concerning the creation of an area-wide sewerage system for the watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties, Texas. Notice of the public hearing was given to all local governments which, in the opinion of the Board, would be reasonably affected by its actions.

The Board finds: (a) that the described territory is within a standard metropolitan statistical area as defined by Section 21.201 (d), Texas Water Code; (b) that an area-wide system is necessary and desirable to prevent pollution and maintain and enhance the quality of water in the State; (c) that there is a system which the North Texas Municipal Water District proposes to construct, which in the reasonably foreseeable future, will be capable of serving the waste collection, treatment and disposal needs of all or part of the area defined below; (d) that the North Texas Municipal Water District is agreeable to sponsoring the area-wide system and providing the services; and (e) the Board intends to

consider, after appropriate notice and hearings, taking the actions made available under Section 21.204, Texas Water Code.

BE IT ORDERED BY THE TEXAS WATER QUALITY BOARD:

1. The watershed area of the East Fork of the Trinity River that lies in Dallas, Kaufman, Rockwall, and Collin Counties is hereby designated as an area in which the implementation of a regional or area-wide system is necessary or desirable to effectuate the policy stated in Sec. 21.201, Texas Water Code.
2. The North Texas Municipal Water District is designated as the governmental entity to design, construct and be the operating agency for a regional sewerage system in the defined area and to provide the services therefor.
3. The Duck Creek site described in the North Central Texas Council of Government's Upper Trinity River Basin Comprehensive Sewerage Plan will not be designated as a regional sewage treatment center.
4. After development of the area-wide system, the North Texas Municipal Water District shall provide regional wastewater collection and treatment service to all legal entities requiring such services within the defined area, upon such terms as may be agreed upon by the parties or as may be ordered by the Board if agreement cannot be reached.
5. The Executive Director is directed to send a copy of this Order to the North Texas Municipal Water District, the City of Garland, and other parties who might reasonably be affected by this Order.

Passed and approved this 26th day of April, 1972.

(SEAL)

s/ Gordon Fulcher

CHAIRMAN

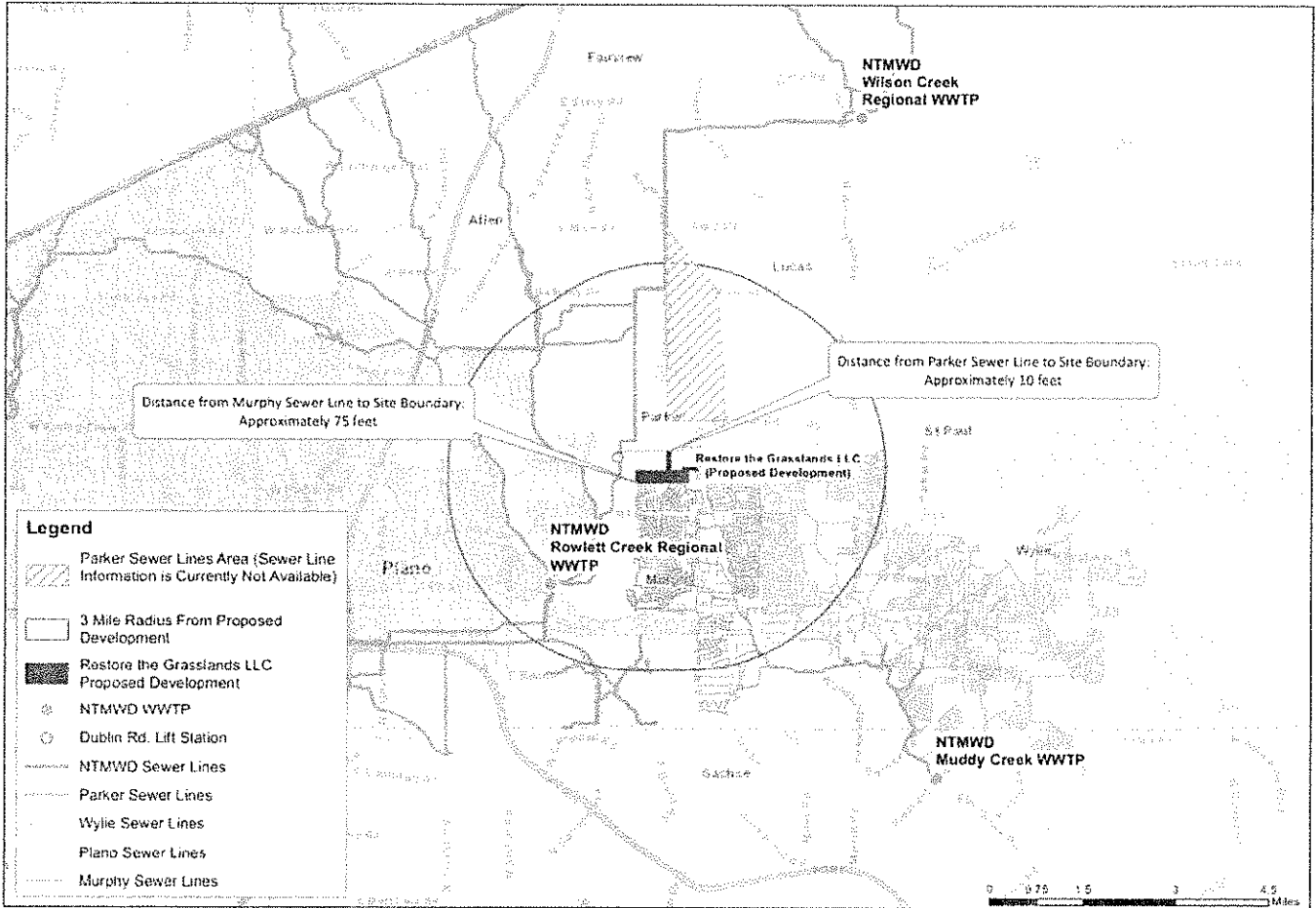
ATTEST:

s/Hugh C. Yantis, Jr.,
EXECUTIVE DIRECTOR

Attachment B



Restore the Grasslands LLC & Harrington/Turner Enterprises, LP Nearby Wastewater Treatment Plants and Collection Systems



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:37 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: FINAL_TetraTech Contestation Memo 12.3.2021.pdf

H
RFR

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, December 6, 2021 12:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: This document as well as my previous comments will serve as my request for a contested case hearing and reconsideration. **IMPROPER NOTIFICATION AND AVAILABILITY OF APPLICATION:** According to TCEQ, the Application is to be available to the public the day of or the day before the notice is published. The English language notice was published

on 9/2 the Spanish language notice was published on 9/3 in Dallas Morning News' Al Dia. I received the NORI from TCEQ on 9/11. I went to the Wylie Library, 12-minute drive, to review the Application. The library did not have it. They suggested I ask the City Secretaries of Wylie, Murphy & Parker to see if they had it. They did not. Wylie's City Secretary said she would try and locate it. I received a call on September 15th from the Wylie City Secretary who notified me WQ0016003001 Application was available in the library. According to TCEQ, the Application is required to be in a public place for viewing. There is no requirement that it must be in a library. There are public places in Murphy & Parker that have copiers that would have been more convenient for the residents. INCORRECT CLASSIFICATION OF MAXWELL CREEK: Texas Parks & Wildlife, whose responsibilities are protecting Texas's Fish and Wildlife resources and providing information on fish and wildlife resources to any local, state, or federal agency or private organization that make decisions affecting those resources, sent a letter to TCEQ on 11/10/2021 does not support the Application. TPWD notes the inconsistencies in the Application. • The USGS map shows Maxwell Creek as a solid blue line, which according to the legend means it is perennial. • When reviewing the pictures taken by LJA Engineering at the discharge point, you will note that the water is clear and appears perennial. There is nothing in the documentation of the Application that supports the classification of intermittent. • LJA Engineering other mistakes noted: o Nearest City to discharge point is Murphy o Upstream influences – septic tank should have been selected o Waterbody uses – should include fishing, noncontact and contact recreation, park activities o Waterbody Aesthetics – should have been natural area & wilderness. Water clarity is exceptional. • Application is missing proof of notification to cities (except for City of Plano) and North Texas Municipal Water District. City of Sachse believes they should have been included in the notification. At the very least, LJA should have received the green card back or the certified letter that was not delivered. • TCEQ changed the designation of Maxwell Creek's aquatic life in a memo dated 9/23/2021. According to TAC 307.4, (h) (3) Perennial streams, rivers, lakes, bays, estuaries, and other appropriate perennial waters that are not specifically listed in Appendix A or D of §307.10 of this title are presumed to have a high aquatic life use and corresponding dissolved oxygen criteria. Applicable dissolved oxygen criteria are described in §307.7(b)(3)(A) of this title. Higher uses are protected where they are attainable. Refer to Texas Parks and Wildlife's response posted on 11/10/2021 by TCEQ and Tetra Tech's report dated 11/30/2021 (please see attachment).



Date: November 30th, 2021

Subject: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP TPDES Permit No. WQ0016003001 Contestation Support Summary of Findings

1. INTRODUCTION

Tetra Tech, Inc. (Tetra Tech) was engaged to assist with contesting a newly issued draft Texas Pollution Discharge Elimination System (TPDES) permit (TPDES Permit No. WQ0016003001) to Restore the Grasslands LLC and Harrington/Turner Enterprises, LP.

1.1 PERMIT APPLICATION REVIEW

Tetra Tech notes the following observations in the permit application. The implication of these observations will be explored in the following sections of this report.

- On page 9 of the Administrative Report, Section 10.C, the applicants indicated the discharge is NOT routed to a city, county, or state highway right-of-way, or a flood control district drainage ditch. If the discharge is routed to one of these features, the applicant must demonstrate authorization has been received from the responsible entity.
- On page 22 of the Technical Report, Section 1.B.3, the applicants indicated that there are domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facilities. One of the corresponding requirements is to provide copies of certified letters to these facilities and their response letters, which the applicants indicate are provided in Attachment 12. However, Attachment 12 does not include response letters.
- On page 30 of the Technical Report, Section 4.B, the applicants indicate that the receiving stream, Maxwell Creek, is intermittent (dry for at least one week during most years). Because of this response, the applicants did not include Worksheet 2.1 with the application. Worksheet 2.1 identifies stream physical characteristics that must be provided by the applicant for all new permits but is not required for discharges to intermittent streams.
- On page 31 of the Technical Report, Section 5.B, the applicants indicate that the waterbody is used for livestock watering. "Contact recreation", "non-contact recreation", "fishing" and "park activities" are unchecked.
- On page 32 of the Technical Report, Section 5.C, the applicants characterize the waterbody as "Common Setting: not offensive, developed but uncluttered; water may be colored or turbid".

1.2 TPWD LETTER REVIEW

All new and major amendment TPDES permit applications must be reviewed by the TPWD and the Texas Commission on Environmental Quality (TCEQ) must consider their comments in processing the application. There are three major issues raised by the TPWD:

- The TPWD challenges the representation of the receiving stream by the applicants as an intermittent stream and believes it is correctly identified as perennial. The TPWD requests that the applicants provide information supporting their assertion regarding stream type and recommends that a Receiving Water Assessment be conducted.

- The TPWD advocates minimizing new point source discharges when there are feasible alternatives, in effect questioning the need for issuing this permit, particularly given that Maxwell Creek does not already receive treated effluent. The letter correctly states that the application did not include responses from candidate facilities to receive the new wastewater stream. In addition to alternative treatment facilities, the TPWD recommends that the applicants consider beneficial reuse or land irrigation as a means to manage the new wastewater discharge stream.
- The TPWD expresses concern over the introduction of nutrients to Maxwell Creek from the new discharge causing increases in algal biomass and recommends a total phosphorus effluent limit of 0.5 mg/L.

1.3 CITY OF MURPHY LETTER REVIEW

The City of Murphy comment letter raises a number of issues. Several of the issues raised presume that the facility will discharge improperly treated wastewater; however, Tetra Tech believes that the TCEQ will not act on such presumptions if the treatment system is properly designed and complies with the design requirements set forth in 30 TAC 217. The City of Murphy challenges the proposed design of the treatment system; some of these concerns may be addressed by the Tetra Tech analysis described in Section 2.4 of this report. Also, the letter raises concern over whether the treatment system will be operated by a qualified operator; however, the draft permit requires that the facility be operated by licensed individuals in compliance with 30 TAC 30 (see Item #9 in the Operational Requirements section of the draft permit on page 15). The below synopsis highlights the most technically significant issues.

- In asserting that water quality parameters in the draft permit are inadequate to protect existing water quality uses, the City of Murphy indicates that the City-owned property on Maxwell Creek downstream of the discharge point is used for "walking, jogging, biking, fishing, swimming, and aesthetic enjoyment." These waterbody uses represent a significant difference from representations in the permit application and could impact the parameters within the permit as well as possibly the decision to issue the permit.
- The City challenges the characterization of the stream as intermittent and the aesthetics as "common setting", stating that these responses should instead be perennial and "natural area", respectively.
- The City suggests that there are endangered species and habitat within and along Maxwell Creek.
- The City suggests that other treatment facilities may be able to accept the new wastewater flow.
- The City believes that nutrients in the wastewater stream will create nuisance conditions.
- The City describes funding commitments for drainage improvements and public access trails along Maxwell Creek. This information suggests that the creek may represent a right of way under the control of the City. The City is concerned that the new discharge will compromise the drainage capacity of the creek.
- The City provides evidence that Harrington/Turner Enterprises, LP, one of the co-applicants, is not a valid partnership because its general partner forfeited its corporate existence. Tetra Tech believes this legal issue could delay permit issuance but has no further comment as this issue is not technical in nature.

1.4 TREATMENT SYSTEM SIZING

Tetra Tech conducted a high-level review of sizing requirements for the aeration basins, clarifier, and chlorine contact basin in the proposed wastewater treatment facility for Phase 2 conditions. Based on preliminary calculations, Tetra Tech believes that the proposed treatment system complies with sizing requirements in 30 TAC 217. The discrepancies noted in the City of Murphy letter between the treatment equipment volumes reported in the application and the volumes calculated by the City of Murphy are likely due to freeboard allowances.

- Aeration basin sizing is based on an organic loading rate of 35 lbs BOD₅/day/1,000 ft³, which is the organic loading rate specified by 30 TAC 217.154(b)(2) for conventional activated sludge processes with nitrification when reactor temperatures exceed 15°C, with applicable permit limits for BOD₅, TSS, and ammonia nitrogen matching the limits in the draft permit.

TETRA TECH

1099 City West Blvd. Ste 1100 • Houston, TX 77061
Tel 832.231.8100 Fax 832.231.8179 tetratech.com

- Tetra Tech calculates minimum clarifier sizing of 29-foot diameter, 12-foot clarifier depth, and 10-foot water depth, compared with the proposed clarifier size of 32-foot diameter, 14.2-foot clarifier depth, and 10-foot water depth
- Tetra Tech calculates a minimum chlorine contact basin volume of 1485 cubic feet, compared with the proposed 1980 cubic feet basin.

1.5 SITE WALK OBSERVATIONS

Tetra Tech conducted a site walk on November 23, 2021. Measurements and/or field data were collected at four locations within Maxwell Creek and one location within Muddy Creek, and photographs were taken. The field report for this visit is included as an attachment to this report. Key observations include the following:

- Estimated stream flows range from 0.41 to 2.5 cubic feet per second (cfs).
- The flow rates and flow patterns, presence of fish, and lack of contributing wastewater discharges suggest the stream is perennial.
- The water is colorless with exceptional clarity and no observable contamination.
- Dissolved oxygen values ranged from 5.5 to 11.2 mg/L, indicating exceptional water quality.
- The measured pH ranged from 7.8 to 8.1.
- The waterbody aesthetics as defined in the TPDES permit application form could best be described as either "Wilderness" or "Natural Area". While there appears to be limited development in the area, photographs document wooded areas along the creek and exceptional water clarity.

2.0 PERMIT ISSUES

Based on the described work performed, Tetra Tech believes that there are many strong technical issues with the permit application. Tetra Tech has characterized these issues based on how they impact the permit process.

2.1 POTENTIAL PERMIT DENIAL ISSUES

2.1.1 Possible Authorization Required by the City of Murphy

Maxwell Creek may meet the definition of a right of way under the jurisdiction of the City of Murphy as described in Section 2.3. If this is confirmed, then the applicants would be required to obtain authorization from the City in order to discharge.

2.1.2 Alternatives to Discharge

The TPWD and the City of Murphy both indicated alternatives to discharge. These alternatives should be given greater consideration than for typical new permit requests given that Maxwell Creek does not currently receive any treated wastewater effluent and given the outstanding water quality and aesthetic value of the creek. In particular, the TPWD provides several alternatives to discharge and recommends that they be considered.

2.2 PERMIT ISSUES

2.2.1 Stream Classification

There is ample evidence that the applicants have mischaracterized Maxwell Creek as intermittent instead of perennial. The change in classification will require that additional information related to waterbody properties be provided by the applicants in order to process the application.

2.2.2 Waterbody Quality, Uses, and Aesthetics

As with stream characterization, there is ample evidence that the applicants have misrepresented the quality, uses, and aesthetics associated with Maxwell Creek. The stream uses noted by the City of Murphy and the water quality and aesthetic conditions documented in the field report in attachment 1 of this memo report should provide justification for a Tier 2 antidegradation review of the application by the TCEQ in addition to the Tier 1 review that was conducted.

2.2.3 Nutrient Concerns

Both the TPWD and the City of Murphy recommend that a permit limit be added for phosphorus due to concerns over the introduction of nutrients to Maxwell Creek from the new discharge that could cause increases in algal biomass.

2.2.4 Presence of Endangered or Threatened Species

The City of Murphy suggests the possible presence of endangered species and habitats within and along Maxwell Creek. Tetra Tech did not observe endangered or threatened species during the site walk but did not conduct a threatened and endangered species survey.

3.0 CONCLUSIONS

Tetra Tech, Inc. (Tetra Tech) review of draft Permit No. WQ0016003001 has identified a number of key issues that have not been adequately addressed by the permit applicant. Further evaluation of the City of Murphy right of way approvals, alternatives to discharge, characterization and uses of the receiving waters, nutrient limits, and potential presence of endangered species are all factors that should be reconsidered before a permit is issued to the applicants and may need to be evaluated with respect to whether a permit should be issued if viable alternatives exist.

TETRA TECH

Tetra Tech, Inc. (Tetra Tech)
Tel 902.351.8160 Fax 902.351.8170 tetratech.com

ATTACHMENT FIELD REPORT

TETRA TECH

1300 City West Blvd. Ste. 1000, Houston, TX 77042

Tel 832.351.5100 Fax 832.351.7700 tetratech.com



TETRA TECH

Field Report

Author: Dipendra Wagle, PhD, Tetra Tech, Inc.

Date: 11/23/21

Location: Maxwell Creek and Muddy Creek, Dallas-Fort Worth Metroplex, TX

Objective: Survey the creeks for water quality, perennial flow, and wildlife in baseline survey

Water Quality Report

1. Methodology:
 - a. Temperature was measured by using EPA-150.1
 - b. Dissolved Oxygen (DO) was measured by using SM-4500-0
 - c. Specific Conductance was measured by using EPA-120.1
 - d. Oxidation-Reduction Potential (ORP) was measured by using ASTM-D1498-08
2. Below are the key observations:
 - a. Water quality was measured at 4 different locations in Maxwell Creek and 1 location in Muddy Creek.
 - b. Flow characteristic was measured at 3 different locations in Maxwell Creek.
 - c. The stream, vegetation, aquatic, and wildlife were also observed and photographed.
3. Field conclusions:
 - a. The flow in Maxwell Creek was perennial from several contributory springs and ranged between 0.41-2.5 cubic feet per second (CFS).
 - i. The water was clear with no indication of wastewater effluent or any contamination based on water quality data. It was a pristine environment.
 - ii. The temperature ranged from 11.7°C to 12°C.
 - iii. The pH was in a neutral range of 7.8 to 8.2 pH units.
 - iv. The DO ranged from 5.5 to 11.2 mg/L.
 - v. ORP was in the positive range.
 - b. Access to Muddy Creek was limited but a single sampling point showed that water quality was similar to Maxwell Creek.
 - c. Photographs taken by the citizens and the support group are also included in the report. The photographs show that Maxwell Creek contained aquatic life and wildlife.

The water quality, flow characteristics, and photographs captured from the site visit are presented below.



TETRA TECH

Location: Maxwell Creek
Latitude: 33.022983

Time: 10:16 AM
Longitude: -96.604602

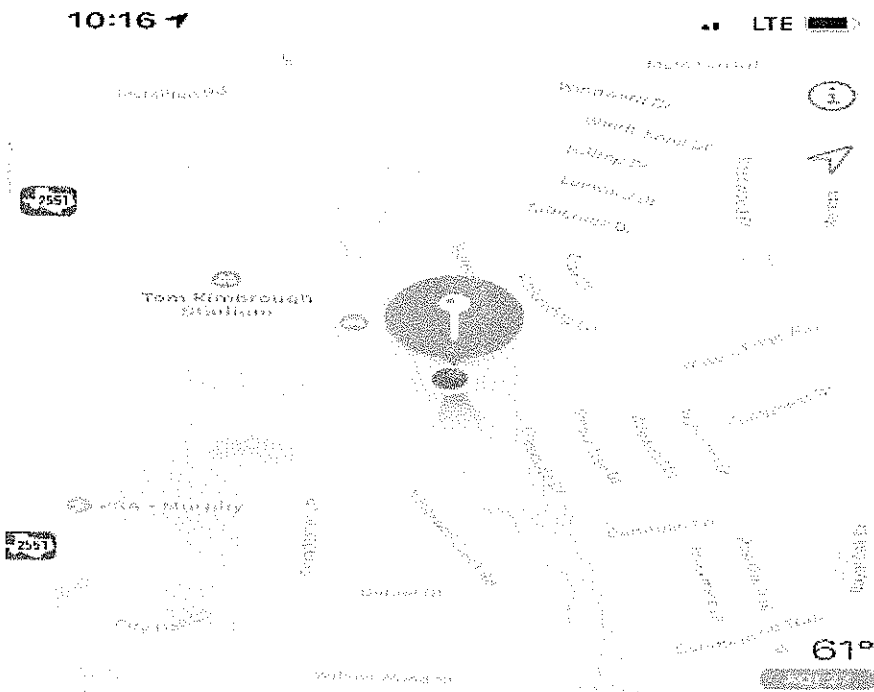


Figure 1: GPS map for the sampling location at 10:16 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.6
DO (% L)	104.7
DO (mg/L)	11.2
Specific Conductance (mS/cm)	0.641
Conductance (mS/cm)	0.476
pH	8.1
ORP (mV)	113.6

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 2

Stream width: 8.17 ft

Stream mid-point: 4.085 ft



TETRA TECH

Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
1.20	0.42	0.75

Average depth: 0.79

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
183	121	191

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.0546	0.0826	0.0524

Average stream velocity: 0.0632 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.41 ft³/s

Location: Maxwell Creek

Time: 10:51 AM

Latitude: 33.031037

Longitude: -96.606088

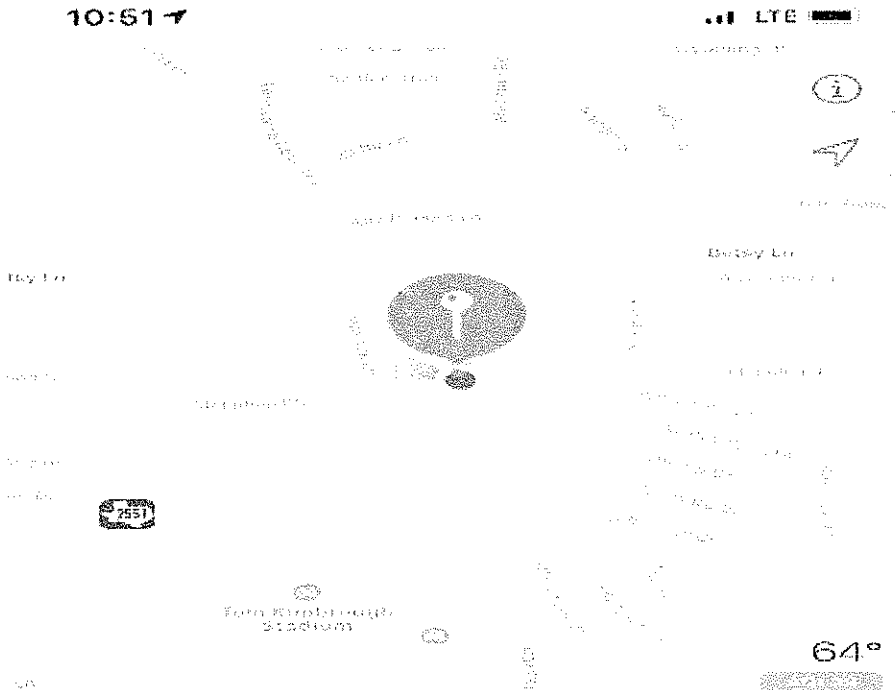


Figure 2: GPS map for the sampling location at 10:51 AM in Maxwell Creek



TETRA TECH

Water quality parameters

Parameters	Value
Temperature (°C)	12.3
DO (% L)	78.3
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.608
Conductance (mS/cm)	0.461
pH	8.0
ORP (mV)	109.2

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 1

Stream width: 7.2 ft

Stream mid-point: 3.6 ft

Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
0.58	1.08	0.875

Average depth: 0.845

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
87	42	102

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.115	0.238	0.098

Average stream velocity: 0.150 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.913 ft³/s



TETRA TECH

Location: Maxwell Creek
Latitude: 33.051165

Time: 11:33 AM
Longitude: -96.617021

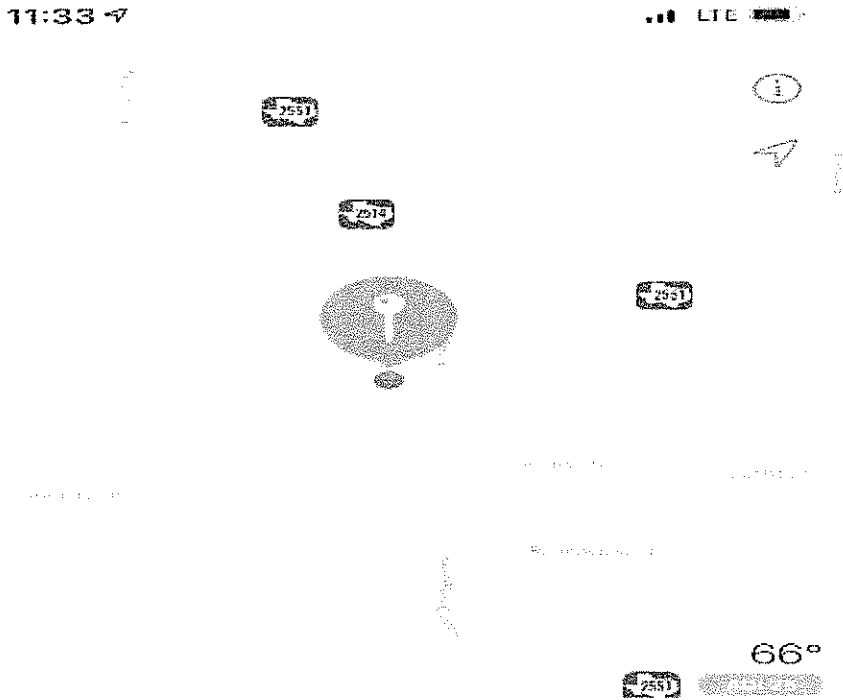


Figure 3: GPS map for the sampling location at 11:33 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.7
DO (% L)	50.3
DO (mg/L)	5.5
Specific Conductance (mS/cm)	0.495
Conductance (mS/cm)	0.369
pH	7.8
ORP (mV)	97.3

Flow Measurement: Flow measurement was not conducted in this location due to safety reasons.



Location: Maxwell Creek
Latitude: 33.014690

Time: 12:11 PM
Longitude: -96.602370

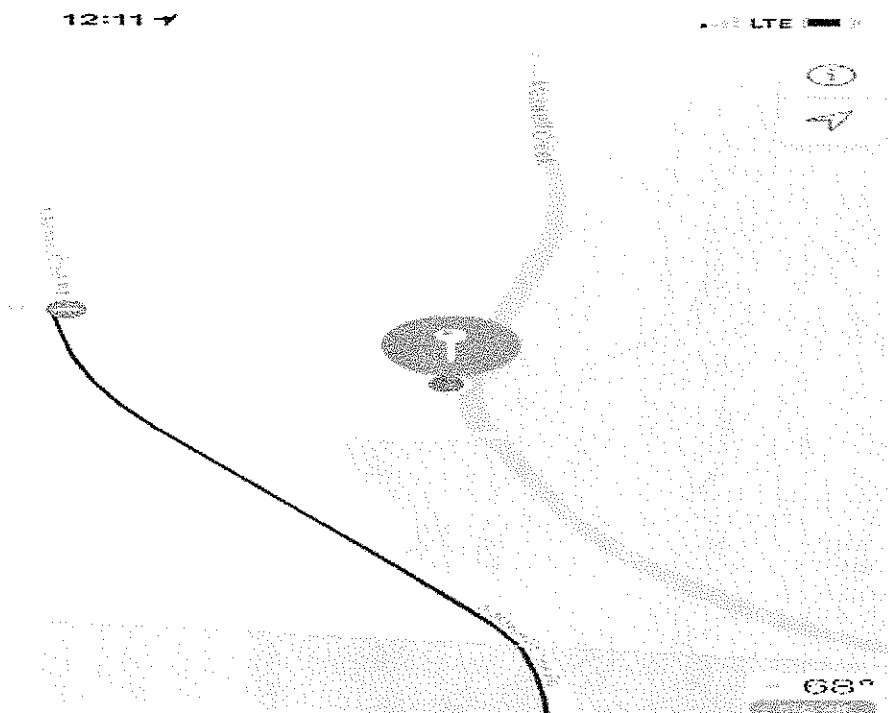


Figure 4: GPS map for the sampling location at 12:11 PM in Maxwell Creek

Water Quality Parameters:

Parameters	Value
Temperature (°C)	12.7
DO (% L)	77
DO (mg/L)	8.3
Specific Conductance (mS/cm)	0.66
Conductance (mS/cm)	0.5
pH	7.9
ORP (mV)	100.8

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 2

Stream width: 15.73 ft

Stream mid-point: 7.86 ft

Stream depth: 0.625 ft

Covered length: 10 ft



TETRA TECH

Time taken to cover the distance: 39 s

Maximum stream velocity: 0.256 ft/s

Maximum Discharge: (stream width) * (average depth) * (average velocity)

Maximum Discharge: 2.517 ft³/s

Pictures

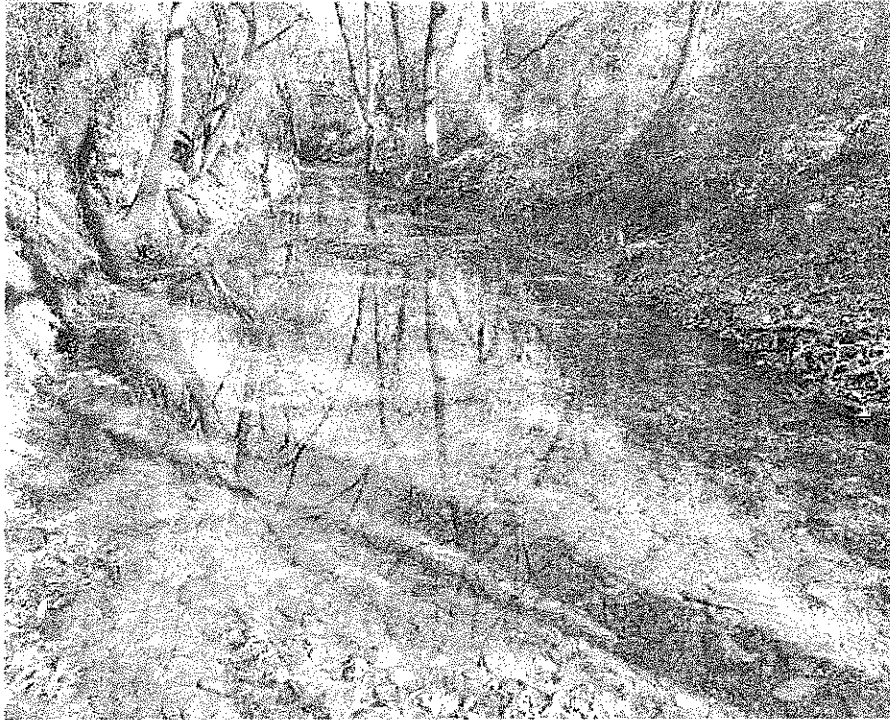


Figure 5: Picture of Maxwell Creek Downstream



TETRA TECH



Figure 6: Picture of natural life on the bank of Maxwell Creek

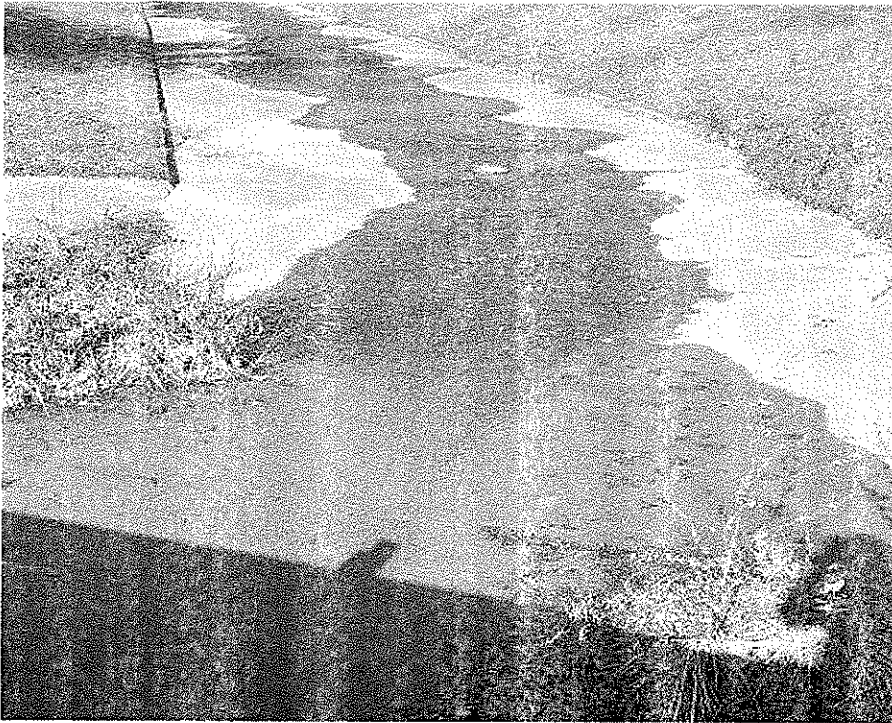


Figure 7: Picture of runoff flow upstream of Maxwell Creek



TETRA TECH



Figure 8: Picture showing the stream bed in Maxwell Creek



Figure 9: Picture showing a butterfly along Maxwell Creek



TETRA TECH

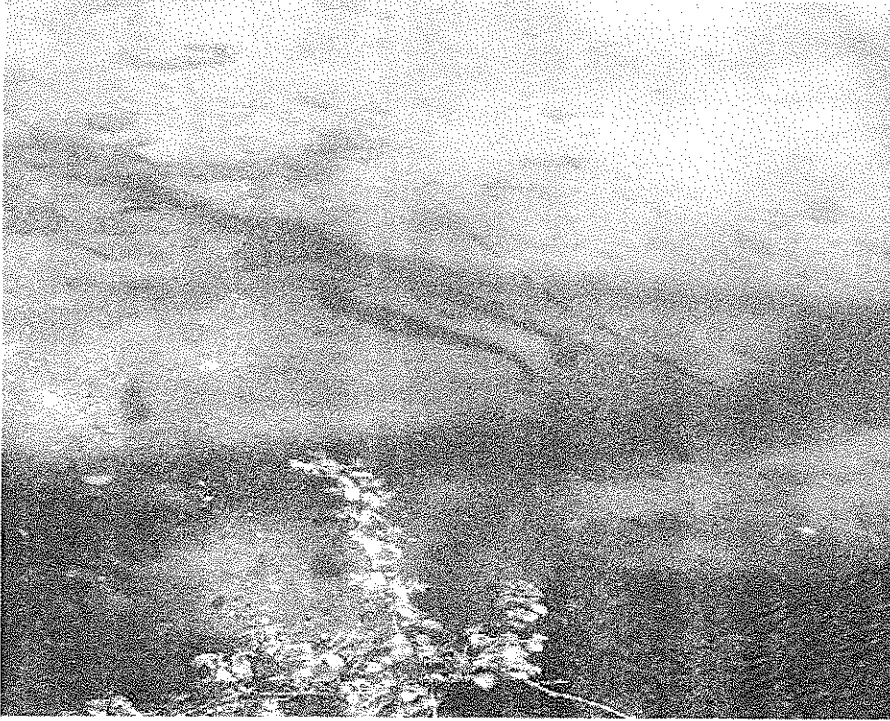


Figure 10: Picture showing the aquatic life in Maxwell Creek



Figure 11: Picture taken by Andrew on November 6, 2021; M-1 - clarity of water



TETRA TECH

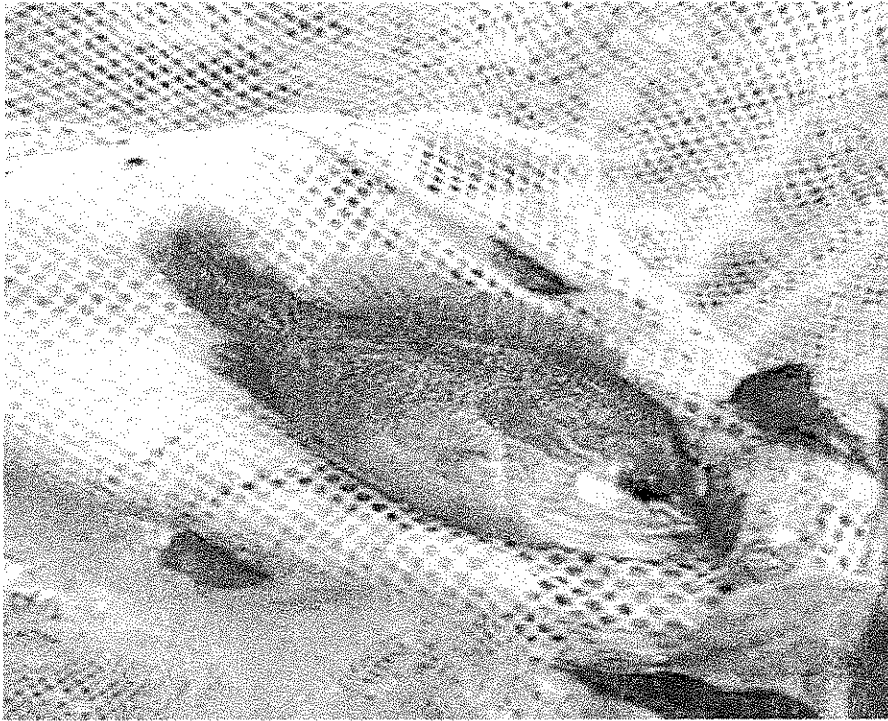


Figure 12: Picture taken by Andrew on November 6, 2021; M-1 - Fish



Figure 13: Picture taken by Kathy on November 22, 2021 - Harvey-1



TETRA TECH



Figure 14: Picture taken by Mary Nell Jackson on November 22, 2021 - Bluebird Nest

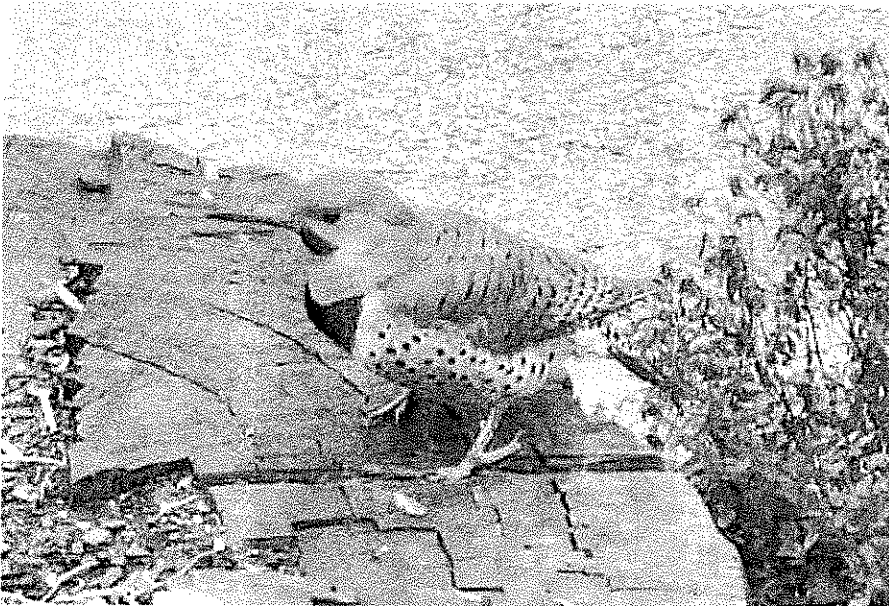


Figure 15: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker - Northern Flicker



TETRA TECH



Figure 16: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker – Downy Woodpecker



Figure 17: Water sample taken from Maxwell Creek (same sample)



Location: Muddy Creek
 Latitude: 32.977560

Time: 2:06 PM
 Longitude: -96.556854

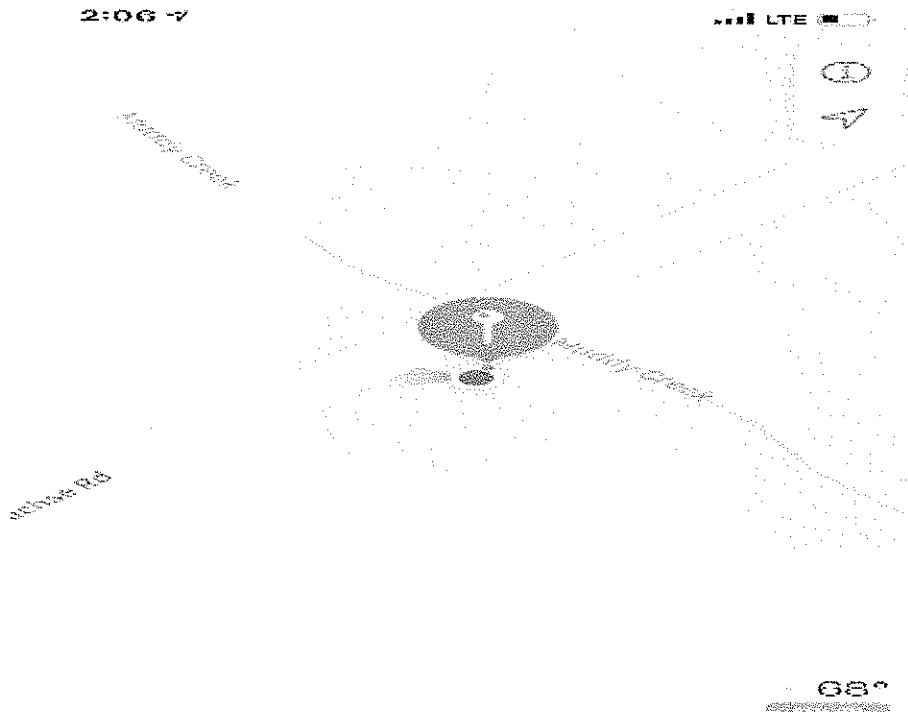


Figure 18: GPS map for the sampling location at 2:06 PM in Muddy Creek

Water quality parameters

Parameters	Value
Temperature (°C)	12.5
DO (% L)	79.7
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.494
Conductance (mS/cm)	0.376
pH	8.2
ORP (mV)	106.9



TETRA TECH

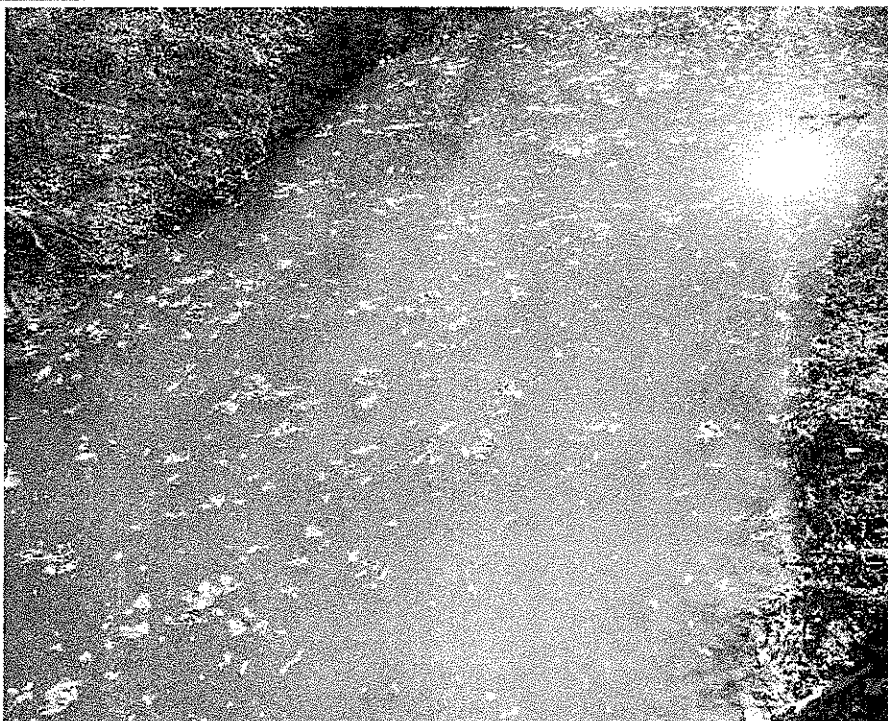


Figure 19: Picture showing water flow at Muddy Creek

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:35 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Notification.pdf

eComment = H, RFR
Attachment = H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, December 6, 2021 12:00 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Please consider all comments and requests for contested case hearings to support my requests for both contested case hearing and reconsideration. Please see attached, regarding early issues with wrong coordinates, publication in newspaper, and circulation support.

My name is Carrolyn Moebius, Affected Landowner #42. Application by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP (the Applicant) for a new Texas Pollutant Discharge Elimination System permit with number WQ0016003001 (the "Application")

I request a contested case hearing based upon all the erroneous information provided on the application as well as inadequate notification of affected parties as well as inadequate publication of notice in a newspaper of largest circulation.

Additional errors noted in Application WQ0016003001

I found two more errors in the application.

1. The coordinates specified are incorrect
2. nearest City to the discharge point

Obviously there has been a lack of attention to detail & requirements for adequate review of impacts to the water quality of Maxwell creek regarding this permit Application. I did note that the Executive Director corrected in the Preliminary Decision.

B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

- Yes No

If **no**, or a **new or amendment permit application**, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

To Maxwell Creek; thence to Muddy Creek; thence to Lake Ray Hubbard in Segment 0820 of the Trinity River Basin


City nearest the outfall(s): Parker

County in which the outfalls(s) is/are located: Collin

Outfall Latitude: N 30° 2' 30"

Longitude: W 96° 36' 59"

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

-96.616669, 30.041667

Search

Whether you are in a high risk zone or not, you may need [flood insurance](#) because most homeowners insurance does not cover it. In an area with low or moderate flood risk, you are 8 times more likely to experience flood than a fire in your home over the many years. A National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Or, your insurance agent will help you buy




Learn more about [flood insurance](#) to reduce flood risk damage

Search Results—Products for AUSTIN COUNTY UNINCORPORATED AREAS

SNAPSHOT OF APPLICATION

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

98.616350, 33.041667

Search

Whether you are in a high risk zone or not, you may need [flood insurance](#). Because most homeowners insurance doesn't cover it, in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the course of a lifetime. Flood Insurance Programs' flood insurance policy could cost less than \$400 per year. Call your insurance agent about your options.



[Learn more about flood insurance](#) to reduce flood risk damage.

Search Results—Products for COLLIN COUNTY UNINCORPORATED AREAS

CORRECT COORDINATES

Nearest City to the Discharge Point is Murphy and not Parker.

NOTIFICATION FOR AFFECTED LANDOWNERS

Also, noted that return mail occurred for affected landowner 2,4,5 & 6 with property valued over \$2 million. If TCEQ would have searched the owner on the appraisal district site, they would have located the correct mailing address. For the other returned notification, if TCEQ searched the address they would have found the new owner's name. Or perhaps if the Applicant followed the TCEQ instructions for publication, the affected landowners might have seen it.

PUBLICATION Notification – Improper

Per TCEQ Instructions for the Applicant for publication

1. **PUBLISH THE NOTICE IN THE NEWSPAPER**

You must publish the enclosed notice at your expense, at least once in the newspaper of largest circulation within each county where the facility and discharge point are located or will be located. If the facility and discharge point are located or will be located in a municipality, the enclosed notice must be published at least once in a newspaper of general circulation in the municipality. These requirements may be satisfied by one publication if the newspaper meets all of the above requirements

It's interesting that the English version was published in Collin County Commercial Record which DOES NOT have wide circulation in either of City of Parker or City of Murphy while the Spanish language version was published in Al-Día. Al Día is a general information Spanish language news medium that serves the Dallas/Fort Worth Metroplex. Al Día publishes daily on aldiadallas.com, and once-a-week print edition. It is published by A. H. Belo and is a sister publication of **The Dallas Morning News**.

collincountycommercialrecord.com/notice.html

COLLIN COUNTY NOTICES

[CLICK FOR SUBSCRIPTION](#)

[SUBMIT NOTICE TO CREDITORS](#)

[SUBMIT TABC NOTICE](#)

[SUBMIT PUBLIC SALE NOTICE](#)

[DOWNLOAD TODAY'S LEGAL NOTICES](#)

Current Week Editions

Tuesday [November 30, 2011](#)

Thursday

If the downloaded document does not match the date on the link, please try again later in the day.

Abandon Vehicles	Bids (Municipalities)	Citation by Publication
Constable Sales	Federal Notice	Miscellaneous
Notice to Creditors	Probate Citations	Public Notice & Public Hearings
Public Sales & Storage Auctions	Sheriff Sales (delinquent tax)	TABC notice

[CLICK HERE FOR DALLAS COUNTY NOTICES](#)

[CLICK HERE FOR TARRANT COUNTY NOTICES](#)

Here we have the newspaper chosen to post the English Language notification.

Here is the Spanish language publication chosen. Note the website address (dallasnews.com/espanol/al-dia)

dallasnews.com/espanol/al-dia

Secciones | Buscar

en español

AL DÍA

IN THIS SECTION:

- [Comunidad hispana en Arlington opone resistencia a operaciones de fracking](#)
- [Permitían renovar TPS en línea a todos los beneficiarios del programa](#)
- [Niños con estrés posttraumático y depresión, el resultado de la 'tolerancia cero' de Donald Trump](#)
- [Cómo vacunar a niños de 3-11 años de México en Estados Unidos](#)
- [Bazar navideño con artesanos locales en Garland](#)
- [¿Puede la red eléctrica de Texas sostener la abundancia de automóviles eléctricos?](#)



Stop Parker Extraterritorial Jurisdiction ETJ Wa...

Join

16

33 Comments

Like

Comment

Most recent



Write a comment...



Bruce Wittenberg

Just heard from Toni Thomas at Dallas Morning News. Collin county circulation for print is 20,268. E-delivery is about the same, but she doesn't have exact numbers. This vs. the CCCR circulation of 1,100.

Angry · Reply · 26m

1

Carrolyn Edmonson Moebius replied · 1 Reply 19m

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:34 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: TCEQ Personal Moebius.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, December 6, 2021 11:29 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: I request a contested case hearing.

Carrolyn Moebius
Affected Party #42
1412 Parkview Lane Murphy, Texas 75094
carrmoe@gmail.com

Re: Texas Pollutant Discharge Elimination System permit WQ0016003001
Applicants: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP
Proposed Location: 200 feet from Proposed Wastewater treatment plant; 195 feet from Maxwell Creek

This document as well as my previous comments / requests for contested case hearings should be considered in whole and will serve as my request for a contested case hearing.

WHY WE LOVE OUR HOME:

My family moved to 1412 Parkview from another home in Murphy about 16 years ago. We fell in love with this lot. We were looking for a home with a country feel but not far from work. We wanted a large yard and were very happy when we found this lot that backed to a pasture. We built our dream home to raise our family and pets. We knew some day there would be homes in that pasture. We did seek out Parker's building guidelines included 2 acre lots and septic tanks so we knew we would always enjoy our backyard. See pictures at end of comments.

UNDERGROUND STREAM:

At our back fence, we have a lovely tree line. I have suspicions that this tree line might be tapped into an underground stream. Our past neighbors on Featherwood and a neighbor on Keathly. Both households had to purchase sump pumps. The Featherwood home discovered the underground stream when doing landscaping in their backyard. I submitted that video to TCEQ (and are also on the comment posted by me that has links to supporting documentation I submitted on 12/5/2021). The landscaping company, Canterra Landscaping, Charlie Flanigen manager. He said "Had it tested its great drinking water like Fiji". The Murphy City water department came out too. The decision was to get the water to the street so they stubbed it into the storm drain.

HEALTH CONCERNS:

Based upon the location of the proposed wastewater treatment plant discharge to my home of only 200 feet, I worry about the asthma I have had under control will flare up. I am very sensitive to aerosols and chlorine. I have breathing issues when I go to facilities with indoor pools or if I'm around a pool that just received chlorine. Also, I suffer from migraine headaches, which can be triggered by odors.
<https://americanheadachesociety.org/news/whats-that-smell/>

Two of my adult children were asthmatic when they were young. I am concerned about their visiting me and if anytime we spend outside will trigger an asthma attack.

I have one daughter who suffers from seizures. I worry that the strong odors from the WWTP would result in her having more seizures. I have read some medical research that prove odors can trigger seizures. Something I didn't know until recently.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3407102/>

WILDLIFE & LIVESTOCK & FIREFLIES:

When we first moved here, we enjoyed the cattle that would graze in the pasture at times. We have seen coyotes and their families. Some as big as wolves that made me wonder if they were. We see Canadian Gees flying over, Red headed woodpeckers, and we have seen a bald eagle a few times. The other day we had a very large bobcat sitting in our yard. We have all kind of birds including hummingbirds, and several cardinal families, possums, roadrunners and occasional owls (unfortunately skunks). The desire for us to move to a place that would allow us to be in touch with nature (and livestock) was proven out. We believe that the noise, bright lights of a wastewater treatment plant and the discharge of the treated wastewater so close will jeopardize those animals, their habitats and will be replaced with more mosquitos and rodents.

I have always enjoyed fireflies, and we have been fortunate to have them every year. I believe a wastewater treatment plant will result in their disappearance in our neighborhood. Lights of wastewater treatment plants are issues for insects. Also, Wastewater treatment plants increase the mosquito population resulting in an increased use of pesticides which may kill fireflies.

PROPERTY RIGHTS:

We moved to this home imagining it as our forever home. With a wastewater treatment plant, the enjoyment of our backyard is taken away from us. The dark nights we sit outside and listen to the insects, birds and coyotes howling will be replaced with buzzing lights, noises from the wastewater plant, bright lights and smells of rotten eggs, garlic, or ammonia. Ammonia smells definitely trigger breathing issues for me.

When I read what causes the odors to be worse, I really am concerned. "Weather conditions can intensify odors. Temperature inversions, wind velocity, and wind direction contribute to how far odor emissions drift. Odors are typically worse at higher temperatures. Factor in increased summer activity, and it is not a surprise that plant management usually receives more odor complaints during the warmer months of the year. Plant maintenance - either planned or unplanned - and/or upgrades to treatment processes are other aspects that can affect the severity of odors". Murphy experiences all these events which will increase my family's discomfort and potential breathing issues.

It is a reasonable conclusion that the proposed site of the wastewater treatment plant 200 feet from my property and the discharge of the treated wastewater 195 feet from my property will affect my enjoyment of my property.

ENJOYMENT OF DAILY WALKS IN MY NEIGHBORHOOD:

I enjoy daily walks in my neighborhood, spending over an hour. My whole family enjoys walking. Walking is our most engaged form of exercise. This activity we enjoy will be ruined.

FLOODING:

Currently I have neighbors that live very close to me that already have issues with flooding, are in the flood plain or have an underground stream. What will this mean to my home if the WWTP is built, and treated wastewater is discharged into the creek? Will flooding become an issue for my home? If the WWTP, has an issue as it seems they all do occasionally, will that result in flooding into my home?

I have a very narrow dry creek bed behind my fence. Will this now have water all the time?

REGIONALIZATION:

It is upsetting that the communities of Murphy and Parker are having to go through all this work to show that the APPLICATION IS INACCURATE. IT IS SO INACCURATE that a travesty would have occurred if we had not caught on to this as quickly as we did.

The NUMBER 1 REASON this application should be denied is REGIONALIZATION.

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

The NUMBER 2 REASON this application should be denied is FLOODING. It is obvious that flooding is an issue for the community that lives upstream and downstream. The residents of Gregory Lane deal with this fact often. The property that Harrington/Turner Enterprises, LP owns has flooding issues as well as other areas in Parker. See Army Corps of Engineers report and Shawn Engineering.

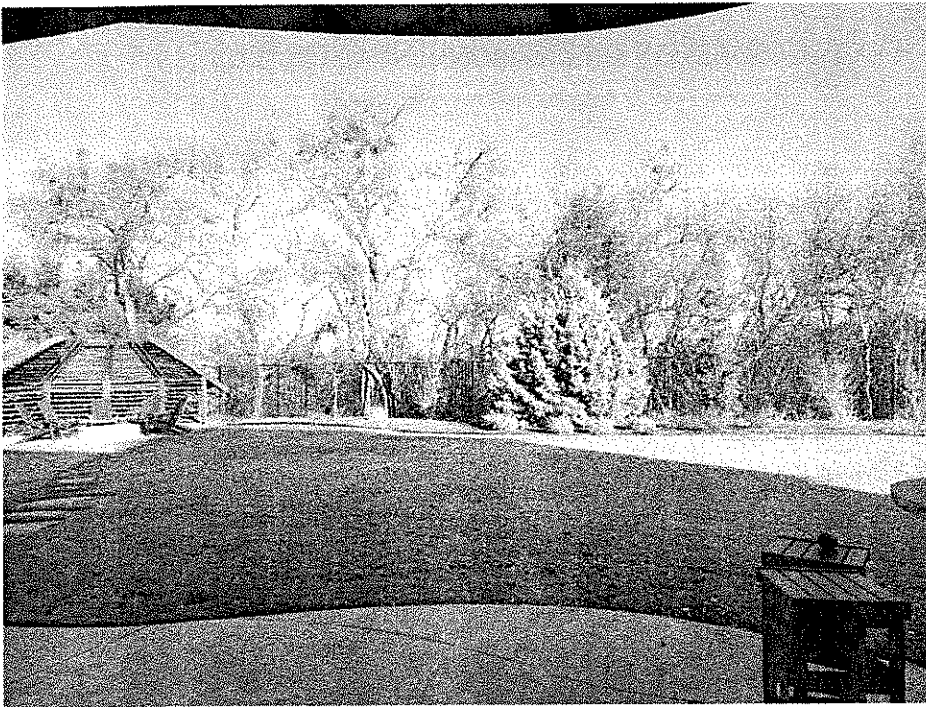
Per TCEQ 's letterhead, noted below, your mission is "Protecting Texas by Reducing and Preventing Pollution". With all the public comments, obvious public concerns & requests for contested case hearing, Flooding issues upstream and downstream, mischaracterizations of Maxwell Creek, high aquatic life, presence of many wildlife and habitats, migratory birds' visits, concerns expressed by Texas Parks and Wildlife, North Texas Municipal Water District, and Consulting Engineering Firm Tetra Tech, Regionalization should be the path.

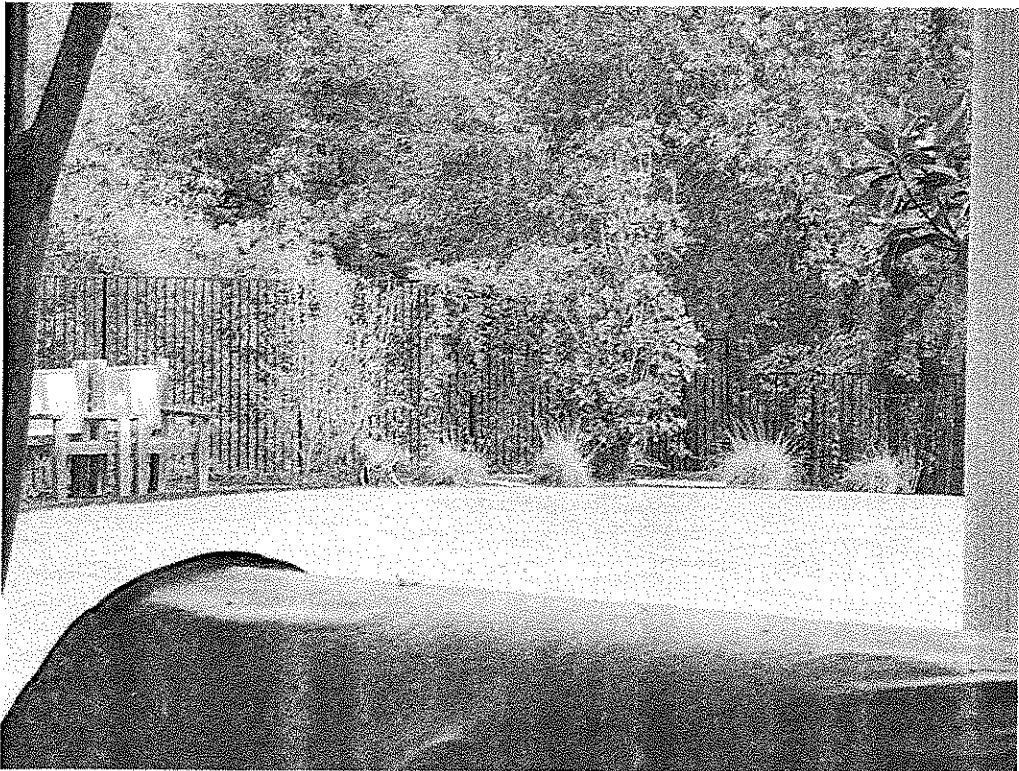
An Engineer's personal observation, in one small section of a creek does not give an accurate picture of the characteristics of a creek. While the pictures the Engineer took reflected the clarity of the water and that it appears perennial, a decision was made to characterize as intermittent. If I interpret the intercommunication correctly, the first classification of Maxwell Creek would have at least required a tier 2 review. Then an intercommunication in September changes the characterization to only require a tier 1 review. If the TCEQ Application required the Applicant to analyze Maxwell Creek at various locations, they would see that Maxwell Creek is pristine, qualifies as perennial, has numerous streams, has high aquatic life as well as a healthy wildlife population, has parks surrounding it, people enjoy fishing as well as wading through the creek, runs through the middle of the City of Murphy, and has visitors all day long. If quick internet search was performed of City of Murphy parks, they would have seen that there are parks adjacent to Maxwell Creek <http://www.murphytx.org/295/Preserve-at-Maxwell-Creek>, and many events that occur around the area of the creek.

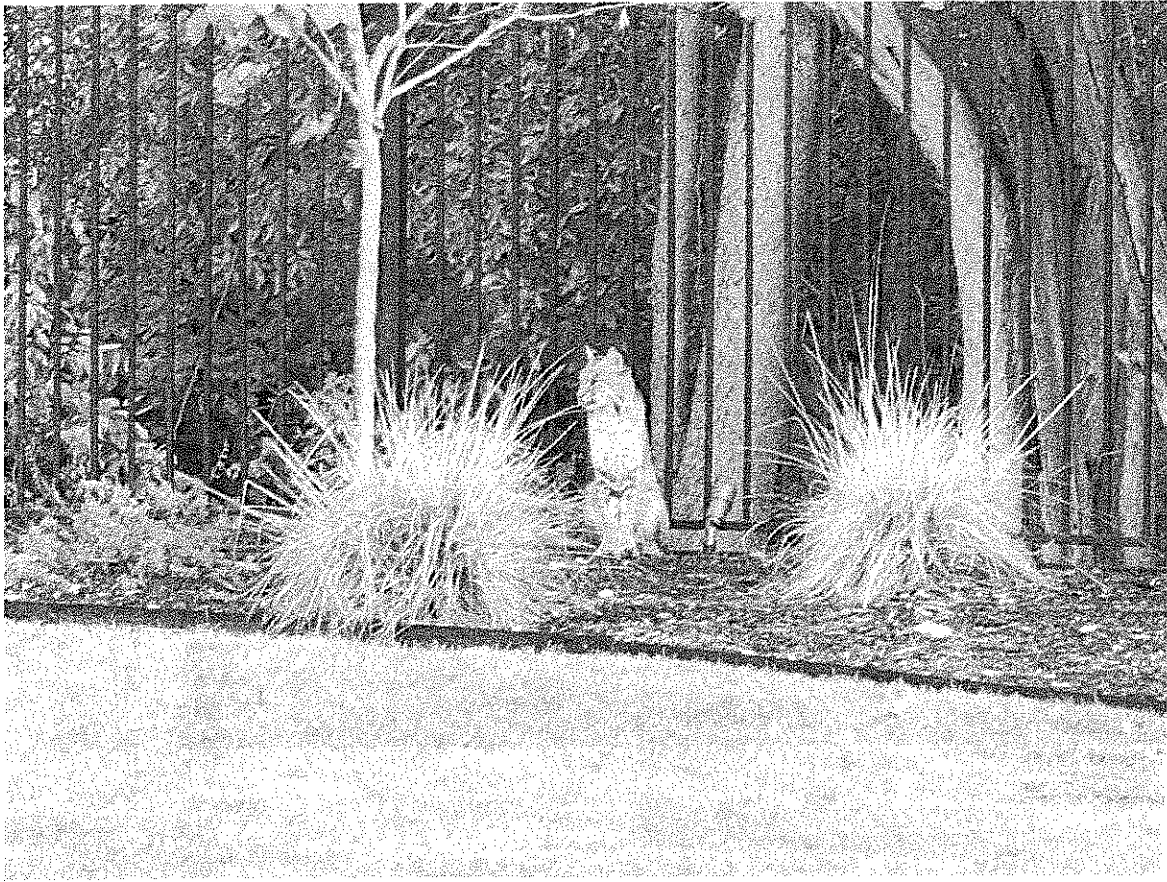
We have two sewer lines in the area. According to a discussion I had with North Texas Municipal Water District, our regional water district, their recommendation is tapping into one of the sewer lines. I am not sure why that communication still has not been posted to the TCEQ site since it's been almost 2 weeks since they submitted.

Our City Mayors and City Councils know, Murphy & Parker residents support current practice of septic tanks or the option of the Developer tapping into existing sewer lines. We DO NOT SUPPORT a wastewater treatment plant that will result in more FLOODING issues upstream and downstream, will add pollutants to Maxwell Creek that will kill or deplete our wildlife, will add to the air pollution, will affect our community members' health, will limit our enjoyment of Maxwell Creek and its wildlife and aquatic life. If given the choice, Murphy & Parker residents would choose every alternative BUT a wastewater treatment plant.

Maxwell Creek is the jewel of Murphy. Maxwell Creek is an integral part of Murphy's & Parker's Communities' lives. When there is an alternative that is recommended, prevents all kinds of pollution (water, air, light), and would not affect public health or enjoyment of the outdoors, or affect wildlife, aquatic life, and migratory birds, it should be the path chosen.







Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:09 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Supporting Documentation. Links for Respondents against WQ0016003001.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Sunday, December 5, 2021 8:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: See attached for respondents' supporting documentation. Due to the issues of some respondents having difficulty with attaching pictures or videos or they have numerous pictures or large reports they are referring to, we thought this would be the most efficient way to submit. We request that the information submitted be supplements to all the concerns posted and requests for contested case hearings.

Carrolyn Moebius
Affected Party #42
1412 Parkview Lane Murphy, Texas 75094
carrmoe@gmail.com

Re: Texas Pollutant Discharge Elimination System permit WQ0016003001
Applicants: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP
Proposed Location: 200 feet from Proposed Wastewater treatment plant; 195 feet from Maxwell Creek

This document as well as my previous comments / requests for contested case hearing will serve as my request for a contested case hearing.

The links below are to serve as support for comments / requests for contested case hearings made by all respondents. Many of the respondents are not familiar or comfortable with technology. For the Save Maxwell Creek group and other Respondents who do not support a proposed wastewater treatment group have asked for a simple way to submit their pictures, reports and supporting documentation for their concerns. To keep from attaching one picture at a time to a post or for the respondents to try and figure out how to insert a picture into their document, we have decided this would be the best path to follow.

Facebook group

https://www.facebook.com/groups/548487766233949?sorting_setting=CHRONOLOGICAL

Supporting documentations; video; pictures

<https://drive.google.com/drive/folders/1SQ10U7FMBFigKdmyn9xNBiyYnuYe7f8I?usp=sharing>

Local news story

<https://dfw.cbslocal.com/video/6167919-murphy-residents-protest-planned-wastewater-treatment-plant/>

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:09 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Sunday, December 5, 2021 8:04 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: See attached for respondents' supporting documentation. Due to the issues of some respondents having difficulty with attaching pictures or videos or they have numerous pictures or large reports they are referring to, we thought this would be the most efficient way to submit. We request that the information submitted be supplements to all the concerns posted and requests for contested case hearings.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, December 1, 2021 8:39 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIG; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Notifcationanderrors.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Wednesday, December 1, 2021 7:07 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: It appears my attachment did not go through. I apologize. This is more information supporting my request for a contested case hearing.

My name is Carrolyn Moebius, Affected Landowner #42. Application by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP (the Applicant) for a new Texas Pollutant Discharge Elimination System permit with number WQ0016003001 (the "Application")

I request a contested case hearing based upon all the erroneous information provided on the application as well as inadequate notification of affected parties as well as inadequate publication of notice in a newspaper of largest circulation.

Additional errors noted in Application WQ0016003001

I found two more errors in the application.

1. The coordinates specified are incorrect
2. nearest City to the discharge point

Obviously there has been a lack of attention to detail & requirements for adequate review of impacts to the water quality of Maxwell creek regarding this permit Application. I did note that the Executive Director corrected in the Preliminary Decision but answered "no" on summary of changes

B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

- Yes No

If **no**, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

To Maxwell Creek; thence to Muddy Creek; thence to Lake Ray Hubbard in Segment 0820 of the Trinity River Basin


City nearest the outfall(s): Parker

County in which the outfalls(s) is/are located: Collin

Outfall Latitude: N 30° 2' 30"

Longitude: W 96° 36' 59"

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

Whether you are in a high risk zone or not, you may need [flood insurance](#). Because most homeowners insurance doesn't cover it, live in an area with low or moderate flood risk, you are 8 times more likely to experience flood than a fire in your home over the next many. A National Flood Insurance Program's flood insurance pool could cost less than \$400 per year. Call your insurance agent what you've lost.



Learn more about [flood insurance](#) to reduce flood risk damage.

Search Results—Products for AUSTIN COUNTY UNINCORPORATED AREAS

SNAPSHOT OF APPLICATION

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

46.516389, 98.041887

Search

Whether you are in a high-risk zone or not, you may need [flood insurance](#); but not most homeowners insurance doesn't cover it. Even in an area with low or moderate flood risk, you are 3 times more likely to experience flood than a fire in your home over the next 30 years. A National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent what you've built.

Learn more about [flood insurance](#) to reduce flood risk damage.

Search Results—Products for COLLIN COUNTY UNINCORPORATED AREAS

CORRECT COORDINATES

Nearest City to the Discharge Point is Murphy and not Parker.

NOTIFICATION FOR AFFECTED LANDOWNERS

Also, noted that return mail occurred for affected landowner 2,4,5 & 6 with property valued over \$2 million. If TCEQ would have searched the owner on the appraisal district site, they would have located the correct mailing address. For the other returned notification, if TCEQ searched the address they would have found the new owner's name. Or perhaps if the Applicant followed the TCEQ instructions for publication, the affected landowners might have seen it.

PUBLICATION Notification – Improper

Per TCEQ Instructions for the Applicant for publication

1. PUBLISH THE NOTICE IN THE NEWSPAPER

You must publish the enclosed notice at your expense, at least once in the newspaper of largest circulation within each county where the facility and discharge point are located or will be located. If the facility and discharge point are located or will be located in a municipality, the enclosed notice must be published at least once in a newspaper of general circulation in the municipality. These requirements may be satisfied by one publication if the newspaper meets all of the above requirements

It's interesting that the English version is submitted to Collin County Commercial Record which DOES NOT have wide circulation in either of City of Parker or City of Murphy while the Spanish language version is submitted to Al-Dia Al Dia is a general information Spanish language news medium that serves the Dallas/Fort Worth Metroplex. Al Día publishes daily on aldiadallas.com, and once-a-week print edition. It is published by A. H. Belo and is a sister publication of **The Dallas Morning News**.

collincountycommercialrecord.com/article.html

COLLIN COUNTY NOTICES

CLICK FOR SUBSCRIPTION

SUBMIT NOTICE TO CREDITORS

SUBMIT TABC NOTICE

SUBMIT PUBLIC SALE NOTICE

DOWNLOAD TODAY'S LEGAL NOTICES

Current Week Editions

Tuesday November 30, 2021

Thursday

If the downloaded documents do not match the date on the link, please try again later in the day.

Abandon Vehicles	Bids (Municipalities)	Citation by Publication
Constable Sales	Federal Notice	Miscellaneous
Notice to Creditors	Probate Citations	Public Notice & Public Hearings
Public Sales & Storage Auctions	Sheriff Sales (delinquent tax)	TABC notice

[CLICK HERE FOR DALLAS COUNTY NOTICES](#)

[CLICK HERE FOR TARRANT COUNTY NOTICES](#)

Here we have the newspaper chosen to post the English Language notification.

Here is the Spanish language publication chosen. Note the website address (dallasnews.com/espanol/al-

dallasnews.com/espanol/al-

Secciones | Búsqueda | Ingresar | \$17.99/m

Al Día

IN THIS SECTION: [Cultura y Música](#) | [Noticias](#) | [Opinión](#) | [Deportes](#) | [Entretenimiento](#) | [Viajes](#) | [Estados Unidos](#) | [Mundo](#) | [Opinión](#)

Comunidad hispana en Arlington opone resistencia a operaciones de fracking

Una gran multitud se reunió en un parque de la ciudad de Arlington para oponerse a las operaciones de fracking en el área.

EN BATELLO: LOS GOBIERNOS MUNDIALES...

Permitirán renovar TPS en línea a todos los beneficiarios del programa

El gobierno federal permitirá a los beneficiarios del programa de Protección Temporal para Trabajadores de Estados Unidos renovar su estatus de manera remota.

Niños con estrés postraumático y depresión, el resultado de la "tolerancia cero" de Donald Trump

Un estudio reciente muestra que los niños de familias afectadas por la política de "tolerancia cero" de Donald Trump experimentan altos niveles de estrés postraumático y depresión.

Cómo vacunar a niños de 5-11 años de México en Estados Unidos

El gobierno federal está considerando la posibilidad de permitir que los niños de México de entre 5 y 11 años de edad sean vacunados en Estados Unidos.

Bazar navideño con artesanos locales en Garland

Un bazar navideño con productos de artesanos locales se celebrará en Garland.

¿Puede la red eléctrica de Texas sostener la abundancia de automóviles eléctricos?

Con la creciente popularidad de los vehículos eléctricos, se cuestiona si la red eléctrica de Texas puede manejar la carga adicional.

dia)

dallasnews.com

Sections

Search

CORONAVIRUS NEWS BUSINESS SPORTS HIGH SCHOOL SPORTS ARTS & ENTERTAINMENT FOOD OPINION

Sign In



The Dallas Morning News

Features ePaper Billy Chamberlain's Deal Best in DFW Winners Your City's News Obituaries State of the City Newsletters Concert Removal Request All Day Podcasts Curious Texas



Dallas County reports 1,107 coronavirus cases, 14 new deaths in 5-day holiday weekend totals and if the English Language publication chosen was truly the one most subscribed to –

Homeowners that are Affected Parties or residents of the surrounding cities either subscribe to Dallas Morning News or the local newspapers in Murphy, Wylie, or Sachse. The Applicant has done their best to make sure the Communities of Murphy and Parker specifically would have little to no time to react. Thankfully Our Communities have shown that there is a public outcry regarding this proposed wastewater treatment plant that is not needed. There are EXISTING SEWER LINES available.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, December 1, 2021 9:12 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Notifcationanderrors.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Tuesday, November 30, 2021 10:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Additional Request for a contested case hearing based upon attached.

My name is Carolyn Moebius, Affected Landowner #42. Application by Restore the Grasslands LLC and Harrington/Turner Enterprises, LP (the Applicant) for a new Texas Pollutant Discharge Elimination System permit with number WQ0016003001 (the "Application")

I request a contested case hearing based upon all the erroneous information provided on the application as well as inadequate notification of affected parties as well as inadequate publication of notice in a newspaper of largest circulation.

Additional errors noted in Application WQ0016003001

I found two more errors in the application.

1. The coordinates specified are incorrect
2. nearest City to the discharge point

Obviously there has been a lack of attention to detail & requirements for adequate review of impacts to the water quality of Maxwell creek regarding this permit Application.

SNAPSHOT OF APPLICATION

B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

- Yes No

If **no**, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

To Maxwell Creek; thence to Muddy Creek; thence to Lake Ray Hubbard in Segment 0820 of the Trinity River Basin


City nearest the outfall(s): Parker

County in which the outfalls(s) is/are located: Collin

Outfall Latitude: N 30° 2' 30"

Longitude: W 96° 36' 59"

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

-96.616359, 30.041607


Search

Whether you are in a high-risk zone or not, you may need [flood insurance](#) because most homeowners insurance doesn't cover it. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the next 30 years. Flood Insurance Programs flood insurance policy could cost less than \$400 per year. Call your insurance agent what you've built.

Learn more about [flood insurance](#) to reduce flood risk damage.

Search Results—Products for **AUSTIN COUNTY UNINCORPORATED AREAS**

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

46.616389, 99.041867



Whether you are in a high risk zone or not, you may need [flood insurance](#). Because most homeowners insurance doesn't cover it, if you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the many. A National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent, what you've built.



Learn more about [how you can take](#) to reduce flood risk damage.

Search Results—Products for COLLIN COUNTY UNINCORPORATED AREAS

CORRECT COORDINATES

Nearest City to the Discharge Point is Murphy and not Parker.

NOTIFICATION FOR AFFECTED LANDOWNERS

Also, noted that return mail occurred for affected landowner 2,4,5 & 6 with property valued over \$2 million. If TCEQ would have searched the owner on the appraisal district site, they would have located the correct mailing address. For the other returned notification, if TCEQ searched the address they would have found the new owner's name. Or perhaps if the Applicant followed the TCEQ instructions for publication, the affected landowners might have seen it.

PUBLICATION Notification – Improper


Per TCEQ Instructions for the Applicant for publication

1. PUBLISH THE NOTICE IN THE NEWSPAPER

*You must **publish the enclosed notice at your expense, at least once in the newspaper of largest circulation within each county where the facility and discharge point are located or will be located. If the facility and discharge point are located or will be located in a municipality, the enclosed notice must be published at least once in a newspaper of general circulation in the municipality. These requirements may be satisfied by one publication if the newspaper meets all of the above requirements***

It's interesting that the English version is submitted to Collin County Commercial Record which DOES NOT have wide circulation in either of City of Parker or City of Murphy while the Spanish language version is submitted to Al-Dia Al Día is a general information Spanish language news medium that serves the Dallas/Fort Worth Metroplex. Al Día **publishes daily on aldiadallas.com**, and once-a-week print edition. It is published by A. H. Belo and is a sister publication of **The Dallas Morning News**.

collincountycommercialrecord.com/index.html



Your newspaper of record since 1932

COLLIN COUNTY NOTICES

CLICK FOR SUBSCRIPTION

SUBMIT NOTICE TO CREDITORS

SUBMIT TABC NOTICE

SUBMIT PUBLIC SALE NOTICE

DOWNLOAD TODAY'S LEGAL NOTICES

Current Week Editions

Tuesday November 30, 2021

Thursday

If the downloaded document does not match the date on the link, please request later in the day.

Abandon Vehicles	Bids (Municipalities)	Citation by Publication
Constable Sales	Federal Notice	Miscellaneous
Notice to Creditors	Probate Citations	Public Notice & Public Hearings
Public Sales & Storage Auctions	Sheriff Sales (delinquent tax)	TABC notice

[CLICK HERE FOR DALLAS COUNTY NOTICES](#)

[CLICK HERE FOR TARRANT COUNTY NOTICES](#)

Here we have the newspaper chosen to post the English Language notification.

Here is the Spanish language publication chosen. Note the website address (dallasnews.com/espanol/al-dia)

dallasnews.com/espanol/al-dia

Secciones | Busqueda | Ingresar | 11/30

Al Día

IN THIS SECTION: [Wishes for 2022](#) | [Dallas](#) | [Entrepreneur](#) | [Real Estate](#) | [Local News](#) | [Sports](#) | [Travel](#) | [Lifestyle](#)

Comunidad hispana en Arlington opono resistencia a operaciones de fracking

El municipio de Arlington, Texas, se enfrenta a una fuerte oposición de la comunidad hispana en su intento de permitir el fracking en el área.



Permitirán renovar TPS en línea a todos los beneficiarios del programa

El gobierno federal anunció que permitirá a todos los beneficiarios del programa de Protección Temporal (TPS) renovar su estatus en línea.

Niños con estrés posttraumático y depresión, el resultado de la 'tolerancia cero' de Donald Trump

Un estudio reciente muestra que los niños que fueron separados de sus padres durante la administración de Donald Trump experimentan altos niveles de estrés posttraumático y depresión.



Frontier

Fiber Internet GIG SERVICE

\$74.99

WITH AUTO PAY, you'll get a \$50 credit on your bill.

1200 VISA REWARD CARD
3 YEAR FREE GUARANTEE

LEARN MORE



Bazar navideño con artesanos locales en Garland

El Bazar Navideño de Garland se celebrará este fin de semana, ofreciendo una gran variedad de productos hechos a mano por artesanos locales.



¿Puede la red eléctrica de Texas sostener la abundancia de automóviles eléctricos?

Con la creciente popularidad de los vehículos eléctricos, se cuestiona si la infraestructura eléctrica actual de Texas es suficiente para soportar un mayor número de estos vehículos.

and if the English Language publication chosen was truly the one most subscribed to –

dallasnews.com

Sections

Search

CORONAVIRUS NEWS BUSINESS SPORTS HIGH SCHOOL SPORTS ARTS & ENTERTAINMENT FOOD OPINION

Sign In



The Dallas Morning News

Features: ePaper Billy Drummer trial Best in DFW Winsor Your City's News Debunked State of the City Newsletters Content Removal Review AI Era Podcasts Census Texas

Ad by Google

Dallas County reports 1,107 coronavirus cases, 14 new deaths in 5-day holiday weekend totals

Homeowners that are Affected Parties or residents of the surrounding cities either subscribe to Dallas Morning News or the local newspapers in Murphy, Wylie, or Sachse. The Applicant has done their best to make sure the Communities of Murphy and Parker specifically would have little to no time to react. Thankfully Our Communities have shown that there is a public outcry regarding this proposed wastewater treatment plant that is not needed. There are EXISTING SEWER LINES available.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 8:14 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, November 26, 2021 3:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn J Moebius

E-MAIL: carrmoe@gmail.com

COMPANY: Member of Rolling Ridge HOA Affected Party #34

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: The Commission may grant a hearing request submitted by a group or association ("group/association"). The requirements are - (i) the hearing request must identify, by name and physical address, one or more members of the group/association who would otherwise have standing to request, and be granted, a contested case hearing in his or her own right, i.e., who is an affected person with respect to the application being challenged, and (ii) the interests the group/association seeks to protect are germane to its purpose. (Tex. Water Code § 5.115(a-1); 30 TAC § 55.205(b)(2)-

(3) (iii) neither the claim asserted, nor the relief requested requires the participation of the individual members in the case. In response to (i) I am a member of the Rolling Ridge Homeowners Association affected party #34, I request a contested case hearing. I am affected party #42. My name is Carrolyn Moebius. (ii) Homeowners Associations purpose is to protect their members home values and to request a contested hearing is germane to their purpose due to the financial effect on the appraisal values on properties that surround wastewater treatment plants. (iii) HOA's have a fiduciary responsibility of community in which they have an obligation and are charged with protecting and increasing property values.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 5, 2021 10:38 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Thursday, November 4, 2021 12:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: I have been told that TCEQ carefully weighs the comments provided by the Community. Based upon the comments supplied by the Residents, the designation of Maxwell Creek as an Intermittent Creek is suspect. Also, the residents have submitted many concerns regarding the responses provided on the application. How will the proposed wastewater treatment plant benefit the Communities of Parker and Murphy? The proposed wastewater treatment plant will not provide important economic or social development. The ramifications of the Applicant not providing accurate

characteristics will only increase the economic expenditures of the Local, County and State governments. Unplanned growth and its affects are not healthy for a community(ies). The only winner out of this would be the MUD owners. We also will see flight of current resident from the area. Approval of a WWTP in City of Murphy/Parker area will result in -

- local, county and state governmental entities having to spend more money in the area to address road issues & flooding
- less property taxes generated due to devaluing of homes in area
- more flooding damaging homes
- health issues for children and older residents who are immune compromised
- permanent destruction of Maxwell Creek's biological habitat
- ruining parks
- eliminating fishing as an activity
- negatively impacting the lives of the endangered, threatened & migratory species
- local, county and state governmental entities having to spend more money in the area to address road issues & flooding

The wastewater treatment planned has no regard to the communities and local economic development. It will not increase social or economic growth. Who Wins? Not the current residents or local governments of Murphy or Parker... just the MUD owners, who answer to few. I request a contested case hearing. I live within .4 miles of the proposed site.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 2, 2021 9:02 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: StreamCharacteristics.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, November 1, 2021 5:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Description of the immediate receiving waters: The flow characteristics of Maxwell Creek based upon homeowners who have lived in the area stated that is the creek is perennial and has aquatic life. Regarding the normal dry weather characteristics, homeowners have stated that it is not normal for the creek to dry up for 7 days during the year. Maxwell Creek has different characteristics downstream verses where the photos were taken. It is deeper and

wider. There are also perennial ponds downstream. Much aquatic life. Upstream influences should have septic tanks checked off. Parker only uses septic tanks in that immediate area. Southfork is the only area that has sewer. Waterbody uses were inaccurate. Should include all the following: • Fishing <https://fishbrain.com/fishing-waters/IrOHUjvW/maxwell-creek> • Contact-recreation • Non-contact recreation • Park activities The creek is naturally beautiful, clear waters and overhanging vegetation. We have a lot of photos to reflect a more accurate description of Maxwell Creek. I again request that this information be considered to support a contested case hearing.





<https://www.murphytx.org/292/Murphy-Central-Park>

<https://www.alltrails.com/trail/us/texas/maxwell-creek/photos>

Maxwell Creek is the jewel of Murphy, Texas. There are many events that are hosted around the creek. The City of Murphy has invested a lot of money in beautifying the area as well as proper maintenance on the creek to help reinforce the side banks. The City has applied for grants as well as include in city bonds. The links below show the view of the creek located within the 1 mile downstream.

PARKS in Murphy (just showing 2 that are located by the creek)

https://www.murphytx.org/295/Preserve-at-Maxwell-Creek?fbclid=IwAR1x8VB4g7C_w69_gW6JwoO5opQ3zhdc18rueLLq0xqm0FvFfWQVeeYGsAc

<https://www.murphytx.org/292/Murphy-Central-Park>

CITY OF PARKER (as a side note)

The City of Parker received two Grants from Collin County Open Space Program for our Maxwell Creek nature preserve

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 2, 2021 9:06 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, November 1, 2021 4:24 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: The USGS topographic map did not include the following – • Commercial Development – Assured Self Storage Units • School – McMillen High School • Residential Development – Oasis Springs Residential Development • Southfork Animal Clinic Property on Betsy and Murphy Rd (Hogge Rd) • Missing Parks • Missing recreational facilities • Belief that there are missing ponds – storage, evaporation, holding There may be additional commercial/residential developments planned. I am not sure. Map is from 2009. There has been quite a lot of building since then. In the Rolling

Ridge neighborhood, there are underground streams, which we are not sure if there is a connection with Maxwell Creek or not. • Parkview and Featherwood home. I submitted a video that shows the stream. I have support from the landscaper. He had the water tested. They had to install a sump pump. • Parkview and Keathly Circle. One of the neighbors had to have a sump pump put in due to an area on their property that was constantly having issues. I think this is relevant information for the TCEQ regarding the information the Applicant did not address or include. I will state that I would like these comments to be included in my requests for a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 1, 2021 4:02 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Affected Landowners Persons.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, November 1, 2021 2:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

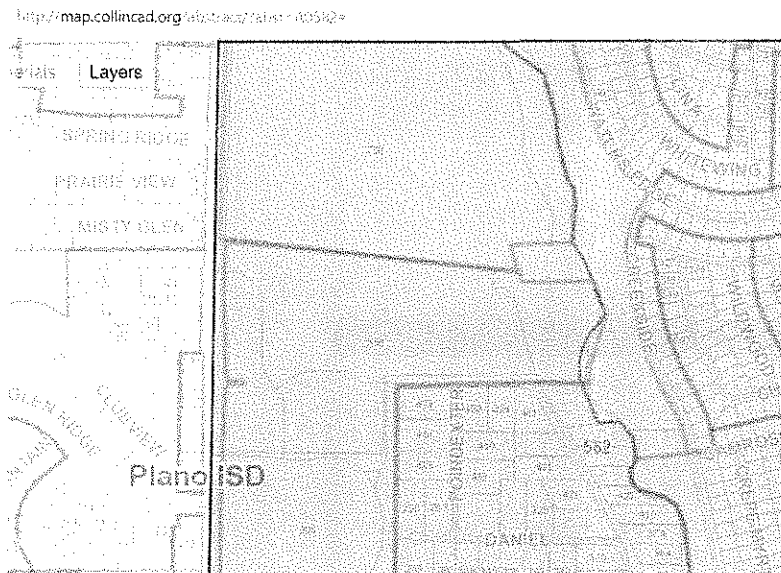
COMMENTS: Please see attached. There are several Affected Parties that did not receive notification. I request a contested case hearing based upon the numerous errors reflected in the Application submitted to the TCEQ.

AFFECTED LANDOWNERS NOT NOTIFIED

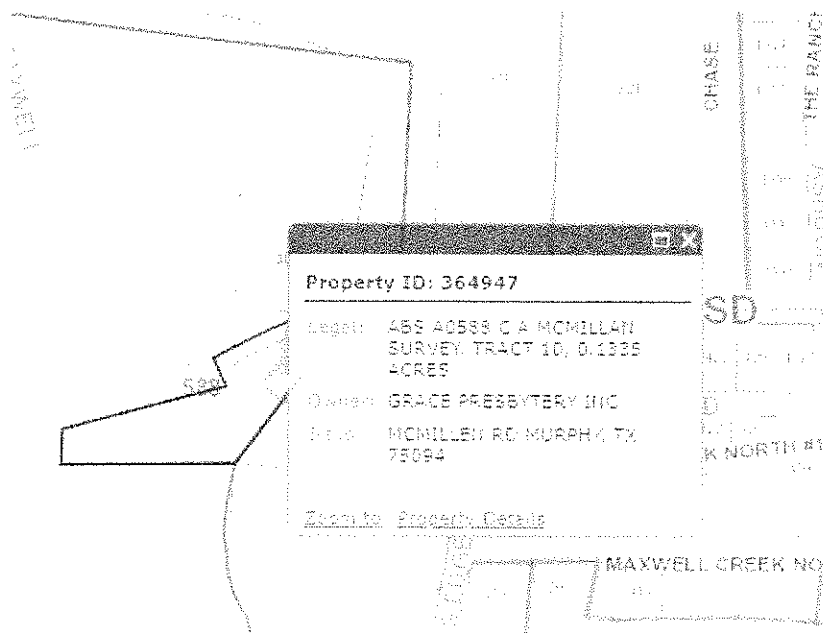
Carpenter Farms – Per conversation with Clint Haggard registered agent, the notification was not received. Address used was wrong. Per Collin Central Appraisal District, the address is 7352 Independence Pkwy, Frisco, Tx. Overland address was sold in June, 2021.

Murphy Historical Society was not notified. They own 2 cemeteries that back up to the creek

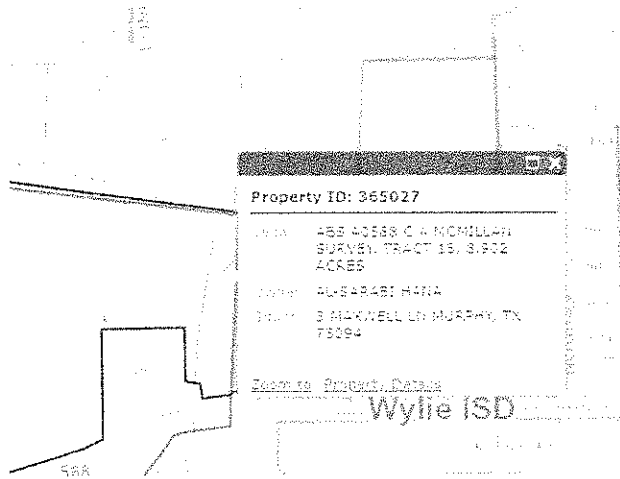
- o Decatur/Maxwell/Murphy Cemetery



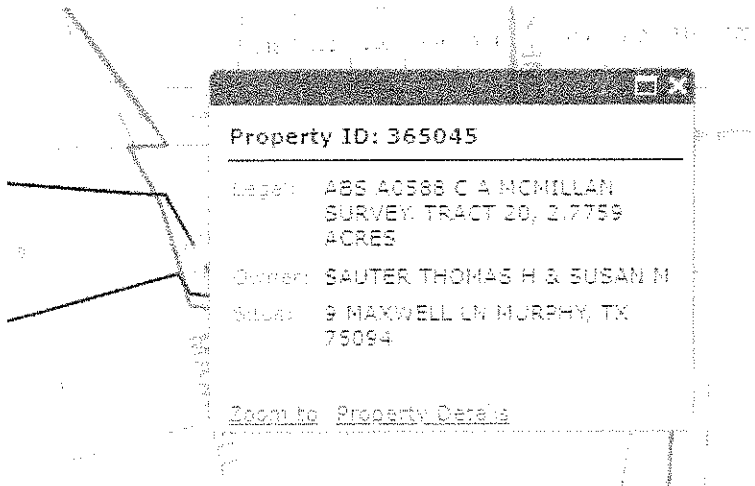
Grace Presbyterian should have been notified. They own the property for McMillen Cemetery.



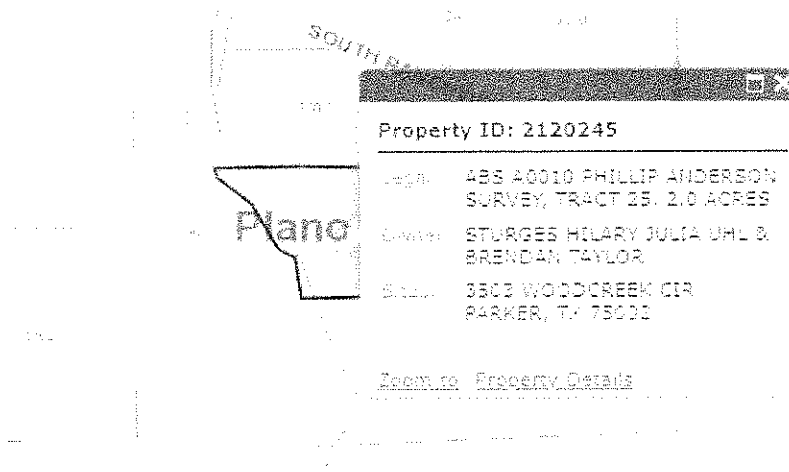
Another Landowner not notified.



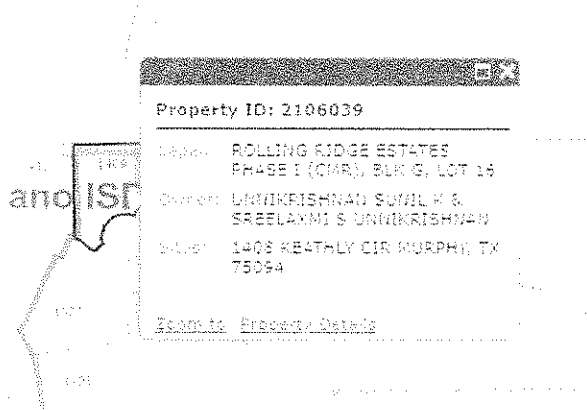
Another Landowner



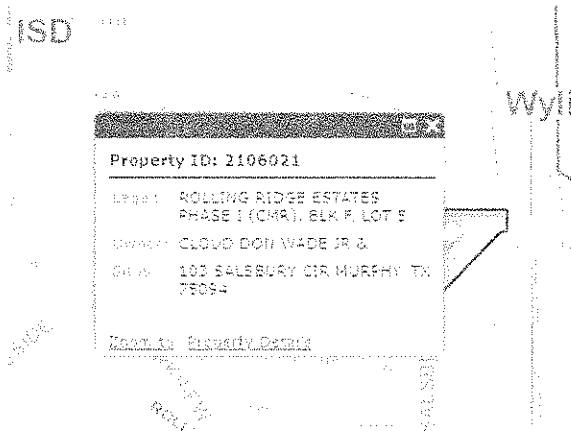
Another Landowner. (Julie Menconi sold to Hilary Sturges and others on 10/9/2020)



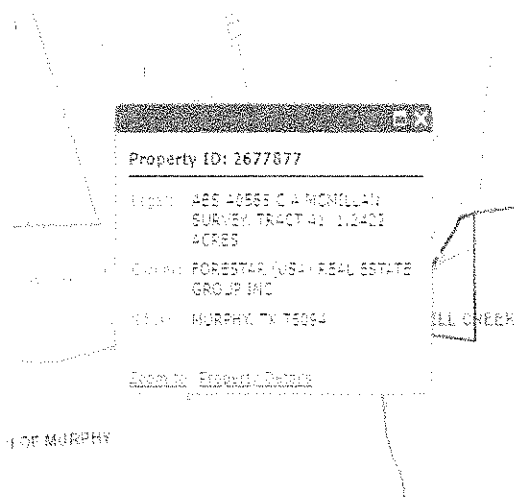
Another Landowner not notified. Land was sold 1/22/2021.
1408 Keathly Circle



Another Affected Party. There is no designation between his property and the creek.



Another affected Party not notified



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 1, 2021 10:23 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H
RFR

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Sunday, October 31, 2021 7:50 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Carrolyn Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Regionalization Inquiry was incomplete. Several cities stated that did not receive the certified letter. This may be due to mail delivery and covid issues. City of Lucas said they were not notified. City of Sachse should have been included and they were not notified. When I first spoke to North Texas Municipal Water District, they said they were not notified. City of Murphy did not receive the letter. I believe City of Parker was not notified. The only two cities that I

know confirmed receipt was Plano and Allen. I have sent a public information request to all. I request a contested public hearing or reconsideration.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 29, 2021 10:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: McMillenCemetery_ Texas Historical Commission.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, October 29, 2021 9:05 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Decatur/Maxwell/Murphy Historical Cemetery (1853) and the McMillen Cemetery (1901) are Historic Sites and marked with State Historical Markers. These properties are directly adjacent to Maxwell Creek and will directly be impacted by the proposed wastewater treatment plant. Erosion from the increased capacity places the cemeteries at great risk due to the anticipated results of more degradation to the historical sites. The historical sites' property is

located adjacent to Maxwell Creek. Weather events result in Maxwell Creek's water rising significantly higher. Erosion of this area is quite extensive. Additional volume resulting from the discharged wastewater, will only increase the erosion in this area. Loosing graves at this Historical Site would be a tragedy as well as an environmental hazard. According to the State Antiquities Code Protection – (From the Texas historical Commission) If a historic cemetery is publicly owned by a state agency or political subdivision of the state, the burials are protected as archeological sites under the Antiquities Code of Texas (Title 9, Chapter 191 of the Texas Natural Resources Code). The grave markers associated with interments may also be protected, either as part of the archeological deposits or as separate architectural features associated with the site as a whole. According to the Antiquities Code, no such deposits may be “removed, altered, damaged, destroyed, salvaged, or excavated without a contract with or permit” from the Texas Historical Commission (THC), the state agency that administers the Antiquities Code (Section 191.093). State agencies and political subdivisions of the state must notify the commission before a publicly owned cemetery that is 50 years old or older can be altered beyond ongoing maintenance and daily cemetery activities. The THC has developed a policy that addresses both historical and archeological concerns related to the preservation and exhumation of historic graves. The THC policy regarding historic cemeteries calls for recordation, protection, and preservation in place whenever possible. Survey-level investigations of these historic resources should include the collection of historical archival data and archeological data that assist in documenting the location and history of the cemetery (including the relative age and date range for the use of the location), name(s) of individual(s) buried at the site, location(s) of burial(s), and the historically platted boundaries and the actual boundaries of the cemetery or grave(s). I am posting this information to be included with my Request for a Contested Case Hearing.

HOME (/) ATLAS MAP (/MAP) ADVANCED SEARCH ABOUT ATLAS DOWNLOADS
 Record (ADVANCED SEARCH) (/ABOUT) (/DATA/DATADOWNLOAD)

Site Name County Location Map Designation Historical Markers

Words or phrase to search **View** this record in full map (opens in new tab/window) (/Map/2/ATLAS_NUM%3d5507017250)

Scope of search:

Statewide

County

Courthouses

National Register Pro

State Antiquities Land
Only

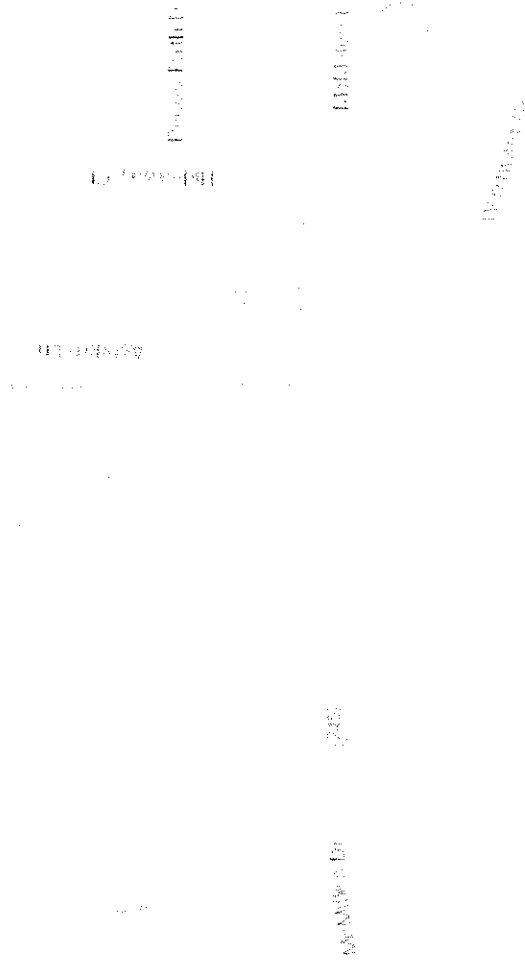
Historical Markers

Cemeteries

Museums

0 300 ft

Maxwell Creek



Record Data Map

Location Map

View this record in full map (opens in new tab/window) (/Map/2/ATLAS_NUM%3d5507017250)



Map of Texas



Map of Texas

Map of Texas

Map of Texas

Map of Texas

Map of Texas



Map of Texas

0 300 ft

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 29, 2021 10:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: MaxwellCemetery - Atlas_ Texas Historical Commission.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, October 29, 2021 9:03 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: Carrolyn Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Decatur/Maxwell/Murphy Historical Cemetery (1853) and the McMillen Cemetery (1901) are Historic Sites and marked with State Historical Markers. These properties are directly adjacent to Maxwell Creek and will directly be impacted by the proposed wastewater treatment plant. Erosion from the increased capacity places the cemeteries at great risk due to the anticipated results of more degradation to the historical sites. The historical sites' property is

located adjacent to Maxwell Creek. Weather events result in Maxwell Creek's water rising significantly higher. Erosion of this area is quite extensive. Additional volume resulting from the discharged wastewater, will only increase the erosion in this area. Loosing graves at this Historical Site would be a tragedy as well as an environmental hazard. According to the State Antiquities Code Protection – (From the Texas historical Commission) If a historic cemetery is publicly owned by a state agency or political subdivision of the state, the burials are protected as archeological sites under the Antiquities Code of Texas (Title 9, Chapter 191 of the Texas Natural Resources Code). The grave markers associated with interments may also be protected, either as part of the archeological deposits or as separate architectural features associated with the site as a whole. According to the Antiquities Code, no such deposits may be “removed, altered, damaged, destroyed, salvaged, or excavated without a contract with or permit” from the Texas Historical Commission (THC), the state agency that administers the Antiquities Code (Section 191.093). State agencies and political subdivisions of the state must notify the commission before a publicly owned cemetery that is 50 years old or older can be altered beyond ongoing maintenance and daily cemetery activities. The THC has developed a policy that addresses both historical and archeological concerns related to the preservation and exhumation of historic graves. The THC policy regarding historic cemeteries calls for recordation, protection, and preservation in place whenever possible. Survey-level investigations of these historic resources should include the collection of historical archival data and archeological data that assist in documenting the location and history of the cemetery (including the relative age and date range for the use of the location), name(s) of individual(s) buried at the site, location(s) of burial(s), and the historically platted boundaries and the actual boundaries of the cemetery or grave(s). I am posting this information to be included with my Request for a Contested Case Hearing.

Site Name County Location Map Signation Historical Markers

Words or phrase to search **View** this record in full map (opens in new tab/window) (/Map/2/ATLAS_NUM%3d5507015725)

Scope of search: + -

- Statewide
- County
 - Murphy Middle School
- Courthouses
- National Register Pro
- State Antiquities Land Only
- Historical Markers
- Cemeteries
- Museums



Waters Edge Park

Smoke Tree Dr

Circulate Dr

Tom Greenger Dr

0 600 ft

Record Data Map

Location Map

View this record in full map (opens in new tab/window) ([/Map/2/ATLAS_NUM%3d5507015725](#))

+

-

Murphy Middle School

Waters Edge Park

0 600 ft

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 10:37 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H
RFR

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Tuesday, October 26, 2021 6:30 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: My name is Carrolyn Moebius. I live at 1412 Parkview in Murphy, Texas. Affected Landowner #42. Request for Contested Hearing. Request for Reconsideration by Executive Director. According to the COLLIN COUNTY DRAINAGE DESIGN STANDARDS approved by the Collin County Commissioners Court on September 28,2020, Court Order Number: 2020-958-09-28, page 7, Section K "Adverse impacts shall not be allowed within the County. Adverse impacts take place

when the actions of one property owner adversely affects the rights of another property owner. Adverse impacts can be measured in terms of increased flood peaks, increased flood stages, higher flood velocities, increased erosion and sedimentation, degradation of stormwater quality, or other impacts the County considers important. Adverse impact management helps the Developer and County identify the potential impacts of development on public and private property and implement action to mitigate them before the damages occur". For our area of Parker/Murphy, the flooding will only be exacerbated. Many homeowners have posted their concerns on TCEQ site as well as videos and pictures of flood conditions on Facebook page "Stop Parker ETJ Wastewater Treatment Plant". The current application does not reflect due diligence regarding the topic of adverse impacts. One day of visual observation of the creek is inadequate to judge the small natural stream, which has Affected Landowners upstream and downstream with property in the 100-year flood plain (please see https://www.collincountytx.gov/gis_rural_addressing/Documents/FloodPlain.pdf). The information the draft permit was issued on is inadequate. It has not addressed the potential impacts of development on public and private property sufficiently.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:43 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Salsbury Concern1.pdf

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Saturday, October 9, 2021 4:19 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Contested Hearing request. It has come to my attention that not all affected parties were listed on the Applicants forms. #4 states Carpenter Farms. I know that there is a street called Salsbury Circle and there are some owners that have not been notified. Please review attachment. Hopefully the formatting will come across. I tried pdf but it was too large

There are several people who live on a street that has been located in #4 area for at least 12 years. I believe that's the only property that is inaccurately reflected.

The Affected Parties that are not listed that are located in #4 -

1308 Salsbury Circle

103 Salsbury Circle

107 Salsbury Circle

111 Salsbury Circle

122 Salsbury Circle

Also, see next page for correction to #43

- | | | | |
|----|---|----|--|
| 1A | HARRINGTON/TURNER ENTERPRISES LP
3510 DUBLIN ROAD
PARKER TX 75002 | 11 | MURPHY CITY OF
206 N MURPHY RD
MURPHY TX 75094 |
| 1B | GREGORY LANE LLC
3510 DUBLIN ROAD
PARKER TX 75002 | 12 | MURPHY CITY OF
206 N MURPHY RD
MURPHY TX 75094 |
| 2 | CARPENTER FARMS LTD
3337 OVERLAND DR
PLANO TX 75023 | 13 | MURPHY CITY OF
206 N MURPHY RD
MURPHY TX 75094 |
| 3 | CAUGHFIELD LANCE ERIC
1404 NEATHLY DR
MURPHY TX 75094 | 14 | BAILEY CATHERINE M
309 MCMILLEN DR
MURPHY TX 75094 |
| 4 | CARPENTER FARMS LTD
3337 OVERLAND DR
PLANO TX 75023 | 15 | ELUS FAMILY LIVING TRUST
C/O GENE CELLIS & SHARON KAY ELLIS
305 MCMILLEN DR
MURPHY TX 75094 |
| 5 | CARPENTER FARMS LTD
3337 OVERLAND DR
PLANO TX 75023 | 16 | EVANS ELEANOR NOREEN & ALICIA S
3507 HOGGE DR
PARKER TX 75002 |
| 6 | CARPENTER FARMS LTD
3337 OVERLAND DR
PLANO TX 75023 | 17 | TATSCH KENNETH ALAN
PO BOX 850955
RICHARDSON TX 75085 |
| 7 | SOUTHFORK PROPERTIES LP
C/O MIKE A THOMAS
PO BOX 941428
PLANO TX 75094 | 18 | MENCONI JULIE C
2080 KENDALL ST
EDGEWATER CO 80214 |
| 8 | ROLLER RANDY JAY ETAL
120 E FM 544 STE 72 #140
MURPHY TX 75094 | 19 | HERNANDEZ FAMILY LIVING TRUST
5906 GREGORY LN
PARKER TX 75002 |
| 9 | MURPHY CITY OF
206 N MURPHY RD
MURPHY TX 75094 | 20 | VIERE LORDDIN A & DIANEL
5902 GREGORY LN
ALLEN TX 75002 |
| 10 | LEWIS FAMILY TRUST
5880 FM 546
PRINCETON TX 75407 | | |

#43 owners are
Sunil & Sreelaxmi Unnikrishnan
1408 Keathly Cir
Murphy, Texas 75094

41. NANGIA AMIT & PARUJANI
VAKATRAVIAN
1416 PARKVIEW LN
MURPHY TX 75094

42. MOEBIUS JAMES R & CAROLYN JEAN
1412 PARKVIEW LN
MURPHY TX 75094

43. MCGREGOR PHILLIP & SHARON LYNN
MCGREGOR
1408 KEATHLY CIR
MURPHY TX 75094

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 8, 2021 1:38 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Friday, October 8, 2021 1:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: I am requesting a hearing. The proposed MUD will be located directly behind my home. I noted per the ArcGIS is .09 miles directly north of my home. My husband and I moved to our home in 2005. We knew that the ETJ was designated by City of Parker's planning to be for single family homes with 1+acres. While ETJs have been given a lot of leeway these days, it should not be to the total disregard of City(ies) planning for the future. This Developers' plan would dramatically affect most of the resident's number one investment, as well as decrease City of Murphy's collection on

taxes. Many of our residents will no longer feel that they can fish in our ponds, or have their kids explore Maxwell Creek.

REGIONALIZATION: According to Texas Water Code, Sections 26.081 REGIONAL OR AREA-WIDE SYSTEMS; GENERAL POLICY. (a) The legislature finds and declares that it is necessary to the health, safety, and welfare of the people of this state to implement the state policy to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state. There is capacity available from the City of Murphy for the proposed development according to Scott Bradley, Mayor of Murphy. According to Sec. 26.084. ACTIONS AVAILABLE TO COMMISSION AFTER DESIGNATIONS OF SYSTEMS. The commission has the authority to enter an order to use a regional or area-wide system in existence. This is what we seek. While I understand that residents in our area of Murphy, Parker, Lucas & Wylie would love to keep our country charm, I cannot imagine that most citizens would want another MUD when there is capacity available. One issue that I am not sure has been accurately considered is the environmental impact to the surface water and groundwater. I know that my neighbor has an underground aquifer or stream that has an outlet to the sidewalk that pours into the storm drain. Regards, Carrolyn Moebius 1412 Parkview Lane Murphy, Texas 75094

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:49 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: FINAL_TetraTech Contestation Memo 12.3.2021.pdf

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, December 6, 2021 12:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Attached is Tetra Tech report that many respondents refer to.



Date: November 30th, 2021

Subject: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP TPDES Permit No. WQ0016003001 Contestation Support Summary of Findings

1.0 INTRODUCTION

Tetra Tech, Inc. (Tetra Tech) was engaged to assist with contesting a newly issued draft Texas Pollution Discharge Elimination System (TPDES) permit (TPDES Permit No. WQ0016003001) to Restore the Grasslands LLC and Harrington/Turner Enterprises, LP.

1.1 PERMIT APPLICATION REVIEW

Tetra Tech notes the following observations in the permit application. The implication of these observations will be explored in the following sections of this report.

- On page 9 of the Administrative Report, Section 10.C, the applicants indicated the discharge is NOT routed to a city, county, or state highway right-of-way, or a flood control district drainage ditch. If the discharge is routed to one of these features, the applicant must demonstrate authorization has been received from the responsible entity.
- On page 22 of the Technical Report, Section 1.B.3, the applicants indicated that there are domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facilities. One of the corresponding requirements is to provide copies of certified letters to these facilities and their response letters, which the applicants indicate are provided in Attachment 12. However, Attachment 12 does not include response letters.
- On page 30 of the Technical Report, Section 4.B, the applicants indicate that the receiving stream, Maxwell Creek, is intermittent (dry for at least one week during most years). Because of this response, the applicants did not include Worksheet 2.1 with the application. Worksheet 2.1 identifies stream physical characteristics that must be provided by the applicant for all new permits but is not required for discharges to intermittent streams.
- On page 31 of the Technical Report, Section 5.B, the applicants indicate that the waterbody is used for livestock watering. "Contact recreation", "non-contact recreation", "fishing" and "park activities" are unchecked.
- On page 32 of the Technical Report, Section 5.C, the applicants characterize the waterbody as "Common Setting: not offensive, developed but uncluttered; water may be colored or turbid".

1.2 TPWD LETTER REVIEW

All new and major amendment TPDES permit applications must be reviewed by the TPWD and the Texas Commission on Environmental Quality (TCEQ) must consider their comments in processing the application. There are three major issues raised by the TPWD:

- The TPWD challenges the representation of the receiving stream by the applicants as an intermittent stream and believes it is correctly identified as perennial. The TPWD requests that the applicants provide information supporting their assertion regarding stream type and recommends that a Receiving Water Assessment be conducted.

- The TPWD advocates minimizing new point source discharges when there are feasible alternatives, in effect questioning the need for issuing this permit, particularly given that Maxwell Creek does not already receive treated effluent. The letter correctly states that the application did not include responses from candidate facilities to receive the new wastewater stream. In addition to alternative treatment facilities, the TPWD recommends that the applicants consider beneficial reuse or land irrigation as a means to manage the new wastewater discharge stream.
- The TPWD expresses concern over the introduction of nutrients to Maxwell Creek from the new discharge causing increases in algal biomass and recommends a total phosphorus effluent limit of 0.5 mg/L.

1.3 CITY OF MURPHY LETTER REVIEW

The City of Murphy comment letter raises a number of issues. Several of the issues raised presume that the facility will discharge improperly treated wastewater; however, Tetra Tech believes that the TCEQ will not act on such presumptions if the treatment system is properly designed and complies with the design requirements set forth in 30 TAC 217. The City of Murphy challenges the proposed design of the treatment system; some of these concerns may be addressed by the Tetra Tech analysis described in Section 2.4 of this report. Also, the letter raises concern over whether the treatment system will be operated by a qualified operator; however, the draft permit requires that the facility be operated by licensed individuals in compliance with 30 TAC 30 (see Item #9 in the Operational Requirements section of the draft permit on page 15). The below synopsis highlights the most technically significant issues.

- In asserting that water quality parameters in the draft permit are inadequate to protect existing water quality uses, the City of Murphy indicates that the City-owned property on Maxwell Creek downstream of the discharge point is used for "walking, jogging, biking, fishing, swimming, and aesthetic enjoyment." These waterbody uses represent a significant difference from representations in the permit application and could impact the parameters within the permit as well as possibly the decision to issue the permit.
- The City challenges the characterization of the stream as intermittent and the aesthetics as "common setting", stating that these responses should instead be perennial and "natural area", respectively.
- The City suggests that there are endangered species and habitat within and along Maxwell Creek.
- The City suggests that other treatment facilities may be able to accept the new wastewater flow.
- The City believes that nutrients in the wastewater stream will create nuisance conditions.
- The City describes funding commitments for drainage improvements and public access trails along Maxwell Creek. This information suggests that the creek may represent a right of way under the control of the City. The City is concerned that the new discharge will compromise the drainage capacity of the creek.
- The City provides evidence that Harrington/Turner Enterprises, LP, one of the co-applicants, is not a valid partnership because its general partner forfeited its corporate existence. Tetra Tech believes this legal issue could delay permit issuance but has no further comment as this issue is not technical in nature.

1.4 TREATMENT SYSTEM SIZING

Tetra Tech conducted a high-level review of sizing requirements for the aeration basins, clarifier, and chlorine contact basin in the proposed wastewater treatment facility for Phase 2 conditions. Based on preliminary calculations, Tetra Tech believes that the proposed treatment system complies with sizing requirements in 30 TAC 217. The discrepancies noted in the City of Murphy letter between the treatment equipment volumes reported in the application and the volumes calculated by the City of Murphy are likely due to freeboard allowances.

- Aeration basin sizing is based on an organic loading rate of 35 lbs BOD₅/day/1,000 ft³, which is the organic loading rate specified by 30 TAC 217.154(b)(2) for conventional activated sludge processes with nitrification when reactor temperatures exceed 15°C, with applicable permit limits for BOD₅, TSS, and ammonia nitrogen matching the limits in the draft permit.

TETRA TECH

1505 City Ave. West, Dr. 1000, Houston, TX 77041
Tel: 281.251.3100 Fax: 281.251.3179 tetratech.com

- Tetra Tech calculates minimum clarifier sizing of 29-foot diameter, 12-foot clarifier depth, and 10-foot water depth, compared with the proposed clarifier size of 32-foot diameter, 14.2-foot clarifier depth, and 10-foot water depth
- Tetra Tech calculates a minimum chlorine contact basin volume of 1485 cubic feet, compared with the proposed 1980 cubic feet basin.

1.5 SITE WALK OBSERVATIONS

Tetra Tech conducted a site walk on November 23, 2021. Measurements and/or field data were collected at four locations within Maxwell Creek and one location within Muddy Creek, and photographs were taken. The field report for this visit is included as an attachment to this report. Key observations include the following:

- Estimated stream flows range from 0.41 to 2.5 cubic feet per second (cfs).
- The flow rates and flow patterns, presence of fish, and lack of contributing wastewater discharges suggest the stream is perennial.
- The water is colorless with exceptional clarity and no observable contamination.
- Dissolved oxygen values ranged from 5.5 to 11.2 mg/L, indicating exceptional water quality.
- The measured pH ranged from 7.8 to 8.1.
- The waterbody aesthetics as defined in the TPDES permit application form could best be described as either "Wilderness" or "Natural Area". While there appears to be limited development in the area, photographs document wooded areas along the creek and exceptional water clarity.

2.0 PERMIT ISSUES

Based on the described work performed, Tetra Tech believes that there are many strong technical issues with the permit application. Tetra Tech has characterized these issues based on how they impact the permit process.

2.1 POTENTIAL PERMIT DENIAL ISSUES

2.1.1 Possible Authorization Required by the City of Murphy

Maxwell Creek may meet the definition of a right of way under the jurisdiction of the City of Murphy as described in Section 2.3. If this is confirmed, then the applicants would be required to obtain authorization from the City in order to discharge.

2.1.2 Alternatives to Discharge

The TPWD and the City of Murphy both indicated alternatives to discharge. These alternatives should be given greater consideration than for typical new permit requests given that Maxwell Creek does not currently receive any treated wastewater effluent and given the outstanding water quality and aesthetic value of the creek. In particular, the TPWD provides several alternatives to discharge and recommends that they be considered.

2.2 PERMIT ISSUES

2.2.1 Stream Classification

There is ample evidence that the applicants have mischaracterized Maxwell Creek as intermittent instead of perennial. The change in classification will require that additional information related to waterbody properties be provided by the applicants in order to process the application.

2.2.2 Waterbody Quality, Uses, and Aesthetics

As with stream characterization, there is ample evidence that the applicants have misrepresented the quality, uses, and aesthetics associated with Maxwell Creek. The stream uses noted by the City of Murphy and the water quality and aesthetic conditions documented in the field report in attachment 1 of this memo report should provide justification for a Tier 2 antidegradation review of the application by the TCEQ in addition to the Tier 1 review that was conducted.

2.2.3 Nutrient Concerns

Both the TPWD and the City of Murphy recommend that a permit limit be added for phosphorus due to concerns over the introduction of nutrients to Maxwell Creek from the new discharge that could cause increases in algal biomass.

2.2.4 Presence of Endangered or Threatened Species

The City of Murphy suggests the possible presence of endangered species and habitats within and along Maxwell Creek. Tetra Tech did not observe endangered or threatened species during the site walk but did not conduct a threatened and endangered species survey.

3.0 CONCLUSIONS

Tetra Tech, Inc. (Tetra Tech) review of draft Permit No. WQ0016003001 has identified a number of key issues that have not been adequately addressed by the permit applicant. Further evaluation of the City of Murphy right of way approvals, alternatives to discharge, characterization and uses of the receiving waters, nutrient limits, and potential presence of endangered species are all factors that should be reconsidered before a permit is issued to the applicants and may need to be evaluated with respect to whether a permit should be issued if viable alternatives exist.

ATTACHMENT - FIELD REPORT



TETRA TECH

Field Report

Author: Dipendra Wagle, PhD, Tetra Tech, Inc.

Date: 11/23/21

Location: Maxwell Creek and Muddy Creek, Dallas-Fort Worth Metroplex, TX

Objective: Survey the creeks for water quality, perennial flow, and wildlife in baseline survey

Water Quality Report

1. Methodology:
 - a. Temperature was measured by using EPA-150.1
 - b. Dissolved Oxygen (DO) was measured by using SM-4500-0
 - c. Specific Conductance was measured by using EPA-120.1
 - d. Oxidation-Reduction Potential (ORP) was measured by using ASTM-D1498-08
2. Below are the key observations:
 - a. Water quality was measured at 4 different locations in Maxwell Creek and 1 location in Muddy Creek.
 - b. Flow characteristic was measured at 3 different locations in Maxwell Creek.
 - c. The stream, vegetation, aquatic, and wildlife were also observed and photographed.
3. Field conclusions:
 - a. The flow in Maxwell Creek was perennial from several contributory springs and ranged between 0.41-2.5 cubic feet per second (CFS).
 - i. The water was clear with no indication of wastewater effluent or any contamination based on water quality data. It was a pristine environment.
 - ii. The temperature ranged from 11.7°C to 12°C.
 - iii. The pH was in a neutral range of 7.8 to 8.2 pH units.
 - iv. The DO ranged from 5.5 to 11.2 mg/L.
 - v. ORP was in the positive range.
 - b. Access to Muddy Creek was limited but a single sampling point showed that water quality was similar to Maxwell Creek.
 - c. Photographs taken by the citizens and the support group are also included in the report. The photographs show that Maxwell Creek contained aquatic life and wildlife.

The water quality, flow characteristics, and photographs captured from the site visit are presented below.



TETRA TECH

Location: Maxwell Creek
Latitude: 33.022983

Time: 10:16 AM
Longitude: -96.604602

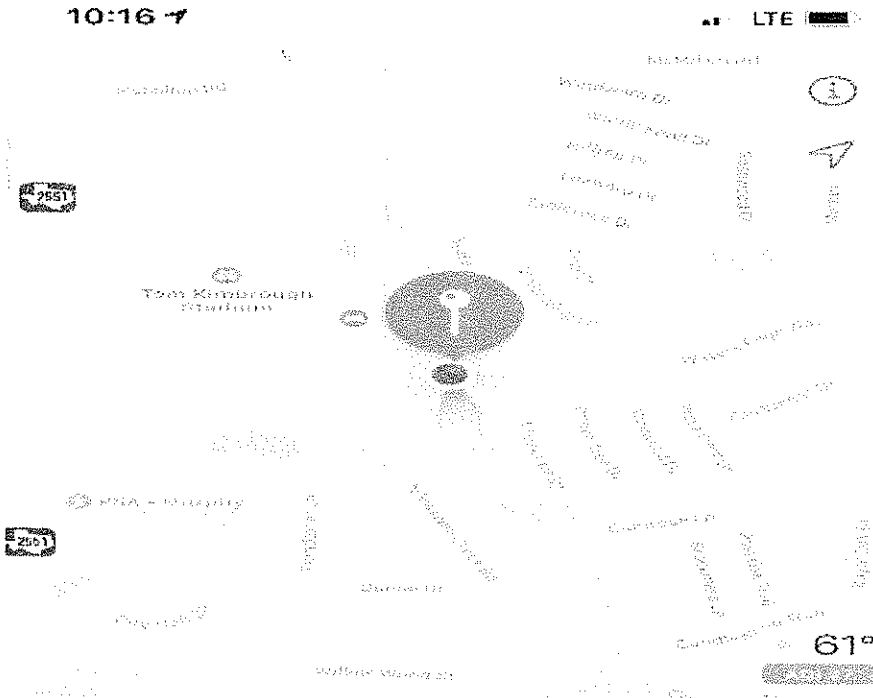


Figure 1: GPS map for the sampling location at 10:16 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.6
DO (% L)	104.7
DO (mg/L)	11.2
Specific Conductance (mS/cm)	0.641
Conductance (mS/cm)	0.476
pH	8.1
ORP (mV)	113.6

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 2

Stream width: 8.17 ft

Stream mid-point: 4.085 ft



TETRA TECH

Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
1.20	0.42	0.75

Average depth: 0.79

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
183	121	191

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.0546	0.0826	0.0524

Average stream velocity: 0.0632 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.41 ft³/s

Location: Maxwell Creek

Time: 10:51 AM

Latitude: 33.031037

Longitude: -96.606088

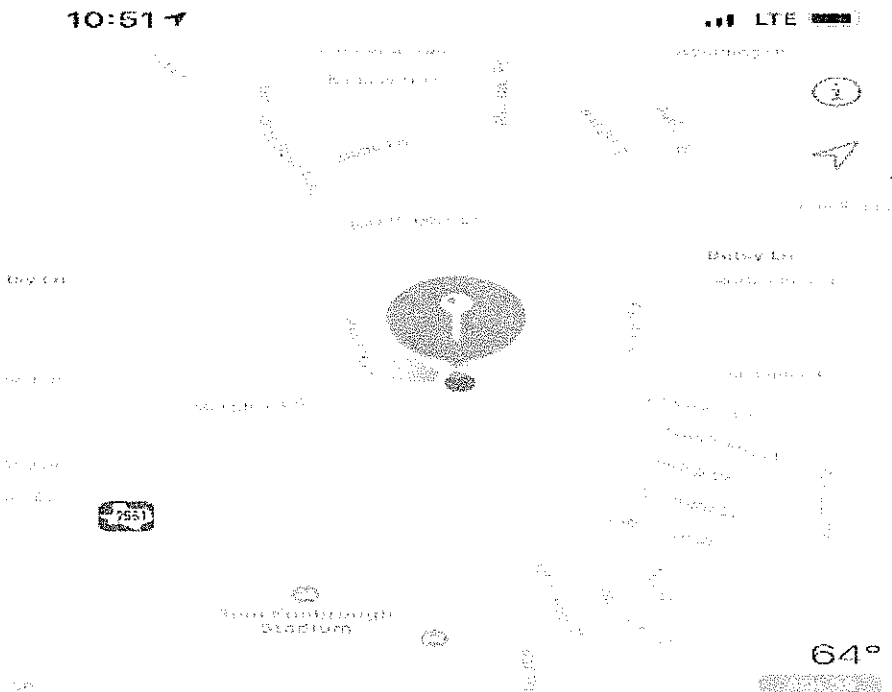


Figure 2: GPS map for the sampling location at 10:51 AM in Maxwell Creek



TETRA TECH

Water quality parameters

Parameters	Value
Temperature (°C)	12.3
DO (% L)	78.3
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.608
Conductance (mS/cm)	0.461
pH	8.0
ORP (mV)	109.2

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 1

Stream width: 7.2 ft

Stream mid-point: 3.6 ft

Stream depth

Left (ft)	Mid-point (ft)	Right (ft)
0.58	1.08	0.875

Average depth: 0.845

Covered length: 10 ft

Time taken to cover the distance:

Left (s)	Mid-point (s)	Right (s)
87	42	102

Stream velocity:

Left (ft/s)	Mid-point (ft/s)	Right (ft/s)
0.115	0.238	0.098

Average stream velocity: 0.150 ft/s

Discharge: (stream width) * (average depth) * (average velocity)

Discharge: 0.913 ft³/s



TETRA TECH

Location: Maxwell Creek
Latitude: 33.051165

Time: 11:33 AM
Longitude: -96.617021

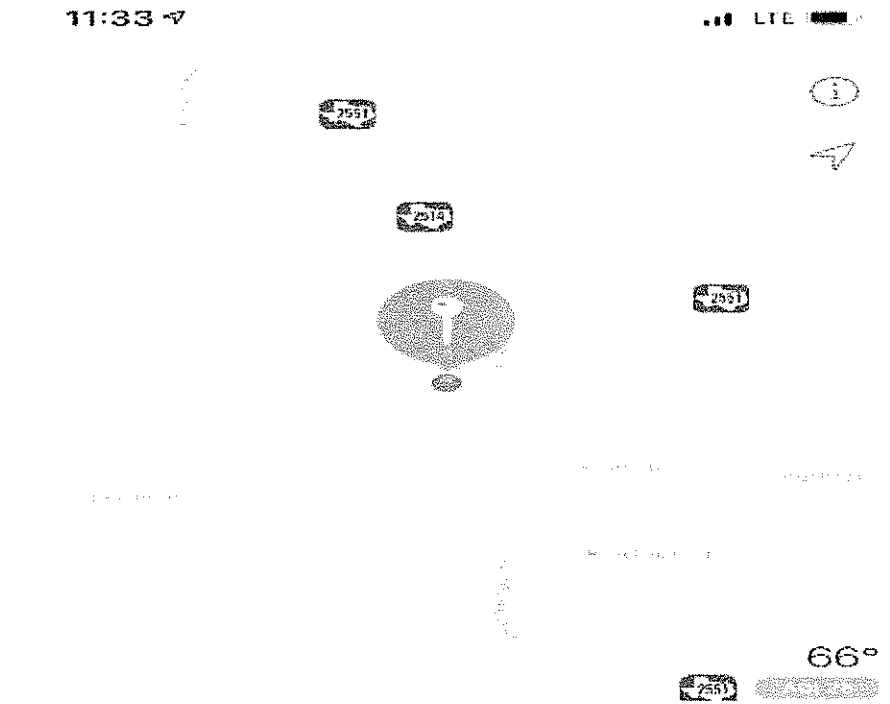


Figure 3: GPS map for the sampling location at 11:33 AM in Maxwell Creek

Water quality parameters

Parameters	Value
Temperature (°C)	11.7
DO (% L)	50.3
DO (mg/L)	5.5
Specific Conductance (mS/cm)	0.495
Conductance (mS/cm)	0.369
pH	7.8
ORP (mV)	97.3

Flow Measurement: Flow measurement was not conducted in this location due to safety reasons.



TETRA TECH

Location: Maxwell Creek
Latitude: 33.014690

Time: 12:11 PM
Longitude: -96.602370

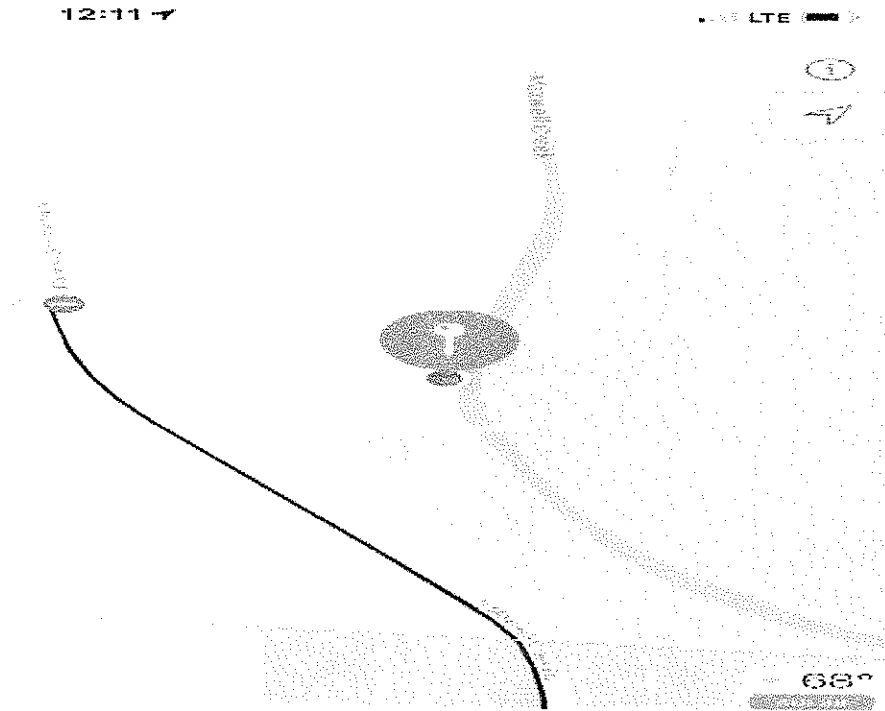


Figure 4: GPS map for the sampling location at 12:11 PM in Maxwell Creek

Water Quality Parameters:

Parameters	Value
Temperature (°C)	12.7
DO (% L)	77
DO (mg/L)	8.3
Specific Conductance (mS/cm)	0.66
Conductance (mS/cm)	0.5
pH	7.9
ORP (mV)	100.8

Flow Measurement

Flow type: Perennial

Stream bends: well

No. of riffles: 2

Stream width: 15.73 ft

Stream mid-point: 7.86 ft

Stream depth: 0.625 ft

Covered length: 10 ft



TETRA TECH

Time taken to cover the distance: 39 s

Maximum stream velocity: 0.256 ft/s

Maximum Discharge: (stream width) * (average depth) * (average velocity)

Maximum Discharge: 2.517 ft³/s

Pictures



Figure 5: Picture of Maxwell Creek Downstream



TETRA TECH



Figure 6: Picture of natural life on the bank of Maxwell Creek

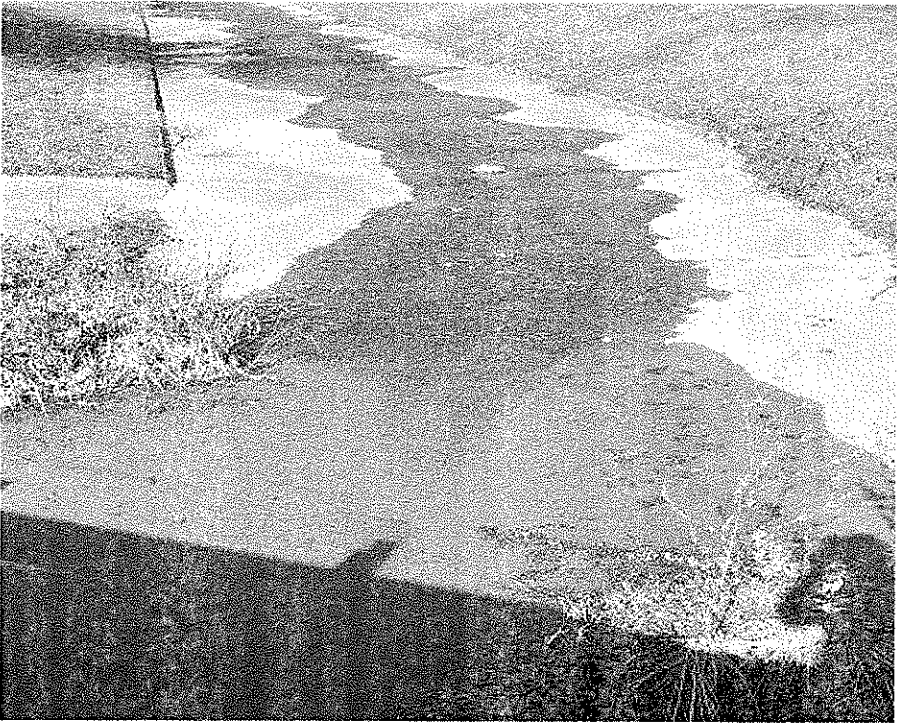


Figure 7: Picture of runoff flow upstream of Maxwell Creek



TETRA TECH



Figure 8: Picture showing the stream bed in Maxwell Creek

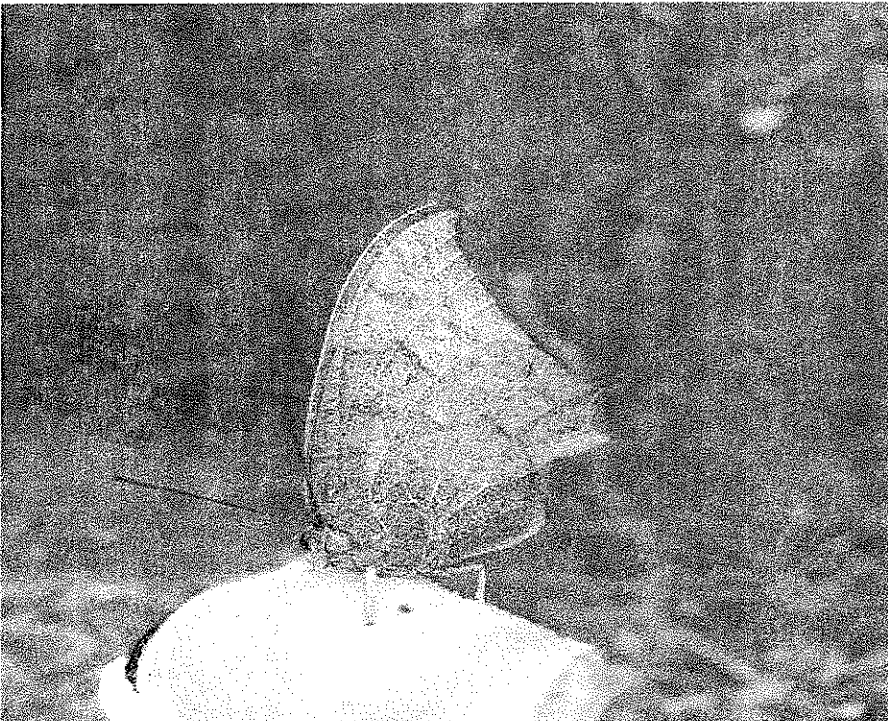


Figure 9: Picture showing a butterfly along Maxwell Creek



TETRA TECH

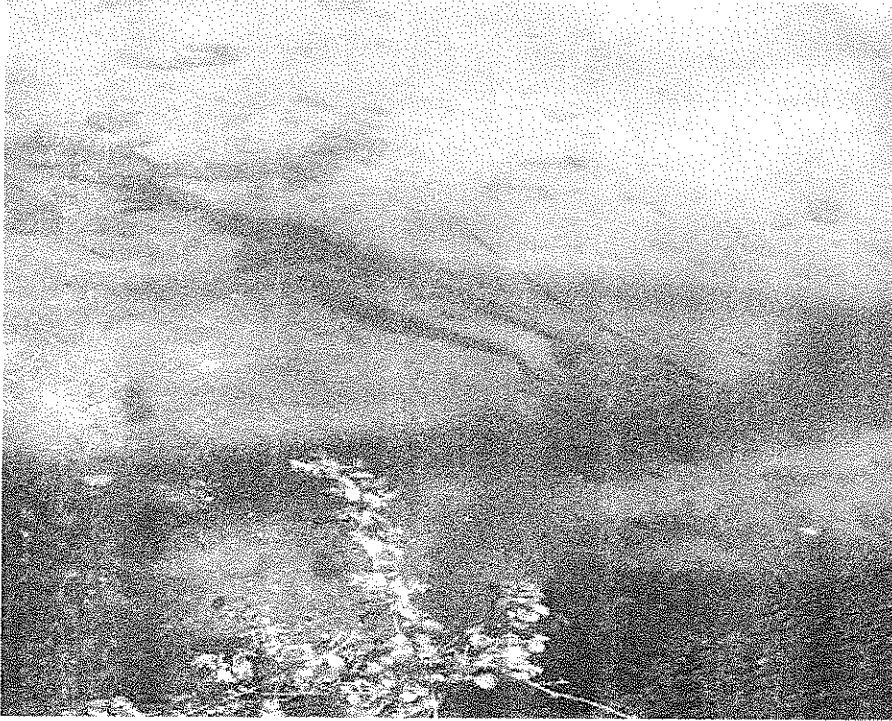


Figure 10: Picture showing the aquatic life in Maxwell Creek



Figure 11: Picture taken by Andrew on November 6, 2021; M-1 - clarity of water



TETRA TECH

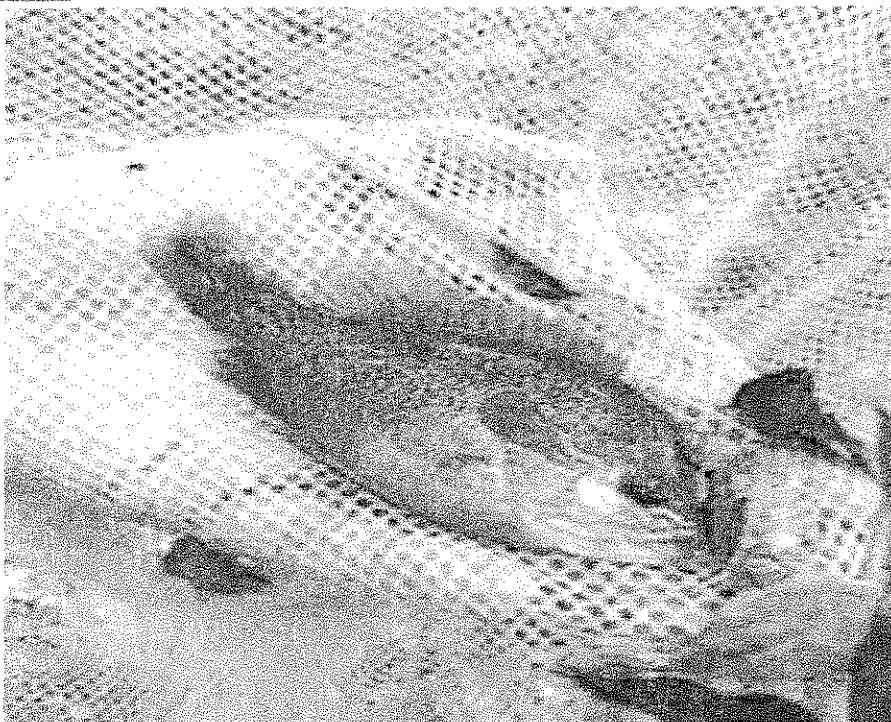


Figure 12: Picture taken by Andrew on November 6, 2021; M-1 - Fish



Figure 13: Picture taken by Kathy on November 22, 2021 - Harvey-1



TETRA TECH



Figure 14: Picture taken by Mary Nell Jackson on November 22, 2021 - Bluebird Nest



Figure 15: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker - Northern Flicker



TETRA TECH



Figure 16: Picture taken by Wendy Clark from her yard located at 6000 Gregory Ln; Parker – Downy Woodpecker



Figure 17: Water sample taken from Maxwell Creek (same sample)



Location: Muddy Creek
 Latitude: 32.977560

Time: 2:06 PM
 Longitude: -96.556854

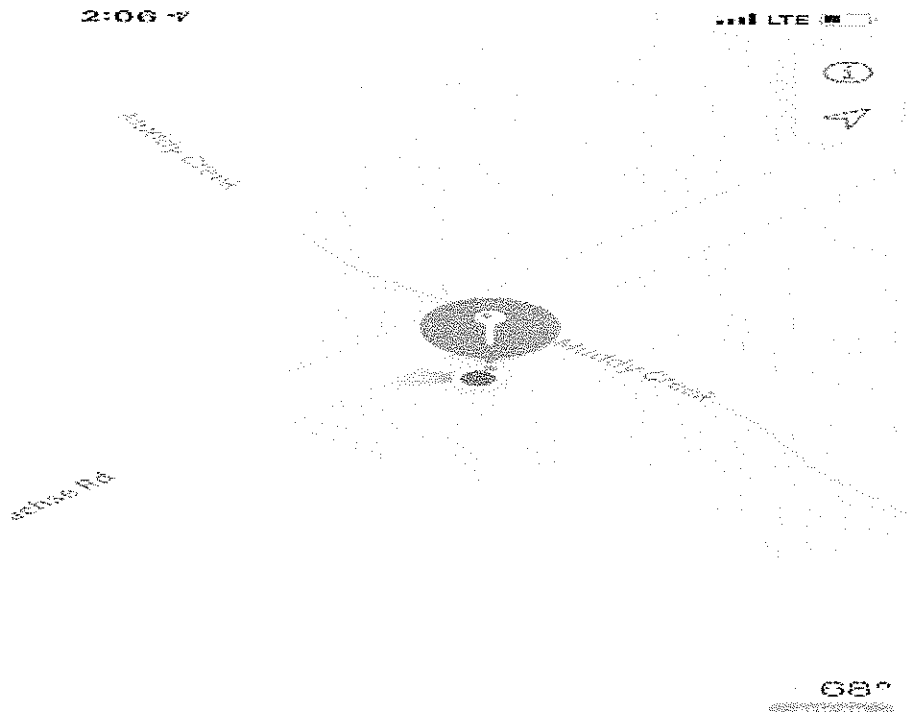


Figure 18: GPS map for the sampling location at 2:06 PM in Muddy Creek

Water quality parameters

Parameters	Value
Temperature (°C)	12.5
DO (% L)	79.7
DO (mg/L)	8.4
Specific Conductance (mS/cm)	0.494
Conductance (mS/cm)	0.376
pH	8.2
ORP (mV)	106.9



TETRA TECH



Figure 19: Picture showing water flow at Muddy Creek

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:28 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Files for TCEQ WQ0016003001

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Monday, December 6, 2021 1:27 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Files for TCEQ WQ0016003001

From: Carrolyn Moebius <carrmoe@gmail.com>
Sent: Monday, December 6, 2021 1:13 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: Files for TCEQ WQ0016003001

Here are links for the big files that can't upload to TCEQ.

I am really sorry that I'm having to do it this way. I'm relieved you aren't having problems. I'm going to eat lunch then will look to see if there are others videos they wanted me to post.

ONES YOU WERE ABLE TO UPLOAD:

Army Corps of Engineer Study (YOU WERE ABLE TO OBTAIN)

<https://drive.google.com/file/d/1ziFpseP3HcNIXYx3mMvN1XJGriL9YAZd/view?usp=sharing>

Shawn Engineering Study (YOU WERE ABLE TO OBTAIN)

https://drive.google.com/file/d/1zJ2kjSV4HXvUB_idijQRBvXQBZmPYoaf/view?usp=sharing

NEW ONES:

Correspondence with Parker City Council and others and meetings regarding Parker flooding issues. Turner property discussed in some

<https://drive.google.com/file/d/1wlj89CPoveJDnCRteKn57KutnulErZDg/view?usp=sharing>

South Maxwell Creek Flooding Video

<https://drive.google.com/file/d/17qFCudWh2-gmmktLrL7LwCCNYt1VU7sy/view?usp=sharing>

Maxwell Creek Flooding Videos

<https://drive.google.com/file/d/1oNP3H8ia1zFpfb7U1DvP4J7kNzaSPWze/view?usp=sharing>

Carrolyn

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:49 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: WQ0016003001 Army Corps of Engineer report
Attachments: ShawnEngineeringCorporation_MaxwellCreekDrainageEasyAcres.pdf

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Monday, December 6, 2021 12:56 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WQ0016003001 Army Corps of Engineer report

From: Carrolyn Moebius <carrmoe@gmail.com>
Sent: Monday, December 6, 2021 12:38 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: Re: WQ0016003001 Army Corps of Engineer report

This report is too large to directly load to the TCEQ site.

On Mon, Dec 6, 2021 at 12:27 PM Carrolyn Moebius <carrmoe@gmail.com> wrote:

Brad,

This report is too large to directly load to the TCEQ Site. Several of our Respondents are engineers and the City of Parker is anticipated to use these reports.

 ArmyCorpsOfEngineer_MaxwellCreek.pdf

Thank you for submitting for me.

Carrolyn

--
Carrolyn

HAL

North of Parker Rd

MAXWELL CREEK DRAINAGE
EASY ACRES

PARKER, TEXAS

August, 2000

Shawn Engineering Corporation

91

**MAXWELL CREEK DRAINAGE
EASY ACRES**

PARKER, TEXAS

2" / HR FOR 1 YR

3 1/2" / HR 5 YR

5 1/2" / HR 100 YR

August, 2000

Shawn Engineering Corporation

FOR REVIEW ONLY
SHAWN ENGINEERING/ENVIRONMENTAL CORP.
BOB SHAWN, P.E. 27410
DATE: 8-29-2000

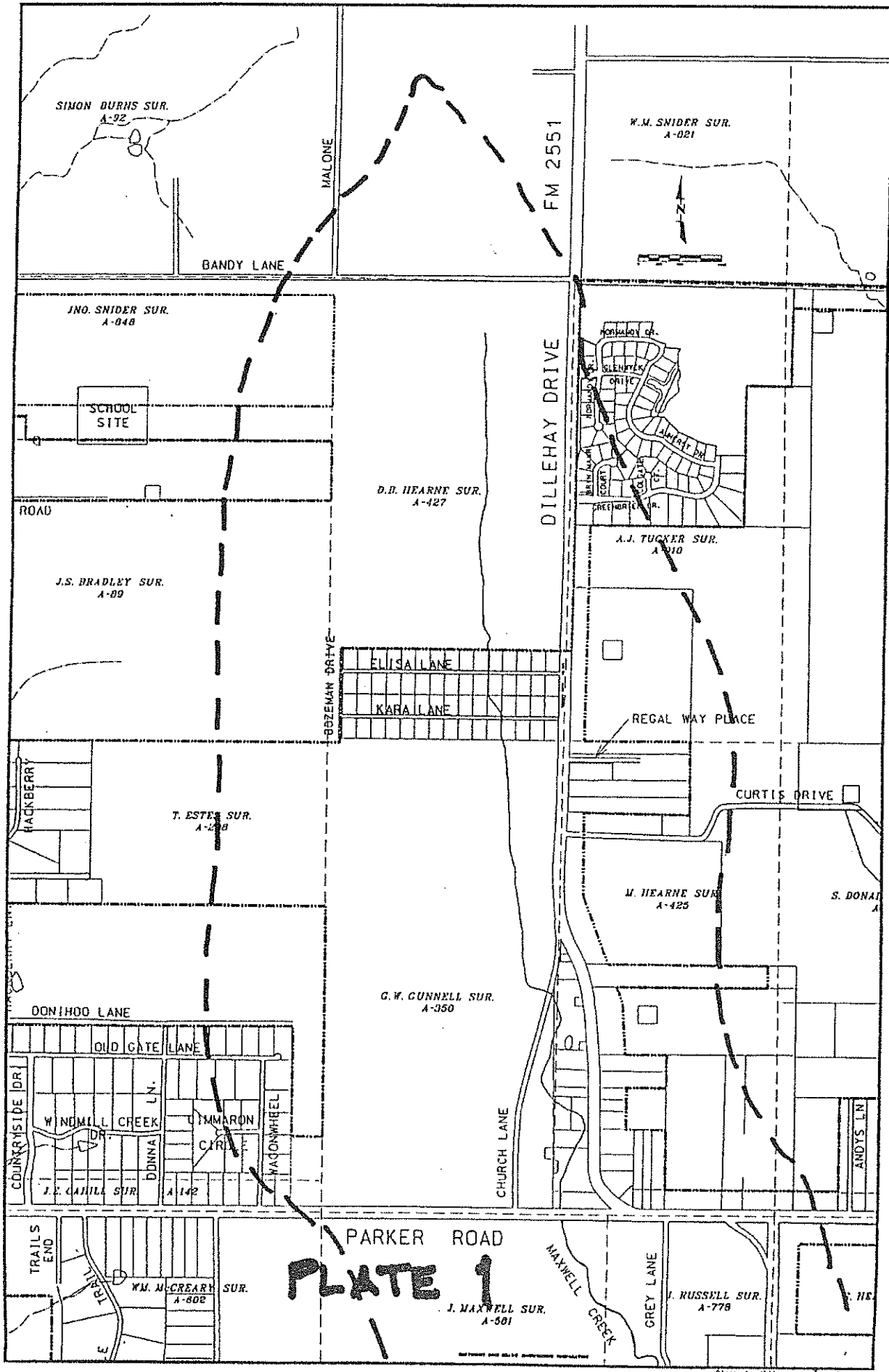


PLATE 1

PG 1

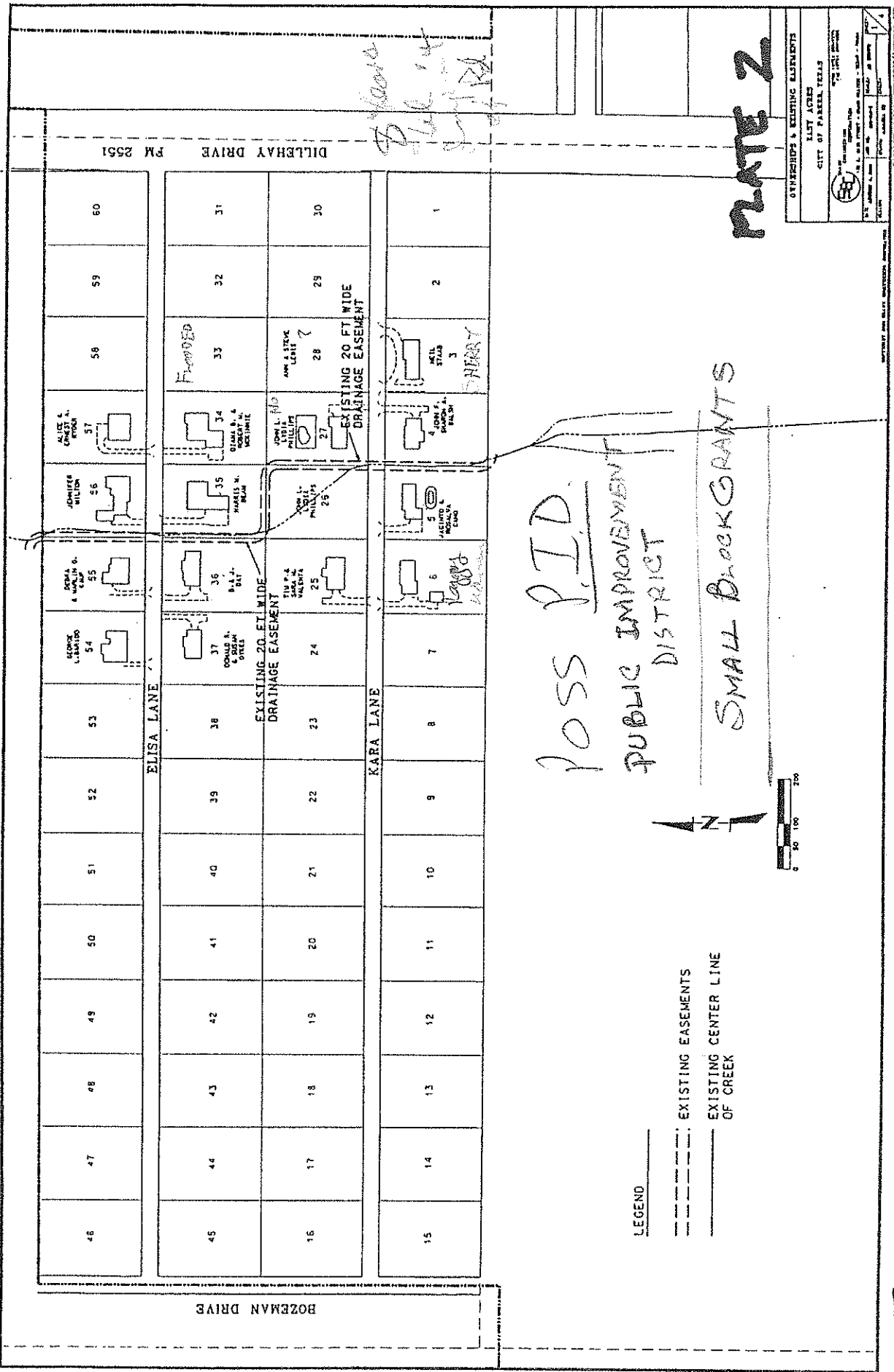


PLATE 2

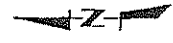
POSS P.I.D.

PUBLIC IMPROVEMENT DISTRICT

SMALL BLOCKGRANTS

LEGEND

- EXISTING EASEMENTS
- EXISTING CENTER LINE OF CREEK
- EXISTING CENTER LINE



OWNERSHIP & EXISTING EASEMENTS

LIST ACRES

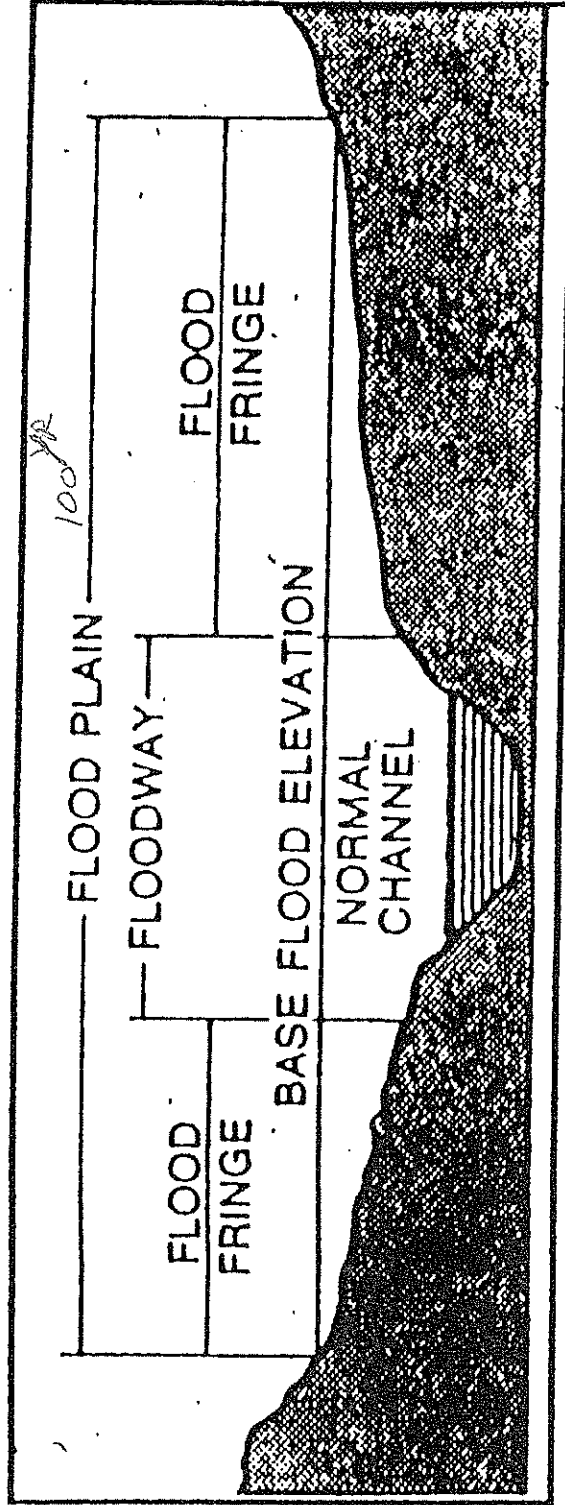
CITY OF PARKER, TEXAS

JAMES L. WILSON

PLAT NUMBER

DATE

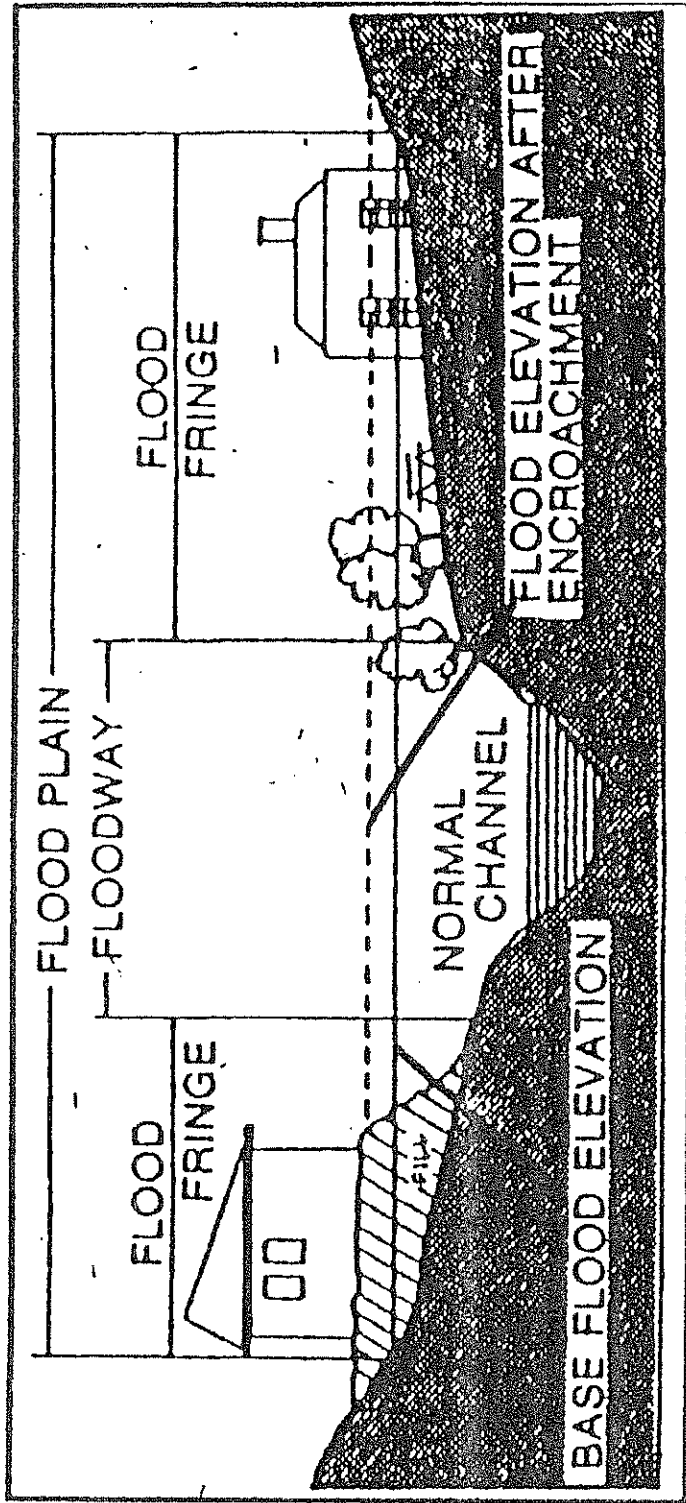
26
26



CROSS-SECTIONAL VIEW
NO DEVELOPMENT

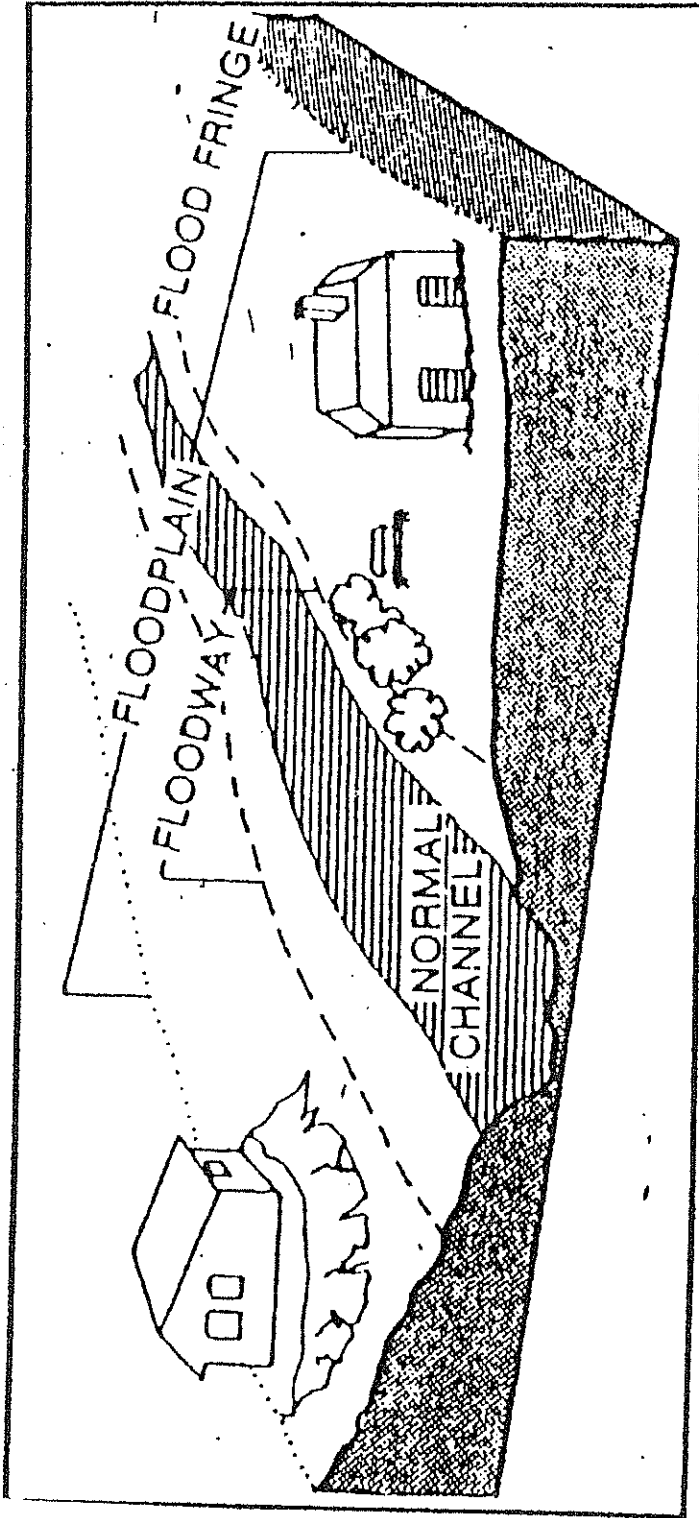
PLATE 3

29



CROSS-SECTIONAL VIEW
WITH EXISTING & NEW DEVELOPMENT

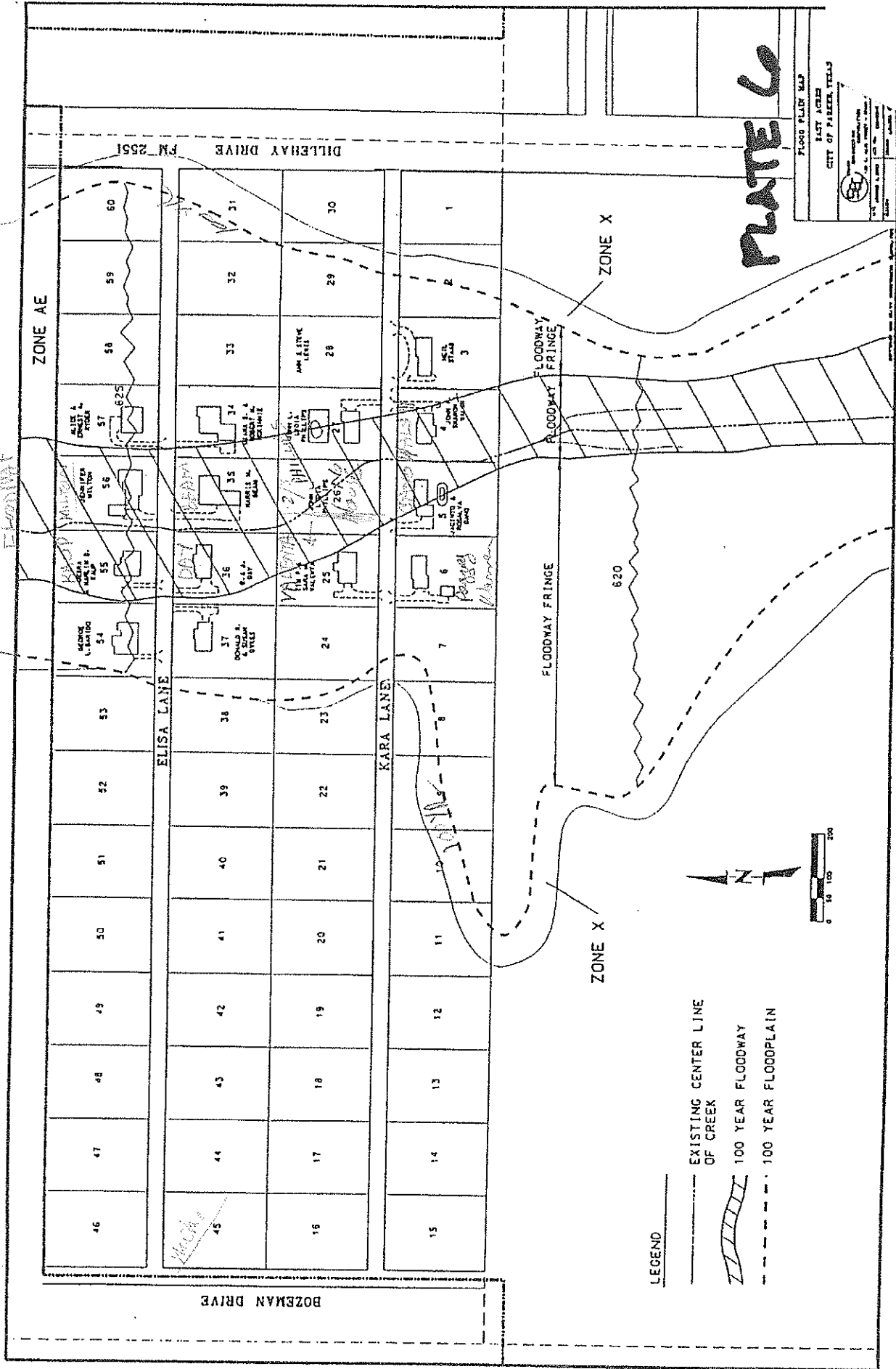
PLATE 4



PERSPECTIVE VIEW
100-YEAR FLOOD PLAIN

PLATE 5

100yr Flood Plain



66

TABLE-1
 City of Parker
 Maxwell Creek/Easy Acres
 Summary of Hydraulic Analysis

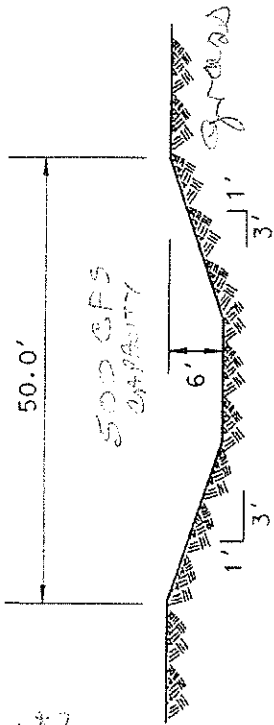
Return Period (years)	Undeveloped Runoff (cfs)	Developed Runoff (cfs)	Additional Runoff Due To Development (cfs)
1	623	962	339
2	1,098	1,565	467
5	1,459	1,930	471
10	1,679	2,182	503
25	1,987	2,547	560
50	2,230	2,834	604
100	2,478	3,122	644

*1% chance
 of having this
 event in any
 one year*

TABLE-2
City of Parker
Maxwell Creek
Comparison of Shawn Engineering Corp. Flows
and Corps. of Engineers Flows
(undeveloped conditions)

Return Period (years)	S.E.C. Flows (cfs) (rounded)	C.O.E. Flows (cfs)
1	620	n/a
2	1,100	n/a
5	1,460	n/a
10	1,680	1,700
25	1,990	2,050
50	2,230	2,300
100	2,480	2,500

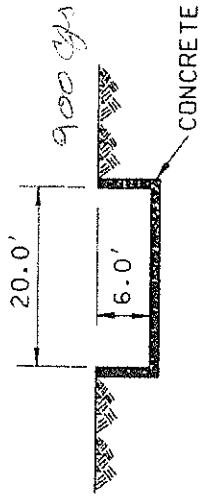
*Existing Capacity
in 300cfs*



PLAN 2

Q-500cfs

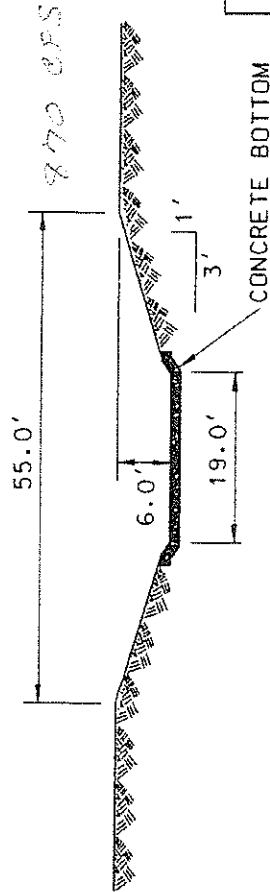
SITE ROADWAY STRUCTURES
ONLY FOR CAPACITY
PROVIDED BY CHANNEL



PLAN 3

Q-900cfs

*Unit Noted
100 YR*



PLAN 4

Q-870cfs

PLATE 7

PLANS 2, 3 AND 4

SECTIONS



SHAW ENGINEERING CORPORATION
METRO (877) 253-3720
FAX (972) 284-9335

132 MAIN STREET - GRAND PRAIRIE - TEXAS - 75060

DATE: AUGUST 6, 2000

JOB NO.: 010-016-C

SCALE: N.T.S.

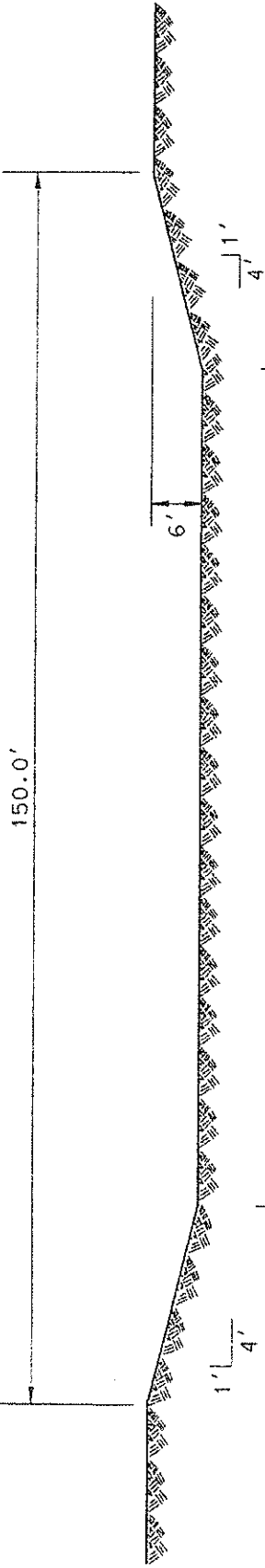
DESIGNER: BRUNN, A. GARZA III

CHECKER:

EXHIBIT:

1

96



150.0'

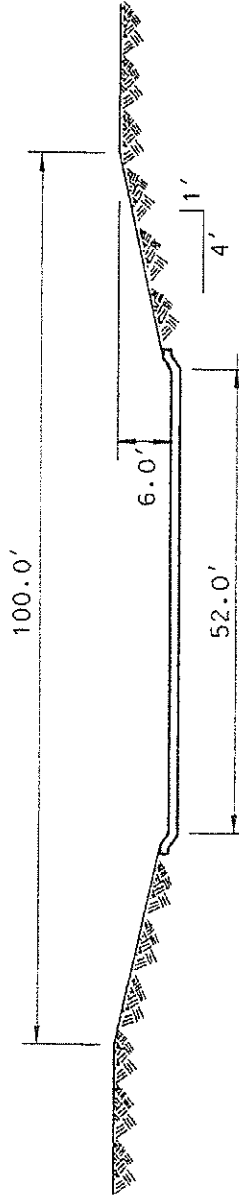
6'

1' / 4'

102.0'

SECTION A
Q-2500cfs

SITE ROADWAY STRUCTURES
ONLY FOR CAPACITY
PROVIDED BY CHANNEL

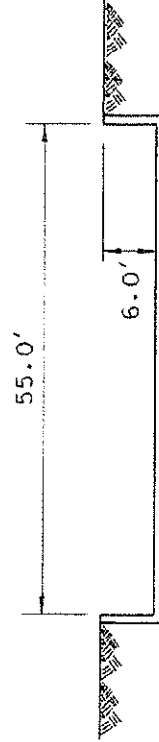


100.0'

6.0'

1' / 4'

SECTION B
Q-2500cfs



55.0'

SECTION C
Q-2500cfs

PLATE 8

PLANS 5A, B AND C

SECTIONS



METRO 19123 763-7270
FAX 19123 264-9335

SHAW
ENGINEERING
CORPORATION
132 MAIN STREET - GRAND PRAIRIE - TEXAS - 75850

DATE
AUGUST 10, 2000

JOB NO. 010-016-C
SCALE: N.T.S.

DESIGNER
BRUNN A. GARZA III

CHECKED

EXHIBIT

10 PG

TABLE-3
 City of Parker
 Maxwell Creek
 Channel Capacity based on
 Various Channel Improvements

			Channel Capacity
Plan	1	Existing Channel, removal of silt in existing channel in Easy Acres and 1000 ft. downstream	310 cfs
Plan	2	50 ft. Wide Earth Channel, 6 feet deep, 3:1 side slopes <i>Side fencing</i> (1-12' x 6' concrete box at road crossings)	500 cfs
Plan	3	20 ft. Wide Concrete Channel, 6 feet deep, verticle walls (2-10' x 6' concrete boxes at road crossings) <i>2 sets</i>	900 cfs
Plan	4	55 ft. Wide Channel, 6 feet deep, 3:1 grass side slopes and concrete bottom (2-10' x 6' concrete boxes at road crossings)	870 cfs
Plan	5A	150 ft. Wide Grass Channel, 6 feet deep, 4:1 side slopes <i>2 sets of 10'</i>	2,500 cfs
Plan	5B	100 ft. Wide Channel, 6 feet deep, 4:1 grass side slopes, concrete bottom	2,500 cfs
Plan	5C	55 ft. Wide Channel, 6 feet deep, Concrete verticle walls and bottom (5-10' x 6' concrete boxes at road crossings)	2,500 cfs

Vertical Channels would have fences on each side

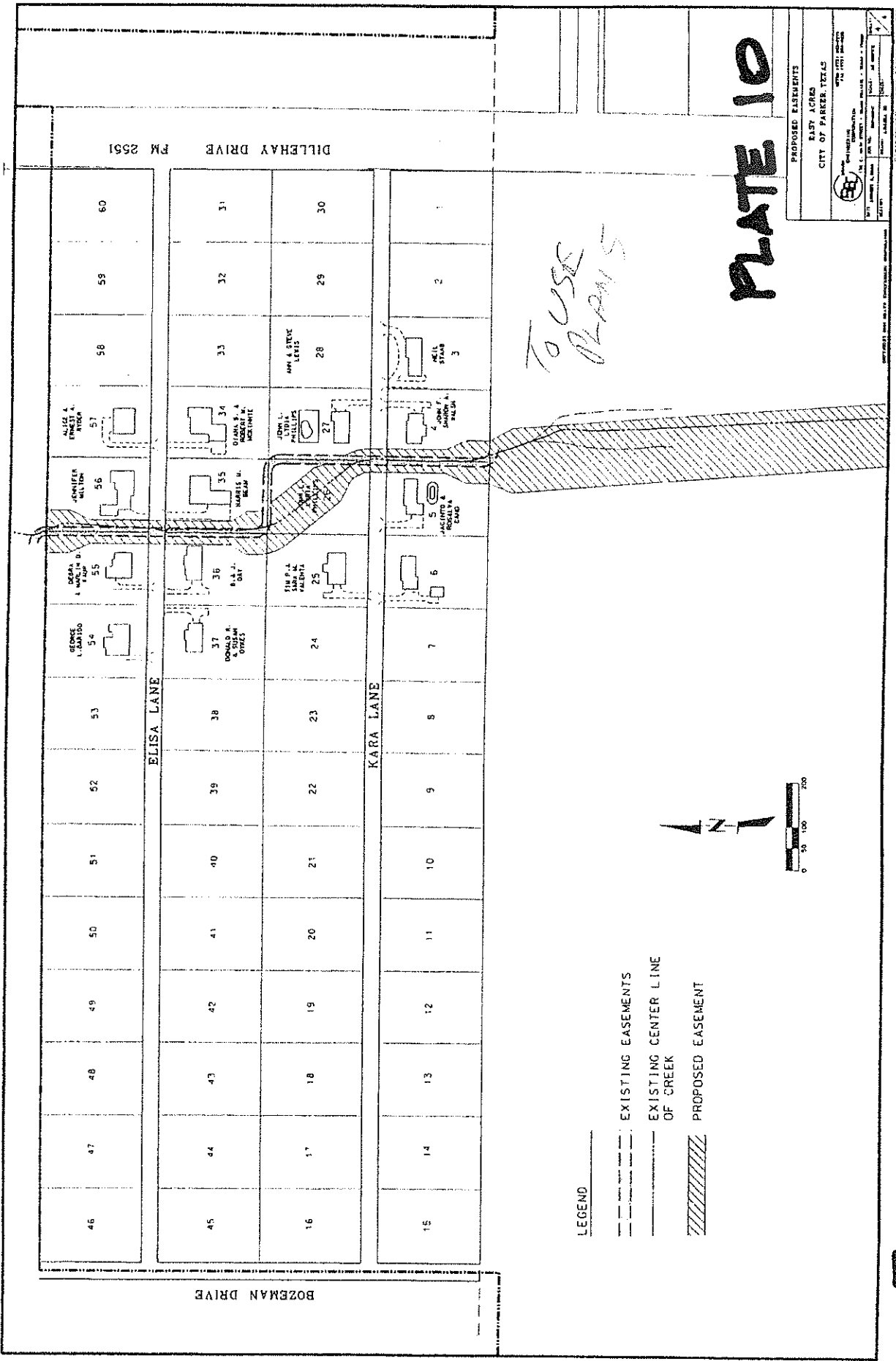


PLATE 10

PROPOSED EASEMENTS
 EAST AGNES
 CITY OF PARKER, TEXAS

APPROVED FOR THE CITY OF PARKER, TEXAS
 BY THE CITY ENGINEER
 DATE: _____

APPROVED FOR THE CITY OF PARKER, TEXAS
 BY THE CITY CLERK
 DATE: _____

**13
96**

TABLE-4
City of Parker
Drainage Easements for Plan 5
EASY ACRES

Owner	Lot	(1) Approx. Existing Easements (S.F.)	(1) Approx. Total Easement Needed (S.F.)	(1) Approx. Additional Easement Needed (S.F.)
Milton	56	2,441	8,905	6,464
Kaup	55	2,441	8,905	6,464
Beam	35	4,170	8,720	4,550
Day	36	2,440	8,720	6,280
Phillips	27	2,440	1,300	(1,140)
Phillips	26	4,170	23,387	19,217
Valenta	25	0	2,500	2,500
Cano	5	2,440	9,500	7,060
Walsh	4	2,440	9,500	7,060
Total		22,982	81,437	58,455

(1) Actual area will be determined at the time of field survey, and areas may vary slightly from those shown above.

TABLE - 9

COST ESTIMATE FORM - Preliminary
Maxwell Creek - Plan 5

No 2nd Amendment Cost

SHAWN ENGINEERING CORP.
 132 East Main Street, Suite 204
 Grand Prairie, Tx. 75050

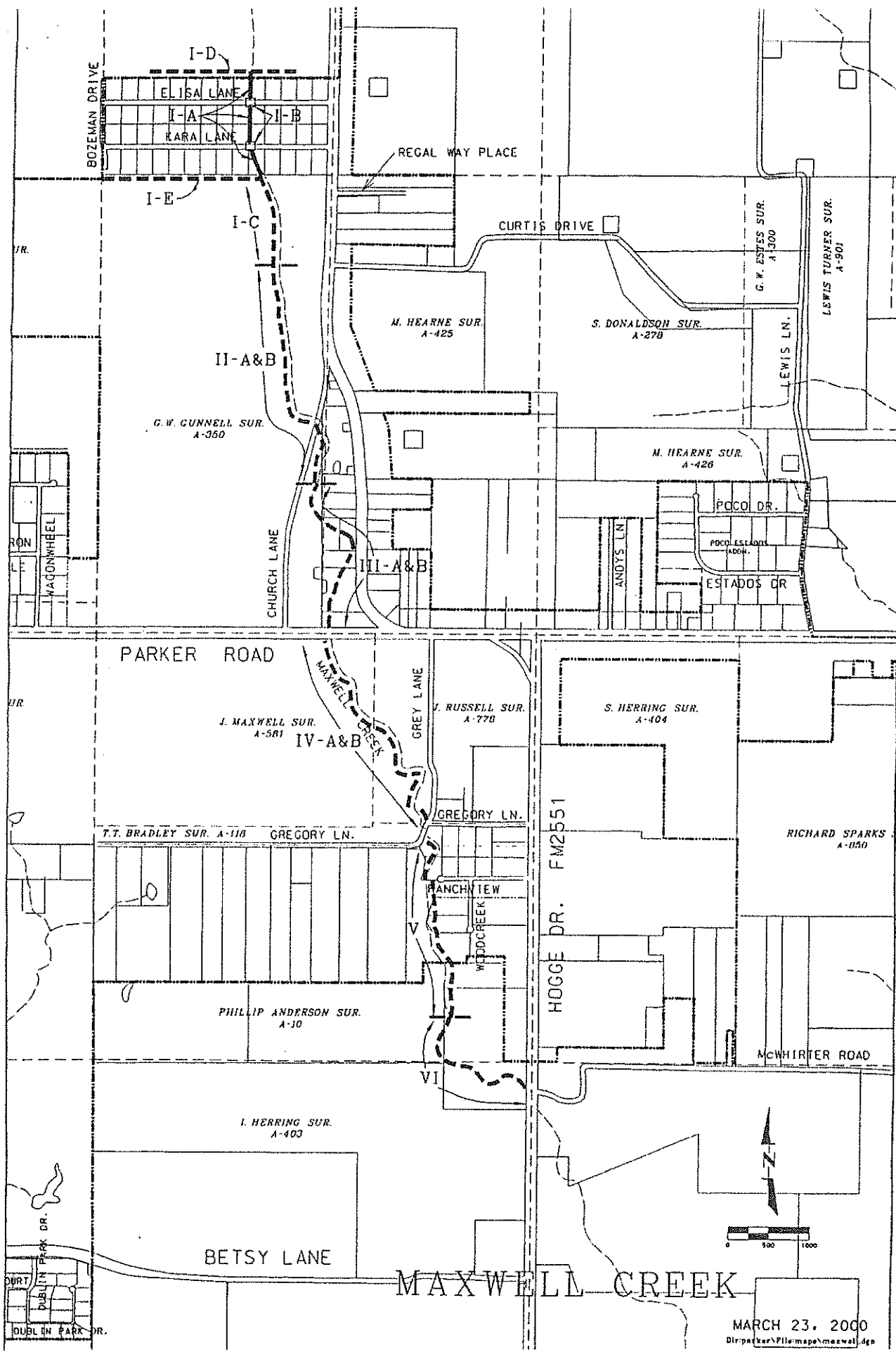
Project: Easy Acres Drainage
 By: BHS
 Date: 8-1-00 Sheet - of -

DESCRIPTION: Combination of 55 ft. wide concrete channel with vertical walls, and 100 ft. wide channel with 4:1 side slopes and concrete bottom. Five 10 ft. x 6 ft. concrete boxes at cross streets, and excavation of existing creek, approx. 1,000 ft. down stream. Additional 150 ft. wide excavated channel, 1,000 ft. south of Easy Acres.

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	ITEM COST
1	On-Site channel excavation through Easy Acres.	6,200	C.Y.	\$8.00	\$49,600.00
2	Off-site creek excavation for approx. 1,000 ft. south of Easy Acres.	1,000	C.Y.	\$5.00	\$5,000.00
3	Concrete Bottom.	5,950	S.Y.	\$20.00	\$119,000.00
4	Five 10 ft. x 6 ft. concrete boxes at Elisa and Kara.	260	L.F.	\$400.00	\$104,000.00
5	Concrete walls.	270	C.Y.	\$400.00	\$108,000.00
6	Pavement removal and replacement.	800	S.Y.	\$10.00	\$8,000.00
7	Channel Railing.	1,360	L.F.	\$10.00	\$13,600.00
8	Seeding of side of channel.	2,400	S.Y.	\$1.00	\$2,400.00
	Subtotal construction cost				\$409,600.00
9	Contingencies, Legal, Engineering, & Surveying.				\$102,400.00
	Total				\$512,000.00
10	Additional for off-site 150 ft. wide channel.	28,000	C.Y.	\$4.00	\$112,000.00
	Total Project				\$624,000.00

PG 19

ATTACHMENT A
MAXWELL CREEK



I-D

ELISA LANE

I-A

KARA LANE

I-B

REGAL WAY PLACE

I-E

I-C

CURTIS DRIVE

M. HEARNE SUR. A-425

S. DONALDSON SUR. A-278

G. W. ESTES SUR. A-300

LEWIS TURNER SUR. A-501

II-A&B

G. W. CUNNELL SUR. A-350

M. HEARNE SUR. A-426

LEWIS LN.

WAGON WHEEL

CHURCH LANE

III-A&B

POCO DR.

POCO ESTABLISHMENT ADDN.

ESTADOS DR

ANDY'S LN

PARKER ROAD

J. MAXWELL SUR. A-561

IV-A&B

GREY LANE

J. RUSSELL SUR. A-778

S. HERRING SUR. A-104

GREGORY LN.

GREGORY LN.

HOGGE DR. FM2551

RICHARD SPARKS A-850

T.T. BRADLEY SUR. A-118

PHILLIP ANDERSON SUR. A-10

RANCH TIEW

WOODCREEK

MCWHIRTER ROAD

I. HERRING SUR. A-403

BETSY LANE

MAXWELL CREEK



MARCH 23, 2000

Dir:\packer\Files\maps\maxwell.dgn

Maxwell Creek Drainage

<u>Section and Description</u>	<u>Right of Way (ft.)</u>		<u>Preliminary * Estimated Construction Cost</u>
	<u>Existing</u>	<u>Proposed</u>	
I. <u>Easy Acres</u>			
A. Excavate Main Channel- 70 feet wide channel, 4:1 side slopes, 20 ft. wide concrete bottom L=1200 ft.	25	70	\$33,150 (Exc.) \$85,800 (Bottom)
B. Two bridges or culverts over main channel (approx. span-60 ft.)	25	70	\$234,000
C. Downstream - cut ditch (dirt bottom), 1000 ft. downstream of Easy Acres-80 ft. wide, 4:1 side slopes	0	80	\$23,400
D. North interceptor ditch and berm-30 ft. wide dirt ditch, 3:1 side slopes (Note: will be rebuilt with development north of Easy Acres.) L=1800 ft.	0	30	\$18,720
E. South ditch-from Malone to Main Channel, cut ditch 30 feet wide, 4:1 side slopes (Note: will be rebuilt with development south of Easy Acres) L=2000 ft.	0	30	<u>\$12,480</u>
	Subtotal I		\$407,550

<u>Section and Description</u>	<u>Right of Way (ft.)</u>		<u>Preliminary * Estimated Construction Cost</u>
	<u>Existing</u>	<u>Proposed</u>	
II. <u>1000 feet downstream of Easy Acres to East of Church Street</u> (Length 3,000 ¹²⁰⁰ ft.)			
A. Cut ditch, east and/or west of existing channel, 80 feet wide, 4:1 side slopes (Note: will be rebuilt with development of this area.)	0	80	\$90,000
B. Remove undergrowth along existing channel and lightly grade	0	30	<u>\$60,000</u> <i>\$ 24,000</i>
	Subtotal II		\$150,000
III. <u>East of Church Street to Parker Road</u> (Length 2,000 ft.)			
A. Remove undergrowth and grade channel as space allows	0	50±	<u>\$40,000</u>
B. Establish and stabilize bottom with concrete and/or rock rip rap			<u>\$80,000</u>
	Subtotal III		\$120,000
IV. <u>Parker Road to Gregory Lane</u> (Length 2,800 ft.)			
A. Cut ditch east and/or west of existing channel,	0	80	\$112,000

<u>Section and Description</u>	<u>Right of Way (ft.)</u>		<u>Preliminary * Estimated Construction Cost</u>
	<u>Existing</u>	<u>Proposed</u>	
80 feet wide, 4:1 side slopes- to be rebuilt with development			
B. Remove undergrowth along existing channel and lightly grade existing channel			50,000 <u>\$56,000</u>
		Subtotal IV	\$168,000
V. <u>Gregory Lane through Ranch View</u> (Length 2,600 ft.)	0	100	
A. Remove undergrowth and lightly grade channel- entire length			<u>\$52,000</u>
B. In areas that have sufficient open areas, grade ditch east and/or west of existing channel, 80 feet wide, 4:1 side slopes			<u>\$104,000</u>
		Subtotal V	\$156,000
VI. <u>Ranch View to Hogge Road</u> (F.M. 2551) (Length 1,000 ft.)	0	100	
A. Lightly grade existing channel (Note: channel to be rebuilt with development.)			\$30,000
B. Remove undergrowth and flow obstructions			<u>\$20,000</u>

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:41 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: WQ0016003001 Army Corps of Engineer report

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Monday, December 6, 2021 12:30 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WQ0016003001 Army Corps of Engineer report

From: Carrolyn Moebius <carrmoe@gmail.com>
Sent: Monday, December 6, 2021 12:28 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: WQ0016003001 Army Corps of Engineer report

Brad,

This report is too large to directly load to the TCEQ Site. Several of our Respondents are engineers and the City of Parker is anticipated to use these reports.

 [ArmyCorpsOfEngineer_MaxwellCreek.pdf](#) 

Thank you for submitting for me.
Carrolyn

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 30, 2021 8:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: CoordinateErrorTCEQ.pdf

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Tuesday, November 30, 2021 8:37 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Jean MOEBIUS

E-MAIL: carrmoe@gmail.com

COMPANY:


ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: There are some more errors found on the Application which may or may not be considered material but clearly reflect lack of due diligence. The coordinates of the discharge point are incorrect and the nearest city to the discharge point is incorrect. Should be Murphy and not Parker. Please see attached.

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

96.615389, 33.041667



Whether you are in a high risk zone or not, you may need [flood insurance](#), because most homeowners insurance doesn't cover it. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the life of many. A National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent for more information.

Learn more about [how to reduce flood risk damage](#).

Search Results—Products for **AUSTIN COUNTY UNINCORPORATED AREAS**

FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: 

96.615389, 33.041667



Whether you are in a high risk zone or not, you may need [flood insurance](#), because most homeowners insurance doesn't cover it. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the life of many. A National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent for more information.

Learn more about [how to reduce flood risk damage](#).

Search Results—Products for **COLLIN COUNTY UNINCORPORATED AREAS**

B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

Yes No

If **no**, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

To Maxwell Creek; thence to Muddy Creek; thence to Lake Rav Hubbard in Segment 0820 of the Trinity River Basin

City nearest the outfall(s): Parker

County in which the outfalls(s) is/are located: Collin

Outfall Latitude: N 30° 2' 30"

Longitude: W 96° 36' 59"

Degrees Minutes Seconds to Decimal Degrees

Enter Degrees Minutes Seconds latitude:

30

2

30

Enter Degrees Minutes Seconds longitude:

96

36

59

Convert to Decimal

Clear Values

Results: Latitude: 30.041667

Longitude: 96.616389

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 12, 2021 2:10 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: WQ0016003001 Collin County MUD #7
Attachments: Featherwood.3gp; Featherwood.JPG

MWD
124967

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Tuesday, October 12, 2021 11:47 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WQ0016003001 Collin County MUD #7

From: Carrolyn Moebius <carrmoe@gmail.com>
Sent: Tuesday, October 12, 2021 11:44 AM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: WQ0016003001 Collin County MUD #7

Hi Brad,

Thank you so much for helping me with this. I'm one of the affected landowners.

The landscaper said that he had the water tested. It's great drinking water like fiji. They rigged the drainage to the storm drain but looks like someone capped that off...

This was the first time he had seen an aquifer. The Murphy City Water department came out and didn't know what to do so they decided to stub to the the storm drain.

Kind regards,

Carrolyn Moebius
972-333-9432

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 8:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: carrmoe@gmail.com <carrmoe@gmail.com>
Sent: Monday, September 20, 2021 6:25 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Carrolyn Moebius

E-MAIL: carrmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9723339432

FAX:

COMMENTS: Carrolyn J Moebius 1412 Parkview Lane Murphy, Texas 75094 972-333-9432 Re: WQ0016003001 To Whom It May Concern: The proposed MUD will be located directly behind my home. I noted per the ArcGIS is .09 miles directly north of my home. My husband and I moved to our home in 2005. We knew that the ETJ was designated agriculture with the City of Parker's planning to be for single family homes in the future. My home is valued at \$778k on the appraisal district with Zillow estimating sell value of \$874k. Most of us that live in this area would share a huge

decrease in our number one investment, our homes. When I served on the Plano ISD School Board, I often heard why most purchased homes in Murphy & Parker was due to the environment (ranches and lots with acreage as well as nice size lots providing a backyard) and schools. While we all anticipated homes will go up in the Parker area when the ranch owners would leave, we never anticipated a MUD. Here are some comments/concerns I have besides my personal investment in my home of 16 years being directly affected: 1. There is capacity available from the City of Murphy for proposed development according to Scott Bradley, Mayor of Murphy. 2. I have a tremendous concern regarding the drastic change that would result in the community of Murphy & Parker. 3. I am wondering what affect using Maxwell Creek will have on cattle in our area as well as the wildlife. 4. I have concern with the flooding potential since we currently have that issue in some of the areas in Parker. 5. I am concern with the environmental impact to the surface water and groundwater. I know that my neighbor has an underground aquifer that has an outlet to the sidewalk that pours into the sewer system. While I personally am affected regarding how a MUD so close to me would affect the value of my home, I am concern for the two communities of Murphy and Parker. This area is really a wonderful place to live. We know a MUD is not needed. We should use City of Murphy's capacity for any area requiring sewer, at this point. Feel free to call me if you like. If you have not visited the neighborhoods that are affected, I would highly recommend it. Regards, Carrolyn Moebius 1412 Parkview Lane Murphy, Texas 75094

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 25, 2021 11:19 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001

MWD
124967

H

From: vetmoe@gmail.com <vetmoe@gmail.com>
Sent: Friday, October 22, 2021 4:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: DR. JAMES MOEBIUS

E-MAIL: vetmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9728146406

FAX:

COMMENTS: The proposed development linked to this permit number would be a huge mistake. The development and proposed water treatment facility would be ruinous to wildlife, air and water quality and create major flooding issues. Today Maxwell Creek is a "hidden" treasure for residents and a buffer for wildlife to coexist in an ever-increasing suburban environment. Dumping a minimum of 200,000 gallons of treated sewage into Maxwell Creek on a daily basis - with chlorine levels higher than swimming pools - would destroy it. Maxwell Creek doesn't just wind past homes and

neighborhoods, it runs past schools and churches too. This is an opportunity to do the right thing at the front end. Let's not blindly build it and then have to pay millions to try and undo it. Please look at the information and the impact on the area - the land, the wildlife, the people - and do the right thing by saying this is the wrong development for this area. I request a contested hearing on this issue (affected land owner #42)

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 22, 2021 4:34 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: vetmoe@gmail.com <vetmoe@gmail.com>
Sent: Friday, October 22, 2021 4:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: DR. JAMES MOEBIUS

E-MAIL: vetmoe@gmail.com

COMPANY:

ADDRESS: 1412 PARKVIEW LN
MURPHY TX 75094-4172

PHONE: 9728146406

FAX:

COMMENTS: The proposed development linked to this permit number would be a huge mistake. The development and proposed water treatment facility would be ruinous to wildlife, air and water quality and create major flooding issues. Today Maxwell Creek is a "hidden" treasure for residents and a buffer for wildlife to coexist in an ever-increasing suburban environment. Dumping a minimum of 200,000 gallons of treated sewage into Maxwell Creek on a daily basis - with chlorine levels higher than swimming pools - would destroy it. Maxwell Creek doesn't just wind past homes and

neighborhoods, it runs past schools and churches too. This is an opportunity to do the right thing at the front end. Let's not blindly build it and then have to pay millions to try and undo it. Please look at the information and the impact on the area - the land, the wildlife, the people - and do the right thing by saying this is the wrong development for this area. I request a contested hearing on this issue (affected land owner #42)

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 15, 2022 8:35 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jlmorris3827@yahoo.com <jlmorris3827@yahoo.com>
Sent: Monday, February 14, 2022 2:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: James Morris

E-MAIL: jlmorris3827@yahoo.com

COMPANY:

ADDRESS: 627 ASPEN CT
MURPHY TX 75094-4323

PHONE: 4693715517

FAX:

COMMENTS: I live at 627 Aspen Ct. My property is 211 yards away from Maxwell Creek. I request a contested hearing as I disagree with the executive director's decision that the permit meets all requirements of law. I believe the permit contains numerous errors which should be reviewed in a hearing. I am an affected party because I live in close proximity to Maxwell Creek and often enjoy use of the creek for hiking along its trails and observing the wildlife within. I am concerned with odor, and destruction of wildlife.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 10:13 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jlmorris3827@yahoo.com <jlmorris3827@yahoo.com>
Sent: Thursday, November 18, 2021 4:50 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: James Morris

E-MAIL: jlmorris3827@yahoo.com

COMPANY:

ADDRESS: 627 ASPEN CT
MURPHY TX 75094-4323

PHONE: 4693715517

FAX:

COMMENTS: I live about 100 yards from Maxwell Creek, and about 3 miles from the proposed facility. I feel I could be affected because I visit the creek often for recreation. I feel my family will be affected by the proposed facility because it will affect our enjoyment of the creek and its wildlife. I therefore request a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 15, 2021 9:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jlmorris3827@yahoo.com <jlmorris3827@yahoo.com>
Sent: Friday, November 12, 2021 5:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: James Morris

E-MAIL: jlmorris3827@yahoo.com

COMPANY:

ADDRESS: 627 ASPEN CT
MURPHY TX 75094-4323

PHONE: 4693715517

FAX:

COMMENTS: I am opposed to this proposed discharge into Maxwell Creek because I feel it will harm the delicate environment of the creek. I request a contested hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 9, 2021 9:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: jlmorris3827@yahoo.com <jlmorris3827@yahoo.com>
Sent: Monday, November 8, 2021 4:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: James Morris

E-MAIL: jlmorris3827@yahoo.com

COMPANY:

ADDRESS: 627 ASPEN CT
MURPHY TX 75094-4323

PHONE: 4693715517

FAX:

COMMENTS: I would like to express my opposition to permit WQ0016003001 regarding the Parker EJT proposed wastewater treatment plant.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:29 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: daiseymaemor@gmail.com <daiseymaemor@gmail.com>
Sent: Monday, December 6, 2021 9:25 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Mary Morris

E-MAIL: daiseymaemor@gmail.com

COMPANY:

ADDRESS: 820 COLD SPRINGS CT
MURPHY TX 75094-4379

PHONE: 2145376307

FAX:

COMMENTS: I request a contested case hearing. Our pets play in the park and go into Maxwell Creek. They are elderly pets and we are concerned how the treated wastewater will affect their help. We enjoy the creek and the paths several times a week. This is where we exercise. We are disappointed to hear how an application could be approved as a draft when it's full of errors. When we moved in Murphy we were looking for an area that would give us an opportunity to enjoy wildlife and were very pleased when we found this area. We enjoy the city events that are held around the creek

all year (from Christmas tree lighting, and outdoor events). Maxwell Creek is a critical part of our community and should be kept as it is.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, December 7, 2021 8:25 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP; Proposed Permit No. WQ0016003001

H

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Tuesday, December 7, 2021 7:02 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP; Proposed Permit No. WQ0016003001

From: J. VICTOR MULLER <jvm@airmail.net>
Sent: Tuesday, December 7, 2021 5:41 AM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: Restore the Grasslands LLC and Harrington/Turner Enterprises, LP; Proposed Permit No. WQ0016003001

I request a contested hearing on waste system location

J victor muller
6100 gregory lane
Parker tx 75002
214-869-9179
Sent from Mail for Windows

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, December 7, 2021 8:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Online Public Meeting on Restore the Grasslands LLC and Harrington/Turner Enterprises, LP's Proposed New TPDES Permit No. WQ0016003001

H

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Tuesday, December 7, 2021 6:07 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Online Public Meeting on Restore the Grasslands LLC and Harrington/Turner Enterprises, LP's Proposed New TPDES Permit No. WQ0016003001

From: J. VICTOR MULLER <jvm@airmail.net>
Sent: Tuesday, December 7, 2021 5:34 AM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Online Public Meeting on Restore the Grasslands LLC and Harrington/Turner Enterprises, LP's Proposed New TPDES Permit No. WQ0016003001

I am requesting a contested hearing on texas discharge elimination system in collin county.

Jose victor muller
6100 gregory lane
Parker tx 75002
214-869-9179

Sent from Mail for Windows

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 3:59 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: millworkbd@gmail.com <millworkbd@gmail.com>
Sent: Monday, December 6, 2021 3:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Victor Muller

E-MAIL: millworkbd@gmail.com

COMPANY:

ADDRESS: 6100 GREGORY LN
PARKER TX 75002-6714

PHONE: 2146072434

FAX:

COMMENTS: I am requesting a contested case hearing. See attached letter and pictures.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 9:30 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: jvm@airmail.net <jvm@airmail.net>
Sent: Wednesday, September 22, 2021 7:01 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: JOSE Victor MULLER

E-MAIL: jvm@airmail.net

COMPANY: custom interior woodwork

ADDRESS: 6100 GREGORY LN
PARKER TX 75002-6714

PHONE: 2148699179

FAX:

COMMENTS: I LEASE LAND ON GREY LANEAND GREGORY LAN. I HAVE CATTLE ON GREY PRPERTY THAT DRINK WATER FROM THAT CREEK. PUTTING BAD WATER IN CREEK WOULD NOT BE GOOD FOR ANIMALS OR PEOPLE. THIS IS A VERY BAD IDEA. I ALSO PUMP WATER FROM CREEK FOR WATERING CATTLE. THIS CREEK IS VITAL FOR MY HERD TO HAVE CLEAN NATURAL FLOW OF WATER. PLEASE DO NOT DO THIS IDEA, THANKYOU

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:53 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: smunassar@gmail.com <smunassar@gmail.com>
Sent: Monday, December 6, 2021 5:27 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Sami Munassar

E-MAIL: smunassar@gmail.com

COMPANY:

ADDRESS: 204 CREEKSIDE DR
MURPHY TX 75094-4327

PHONE: 9727048154

FAX:

COMMENTS: Please find my comment below along with same in the attached PDF document. My name is sami Munassar, I reside at 204 Creekside Dr, Murphy, TX, 75094, and my phone number is (972)-704-8154. I am writing to request a contested case hearing regarding LP TPDES Permit No. WQ0016003001, applicant name: Restore the Grassland LLC and Harrington/Turner Enterprises. I reside at 204 Creekside Dr. Murphy, TX 75094. My backyard opens to the beltline, including the Maxwell Creek Trail and the Maxwell Creek. I am requesting a contested hearing because

Maxwell Creek was a critical reason for purchasing my home. The choice to buy my house opening to a creek was highly due to my health. It was a revamp plan for me to improve my health. I'm diagnosed with chronic Asthma and on the highest dose of a steroid inhaler, Advair, to keep me alive. If you've never had to fight for breath before, you wouldn't understand, but if you have, then you know how important it is for an asthmatic patient to be around a natural and organic environment. Because I have Asthma, my two-year-old daughter could also be at risk of getting Asthma in the future. I'm writing to you to do everything in my power to prevent this proposed wastewater plant from happening to save my family's health. a. I use Maxwell Creek to walk, run and breathe the fresh air to improve my health which would otherwise be impacted by a wastewater plant that uses chemicals to treat waste b. To experience the aquatic wildlife which would be threatened by the wastewater plant c. Maxwell Creek is defined as a perennial creek according to both Texas Parks & Wildlife and USGS. d. Maxwell Creek is located in a flood zone, which itself should be a determining factor for rejection. Thousands of residents will suffer If there is ever was a flood. e. Living near a natural water source encourages respiratory health when the water has not been altered and is only going through the biological filtration system and not an artificial chemically induced filtration system f. My asthma causes me to tire quicker, and I have already used Maxwell Creek to reenergize While the TCEQ's role is to assess the comments associated with the water quality, which I've highlighted above, it's also the role of the TCEQ to make sure the applicant made public the application. Having lived in the county for over two years, I can assure you that it was not published in any paper deemed known by most residents of Collin County. Due to the hardship of my home purchase, I would suffer as it relates directly to this permit, application, and TCEQ guidelines. Sincerely, Sami Munassar

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 29, 2021 7:45 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: Advair Asthma Prescription.pdf

H

From: smunassar@gmail.com <smunassar@gmail.com>
Sent: Sunday, November 28, 2021 2:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Sami Munassar

E-MAIL: smunassar@gmail.com

COMPANY:

ADDRESS: 204 CREEKSIDE DR
MURPHY TX 75094-4327

PHONE: 9727048154

FAX:

COMMENTS: I request a contested hearing. Hello, My name is Sami Munassar, and I'm a new resident of Murphy. I purchased my home over three months ago and moved in a little less than two months. My house is in the subdivision "Maxwell Creek" on Creekside Drive, and my backyard opens up to the beltline, which includes Maxwell Creek. I've just recently become aware of the proposed waste plant. I have chronic asthma, and I take the highest dose of Advair, a

steroid inhaler twice a day, pretty much to keep myself alive. I've been in the ER twice since I was diagnosed with chronic asthma. In addition, my recent blood test showed I had high sugars, and my doctor told me I had to start getting healthy. This was all before I purchased my home. One of the main reasons I moved to Maxwell Creek was so that I could walk and run through the trails, breathe the fresh air, see the wildlife and all this to improve my health. When I found out about the proposed water waste plant, and did my research of its potential impact to my health, I became disappointed and saddened. I was trying to improve my health by taking two steps forward, and then this news took me ten steps back. I have a 2-year-old daughter and was excited that I had purchased a home that opens to the beltline and creek. I wanted to get healthy for my daughter and take her through the beltline, through the creek, to see the wildlife. Please don't let this wastewater plant dump into the beautiful Maxwell Creek. In addition to my health, this would cause me to suffer from buying my home during a housing market that was in demand to only be put back with home values dropping because of a wastewater plant. That's not fair. Nobody knows their sickness better than the person themselves. I've learned enough to know this could potentially have an impact on my health and I'm ready to talk about those issues in a hearing. I request a contested hearing.

Pharmacy

[My Prescriptions](#) | [Pharmacy Settings](#) | [Health Resources](#)

Schedule COVID-19 Vaccine | Refills Selected

All Prescriptions

Search, filter and sort Rx

2 Prescriptions for Sami

We've narrowed down your prescriptions by:

Date range: Last 6 Months | Sort by: Prescription Status

[Refill all](#)

ADVAIR 500-50 DISKUS blister with device

[View Prescription](#) | [Details](#) | [History](#)

Ready for Pick Up

Image	Name	Prescription	Pharmacy	Quantity	Start Date	Status
	Sami	HANIA ALAIDROOS	CVS:pharmacy	1	11/27/2021	Ready for Pick Up

CVS.com | © 2021 CVS Health

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 8, 2021 9:06 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ludwigo@hotmail.com <ludwigo@hotmail.com>
Sent: Saturday, November 6, 2021 5:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: DR. Ludwig David Orozco

E-MAIL: ludwigo@hotmail.com

COMPANY:

ADDRESS: 5700 GREGORY LN
PARKER TX 75002-6706

PHONE: 9729227737

FAX:

COMMENTS: I, Dr. Ludwig D. Orozco of 5700 Gregory Lane Parker TX 75002 (716-628-1538) live approximately 590 meters Northwest of the proposed Waste Water Treatment Facility under permit Number WQ0016003001 (EPA ID NO TX 0141381). In addition, our property directly borders the Turner/Harrington proposed development on its entire southern and eastern borders. I request a contested case hearing against this permit Number WQ0016003001 (EPA ID NO TX 0141381) posted by Restore the Grassland LLC and Harrington/Turner Enterprises LP. This proposed Texas

Pollutant Discharge Elimination System (TPDES) would adversely affect me for the following reasons: 1) Gregory Lane is a dead end street with one entrance and exit via a bridge/ culvert over Maxwell Creek. The Creek regularly floods over the bridge, requiring its closure due to rapid floodwaters. There is no way in or out of Gregory until the high velocity floodwaters recede. An extra 200,000 gallons per day of wastewater would be catastrophic to animal and human life as well as property due to the increase in flooding. I believe FEMA assessments for flooding will regularly become required if wastewater is allowed to discharge as proposed by this permit. Harrington/ Turner enterprises falsified their Permit Application to the TCEQ regarding flood planes and flooding in this immediate area. Corroborating photos available. The Permit request by Harrington/Turner on this point was filled out falsified or in error. 2) 5700 Gregory Lane is a 13-acre agricultural lot where in we produce hay for rearing of livestock. Flooding already occurs on our land with most rains. This spring of 2021, for example, we were not able to cut our Coastal Bermuda hay due to flooding. This meant that only one cutting of hay could be done instead of two this year. We live close enough to Maxwell Creek, that the input of an extra 200,000 gallons per day of wastewater will lead to more flooding on our land, limiting our recovery of hay and agricultural way of life. Corroborating photos available. 3) We have a very shallow water table here on Gregory Lane. Our family alone has hit the water table or natural springs already three times over the last two years. All three digs occurred in Mid July, when there had not been any rain. The natural flow of water for all of Gregory lane is eastward into Maxwell Creek. However, I presume Maxwell Creek communicates with the ground water / natural springs which are always present under our property. I thus fear there will be mixing of chemical pollutants from the proposed wastewater facility into the ground water on my property if 200,000 gallons of wastewater are discharged into the creek daily. Corroborating photos available. Again, the Permit request by Harrington/Turner on this point of flooding was falsified or in error. The Proposed Texas Pollutant Discharge facility permit no. WQ0016003001 is obviously inappropriate. It will monetarily benefit only Harrington/ Turner Enterprises, while harming the health and agricultural way of life of all the families bordering this proposal. For this, and the sake of our already so dwindled biodiversity, ecosystems and natural resources, I request a contested case Hearing against this TPDES.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:01 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: contested case hearing TCEQ1.pdf

H

From: lynne_orozco@outlook.com <lynne_orozco@outlook.com>
Sent: Sunday, December 5, 2021 5:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: DR. Lynne Anne Orozco

E-MAIL: lynne_orozco@outlook.com

COMPANY:

ADDRESS: 5700 GREGORY LN
PARKER TX 75002-6706

PHONE: 7166281538

FAX:

COMMENTS: I request a contested case hearing regarding permit No. WQ0016003001. See my attached comments.

**IN RE: APPLICATION FOR A NEW TEXAS POLLUTANT DISCHARGE
ELIMINATION SYSTEM, PERMIT NO. WQ0016003001**

OBJECTION BY: Lynne Orozco of Orozco Family living Trust, AFFECTED PARTY.

Affected Party Status

My name is Lynne Orozco of Orozco Family Living Trust. We live at 5700 Gregory Lane and own 5704 Gregory Lane, where my mother lives. We have been designated by Applicant as Affected Party #24.

According to the GIS information contained in the *Notice of Receipt of Application and Intent to Obtain Water Quality Permit*, Proposed Permit No. WQ0016003001, the proposed location of the wastewater treatment facility is approximately 590 meters from my house.

Request for Contested Case Hearing

We request a contested case hearing due to the concerns that follow, wherein I and my family would be adversely affected by this wastewater treatment facility in ways not common to the general public.

Concerns regarding our Association and use of Maxwell Creek:

1) I and my family are, and have been, residents of Parker, Texas for five years, all of which time we have regularly jogged and hiked along Maxwell Creek, particularly just South of Parker Rd, where there is a nature park widely used by the Parker community. This park area is approximately 550m north of the proposed wastewater treatment facility.

We have never seen the creek dry or empty of water. It is a perennial Creek in which we have observed significant wildlife, even endangered wildlife (particularly Monarch butterflies) in and along Maxwell Creek. Discharge of treated wastewater into Maxwell Creek will negatively impact all, and certainly eliminate some, of this wildlife- including mosquito fish, blue gills, top minnows, crayfish, herons, egrets, and slider turtles which my children observe and learn to identify in this Northern section of Maxwell Creek regularly. These aquatic animals have been officially recorded by the Texas Parks and Wildlife report in our section of Maxwell Creek as of November 2021. We will no longer be able to wade in Maxwell Creek if it contains treated wastewater. Below are my personal photos captured from Spring 2021.





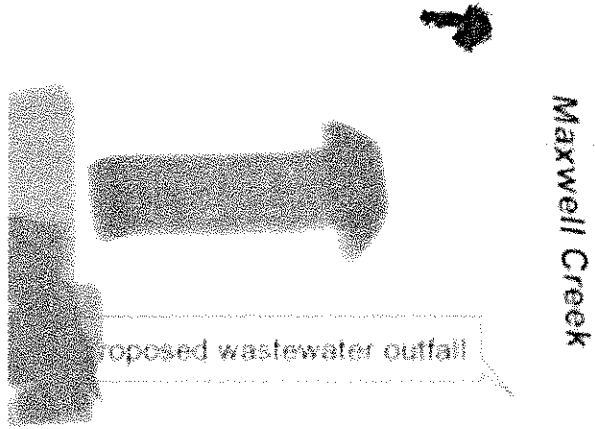
2) Parts of Maxwell Creek, especially the aforementioned nature park just South of Parker Rd., are particularly prone to flooding. Gregory Lane is a dead end street with one entrance and exit via a bridge/ culvert over Maxwell Creek approximately 470m upstream of proposed facility. The Creek regularly floods over this bridge/ culvert. Despite the recent updates to this bridge, it continues to require closure due to rapid floodwaters. There is no way in or out of Gregory until the high velocity floodwaters recede. An extra 200,000 gallons per day of wastewater filling the Creek downstream of this juncture would create a hydrodynamic effect that would be catastrophic to animal and human life at the nature park as well as on Gregory Lane itself and the homes located directly on this section of the Creek. They include 2 families who are not listed as “affected parties” but would be greatly affected by this flooding: The Clarks at 6000 Gregory Ln and The Plummers at 5908 Gregory Lane. Please see Scott Clark’s report from the Army Corps of Engineers regarding this expected worsening in flooding. Corroborating photo of floodwaters over Gregory Lane From Maxwell Creek below.



3) 5700 and 5704 Gregory Lane is an 18 -acre agricultural lot where we live and produce hay for rearing of livestock. It is approximately 450 meters east of Maxwell Creek. Flooding already occurs on our land with heavy rains. This spring of 2021, for example, we were not able to cut our Coastal Bermuda hay due to flooding. This meant that only one cutting of hay could be done instead of two this year. We live close enough to Maxwell Creek, that the input of an extra 200,000 gallons per day of wastewater will lead to more flooding on our land, limiting our recovery of hay and agricultural way of life. We believe this true because the general fall of storm water for all of Gregory Lane is from West to East into Maxwell Creek. These storm waters ultimately must flow approximately 450 meters eastward into Maxwell Creek. We fear filling the creek with wastewater just down stream of this natural storm water flow will worsen flooding on our land and limit Bailing of hay. See Map: red rectangle is Orozco property. Black arrow is bridge, which floods over Maxwell Creek as discussed above. Blue large arrow is direction of Storm water flow for Gregory Lane. This fall is seen in my driveway pictures from 2020 below. Right of the driveway is West; left of the driveway is East.



Possible spring/seep 1
Downstream of Parker Rd

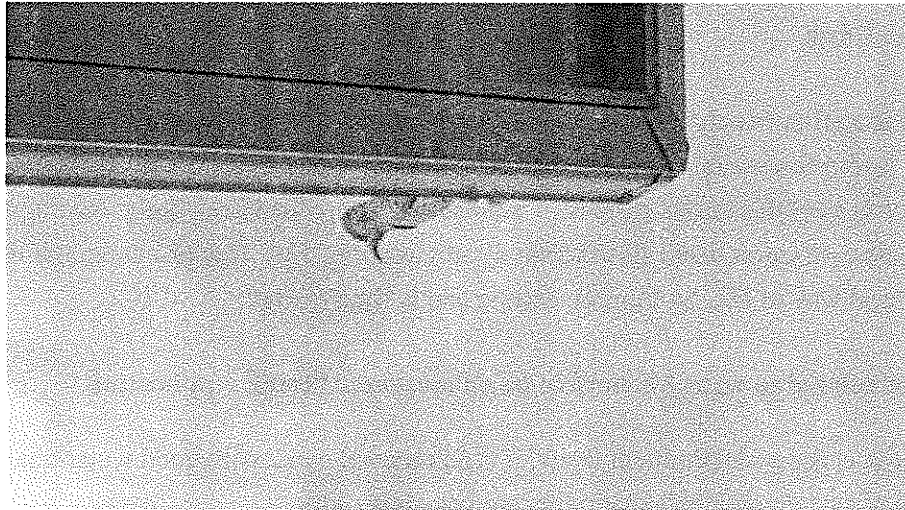


Possible spring/seep 2
Near Murphy Rd

Destruction of Grassland wildlife habitat Concerns

5700 Gregory Lane is a Certified Wildlife Habitat # 269455. It is home to plenty of Milkweed for Endangered Monarch Butterflies as well as Great Horned Owls, Red Tail Hawks, The American Kestrel, Canadian Geese, Woodpeckers, Ruby Throated Hummingbirds, Turkey Vultures, and Barn Swallows all of which are protected migratory birds that nest, feed, and shelter in our trees and pastures. This proposed wastewater treatment facility and the high density housing for which it allows is a true example of humans as an invasive species damaging habitat. John Muir wrote, "When one tugs at a single thing in nature, he finds it attached to the rest of the world." We must stand and protect the gift of Maxwell Creek with the animals and grasslands dependent upon it- for the cumulative good of the thousands of people who enjoy, recreate, and learn from its nature. The current causes of extinction in our world are less from catastrophic events, and more from the ongoing destruction of simple ecosystems such as Maxwell Creek, performed by humans and their ever-present greed and push for more wealth.

Photos from 5700 and 5804 Gregory Lane (Yellow shafted Flicker)



NUISANCE ODOR CONCERNS.

We are very concerned about the emanation and trespass of foul odors from the proposed facility onto my property and the Public park along Maxwell Creek where we Jog and play.

Summary Objections to Application:

We would be adversely affected by the Application in ways not common to the general public because, as noted above:

1. We personally and regularly use Maxwell creek for recreation to jog, hike and play with my family. Chemical contents of treated wastewater released into Maxwell Creek will irreparably damage aquatic life, vegetative life, and wildlife that is regularly found in and around Maxwell Creek, thus destroying the ecosystem for our recreation.
2. We live on a dead end lane (Gregory lane) which has a bridge already prone to flooding where it crosses over Maxwell Creek. This is approximately 570 meters north of the proposed wastewater treatment facility's water input site. It is foreseeable and probable that flooding will worsen over this bridge due to the quantity of wastewater proposed to enter Maxwell Creek.
3. My property is approximately 590 meters Northwest of the proposed wastewater treatment site. It is also foreseeable and probable that flooding will worsen on my personal property as a result of extra gallons of wastewater filling the Creek daily, leading to back up of Eastward storm water flow across all of Gregory Lane. This results in loss of our agricultural way of life, by limiting cutting and bailing of Hay.

Considerations related to what I believe to be an incorrect Permit Application

1. Maxwell Creek is not an intermittent creek, it is a perennial creek with good water quality capable of sustaining high aquatic life and vegetative life.
2. Maxwell Creek has aesthetic qualities for use by residents of Parker and Murphy, Texas for recreation and learning activities.
3. There are suitable alternatives to discharging treated wastewater into Maxwell Creek. The developer could install individual Septic Systems and thus follow the regulations for such within the City of Parker, Texas.

Conclusion

The Proposed Texas Pollutant Discharge facility permit no. WQ0016003001 is obviously inappropriate. It will monetarily benefit only Harrington/ Turner Enterprises, while harming the health and agricultural way of life of all the families bordering this proposal. For this, and the sake of our already so dwindled biodiversity, ecosystems and natural resources, I request a contested case hearing against this TPDES.

Sincerely,

Lynne Orozco, of Orozco Family Living Trust.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 8, 2021 9:07 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: lynne_orozco@outlook.com <lynne_orozco@outlook.com>
Sent: Saturday, November 6, 2021 5:35 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: DR. Lynne Orozco

E-MAIL: lynne_orozco@outlook.com

COMPANY:

ADDRESS: 5700 GREGORY LN
PARKER TX 75002-6706

PHONE: 7166281538

FAX:

COMMENTS: I, Lynne Orozco of 5700 Gregory Lane Parker TX 75002 (716-628-1538) live approximately 590 meters Northwest of the proposed Waste Water Treatment Facility under permit Number WQ0016003001 (EPA ID NO TX 0141381). In addition, our property directly borders the Turner/Harrington proposed development on its entire southern and eastern borders. I request a contested case hearing against this permit Number WQ0016003001 (EPA ID NO TX 0141381) posted by Restore the Grassland LLC and Harrington/Turner Enterprises LP. This proposed Texas

Pollutant Discharge Elimination System (TPDES) would adversely affect me for the following reasons: 1) Gregory Lane and its immediate surroundings are grasslands with clusters of Cedars and Live Oaks, a pond connecting to Maxwell creek, which then runs through the City of Murphy TX. A (TPDES) /wastewater treatment facility whose discharge would be allowed to enter our Maxwell Creek with its bacterial and fungal emissions as well as Hydrogen Sulfide gas, and Chlorine will harm and potentially kill the wildlife dependent on this creek and grasslands. 5700 Gregory Lane is a Certified Wildlife Habitat # 269455. It is home to plenty of Milkweed for Endangered Monarch Butterflies. Our Orozco Family Living Trust habitat is also home to Great Horned Owls, Red Tail Hawks, The American Kestrel, Canadian Geese, Woodpeckers, Ruby Throated Hummingbirds, Black Throated green warblers, Turkey Vultures, and Barn Swallows all of which are protected migratory birds that nest, feed, and shelter in our trees and pastures. Though not endangered, I also want to preserve the ecosystem and biodiversity of the catfish, mussels, box turtles, frogs, and minnows that inhabit the creek and the cottontail rabbits, coyotes, and bobcats that live on our land. 2) A (TPDES) /wastewater treatment facility whose runoff is allowed to enter our Maxwell Creek with its bacterial and fungal emissions as well as Hydrogen Sulfide gas, and Chlorine will harm our children who explore the pond and creek in search of their familiar box turtles, frogs and minnows. 3) Multiple families on Gregory Lane have special needs children whose properties are adjacent to Maxwell Creek. The increase water level caused by the extra 200,000 gallons of wastewater per day will prove a physical safety risk just for these dear children to enter their own back yards. The Proposed Texas Pollutant Discharge facility permit no. WQ0016003001 is obviously inappropriate. It will monetarily benefit only Harrington/ Turner Enterprises, while harming the health and agricultural way of life of all the families bordering this proposal. For this, and the sake of our already so dwindled biodiversity, ecosystems and natural resources, I request a contested case Hearing against this TPDES.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 8, 2021 9:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: Lynne.Orozco@bswhealth.org <Lynne.Orozco@bswhealth.org>
Sent: Saturday, November 6, 2021 6:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: DR. Lynne Ludwig Orozco

E-MAIL: Lynne.Orozco@BSWHealth.org

COMPANY: Orozco Family Living Trust

ADDRESS: 5700 GREGORY LN
PARKER TX 75002-6706

PHONE: 9729227737

FAX:

COMMENTS: The Orozco Family Living Trust of 5700 Gregory Lane Parker TX 75002 (972-922-7737) is approximately 590 meters Northwest of the proposed Waste Water Treatment Facility under permit Number WQ0016003001 . In addition, our property directly borders the Turner/Harrington proposed development on its entire southern and eastern borders. I request a contested case hearing against this permit Number WQ0016003001 posted by Restore the Grassland LLC and Harrington/Turner Enterprises LP. This proposed Texas Pollutant Discharge Elimination System (TPDES) would adversely

affect us as the Orozco Family and its children for the following reasons: 1) Gregory Lane and its immediate surroundings are grasslands with clusters of Cedars and Live Oaks, a pond connecting to Maxwell creek, which then runs through the City of Murphy TX. A (TPDES) /wastewater treatment facility whose discharge would be allowed to enter our Maxwell Creek with its bacterial and fungal emissions as well as Hydrogen Sulfide gas, and Chlorine will harm and potentially kill the wildlife dependent on this creek and grasslands. 5700 Gregory Lane is a Certified Wildlife Habitat # 269455. It is home to plenty of Milkweed for Endangered Monarch Butterflies. Our Orozco Family Living Trust habitat is also home to Great Horned Owls, Red Tail Hawks, The American Kestrel, Canadian Geese, Woodpeckers, Ruby Throated Hummingbirds, Black Throated green warblers, Turkey Vultures, and Barn Swallows all of which are protected migratory birds that nest, feed, and shelter in our trees and pastures. Their habitats will be ruined or damaged greatly by this plant and development. 2) A (TPDES) /wastewater treatment facility whose runoff is allowed to enter our Maxwell Creek with its bacterial and fungal emissions as well as Hydrogen Sulfide gas, and Chlorine will harm our children who explore the pond and creek in search of their familiar box turtles, frogs and minnows. 3) Gregory Lane is a dead end street with one entrance and exit via a bridge/ culvert over Maxwell Creek. The Creek regularly floods over the bridge/ culvert, requiring its closure due to rapid floodwaters. There is no way in or out of Gregory until the high velocity floodwaters recede. An extra 200,000 gallons per day of wastewater would be catastrophic to animal and human life as well as property due to the increase in flooding. I believe FEMA assessments for flooding will regularly become required if wastewater is allowed to discharge as proposed by this permit. Harrington/ Turner enterprises falsified their Permit Application to the TCEQ regarding flood planes and flooding in this immediate area. Corroborating photos available. The Harrington/ Turner Permit request was errant/ falsified regarding flooding for this immediate area. 4) 5700 Gregory Lane is a 13-acre agricultural lot where in we produce hay for rearing of livestock. Flooding already occurs on our land with most rains. This spring of 2021, for example, we were not able to cut our Coastal Bermuda hay due to flooding. This meant that only one cutting of hay could be done instead of two this year. We live close enough to Maxwell Creek, that the input of an extra 200,000 gallons per day of wastewater will lead to more flooding on our land, limiting our recovery of hay and agricultural way of life. Corroborating photos available. The Harrington/ Turner Permit request was errant/ falsified regarding flooding for this immediate area. 5) We have a very shallow water table here on Gregory Lane. Our family alone has hit the water table or natural springs already three times over the last two years. All three digs occurred in Mid July, when there had not been any rain. The natural flow of water for all of Gregory lane is eastward into Maxwell Creek. However, I presume Maxwell Creek communicates with the ground water / natural springs which are always present under our property. I thus fear there will be mixing of chemical pollutants from the proposed wastewater facility into the ground water on my property if 200,000 gallons of wastewater are discharged into the creek daily. Corroborating photos available. The Harrington/ Turner Permit request was errant/ falsified regarding flooding for this immediate area. The Proposed Texas Pollutant Discharge facility permit no. WQ0016003001 is obviously inappropriate. It will monetarily benefit only Harrington/ Turner Enterprises, while harming the health and agricultural way of life of all the families bordering this proposal. For this, and the sake of our already so dwindled biodiversity, ecosystems and natural resources, I request a contested case Hearing against this TPDES.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 3:32 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: lynne_orozco@outlook.com <lynne_orozco@outlook.com>
Sent: Tuesday, September 21, 2021 2:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Lynne Orozco

E-MAIL: lynne_orozco@outlook.com

COMPANY: Orozco Family Living Trust

ADDRESS: 5700 GREGORY LN
PARKER TX 75002-6706

PHONE: 7166281538

FAX:

COMMENTS: I, Lynne Orozco, of The Orozco Family Living Trust- who own 2 properties directly connected to the proposed area oppose and contest permit Number WQ0016003001 (EPA ID NO TX 0141381) for the following reasons: 1) Gregory Lane has residential homes with land to allow for agriculture and livestock. We fear such a waste water treatment facility and the high density development of the land surrounding our properties would immediately change our way of life which involves production of hay and rearing of livestock. 2) Zoning restrictions in Parker, Tx demand a

minimum of one acre lots for all residential homes to allow for septic tanks. Thus, we oppose the potential for high density housing with a waste water treatment facility. We fear such over development would depreciate our property values whose resale is based on their large agricultural area for rearing horses, grazing cattle, etc. That is, people choose to live on Gregory Lane for open ranch land, not waste water treatment facilities and high density housing. 3) Such a facility and housing development would greatly increase traffic to our small lane which is a dead end and limited by a bridge that gets flooded with heavy rains. We do not believe Gregory Lane can physically support such an influx of people. 4) Gregory Lane and its immediate surroundings is made up of grasslands which are home to unique flora and fauna that would be ruined by such development. 5) We, Lynne and Ludwig Orozco of Orozco Family Living Trust would be specifically adversely affected by the proposed wastewater treatment facility and the High Density Housing proposed because the primary road access to this proposed acreage is neighboring our property. The Orozco's have small children and fear high traffic running alongside their land and house. 6) We seek to protect the safety, financial, and agricultural interests of all those living on Gregory Lane in Parker Texas by opposing this pollutant facility. We have signatures on petition of all available to sign who are affected by this permit request in a subsequent attached file upload, all of whom oppose and wish to contest this permit. We will also fax and hard copy mail this petition ,

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 1:31 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: lynne_orozco@outlook.com <lynne_orozco@outlook.com>
Sent: Tuesday, September 21, 2021 11:17 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Lynne Orozco

E-MAIL: lynne_orozco@outlook.com

COMPANY: Orozco Family Living Trust

ADDRESS: 5700 GREGORY LN
PARKER TX 75002-6706

PHONE: 7166281538

FAX:

COMMENTS: I, Lynne Orozco, of The Orozco Family Living Trust- who own 2 properties directly connected to the proposed area oppose and contest permit Number WQ0016003001 (EPA ID NO TX 0141381) for the following reasons: 1) Gregory Lane has residential homes with land to allow for agriculture and livestock. We fear such a waste water treatment facility and the high density development of the land surrounding our properties would immediately change our way of life which involves production of hay and rearing of livestock. 2) Zoning restrictions in Parker, Tx demand a

minimum of one acre lots for all residential homes to allow for septic tanks. Thus, we oppose the potential for high density housing with a waste water treatment facility. We fear such over development would depreciate our property values whose resale is based on their large agricultural area for rearing horses, grazing cattle, etc. That is, people choose to live on Gregory Lane for open ranch land, not waste water treatment facilities and high density housing. 3) Such a facility and housing development would greatly increase traffic to our small lane which is a dead end and limited by a bridge that gets flooded with heavy rains. We do not believe Gregory Lane can physically support such an influx of people. 4) Gregory Lane and its immediate surroundings is made up of grasslands which are home to unique flora and fauna that would be ruined by such development. 5) We, Lynne and Ludwig Orozco of Orozco Family Living Trust would be specifically adversely affected by the proposed wastewater treatment facility and the High Density Housing proposed because the primary road access to this proposed acreage is neighboring our property. The Orozco's have small children and fear high traffic running alongside their land and house. 6) We seek to protect the safety, financial, and agricultural interests of all those living on Gregory Lane in Parker Texas by opposing this pollutant facility. We have signatures on petition of all available to sign who are affected by this permit request in a subsequent attached file upload, all of whom oppose and wish to contest this permit. We will also fax and hard copy mail this petition ,

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 19, 2021 9:59 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: palmerma@gmail.com <palmerma@gmail.com>
Sent: Friday, November 19, 2021 9:57 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Margaret Palmer

E-MAIL: palmerma@gmail.com

COMPANY:

ADDRESS: 608 CHALK HILL LN
MURPHY TX 75094-5303

PHONE: 8582138942

FAX:

COMMENTS: I live in Maxwell Creek neighborhood which is the area where the bulk of the creek flows through our greenbelt. I'm extremely concerned that this WWTP (irony of it ending TP) will do to the environment, health and even safety of our community. I walk and "bird" many times a week and am amazed at the amazing ecosystem Maxwell Creek provides. I also participate in yoga on Saturdays and can't imagine wanting to continue if 100's of 1000's of gallons of

chemically treated water is allowed. I'd like to request a contested hearing as the voice of the residents in close proximity need to be heard. Thank you

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 7:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: elisealvi@yahoo.com <elisealvi@yahoo.com>
Sent: Sunday, November 21, 2021 5:25 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Elise Peek

E-MAIL: elisealvi@yahoo.com

COMPANY:

ADDRESS: 721 MORNINGSIDE TRL
MURPHY TX 75094-4366

PHONE: 5202372249

FAX:

COMMENTS: My name: Elise Alvidrez -Peek My address :721 Morningside trl Murphy,TX Phone # 214-384-5974
Applicants name: Restore the Grasslands LLC and Harrington/ Turner Enterprises, L P Permit # WQ0016003001 Location
and Distance of my property/ activities relative to proposed facility : approximately ¼ of a mile to treatment plant. With
the distance to Maxwell Creek being approximately 100 yards from our property. With the road leading to proposed
development abuts our property line. I hereby request a CONTESTED HEARING For the following reasons This project

will result in an imminent threat to the health, safety of life, and property in Murphy and Parker, Texas. 5804 Gregory Lane survey specifically notes the property is in a 100 year flood plane per FEMA Panel No . 48085C0415 J My family's health will be at risk and this will destroy our family home. Aubriella Peek, Arianna Peek, Nicholas Peek, Elise Peek, Sienna Peek will be impacted.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: LPettle@aol.com <LPettle@aol.com>
Sent: Monday, December 6, 2021 1:45 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: THE HONORABLE Lee Perttle

E-MAIL: LPettle@aol.com

COMPANY: City of Parker Texas

ADDRESS: 5700 E PARKER RD
PARKER TX 75002-6767

PHONE: 9724426811

FAX:

COMMENTS: RE: request for a contested hearing Parker is a small, residential city of approximately 5300 citizens. Our community is purely residential with low density, large lots of at least one and one half acres, and with no industry, retail or commercial activities. We are animal friendly and home to cattle ranches, horse stables and several certified protected habitats of both flora and fauna. We are uniquely country. Allowing a wastewater treatment facility and a MUD adjacent to us will have a decidedly negative effect on our city. The proposed wastewater treatment facility

discharging into Maxwell Creek has the potential of polluting our creek, which waters our livestock and is home to our aquatic life. It will add cause additional flooding to our streets and bridge, bar ditches and lands. The emissions from all the additional motorized vehicles as well as the wastewater treatment facility will affect our air quality and residents with respiratory conditions may suffer. These vehicles would also use our roads causing Parker to have to expend funds to provide additional road repairs and maintenance. People chose to reside in Parker for its quality of life and uniquely country lifestyle. We do not believe we should be penalized in any manner nor have to use our tax monies to support a wastewater treatment facility and MUD that is not in keeping with our community and will negatively affect not only Parker but the entire area. Therefore the city of Parker requests a contested hearing to be held in person in our district. Respectfully submitted, Lee Pettie, Mayor City of Parker

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 10:35 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR

From: jonathanphelps@gmail.com <jonathanphelps@gmail.com>
Sent: Monday, December 6, 2021 10:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jonathan Phelps

E-MAIL: jonathanphelps@gmail.com

COMPANY:

ADDRESS: 905 CHESTNUT CT
MURPHY TX 75094-4380

PHONE: 9724426975

FAX:

COMMENTS: I prepared the following oral statement which I'll include text to make it searchable as well as the below additions to my prior comment. Hi, this is Jonathan Phelps, thanks for the time. I live in Maxwell Creek North HOA just downstream. I'm an Eagle Scout and recent den leader for Cub Scout Pack 1783 at Tibbals Elem where my wife and kids attend just a quarter mile from Maxwell Creek downstream of the proposed treatment facility. Our den and many others have hosted numerous service projects to help clean up and preserve the creek areas. We also make extensive use of

the adjacent creekside parks for outdoor meetings, especially during recent times. Not only do we enjoy spending time down there, but it's also a convenient way for our young scouts to participate in community service requirements necessary for rank advancement; it's really a win-win. I'm concerned that the increased amount of water and chemicals will kill the precious wildlife and erode the banks making deeper water impassible (as opposed to the naturally varying water levels) and unhealthy to be near, not to mention the air quality and smells. Regardless of the mitigations, if this goes through after all this publicity, parents won't want their kids anywhere near it for health and safety reasons, and we won't be able to continue to enjoy nor help preserve it for future generations to come. This will be the end of Maxwell Creek as we know it and a tragedy for our community. As I hear more about the increased flooding concerns and the tendencies for these pastures to pool water, I'm additionally wondering about increased mosquitos and related West Nile concerns and other diseases in the area. It sounds minor compared to other concerns, but it's a thought I hadn't heard or thought about yet and further expands the extent of people affected. I'm also wondering about incoming water supply requirements that may be additionally necessary to maintain a supposed minimum flow rate, especially during dry summer months and our already increasing water rates. I know not everybody appreciates what it means, but I love how the prior comment mentioned our scouting "leave no trace" mantra. Were Maxwell Creek North HOA (with over 1000 families), Tibbals Elementary, Wylie ISD and other downstream affected residents properly and legally notified? I know I was not formally notified nor through my affiliation with these seemingly affected organizations. What about the cemetery off McMillen Dr? Also, has any consideration been given to increased mosquito populations and West Nile concerns given the increased water level (and additional runoff from eventual development) and what will become more swampy areas at the adjacent properties already prone to flooding and pooling. This also effectively extends the extent of people affected. Where does the additional water needed to maintain a supposed minimum water flow come from? I thought we were already recently facing water shortages in North Texas with rates increasing exponentially and this will be essentially constantly running the water to keep the toilets flushing. I would like more details on the min/max flow rates from studies and engineering simulations and regulations. I'm also appalled at the errors and misleading or mischaracterization of information in the permit application and lack of due diligence by TCEQ vetting the application up until this point, particularly concerning legal entity status. This application needs to be rejected or reconsidered. If this is any indication of the process and oversight, or commercial dealings of the applicant, I'm even more concerned about monitoring and remediation for any potential future issues when they will surely arise.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, December 3, 2021 12:36 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: J Phelps Parker ETJ comment1.pdf

H

From: jonathanphelps@gmail.com <jonathanphelps@gmail.com>
Sent: Friday, December 3, 2021 11:45 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Jonathan Phelps

E-MAIL: jonathanphelps@gmail.com

COMPANY:

ADDRESS: 905 CHESTNUT CT
MURPHY TX 75094-4380

PHONE: 9724426975

FAX:

COMMENTS: see attached including request for contested case hearing

I'm strongly opposed to the proposed development and especially the MUD WWTP on the Parker ETJ referred to in pending permit WQ0016003001.

I grew up in the vicinity and in fact my grandparents used to own land across from South Fork Ranch. I have fond childhood memories walking along the North side of Maxwell Creek down Gray Lane and on towards Gregory Ln. I'm also well aware of the potential flooding and hazards down that one-way road I'm sure others will mention in more detail. While I wish that land was still in our family, I'm proud that I am able to live just downstream in Maxwell Creek North HOA with my family where we've been for over 13 years now. My wife is a teacher at nearby Wylie ISD Tibbals Elements where my kids also attend and often visit the creek area for educational opportunities. As most families in our community we enjoy walking along the path and trails alongside the creek to escape and take in the natural resources that have been so far well preserved close to our home.

As an Eagle Scout, and more recently cub scout leader with a loyal obligation to nature and the community I know many of our dens, including my own, have hosted numerous clean-up events walking along the creek bottoms and trails picking up trash. We also appreciate being able to hold our outdoor meetings nearby like at Waters Edge Park lately. Our bond with the creek is actually 2-fold. Not only do we enjoy spending time down there, but it's also a convenient way for our young scouts to



participate in community service requirements necessary for rank advancement; it's really a win-win. I'm concerned that the increased amount of water and chemicals will kill the precious wildlife we adore and erode the banks making deeper water impassible and unhealthy to be near, not to mention the air quality and smells. Parents won't want their kids anywhere near it for health and safety reasons, and we won't be able to continue to enjoy nor preserve it for future generations to come. I'm afraid this negligent act would be the first step towards a decline of this public property that will ruin the benefits mother nature has provided us for so long.

As a nearby father, outdoorsman, homeowner, scout, and HOA resident I am an affected party by the possible decisions being made here and would like to request a contested case hearing.

Sincerely,

Jonathan Phelps (jonathanphelps@gmail.com)
905 Chestnut Ct
Murphy, TX 75094
972-442-6975

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:05 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ceplummer@hotmail.com <ceplummer@hotmail.com>
Sent: Monday, December 6, 2021 8:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Emily Plummer

E-MAIL: ceplummer@hotmail.com

COMPANY:

ADDRESS: 5908 GREGORY LN
PARKER TX 75002-6710

PHONE: 5127518451

FAX:

COMMENTS: My name is Emily Plummer, and I live at 5908 Gregory Lane in Parker, TX 75002. I can be reached via email at ceplummer@hotmail.com. Although I was not designated as an affected party by the applicant, I believe that I should be considered as an affected party because of the guidelines contained within the Texas Administrative Code, Title 30, Part 1, Chapter 55, Rule 55.203, particularly (c), numbers 4-5, which states that consideration should be made about the "likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;"

and the "likely impact of the regulated activity on use of the impacted natural resource by the person." Moreover, I request a contested case hearing as someone who is absolutely affected by the project under consideration. I am very concerned particularly about the increase in flooding since my property sits in the floodway of Maxwell Creek. In fact, a good portion of my acreage contains the creek itself. Moreover, my house sits within the FEMA floodplain, and I'm required to carry flood insurance on my house. I have lived here for over three years, and within that time, water has come up into my backyard and come close to my house on at least 1-2 instances within the last three years. Unfortunately, I do not have the files of those videos, although I have a video of much less substantial flooding attached. I am concerned that an increase of an average of 200,000 gallons of added effluent approximately 1/3 of a mile down the creek from my property will endanger my property, and particularly my home. When the creek is not in flood, it is spring-fed, contains no other discharge points, and is beautiful, clear, and a critical water-source for wildlife. When it is in flood, it is turbid and incredibly forceful, and I am concerned that the permanent state of this beautiful creek would ruin my family's property, including the creek, which we wade in, play in, care for, and enjoy as owners of the property which contains it. I moved to this property after a period of incredible personal stress because of the creek and the positive influence its perennial sound, natural wildlife--both flora and fauna--have on my overall health, both physical and mental. I have been a native Texas plant hobbyist for several decades, and I was drawn to this location because of the existence of open fields, containing native plants, including milkweed and other host plants for various species of lepidoptera, including the monarch butterfly. Moreover, the creek itself is a critical habitat for wildlife, and I am concerned that polluting the creek will adversely affect that crucial habitat for great horned owls, several species of hawks and other raptors, multiple species of wrens, hummingbirds, nuthatches, titmice, woodpeckers, mockingbirds, and many other migratory birds, which are protected. Moreover, one of my children is a childhood cancer survivor, as well as on the ASD spectrum, and two of my children have ADHD, and I am very concerned about the air quality and general environmental health impact, including gases, nuisance odors, and other environmental toxins. Furthermore, I am concerned about the erosion impact and the potential geologic impact that this project could have on the creek which is an integral part of my home and a very significant portion of my property. Even though I am upstream, I very close, and erosion problems 1/3 of a mile downstream will most likely adversely impact my property, as well. The creek is an important part of our life; it is the water-source for the abundant wildlife that we co-habitate with and a critical riparian zone of great biodiversity. My children and I all regularly go down to the creek to sit and enjoy its beauty, and we also clean trash up after it floods, which happens somewhat regularly, and remove invasive species, such as vitex and poison ivy. The creek's habitat has native plants, such as coralberry, Texas ash, Bois d'arc, cedar elm, honeysuckle, and many other species, which provide critical habitat and food for wildlife. The erosion of the creek and the destruction of their habitat would be devastating. We find all kinds of life in the creek, as well, including water snakes, salamanders, crayfish, fish, and mollusks. One of the critical values our family has is that we are responsible to care for our environment. The creek we care for flows to neighbors we have never met, but we can care for them and for all the creatures that utilize the creek by never using pesticides, toxins, or other pollutants. How can I continue to teach those values to my children if three lots away, our state has authorized pollutant discharge into a pristine stream that is a highway for wildlife, which is increasingly threatened by habitat loss due to over-development of the land? I cannot figure out how to attach the proper file format. I have video files of flooding, as well as documentation of the proximity of my property to the proposed plant.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, December 1, 2021 9:11 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ceplummer@hotmail.com <ceplummer@hotmail.com>
Sent: Tuesday, November 30, 2021 11:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Emily Plummer

E-MAIL: ceplummer@hotmail.com

COMPANY:

ADDRESS: 5908 GREGORY LN
PARKER TX 75002-6710

PHONE: 5127518451

FAX:

COMMENTS: To whom it may concern, I have already left a comment, but I wanted to follow up with a request for a contested hearing. As I have become more aware of the details surrounding this petition, I am shocked and somewhat horrified that an organization named "Restore the Grasslands" is intent on doing the exact opposite of what its name would imply. This project will in no way restore grasslands; rather it will destroy Blackland Prairie grasslands and adversely impact Maxwell Creek and its floodplain. I would like to request a contested hearing since I believe the

application submitted by Turner Enterprises and/or Restore the Grasslands was not accurate. The creek in question is the one that runs through my yard, and it regularly floods. In fact, I maintain required flood insurance since a corner of my house sits in its flood plain. I cannot even imagine the environmental impact which adding volume to Maxwell Creek will have on its flooding pattern. Even though I am upstream from the discharge point, I am not far upstream (less than 1/3 of a mile), and the flooding of the creek where wastewater is discharged is extraordinarily concerning from a health perspective. Moreover, I am concerned about the gases and other adverse environmental consequences of this project. As someone with special needs children (ASD & ADHD), I purposely moved to Parker in part in order to reduce the negative environmental impacts for my children. Moreover, as a newly single parent, I am not in a position to be able to relocate at this time. I do not want my children playing in the creek where wastewater is discharged, nor do I want them breathing the toxic fumes. I implore the regulatory body charged with protecting our environment and the health of Texan citizens to at least hold a contested hearing so that the voices of those who live in this area may be heard. We are the ones who live here, who clean trash out of the creek when it floods, who protect and cultivate undisturbed natural habitat for many protected species of birds and other wildlife, who listen to the great horned owls at night and the woodpeckers, bluebirds, and many other species by day. Please at least give the citizens of Parker and Murphy a chance to raise our concerns at a contested hearing. I request a contested hearing because of the negative environmental impact--on wildlife, on myself and my children, and on the safety of our home, which will be greatly endangered by flooding due to the increased volume in the creek. Moreover, we regularly have several times a year where the creek floods so high that it impedes traffic in and out of our neighborhood for hours or even days at a time. The creek can not hold additional volume during those times. Respectfully, Emily Plummer

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:14 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: ceplummer@hotmail.com <ceplummer@hotmail.com>
Sent: Wednesday, September 22, 2021 7:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Emily Plummer

E-MAIL: ceplummer@hotmail.com

COMPANY:

ADDRESS: 5908 GREGORY LN
PARKER TX 75002-6710

PHONE: 9729547200

FAX:

COMMENTS: I oppose this project in the strongest possible way. Maxwell Creek runs through my property not far from the proposed wastewater treatment facility, and the creek is prone to seasonal flooding. (I am required to carry flood insurance on my house for that very reason.) The creek is designated as a no-dumping creek, and having this wastewater facility anywhere near the creek, which is prone to seasonal flooding, is ecologically irresponsible to the highest degree. The City of Parker has a 1-acre minimum lot requirement to allow for septic systems. We do not need a wastewater

treatment facility (unless the proposed high-density development goes in, which is being proposed concurrently by the same developer and is also unwanted and unsupported by local residents and municipalities). Furthermore, I request that a public hearing be held in Collin County, where the treatment center is proposed to exist, rather than an Austin. It is my understanding that the developer knows the project is strongly opposed by homeowners, as well as by the cities of both Parker and Murphy. Please do not allow our property to be put at risk of contamination or our property values to be adversely affected by this unwanted plant. As a Texas resident since 1989 and the mother of four Texans, I have come to love and appreciate this great state. The City of Parker represents some of the best things about our great land-kind people, expansive vistas, a connection to the land, and fierce independence. As a resident of Parker and of Texas, I cannot say enough bad things about this proposed plan. Please do not allow this development.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 10:24 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: ceplummer@hotmail.com <ceplummer@hotmail.com>
Sent: Monday, December 6, 2021 10:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Emily Plummer

E-MAIL: ceplummer@hotmail.com

COMPANY:

ADDRESS: 5908 GREGORY LN
PARKER TX 75002-6710

PHONE: 5127518451

FAX:

COMMENTS: Adding to previous comments, I support the TX Wildlife report. I have concerns over the inaccuracies on the application and the lack of integrity, which does not bode well for responsible management of a project of this magnitude. Moreover, I garden for food on my property and raise poultry, and I have concerns with contamination from water pollutants, including bacteria and toxic substances added to wastewater, which aren't treated by chlorine. I also have concerns over the groundwater pollution since the water table is very close to the surface in this area. The adverse

impact on the communities of Parker, Murphy, and other downstream communities. I also agree that there should be engineering studies, air quality and water quality modeling, etc. done prior to this project even being considered, especially given the proximity to established residential areas. I also concur with the public comments regarding the question regarding the legal entity of the GP for this project. This project poses a grave, imminent risk to the safety and property of many residents.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:04 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: ceplummer@hotmail.com <ceplummer@hotmail.com>
Sent: Monday, December 6, 2021 9:04 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Emily Plummer

E-MAIL: ceplummer@hotmail.com

COMPANY:

ADDRESS: 5908 GREGORY LN
PARKER TX 75002-6710

PHONE: 5127518451

FAX:

COMMENTS: I neglected to add that another one of my children is asthmatic and other respiratory health concerns, and I have grave concerns for his respiratory health and the dangers posed by the air, fumes, and noxious smells of this plant.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 25, 2022 12:02 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H

Also associate to **PERMIT NUMBER:** WQ0016003001 = H

From: heather.pj@gmail.com <heather.pj@gmail.com>
Sent: Friday, February 25, 2022 11:33 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Heather Powell

E-MAIL: heather.pj@gmail.com

COMPANY:

ADDRESS: 340 MONTANA TRL
MURPHY TX 75094-3685

PHONE: 5125076241

FAX:

COMMENTS: I request a contested case hearing. Please review this case. I live within .2 mile of the proposed development and it will have a very negative environmental impact to our beautiful creek and the wildlife that lives

there. I fear that pollution from human excrement could create an unhealthy environment for my children as well. This treatment facility does not need to be created. All wastewater from this new development should access existing sewage lines in either Parker or Murphy. Please don't let this happen to us. A reasonable solution for all parties is possible.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:08 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: heather.pj@gmail.com <heather.pj@gmail.com>
Sent: Thursday, September 23, 2021 3:58 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Heather Mae Powell

E-MAIL: heather.pj@gmail.com

COMPANY:

ADDRESS: 340 MONTANA TRL
MURPHY TX 75094-3685

PHONE: 5125076241

FAX:

COMMENTS: Please do not approve this project. It will have a detrimental impact on the air quality of our neighborhood, the creeks that run through our parks, and negatively impact the overall environment of our community.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 7:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: CORRECTION : Public comment on Permit Number D-04122021-017

H
RFR

MWD
124967

Both permits.

From: PUBCOMMENT-OCC
Sent: Friday, February 25, 2022 2:10 PM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; Pubcomment-Dis <Pubcomment-Dis@tceq.texas.gov>; PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>
Subject: FW: Public comment on Permit Number D-04122021-017

RFR

Also associate to **PERMIT NUMBER:** WQ0016003001 = RFR

From: L-powell1@hotmail.com <L-powell1@hotmail.com>
Sent: Friday, February 25, 2022 12:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Lucy Jane Powell

E-MAIL: L-powell1@hotmail.com

COMPANY:

ADDRESS: 1313 LONESOME DOVE TRL
MURPHY TX 75094-3688

PHONE: 2147558444

FAX:

COMMENTS: I request a contested case hearing. I purchased my house back in 2006, which backs up to Maxwell Creek, due to the beautiful wild life. Over the years, I have witnessed monarch butterflies, owls, hawks, bobcats, and many other species. It would be a travesty to build a waste water treatment facility that would negatively impact our community's environment. I also have concerns that Maxwell Creek has enough perineal flow to transport the sediment that would be produced by this facility. I hope you will please reconsider this permit.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 25, 2022 2:10 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

RFR

Also associate to **PERMIT NUMBER:** WQ0016003001 = RFR

From: L-powell1@hotmail.com <L-powell1@hotmail.com>
Sent: Friday, February 25, 2022 12:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Lucy Jane Powell

E-MAIL: L-powell1@hotmail.com

COMPANY:

ADDRESS: 1313 LONESOME DOVE TRL
MURPHY TX 75094-3688

PHONE: 2147558444

FAX:

COMMENTS: I request a contested case hearing. I purchased my house back in 2006, which backs up to Maxwell Creek, due to the beautiful wild life. Over the years, I have witnessed monarch butterflies, owls, hawks, bobcats, and many

other species. It would be a travesty to build a waste water treatment facility that would negatively impact our community's environment. I also have concerns that Maxwell Creek has enough perineal flow to transport the sediment that would be produced by this facility. I hope you will please reconsider this permit.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 1:23 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: l-powell1@hotmail.com <l-powell1@hotmail.com>
Sent: Thursday, September 23, 2021 1:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: MS Lucy Powell

E-MAIL: l-powell1@hotmail.com

COMPANY:

ADDRESS: 1313 LONESOME DOVE TRL
MURPHY TX 75094-3688

PHONE: 9724422196

FAX:

COMMENTS: I will be disappointed if the water treatment facility is approved. I purchased my home in the Ranch in 2006 because it backs up to the creek. The new homes need to use septic instead of negatively impacting existing homes that have been already here for 15-20 years. Thank you.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 11, 2022 10:35 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

H FOR PERMIT NUMBER: D-04122021-017

H FOR PERMIT NUMBER: WQ0016003001

From: t.powell2@verizon.net <t.powell2@verizon.net>
Sent: Thursday, February 10, 2022 5:23 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: MR Thomas K Powell, JR

E-MAIL: t.powell2@verizon.net

COMPANY:

ADDRESS: 544 CHALK HILL LN
MURPHY TX 75094-5317

PHONE: 9724426697

FAX:

COMMENTS: I am strongly opposed to the creation of a Wastewater Treatment Facility in this new development area just north of the Rolling Ridge development area in Murphy, TX. I live in the Maxwell Creek development just south of there and along Maxwell Creek. I live 0.3 mile from the creek and walk along the creek several times a week. Putting sewage into this creek will have an enormous and negative impact on the Maxwell Creek development. Property values will be negatively impacted and outdoor activity in the park by the creek and along the trails will also be severely impacted. This treatment facility should not be created. All wastewater from this new development needs to access existing sewage lines in either Parker or Murphy. I request a contested case hearing.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, January 31, 2022 9:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

MWD
124967

From: t.powell2@verizon.net <t.powell2@verizon.net>
Sent: Friday, January 28, 2022 10:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Thomas K Powell, JR

E-MAIL: t.powell2@verizon.net

COMPANY:

ADDRESS: 544 CHALK HILL LN
MURPHY TX 75094-5317

PHONE: 9724426697

FAX:

COMMENTS: I am strongly opposed to the creation of a Wastewater Treatment Facility in this new development area just north of the Rolling Ridge development area in Murphy, TX. I live in the Maxwell Creek development just south of there and along Maxwell Creek. I live 0.3 mile from the creek and walk along the creek several times a week. Putting sewage into this creek will have an enormous and negative impact on the Maxwell Creek development. Property values will be negatively impacted and outdoor activity in the park by the creek and along the trails will also be severely

impacted. This treatment facility should not be created. All wastewater from this new development needs to access existing sewage lines in either Parker or Murphy.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 1:20 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: t.powell2@verizon.net <t.powell2@verizon.net>
Sent: Monday, October 11, 2021 1:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTITY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650, CN605893643

FROM

NAME: MR Thomas K Powell, JR

E-MAIL: t.powell2@verizon.net

COMPANY: Texas Instruments

ADDRESS: 544 CHALK HILL LN
MURPHY TX 75094-5317

PHONE: 9724426697

FAX:

COMMENTS: I was extremely disappointed to hear that a Water Treatment Facility was being built at a location that would feed Maxwell Creek. This creek runs through the heart of Murphy. The waste water being put in this creek would have a devastating effect on a huge number people. Please find a location for this facility that does not impact as many people.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, December 3, 2021 9:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: rproctorjr@gmail.com <rproctorjr@gmail.com>
Sent: Thursday, December 2, 2021 3:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Raymond Proctor, JR

E-MAIL: rproctorjr@gmail.com

COMPANY:

ADDRESS: 6803 AUDUBON DR
PARKER TX 75002-6926

PHONE: 4697332035

FAX:

COMMENTS: I request a CONTESTED HEARING, I am greatly concerned with the environmental impact of this proposal. There will be far-reaching negative impacts if this moves forward.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: srinath_mr@yahoo.com <srinath_mr@yahoo.com>
Sent: Monday, December 6, 2021 8:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Srinath M Ramaswamy

E-MAIL: srinath_mr@yahoo.com

COMPANY:

ADDRESS: 624 SUNDOWN WAY
MURPHY TX 75094-4396

PHONE: 2142152472

FAX:

COMMENTS: I would like to request a contested hearing for this permit. I walk and hike the trails around Maxwell Creek every day. I have seen a fantastic diversity of life in and around the creek and the nature preserve that is in a riparian zone. My family and I get into the creek waters for recreating and learning about frogs, fish in the creek and we are avid bird watchers. I am a bird photographer and I have seen Great Grey Herons and Egrets fish the creek waters. This permit is a threat to the bio-diverse, perennial spring fed creek and all the wildlife and people who live around it.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 9, 2021 9:04 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: srinath_mr@yahoo.com <srinath_mr@yahoo.com>
Sent: Monday, November 8, 2021 7:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Srinath Mathur Ramaswamy

E-MAIL: srinath_mr@yahoo.com

COMPANY:

ADDRESS: 624 SUNDOWN WAY
MURPHY TX 75094-4396

PHONE: 2142152472

FAX:

COMMENTS: We don't want a sewage treatment plant located near our residential neighborhood. Please find an alternative solution for this.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, February 28, 2022 9:34 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

RFR
H

From: rhemmig@rrgcsbic.com <rhemmig@rrgcsbic.com>
Sent: Sunday, February 27, 2022 9:43 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: RC RCHE

E-MAIL: rhemmig@rrgcsbic.com

COMPANY: RRG C

ADDRESS: 11700 PRESTON RD Suite 660 PMB 411
DALLAS TX 75230-6112

PHONE: 2147558173

FAX:

COMMENTS: Request a reconsideration of decision and to ask for a contested hearing

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:25 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: rhemmig@rrgcsbic.com <rhemmig@rrgcsbic.com>
Sent: Friday, September 24, 2021 7:04 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: RC RCHE

E-MAIL: rhemmig@rrgcsbic.com

COMPANY:

ADDRESS: 11700 PRESTON RD Suite 660 PMB 411
DALLAS TX 75230-6112

PHONE: 2147558173

FAX:

COMMENTS: I oppose the application on the basis of its and improper discharge potential into Maxwell Creek a non discharge waterway. Also I object to the attendant smell issues with another water treatment plant location within 1 mile of our residence.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 26, 2021 2:20 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: redmonde@tx.rr.com <redmonde@tx.rr.com>
Sent: Tuesday, October 26, 2021 12:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Andy Redmond

E-MAIL: redmonde@tx.rr.com

COMPANY:

ADDRESS: 7275 MOSS RIDGE RD
PARKER TX 75002-7040

PHONE: 9728809845

FAX:

COMMENTS: Request a contested hearing as this will cause pollution which violates several texas environ statues/regulations

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:26 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

H

From: jilo7@yahoo.com <jilo7@yahoo.com>
Sent: Monday, December 6, 2021 1:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Juli Richards

E-MAIL: jilo7@yahoo.com

COMPANY:

ADDRESS: 417 ENGLEWOOD DR
MURPHY TX 75094-5116

PHONE: 3092874877

FAX:

COMMENTS: I request a contested case hearing. I am a resident of Murphy in close proximity to the proposed water treatment plant and am concerned about the anticipated negative impact this will have on our community and wildlife. As a resident, me and my family enjoy city events like concerts and festivals located in Central park near Maxwell Creek. This also impacts me professionally, in my role as the Executive Director for the Murphy Chamber of Commerce, as we partner with members of our chamber to host events near the creek, park and historic cemetery. There are planned

fundraisers for community organizations like the Murphy Historical Society and Murphy Veterans Tribute that are hosted in the same area near Maxwell Creek that will be affected. The quality of the water and air will deteriorate and negatively impact the wildlife. This beautiful creek and walkway that provides a benefit to so many of the area's citizens will be changed forever by this water treatment plant and no longer be enjoyed the way it has been. It saddens me that this unique feature of our wonderful community might soon be taken away.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, March 11, 2022 1:18 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: pld220310 request for contested case hearing.pdf

H
RFR

From: jnewlin@txlocalgovlaw.com <jnewlin@txlocalgovlaw.com>
Sent: Friday, March 11, 2022 1:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Arturo D Rodriguez, JR

E-MAIL: jnewlin@txlocalgovlaw.com

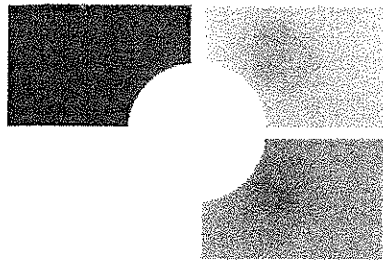
COMPANY: Russell Rodriguez Hyde Bullock, LLP

ADDRESS: 1633 WILLIAMS DR STE 200
GEORGETOWN TX 78628-3659

PHONE: 5129301317

FAX: 8669291641

COMMENTS: See attached Request for Contested Case Hearing submitted on behalf of the City of Parker, Texas.



RUSSELL
RODRIGUEZ
HYDE
BULLOCK

A TEXAS LIMITED LIABILITY PARTNERSHIP

1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
www.txlocalgovlaw.com
Office: 512.930.1317
Fax: 866.929.1641

Partners:

Kerry Russell (ret'd.)
Arturo D. Rodriguez, Jr.
George E. Hyde
Bradford E. Bullock
Caroline A. Kelley

Senior Associates:

Jonathan W. Needle

Of Counsel:

Karrie H. Marling

Email: arodriguez@txlocalgovlaw.com

March 11, 2022

**Via Certified Mail, Return Receipt Requested
No. 7018 0680 0002 2556 9502;
Electronic Submission via www.tceq.gov; and
Facsimile via (512) 239-3311**

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Harrington/Turner Enterprises, LP and
Restore the Grasslands, LLC for Proposed TPDES
Permit No. WQ0016003001; Public Comments;
Request for a Contested Case Hearing

To the Texas Commission on Environmental Quality:

The undersigned represents the City of Parker, Texas ("City" or "Parker") regarding the above-referenced TPDES permit application ("Application") submitted by Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC ("Applicants"). On September 22, 2021, in accordance with Title 30 of Texas Administrative code Chapter 55, Section 55.200, et seq., the City of Parker ("City" or "Parker") submitted to the Texas Commission on Environmental Quality ("Commission") a Request for Public Meeting and a Contested Case Hearing on the Application referenced above ("Request"), which included the City's formal comments. A copy of the Request is attached hereto and incorporated herein for all purposes as **Exhibit No. 1. The City hereby requests a contested case hearing on the Application.**

The City now reasserts, restates, and resubmits the request for a contested case hearing, and further requests that the Executive Director reconsider his decision in this matter.

1. Your name, address, phone number:

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

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

2. Applicants' information:

Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001.

3. The location and distance of your property/activities relative to the proposed facility:

The property to be served by the proposed WWTP is approximately ½ mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4. A statement clearly expressing that you are requesting a contested case hearing:

The City hereby requests a contested case hearing.

The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area.

The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heighten importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources.

The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit.

The City is concerned that the permit will negatively impact the health and welfare of residents near the facility.

The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application.

The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically, and reasonably be connected to a centralized system already in existence. The compliance history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application.

The City agrees with the Texas Parks and Wildlife Department that Maxwell Creek has been improperly characterized. This is a key element of review in such applications. The City asserts that the receiving stream is at least a perennial stream for which a Tier 2 antidegradation review is necessary. Such a mischaracterization has a chain reaction that ultimately mischaracterizes the underpinnings of the whole draft permit.

The City agrees with Texas Parks and Wildlife Department that a Receiving Water Assessment of similar effort be made in Maxwell Creek to generate physical, chemical, and biological data to be used in identifying the appropriate aquatic life use and associated dissolved oxygen criteria.

Further, beneficial re-use and land application has not been sufficiently reviewed in order to prevent a new point source of pollution into Maxwell Creek.

The City agrees with Texas Parks and Wildlife Department that a total phosphorous effluent limit be applied to the permit. Increased nutrients can result in algae blooms in the receiving stream. The City agrees that "increase in algae also contributes to the eutrophication process and deteriorates aesthetics in aquatic systems."

The City agrees with the City of Murphy that the wastewater treatment plant may be inadequate to ensure that the required effluent water quality will be achieved. Inadequate flows, operational deficiencies, influent, and heavy rain events cannot be adequately addressed with the current design.

The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it.

The Qual-TX models used different parameters normally used by the TCEQ than the default parameters to model the receiving waters. There is no justification for the movement from the TCEQ's default modeling parameters. The City is concerned that if the normal default parameters of the Qual-TX model were used, the draft Permit would not meet applicable standards for issuance. This is concerning because of the potential impacts on algae growth and aquatic life in the receiving waters.

The receiving stream further shows signs of algae growth already. With a higher ammonia limit allowed in the draft permit, there is a great likelihood of future algae problems. The City is concerned with the lack of Qual2K modeling performed to determine if the effluent limits are proper.

The City believes that the change in the receiving waters to "perennial" is incorrect.

Issues related to Justiciability

The City is an affected person as it operates a wastewater collection system within three miles of the proposed facility. The City system can and should be explored for usage before approval of a new source of pollution is placed at Maxwell Creek. Further, the property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits. This criteria for justiciability has been found sufficient for municipalities in other recent cases before the Commission.

The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case.

Issues to be Considered in a Contested Case Hearing:

The City provides the following list of issues that may be contested at a hearing:

1. Whether the proposed discharge will violate TCEQ's antidegradation policy and procedures, or negatively impact aquatic or terrestrial wildlife species, including livestock;
2. Whether the draft permit will be protective of surface water and groundwater quality;
3. Whether the nutrient limits in the draft permit comply with applicable Texas Surface Water Quality Standards;
4. Whether the draft permit complies with applicable requirements to abate and control nuisance odors, as set forth in 30 TAC§ 309.13(e);
5. Whether the application is complete and accurate;

6. Whether the Applicants' compliance histories or technical capabilities raise any issues regarding the Applicants' ability to comply with the material terms of the permit that warrant denying or altering the terms of the draft permit;
7. Whether issuance of the draft permit is contrary to the state's regionalization policy or Texas Water Code § 26.0282;
8. Whether the design of the wastewater treatment plant is adequate to ensure that the required effluent water quality will be achieved;
9. Whether the Commission should deny or alter the terms and conditions of the draft permit based on the consideration of need under Texas Water Code § 26.0282; and
10. Whether the draft permit is protective of the health of nearby residents.

For the reasons provided in the attached Request, all other documents filed by the City related to the Application, this request to overturn and request for contested case hearing, the City is an affected person in this matter; has standing to request a contested case hearing; and does request a contested case hearing and reconsideration of the Executive Director's Decision. These are critical issues the Commission should explore through an open and public contested case. The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing.

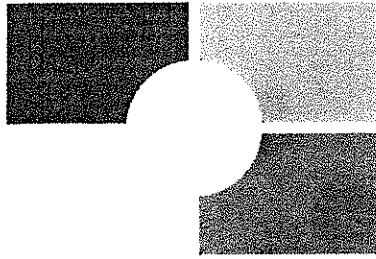
If we may be of further assistance or provide additional information, please contact me at (512) 930-1317.

Sincerely,

/s/ Arturo D. Rodriguez, Jr.

Arturo D. Rodriguez, Jr.

Attachment



**RUSSELL
RODRIGUEZ
HYDE
BULLOCK**

A TEXAS LIMITED LIABILITY PARTNERSHIP

1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
www.txlocalgovlaw.com
Office: 512.930.1317
Fax: 866.929.1641

Partners:

Kerry E. Russell
Arturo D. Rodriguez, Jr.
George E. Hyde
Bradford E. Bullock
Caroline A. Kelley

Senior Associates:

Cathie A. Childs
Jonathan W. Needle

Of Counsel:

Karrie H. Marling

Email: arodriguez@txlocalgovlaw.com

September 22, 2021

**VIA CERTIFIED MAIL, RETURN RECEIPT
REQUESTED NO. 7018 0680 0002 2556 9359;
ELECTRONIC SUBMISSION VIA www.tceq.gov;
AND FACSIMILE VIA (512) 239-3311**

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Harrington/Turner Enterprises, LP and
Restore the Grasslands, LLC for Proposed TPDES
Permit No. WQ0016003001; Public Comments;
Request for a Contested Case Hearing

To the Texas Commission on Environmental Quality:

The undersigned represents the City of Parker, Texas ("City" or "Parker") regarding the above-referenced TPDES permit application ("Application"). Please accept this letter as the City's notice of its opposition to the Application submitted by Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC ("Applicants"). The City hereby requests a public meeting and a contested case hearing on the Application. In accordance with the Notice of Receipt of Application and Intent to Obtain Water Quality Permit, the City provides the following information:

1. Your name, address, phone number:

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

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

EXHIBIT

1

exhibitcenter.com

2. Applicants' information:

Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001.

3. The location and distance of your property/activities relative to the proposed facility:

The property to be served by the proposed WWTP is approximately 1/2 mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4. Specific description of how you would be adversely affected by the facility in a way not common to the general public:

The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area.

The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heighten importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources.

The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit. The City is concerned that the permit will impact negatively the health and welfare of residents near the facility.

The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application.

The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically, and reasonably be connected to a centralized system already in existence. The compliance

history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application.

The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it.

The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case.

5. The City requests a public meeting and a contested case hearing on the Application.

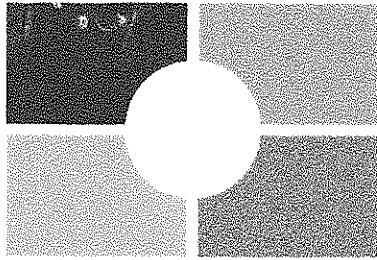
The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing.

If we may be of further assistance or provide additional information, please contact me at (512) 930-1317.

Sincerely,

/s/ Arturo D. Rodriguez, Jr.

Arturo D. Rodriguez, Jr.



**RUSSELL
RODRIGUEZ
HYDE
BULLOCK**

A TEXAS LIMITED LIABILITY PARTNERSHIP

1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
www.txlocalgovlaw.com
Office: 512.930.1317
Fax: 866.929.1641

Partners:

Arturo D. Rodriguez, Jr.
George E. Hyde
Bradford E. Bullock
Caroline A. Kelley

Senior Associates:

Jonathan W. Needle

Of Counsel:

Karrie H. Marling

Email: arodriguez@txlocalgovlaw.com

December 6, 2021

VIA Certified Mail, Return Receipt Requested
No. 7018 0680 0002 2556 9403;
Electronic Submission via www.tceq.gov; and
Facsimile via (512) 239-3311

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Harrington/Turner Enterprises, LP and
Restore the Grasslands, LLC for Proposed TPDES
Permit No. WQ0016003001; Public Comments;
Request for a Contested Case Hearing

To the Texas Commission on Environmental Quality:

The undersigned represents the City of Parker, Texas ("City" or "Parker") regarding the above-referenced TPDES permit application ("Application"). Please accept this letter as the City's notice of its opposition to the Application submitted by Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC ("Applicants"). The City hereby requests a contested case hearing on the Application. In accordance with the Combined Notice of Receipt of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater New Permit No. WQ0016003001, the City provides the following information:

1. Your name, address, phone number:

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

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

REVIEWED
DEC 10 2021 7 PM
By GCW H

MWD
124967

2. Applicants' information:

Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001.

3. The location and distance of your property/activities relative to the proposed facility:

The property to be served by the proposed WWTP is approximately ½ mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4. Specific description of how you would be adversely affected by the facility in a way not common to the general public and the list of all disputed issues of fact that you submit during the comment period:

The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area.

The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heightened importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources.

The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit. The City is concerned that the permit will impact negatively the health and welfare of residents near the facility.

The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application.

The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically,

and reasonably be connected to a centralized system already in existence. The compliance history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application.

The City agrees with Texas Parks and Wildlife Department that Maxwell Creek has been improperly characterized. This is a key element of review in such applications. With a mischaracterized stream, it has affected whether a Tier 2 antidegradation review is necessary. The City asserts that the receiving stream is at least a perennial stream for which a Tier 2 antidegradation review is necessary. Such a mischaracterization has a chain reaction that ultimately mischaracterizes the underpinnings of the whole draft permit.

The City agrees with Texas Parks and Wildlife Department that a Receiving Water Assessment of similar effort be made in Maxwell Creek to generate physical, chemical, and biological data to be used in identifying the appropriate aquatic life use and associated DO criteria.

Further, beneficial re-use and land application has not been sufficiently reviewed in order to prevent a new point source of pollution into Maxwell Creek.

The City agrees with Texas Parks and Wildlife Department that a total phosphorous effluent limit be applied to the permit. Increased nutrients can result in algae blooms in the receiving stream. The City agrees that “increase in algae also contributes to the eutrophication process and deteriorates aesthetics in aquatic systems.”

The City agrees with the City of Murphy that the wastewater treatment plant may be inadequate to ensure that the required effluent water quality will be achieved. Inadequate flows, operational deficiencies, influent, and heavy rain events cannot be adequately addressed with the current design.

The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it.

The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case.

5. The City requests a public meeting and a contested case hearing on the Application.

Issues related to Justiciability

The City is an affected person as it operates a wastewater collection system within three miles of the proposed facility. The City system can and should be explored for usage before approval of a new source of pollution is placed at Maxwell Creek. Further, the property is within the City’s extraterritorial jurisdiction and adjacent to the City’s corporate limits.

This criteria for justiciability has been found sufficient for municipalities in other recent cases before the Commission.

Issues to be Considered in a Contested Case Hearing:

The City hereby provides the following list of issues that may be contested at a hearing:

1. Whether the proposed discharge will violate TCEQ's antidegradation policy and procedures, or negatively impact aquatic or terrestrial wildlife species, including livestock;
2. Whether the draft permit will be protective of surface water and groundwater quality;
3. Whether the nutrient limits in the draft permit comply with applicable Texas Surface Water Quality Standards;
4. Whether the draft permit complies with applicable requirements to abate and control nuisance odors, as set forth in 30 TAC§ 309.13(e);
5. Whether the application is complete and accurate;
6. Whether the Applicants' compliance histories or technical capabilities raise any issues regarding the Applicants' ability to comply with the material terms of the permit that warrant denying or altering the terms of the draft permit;
7. Whether issuance of the draft permit is contrary to the state's regionalization policy or Texas Water Code § 26.0282;
8. Whether the design of the wastewater treatment plant is adequate to ensure that the required effluent water quality will be achieved;
9. Whether the Commission should deny or alter the terms and conditions of the draft permit based on the consideration of need under Texas Water Code § 26.0282; and
10. Whether the draft permit is protective of the health of nearby residents.

The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing.

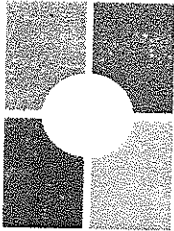
If we may be of further assistance or provide additional information, please contact me at (512) 930-1317.

Sincerely,

/s/ Arturo D. Rodriguez, Jr.

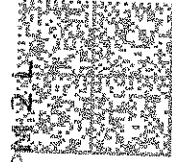
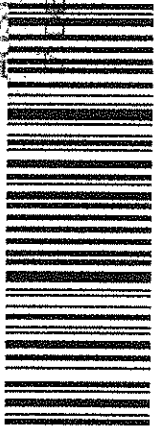
Arturo D. Rodriguez, Jr.

RRHB, LLP
1633 Williams Drive
Bldg 2, Suite 200
Georgetown, TX 78628



CERTIFIED MAIL

AUSTIN TX 786



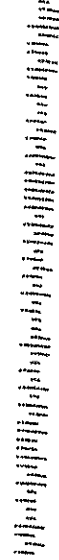
UNITED STATES POSTAGE
02 1P \$007.330
PITNEY BOWES
0001984650 DEC 06 2021
MAILED FROM ZIP CODE 78628

7018 0680 0002 2556 9403

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

RECEIVED
DEC 09 2021
TCEQ MAIL CENTER
WT

78711-308787



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, December 7, 2021 9:42 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Corporate eFax message from "NEXTIVA" - 6 page(s)
Attachments: FAX_20211206_1638825179_140.prod.afc1_did9-1638824882-15122335236-140.pdf

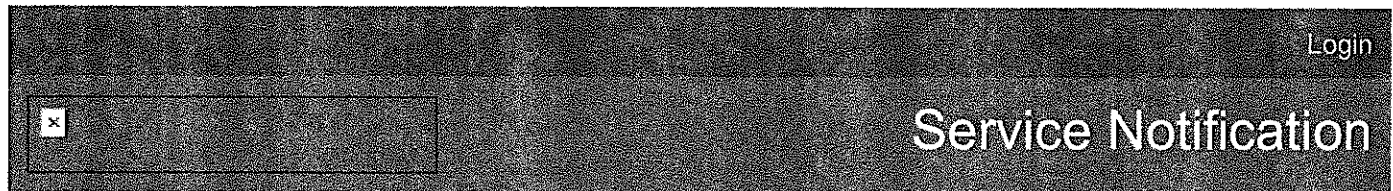
H

From: Fax3311 <fax3311@tceq.texas.gov>
Sent: Tuesday, December 7, 2021 9:37 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: Paul Worrall <Paul.Worrall@tceq.texas.gov>
Subject: FW: Corporate eFax message from "NEXTIVA" - 6 page(s)

Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-1835
Cell Phone: 512-739-4582

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: eFax Corporate <message@inbound.ofax.com>
Sent: Monday, December 6, 2021 3:13 PM
To: Fax3311 <fax3311@tceq.texas.gov>
Subject: Corporate eFax message from "NEXTIVA" - 6 page(s)



The banner features a dark background with a light-colored close button (an 'x' in a square) on the left. On the right side, the text "Service Notification" is displayed in a large, white, sans-serif font. Above this text, the word "Login" is written in a smaller, white font.

You have received a 6 page fax at 2021-12-06 15:12:59 CST.

* The reference number for this fax is use1a.prod.afc1_did9-1638824882-15122335236-140.
Please [click here](#) if you have any questions regarding

this message or your service. You may also contact
Corporate Support:

US

Email: corporate-support@mail.efax.com
Phone: 1 (323) 817-3202 or 1 (800) 810-2641

EU

Email: corporate-support@eu@mail.efax.com
Phones:
+44 2030055252
+33 171025330
+49 800 0003164
+35 314380713

Thank you for using the eFax Corporate service!

Customer Service

Need help with your account?

Email:
corporate-support@mail.efax.com

Phone:
1(323) 817-3202
1(800) 810-2641 (toll-free)

© 2021 j2 Global, Inc. and affiliates.

All right reserved. eFax® and eFax Corporate® are registered trademarks of j2 Cloud Services, Inc.

Fax Transmission

To: **From:** Russell Rodriguez Hyde Bullock, LLP
Fax: 15122393311 **Date:** 12/6/2021 2:07:42 PM MST
RE: WQ0016003001 - Harrington/Turner Enterprises **Pages:** 6

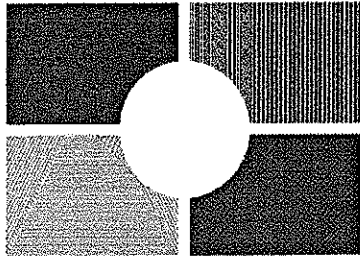
Comments:

Please see letter from Mr. Rodriguez attached.

Jessica C. Newlin, CP
Paralegal to Arturo D. Rodriguez, Jr. and Bradford E. Bullock
Russell Rodriguez Hyde Bullock, L.L.P.
1633 Williams Drive
Building 2, Ste. 200
Georgetown, Texas 78628
(512) 930-1317 Ext. 1005
Fax: (866) 929-1641
www.txlocalgovlaw.com<<http://www.txlocalgovlaw.com/>>

[cid:image001.png@01D7EAB2.F5D42BC0]

Confidentiality Notice: This e-mail message is covered by the Electronic Communications Privacy Act and may be legally privileged. Unauthorized review, use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender at 512.930.1317, or by reply e-mail, and destroy all copies of the original message. Thank you.



RUSSELL RODRIGUEZ HYDE BULLOCK

A TEXAS LIMITED LIABILITY PARTNERSHIP

1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
www.txlocalgovlaw.com
Office: 512.930.1317
Fax: 866.929.1641

Partners:

Arturo D. Rodriguez, Jr.
George E. Hyde
Bradford E. Bullock
Caroline A. Kelley

Senior Associates:
Jonathan W. Needle

Of Counsel:
Karrie H. Marling

Email: arodriguez@txlocalgovlaw.com

December 6, 2021

VIA Certified Mail, Return Receipt Requested
No. 7018 0680 0002 2556 9403;
Electronic Submission via www.tceq.gov; and
Facsimile via (512) 239-3311

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Harrington/Turner Enterprises, LP and
Restore the Grasslands, LLC for Proposed TPDES
Permit No. WQ0016003001; Public Comments;
Request for a Contested Case Hearing

To the Texas Commission on Environmental Quality:

The undersigned represents the City of Parker, Texas ("City" or "Parker") regarding the above-referenced TPDES permit application ("Application"). Please accept this letter as the City's notice of its opposition to the Application submitted by Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC ("Applicants"). The City hereby requests a contested case hearing on the Application. In accordance with the Combined Notice of Receipt of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater New Permit No. WQ0016003001, the City provides the following information:

I. Your name, address, phone number:

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

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

2 | Page

2. Applicants' information:

Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001.

3. The location and distance of your property/activities relative to the proposed facility:

The property to be served by the proposed WWTP is approximately ½ mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4. Specific description of how you would be adversely affected by the facility in a way not common to the general public and the list of all disputed issues of fact that you submit during the comment period:

The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area.

The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heightened importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources.

The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit. The City is concerned that the permit will impact negatively the health and welfare of residents near the facility.

The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application.

The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically,

3 | Page

and reasonably be connected to a centralized system already in existence. The compliance history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application.

The City agrees with Texas Parks and Wildlife Department that Maxwell Creek has been improperly characterized. This is a key element of review in such applications. With a mischaracterized stream, it has affected whether a Tier 2 antidegradation review is necessary. The City asserts that the receiving stream is at least a perennial stream for which a Tier 2 antidegradation review is necessary. Such a mischaracterization has a chain reaction that ultimately mischaracterizes the underpinnings of the whole draft permit.

The City agrees with Texas Parks and Wildlife Department that a Receiving Water Assessment of similar effort be made in Maxwell Creek to generate physical, chemical, and biological data to be used in identifying the appropriate aquatic life use and associated DO criteria.

Further, beneficial re-use and land application has not been sufficiently reviewed in order to prevent a new point source of pollution into Maxwell Creek.

The City agrees with Texas Parks and Wildlife Department that a total phosphorous effluent limit be applied to the permit. Increased nutrients can result in algae blooms in the receiving stream. The City agrees that "increase in algae also contributes to the eutrophication process and deteriorates aesthetics in aquatic systems."

The City agrees with the City of Murphy that the wastewater treatment plant may be inadequate to ensure that the required effluent water quality will be achieved. Inadequate flows, operational deficiencies, influent, and heavy rain events cannot be adequately addressed with the current design.

The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it.

The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case.

5. The City requests a public meeting and a contested case hearing on the Application.

Issues related to Justiciability

The City is an affected person as it operates a wastewater collection system within three miles of the proposed facility. The City system can and should be explored for usage before approval of a new source of pollution is placed at Maxwell Creek. Further, the property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4 | Page

This criteria for justiciability has been found sufficient for municipalities in other recent cases before the Commission.

Issues to be Considered in a Contested Case Hearing:

The City hereby provides the following list of issues that may be contested at a hearing:

1. Whether the proposed discharge will violate TCEQ's antidegradation policy and procedures, or negatively impact aquatic or terrestrial wildlife species, including livestock;
2. Whether the draft permit will be protective of surface water and groundwater quality;
3. Whether the nutrient limits in the draft permit comply with applicable Texas Surface Water Quality Standards;
4. Whether the draft permit complies with applicable requirements to abate and control nuisance odors, as set forth in 30 TAC§ 309.13(e);
5. Whether the application is complete and accurate;
6. Whether the Applicants' compliance histories or technical capabilities raise any issues regarding the Applicants' ability to comply with the material terms of the permit that warrant denying or altering the terms of the draft permit;
7. Whether issuance of the draft permit is contrary to the state's regionalization policy or Texas Water Code § 26.0282;
8. Whether the design of the wastewater treatment plant is adequate to ensure that the required effluent water quality will be achieved;
9. Whether the Commission should deny or alter the terms and conditions of the draft permit based on the consideration of need under Texas Water Code § 26.0282; and
10. Whether the draft permit is protective of the health of nearby residents.

The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing.

5 | Page

If we may be of further assistance or provide additional information, please contact me at (512) 930-1317.

Sincerely,

/s/ Arturo D. Rodriguez, Jr.

Arturo D. Rodriguez, Jr.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 3:23 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: pld211206 Notice of Opposition.pdf

H

From: arodriguez@txlocalgovlaw.com <arodriguez@txlocalgovlaw.com>
Sent: Monday, December 6, 2021 3:04 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Arturo D Rodriguez, JR

E-MAIL: arodriguez@txlocalgovlaw.com

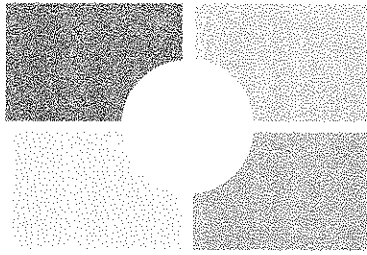
COMPANY: Russell Rodriguez Hyde Bullock, LLP

ADDRESS: 1633 WILLIAMS DR STE 200
GEORGETOWN TX 78628-3659

PHONE: 5129301317

FAX: 8669291641

COMMENTS: City of Parker's Notice of Opposition.



**RUSSELL
RODRIGUEZ
HYDE
BULLOCK**

A TEXAS LIMITED LIABILITY PARTNERSHIP

1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
www.txlocalgovlaw.com
Office: 512.930.1317
Fax: 866.929.1641

Partners:
Arturo D. Rodriguez, Jr.
George E. Hyde
Bradford E. Bullock
Caroline A. Kelley

Senior Associates:
Jonathan W. Needle

Of Counsel:
Karrie H. Marling

Email: arodriguez@txlocalgovlaw.com

December 6, 2021

**VIA Certified Mail, Return Receipt Requested
No. 7018 0680 0002 2556 9403;
Electronic Submission via www.tceq.gov; and
Facsimile via (512) 239-3311**

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Harrington/Turner Enterprises, LP and
Restore the Grasslands, LLC for Proposed TPDES
Permit No. WQ0016003001; Public Comments;
Request for a Contested Case Hearing

To the Texas Commission on Environmental Quality:

The undersigned represents the City of Parker, Texas ("City" or "Parker") regarding the above-referenced TPDES permit application ("Application"). Please accept this letter as the City's notice of its opposition to the Application submitted by Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC ("Applicants"). The City hereby requests a contested case hearing on the Application. In accordance with the Combined Notice of Receipt of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater New Permit No. WQ0016003001, the City provides the following information:

1. Your name, address, phone number:

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

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

2. Applicants' information:

Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001.

3. The location and distance of your property/activities relative to the proposed facility:

The property to be served by the proposed WWTP is approximately ½ mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4. Specific description of how you would be adversely affected by the facility in a way not common to the general public and the list of all disputed issues of fact that you submit during the comment period:

The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area.

The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heighten importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources.

The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit. The City is concerned that the permit will impact negatively the health and welfare of residents near the facility.

The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application.

The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically,

and reasonably be connected to a centralized system already in existence. The compliance history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application.

The City agrees with Texas Parks and Wildlife Department that Maxwell Creek has been improperly characterized. This is a key element of review in such applications. With a mischaracterized stream, it has affected whether a Tier 2 antidegradation review is necessary. The City asserts that the receiving stream is at least a perennial stream for which a Tier 2 antidegradation review is necessary. Such a mischaracterization has a chain reaction that ultimately mischaracterizes the underpinnings of the whole draft permit.

The City agrees with Texas Parks and Wildlife Department that a Receiving Water Assessment of similar effort be made in Maxwell Creek to generate physical, chemical, and biological data to be used in identifying the appropriate aquatic life use and associated DO criteria.

Further, beneficial re-use and land application has not been sufficiently reviewed in order to prevent a new point source of pollution into Maxwell Creek.

The City agrees with Texas Parks and Wildlife Department that a total phosphorous effluent limit be applied to the permit. Increased nutrients can result in algae blooms in the receiving stream. The City agrees that “increase in algae also contributes to the eutrophication process and deteriorates aesthetics in aquatic systems.”

The City agrees with the City of Murphy that the wastewater treatment plant may be inadequate to ensure that the required effluent water quality will be achieved. Inadequate flows, operational deficiencies, influent, and heavy rain events cannot be adequately addressed with the current design.

The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it.

The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case.

5. The City requests a public meeting and a contested case hearing on the Application.

Issues related to Justiciability

The City is an affected person as it operates a wastewater collection system within three miles of the proposed facility. The City system can and should be explored for usage before approval of a new source of pollution is placed at Maxwell Creek. Further, the property is within the City’s extraterritorial jurisdiction and adjacent to the City’s corporate limits.

This criteria for justiciability has been found sufficient for municipalities in other recent cases before the Commission.

Issues to be Considered in a Contested Case Hearing:

The City hereby provides the following list of issues that may be contested at a hearing:

1. Whether the proposed discharge will violate TCEQ's antidegradation policy and procedures, or negatively impact aquatic or terrestrial wildlife species, including livestock;
2. Whether the draft permit will be protective of surface water and groundwater quality;
3. Whether the nutrient limits in the draft permit comply with applicable Texas Surface Water Quality Standards;
4. Whether the draft permit complies with applicable requirements to abate and control nuisance odors, as set forth in 30 TAC§ 309.13(e);
5. Whether the application is complete and accurate;
6. Whether the Applicants' compliance histories or technical capabilities raise any issues regarding the Applicants' ability to comply with the material terms of the permit that warrant denying or altering the terms of the draft permit;
7. Whether issuance of the draft permit is contrary to the state's regionalization policy or Texas Water Code § 26.0282;
8. Whether the design of the wastewater treatment plant is adequate to ensure that the required effluent water quality will be achieved;
9. Whether the Commission should deny or alter the terms and conditions of the draft permit based on the consideration of need under Texas Water Code § 26.0282; and
10. Whether the draft permit is protective of the health of nearby residents.

The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing.

5 | Page

If we may be of further assistance or provide additional information, please contact me at (512) 930-1317.

Sincerely,

/s/ Arturo D. Rodriguez, Jr.

Arturo D. Rodriguez, Jr.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, November 5, 2021 2:29 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: pld210922 protest2.pdf

PM
H

From: jnewlin@txlocalgovlaw.com <jnewlin@txlocalgovlaw.com>
Sent: Friday, November 5, 2021 10:48 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Arturo D Rodriguez, JR

E-MAIL: jnewlin@txlocalgovlaw.com

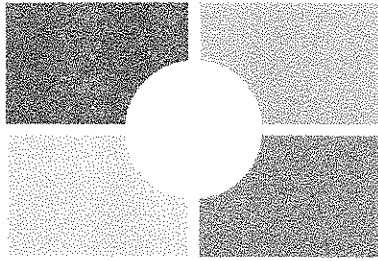
COMPANY: Russell Rodriguez Hyde Bullock, LLP

ADDRESS: 1633 WILLIAMS DR STE 200
GEORGETOWN TX 78628-3659

PHONE: 5129301317

FAX: 8669291641

COMMENTS: See attached protest.



**RUSSELL
RODRIGUEZ
HYDE
BULLOCK**

A TEXAS LIMITED LIABILITY PARTNERSHIP

1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
www.txlocalgovlaw.com
Office: 512.930.1317
Fax: 866.929.1641

Partners:

Kerry E. Russell
Arturo D. Rodriguez, Jr.
George E. Hyde
Bradford E. Bullock
Caroline A. Kelley

Senior Associates:

Cathie A. Childs
Jonathan W. Needle

Of Counsel:

Karrie H. Marling

Email: arodriguez@txlocalgovlaw.com

September 22, 2021

**VIA CERTIFIED MAIL, RETURN RECEIPT
REQUESTED NO. 7018 0680 0002 2556 9359;
ELECTRONIC SUBMISSION VIA www.tceq.gov;
AND FACSIMILE VIA (512) 239-3311**

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Harrington/Turner Enterprises, LP and
Restore the Grasslands, LLC for Proposed TPDES
Permit No. WQ0016003001; Public Comments;
Request for a Contested Case Hearing

To the Texas Commission on Environmental Quality:

The undersigned represents the City of Parker, Texas ("City" or "Parker") regarding the above-referenced TPDES permit application ("Application"). Please accept this letter as the City's notice of its opposition to the Application submitted by Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC ("Applicants"). The City hereby requests a public meeting and a contested case hearing on the Application. In accordance with the Notice of Receipt of Application and Intent to Obtain Water Quality Permit, the City provides the following information:

1. Your name, address, phone number:

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

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

2. Applicants' information:

Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001.

3. The location and distance of your property/activities relative to the proposed facility:

The property to be served by the proposed WWTP is approximately 1/2 mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4. Specific description of how you would be adversely affected by the facility in a way not common to the general public:

The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area.

The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heightened importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources.

The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit. The City is concerned that the permit will impact negatively the health and welfare of residents near the facility.

The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application.

The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically, and reasonably be connected to a centralized system already in existence. The compliance

history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application.

The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it.

The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case.

5. The City requests a public meeting and a contested case hearing on the Application.

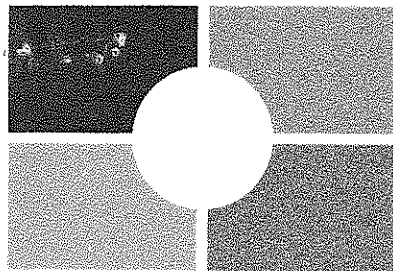
The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing.

If we may be of further assistance or provide additional information, please contact me at (512) 930-1317.

Sincerely,

/s/ Arturo D. Rodriguez, Jr.

Arturo D. Rodriguez, Jr.



RUSSELL RODRIGUEZ HYDE BULLOCK

A TEXAS LIMITED LIABILITY PARTNERSHIP

1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
www.txlocalgovlaw.com
Office: 512.930.1317
Fax: 866.929.1641

Partners:

Kerry E. Russell
Arturo D. Rodriguez, Jr.
George E. Hyde
Bradford E. Bullock
Caroline A. Kelley

Senior Associates:

Cathie A. Childs
Jonathan W. Needle

Of Counsel:

Karrie H. Marling

Email: arodriguez@txlocalgovlaw.com

September 22, 2021

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2021 SEP 27 AM 12:29

CHIEF CLERK'S OFFICE

VIA CERTIFIED MAIL, RETURN RECEIPT
REQUESTED NO. 7018 0680 0002 2556 9359;
ELECTRONIC SUBMISSION VIA www.tceq.gov;
AND FACSIMILE VIA (512) 239-3311

MWD
124967

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

REVIEWED

SEP 28 2021

By ECW H
PM

Re: Application of Harrington/Turner Enterprises, LP and
Restore the Grasslands, LLC for Proposed TPDES
Permit No. WQ0016003001; Public Comments;
Request for a Contested Case Hearing

To the Texas Commission on Environmental Quality:

The undersigned represents the City of Parker, Texas ("City" or
"Parker") regarding the above-referenced TPDES permit
application ("Application"). Please accept this letter as the
City's notice of its opposition to the Application submitted by
Harrington/Turner Enterprises, LP and Restore the Grasslands,
LLC ("Applicants"). The City hereby requests a public meeting
and a contested case hearing on the Application. In accordance
with the Notice of Receipt of Application and Intent to Obtain
Water Quality Permit, the City provides the following
information:

I. Your name, address, phone number:

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

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

2. Applicants' information:

Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001.

3. The location and distance of your property/activities relative to the proposed facility:

The property to be served by the proposed WWTP is approximately 1/2 mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4. Specific description of how you would be adversely affected by the facility in a way not common to the general public:

The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area.

The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heightened importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources.

The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit. The City is concerned that the permit will impact negatively the health and welfare of residents near the facility.

The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application.

The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically, and reasonably be connected to a centralized system already in existence. The compliance

history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application.

The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it.

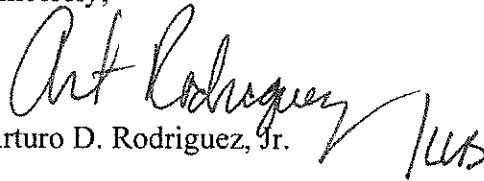
The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case.

5. The City requests a public meeting and a contested case hearing on the Application.

The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing.

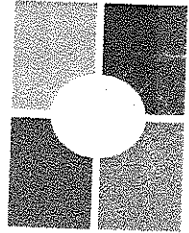
If we may be of further assistance or provide additional information, please contact me at (512) 930-1317.

Sincerely,

A handwritten signature in black ink, appearing to read "Arturo D. Rodriguez, Jr.", with a stylized flourish at the end.

Arturo D. Rodriguez, Jr.

RRHB, LLP
1633 Williams Drive
Bldg 2, Suite 200
Georgetown, TX 78628



TEXAS
COMMISSION
ON ENVIRONMENTAL

2021 SEP 27 AM 10: 28

CHIEF CLERKS OFFICE

CARRIED MAIL

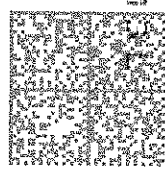


701A 0680 0002 2556 9359

AUSTIN, TX 787
SEP 2021 PM

Texas Commission on Environmental Quality
Office of the Chief Clerk

MCI05
P.O. Box 13087
Austin, Texas 78711-3087



UNITED STATES POSTAGE
PITNEY BOWES
02 1P
\$007.330
0001984650 SEP 22 2021
MAILED FROM ZIP CODE 78628

RECEIVED

SEP 27 2021

TCEQ MAIL CENTER
WT

78711-308787



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 3:34 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001
Attachments: pld210920 protest on letterhead.pdf

PM
H

From: arodriguez@txlocalgovlaw.com <arodriguez@txlocalgovlaw.com>
Sent: Wednesday, September 22, 2021 3:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP, RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MR Arturo Rodriguez, JR

E-MAIL: arodriguez@txlocalgovlaw.com

COMPANY:

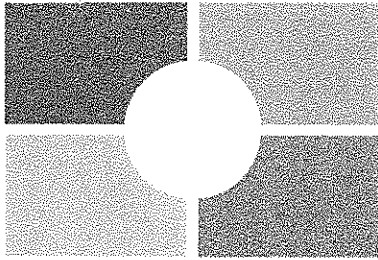
ADDRESS: 1633 WILLIAMS DR STE 200
GEORGETOWN TX 78628-3659

PHONE: 5129301317

FAX: 8669291641

COMMENTS: The undersigned represents the City of Parker, Texas ("City" or "Parker") regarding the above-referenced TPDES permit application ("Application"). Please accept this letter as the City's notice of its opposition to the Application submitted by Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC ("Applicants"). The City hereby requests

a public meeting and a contested case hearing on the Application. In accordance with the Notice of Receipt of Application and Intent to Obtain Water Quality Permit, the City provides the following information: 1. Your name, address, phone number: The City may be notified of any developments in this case by providing notice to: Arturo D. Rodriguez, Jr. Russell Rodriguez Hyde Bullock, LLP 1633 Williams Drive, Suite 200 Georgetown, Texas 78628 (512) 930-1317 (866) 929-1641 (Fax) 2. Applicants' information: Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001. 3. The location and distance of your property/activities relative to the proposed facility: The property to be served by the proposed WWTP is approximately 1/2 mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits. 4. Specific description of how you would be adversely affected by the facility in a way not common to the general public: The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area. The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heighten importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources. The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit. The City is concerned that the permit will impact negatively the health and welfare of residents near the facility. The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application. The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically, and reasonably be connected to a centralized system already in existence. The compliance history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application. The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it. The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case. 5. The City requests a public meeting and a contested case hearing on the Application. The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing. If we may be of further assistance or provide additional information, please contact me at (512) 930-1317. Sincerely, Arturo D. Rodriguez, Jr.



**RUSSELL
RODRIGUEZ
HYDE
BULLOCK**

A TEXAS LIMITED LIABILITY PARTNERSHIP

1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
www.txlocalgovlaw.com
Office: 512.930.1317
Fax: 866.929.1641

Partners:

Kerry E. Russell
Arturo D. Rodriguez, Jr.
George E. Hyde
Bradford E. Bullock
Caroline A. Kelley

Senior Associates:

Cathie A. Childs
Jonathan W. Needle

Of Counsel:

Karrie H. Marling

Email: arodriguez@txlocalgovlaw.com

September 22, 2021

**VIA CERTIFIED MAIL, RETURN RECEIPT
REQUESTED NO. 7018 0680 0002 2556 9359;
ELECTRONIC SUBMISSION VIA www.tceq.gov;
AND FACSIMILE VIA (512) 239-3311**

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of Harrington/Turner Enterprises, LP and
Restore the Grasslands, LLC for Proposed TPDES
Permit No. WQ0016003001; Public Comments;
Request for a Contested Case Hearing

To the Texas Commission on Environmental Quality:

The undersigned represents the City of Parker, Texas ("City" or "Parker") regarding the above-referenced TPDES permit application ("Application"). Please accept this letter as the City's notice of its opposition to the Application submitted by Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC ("Applicants"). The City hereby requests a public meeting and a contested case hearing on the Application. In accordance with the Notice of Receipt of Application and Intent to Obtain Water Quality Permit, the City provides the following information:

1. Your name, address, phone number:

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

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

2. Applicants' information:

Harrington/Turner Enterprises, LP and Restore the Grasslands, LLC for Proposed Permit No. WQ0016003001.

3. The location and distance of your property/activities relative to the proposed facility:

The property to be served by the proposed WWTP is approximately 1/2 mile to the City's collection system. The served property is within the City's extraterritorial jurisdiction and adjacent to the City's corporate limits.

4. Specific description of how you would be adversely affected by the facility in a way not common to the general public:

The City has a contract with North Texas Municipal Water District ("District") wherein the District accepts and treats wastewater collected by the City. The City's current contract with the District would allow flows from the Applicants' property to be collected by the City and the District without the necessity of another point source of pollution in the area.

The City is concerned with the discharge parameters for the size and quality of inflow to the proposed WWTP. The City is concerned with the nutrient limitation parameters of the discharge. Without an appropriate nutrient limitation, the City is concerned that nuisance conditions will be created. The City is concerned that all pertinent stream conditions will not be considered in developing the effluent limitations. The City is particularly concerned that the effluent from the Applicants' plant will significantly degrade water quality in the receiving waters and negatively impact aquatic life and terrestrial wildlife species. Because of the groundwater resources in the area, there is heightened importance in ensuring that the effluent limitations in the final permit adequately protect local groundwater resources.

The discharge from the WWTP will find its way to waters that are used for recreational use and are a major attraction for the area. The economic and recreational implications of a poorly run plant are huge. Further, the City is concerned that the public's ability to enjoy the receiving stream and all points downstream will be negatively affected by the permit. The City is concerned that the permit will impact negatively the health and welfare of residents near the facility.

The City is concerned that inflow mixed with wastewater could contain dangerous constituents that may not be removed given permit parameters in the application.

The City believes Applicants' proposed discharge is in direct violation of the Texas Water Code. Quite frankly, the City is concerned that the Application does not fully comply with all of TCEQ's applicable technical regulations. Further, the City is concerned that the Application violates the State's policy on regionalization. The City has expended a large sum of public money on facilities near the development which can easily, economically, and reasonably be connected to a centralized system already in existence. The compliance

history and operating data of the operator raises concerns about its ability to operate the WWTP. Further, the City is concerned with the veracity of the statements made in the application.

The discharge authorization being sought by Applicants will endanger public health and the environment. Thus, the City protests the entirety of the application and seeks further time to review it.

The City has sufficiently demonstrated that it is adversely affected by the Application in a manner that is not common to the general public and must be granted party status in this case.

5. The City requests a public meeting and a contested case hearing on the Application.

The City reserves the right to raise and pursue any and all issues that may be relevant to their interests in the event of a contested case hearing.

If we may be of further assistance or provide additional information, please contact me at (512) 930-1317.

Sincerely,

/s/ Arturo D. Rodriguez, Jr.

Arturo D. Rodriguez, Jr.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 11, 2022 8:26 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC;
PUBCOMMENT-WQ
Subject: RE: CORRECTION: Public comment on Permit Number D-04122021-017

H

From: PUBCOMMENT-OCC
Sent: Thursday, February 10, 2022 10:22 AM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>; Pubcomment-Dis <Pubcomment-Dis@tceq.texas.gov>
Subject: FW: Public comment on Permit Number D-04122021-017

Also to **PERMIT NUMBER:** WQ0016003001

From: sylviastastny@hotmail.com <sylviastastny@hotmail.com>
Sent: Wednesday, February 9, 2022 4:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Soumit Roy

E-MAIL: sylviastastny@hotmail.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 9729897832

FAX:

COMMENTS: Name: Soumit Roy Address: 924 Brentwood Drive Murphy, TX 75094 Phone number: (972) 989-7832 Email address: sylviaastastny@hotmail.com Distance from Location: less than 0.8 miles My home is located within 0.8 miles of the proposed DISTRICT Boundaries as presented, 0.8 miles from Maxwell Creek and 0.8 miles from the discharge point. I request a contest case hearing. I oppose the approval of the waste treatment plant due to the fact that under the Texas Administrative Code, TITLE 30 Environmental Quality, Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language “ (3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected. (4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. “ Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek. The city of Murphy states this on their official website: “ Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision).” The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above “designated areas of exceptional recreational or ecological significance. “. Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy. This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. Foreseeable economic harm to the property's economic value. Foreseeable harm to my health and family members' health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable. Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interferes with the homeowners of Parker and Murphy. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods. Soumit Roy

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 11, 2022 7:21 AM
To: Pubcomment-Dis; PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: CORRECTION: Public comment on Permit Number D-04122021-017

H

From: PUBCOMMENT-OCC
Sent: Wednesday, February 9, 2022 2:49 PM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; Pubcomment-Dis <Pubcomment-Dis@tceq.texas.gov>; PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>
Subject: FW: Public comment on Permit Number D-04122021-017

Also associate to WQ0016003001

From: sylviastastny@hotmail.com <sylviastastny@hotmail.com>
Sent: Wednesday, February 9, 2022 1:37 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Soumit Roy

E-MAIL: sylviastastny@hotmail.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 9729897832

FAX:

COMMENTS: Name: Soumit Roy Address: 924 Brentwood Drive Murphy, TX 75094 Phone number: (972) 989-7832 Email address: sylviastastny@hotmail.com Distance from Location: less than 0.8 miles My home is located within 0.8 miles of the proposed DISTRICT Boundaries as presented, 0.8 miles from Maxwell Creek and 0.8 miles from the discharge point. I request a contest case hearing. I oppose the approval of the waste treatment plant due to the fact that under the Texas Administrative Code, TITLE 30 Environmental Quality, Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language “ (3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected. (4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. “ Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek. The city of Murphy states this on their official website: “ Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision).” The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above “designated areas of exceptional recreational or ecological significance. “. Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy. This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. Foreseeable economic harm to the property's economic value. Foreseeable harm to my health and family members' health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable. Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interferes with the homeowners of Parker and Murphy. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year

flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods. Soumit Roy

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 11, 2022 7:21 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: CORRECTION: Public comment on Permit Number D-04122021-017

From: PUBCOMMENT-OCC
Sent: Thursday, February 10, 2022 10:22 AM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>; Pubcomment-Dis <Pubcomment-Dis@tceq.texas.gov>
Subject: FW: Public comment on Permit Number D-04122021-017

Also to **PERMIT NUMBER:** WQ0016003001

From: sylviastastny@hotmail.com <sylviastastny@hotmail.com>
Sent: Wednesday, February 9, 2022 4:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Soumit Roy

E-MAIL: sylviastastny@hotmail.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 9729897832

FAX:

COMMENTS: Name: Soumit Roy Address: 924 Brentwood Drive Murphy, TX 75094 Phone number: (972) 989-7832 Email address: sylviaastastny@hotmail.com Distance from Location: less than 0.8 miles My home is located within 0.8 miles of the proposed DISTRICT Boundaries as presented, 0.8 miles from Maxwell Creek and 0.8 miles from the discharge point. I request a contest case hearing. I oppose the approval of the waste treatment plant due to the fact that under the Texas Administrative Code, TITLE 30 Environmental Quality, Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language “ (3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected. (4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. “ Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek. The city of Murphy states this on their official website: “ Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision).” The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above “designated areas of exceptional recreational or ecological significance. “. Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy. This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. Foreseeable economic harm to the property’s economic value. Foreseeable harm to my health and family members’ health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable. Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties’ plans are unreasonable & knowingly will interferes with the homeowners of Parker and Murphy. The Parties’ conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods. Soumit Roy

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, February 10, 2022 10:22 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ;
Pubcomment-Dis
Subject: FW: Public comment on Permit Number D-04122021-017

Also to **PERMIT NUMBER:** WQ0016003001

From: sylviaastastny@hotmail.com <sylviaastastny@hotmail.com>
Sent: Wednesday, February 9, 2022 4:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Soumit Roy

E-MAIL: sylviaastastny@hotmail.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 9729897832

FAX:

COMMENTS: Name: Soumit Roy Address: 924 Brentwood Drive Murphy, TX 75094 Phone number: (972) 989-7832 Email address: sylviaastastny@hotmail.com Distance from Location: less than 0.8 miles My home is located within 0.8 miles of the proposed DISTRICT Boundaries as presented, 0.8 miles from Maxwell Creek and 0.8 miles from the discharge point. I request a contest case hearing. I oppose the approval of the waste treatment plant due to the fact that under the Texas

Administrative Code, TITLE 30 Environmental Quality, Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language “ (3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected. (4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. ” Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek. The city of Murphy states this on their official website: “ Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision).” The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above “designated areas of exceptional recreational or ecological significance. “. Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy. This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. Foreseeable economic harm to the property's economic value. Foreseeable harm to my health and family members' health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable. Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interferes with the homeowners of Parker and Murphy. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods. Soumit Roy

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, February 9, 2022 2:49 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis;
PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number D-04122021-017

Also associate to WQ0016003001

From: sylviaastastny@hotmail.com <sylviaastastny@hotmail.com>
Sent: Wednesday, February 9, 2022 1:37 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Soumit Roy

E-MAIL: sylviaastastny@hotmail.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 9729897832

FAX:

COMMENTS: Name: Soumit Roy Address: 924 Brentwood Drive Murphy, TX 75094 Phone number: (972) 989-7832 Email address: sylviaastastny@hotmail.com Distance from Location: less than 0.8 miles My home is located within 0.8 miles of the proposed DISTRICT Boundaries as presented, 0.8 miles from Maxwell Creek and 0.8 miles from the discharge point. I

request a contest case hearing. I oppose the approval of the waste treatment plant due to the fact that under the Texas Administrative Code, TITLE 30 Environmental Quality, Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language " (3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected. (4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. " Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek. The city of Murphy states this on their official website: " Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision)." The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above "designated areas of exceptional recreational or ecological significance. ". Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy. This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. Foreseeable economic harm to the property's economic value. Foreseeable harm to my health and family members' health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable. Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interferes with the homeowners of Parker and Murphy. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods. Soumit Roy

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:08 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Soumitjroy@yahoo.com <Soumitjroy@yahoo.com>
Sent: Thursday, September 23, 2021 3:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Soumit Roy

E-MAIL: Soumitjroy@yahoo.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 4698784504

FAX:

COMMENTS: I am extremely against that the developer wants to build a waste water treatment facility. It will be across from Hunt Elementary school and children will be directly affected. The ecosystem of the Preserve at Maxwell Creek will be drastically affected and my children and I who hike within object forcefully against this plant. I do not want potential pollutants from the plant entering our community. I do not want our air quality to suffer. I do not want our quality of life negatively impacted. I do not want our property value diminished. I am shocked that real notification wasn't given to the

community or many of the elected officials representing it. There is a good solution to this problem that will alleviate the environmental impact. The land can be annexed by the City of Murphy and placed on their sewer system. Please do not allow this water treatment plant to be developed.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 9:07 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Soumitjroy@yahoo.com <Soumitjroy@yahoo.com>
Sent: Thursday, September 23, 2021 3:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Soumit Roy

E-MAIL: Soumitjroy@yahoo.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 4698784504

FAX:

COMMENTS: I am extremely against that the developer wants to build a waste water treatment facility. It will be across from Hunt Elementary school and children will be directly affected. The ecosystem of the Preserve at Maxwell Creek will be drastically affected and my children and I who hike within object forcefully against this plant. I do not want potential pollutants from the plant entering our community. I do not want our air quality to suffer. I do not want our quality of life negatively impacted. I do not want our property value diminished. I am shocked that real notification wasn't given to the

community or many of the elected officials representing it. There is a good solution to this problem that will alleviate the environmental impact. The land can be annexed by the City of Murphy and placed on their sewer system. Please do not allow this water treatment plant to be developed.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Soumitjroy@yahoo.com <Soumitjroy@yahoo.com>
Sent: Wednesday, September 22, 2021 4:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: Soumit Roy

E-MAIL: Soumitjroy@yahoo.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 4698784504

FAX:

COMMENTS: I am extremely against that the developer wants to build a waste water treatment facility. It will be across from Hunt Elementary school and children will be directly affected. The ecosystem of the Preserve at Maxwell Creek will be drastically affected and my children and I who hike within object forcefully against this plant. I do not want potential pollutants from the plant entering our community. I do not want our air quality to suffer. I do not want our quality of life negatively impacted. I do not want our property value diminished. I am shocked that real notification wasn't given to the

community or many of the elected officials representing it. There is a good solution to this problem that will alleviate the environmental impact. The land can be annexed by the City of Murphy and placed on their sewer system. Please do not allow this water treatment plant to be developed.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, February 11, 2022 7:22 AM
To: Pubcomment-Dis; PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: CORRECTION: Public comment on Permit Number D-04122021-017

H

From: PUBCOMMENT-OCC
Sent: Wednesday, February 9, 2022 2:49 PM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; Pubcomment-Dis <Pubcomment-Dis@tceq.texas.gov>; PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>
Subject: FW: Public comment on Permit Number D-04122021-017

Also associate to WQ0016003001

From: sylviastastny@hotmail.com <sylviastastny@hotmail.com>
Sent: Wednesday, February 9, 2022 1:33 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-04122021-017

REGULATED ENTY NAME COLLIN COUNTY MUNICIPAL UTILTIY DISTRICT 7

RN NUMBER: RN111242855

PERMIT NUMBER: D-04122021-017

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: COLLIN COUNTY MUNICIPAL UTILITY DISTRICT 7

CN NUMBER: CN605878966

FROM

NAME: Sylvia June Roy

E-MAIL: sylviastastny@hotmail.com

COMPANY:

ADDRESS: 924 BRENTWOOD DR
MURPHY TX 75094-4439

PHONE: 9729897832

FAX:

COMMENTS: Name: Sylvia J. Roy Address: 924 Brentwood Drive Murphy, TX 75094 Phone number: (972) 989-7832 Email address: sylviaastastny@hotmail.com Distance from Location: less than 0.8 miles My home is located within 0.8 miles of the proposed DISTRICT Boundaries as presented, 0.8 miles from Maxwell Creek and 0.8 miles from the discharge point. I request a contest case hearing. I oppose the approval of the waste treatment plant due to the fact that under the Texas Administrative Code, TITLE 30 Environmental Quality, Part 1 Texas Commission on Environmental Quality, Chapter 307 Texas Surface Water Quality Standards, Rule 307.5 Antidegradation the following language “ (3) Tier 3. Outstanding national resource waters are defined as high quality waters within or adjacent to national parks and wildlife refuges, state parks, wild and scenic rivers designated by law, and other designated areas of exceptional recreational or ecological significance. The quality of outstanding national resource waters must be maintained and protected. (4) Discharges that cause pollution that are authorized by the Texas Water Code, the Federal Clean Water Act, or other applicable laws must not lower water quality to the extent that the Texas Surface Water Quality Standards are not attained. “ Maxwell Creek is not only a riparian zone with a thriving ecosystem, but it is part of a park system called Preserves if Maxwell Creek. The city of Murphy states this on their official website: “ Maxwell Creek Trails is a master planned hike and bike trail system with adjacent park sites / trail heads located on various sections of the trail system. Maxwell Creek Trails, when completed, is envisioned to be a greenbelt extending north to the City of Parker and south to the City of Wylie and Sachse. It will ultimately link to a regional Collin County Trails System. The greenbelt system encompasses the floodplain of Maxwell Creek. It includes concrete hike and bike trails, off-road secondary dirt trails, granite nature trails, parks, bridges, benches, and open space. Two active park sites / trail heads include The Preserve (670 North Murphy Road behind Kimbrough Stadium) and Water's Edge Park (403 Waters Edge Way and Creekside Drive in the Maxwell Creek Subdivision).” The immediate area of impact is enjoyed by people who fish, play and enjoy the wildlife located in the park system. Under the code referenced above “designated areas of exceptional recreational or ecological significance. “. Maxwell creek is both designated as a recreational area and has ecological significance. It is a corridor for large animals from bobcats to foxes who thrive on the ecosystem. I oppose the construction of the wastewater treatment plant because it will be a safety and health hazard to all the children and adult who enjoy Maxwell Creek just downstream. There is an entire park system that kids and adults enjoy. This will be very hazardous for all the citizens and will open the TCEQ to a lawsuit for approving this application. Intentional Nuisance, negligent nuisance & non-negligent nuisance. Greatly reduce the value of my investment in my home. Ruin my investment value. Ruin my ability to use & enjoy my backyard. This will create a private nuisance by engaging in an activity that is abnormal and out of place in this area and not necessary due to NTMWD and/or availability of at least 3 sewer lines by 2023. Foreseeable economic harm to the property's economic value. Foreseeable harm to my health and family members' health. Psychological harm for piece of mind in the use and enjoyment of my property. A normal person expects to be able to enjoy their property that they have consistently enjoyed for decades. Unnecessary & unreasonable interference with the enjoyment of my home. Interference will be substantial and will cause discomfort or annoyance that is unreasonable. Condition created by the proposed WWTP and MUD will result in my home being an undesirable residence due to noise, odor & lights If Developer, Petitioner, Applicant had notified the regional water district, they would know that the proposal for the MUD (WWTP) is not a necessity & regionalization is the proper route for any development approved in this ETJ. The parties' plans are unreasonable & knowingly will interferes with the homeowners of Parker and Murphy. The Parties' conduct & proposed use of the land would disturb and annoy a normal person of ordinary sensibilities, and of ordinary tastes and habits in my communities of Parker and Murphy. I have the right and privilege as the use and enjoyment of my land. The parties have not taken reasonable precautions to minimize their harmful effects of their proposed MUD, WWTP & Development. The Petitioner and Landowner lives adjacent to the ETJ. She is fully aware of the effects as designed this MUD, WWTP & Development would have on our daily lives. Unpleasant Odors. Worried about high noise levels. Pieces of equipment and processes create high noise level. Pump buildings are notoriously loud. Discharge contaminating the area wells, underground springs o Facility malfunction & spills. 100-year



flood plain and increase flooding that will result. Consideration of drainage. This point applies to any area around Maxwell Creek that floods.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 1:48 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: South Maxell Creek Videos WQ0016003001

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Monday, December 6, 2021 12:58 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: South Maxell Creek Videos WQ0016003001

From: Carrolyn Moebius <carrmoe@gmail.com>
Sent: Monday, December 6, 2021 12:48 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: South Maxell Creek Videos WQ0016003001

 20210516_155352.mp4 

Another video

--
Carrolyn

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 3, 2021 10:52 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: WQ0016003001 Flooding issue
Attachments: 20210607_124348.mp4

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Wednesday, November 3, 2021 7:44 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WQ0016003001 Flooding issue

From: Carrolyn Moebius <carrmoe@gmail.com>
Sent: Tuesday, November 2, 2021 7:36 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: WQ0016003001 Flooding issue

Hi Brad,

Would you please upload this video too? I will post a general recap on the flooding issues here tomorrow. I know others have posted.

Kind Regards,
Carrolyn Moebius

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, November 2, 2021 11:27 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: WQ0016003001

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Tuesday, November 2, 2021 9:56 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WQ0016003001

From: Carrolyn Moebius <carrmoe@gmail.com>
Sent: Tuesday, November 2, 2021 9:54 AM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: WQ0016003001

Hi Brad,

There are some videos that I would like to submit for the proposed water treatment plant. I will be posting today my concerns with the flooding in the area. I know others have already submitted some comments regarding that.

Attached is one video from 12/31/2020. This home is located in Parker, Texas



So it's saying it's a google drive link. I do not know if TCEQ allows that. Please advise.

Kind Regards,

Carrolyn Moebius
972-333-9432

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 8:28 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016003001

From: Rebeccaf0120@gmail.com <Rebeccaf0120@gmail.com>
Sent: Wednesday, November 17, 2021 8:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016003001

REGULATED ENTY NAME COLLIN COUNTY MUD NO 7 WWTP

RN NUMBER: RN111267324

PERMIT NUMBER: WQ0016003001

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: HARRINGTON TURNER ENTERPRISES LP,RESTORE THE GRASSLANDS LLC

CN NUMBER: CN605893650,CN605893643

FROM

NAME: MRS Rebecca Henshaw Fernandez

E-MAIL: Rebeccaf0120@gmail.com

COMPANY:

ADDRESS: 320 CREEKSIDE DR
MURPHY TX 75094-4343

PHONE: 2037105510

FAX:

COMMENTS: As neighbors we are working so hard to stop this proposed sewage plan. The Texas wildlife has stated that it would not be safe for our health to live across from the creek if it is used in this plan. Our health would be at risk, our children's health would be at risk. This is unacceptable. Please help our community. Me and my family Live right across from the creek. I would no longer be able to stay in this beautiful neighborhood, and in our wonderful home. Please help us. I'm hoping that you see how hard our families are working to save her Creek in our neighborhood. Our children are

working on ways to get their voices heard in regards to saving our creek. Any help would be greatly appreciated. As moms we've all spoken to our kids pediatricians as well as our pcp. How can this be allowed to be put near any neighborhood? Our health, would be significantly at risk. Our childrens fertility could be altered. We all are shocked that this proposed sewage plant would be allowed in a neighborhood. It is harmful to our families health! Help us please.

