

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

May 27, 2022

Ms. Laurie Gharis, Chief Clerk
Officer of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC-105
Austin, Texas 78711-3087

Re: TCEQ Docket No. 2022-0392-DIS; Consideration of a Resolution Requesting
Additional Powers for Kaufman County Fresh Water Supply District No.7A

Dear Ms. Gharis:

Enclosed for filing with the Texas Commission on Environmental Quality (Commission) are the following backup material for the June 15, 2022, agenda item on the above-referenced matter.

1. Proposed Order:
 - a. Staff Memorandum;
2. Resolution for Additional Powers (includes Metes and Bounds);
3. Mailing List;
4. Notice of Hearing; and
5. Caption.

The Applicant has represented that it published notice on May 26, 2022, and will publish notice again on June 2, 2022. The Affidavits of Publication and Tear Sheets will be filed in a supplemented backup once they are available.

Please do not hesitate to contact me if you have any questions regarding the material. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kayla Murray".

Kayla Murray
Staff Attorney
Environmental Law Division

cc: Mailing List

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



DOCKET NO. 2022-0392-DIS

AN ORDER AUTHORIZING ADDITIONAL POWERS TO KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT NO. 7A

On June 15, 2022 the Texas Commission on Environmental Quality (Commission) met in regular session at its offices in Austin, Texas, with notice of the meeting issued in compliance with the Open Meetings Act, TEX. GOVT. CODE §§ 551.001-551.146, and the Administrative Procedure Act, TEX. GOVT. CODE §§ 2001.001-2001.903, to consider the application of Kaufman County Fresh Water Supply District No. 7A (District) for additional powers to provide drainage services within the District pursuant to TEX. WATER CODE §§ 51.331-51.332 and 30 TEX. ADMIN. CODE § 293.15.

Proper notice of the hearing was published on May 26 and June 2, 2022, in the *Kaufman Herald*, a newspaper generally circulated in Kaufman County, the county in which the District is located. Accordingly, the notice requirements of 30 TEX. ADMIN. CODE § 293.15(c) have been satisfied.

The Commission, after having considered the application as a whole and the memorandum dated June 15, 2022, from the Executive Director, a copy of which is attached and made a part hereof as Attachment A, finds that the District's request for additional powers to provide drainage services within the District should be approved. The Commission finds that expanding the powers of the District to include drainage services will give it control of storm water to prevent erosion and flooding. The Commission finds that the District's request for additional drainage powers is feasible and practicable, will benefit the land, and will further public welfare.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the application of Kaufman County Fresh Water Supply District No. 7A for additional powers to provide drainage services within the District is approved pursuant to TEX. WATER CODE §§ 51.331-51.332 and 30 TEX. ADMIN. CODE § 293.15.


Issue Date: **Month Day, 2022**

For the Commission

Texas Commission on Environmental Quality

TECHNICAL MEMORANDUM

To: Texas Commission on Environmental Quality **Date:** June 15, 2022

Thru: Justin P. Taack, Manager
Districts Section 

From: Daniel Harrison
Districts Bond Team

Subject: Docket No. 2022-0392-DIS; Kaufman County Fresh Water Supply District No. 7A; Application for Approval of Additional Powers for Drainage; Pursuant to Texas Water Code Sections 51.331-51.332, and 30 Texas Administrative Code Section 293.15. TCEQ Internal Control No. D-12222021-037 (TC)
CN: 605967298 RN: 111395307

A. GENERAL INFORMATION

The Commission received an application from Kaufman County Fresh Water Supply District No. 7A, (District) requesting approval for additional powers to provide drainage services to its customers as provided in Texas Water Code (TWC) Sections 51.331-51.332 and 30 Texas Administrative Code (TAC) Section 293.15.

The District was created by order of the Kaufman County Fresh Water Supply District No. 7 (No. 7) on November 11, 2020, which confirmed the results of an election by which a majority of the voters in No. 7 voted in favor of dividing it into two districts, Kaufman County Fresh Water Supply Districts No. 7A and 7B. Previously, No. 7 was created by Kaufman County Commissioners Court on July 17, 2019, and organized under the terms and provisions of Article XVI, Section 59 of the Texas Constitution, and Chapters 49 and 53 of the Texas Water Code. The District was created to conserve, transport and distribute fresh water for domestic and commercial purposes, sanitary sewer and control systems and road construction and operation for the land and the inhabitants within the District's current area. At the time of creation the District contained 707.063 acres. The application includes a land use plan which projects an ultimate development of 2,944 equivalent single-family connections (ESFCs) (including 2,871 homes, 13 ESFCs for an amenity center and 60 ESFCs for schools) and a corresponding population of approximately 9,330 within the District's current area. The District's engineer indicates there are currently no residents within the District and that the land within the District currently consists of agricultural land utilized for farming.

The addition of drainage powers for the District is necessary to serve the proposed development within the District and will benefit the land within its boundaries. The proposed drainage construction should have no adverse impact on land elevation, subsidence, groundwater levels, recharge capacity of groundwater sources, natural runoff rates, or water quality.

The District has not previously issued bonds and has no outstanding debt.

The District operates under Chapters 49, 51 and 53 of the Texas Water Code and 30 TAC Section 293.15.

Location and Access

The District is located in Kaufman County, approximately 4 miles northeast of the City of Crandall (City). The District is located at the northwest corner of FM 2932 and County Road 261 and approximately two miles south of Interstate Highway 20. The property within the District is wholly within the extraterritorial jurisdiction of the City.

Notice Requirements

Proper notice of the application was published on May 26 and June 2, 2022, in the *Kaufman Herald*, a newspaper regularly published or circulated in Kaufman County, the county in which the District is proposed to be located. Accordingly, the notice requirement of 30 TAC Section 293.15(c)(1) has been satisfied. In addition, a copy of the Resolution Requesting Addition of Drainage Powers was submitted to the City at the same time as submittal to the TCEQ pursuant to 30 TAC Section 293.15(h)(2).

B. ENGINEERING ANALYSIS

Water Supply

Water supply for the District would be obtained from Talty Special Utility District (SUD). The District plans to construct and Talty SUD will operate the water distribution system, including offsite system facilities such as water lines, an elevated storage tank and a waterline extension. The current retail water rates for residential customers for Talty SUD are as follows:

<u>Gallons Used</u>	<u>Rate</u>
0 to 2,000	\$31.00 (base rate)
3,001 to 10,000	\$31.00 plus \$6.00 per 1,000 gal
10,001 to 20,000	\$31.00 plus \$7.50 per 1,000 gal
>20,000	\$31.00 plus \$9.00 per 1,000 gal

Wastewater Treatment and Collection

Wastewater service for the District will be provided by the District's wastewater treatment plant (WWTP). The District has submitted an application for a discharge permit for the WWTP, and a draft permit was issued on December 6, 2018 authorizing an average wastewater flow of 1,680,000 gallons per day. The District will construct and operate the wastewater collection system, including offsite system connection facilities. All wastewater facilities will be designed in accordance with TCEQ and Texas Department of Health criteria.

Storm Water Drainage

Storm water runoff within the proposed District will be directed along a curb and gutter street system to underground collector lines ranging in size from 18 inches to 48 inches and box culverts that will outfall to detention facilities. Storm water detention will be provided using existing ponds and valley storage within the floodplain and decreasing peak flow rates into an unnamed tributary of Buffalo Creek. All storm drainage improvements will be constructed and designed in accordance with City criteria.

Road Improvements

Application material indicates the proposed District will construct improvements consisting of residential, collector and arterial roads within the District. The roads constructed will be owned and maintained by the District. All road facilities will be designed in accordance with Kaufman County criteria.

Floodplain

According to the engineering report, Federal Emergency Management Agency Flood Insurance Rate Map Numbers 48257C0175 D, indicates that approximately 64 acres of the proposed District is located within the 100-year flood plain. It is the District's expectation that multiple Letters of Map Revision (LOMR) will be submitted to remove areas of development from the flood plain.

C. SUMMARY OF COSTS

Water, Wastewater and Drainage

Construction Costs

District's Share⁽¹⁾

A. Developer Contribution Items

1. Water Distribution System	\$ 5,872,134
2. Wastewater Collection System	7,376,294
3. WWTP	6,663,440
4. Drainage System	8,213,120
5. Clearing and Grubbing	7,360,425
6. Contingencies (10% of Items No. 1-5)	3,548,541
7. Engineering (15% of Items No. 1-6)	5,855,093
8. Storm Water Pollution Prevention Planning (SWPPP) (2% of Items 1-6)	780,679
9. Water Connection Fees	6,431,040
10. Letters of Map Revision	<u>210,000</u>

Total Developer Contribution Items \$52,310,766

B. District Items

1. Elevated Storage Tank (EST) & Regional Waterline Extension	\$ 6,915,000
2. Offsite Trunk Water Distribution	1,717,305
3. Offsite Storm Sewer	547,395 ⁽²⁾
4. Contingencies (10% of Items No. 1-3)	941,430
5. Engineering (15% of Items No. 1-4)	1,553,359
6. SWPPP (2% of Items No. 1-4)	207,115
7. Land Acquisition Costs (8.0 acres WWTP & 1.0 acre EST)	<u>270,000</u>

Total District Items \$12,151,604

TOTAL CONSTRUCTION COSTS \$64,462,370

Nonconstruction Costs

A. Legal Fees (3.0%)	\$ 2,458,800
B. Fiscal Agent Fees (2.0%)	1,639,200
C. Interest Costs	
1. Capitalized Interest (12 months at 4.5%)	3,688,200
2. Developer Interest	5,802,000

D. Bond Discount (3.0%)	2,458,800
E. Creation and Operating Expenses	400,000
F. Bond Issuance Costs	203,770
G. Bond Report Costs	560,000
H. Attorney General's Fee (0.1% or \$9,500 max)	81,960
I. TCEQ Bond Issuance Fee	<u>204,900</u>
TOTAL NONCONSTRUCTION COSTS	\$17,497,630
TOTAL W, WW & D BOND ISSUE REQUIREMENT	\$81,960,000

Roadways

Construction Costs

A. Onsite Street Paving & ROW Improvements	\$17,029,829 ⁽³⁾
B. Offsite Street Paving & ROW Improvements	2,460,574
C. Offsite Street-related Drainage Improvements	547,395 ⁽²⁾
D. Contingencies (10% of Items No. 1 & 2)	1,949,040
E. Engineering (15% of Items No. 1-3)	3,333,216
F. SWPPP (2% of Items No. 1-3)	444,428
G. Land Acquisition Costs	<u>270,000</u>
TOTAL CONSTRUCTION COSTS	\$26,034,482

Nonconstruction Costs

A. Legal Fees (3.0%)	\$ 979,350
B. Fiscal Agent Fees (2.0%)	652,900
C. Interest Costs	
1. Capitalized Interest (12 months at 4.5%)	1,469,025
2. Developer Interest	2,343,000
D. Bond Discount (3.0%)	979,350
E. Bond Issuance Expenses	154,248
E. Attorney General's Fee (0.1% or \$9,500 max)	<u>32,645</u>
TOTAL NONCONSTRUCTION COSTS	\$6,610,518
TOTAL STREET BOND ISSUE REQUIREMENT	\$32,645,000
TOTAL DISTRICT BOND ISSUE REQUIREMENT	\$114,605,000

- Notes: (1) Estimated based on 70% District funding of construction and related contingencies, engineering and SWPPP costs.
 (2) Costs for culvert crossings pro-rated between W, WW & D bonds and road bonds.
 (3) Estimated based on 70% District funding of Item No. 1 construction, contingencies, engineering and SWPPP costs, and the remaining costs estimated based on 100% District funding.

The eligible reimbursement of utility costs will be determined in accordance with the Commission's Rules at the time bond applications are reviewed.

D. ECONOMIC ANALYSIS

Land Use

The land use for the proposed District is projected in the following table:

<u>Development</u>	<u>Acres</u>	<u>ESFCs</u>
Single-Family	356	2,871
Amenity Centers	9	13
Recreation & Open Space	161	0
Elementary Schools	29	60
WWTP & Elevated Storage Tank	1	0
Road Right of Way (ROW)	<u>151</u>	<u>NA</u>
Total	707	2,944

Project Financing

The estimated total assessed valuation of the proposed District at completion is as follows:

<u>Units Planned</u>	<u># of Units</u>	<u>Average Unit Value</u>	<u>Total Value at Build-out</u>
Single-family (40 ft. lots)	2,122	\$275,000	\$583,550,000
Single-family (50 ft. lots)	749	\$325,000	<u>\$243,425,000</u>
	Total Assessed Valuation		\$826,975,000

The District provided cost estimates for its projected construction of water, wastewater, drainage, clearing, grubbing and excavation and street paving to develop the District. The total estimated District construction and engineering costs are \$87,678,639, including \$8,388,763 for onsite water system, \$10,537,563 for onsite wastewater system, \$11,733,028 for the onsite storm drainage system, \$10,514,893 for clearing, grubbing and excavation, \$1,717,305 for offsite water distribution, \$6,915,000 for the elevated storage tank and regional waterline, \$9,519,200 for the wastewater treatment plant (WWTP), \$781,993 for offsite storm drainage, \$24,328,327 for onsite street paving and ROW improvements, and \$3,242,567 for offsite street paving and ROW improvements.

The application considers an estimated bond issue requirement of \$114,605,000 (\$81,960,000 for utilities and \$32,645,000 for roadways), assuming 70% financing, a bond coupon interest rate of 4.5%, and a 25-year bond life, therefore, the average annual debt service requirement would be \$7,728,850 (\$5,527,303 for utility bonds plus \$2,201,547 for road bonds). Assuming a 98% collection rate and an ultimate assessed valuation (AV) of \$826,975,000, a tax rate of approximately \$0.955 (\$0.682 for utilities plus \$0.273 for roads) per \$100 AV would be necessary to meet the annual debt service requirement. Application material also indicates a projected maintenance tax of \$0.04 per \$100 AV, resulting in a combined District tax rate of \$1.00 per \$100 AV. The resulting combined projected tax rate of \$1.00 is not more than the \$1.00 feasibility limit prescribed by 30 TAC Section 293.59(k)(3)(C). The application also included bond issue requirements assuming 100% financing by the District of \$110,290,000 for utilities and \$44,650,000 for roads, but the resulting combined projected tax rate for this scenario was more than the \$1.00 limit. Feasibility of specific bond issues may be subject to TCEQ review to be determined in accordance with TCEQ rules in effect at the time bond applications are submitted.

The total 2018 overlapping tax rates on land within the proposed District are shown in the following tables:

<u>Taxing Jurisdiction (Properties Within Crandall ISD)</u>	<u>Tax Per \$100 AV</u>
Kaufman County	\$ 0.4787
Crandall Independent School District	1.5400
Kaufman County Emer. Serv. District 7A (Crandall)	0.0800
Trinity Valley Community College	0.1385

Road & Bridge	0.1100
Kaufman County FWSD No. 7A	<u>1.0000</u> ⁽¹⁾
Total tax per \$100 AV:	\$ 3.3472

<u>Taxing Jurisdiction (Properties Within Forney ISD)</u>	<u>Tax Per \$100 AV</u>
Kaufman County	\$ 0.4787
Forney Independent School District	1.5400
Kaufman County Emer. Serv. District 7A (Forney)	0.0300
Road & Bridge	0.1100
Kaufman County FWSD No. 7A	<u>1.0000</u> ⁽¹⁾
Total tax per \$100 AV:	\$ 3.1587

Notes:

(1) Includes a projected \$0.96 debt service tax rate and a \$0.04 maintenance tax rate.

Based on the proposed District tax rate and the year 2018 overlapping tax rate on land within the proposed District, the project is considered economically feasible.

E. SPECIAL CONSIDERATIONS

None.

F. CONCLUSIONS

1. Based on a review of the application and supporting documents, the District's request to have the authority to provide for the purchase, maintenance, and operation of drainage facilities for its customers is considered feasible.
2. The recommendation is made under authority delegated by the Executive Director of the TCEQ.

G. RECOMMENDATION

Grant the District's request for additional power to provide drainage services to its residents in accordance with Texas Water Code Sections 51.331-51.332 and 30 TAC Section 293.15.

H. ADDITIONAL INFORMATION

The petitioner's professional representatives are:

Attorney: Mr. Ross Martin - Winstead, PC
Engineer: Mr. Matthew Meritt, P.E. - LJA Engineering, Inc.

**CERTIFICATE FOR RESOLUTION REQUESTING
ADDITION OF DRAINAGE POWERS**

THE STATE OF TEXAS §
COUNTY OF KAUFMAN §
KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT NO. 7-A §

We, the undersigned officers of the Board of Directors of Kaufman County Fresh Water Supply District No. 7-A (hereinafter called the “Board”), hereby certify as follows:

1. In order to mitigate the spread of COVID-19 and pursuant to the Proclamation dated March 13, 2020, by Governor Greg Abbott declaring a state of disaster and associated guidance dated March 16, 2020, from the Texas Attorney General’s office (collectively, the “Open Meetings Guidance”), suspending certain requirements of the Texas Open Meetings Act, the Board of Directors (sometimes referred to as “Board”) of KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT NO. 7-A (the “District”) after due notice, conducted a special telephonic Board meeting on June 25, 2021, pursuant to the requirements set out therein and subject to the Open Meetings Guidance referenced above, which included telephone access to the meeting by the public, whereupon the roll was called of the members of the Board of Directors, to-wit:

Barbara King	President
Patrick Louden	Vice President
W. Garrett Wesp	Secretary
Dyane Powell	Assistant Secretary
Joshua Lane	Assistant Secretary

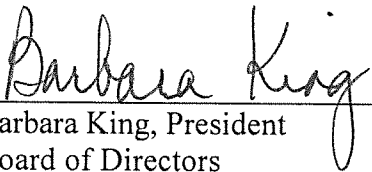
All members of the Board were present. Whereupon, among other business a

RESOLUTION REQUESTING ADDITION OF DRAINAGE POWERS

was introduced for the consideration of the Board. It was duly moved and seconded that said Resolution be adopted; after a full discussion, said motion, carrying with it the adoption of said Resolution, prevailed, carried, and became effective by unanimous vote.


2. A true, full, and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said order has been duly recorded in the Board’s minutes of said meeting; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of them was notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and said officers and members consented, in advance, to the holding of said meeting; said meeting was open to the public as required by law; and public notice of the time, place, and subject of the meeting was given as required by Texas Water Code, Section 49.063, as amended, and Chapter 551, Texas Government Code, as amended.

SIGNED AND SEALED the 25th day of June, 2021.



Barbara King, President
Board of Directors

ATTEST:



W. Garrett Wesp, Secretary



RESOLUTION REQUESTING ADDITION OF DRAINAGE POWERS

THE STATE OF TEXAS §
COUNTY OF KAUFMAN §
KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT NO. 7-A §

WHEREAS, Kaufman County Fresh Water Supply District No. 7-A (the "District") is a water control and improvement district created under Article XVI, Section 59, of the Texas Constitution, and operating pursuant to Chapters 49, 51, and, for limited purposes, 53 of the Texas Water Code, as amended, with jurisdiction over the land lying within the boundaries described by the metes and bounds attached hereto as Exhibit "A";

WHEREAS, pursuant to 30 TAC § 293.15, a District created under Article XVI, Section 59, of the Texas Constitution may adopt a resolution requesting that the Texas Commission on Environmental Quality (the "TCEQ") hold a hearing on the question of the addition of drainage powers for the District;

WHEREAS, the Board of Directors of the District has determined that the District should have the additional power to provide drainage service to the District pursuant to § 51.331 of the Texas Water Code;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT NO. 7-A THAT:

Section 1: The matters and facts set out in the preamble of this order are hereby found and declared to be true and complete.

Section 2. The District hereby requests the approval of the TCEQ for the addition of drainage powers pursuant to Texas Water Code § 51.331 and 30 TAC § 293.15.

Section 3. The Board of Directors directs its engineers, Barraza Consulting Group, LLC, to prepare a preliminary engineering report and associated information in accordance with 30 TAC § 293.15.

Section 4. The Board of Directors directs its attorneys, Winstead PC, to submit this Resolution to the TCEQ, along with the \$700 application fee required pursuant to 30 TAC § 293.15, the payment of which is hereby authorized, to request that the TCEQ hold a hearing on the question of the addition of drainage powers for the District and that the Chief Clerk prepare a Notice of said hearing in accordance with 30 TAC § 293.15(c)(1).

[Signature Page Follows]

PASSED AND APPROVED the 25th day of June, 2021.

Barbara King

Barbara King, President
Board of Directors

ATTEST:

W. Garrett Wesp

W. Garrett Wesp, Secretary



KAUFMAN COUNTY FRESHWATER SUPPLY DISTRICT NO. 7A
707.063 ACRE

BEING A 707.063 ACRE TRACT OF LAND SITUATED IN THE JOHN MOORE SURVEY, ABSTRACT NO. 309, CITY OF CRANDALL E.T.J., KAUFMAN COUNTY, TEXAS, AND BEING PART OF A 716.699 ACRE TRACT OF LAND CONVEYED TO JML 717 KAUFMAN, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 2018-0007303, OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS AND ALL OF A 1.000 ACRE TRACT OF LAND CONVEYED TO FLAY LOUDEN, AS RECORDED IN VOLUME 6145, PAGE 204, OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE APPROXIMATE CENTERLINE OF COUNTY ROAD 260, SAME BEING THE WEST CORNER OF THIS TRACT;

THENCE, NORTH 43 DEGREES, 53 MINUTES, 45 SECONDS EAST, A DISTANCE OF 1977.70 FEET TO A POINT FOR CORNER IN THE SOUTHWEST LINE OF A TRACT OF LAND CONVEYED TO OAK NATIONAL HOLDINGS, RECORDED IN VOLUME 6023, PAGE 464 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE, WITH THE SOUTHWEST AND SOUTHEAST LINES OF SAID OAK NATIONAL HOLDINGS TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 47 DEGREES 26 MINUTES 24 SECONDS EAST, A DISTANCE OF 894.17 FEET TO A POINT FOR CORNER;

THENCE, NORTH 43 DEGREES 43 MINUTES 16 SECONDS EAST, A DISTANCE OF 13.29 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 47 DEGREES 00 MINUTES 44 SECONDS EAST, A DISTANCE OF 293.03 FEET TO A POINT FOR CORNER;

THENCE, NORTH 42 DEGREES 59 MINUTES 16 SECONDS EAST, A DISTANCE OF 527.20 FEET TO A POINT FOR CORNER;

THENCE, NORTH 44 DEGREES 01 MINUTES 16 SECONDS EAST, A DISTANCE OF 899.68 FEET TO A POINT FOR CORNER;

THENCE, NORTH 44 DEGREES 18 MINUTES 16 SECONDS EAST, A DISTANCE OF 299.83 FEET TO A POINT FOR CORNER;

THENCE, NORTH 43 DEGREES 50 MINUTES 16 SECONDS EAST, A DISTANCE OF 417.76 FEET TO A POINT FOR CORNER;

THENCE, NORTH 44 DEGREES 06 MINUTES 58 SECONDS EAST, A DISTANCE OF 481.70 FEET TO A POINT FOR CORNER;

THENCE, NORTH 44 DEGREES 12 MINUTES 16 SECONDS EAST, A DISTANCE OF 398.17 FEET TO A POINT FOR CORNER;

THENCE, NORTH 43 DEGREES 51 MINUTES 16 SECONDS EAST, A DISTANCE OF 307.42 FEET TO A POINT FOR CORNER;

THENCE, NORTH 44 DEGREES 10 MINUTES 16 SECONDS EAST, A DISTANCE OF 354.80 FEET TO A POINT FOR CORNER;

THENCE, NORTH 43 DEGREES 49 MINUTES 23 SECONDS EAST, A DISTANCE OF 363.77 FEET TO A POINT FOR CORNER;

THENCE, NORTH 44 DEGREES 37 MINUTES 42 SECONDS EAST, A DISTANCE OF 335.51 FEET TO A POINT FOR CORNER IN THE SOUTHWEST RIGHT-OF-WAY LINE OF F.M. 2932;

THENCE, SOUTH 46 DEGREES, 08 MINUTES, 01 SECONDS EAST, WITH SAID SOUTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 4645.76 FEET TO A POINT FOR CORNER IN THE APPROXIMATE CENTERLINE OF COUNTY ROAD 261;

THENCE, SOUTH 44 DEGREES, 27 MINUTES, 54 SECONDS WEST, ALONG SAID APPROXIMATE CENTERLINE, A DISTANCE OF 1030.83 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 44 DEGREES, 26 MINUTES, 05 SECONDS WEST, ALONG SAID APPROXIMATE CENTERLINE, A DISTANCE OF 1294.77 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 44 DEGREES, 17 MINUTES, 43 SECONDS WEST, ALONG SAID APPROXIMATE CENTERLINE,, A DISTANCE OF 2388.80 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 44 DEGREES, 52 MINUTES, 50 SECONDS WEST, ALONG SAID APPROXIMATE CENTERLINE, A DISTANCE OF 949.54 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 44 DEGREES, 01 MINUTES, 29 SECONDS WEST, ALONG SAID APPROXIMATE CENTERLINE, A DISTANCE OF 686.24 FEET TO A POINT FOR CORNER;

THENCE, NORTH 46 DEGREES, 15 MINUTES, 47 SECONDS WEST, WITH THE APPROXIMATE CENTERLINE OF SAID COUNTY ROAD 260, A DISTANCE OF 2332.65 FEET TO A POINT FOR CORNER;

THENCE, NORTH 45 DEGREES, 24 MINUTES, 11 SECONDS EAST, A DISTANCE OF 368.26 FEET TO POINT FOR CORNER;

THENCE, NORTH 42 DEGREES 54 MINUTES 50 SECONDS WEST, A DISTANCE OF 1280.30 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 44 DEGREES 56 MINUTES 49 SECONDS WEST, A DISTANCE OF 443.00 FEET TO A POINT FOR CORNER;

THENCE, NORTH 46 DEGREES 15 MINUTES 47 SECONDS WEST, A DISTANCE OF 121.69 FEET TO A POINT FOR CORNER;

THENCE, NORTH 43 DEGREES 44 MINUTES 47 SECONDS EAST, A DISTANCE OF 457.29 FEET TO A POINT FOR CORNER;

THENCE, NORTH 24 DEGREES 36 MINUTES 52 SECONDS WEST, A DISTANCE OF 425.30 FEET TO A POINT FOR CORNER;

THENCE, NORTH 73 DEGREES 12 MINUTES 48 SECONDS WEST, A DISTANCE OF 349.32 FEET TO A POINT FOR CORNER;

THENCE, NORTH 47 DEGREES 51 MINUTES 47 SECONDS WEST, A DISTANCE OF 208.71 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 42 DEGREES 08 MINUTES 13 SECONDS WEST, A DISTANCE OF 208.71 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 47 DEGREES 51 MINUTES 47 SECONDS EAST, A DISTANCE OF 208.71 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 42 DEGREES 08 MINUTES 13 SECONDS WEST, A DISTANCE OF 253.71 FEET TO A POINT FOR CORNER;

THENCE, NORTH 47 DEGREES 51 MINUTES 47 SECONDS WEST, A DISTANCE OF 1171.61 FEET TO A POINT FOR CORNER;

THENCE, NORTH 46 DEGREES 08 MINUTES 26 SECONDS WEST, A DISTANCE OF 184.51 TO POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 30,799,670 SQUARE FEET OR 707.063 ACRES OF LAND.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

MAILING LIST
Docket No. 2022-0392-DIS
Kaufman County Fresh Water Supply District No. 7A
TCEQ Internal Control No. D-12222021-037

Ross Martin
Winstead, P.C.
2728 North Harwood Street, Suite 500
Dallas, Texas 75201

Matthew Merritt, P.E.
LJA Engineering, Inc.
6060 North Central Expressway, Suite 400
Dallas, Texas 75206

Kaufman County Clerk
Laura Hughes
Kaufman County Courthouse
100 West Mulberry Street
Kaufman, Texas 75142

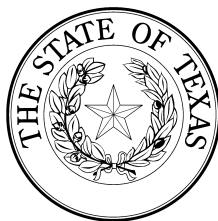
Kaufman County Commissioners Court
Honorable Hal Richards, County Judge
Kaufman County Courthouse
100 West Mulberry Street
Kaufman, Texas 75142

TCEQ Region 4
Attn: Alyssa Taylor, Director
2309 Gravel Drive
Fort Worth, Texas 76118

Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Todd Galiga, Environmental Law Division, MC-173
Kayla Murray, Environmental Law Division, MC-173
Daniel Harrison, Water Supply Division, MC-152
Justin P. Taack, Water Supply Division, MC-152
Vic McWherter, Office of the Public Interest Counsel, MC-103

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT HEARING TCEQ Docket No. 2022-0392-DIS

APPLICATION. The Texas Commission on Environmental Quality (TCEQ) will conduct a hearing on an application (the "Application") granting additional powers to Kaufman County Fresh Water Supply District No. 7A (the "District"). The Application was filed with the TCEQ and includes the District's resolution (as follows as Exhibit "A") requesting the authority to control storm water pursuant to Texas Water Code Sections 51.331-51.333 and 30 Texas Administrative Code Chapter 293.15. Pursuant to 30 TAC Chapter 293.15(h)(2), a copy of the District's resolution was filed with the City of Crandall concurrently with submittal to the TCEQ. The TCEQ will conduct this hearing under the authority of Texas Water Code Chapters 49 and 51, 30 Texas Administrative Code (TAC) Chapter 293, and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

**9:30 a.m., June 15, 2022
Building E, Room 201S
12100 Park 35 Circle
Austin, Texas**

Due to the ongoing pandemic, the agenda meeting may be held in person in Room 201S of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commissioners' Agenda webpage at: https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm_agendas.html eight days before the Agenda.

The District was created by order of the Kaufman County Fresh Water Supply District No. 7 ("No. 7") on November 11, 2020, which confirmed the results of an election by which a majority of the voters in No. 7 voted in favor of dividing it into two districts, Kaufman County Fresh Water Supply Districts No. 7A and 7B. No. 7 was created by Kaufman County Commissioners Court on July 17, 2019, and organized under the terms and provisions of Article XVI, Section 59 of the Texas Constitution, and Chapters 49 and 53 of the Texas Water Code. The District contains 707.063 acres of land within Kaufman County, Texas. Pursuant to 30 TAC Chapter 293.15, the resolution filed with the Application states that having the additional authority to provide drainage service is in the best interest of the District.

HEARING. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the Application. At the hearing, pursuant to Texas Water Code Section 51.333, the TCEQ will determine whether the District should be granted the additional authority.

INFORMATION. For information regarding the date and time this application will be heard before the TCEQ, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P. O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process,

please contact the Office of Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Bond Team at (512) 239-1224. General information regarding the TCEQ can be found at our web site at <www.tceq.texas.gov>.

Si desea información en Español, puede llamar al (512) 239-0200.

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD) at least one week prior to the hearing.

Issued: **May 11, 2022**



Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

Kaufman County Fresh Water Supply District No.7A
TCEQ Internal Control No. D-12222021-037

Docket No. 2022-0392-DIS. Consideration and hearing on a resolution from Kaufman County Fresh Water Supply District No.7A (“District”) for additional powers. The District requests approval to exercise additional drainage powers as provided in TEXAS WATER CODE Sections 51.331-51.332 and 30 TEXAS ADMINISTRATIVE CODE Section 293.15. The District is comprised of 707.063 acres within Kaufman County. (Kayla Murray, Daniel Harrison)