

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, July 7, 2021 10:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015977001

H

From: drb@boehmdds.com <drb@boehmdds.com>
Sent: Tuesday, July 6, 2021 5:50 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015977001

REGULATED ENTY NAME FM 2920 LAND

RN NUMBER: RN111244844

PERMIT NUMBER: WQ0015977001

DOCKET NUMBER:

COUNTY: GALVESTON

PRINCIPAL NAME: FM 2920 LAND COMPANY LTD

CN NUMBER: CN605880145

FROM

NAME: Dana R Boehm

E-MAIL: drb@boehmdds.com

COMPANY:

ADDRESS: 22012 PINE TREE LN Texas
HOCKLEY TX 77447-8770

PHONE: 2813705088

FAX:

COMMENTS: I am requesting a public hearing

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, July 6, 2021 5:31 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015977001

H

From: WILLIAM.COOPER@flovera.com <WILLIAM.COOPER@flovera.com>
Sent: Tuesday, July 6, 2021 5:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015977001

REGULATED ENTY NAME FM 2920 LAND

RN NUMBER: RN111244844

PERMIT NUMBER: WQ0015977001

DOCKET NUMBER:

COUNTY: GALVESTON

PRINCIPAL NAME: FM 2920 LAND COMPANY LTD

CN NUMBER: CN605880145

FROM

NAME: MR William L Cooper, JR

E-MAIL: WILLIAM.COOPER@FLOVERA.COM

COMPANY:

ADDRESS: 22011 PINE TREE LN
HOCKLEY TX 77447-8754

PHONE: 7133963025

FAX:

COMMENTS: The amount of discharge in this area is a major flood concern. I would like a public hearing to discuss the impact of such a decision.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 8, 2022 9:01 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015977001

H

From: tomglass@juryduty.org <tomglass@juryduty.org>
Sent: Monday, February 7, 2022 6:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015977001

REGULATED ENTY NAME FM 2920 LAND

RN NUMBER: RN111244844

PERMIT NUMBER: WQ0015977001

DOCKET NUMBER:

COUNTY: HARRIS

PRINCIPAL NAME: FM 2920 LAND COMPANY LTD

CN NUMBER: CN605880145

FROM

NAME: Tom Glass

E-MAIL: tomglass@juryduty.org

COMPANY:

ADDRESS: 22915 THREE PINES DR
HOCKLEY TX 77447-7073

PHONE: 8324724726

FAX:

COMMENTS: I formally request a formal hearing on this permit in addition to the public meeting being held on Feb 7, 2022.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 2, 2021 3:01 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015977001

MWD
123792

From: tomglass@juryduty.org <tomglass@juryduty.org>
Sent: Friday, July 2, 2021 12:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015977001

REGULATED ENTY NAME FM 2920 LAND

RN NUMBER: RN111244844

PERMIT NUMBER: WQ0015977001

DOCKET NUMBER:

COUNTY: GALVESTON

PRINCIPAL NAME: FM 2920 LAND COMPANY LTD

CN NUMBER: CN605880145

FROM

NAME: Tom Glass

E-MAIL: tomglass@juryduty.org

COMPANY:

ADDRESS: 22915 THREE PINES DR
HOCKLEY TX 77447-7073

PHONE: 8324724726

FAX:

COMMENTS: I oppose the issuance of this permit for the following reasons: First, I understand that the FM 2920 LAND COMPANY LTD does not own or lease this property. I understand that for a permit to be issued, the entity has to have some connection to the property. Second, in the application on page 9 of 80, FM 2920 LAND COMPANY LTD states that the proposed wastewater treatment plant will not release into a watershed that feeds Lake Houston. That is false. Spring Creek, into which they propose to discharge, directly feeds into Lake Houston. Third, on page 15 of 80, FM 2920 LAND

COMPANY LTD does not check that wetlands exist on the property or that it overlaps a designated 100-year frequency flood plain, yet both exist on the property in question. (For wetlands, see the National Wetlands Inventory Map (<https://www.fws.gov/wetlands/Data/Mapper.html>). The numbered wetlands on the property on the map are PFO1A and PSS1F.) (For a map of how much of the 100-year floodplain is on the property, see <https://www.harriscountyfemt.org/>) Fourth, it appears from the submitted map for the wastewater treatment plant (WWTP) location and from the Harris County Flood Control map at <https://www.harriscountyfemt.org/> that the WWTP location, itself, is located in the 500 year flood plain. Fifth, the flow characteristics response on page 30 of 80 is incorrect. The flow characteristic checked is "Intermittent – dry for at least one week during most years." And that is supported by a check beside "Personal observation." There could be a question about whether the flow in question is that of Spring Creek or the yet-to-be-built manmade ditch into which the discharge is planned to flow. But, the question is about "the area downstream of the discharge." And of course, there cannot be a "personal observation" of a ditch that has yet to be built. And, of course, one would expect that the discharge from a wastewater treatment plant would always be flowing. So the question has to be about the flow characteristics of Spring Creek. And as one who has lived on Spring Creek for almost 4 years and with a neighbor who has lived on it for over twenty years can tell you from personal observation that Spring Creek's flow here is best described by "Perennial – normally flowing." It is never NOT flowing. Sixth, on page 32 of 80, the waterbody aesthetics are improperly described. The box that is checked is "Natural Area . . . water clarity discolored. A more descriptive aesthetics is: "Wilderness: outstanding natural beauty, usually wooded or unpastured area; water clarity exceptional." The woods on this plot of land are around 100 years old. The water clarity coming off this property into Spring Creek is coming from an almost untouched property. Sometime in the last decade or so, a dirt pathway has been cut in the woods that is rarely used, but it has virtually no impact on water quality runoff from the property. The property is just across FM 2920 from the Kleb Woods Nature Preserve, and the water quality coming off it is probably more pure and less impacted by humans than water flowing off of Kleb Woods. There is a very small open grassy area in the front of the property close to FM 2920, but the part of the property close to Spring Creek is described well as a 100 year old wooded area that has "outstanding natural beauty." Seventh, describing the distance between the WWTP and Spring Creek as is done on page 30 of 80 as 700 feet is a difficult task. At least four times a year (and moreso as of late during this rainy year), Spring Creek comes out of the normal channel and fills the floodway. During the Tax Day Flood of 2016, the Memorial Day Flood of 2016, and Hurricane Harvey in 2017, Spring Creek took up the 100 year flood plain (and even went into the 500 year flood plain during Harvey). When any of these rain events occur, the distance from the WWTP will be much different than the distance between the WWTP and the wall of the normal channel. Eighth, the WWTP plant requires functioning electricity to do its job and power is not always reliable in this area. If the design of the plant does not include a backup power source to run the lift station pump described on page 2 of 80, a power outage of any significant duration could create an environmental disaster with this design. Anyone living in Harris County knows that hurricanes can create power outages of weeks in duration.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, May 26, 2022 4:10 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0015977001
Attachments: Request for Contested Case Hearing - FM 2920 Land Company1.pdf

MWD
123792

H

From: charles@irvineconner.com <charles@irvineconner.com>
Sent: Thursday, May 26, 2022 4:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015977001

REGULATED ENTY NAME FM 2920 LAND

RN NUMBER: RN111244844

PERMIT NUMBER: WQ0015977001

DOCKET NUMBER:

COUNTY: HARRIS

PRINCIPAL NAME: FM 2920 LAND COMPANY LTD

CN NUMBER: CN605880145

FROM

NAME: MR Charles Irvine

EMAIL: charles@irvineconner.com

COMPANY: Irvine & Conner

ADDRESS: 4709 AUSTIN ST
HOUSTON TX 77004-5004

PHONE: 7135331704

FAX:

COMMENTS: Attached a contested case hearing request.

May 26, 2022

Re: FM 2920 Land Company, Ltd.'s Application for a New Pollutant Discharge Elimination System Permit No. WQ0015977001

Request for a Contested Case Hearing

FM 2920 Land Company, Ltd. has applied to the TCEQ to for a proposed Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015977001 (EPA ID No. TX0141135) for a domestic wastewater treatment plant ("WWTP") to authorize discharge of treated wastewater at a volume not to exceed a daily average flow of 120,000 gallons per day. The facility is located at on Farm-to-Market Road 2920 approximately 550 feet east of the intersection of Farm-to-Market ("FM") Road 2920 and Three Pines Drive, in Harris County, Texas 77447.

Under Title 30, Texas Administrative Code § 55.201(c), a hearing request by an affected person must be in writing, must be timely filed, may not be based on an issue raised solely in a public comment which has been withdrawn, and must be based only on the affected person's timely comments.

Section 55.201(d) states that a hearing request must substantially comply with the following:

(1) give the name, address, daytime telephone number, and, where possible, fax number of the person who files the request;

We respectfully request a contested case hearing on this application on behalf the individuals listed below (hereinafter "The Requesters"). The Requesters can be contacted at 4709 Austin Street, Houston, Texas 77004, via telephone at 713-533-1704, and via fax at 713-524-5165.

The following individuals request a hearing:

- Kerry Green owns property located at 22623 Three Pine Drive, Hockley, Texas 77447.
- Lewis Green owns property located at 22014 Three Pines Drive, Hockley, Texas 77447.
- Melissa Bronikowski owns property located at 22203 Three Pines Drive, Hockley, Texas 77447.
- Danele and Don Pribilski own property located at 22707 Three Pines Drive, Hockley, Texas 77447.
- Jana Epplin owns property located at 22015 Three Pines Drive, Hockley, Texas 77447.

- Karen Hill and Scott Hill own property located at 22914 Three Pines Drive, Hockley, Texas 77447.
- Chuck Dickison and Bette Dickison own property located at 22819 Three Pines Drive, Hockley, Texas 77447.
- Donald Blackwell and Iris Blackwell own property located at 22818 Three Pines Drive, Hockley, Texas 77447.
- John R. Carter and Mary C. Carter own property located at 22806 Three Pines Drive, Hockley, Texas 77447.
- Rick Carter and Renay Carter own property located at 22603 Three Pines Drive, Hockley, Texas 77447.
- Lee Lackey owns property located at 22530 Three Pines Drive, Hockley, Texas 77447.
- Thomas S. Adkins and Norma Adkins own property located at 22522 Three Pines Drive, Hockley, Texas 77447.
- Vic Smart and Linda Smart own property located at 22427 Three Pines Drive, Hockley, Texas 77447.
- Larry Stephens and Toni Stephens own property located at 22422 Three Pines Drive, Hockley, Texas 77447.
- Walter Horswill and Linda L. Horswill own property located at 22327 Three Pines Drive, Hockley, Texas 77447.
- Kenny Gardner and Betsey Gardner own property located at 22510 Three Pines Drive, Hockley, Texas 77447.
- Kevin Burke, Kevin Burke, and Benzha Burke own located at property located at 22410 Three Pines Drive, Hockley, Texas 77447.
- Daniele Comeau and Michael Redden own property located at 22314 Three Pines Drive, Hockley, Texas 77447.
- Vi Dima Pima owns property located at 22306 Three Pines Drive, Hockley, Texas 77447.
- Raymond D. Shay and Kammie Shay own property located at 22214 Three Pines Drive, Hockley, Texas 77447.
- David Harsch and Theresa Harsch own property located at 22307 Three Pines Drive, Hockley, Texas 77447.
- Terry G. Hart and Paula J. Hart own property located at 22219 Three Pines Drive, Hockley, Texas 77447.
- Russel Smith and Michelle Smith own property located at 22227 Three Pines Drive, Hockley, Texas 77447.
- Michael Martino and Angie Martino own property located 22210 Three Pines Drive, Hockley, Texas 77447.
- Paul Rainer owns property located at 22023 Three Pines Drive, Hockley, Texas 77447.
- Renee Arias owns property located at 22726 Three Pines Drive, Hockley, Texas 77447.
- Liana Jones owns property located at 22718 Three Pines Drive, Hockley, Texas 77447.
- Kevin Crane and Cynthia J. Crane own property located at 22811 Three Pines Drive, Hockley, Texas 77447.
- Michaela Mey owns property at 22521 Three Pines Drive, Hockley, Texas 77447.
- Judy Allison and Colin Allison own property located at 22727 Three Pines Drive, Hockley, Texas 77447.

- James P. Long and Renee L. Sanchez own property at 22315 Three Pines Drive, Hockley, Texas 77447.
- Doris Walpole and Mack Walpole own property located at 22037 Pine Tree Lane, Hockley, Texas 77447.
- Trinity Walpole, Kylie Walpole, Vaughn Walpole, and Dodie Walpole own property located at 22033 Pine Tree Lane, Hockley, Texas 77447.
- Deborah Cooper and William Cooper own property located at 22011 Pine Tree Lane, Hockley, Texas 77447.
- Dana Boehn owns property located at 22012 Pine Tree Lane, Hockley, Texas 77447.
- Ian Blane owns property located at 20402 Penny Blume Drive, Hockley, Texas 77447.
- John Abbruscato and Catherine Abbruscato own property located at 22199 Pine Tree Lane, Hockley, Texas 77447.
- Miguel Mujica owns property located at 22717 Mueschke Road, Hockley, Texas 77447.
- Pedro Mujica owns property located at 22317 Mueschke Road, Hockley, Texas 77447.

(2) identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;

The Requesters have personal justiciable interests affected by the application. Their properties range in distance from the proposed WWTP (anywhere from 266 feet to 2 and half miles). And their properties are directly adjacent to the proposed permit area. The treated effluent from the WWTP will discharge north into Spring Creek in Segment No. 1008 of the San Jacinto Basin. The WWTP will drain north of the properties of The Requesters and flow into Spring Creek. The designated uses for Spring Creek in Segment No. 1008 are primarily contact recreation, public water supply and high aquatic life use. The Requesters are concerned about the impact of the proposed permit upon the water quality in the creek. Livestock have access to the water in the reservoirs on The Requesters' property. The Requesters are particularly concerned about the impact of algae blooms known to occur in the wastewater to remove nitrogen, phosphorus, and to dissolve organic carbon. Algae blooms may cause toxins that are detrimental to fish and other animals. Some algae may cause cattle to exhibit muscle tremors, difficulty breathing, wobbly gait, seizures, profuse slobbering, diarrhea, and rapid death within minutes to hours. The Requesters are also concerned with adverse impacts on the recreational activities that take place in and around Spring Creek.

The Requesters will be adversely affected by the proposed facility due to their proximity to the facility. The Requesters are concerned that the wastewater treatment plant will affect their health, welfare, and environment because they are located adjacent of the facility and may be affected by runoff from these facilities.

Under 30 TAC § 55.203(a), an "affected person" is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. The Requesters have personal justiciable interests related to their legal rights and

economic interests in the use of their property. The factors provided in Rule 55.203(c) that the TCEQ considers determining whether a person is an affected person further support The Requesters requests for a contested case hearing.

(3) request a contested case hearing;

We request a contested case hearing on this application on behalf of The Requesters

(4) . . . list all relevant and material disputed issues of fact that were raised by the requestor during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the executive director's responses to the requestor's comments that the requestor disputes, the factual basis of the dispute, and list any disputed issues of law;

Initially, we are concerned that drainage and runoff from the WWTP will adversely affect The Requester's health and well-being, use and enjoyment of their property, and the natural environment on their property. The treated effluent from the WWTP will be discharged to a man-made ditch, Spring Creek in Segment No. 1008 of the San Jacinto River Basin. The wastewater treatment facility may contaminate residential property and the public water supply.

The Applicant is proposing to build an activated sludge process plant operating in the complete mix mode, which increases the risk of unauthorized discharge of wastewater sludge into Spring Creek. We are concerned with the Applicant's ability to prevent contamination caused by the discharge (including, but not limited to, algae, vegetation overgrowth, excessive nutrients, and E. coli.) We are also concerned with the Applicant's ability to comply with the Texas Pollutant Discharge Elimination System (TPDES) effluent guidelines, meet the Texas Surface Water Quality Standards (TSWQS), and generally provide adequate water quality protection.

We are concerned with the Applicant will be unable to prevent adverse impacts to terrestrial and/or aquatic wildlife.

We are concerned with the Applicant's ability to design, establish, and maintain grassed waterways in a manner sufficient to protect areas from erosion and to prevent or limit discharge or runoff from the WWTP.

We are concerned with the receiving water bodies' ability to safely dilute and disperse the discharge and avoid algae blooms.

We are concerned with the Applicant's ability to comply with the requirements to prevent to operate the WWTP in a manner as to prevent nuisance condition of air pollution/odors, and to prevent adverse effects to human health or safety or to the environment.

We are concerned with the Applicant's ability to prevent discharge from adversely impacting recreational activities, including contact recreation. The designated uses for Spring

Creek in Segment No. 1008 of the San Jacinto River Basin are primarily contact recreation, public water supply and high aquatic life use.

We are concerned whether the draft permit adequately protects human health, safety, and welfare.

We are concerned with the draft permit contains sufficient testing, monitoring, and reporting requirements.

We believe that all these issues need to be thoroughly investigated during the rigorous contested case process and associated discovery.

(5) provide any other information specified in the public notice of application.

No other information is specified in the public notice of the application.

We appreciate your attention to this matter. If any additional information is required to qualify as affected persons for the purpose of contesting this application, please contact us at the address or phone number below.

Sincerely,

Irvine & Conner, PLLC

by /s/ Charles Irvine

Charles Irvine

Janet Campos

Irvine & Conner, PLLC

4709 Austin Street

Houston, TX 77004

713.533.1704

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, July 7, 2021 10:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015977001

H

From: karenrezzoffi@sbcglobal.net <karenrezzoffi@sbcglobal.net>
Sent: Tuesday, July 6, 2021 8:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015977001

REGULATED ENTY NAME FM 2920 LAND

RN NUMBER: RN111244844

PERMIT NUMBER: WQ0015977001

DOCKET NUMBER:

COUNTY: GALVESTON

PRINCIPAL NAME: FM 2920 LAND COMPANY LTD

CN NUMBER: CN605880145

FROM

NAME: MRS Lynda Karen Rezzoffi

E-MAIL: karenrezzoffi@sbcglobal.net

COMPANY:

ADDRESS: 20818 PINE OAK LN
HOCKLEY TX 77447-8705

PHONE: 2818187815

FAX:

COMMENTS: For well over 30 years our family has lived in Pine Oak Estates located at the end of Pine Tree Lane, two streets west from the subject property, being the 82 acres off of FM 2920. We have multiple concerns, 1) the 440 mobile home spaces, 2) the treatment plant that would dispose of water into Spring Creek, 3) the traffic concerns entering and exiting FM 2920, and 4) decline of property value. We have lived here for well over 30 years. My husband and I are

requesting a hearing on this matter to discuss the above concerns. We appreciate your consideration. Pete and Karen Rezzoffi