

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 FEB 15 10:14:35

CHIEF CLERK'S OFFICE

**DREW ENGELKE**

GUADALUPE COUNTY COMMISSIONER, PRECINCT 2

101 EAST COURT STREET  
SEGUIN, TEXAS 78155

EMAIL: DREW.ENGELKE@CO.GUADALUPE.TX.US

OFFICE: (830)303-8857 EXT. 2

FAX: (830) 303-4064

REVIEWED

FEB 15 2022

MWD  
125963

By GCW

TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

**Re: Wastewater Treatment Plant Permit – Rattler Ridge, LLC. (WQ0016049001)**

8 February 2022

To whom it may concern,

I am writing in protest to a housing development in northern Guadalupe County. Rattler Ridge, LLC, has applied to TCEQ wastewater treatment plant to provide wastewater treatment service for the development on-site. The treated wastewater is designed to discharge into the Long Creek, York Creek and Lower San Marcos River watersheds. This is a true environmental concern for the area and the watersheds that are affected by this discharge.

The specific details of the permit are as follows:

RN111346813 ...

**Name:** RATTLER RIDGE WWTP

**Primary Business:** TREAT AND DISPOSE DOMESTIC WASTEWATER FROM PROP SU

**Street Address:** No street address on file.

County: GUADALUPE

Nearest City: REDWOOD

State: TX

Near ZIP Code: No near zip code on file.

Physical Location:

LOCATED 1 MILE EAST OF INTERSECTION OF HWY 123 AND FM 1978 THE PROPERTY IS NORTH OF FM 1979 AND SOUTH OF 1978 EAST OF OLD SEGUIN RD AND WEST OF REDWOOD DR

I respectfully request that the wastewater treatment permit be denied for the consideration of the long-term environmental effects to the area in north Guadalupe County.

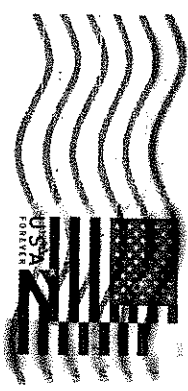
Respectfully,

**Drew Engelke**



DREW ENGELKE  
GUADALUPE COUNTY COMMISSIONER, PRECINCT 2  
GUADALUPE COUNTY COURTHOUSE  
101 EAST COURT STREET  
SEGUIN, TEXAS 78155

SAN ANTONIO TX 780  
RIO GRANDE DISTRICT  
9 FEB 2022 PM 3 L



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FEB 11 2022

TCEO MAIL CENTER  
AJ

*Handwritten signature*

*McDoss?*

TCEO

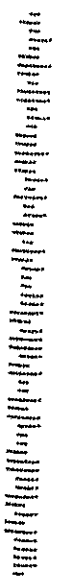
PO Box 13087

Austin, TX 78711-3087

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ADDRESSEE NO  
78711-3087

78711-308797



MWD  
125963

This letter is being submitted from Garland Powers III who owns property located on FM 1979 and has a parcel that is less than one mile from a proposed 1500 home subdivision and domestic wastewater treatment facility. (TCEQ permit number WQ0016049001) We have many concerns and questions regarding the proposed wastewater treatment facility! Our property has a tank/pond along with a stretch of the Long Creek which provides places for our livestock to drink and frequently get in. It also allows our family to enjoy fishing, canoeing, swimming, duck hunting and many other outdoor activities. We feel strongly that the discharge will greatly affect these water sheds and cause great health risk to our livestock along with the aquatic and wildlife. In addition, it will change the recreation activities our family has enjoyed for many years. We would like to know who will be responsible when we start losing livestock and wildlife because of the contaminated wastewater that will be dump into our water sheds?

Another concern is about the proposed 400,000 gallons per day of discharge and the erosion effect and problems that will occur to our property. There will be added problems when a heavy rainfall occurs putting more water in these water sheds causing more flooding which already occurs when we get big rains. Who will be paying to make the repairs from wash outs/erosion and removal of debris that will wash on to our property?

The onsite pond that is stated in the notification letter we received is on our property and we have concerns with all this discharge that will be dumped into an over 30-year-old tank/pond which was not designed to be used as a wastewater dumping zone! This could grossly affect the integrity of the dam. If the dam was to fail who will be responsible for rebuilding?

In closing we would like to request that the Rattler Ridge, LLC permit not be granted! We welcome any and all responses to be mailed to 2741 FM 1979, San Marcos, Texas 78666 or emailed to [powersco@gapowersco.com](mailto:powersco@gapowersco.com).

Sincerely,



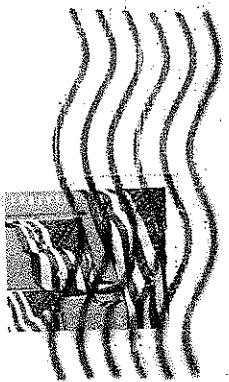
Garland Powers III  
830-832-3911

REVIEWED  
JAN 26 2022  
By GCW

2022 JAN 29 AM 10:32  
CHIEF CLERKS OFFICE  
DIVISION  
ENVIRONMENTAL

G Powers  
2141 Fm 1979  
San Marcos TX 78666

AUSTIN TX 786  
RIO GRANDE DISTRICT  
JAN 20 JAN 2022 PM 3 L



THE STATE OF TEXAS  
JAN 24 2022  
VW

CHIEF CLERKS OFFICE

Texas Commission on Environmental Quality  
Office of the Chief Clerk

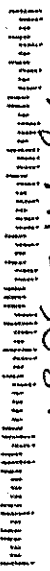
MC-105

P.O. Box 13087

Austin, TX

78711-3087

78711-3087



26:01 AM 10:32  
2022 JAN 24

TX ENVIRONMENTAL  
QUALITY COMMISSION  
CHIEF CLERKS OFFICE

# York Creek Improvement District

745 Laubach Road, Seguin, Texas 78155

(830)379-0930x3 (Day) or (830)433-1183 (Evenings)

MWD  
125963

ON BEHALF OF THE DISTRICT  
2022 FEB - 7 AM 11:57  
CIVIL ENGINEERING OFFICE

REVIEWED

FEB 08 2022

By GCW

January 14, 2022

RECEIVED

JAN 18 2022

WATER QUALITY DIVISION  
TCEQ

Board of Directors

Bettye Jean Urban, President

Garland Powers III, Vice-Pres.

Darrell Harborth, Sec.-Treas.

Albert Jonas, Contracting Officer

Ernest Hartman, Jr., Member

T. K. Schneider, Member

Milton Salmon, Jr., Member

Rodney Bush, Member

Tim Kardosz, Member

Beverly Hartwick,  
Administrative Assistant  
[beverly.hartwick@tx.nacdnet.net](mailto:beverly.hartwick@tx.nacdnet.net)  
(830)379-0930x3

Mr. David W. Galindo, Director  
TCEQ Water Quality Division  
Wastewater Permitting Section  
Building F – Mail Code 145  
PO Box 13087  
Austin, Texas 78711-3087

RE: Proposed Permit Number WQ0016049001

Dear Mr. Galindo:

It has come to the attention of the York Creek Improvement District that there is an application pending for a proposed permit number WQ0016049001, for a wastewater treatment plant. The location appears to lie at least one mile upstream of one of the District's dam sites. (It is most likely no more than a mile and one half to two miles upstream.) We also make note that there are many just like these being proposed all over the state, but in particular the central Texas Area, not too far off the IH-35 corridor, and the IH-10 corridor.

Our interest lies with the ones that are inside the YCID responsibility, in parts of Guadalupe, Hays, and Comal Counties.

The questions that come to mind by the nine member Board for the District, and concerned citizens that have received notice of the proposed permit, and expressed them to the Board, are the following:

Of the volume of discharge at its highest rate, what is the projected volume that is likely to flow into Site 10, located just off Dreibrodt Road at the frontage of the dam, with the in-flow of the dam which is facing FM 1979? (Not far from this location is FM 1978 where the proposed plant is projected to be built.) Is part of your review process to include such an assessment?

Realizing that the YCID dam site is not listed as an "interested party" based on either ownership of the land, or because our dam is just outside a one-mile distance from the proposed plant site, we would respectfully request that we be put on your list of vested persons concerned with the safety of Site 10 (and any other watershed sites) in our District. This would allow the Board to be informed of action(s) which might affect this dam site, and any others. Is that possible?

The Board believes that with the growth that is being proposed, in and around all of its dam sites (several in Comal County, one in Hays County and the balance of the 16 sites in Guadalupe County), that we need to be kept apprised of any applications that will affect, or could affect, (possibly adversely) the integrity of the dams, easements, etc., and which might jeopardize their original intent. Is part of your review process to include such an assessment?

All of the 16 sites have "served their life" which means that they are "silted in" and hold, at most depths, 10 to 30 feet of water. They are all older than 50 years each and have officially reached their lifespan. However, the responsibility for their maintenance and operation, including easement and fences, still comes under the responsibilities of the District.

That being the case, with non-anticipated drainage from wastewater treatment plants at the inception of the dams having been built, the Board is concerned that the site(s) will remain full, and that rainfall, or any other input of water, might grossly affect the integrity of the dam(s). This could also affect adversely citizens above the dam, and of course, below the dam(s).

It is the policy of the Board that valves for the dams are opened only once a year. This is done to make certain that the valves are operational. Any other time, if access can be gained to the valves, they would be opened before or during flooding conditions. They do not remain open at all times.

Any water behind the dam, is utilized in most cases for agricultural purposes, such as livestock watering. We understand that the water belongs to the State of Texas, but the land and the use of the water "belongs" to the landowner of the site, as long as that does not adversely affect other agricultural ventures below the dam, and water is available to be released.

The District is not staffed, except for a part time administrative employee. The Board, although elected by General Elections, and/or appointment when a vacancy occurs, are not salaried positions. Never-the-less, the Board remains conscientious in its efforts to carry out the mandate of the Board, and we feel certain that you can understand that.

Any consideration and information you can provide the District, will of course be appreciated. Our next meeting is to be held January 24, 2022, and the desire is to report to the Board any information you can provide.

Sincerely,  
The Board of Directors,

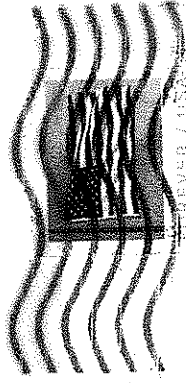


Bettye Jean Urban, President  
York Creek Improvement District

Cc: Warren Samuelson, TCEQ Dam Safety Division  
YCID Board Members  
Kyle Franz, RTL, USDA/NRCS, Seguin, TX  
Todd Marek, USDA/NRCS, Temple, TX

York Creek ID: 78  
999 Fleming Drive  
Seguin, TX 78155

SAN ANTONIO TX 780  
RIO GRANDE DISTRICT  
14 JAN 2022 PM 4 L



*forwarding mail to app*

CHIEF CLERKS OFFICE

JAN 11 AM 7 - 03L 700

TVLN 01 01 03 NO  
11 03 01 03 NO  
11 03 01 03 NO

Mr. David W. Galindo, Director  
TCEQ Water Quality Division  
Wastewater Permitting Section  
Building F - Mail Code 145  
PO Box 13087  
Austin, Texas 78711-3087

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JAN 18 2022

TCEQ MAIL CENTER  
DA

78711-308767

