

January 10, 2023

Office of the Chief Clerk  
Attn: Laurie Gharis, Chief Clerk  
MC-105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

Ref: NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-07062022-010

Initial publication September 09, 2022 in the Lampasas Dispatch Record

Our request for a contested case hearing, letter dated October 2, 2022

Pitt Creek Ranch LLC's Response to Requests for a Contested Case Hearing dated December 19, 2022

TCEQ Office of Public Interest Counsel's response to Hearing Requests dated December 19, 2022

TCEQ Executive Director's response to Hearing Requests dated December 19, 2022

Dear Ms. Gharis:

We respond hereby to the referenced responses to our request for a contested case hearing for the referenced petition by Pitt Creek Ranch LLC for creation of Lampasas County Municipal District No.1.

We appreciate the effort by the Office of Public Interest Council and Executive Director and their findings that we have a personal justiciable interest in this matter.

All three responses, including the Petitioner's, recite TWC paragraph 54.021(b) detailing what the Commission shall consider in granting the petition, including "(3) whether or not the district and its system **and subsequent development within the district** will have an unreasonable effect on...", **emphasis added**.

All three also recite TWC paragraph 54.012 on the purposes for which a MUD can be created, including "(8) the preservation of **all natural resources** of the state.", **emphasis added**.

The Texas Legislature recognizes the importance of preserving the natural resource of dark skies, including in HEALTH AND SAFETY CODE

TITLE 5. SANITATION AND ENVIRONMENTAL QUALITY

SUBTITLE F. LIGHT POLLUTION

CHAPTER 425. REGULATION OF CERTAIN OUTDOOR LIGHTING

GOVERNMENT CODE Sec. 3000.002 (c) (3) and (4)

LOCAL GOVERNMENT CODE Sec. 229.053 and CHAPTER 240 SUBCHAPTER B

TAX CODE Sec. 351.10692

Developer proposes to transform the MUD area from its present use as non-residential rural ranch land into a residential suburb. The entire purpose of the Pitt Creek development is to enable subsequent development by the purchasers of the proposed 421 residential units.

Indeed, that subsequent development is essential to realizing the petition's \$850,000 average unit valuation that is the basis for its assertion of "a total projected combined tax rate which is within the feasibility limits of TCEQ rules."

It is unlikely that the MUD's improvements and owners' subsequent development of residences would ever be reversed and the land restored to its current state. We ask that the Commission consider the impact of the Petitioner's actions on the night sky environment, and also the impact of outdoor lighting installed by the subsequent development, in perpetuity.

While light pollution is an issue of general public concern, its effect is geographic – those closest the light source are most affected. The addition of dozens of lights by the MUD and potentially thousands of outdoor lights by subsequent development could obscure the night sky and create nuisance light trespass for us and the other neighbors surrounding the MUD area.

This environmental impact is readily avoided simply by requiring, enforceably and in perpetuity, non-polluting lighting fixtures and installation that illuminate only within the MUD area. Petitioner's response does not address our concerns for preserving the dark sky natural resource nor our suggestions to resolve them.

We ask that the commissioners accept the recommendations of the Office of Public Interest Council and Executive Director and approve the requests for a contested case hearing.

Thank you for your consideration and we look forward to your decision on a hearing.

Sincerely,

  
\_\_\_\_\_  
Thomas M. Watson III

  
\_\_\_\_\_  
Jane Tull Watson

Copies to mailing list attached below.

## CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2023 the original of the Watsons' Comments on Responses to Hearing Requests was filed with the Chief Clerk of the TCEQ and a copy was served on all persons listed on the attached mailing list via electronic mail, and/or by deposit in the U.S. Mail.



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Thomas M. Watson III

**MAILING LIST**  
**LAMPASAS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1**  
**DOCKET NO. 2022-1653-DIS; INTERNAL CONTROL NO. D-07062022-010**

**FOR THE APPLICANT**

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**FOR THE EXECUTIVE DIRECTOR**

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**FOR ALTERNATIVE DISPUTE RESOLUTION**

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**FOR THE CHIEF CLERK:**

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

See attached list.

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