# State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

January 9, 2024

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| Aubrey Pawelka | VIA EFILE TEXAS |
| Jessica Anderson | VIA EFILE TEXAS |
| Peter Gregg | VIA EFILE TEXAS |
| Eric Allmon | VIA EFILE TEXAS |
| Emily Rogers | VIA EFILE TEXAS |

**RE: Docket Number 582-23-11653.TCEQ; Texas Commission on Environmental Quality No. 2022-1732-MWD; *Application by Civitas at Buda, LLC for TPDES Permit No. WQ0016154001***

Dear Parties:

On November 21, 2023, I issued a Proposal for a Decision (PFD) in this case. Exceptions to the PFD were timely filed by Staff for the Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ), the Guadalupe-Blanco River Authority (GBRA), and Stanley and Kelly Kolodzey on December 11, 2023. Replies to exceptions were also timely filed by Staff and the Kolodzeys on December 21, 2023. I have reviewed the parties' exceptions and replies, and I make the following changes to the PFD:

1. Modify Finding of Fact No. 11 to reflect that the Spanish Notice of Application and Preliminary Decision was published on September 22, 2022.

2. Delete Finding of Fact No. 13 and modify Finding of Fact No. 15 to indicate that the ED's Response To Comments was mailed on December 29, 2022.

3. Modify Finding of Fact No. 19 to indicate that the preliminary hearing was convened on May 23, 2023.

The exceptions made by Protestants chiefly complain about the way the ALJ has weighed the evidence and assessed the credibility of witnesses. Protestants' arguments have been fully considered and addressed in the PFD and do not warrant change. Therefore, with the aforementioned changes, the PFD is ready for your review, and I recommend its adoption as modified.

Signed January 9, 2024

ALJ Signature:

Megan Johnson,
Presiding Administrative Law Judge

CC: Service List