

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, November 28, 2022 10:54 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016022001
Attachments: Request For Hearing signed final.pdf

eComment = H
Attachment = H

From: jonbeall1@gmail.com <jonbeall1@gmail.com>
Sent: Friday, November 25, 2022 5:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016022001

REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: Jon Beall

EMAIL: jonbeall1@gmail.com

COMPANY: Wilbarger Creek Conservation Alliance

ADDRESS: 2503 FLORA CV
AUSTIN TX 78746-6902

PHONE: 5126321760

FAX:

COMMENTS: Attached is a file requesting a Contested Case Hearing on Majestic Manor WWTP, which I have also pasted below. We refer to two photos in this request which can be found at - https://photos.google.com/album/AF1QipMpvjVJ_WcxSLWTKfvmMeTixNDRWP1uEVyFayM4 Request for a Contested

Case Hearing, Majestic Manor WQ0016022001 November 26, 2022 TO: TCEQ FM: Wilbarger Creek Conservation Alliance (WCCA), Jon Beall, President, WCCA Anne Brockenbrough, VP, WCCA Marilyn Kelinske, M.D., Board Member, WCCA RE: Request for a Contested Case Hearing on the Draft Permit for Majestic Manor WQ0016022001 We as individuals and collectively as WCCA protest the TCEQ's issuance of the Draft Permit, and request a Contested Case Hearing. TCEQ must do more to preserve the water quality of Wilbarger Creek and prevent further degradation.. West of the Travis County line, Wilbarger Creek historically was a small, intermittent stream. It had high flows only periodically, then quickly subsided into stagnant pools that soon evaporated. Now Wilbarger Creek flows through our properties year round at most times a few inches deep and a few feet wide consisting entirely of treated effluent from Manor and Shadowglen WWTPs. 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78653 512-278-8699 _____ Marilyn Kelinske, Board Member, WCCA 15611 Littig Rd
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WQ0016022001**

November 26, 2022

TO: TCEQ
FM: Wilbarger Creek Conservation Alliance (WCCA),
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Anne Brockenbrough, VP, WCCA
Marilyn Kelinske, M.D., Board Member, WCCA

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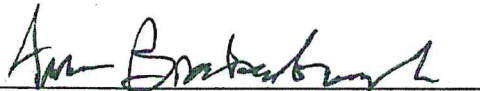
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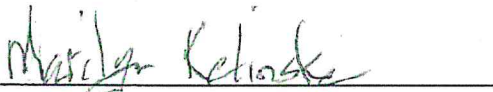
Respectfully submitted,



Jon Beall, President, WCCA
2503 Flora Cove
Austin, TX 78746
512-632-1760



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11318 Jones Rd
Manor, TX 78653
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REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: Jon Beall

EMAIL: jonbeall1@gmail.com

COMPANY: Wilbarger Creek Conservation Alliance

ADDRESS: 2503 FLORA CV
AUSTIN TX 78746-6902

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- Chlorination is necessary to ensure harmful bacteria is killed. Unfortunately, the usual minimum residual levels in discharges is high enough to kill or stress fish and other aquatic life. If a portion of Wilbarger Creek is predominantly or all treated effluent, that portion of the Creek will not support much life. Irrigation or discharging first to a pond or wetland prior to entering Wilbarger Creek could help mitigate that.
- Treatment plant malfunctions are unfortunately predictable, and sometimes outside the control of plant operators. Power outages, floods, mechanical failures, etc. can quickly result in exceedances of permit limits, even in a well run plant. Since Wilbarger creek is so small at this point, the impacts of an unauthorized discharge will be much more severe than a similar discharge into a larger river. Consider Round Rock's problems at the Brushy Creek WWTP, which have been well documented over the last several months. Land application, beneficial reuse, wet ponds, vegetative filter strips, etc. would provide a better buffer in the unfortunate event that the plant has problems.
- The unknown future negative impacts of Pflugerville's WWTP and others indicate TCEQ should err on the side of caution. Downstream neighbors, taxpayers, terrestrial wildlife and aquatic environments should not have to suffer so that this wastewater operator can save a little money.
- Anne Brockenbrough - I have had the water quality tested several times over the last few years by the Austin Youth River Watchers (AYRW) and each time they have found the water in Wilbarger Creek has extremely low dissolved oxygen levels indicating that the creek is already impaired or dangerously

close. With the addition of treated effluent coming from Pflugerville and Majestic Manor, I am afraid the creek will be permanently impaired. I ask that TCEQ do a current test of the water in Wilbarger downstream of the Manor plant before you approve this permit. You are welcome to come on my ranch and test the water any time.

- Marilyn Kelinske - Wilbarger is a source of water for wildlife. My land has a conservation easement on it for wildlife and with the population growth all around, it has become a haven for it. The animals depend on clean water from the creek for survival. I do have horses and livestock on my property but have restricted their access to the creek water because of the contamination. The creek is also a place for fishing and swimming. The fish are minimal in numbers now but they can rebound if the water is protected. People should be able to enjoy swimming in the creek but all of us would not want to do so if the water was contaminated and full of algae like it was recently.

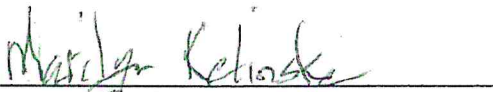
Respectfully submitted,



Jon Beall, President, WCCA
2503 Flora Cove
Austin, TX 78746
512-632-1760



Anne Brockenbrough, VP, WCCA
11318 Jones Rd
Manor, TX 78653
512-278-8699



Marilyn Kelinske, Board Member, WCCA
15611 Littig Rd
Manor, TX 78652
512-796-1196

WQ
125840

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Tuesday, July 5, 2022 1:42 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016022001

From: jonbeall1@gmail.com <jonbeall1@gmail.com>
Sent: Friday, July 1, 2022 1:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016022001

REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: Jonathan Beall

EMAIL: jonbeall1@gmail.com

COMPANY: Wilbarger Creek Conservation Alliance

ADDRESS: 2503 FLORA CV
AUSTIN TX 78746-6902

PHONE: 5126321760

FAX:

COMMENTS: This comment concerns the 30 day deadline to submit comments. We at WCCA had concerns the 30 day period started on May 31st when the Notice was sent. I have just spoken with Mr. Jason Basz (sp?), an engineer with the Applicant, SWWC. He said they only recently published the public notice, and sent the 42 page draft permit to the Manor City Hall. This might extend the 30 day deadline beyond June the 30th giving us time for an evaluation. Please let me know. Thanks, Jon

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Tuesday, July 5, 2022 11:28 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016022001

From: jonbeall1@gmail.com <jonbeall1@gmail.com>
Sent: Thursday, June 30, 2022 12:58 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016022001

REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: Jon Beall

EMAIL: jonbeall1@gmail.com

COMPANY: Wilbarger Creek Conservation Alliance

**ADDRESS: 2503 FLORA CV
AUSTIN TX 78746-6902**

PHONE: 5126321760

FAX:

COMMENTS: We respectfully request a 30 day extension to the comment period. The draft permit is not available at the Manor City Hall. They have spent a week looking for it unsuccessfully. In addition, I have called the applicant's representative in Austin, Mr. Torralva, who has not yet returned my calls. Finally, after contacting the TCEQ Office of Public Interest Counsel, I received the 42 page draft opinion this morning. This is not enough time for us to have our experts evaluate the draft permit and submit meaningful comments. In addition, I have attached some comments, which

are linked here - <https://docs.google.com/document/d/1uVOAdnuZZg9YH21fUUb4rqjtmBkWhdOmX1gDZPA-AA/edit?usp=sharing>

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, November 29, 2022 1:12 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016022001

H

From: elmridgeranch@yahoo.com <elmridgeranch@yahoo.com>
Sent: Tuesday, November 29, 2022 11:57 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016022001

REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: Anne Stewart Brockenbrough

EMAIL: elmridgeranch@yahoo.com

COMPANY: Elm Ridge Ranch

ADDRESS: 11318 JONES RD
MANOR TX 78653-5205

PHONE: 5127898699

FAX:

COMMENTS: My name is Anne Brockenbrough and I am writing to ask for standing and to request a contested case hearing in regards to the SWWC Utilities, Inc's Permit # WQ0016022001. I own a working ranch approximately 3 miles downstream of the proposed Majestic Manor waste water treatment plant. I own land on both sides of Wilbarger Creek and for the past 25 years I have seen what used to be a seasonally intermittent creek—often completely dry—now running very high all the time (just a few feet under the bridge on Jones Road now) due to the constant pumping of

treated effluent from several waste water treatment plants upstream. This has caused repeated flooding every time there is a big rain, erosion of my land, and severe damage to all my fencing, I am very concerned about the water quality in the creek which my cattle depend on for water. I have had the water tested several times by the Austin Youth River Watchers and each time the results show extremely low dissolved oxygen, indicating that the creek is already impaired or dangerously close. I am concerned that the addition of even more treated effluent from the proposed Majestic Manor Waste Water Treatment Plant will cause the creek to be permanently impaired. I ask that TCEQ do a current test of the water in Wilbarger below the Manor plant before this new plant is approved. I think a TMDL study is needed and I think it will show that TCEQ needs to hold all the waste water treatment plants that are currently discharging into Wilbarger Creek to a higher standard. I believe that plants on the west side discharging into Barton Creek are held to a higher standard and I believe the same should be done for Wilbarger Creek. Again, I ask for standing and I would like to request a contested case hearing. Thank you for your consideration— Anne Brockenbrough

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, November 28, 2022 10:51 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016022001

H

From: elmridgeranch@yahoo.com <elmridgeranch@yahoo.com>
Sent: Friday, November 25, 2022 11:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016022001

REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: Anne Stewart Brockenbrough

EMAIL: elmridgeranch@yahoo.com

COMPANY: Elm Ridge Ranch

ADDRESS: 11318 JONES RD
MANOR TX 78653-5205

PHONE: 5127898699

FAX:

COMMENTS: My name is Anne Brockenbrough and I am writing to ask for standing and to request a contested case hearing in regards to the SWWC Utilities, Inc's Permit # WQ0016022001. I own a working ranch approximately 3 miles downstream of the proposed Majestic Manor waste water treatment plant. I own land on both sides of Wilbarger Creek and for the past 25 years I have seen what used to be a seasonally intermittent creek—often completely dry—now running very high all the time (just a few feet under the bridge on Jones Road now) due to the constant pumping of

treated effluent from several waste water treatment plants upstream. This has caused repeated flooding every time there is a big rain, erosion of my land, and severe damage to all my fencing, I am very concerned about the water quality in the creek which my cattle depend on for water. I have had the water tested several times by the Austin Youth River Watchers and each time the results show extremely low dissolved oxygen, indicating that the creek is already impaired or dangerously close. I am concerned that the addition of even more treated effluent from the proposed Majestic Manor Waste Water Treatment Plant will cause the creek to be permanently impaired. I ask that TCEQ do a current test of the water in Wilbarger below the Manor plant before this new plant is approved. I think a TMDL study is needed and I think it will show that TCEQ needs to hold all the waste water treatment plants that are currently discharging into Wilbarger Creek to a higher standard. I believe that plants on the west side discharging into Barton Creek are held to a higher standard and I believe the same should be done for Wilbarger Creek. Again, I ask for standing and I would like to request a contested case hearing. Thank you for your consideration— Anne Brockenbrough

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Tuesday, July 5, 2022 11:27 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016022001

PML+
H

From: Elmridgeranch@yahoo.com <Elmridgeranch@yahoo.com>
Sent: Wednesday, June 29, 2022 11:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016022001

REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: Anne Stewart Brockenbrough

EMAIL: Elmridgeranch@yahoo.com

COMPANY: Elm Ridge Ranch

ADDRESS: 11318 JONES RD
MANOR TX 78653-5205

PHONE: 5127898699

FAX:

COMMENTS: My name is Anne Brockenbrough and I am writing in regards to the SWWC Utilities, Inc application for a new Texas Pollutant Discharge Elimination System (TPDES) Permit # WQ0016022001. I would like to request standing, a public hearing, and to be placed on the permanent mailing list for this applicant and for Travis County. I own and live on a working ranch approximately 3 miles down stream of the proposed Majestic Manor waste water treatment plant. I

own land on both sides of Wilbarger Creek, and over the past 25 years, I have seen what used to be a seasonally intermittent creek—often completely dry—now running very high all the time due to the treated effluent being pumped in constantly from several waste water treatment plants upstream—including Manor, Shadow Glen and soon Pflugerville. The water is often times right up under the bridge on Jones Road and has caused increased flooding of my land and Jones Road which now has to be repaired every year. Wilbarger Creek now floods several times a year—every time there is a big rain. This causes my fences to blow out and livestock to escape. Last year we lost 17 head of cattle—and many of the surrounding neighbors cattle end up on my place because their cattle either escape or get washed down stream. It is becoming increasingly impossible to run a profitable working ranch. I am concerned that adding even more waste water into Wilbarger Creek will cause further erosion and loss of my land as well as my livestock. It will also impair the water quality even more. I have had the water quality tested several times over the last few years by the Austin Youth River Watchers (AYRW) and each time they have found the water in Wilbarger Creek has extremely low dissolved oxygen levels indicating that the creek is already impaired or dangerously close. With the addition of treated effluent coming from Plugerville and Majestic Manor, I am afraid the creek will be permanently impaired. I ask that TCEQ do a current test of the water in Wilbarger down stream of the Manor plant before you approve this permit. You are welcome to come on my ranch and test the water any time. I think a TMDL study is needed. If this permit application is approved I would hope that you would hold all the plants currently discharging into Wilbarger Creek to much higher standards and investigate the cause of the water impairment before it is too late. Again, I would like to request standing in this case and also request a public hearing. Please put me on the mailing list for this case as well as for Travis County. Thank you for your consideration. Anne Brockenbrough Elm Ridge Ranch 11318 Jones Road Manor, Tx 78653 Elmridgeranch@yahoo.com (512)789-8699

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, November 29, 2022 8:13 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016022001

H

From: makoph@hotmail.com <makoph@hotmail.com>
Sent: Monday, November 28, 2022 10:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016022001

REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: Marilyn Kelinske

EMAIL: makoph@hotmail.com

COMPANY:

ADDRESS: 6805 LADERA NORTE
AUSTIN TX 78731-2687

PHONE: 5127961196

FAX:

COMMENTS: I would like to request a contested case hearing and certification of being an affected person. When I first bought my property at 11561 Littig Road, Wilbarger Creek was only a wet weather creek and then it required lots of rain to even have any flow. Now, due to discharges from sewer plants, the creek runs year round with a fairly rapid flow. When rain occurs, like this past weekend, the creek becomes impassable for several days. I cannot access almost 80% of my property due to the inability to cross the creek. With continued proposals to discharge more and more treated

effluent into Wilbarger, I believe I will be cut off from accessing the majority of my property. In addition I have observed multiple algae blooms in the water which are evidence of contamination by treatment discharges. I recently received a report from TCEQ in response to a complaint, and it revealed multiple deficiencies of the Manor treatment facility, including sand filtration which was OFFLINE. This contamination, which has occurred multiple times as documented by TCEQ, makes the water downstream unsuitable for safe drinking by my animals or any of the wildlife currently living on the property. With increased discharges into the creek from current treatment plants or new ones, there are increased chances for the creek to be further contaminated. I no longer hear or see the frogs in the creek. They used to be prominent and I believe this is due to the lower water quality. It is imperative that this creek be protected. Its water flows into the Colorado, which is a source for drinking water down the line.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Tuesday, July 5, 2022 11:30 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016022001
Attachments: Majestic Marsh WWTP2.pdf

eComment = H
Attachment = H

From: makoph@hotmail.com <makoph@hotmail.com>
Sent: Thursday, June 30, 2022 10:18 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016022001

REGULATED ENTY NAME MAJESTIC MANOR WWTP

RN NUMBER: RN111305389

PERMIT NUMBER: WQ0016022001

DOCKET NUMBER:

COUNTY: TRAVIS

PRINCIPAL NAME: SWWC UTILITIES INC

CN NUMBER: CN603264763

FROM

NAME: MARILYN KELINSKE

EMAIL: makoph@hotmail.com

COMPANY:

ADDRESS: 6805 LADERA NORTE
AUSTIN TX 78731-2687

PHONE: 5127961196

FAX:

COMMENTS: I would like to request individual standing in this matter as a property owner on Wilbarger. I also want to ask for a public hearing.

To the Office of Chief Clerk
TCEQ
Re: Draft permit WQ0016022001

I own property on Littig Road and Wilbarger Creek and its tributaries run across my property. When I purchased the property the creek was clear. In recent years it has become cloudy many times, clogged with algae, which is a sign of contamination. No longer can the fish and frogs that were abundant earlier be found. I understand that Pflugerville is discharging effluent directly into Wilbarger. I hold that this is the reason for the changes I have observed. But what has been done about this? What changes have been made to prevent this occurrence in the future?

With all the population growth in the area, there is going to be more and more pressure to discharge effluent into Wilbarger. This does not bode well for Wilbarger or the Colorado River it drains into or the Edwards Aquifer recharge zone. All these waters will suffer if Wilbarger suffers.

Numerous studies have shown that nitrogen and phosphorus levels are markedly increased when effluent is discharged into water. This is evidence of clear contamination and poses dangers on many fronts.

Wilbarger is a source of water for wildlife. My land has a conservation easement on it for wildlife and with the population growth all around, it has become a haven for it. The animals depend on clean water from the creek for survival. I do have horses and livestock on my property but have restricted their access to the creek water because of the contamination. The creek is also a place for fishing and swimming. The fish are minimal in numbers now but they can rebound if the water is protected. People should be able to enjoy swimming in the creek but all of us would not want to do so if the water was contaminated and full of algae like it was recently.

The amount of flow is also a concern for me. When I purchased the property, the creek was dry except during winter rains. Now it flows year round but often is too deep after rains to allow me access to the back $\frac{3}{4}$ of my property. What effect would 800,000 gallons daily have on this?

I am concerned about the increased flooding of Wilbarger that occurs with modest rains now. What happens when effluent is mixed with stormwater and overflows on hundreds of acres adjacent to the banks of the creek. What effect on vegetation and the animals does this have? Have studies been done to know the answer? How long would this effect last?

Add to this that a decision to divert the discharge of treated effluent from existing Manor subdivisions from Gilleland Creek to Wilbarger has been made recently.

Based on all these concerns, I oppose any new discharge of effluent directly into Wilbarger Creek. It is imperative that higher treatment standards be required.

I would like to request individual standing in this matter and request a public hearing regarding Majestic Manor.

Thank you.

Marilyn Kelinske